



CITY OF SAN CLEMENTE REVISED SPECIAL AND REGULAR CITY COUNCIL MEETING AGENDA

City Council Chambers
San Clemente Civic Center
100 Avenida Presidio
San Clemente, California
www.san-clemente.org

February 7, 2017
4:00 p.m. - Closed Session
6:00 p.m. - Business Meeting

Note: This revised agenda differs from the original agenda that was posted on January 31, 2017 in that Item 6-L was added to the agenda. This item can be found on Page 7 of this agenda in italicized font.

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...

Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow's needs.

CLOSED SESSION (4:00 P.M.) – Special Meeting

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing litigation pursuant to Government Code section 54956.9(d)(1)

Number of Cases: 3

Case Name: City of San Clemente v Sobertec LLC (1)

Case Number: OCSC 30-2015-00805227

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

B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)

Number of potential cases: 2

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)

Number of potential cases: 1

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Portion of 100 Avenida Presidio

Agency negotiator: City Manager/Assistant City Manager

Negotiating party: Orange County Sheriff

Under Negotiation: Price and Terms of Payment

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

CALL TO ORDER

INVOCATION – Martin Garff, Church of Jesus Christ of Latter-day Saints

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Special Presentations.

A. Camp Pendleton Report

Presentation by Lt. Col. Cook, Commanding Officer, and Major Cunningham, Executive Officer, Camp Pendleton Marine Corps Base, concerning Camp Pendleton matters.

B. San Clemente High School Update

Presentation by San Clemente High School students Sara Barnes and Brigham Maready concerning campus activities.

C. Planning Commission Update

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

- 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 Special and Regular City Council Meeting minutes of January 17, 2017.](#)

B. Receive and file:

(1) [Regular Golf Course Committee Meeting minutes of January 5, 2017.](#)

(2) [Regular Beaches, Parks and Recreation Commission Meeting minutes of January 10, 2017.](#)

(3) [Regular Zoning Administrator Meeting minutes of January 18, 2017.](#)

(4) [Planning Commission Adjourned Regular Meeting minutes of January 18, 2017.](#)

C. **Warrant Register**

[Approve Warrant Nos. 538396 through 538547, paid on 1/13/17, in the amount of.....\\$ 860,973.87](#)

[Approve Wire Transfers Nos. 1593 through 1596, paid on 1/20/17, and Warrant Nos. 538548 through 538686, paid on 1/20/17, in the amount of.....\\$2,341,377.80](#)

[Approve Wire Transfer No. 1597, paid on 1/20/17, and Warrant Nos. 538687 through 538826, paid on 1/27/17, in the amount of.....\\$1,160,943.52](#)

TOTAL WARRANT REGISTER.....\$4,363,295.19

Payroll Register

Approve Warrant Nos. 553 through 554, and Automatic Deposit Advises 37616 through 37896, for the period 1/2/17 through 1/15/17, paid on 1/20/17, in the amount of.....\$ 415,938.39

TOTAL PAYROLL REGISTER.....\$ 415,938.39

- D. [Appointment of Director and Alternate Directors to South Orange County Wastewater Authority \(SOCWA\) Joint Powers Agency Board of Directors](#) Pages 6-D-1 through 6-D-4

Staff Recommendation

Adopt Resolution No. 17-01 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA APPOINTING A DIRECTOR AND ALTERNATE DIRECTORS TO THE SOUTH ORANGE COUNTY WASTE WATER AUTHORITY (SOCWA) JOINT POWERS AGENCY BOARD OF DIRECTORS.

- E. [Recreation Sports Partnership Review – San Clemente Girls Softball](#) Pages 6-E-1 through 6-E-76

Staff and Beaches, Parks and Recreation Commission Recommendation

Approve, and authorize the Mayor to execute, a Platinum Partnership agreement by and between the City of San Clemente and San Clemente Girls Softball for a three-year term. (Contract #C17-03)

- F. [Proposed Parking Prohibition – El Levante](#) Pages 6-F-1 through 6-F-6

Staff Recommendation

1. Prohibit parking on the west side of El Levante from a point 20 feet east of the driveway at 154 El Levante in a southerly direction of 220 feet.
2. Adopt Resolution No. 17-02 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING ‘NO PARKING AREAS’ ON EL LEVANTE.

- G. [Amendment to the Measure M2 Seven-Year Capital Improvement Program \(CIP\) Projects for FY 2016/17 through FY 2022/23](#) Pages 6-G-1 through 6-G-47

Staff Recommendation

Approve an amendment to the Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2016/17 through 2022/23 to include the Rideshare Services and Summer Trolley projects.

- H. [Contract Award – Tesoro Pressure Reducing Station Rehabilitation](#) Pages 6-H-1 through 6-H-4

Staff Recommendation

1. Approve the plans and specifications for the Tesoro Pressure Reducing Station Rehabilitation, Project No. 16407.
2. Approve, and authorize the Mayor to execute, Contract C17-04, by and between the City of San Clemente and O’Connell Engineering and Construction, providing for the rehabilitation of the Tesoro Pressure Reducing Station, in the amount of \$244,800.

- I. [Contract Award – FY 2017 Replacement of Traffic Signal Controllers](#) Pages 6-I-1 through 6-I-4

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C17-05, by and between the City of San Clemente and Control Tech West, providing for replacement of traffic signal controllers, in the amount of \$71,903.

- J. [FY 2017- FY 2020 Memorandum of Understanding \(MOU\) Between the City of San Clemente and the San Clemente City Employees Association \(SCCEA\)](#) Pages 6-J-1 through 6-J-23

Staff Recommendation

1. Approve the Memorandum of Understanding between the City of San Clemente and the San Clemente City Employees Association.
2. Approve all salary, pension offset, holiday changes, vacation buy-back, opt-out provisions, and cafeteria benefit changes noted above for the Executive, Mid-Management, and Confidential employee groups.
3. Adopt Resolution No. 17-03 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 14-38, APPROVING EMPLOYER PAID MEMBER CONTRIBUTIONS.

K. [Contract Amendment/Budget Transfer – Planning Division Temporary Staff Augmentation](#) Pages 6-K-1 through 6-K-5

Staff Recommendation

1. Approve a budget transfer in the amount of \$40,000 from Account 001-433-41010-000-00000 (Salaries, Full-Time) to Account 001-431-43890-000-00000 (Contractual Services).
2. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract AC-710, by and between the City of San Clemente and Civic Solutions, providing for a Temporary Planning Technician. This contract amendment increases the contract amount from \$40,486 to \$80,486, an increase of \$40,000, and extends the contract terms through April 30, 2017, or until services are no longer needed.

L. [San Clemente Day](#) Page 6-L-1

Staff and Beaches, Parks and Recreation Commission Recommendation

1. *Designate the last Saturday in February of each year as San Clemente Day.*
2. *Direct Staff to develop celebration opportunities.*

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.

None.

8. **Unfinished Business.**

None.

9. New Business.**A. [2016 T-Zone Occupancy Count Update](#)** Pages 9-A-1 through 9-A-59

Report from the Community Development Director concerning the 2016 T-Zone Occupancy Count update.

Planning Commission Recommendation

1. Implement recommendations 1-7 at this time, as contained in the Administrative Report, dated February 7, 2017, which is on file with the City Clerk.
2. Investigate and implement recommendations 8-17 as opportunities present themselves.
3. Continue current parking management policy, recommendations 18-24.
4. Initiate comprehensive parking and circulation strategy, recommendation 25, after the higher priority Implementation Measures in process are complete (e.g. Zoning Ordinance Update/Specific Plan update, Local Coastal Plan, etc.).

B. [2016 North Beach Parking Study](#) Pages 9-B-1 through 9-B-38

Report from the Community Development Director concerning the 2016 North Beach Parking Study.

Planning Commission Recommendation

1. Implement recommendations 1-2 at this time, as contained in the Administrative Report, dated February 7, 2017, and on file with the City Clerk.
2. Investigate and implement recommendations 3-4 as opportunities present themselves.
3. Continue current parking management policy in North Beach, recommendations 5-8.
4. Initiate comprehensive parking and circulation strategy, recommendation 9, after the higher priority Implementation Measures in process are complete (e.g. Zoning Ordinance Update/Specific Plan Update, Local Coastal Plan, etc.).

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**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

Adjourn to an Adjourned Regular Meeting to be held on February 13, 2017 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, for the purpose of interviewing candidates and making appointments to the Human Affairs Committee and Golf Course Committee.

An Adjourned Regular Council Meeting will be held on February 21, 2017 in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items will be considered at 4:30 p.m. The Regular Business Meeting will commence at 6:00 p.m.

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.

USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

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 Department 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. 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 Department, located at 100 Avenida Presidio, San Clemente, during normal business hours.

The City Clerk's Department 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 or call 949-361-8200.