



# CITY OF SAN CLEMENTE

## SPECIAL AND REGULAR CITY COUNCIL AGENDA

City Council Chambers  
San Clemente Civic Center  
100 Avenida Presidio  
San Clemente, California  
[www.san-clemente.org](http://www.san-clemente.org)

August 2, 2016  
4:30 p.m. - Closed Session  
6:00 p.m. - Business Meeting

*Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.*

### **RULES FOR ADDRESSING COUNCIL**

- Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.
- If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and submit it to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an **agendized** item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a **non-agendized** issue will be invited to address Council during the “Oral Communications” portion of the meeting.
- When the Mayor calls your name, please step to the podium, state your name and your city of residence, and then give your presentation. Please limit your presentation to three minutes.

**MISSION STATEMENT**

*The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:*

*Maintaining a safe, healthy atmosphere in which to live, work and play;*

*Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;*

*Providing for the City's long-term stability through promotion of economic vitality and diversity...*

**4:30 P.M. CLOSED SESSION (Special Meeting)**

**A CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Existing litigation pursuant to Government Code section 54956.9(d)(1)  
Number of Cases: 5

Case Name: City of San Clemente v Sobertec LLC (1)  
Case Number: OCSC 30-2015-00805227

Case Name: City of San Clemente v Coast To Coast Referral Center, Inc.  
Case Number: OCSC 30-2015-00806052

Case Name: City of San Clemente v. Dual Diagnosis Treatment Center, Inc.  
Case Number: OCSC 30-2015-00805214

Case Name: Dual Diagnosis Treatment Center, Inc. v. City of San Clemente  
Case Number: USDC 8:15-cv-01611CJC-JCG

Case Name: Emergency Shelter Coalition v. City of San Clemente  
Case Number: OCSC 30-201400758880

**B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code section 54956.9(b)  
Number of Potential Cases: 1

**C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)  
Number of potential cases: 10

*Closed Session items continued on following page*

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

Property: 8,934 sq.ft. freestanding office/warehouse building located at 1030 Calle Negocio in San Clemente, CA

Agency negotiators: City Manager and Assistant City Manager

Negotiating parties: Family Assistance Ministries and City of San Clemente

Under Negotiation: Terms for extension and amendment of existing Lease

**6:00 P.M. BUSINESS MEETING (Regular Meeting)**

**CALL TO ORDER**

**INVOCATION – Shadi Farhadi, Baha’i Faith Community**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. Special Presentations.**

**A. Certificate of Recognition – Kendall Stier**

Presentation of a Certificate of Recognition to Kendall Stier for winning the State California Interscholastic (CIF) championship/gold medal in the Girls Seated Shot Put competition.

**B. Presentation of Proclamation – Charlie Ware**

Presentation of Proclamation to Charlie Ware in recognition of 40 years of meritorious service to the San Clemente Ocean Festival.

**C. Presentation of Certificate of Recognition – North Beach Roundabout Project**

Presentation of Certificate of Recognition to Patricia Holloway, of the San Clemente Tree Foundation, commending the volunteers involved in the North Beach Roundabout Landscape Project.

**D. Recognition of Outgoing City Commission/Committee Members**

Presentation of City Tiles to the following outgoing Commission/Committee members:

Alison Betts, Coastal Advisory Committee  
Linda Chitwood, Beaches, Parks and Recreation Commission  
George Gooch, Golf Course Committee  
Chris McCormack, Beaches, Parks and Recreation Commission  
Jim Ruehlin, Planning Commission

**E. Planning Commission Update**

Presentation by Planning Commission Chair Don Brown concerning Planning Commission activities.

**F. Online Public Records Request Portal**

Presentation by Information Technology Manager Brower concerning the City's new online Public Records Request portal.

2. **Oral Communications (Part 1).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 10. When the Mayor calls your name, please step to the podium, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.
3. **Motion waiving reading in full of all Resolutions and Ordinances.**
4. **Consideration of agendizing items requiring immediate action.** Any items agendized will be considered under New Business, unless otherwise determined by a majority vote of the City Council.
5. **Closed Session Report - City Attorney.**

6. **Consent Calendar.** All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.

A. **City Council Minutes**

- 1. [Approve the Minutes of the Adjourned Regular City Council Meeting of June 29, 2016.](#)
- 2. [Approve the Minutes of the Special and Regular City Council Meeting of July 5, 2016.](#)

B. **Receive and file:**

- 1. [Minutes of the Regular Beaches, Parks and Recreation Commission Meeting of June 14, 2016.](#)
- 2. [Minutes of the Regular Zoning Administrator Meeting of July 6, 2016.](#)
- 3. [Minutes of the Regular Coastal Advisory Committee Meeting of July 9, 2016.](#)

C. **Warrant Register**

[Wire Transfer Nos. 1529 through 1531 and Warrant Nos. 533835 through 534025 paid on 7/1/2016, in the amount of .....\\$2,927,688.61](#)

[Handwrite No. 534026, Wire Transfer Nos. 1532 through 1535 and Warrant Nos. 534027 through 534173 paid on 7/8/2016, in the amount of .....\\$3,666,854.91](#)

[Wire Transfer No. 1536 and Warrant Nos. 534174 through 534350 paid on 7/15/2016, in the amount of .....\\$1,236,280.93](#)

[Wire Transfer No. 1537 through 1540 and Warrant Nos. 534351 through 534556 paid on 7/22/2016, in the amount of .....\\$1,968,953.85](#)

TOTAL WARRANT REGISTER ...\$9,799,778.30

**Payroll Register**

Warrant Nos. 505 through 508 and  
Automatic Deposit Advises 33363 through 33677  
for the period of 6/20/2016 through 7/3/2016,  
paid on 7/8/2016, in the amount of ..... \$ 426,099.50

Warrant Nos. 509 through 512 and  
Automatic Deposit Advises 33678 through 34012  
for the period of 7/4/2016 through 7/17/2016,  
paid on 7/22/2016, in the amount of .....\$ 454,014.20

TOTAL WARRANT REGISTER ....\$ 880,113.70

- D. **[Contract Amendment – Orange County Transportation Authority \(OCTA\) Cooperative Agreement, Senior Mobility Program](#)** Pages 6-D-1 through 6-D-22

**Staff Recommendation**

Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract C11-19, a Cooperative Agreement by and between the City of San Clemente and OCTA, providing for Senior Mobility Program funding, effective July 1, 2016 through June 30, 2021.

- E. **[Contract Award – Highland Light Ductile Iron Pipeline Replacements Phase II](#)** Pages 6-E-1 through 6-E-4

**Staff Recommendation**

1. Approve the plans and specifications for the Phase II Highland Light Ductile Iron Pipeline Replacements Phase II, Project No. 14403.
2. Approve a supplemental appropriation in the amount of \$182,000 from the Water Fund Depreciation Reserve to Account 052-466-45300-14403.
3. Approve, and authorize the Mayor to execute, Contract C16-44 by and between the City of San Clemente and Gwinco Construction and Engineering, Inc., providing for the Highland Light Ductile Iron Pipeline Replacements Phase II, in the amount of \$2,140,240.

- F. [Contract Award – Orange County Transportation Authority \(OCTA\) Grant Cooperative Agreement for Project V Community-Based Transit/Circulators Rideshare Beta Test Rider](#) Pages 6-F-1 through 6-F-16

Staff Recommendation

1. Approve the revised Cooperative Agreement No. C-6-1301 with OCTA for Project V Community-Based Transit/Circulators.
2. Accept a grant of \$914,400 from the Orange County Transportation Authority (OCTA) as Other County Grant Revenue in FY 2017 for the Rideshare Beta Test Rider project.
3. Approve a supplemental appropriation in the amount of \$1,016,000 for Other Contractual Services in the Traffic Program (Account 001-413-43890) for the Rideshare Beta Test Rider project.
4. Authorize the City Manager to hire consultants to assist with the implementation of the program at a cost not to exceed \$100,000.

- G. [Acceptance of Pico Park and Various Street Improvements in the Marblehead Coastal Development and Release of Performance and Labor and Material Bonds](#) Pages 6-G-1 through 6-G-7

Staff Recommendation

Adopt Resolution No. 16-52 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF PICO PARK AND VARIOUS STREET IMPROVEMENTS AND RELEASE OF PERFORMANCE AND LABOR & MATERIAL BONDS RELATED TO THE MARBLEHEAD COASTAL DEVELOPMENT IN TRACT 8817.

- H. [Contract Award – FY 2017 Major Street Maintenance for Avenida Ortega, Calle Del Cerrito, Ardilla Lane, Calle Gomez, Calle Del Rito, East Avenida Magdalena, Los Bautismos Lane, and Various Other Pavement Repair Locations](#) Pages 6-H-1 through 6-H-11

Staff Recommendation

1. Approve the specifications for the FY 2017 Major Street Maintenance for Avenida Ortega, Calle Del Cerrito, Ardilla Lane, Calle Gomez, Calle Del Rito, East Avenida Magdalena, Los Bautismos Lane and various other pavement repair locations, Project Nos. 27305 and 27306.
2. Approve, and authorize the Mayor to execute, Contract C16-45 by and between the City of San Clemente and All American Asphalt, providing for the FY 2017 Major Street Maintenance for Avenida Ortega, Calle Del Cerrito, Ardilla Lane, Calle Gomez, Calle Del Rito, East Avenida Magdalena, Los Bautismos Lane and various other pavement repair locations, in the amount of \$497,497.20.

- I. [Contract Award – Land Outfall Recoating at Prima Deshecha Canada](#) Pages 6-I-1 through 6-I-4

Staff Recommendation

1. Approve and authorize an appropriation in the amount of \$100,000 from the Sewer Fund Other Agency Depreciation Reserve to Account 054-476-43420-000-27207.
2. Approve the plans and specifications for the Land Outfall Recoating at Prima Deshecha Canada, Project No. 27207.
3. Approve, and authorize the Mayor to execute, Contract C16-46 by and between the City of San Clemente and Murphy Industrial Coating, Inc., providing for the Land Outfall Recoating at Prima Deshecha Canada, in the amount of \$67,699.

- J. [Lot Line Adjustment 16-005 – Marblehead Coastal, Taylor Morrison \(Lots 205, 206 and GG of Tract 8817, Planning Area 1 on Via Galicia\)](#) Pages 6-J-1 through 6-J-4

Staff Recommendation

Approve Lot Line Adjustment 16-005 (Lots 205, 206 and GG of Tract 8817 Planning Area 1 on Via Galicia).



- K. [Lot Line Adjustment 16-006 – Marblehead Coastal, Taylor Morrison \(Lots 207, 208 and GG of Tract 8817, Planning Area 1 on Via Galicia\)](#)  
Pages 6-K-1 through 6-K-4

Staff Recommendation

Approve Lot Line Adjustment 16-006 (Lots 207, 208 and GG of Tract 8817, Planning Area 1 on Via Galicia).

- L. [Proposed Tax Liens – 2015 Weed Abatement and 2014, 2015 and 2016 Storm Drain/Clean Ocean Charges](#) Pages 6-L-1 through 6-L-10

Staff Recommendation

1. Adopt Resolution No. 16-53 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD UNPAID 2015 WEED ABATEMENT ASSESSMENTS TO THE FY 2016-17 TAX ROLLS.
2. Adopt Resolution No. 16-54 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD DELINQUENT STORM DRAIN AND CLEAN OCEAN FEES TO THE FY 2016-17 TAX ROLLS. ***This Resolution requires an affirmative vote by 4 Councilmembers to pass.***
3. Direct the City Clerk to file the Resolutions with the Orange County Auditor-Controller, thereby placing a lien on the affected properties in order to collect revenue owed to the City.

- M. [Notice of Completion – Calle Puente Sidewalk Improvements](#) Pages 6-M-1 through 6-M-3

Staff Recommendation

1. Accept the Calle Puente Sidewalk Improvements from the contractor, FCO Construction, Inc., Project No. 16349.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the Calle Puente Sidewalk Improvements.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against FCO Construction, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

N. [Parking Restrictions – Calle Oso](#) Pages 6-N-1 through 6-N-5Staff and Planning Commission Recommendation

1. Establish a parking restriction from 7:30 a.m. to 3:30 p.m. during school days, on the east side of Calle Oso from the west side (egress side) of Las Palmas Elementary School driveway to El Portal for a distance of 100 feet.
2. Remove a parking restriction from 7:30 a.m. to 3:30 p.m. during school days, on the west side of Calle Oso from a point 20 feet northwest of the curb return at Avenida Del Poniente in the westerly direction for a distance of 70 feet.
3. Adopt Resolution No. 16-55, entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING 'RESTRICTED PARKING AREAS' ON CALLE OSO.

O. [Contract Award – Street Rehabilitation and Slurry Seal for Avenida Pico \(Courtyards to Camino La Pedriza\)](#) Pages 6-O-1 through 6-O-11Staff Recommendation

1. Approve the specifications for the Street Rehabilitation and Slurry Seal for Avenida Pico (Courtyards to Camino La Pedriza), Project No. 16346.
2. Approve, and authorize the Mayor to execute, Contract C16-47 by and between the City of San Clemente and All American Asphalt, providing for the Street Rehabilitation and Slurry Seal for Avenida Pico (Courtyards to Camino Pedriza), in the amount of \$249,306.20.

P. [Fee Waiver – Stoke-O-Rama Surf Contest](#) Pages 6-P-1 through 6-P-3Staff and Beaches, Parks and Recreation Commission Recommendation

Waive in-kind services and rental fees for the Gudauskas family under Positive Vibe Warriors Foundation to hold a surf contest for Stoke-O-Rama supporters in an amount not to exceed \$1,800.

Q. [Beaches, Parks and Recreation Master Plan Funding](#) Page 6-Q-1Staff Recommendation

Approve a supplemental appropriation from the General Fund's Unassigned Fund Balance in the amount of \$124,000 to Account. 001-624-43890 for PROS Consulting to prepare a Beaches, Parks and Recreation Master Plan.

- R. [Contract Award – Initial Study and Environmental Analysis for the Sign Exception Permit for the Outlets at San Clemente Freeway-Oriented Signs](#) Pages 6-R-1 through 6-R-28

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract 16-49 by and between the City of San Clemente and CAA Planning, providing for an environmental analysis for the Outlets at San Clemente freeway-oriented signs, in an amount not to exceed \$67,000.

7. **Public Hearings.** The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

- A. [Repealing Ordinance Nos. 1585 and 1611, Which Amended Sections 17.56.100 to 17.56.105 of Title 17 of the San Clemente Municipal Code Related to Emergency Shelters and Initiation of a New Zoning Amendment Pursuant to Senate Bill 2 Relating to the Development of, or Conversion to, Emergency Shelters](#) Pages 7-A-1 through 7-A-5

Public Hearing to consider i) rescinding Ordinances Nos. 1585 and 1611, which amended portions of the San Clemente Zoning Ordinance to facilitate the development of, or conversion to, emergency shelters, and ii) initiation of a new zoning ordinance relating to development of, or conversion to, emergency shelters consistent with the requirements of California Senate Bill 2, codified at Government Code Section 65583.

Staff Recommendation

1. Introduce Ordinance No. 1630 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE REPEALING ORDINANCE NOS. 1585 AND 1611, CODIFIED AT SECTIONS 17.56.100 TO 17.56.105 OF TITLE 17 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO EMERGENCY SHELTERS.
2. Initiate a new Zoning Amendment pursuant to Senate Bill 2 relating to the development of, or conversion to, emergency shelters.

8. **Unfinished Business.**

None.

9. **New Business.**A. **[Design Phase Agreement – U.S. Army Corps of Engineers Sand Replenishment Project](#)** Pages 9-A-1 through 9-A-14

Report from the Public Works Director/City Engineer concerning a design phase agreement for the U.S. Army Corps of Engineers Sand Replenishment Project.

**Staff Recommendation**

1. Approve, and authorize the City Manager to execute, an agreement with the U.S. Army Corps of Engineers for design of the San Clemente Shoreline Beach Sand Replenishment project. (Contract C16-48)
2. Approve, and authorize the City Manager to execute, related documents and certifications as may be needed during the design phase, provided they do not involve increases to the approved design phase budget.
3. Approve, and authorize the City Treasurer to execute, the design phase Financial Self-Certification form.
4. Approve, and authorize the City Attorney to execute, the Certificate of Authority form.

B. **[Establishment of Speed Limit – West Avenida Vista Hermosa](#)** Pages 9-B-1 through 9-B-6

Report from the Public Works Director/City Engineer concerning establishing a speed limit on West Avenida Vista Hermosa.

**Staff and Planning Commission Recommendation**

1. Accept the Engineering and Traffic Survey for West Avenida Vista Hermosa from Interstate 5 to Avenida Pico (west), and establish a 40 mile per hour speed limit on this street.
2. Introduce Ordinance No. 1631 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 10 OF THE MUNICIPAL CODE CONCERNING SPEED ZONES ON WEST AVENIDA VISTA HERMOSA.

C. [Sufficiency of Initiative Petition for Election of City Council Members by District](#) Pages 9-C-1 through 9-C-42

Report from the City Clerk concerning sufficiency of the Initiative Petition for Election of City Council Members by District.

Staff Recommendation

STAFF RECOMMENDS THAT the City Council take action pursuant to one of the three options listed below:

**Option 1**

1. Adopt the following Ordinance, without alteration, at this time, or within ten days:

Ordinance No. 1629 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA TO CHANGE CITY COUNCIL ELECTIONS FROM "AT LARGE" TO "BY DISTRICT," TO ESTABLISH A TASK FORCE TO RECOMMEND DISTRICT BOUNDARIES, AND TO REQUIRE A SPECIAL ELECTION IF THE CITY COUNCIL DOES NOT ADOPT THE TASK FORCE'S RECOMMENDATION.

**Option 2**

Schedule the initiative for voter determination at the General Municipal Election of November 8, 2016 by taking the below actions:

1. Adopt Resolution No. 16-49 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A CERTAIN MEASURE RELATING TO ELECTION OF CITY COUNCIL MEMBERS BY DISTRICT AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, AS CALLED BY RESOLUTION NO. 16-32.
2. State Law (E.C. 9282) provides that the persons filing an initiative petition may file a written argument in favor of the measure, and the legislative body may submit an argument against the measure. If Council wishes to submit an argument against the measure, Staff recommends that Council appoint a subcommittee to compose the argument to be signed by any other member(s) of the Council who Council authorizes to sign the argument. After these decisions are made, Staff recommends that Council adopt Resolution 2(a) below if Council wishes to direct the City Attorney to prepare an Impartial Analysis to be printed in the Sample Ballot, or Resolution 2(b) if an Impartial Analysis is not desired:

*Staff recommendation continued on following page*

2(a) Resolution No. 16-50 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE CONCERNING ELECTION OF CITY COUNCIL MEMBERS BY DISTRICT, TO BE SUBMITTED TO CITY VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016 AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.

OR

2(b) Resolution No. 16-50 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE CONCERNING ELECTION OF CITY COUNCIL MEMBERS BY DISTRICT, TO BE SUBMITTED TO CITY VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016.

3. If Council desires to allow rebuttals to arguments filed with regard to the City measure concerning election of City Council members by district, Staff recommends that Council take action as follows:

1. Adopt Resolution No. 16-51 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR A CITY MEASURE CONCERNING ELECTION OF CITY COUNCIL MEMBERS BY DISTRICT, TO BE SUBMITTED TO CITY VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016.

2. State law (E.C. 9285) allows the author or a majority of the authors of a direct argument relating to a city measure to prepare and submit a rebuttal argument or to authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. If Council authorizes members of its body to submit an argument against the measure, and Council adopts Resolution No. 16-51 providing for the filing of rebuttal arguments, then Staff recommends that Council appoint a subcommittee to either compose the rebuttal to be signed by a majority of the Councilmembers who signed the direct argument, or to prepare written notification to the City Clerk, to be signed by a majority of the Councilmembers who signed the direct argument, authorizing up to five other persons to prepare, submit, or sign the rebuttal argument.

*Staff recommendation continued on following page*

If Council does not wish to delegate the decision to a subcommittee as to whether other persons can prepare, submit, or sign the rebuttal argument, Council can take action at this time to either require that the rebuttal be signed by the same Councilmembers that were authorized to sign the direct argument, or to provide direction to the subcommittee relative to the name(s) of the person or persons who it shall authorize to prepare and submit the rebuttal argument to the City Clerk.

### **Option 3**

Order a report concerning the effect of the proposed initiative, pursuant to Elections Code Section 9212. State law requires that the report be presented to Council within the time prescribed by Council, but no later than 30 days from this meeting. When the report is presented to Council, it is required to either adopt the ordinance within 10 days or submit the initiative for election at the City's next regular election occurring not less than 88 days after the date of the order of election.

10. **Oral Communications (Part 2).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When the Mayor calls your name, please step to the podium, state your name and the City in which you reside, and make a presentation not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.
  
11. **Reports.**
  - A. **Commissions and Committees**
  - B. **City Manager**
  - C. **City Attorney**

D. Council Members

1. [City Voting Delegate and Alternate\(s\) – League of California Cities Annual Business Meeting](#) Pages 11-D(1)-1 through 11-D-(1)-4

Staff Recommendation

Appoint one Voting Delegate and a maximum of two Alternate(s) to vote on the City's behalf at the League of California Cities Annual Business Meeting on October 7, 2016 in Long Beach.

12. Resolutions/Ordinances.

None.

13. Adjournment.

Adjourn to an Adjourned Regular City Council Meeting to be held on August 30, 2016 at 7:00 p.m. at the San Clemente Golf Course, Wedgewood Banquet Room, located at 150 Avenida Magdalena, San Clemente, California, for the purpose of meeting in joint session with the City's Commissions and Committees.

***Note: The Regular City Council Meeting of August 16, 2016 was previously cancelled. The next Regular City Council Meeting will be held on September 6, 2016.***



## **CITY COUNCIL MEETING PROCEDURES**

### **PRESENTATION OF WRITTEN MATERIALS TO COUNCIL**

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

### **MEETINGS RECORDED AND TELEVISED**

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 30 (or Channel 854 for high-definition televisions). Meetings are also recorded via audio CD and DVD and retained as a City record in accordance with the City's records retention schedule.

### **LENGTH OF MEETINGS**

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

### **AMERICANS WITH DISABILITIES ACT**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

### **COMMUNICATION DEVICES**

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

### **MEETING SCHEDULE**

Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items are considered at 5:00 p.m. and the Business Meeting begins at 6:00 p.m. Additional meetings of the City Council may be called as needed.

### **AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS**

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Office as soon as agendas are posted (a minimum of 72 hours prior to the meeting). Agendas and Administrative Reports can also be viewed at the San Clemente Library, located at 242 Avenida Del Mar, or by accessing the City's website at [www.san-clemente.org](http://www.san-clemente.org). An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Office, located at 100 Avenida Presidio, San Clemente, during normal business hours.

The City Clerk's Office also offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, please send an email to [cityclerk@san-clemente.org](mailto:cityclerk@san-clemente.org) or call 949-361-8200.