

CITY OF SAN CLEMENTE

City Council Minutes

Special and Regular City Council Meeting – April 18, 2017

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

A Special and Regular Meeting of the San Clemente City Council was called to order on April 18, 2017 at 4:30 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Ward.

PRESENT BROWN*, DONCHAK, SWARTZ, MAYOR WARD
 *Arrived at 4:40 p.m.

ABSENT HAMM

STAFF PRESENT James Makshanoff, City Manager; Scott Smith, City Attorney;
Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

CLOSED SESSION

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 3-0 (MAYOR PRO TEM BROWN AND COUNCILMEMBER HAMM ABSENT), to recess to Closed Session at 4:40 p.m. to discuss the following:

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code section 54957
Title: City Attorney
- B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
Number of potential cases: 1
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Existing litigation pursuant to Government Code section 54956.9(d)(1)
Number of Cases: 4

Case Name: Memorial Health Services, et al. v. City of San Clemente
Case Number: USDC 8:16-cv-00852-DOC-JCG

Closed Session items continued on following page

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

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

D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Number of potential cases: 1

In attendance for the full Closed Session were all members of the City Council, except Councilmember Hamm who was absent, City Manager Makshanoff, Assistant City Manager Sund and City Attorney Smith.

MEETING RECONVENED

Council reconvened at 6:09 p.m., with all members present, except Councilmember Hamm, who was absent.

INVOCATION

Pastor Roger Gales, Heritage Christian Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Brown led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

A. Operation Lifesaver California – Rail Safety Campaign

Sara Logan, of Operation Lifesaver California, provided an update concerning the rail safety campaign.

B. San Clemente Village Update

Robert Coff, Treasurer of San Clemente Village, provided an update concerning the Village's accomplishments to date and future plans.

C. 2017 Wall of Recognition Honorees

Report from the Beaches, Parks and Recreation Department concerning the 2017 Wall of Recognition Honorees.

Bob Baker, San Clemente, spoke in support of Dr. Gialamus' nomination to the Wall of Recognition; thanked Dr. Gialamus for his service to the City, and in particular for his leadership role in the "Save San Clemente Hospital" campaign.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Approve the selection of the 2017 recipients (Gus Gialamus, MD and Peggy Vance) to be honored on the Wall of Recognition.
2. Approve the nomination procedure to allow nominations received to be considered for three years for inclusion on the Wall of Recognition.
3. Direct the Mayor to present Gus Gialamus, MD and Peggy Vance with Certificates of Recognition.

Mayor Ward presented Dr. Gus Gialamus and Peggy Vance with Certificates of Recognition for being named to the Wall of Recognition.

D. Presentation of Commendation – Brandon Wu, Eagle Scout Recipient

Mayor Ward presented a Commendation to Brandon Wu in recognition of achieving the rank of Eagle Scout.

2. ORAL COMMUNICATIONS (PART 1)

Overnight Parking on Avenida Calafia

Karen Conley, San Clemente, suggested that neighborhood safety would be improved if Council would require permits for vehicles that park overnight on Avenida Calafia.

“Every 15 Minutes” Program – Preventing Impaired Driving

Austin Whitsett and Brooke Harvey, San Clemente High School students, reported on the recent “Every 15 Minutes” program at San Clemente High School, which educates students on the dangers of impaired driving; narrated a PowerPoint presentation entitled “Tritons Don’t Drink and Drive” and requested the City sponsor a banner on El Camino Real to promote safe driving. A hard copy of the presentation is on file with the City Clerk.

Council directed that the City help publicize San Clemente High School’s “Don’t Drink and Drive” campaign.

Immigration and Deportation

Shannon Barton, San Clemente, voiced concerns regarding immigration and deportation enforcement practices under President Trump’s Executive Order; noted that Orange County Sheriff-Coroner Hutchens issued a “Response to ACLU’s ‘Nine Model State and Law Enforcement Policies and Rules’” (which is on file with the City Clerk), but noted that the grassroots group that she represents still has concerns.

Landslide and Slope Failure at Sewer Lift Station Adjacent to Linda Lane Park

Dennis Marchand, representing the Sea Bluff Homeowners Association and the owners of 259 West Avenida Marquita, urged Council to repair the slope at the Sewer Lift Station adjacent to Linda Lane Park to avoid a potential disaster that could damage the City’s lift station and/or compromise habitat areas and public safety; urged Council to support a public/private partnership to restore the slope.

Lawsuit Settlement Between the San Onofre Coalition and the Transportation Corridor Agencies (TCA)

Stefanie Sekih-Quinn, member the Surfrider Foundation, stated that she is speaking on behalf of the Save San Onofre Coalition; referenced comments made at the April 4, 2017 Council meeting concerning the toll road settlement; stated that the Coalition will not receive \$30 million from the TCA as was indicated, and pointed out that \$28 million of the funds, which are held and administered by the TCA, will be used as a conservation fund to preserve and protect the San Mateo watershed; described the manner by which the remaining \$2 million will be distributed, noting that the majority will be used to cover attorney fees and costs.

Friends of San Clemente Foundation Event Calendar

John Dorey, representing the Friends of San Clemente Foundation, provided an update on the Foundation and its upcoming events, which include the annual Sports Wall of Fame induction ceremony on May 20, 2017 and Golf Tournament on June 23, 2017.

South County Community Handbell Choir Concert

Connie Veldkamp, San Clemente, invited the community to a concert by the South County Community Handbell Choir on April 30, 2017 at St. Andrew's Methodist Church; noted that proceeds will benefit Family Assistance Ministries.

San Clemente Outlet Signage Scoping Meeting

Karen Ahola, San Clemente, voiced concern that the sign renderings that were displayed at the recent scoping meeting for signage at the Outlets did not accurately reflect the developer's sign proposal; explained that the City's temporary banner ordinance allows all stores in the Outlets to display banner signs for 120 days; voiced concern that because the ordinance does not require stores to advertise their own businesses on their banner signs, the same business signs can remain on the freeway-facing Outlet buildings for longer than 120 days; asserted that residents affected by the signs were not informed about the EIR.

Benjamin Doran, San Clemente, voiced concern with the temporary signage at the Outlets; asserted that the artist renderings that were presented at the scoping meeting misrepresented the aesthetics of the proposed signs.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to waive reading in full of all Resolutions and Ordinances.

4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

5. **CLOSED SESSION REPORT – CITY ATTORNEY**

City Attorney Smith advised that Council did not take any reportable actions during this evening's Closed Session.

6. **CONSENT CALENDAR**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to approve the Consent Calendar, with the removal of Items F, G, H and I.

A. **City Council Minutes**

None.

B. **Receive and file:**

None.

C. **Warrant Register**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to approve:

Wire Transfers Nos. 1621 through 1624,
paid on 3/31/17, and Warrant Nos. 540180
through 540319, paid on 3/31/17, in the amount
of.....\$ 998,263.78

Warrant Nos. 540320 through 540513,
paid on 4/7/17, in the amount of.....\$ 1,279,184.46

TOTAL WARRANT REGISTER.....\$ 2,277,448.24

Payroll Register

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to approve:

Warrant Nos. 567 through 569, and
Automatic Deposit Advises 39053 through 39341,
for the period 3/13/17 through 3/26/17, paid on
3/31/17, in the amount of.....\$ 417,425.15

TOTAL PAYROLL REGISTER.....\$ 417,425.15

D. **Acceptance of Avenida La Pata and Camino Del Rio Extension Street Improvements Constructed by the County of Orange**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Approve the Record ("As-Built") Plans for the extensions of Camino Del Rio and Avenida La Pata within the City of San Clemente constructed by the County of Orange.
2. Adopt Resolution No. 17-08 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO ACCEPT OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE CAMINO DEL RIO EXTENSION AND PORTION OF AVENIDA LA PATA WITHIN THE CITY OF SAN CLEMENTE AND SOUTH OF THE PRIMA DESHECHA LANDFILL BOUNDARY.

E. **Notice of Completion – Street Rehabilitation and Slurry Seal for Avenida Pico (Courtyards to Camino La Pedriza)**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Accept the Street Rehabilitation and Slurry Seal for Avenida Pico (Courtyards to Camino La Pedriza), from the contractor, All American Asphalt; Project No. 16346.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the Street Rehabilitation and Slurry Seal for Avenida Pico (Courtyards to Camino La Pedriza).
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 the contractor, All American Asphalt.
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.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**F. Acceptance of Grant Deed Easement for Roadway Purposes – Camino Del Rio at Calle Sarmientoso Intersection Improvement Project**

In response to Council inquiry, Deputy Public Works Director Bonigut explained that the City is responsible for restoring the landscape that was removed during the construction of the subject project; explained that Staff is coordinating with the Rancho Del Rio Master Association relative to the landscape palette.

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Accept the Grant Deed Easement for Roadway Purposes from the Rancho Del Rio Master Association.
2. Authorize the Mayor and City Clerk to execute the Certificate of Acceptance for the Grant Deed Easement.
3. Authorize the City Clerk to submit the Grant Deed Easement for Roadway Purposes to the County of Orange for recordation.

G. Fee Waiver - Stoke-O-Rama Surf Contest

The Gudauskas family thanked Council for considering its request to waive fees associated with the Stoke-O-Rama surf contest; reported on the benefits that past events have provided.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to waive in-kind services and rental fees for the Gudauskas family, under the Positive Vibe Warriors Foundation, in an amount not to exceed \$2,100, to hold a surf contest on October 8, 2017 for Stoke-O-Rama supporters.

H. Contract Amendment – Inspection and Permit Counter Services for the Community Development Department

Following discussion, Council requested that Staff assess requiring performance bonds for service contracts.

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to approve, and authorize the Mayor to execute, Amendment No. 4 to Contract AC-661, by and between the City of San Clemente and VCA Code Group, relating to temporary building inspection services. This contract amendment extends the terms of the contract through June 30, 2018.

I. **Contract Amendment – Ambulance Services**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to approve, and authorize the City Manager to execute, Amendment No. 3 to Contract C15-71, by and between the City of San Clemente and Care Ambulance Services. This contract amendment extends the contract terms for a two month period from May 1, 2017 through June 30, 2017, with two additional 2-month extension options, at the annual amount of \$469,800.

7. **PUBLIC HEARINGS**

None.

8. **UNFINISHED BUSINESS**

A. **Consideration of Thursday San Clemente Trolley Service**

Report from the Interim Public Works Director regarding consideration of Thursday San Clemente Trolley Service.

Deputy Public Works Director Bonigut reviewed the contents of the Administrative Report and responded to Council inquiries.

Mikki Rathmann, representing the San Clemente Downtown Business Association and the Chamber of Commerce, urged Council to add Thursdays to the trolley schedule to alleviate parking issues in the downtown.

Dan Bane, San Clemente, reported that the City's most-recent parking study revealed that parking in the downtown reaches peak capacity on Thursdays at 1:00 p.m.; spoke in support of the continued use of parking agreements to allow public use of private parking lots; urged Council to expand trolley service to include Thursdays from noon to 10:00 p.m., noting that it will provide immediate parking relief.

Don Kindred, representing the Chamber of Commerce, spoke in support of adding Thursday trolley service.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Approve, and authorize the Mayor to execute, Amendment No. 1 to Contract C17-11, by and between the City of San Clemente and Professional Parking & Transportation Services. This Amendment expands the scope of the contract to include Thursday trolley service from noon to 10:00 p.m., and increases the contract cost from \$78,336 to \$99,342, an increase of \$21,006.
2. Approve a supplemental appropriation in the amount of \$38,000 from the Air Quality Fund undesignated fund balance to Account 019-819-45300-000-00000.

9. **NEW BUSINESS**

A. **Code Amendment – Regulations of Unmanned Aviation Systems, or “Drones”**

Report from the Community Development Director concerning a proposed amendment to the Code of the City of San Clemente concerning Unmanned Aviation Systems (Drones).

Code Compliance Manager Atamian reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to introduce Ordinance No. 1641 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MUNICIPAL CODE TITLE 8 “HEALTH AND SAFETY”, ADDING CHAPTER 8.82 “UNMANNED AVIATION SYSTEMS” TO ESTABLISH REGULATIONS RELATED TO DRONES AND OTHER UNMANNED, REMOTELY-OPERATED VEHICLES.

B. Public Safety Task Force

Report from the Assistant City Manager concerning the formation of a Public Safety Task Force.

Assistant City Manager Sund reviewed the contents of the Administrative Report and responded to Council inquiries.

Following discussion, MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Establish a City of San Clemente Public Safety Task Force.
2. Defer appointment of two Councilmembers to the Public Safety Task Force to the Council meeting of May 2, 2017.
3. Direct Community Development and Beaches, Parks and Recreation Staff to immediately agendaize an item for the Planning Commission, Human Affairs Committee, and Beaches, Parks, and Recreation Commission to appoint one representative from each Commission/Committee to the Public Safety Task Force.
4. Direct the City Clerk to immediately begin the process of noticing for candidates for the four seats available to members of the public.

10. ORAL COMMUNICATIONS (PART 2)

None.

11. REPORTS**A. Commissions and Committees****(1) Scheduling of Meetings to Interview and Appoint Individuals to Serve on Various City Commissions and Committees**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to:

1. Authorize the City Clerk to advertise to fill 18 vacancies on the Planning Commission, Golf Course Committee, Beaches, Parks and Recreation Commission, Human Affairs Committee, and Coastal Advisory Committee, for terms to expire June 30, 2019.
2. Authorize the City Clerk to advertise to fill one Industry Specialist position on the Investment Advisory Committee for a term to expire June 30, 2019, and to fill two citizen vacancies on the Investment Advisory Committee – one position for a term to expire June 30, 2019 and one position for a term to expire June 30, 2018.
3. Schedule interviews for the Public Safety Task Force to take place on May 31, 2017 and Commission and Committee interviews to take place on June 26 and June 27, 2017.

B. City Manager**(1) Toll Road Update**

City Manager Makshanoff reported that information, including a public service announcement, concerning the toll road will soon be posted to the City's website that explains the City's efforts to oppose the toll road extension through San Clemente.

Kathleen Bruen, San Clemente, thanked Council for supporting the use of arterial roads in lieu of a toll road extension through San Clemente; requested that Council keep the public apprised of discussions as they relate to the proposed toll road extension.

Dan Bane, San Clemente, stated that he previously submitted proposed legislation to Council that is intended to protect San Clemente against the proposed toll road extension; noted that the proposed legislation is based on the same environmental grounds that the Save San Onofre Coalition used to protect the San Mateo Watershed.

Council directed that an update on the toll road issue be agendized for the Council meeting of May 2, 2017.

C. **City Attorney**

None.

D. **Council Members**

(1) **Discussion of San Clemente's temporary sign ordinance – Councilmember Swartz**

Following discussion, Council requested that Staff reagendize the temporary sign ordinance after the outlet sign issue is acted upon (late fall 2017).

(2) **Consideration of taking a position on nuclear energy interim storage - Councilmember Donchak**

Angela Howe, Surfrider Foundation, spoke in opposition to the storage of nuclear waste at SONGS; urged Council to engage with Federal elected officials to pursue a temporary and permanent spent nuclear fuel repository.

Amanda Sackett, Surfrider Foundation, opined that SONGS is a poor location for storage of nuclear waste because of its proximity to fragile coastal resources as well as the area's seismic activity; distributed a letter to Council, which is on file with the City Clerk.

Gary Headrick, San Clemente Green, displayed a PowerPoint presentation and spoke in opposition to interim storage of nuclear waste at SONGS; commented on the dangers of placing highly-radioactive nuclear waste in a densely-populated area; urged Council to send a letter to the Coastal Commission to urge it to rescind SONGS' spent nuclear storage permit.

Ian Cairns, Laguna Beach, urged Council to send a letter to the Coastal Commission to urge it to rescind SONGS' spent nuclear storage permit; opined that the spent nuclear fuel will never be removed if it is buried at San Onofre.

Joe Anderson, San Clemente, conveyed support for the proposed letter to the Coastal Commission to urge it to reconsider SONGS' spent nuclear storage permit; voiced concern that temporary nuclear waste storage could last for decades; suggested that San Clemente Island be assessed as a possible location for permanent storage of nuclear waste.

DeeDee Almida, San Clemente, urged Council to 1) request that the Coastal Commission revoke the permit that allows nuclear waste to be stored at SONGS, and 2) request federal funds, or funding by Edison, to retain independent nuclear counsel to determine a permanent storage location.

Jenifer Massey, San Clemente, identified risk factors associated with the storage of nuclear waste at SONGS; urged Council to send a letter to the Coastal Commission to urge that it rescind its nuclear storage permit; suggested that Council seek to involve policy makers at the State and Federal level in the effort to convince the Coastal Commission to revoke the subject permit.

Judy Jones, San Clemente, member of the Alliance for Nuclear Responsibility, thanked Council for considering the proposed letter to the Coastal Commission; urged Council to research the League of Women Voters' position on storage of spent nuclear waste.

Leah Vasquez, Laguna Beach, described the carcinogenic effect of nuclear radiation; voiced concern with interim nuclear waste storage at SONGS and the lack of a monitoring system for dry cask storage.

Lorene Auger, Laguna Beach, stated that the storage of nuclear waste at SONGS represents the greatest public safety threat facing the public; urged Council to send a letter to the Coastal Commission to urge it to rescind its permit for storage of nuclear waste.

Grace van Thillo, Laguna Beach, cited the potential repercussions of a nuclear disaster; urged Council to send a letter to the Coastal Commission requesting that it revoke the permit that allows nuclear waste to be stored at SONGS and require the waste to be transferred to a safe alternative site with robust, long-lasting canisters.

The following persons did not wish to speak, but indicated on their speaker cards that they were opposed to interim storage of nuclear waste at San Onofre:

Robert Caddy, San Clemente
Marilyn Caddy, San Clemente

Following discussion, Council requested that the issue of taking a position on nuclear energy interim storage be agendized for the May 2, 2017 City Council meeting. The Administrative Report for that meeting is to include 1) the California Coastal Commission's addendum report related to the Coastal Commission approved CDP#9-15-0228, and 2) a proposed letter to the Coastal Commission that has been refined by Mayor Pro Tem Brown and Councilmember Donchak.

(3) **Consideration of Orange County Transportation Authority's 2008 Major Investment Study – Councilmember Donchak**

Councilmember Donchak read a statement, that is on file with the City Clerk, that responded to a request by Council at its April 4, 2017 meeting that she speak with the OCTA about updating the Major Investment Study (MIS). Council's request was made in context of searching for mobility solutions from the OCTA, other than extension of the 241 toll road through San Clemente. The conclusion of Councilmember Donchak's report indicated that the MIS is not a useful tool for San Clemente at this time, but the Long Range Transportation Plan (LRTP) does represent an opportunity.

Following discussion, Council provided direction as follows: 1) Staff is to reach out to the OCTA to obtain better timing for the highway component of the LRTP and ensure that San Clemente is involved in a meaningful manner; 2) Staff is to prepare a Decision Package for Council consideration during the FY 17/18 budget deliberations that addresses the cost of an Arterial Network Feasibility Study, cost to retain a consultant who would be dedicated to a toll road solution, and cost to engage a lobbyist or consultant who would represent San Clemente's interests at the legislative level.

(4) **Consideration of the Removal of the Character Counts mural from the Concession/Restroom Building at North Beach - Councilmember Swartz**

Councilmember Swartz voiced concern with the removal of the Character Counts mural from the concession/restroom building at North Beach.

Recreation Manager Thomas reported on the history of the Character Counts mural.

Council directed Staff to verify if schools still promote the Character Counts program and evaluate whether locations other than the North Beach concession/restroom would be suitable for the mural. It was

agreed that Staff will communicate with stakeholders and involve the Beaches, Parks and Recreation Commission with regard to possible alternative locations for a Character Counts mural.

(5) **Consideration of directing Staff to prepare an Administrative Report for a future meeting to address mural review, permitting and penalties – Mayor Pro Tem Brown**

Mayor Pro Tem Brown suggested the possibility of reviewing the City's public art policy and to possibly broaden the types of murals that the City allows.

Council requested that the possibility of directing the Planning Commission to revisit the City's public art policy be agendaized for the May 2, 2017 Council meeting. Council requested that Staff research the policies in effect in other cities.

241 Toll Road Extension

Mayor Ward reported that an assessment of connecting the 241 toll road to the 73 and I-5 near Avery Parkway has been added to the scope of the toll road extension study; noted that a request was also made to study arterial road options, including a connection of Crown Valley Parkway to the 241.

12. **RESOLUTIONS/ORDINANCES**

A. **Ordinance No. 1640 (Second Reading) – State Video Franchises**

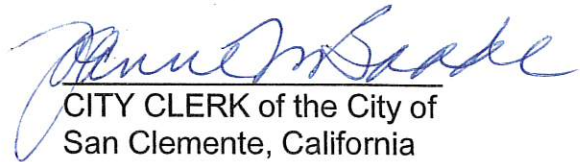
MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to adopt Ordinance No. 1640 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REAUTHORIZING AND AMENDING CHAPTER 5.26 ENTITLED "VIDEO FRANCHISE FEES, CUSTOMER SERVICE, AND OTHER VIDEO-RELATED MATTERS" IN THE SAN CLEMENTE MUNICIPAL CODE.

13. **ADJOURNMENT**

MOTION BY MAYOR WARD, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to adjourn at 9:47 p.m. in memory of Ken Carr. The next Regular City Council Meeting will be held on May 2, 2017 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m.



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California