

CITY OF SAN CLEMENTE

City Council Minutes

Adjourned Regular City Council Meeting – June 12, 2018

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.

An Adjourned Regular Meeting of the San Clemente City Council was called to order on June 12, 2018 at 4:05 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Brown.

PRESENT DONCHAK, HAMM*, SWARTZ, WARD, MAYOR BROWN

*Arrived at 4:03 p.m. and left at 10:05 p.m.

ABSENT NONE

STAFF PRESENT James Makshanoff, City Manager; Elizabeth Hull, Deputy City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

CLOSED SESSION

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY COUNCILMEMBER WARD, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to recess to Closed Session at 4:02 p.m. to discuss the following:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Existing litigation pursuant to Government Code section 54956.9(d)(1)
Number of Cases: 12

Case Name: Villa San Clemente, LLC v. City of San Clemente
Case Number: USDC 8:17-cv-1484

Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2017-00963212-CU-WM-CJC

Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2017-00947401-CU-WM-CJC

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Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2017-00917422-CU-WM-CJC

Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2017-00959587-CU-WM-CJC

Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2017-00945850-CL-JR-CJC

Case Name: Villa San Clemente, LLC. v. City of San Clemente
Case Number: 30-2018-D0985963-CU-MC-CJC

Case Name: Administrative Citations for Sign Violations Against Villa San Clemente Pending Before Hearing Officer Dan Joseph.

Case Name: San Clemente Vacation Rental Alliance v. City of San Clemente
Case Number: OCSC 30-2016-00858999-CU-WM-CJC

Orange County Catholic Worker v. Orange County
Case Number: SA CV 18-0155-DOC (JDE)

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor Agency and County of Orange
Case Number: OCSC 30-2017-00934703-CU-PT-CXC

Case Name: Jim Bieber v. City of San Clemente, et al.
Case Number: OCSC 30-2017-00906718

- B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)
Number of potential cases: 4

- C. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)
Number of potential cases: 2

REGULAR BUSINESS MEETING CONVENED

The Regular Business Meeting of June 12, 2018 convened at 6:03 p.m., with all members present, except Mayor Pro Tem Hamm.

INVOCATION

Mayor Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Boy Scout Jake Carrera led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Toll Road Update**

Councilmember Ward reported that City Manager Makshanoff and she went to Sacramento last week to advocate for AB 382 (Chavez); stated that the Transportation Corridor Agencies (TCA) is meeting on June 14, 2018 to adopt the budgets for both agencies for FY 2018/19, including budgets for capital improvements and consultants.

B. **Certificate of Recognition - Jake Carrera (Construction of Flag Retirement Boxes as his Eagle Scout Project)**

Mayor Brown presented a Certificate of Recognition to Jake Carrera in recognition and appreciation for creating Flag Retirement Boxes for the San Clemente City Hall and Community Center as his Eagle Scout project.

C. **Presentation of Commendation - Christopher Galarze-Gonzales (Recipient of the 2018 Human Relations Leadership Award)**

Mayor Brown presented a Commendation to Christopher Galarze-Gonzales in recognition of being named the 2018 recipient of the City of San Clemente Human Relations Leadership Award.

D. **Human Affairs Committee Annual Report for FY 2017-18**

Paula Kohl, Chair of the Human Affairs Committee, presented the Human Affairs Committee Annual Report for FY 2017-18.

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to receive and file the Human Affairs Committee's Annual Report for FY 2017-18, dated June 12, 2018, which is on file with the City Clerk.

2. ORAL COMMUNICATIONS (PART 1)

Employee Satisfaction Survey

Dan Lowrie and Kade Boisseranc, of the San Clemente City Employees Association, reviewed the results of the employee satisfaction survey and steps going forward, which include creation of a labor/management committee, making the employee satisfaction survey an annual occurrence, and conducting round-table departmental meetings.

Vagrancy

Anthony Lafrano, San Clemente, spoke in opposition to the relocation of homeless persons from the Santa Ana Riverbed to San Clemente; opined that Family Assistance Ministries (FAM) is enabling drug addicts and urged the City to not provide funding to FAM; displayed photographs which are on file with the City Clerk.

Abe Kuhlman asserted that some churches in San Clemente are enabling transients by providing food and supplies and suggested, as an alternative, that they erect mobile enclosures on their property to house homeless persons; urged that the City provide guidance on responsible giving. Mr. Kuhlman's PowerPoint is on file with the City Clerk.

Amanda Hicks, San Clemente, voiced concern with safety and fire risks associated with vagrants; noted that encampments are located along Avenida Pico and urged that safe zones be established around schools.

Lee Lee Naka, San Clemente, opined that vagrants are being enabled by Family Assistance Ministries; urged that the City educate the public about the dependency effect of enabling.

Linda Ray, San Clemente, stated that the number of vagrants in San Clemente has increased dramatically; spoke in support of five additional Deputies; expressed concern with encampments in open space areas, noting that they pose a fire risk and negatively affect habitat.

Bobbie Carey, San Clemente, opined that public service should be made a prerequisite to vagrants receiving food donations; suggested that organizations that provide food should be required to clean up after the vagrants.

San Onofre State Park (Toll Road)

Marty Benson, Encinitas, speaking on behalf of the Save San Onofre Coalition, spoke on the Coalition's outreach efforts to protect the San Onofre State Park and asserted that there is support in San Clemente and South Orange County for protecting the Park from a toll road.

Sheriff Deputies

Bill Hart, member of the Public Safety Task Force, stated that he prepared a report a week ago about Police workload levels between 2015 and 2017, but asked that Council disregard that report because he became aware that the data utilized is not accurate; related that the Public Safety Task Force recommends that the City add three new Deputies to Police staffing.

2nd Battalion, 4th Marines

Wayne Eggleston, Heritage of San Clemente, noted that bins are available at various City locations to collect donations for the 2nd Battalion, 4th Marines, that is currently deployed in Australia; invited active-duty Marines and their families to Parque Semper Fi to watch the fireworks on the 4th of July. A copy of Mr. Eggleston's PowerPoint is on file with the City Clerk.

Golf Benefit/Dog Waste Station Sponsorships

John Dorey, President of the Friends of the San Clemente Foundation, reported that the 8th annual golf benefit will take place on June 22, 2018; stated that the Friends are beginning to market the dog waste station sponsorships.

By-District Election Legal Fees

Brad Malamud, San Clemente, voiced concern with legal costs associated with the ballot measure concerning election of Councilmembers by district; stated that he was provided a redacted version of the legal bills that BBK sent to the City, but requested that they be provided without redactions.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, 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**

Initiation of Litigation Against Transportation Corridor Agency (TCA) - Failure to Comply with Public Records Act Request

Deputy City Attorney Hull announced that during Closed Session Item C, Council directed the initiation of litigation against the Transportation Corridor Agency (TCA) concerning its failure to comply with a Public Records Act request.

6. **CONSENT CALENDAR**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items A, C, K and N.

B. MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file:

- (1) Investment Advisory Committee Regular Meeting minutes of April 23, 2018.
- (2) Golf Course Committee Regular Meeting minutes of March 1, 2018.
- (3) Coastal Advisory Committee Regular Meeting minutes of March 8, 2018.
- (4) Planning Commission Adjourned Regular Meeting minutes of May 16, 2018.
- (5) Zoning Administrator Regular Meeting minutes of May 16, 2018.
- (6) Joint City Council/Commissions/Committees meeting of May 10, 2018.

D. **Vehicle Purchase - Replacement of Fleet Vehicles Nos. 970, 1072, 1089, 1091 and 1092**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the purchase of five vehicles from Fairview Ford Sales for replacement of Fleet Vehicles Nos. 970, 1072, 1089, 1091 and 1092 from the Fleet Replacement Reserve.

E. **Vehicle Purchase - Replacement of Fleet Vehicles Nos. 1051 and 1131**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve the purchase of two vehicles from Fairview Ford Sales for replacement of Fleet Vehicles Nos. 1051 and 1131 from the Fleet Replacement Reserve.
2. Appropriate \$624 from the Fleet Replacement Reserve unassigned fund balance to Automotive Equipment (Account 065-824-45600) to cover the replacement shortfall.

F. **Citizens Option for Public Safety Program (COPS)**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the use of COPS grant funds for a portion of one patrol deputy position for FY 2018-19.

G. **Contract Amendment - Supplemental Inspection and Permit Counter Services for the Building Division**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Amendment No. 5 to Contract AC-661, by and between the City of San Clemente and VCA Code Group, providing for temporary building inspection services. This Amendment extends the contract terms through June 30, 2019, with no increase in the maximum compensation.

H. **Contract Amendment - Property Rental Agreement with the Friends of the San Clemente Beaches, Parks and Recreation Foundation**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Amendment No. 2 to Contract C06-48, the Property Rental Agreement by and between the City of San Clemente and the Friends of the San Clemente Beaches, Parks and Recreation Foundation.

I. **In-Kind Donation to Friends of San Clemente Beaches, Parks and Recreation Foundation for Annual Golf Tournament**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the donation of two foursomes at the Municipal Golf Course and one weekend pool party package at the San Clemente Aquatics Center to the Friends of San Clemente Beaches, Parks and Recreation Foundation.

J. **Contract Amendment - Interim City Planner Services**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the City Manager to execute, Amendment No. 1 to Contract AC-785, by and between the City of San Clemente and Kimley-Horn and Associates, providing for as-needed interim City Planner services. This Amendment increases the contract amount from \$25,000 to a maximum of \$138,000, an increase of \$113,000.

L. **Emergency Protection for Linda Lane Pump Station**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Make a finding that an emergency exists due to the potential failure of an existing sewer pump station and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process.
2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health.
3. Approve an appropriation in the amount of \$140,000 to Account 054-476-45300-000-16209 from the Sewer Fund Depreciation Reserve.
4. Ratify the Emergency Construction Contract with Wright Construction Engineering Corporation on a time-and-materials basis for up to \$100,000 for emergency protection of the Linda Lane Pump Station, Project No. 16209.

M. **Establishment of Appropriations Limit for FY 2018-19**

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve selection of the following annual adjustment factors:
 - a. Population change for the City of San Clemente.
 - b. Increase in California per capita personal income.
2. Adopt Resolution No. 18-18 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING AN APPROPRIATIONS LIMIT PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

A. **City Council Minutes**

MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the minutes of the Special and Adjourned Regular City Council meeting of May 9, 2018, Adjourned Regular City Council meeting of May 15, 2018, and Adjourned Regular City Council Meeting of May 21, 2018 as written, and to approve the minutes of the Regular City Council meeting of May 1, 2018, with the modification that the third paragraph on Page 10, last sentence, be expanded to read as follows:

"It was agreed that Staff will provide Council with occupancy rates for Mixed Use across all zones and will also look at some of the new projects to determine if they were built as envisioned by the General Plan Advisory Committee (GPAC) and the General Plan."

C. **Warrant Register**

Brad Malamud, San Clemente, questioned why some of the bills from BBK on the Warrant Register are from 2016 and 2017; recommend that Council hire an in-house City Attorney who would be responsible for hiring and managing litigation counsel.

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 5-0, to approve the following:

Wire Transfers Nos. 1829 through 1833 and Warrant Nos. 549988 through 550208, paid on 5/11/18, in the amount of.....\$1,560,240.37

Wire Transfers Nos. 1834 through 1835 and Warrant Nos. 550209 through 550413, paid on 5-18-18, in the amount of.....\$ 858,004.49

Wire Transfers Nos. 1836 through 1839 and Warrant Nos. 550414 through 550565, paid on 5-25-18, in the amount of.....\$1,660,722.71

Wire Transfers Nos. 1840 through 1843 and Warrant Nos. 550566 through 550722, paid on 6-1-18, in the amount of.....\$3,355,865.04

TOTAL WARRANT REGISTER.....\$7,434,832.61

Payroll Register

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 5-0, to approve the following:

Warrant Nos. 669 through 671 and Automatic Deposit Advises 48024 through 48345, for the period 4-23-18 through 5-6-18, paid on 5-11-18, in the amount of.....\$ 507,558.26

Warrant Nos. 672 through 674 and Automatic Deposit Advises 48346 through 48662, for the period 5-7-18 through 5-20-18, paid on 5-25-18, in the amount of.....\$ 457,105.91

TOTAL PAYROLL REGISTER.....\$ 964,664.17

K. **Resolutions Required by Ordinance No. 1654 (which Regulates Short-Term Lodging Units (STLUs) - Qualifications of On-Site Property Managers at STARs, Criteria for Evaluating Occupancy-Limit Waivers for STLUs, and Amortization Hardship-Waiver Application Form**

Council referred to the Hardship Extension Application portion of the Administrative Report for this item which stated that one of the factors that courts review to determine the reasonableness of an amortization period is by evaluating the length of the user's lease [short leases, but might be booked through a season]. Council requested that BBK confirm that the "user's lease" refers to the lease of a single lessee and not the property owner or cumulative renters. If BBK determines that the reference is not specific to a single lessee, Council will revisit the issue.

MOTION BY COUNCILMEMBER WARD, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to adopt the following Resolutions:

1. Resolution No. 18-16 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING STANDARDS FOR PROPERTY-MANAGER TRAINING UNDER SECTION 17.28.292(D) OF THE SAN CLEMENTE MUNICIPAL CODE AND MAKING CEQA EXEMPTION FINDINGS.
2. Resolution No. 18-17 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING CRITERIA FOR EVALUATING REQUESTS FOR WAIVER OF STLU-OCCUPANCY LIMITS UNDER SECTION 17.28.292(C)(11) OF THE SAN CLEMENTE MUNICIPAL CODE AND MAKING CEQA EXEMPTION FINDINGS.

N. **Minutes of Planning Commission Meeting of April 18, 2018 (Withdrawal of Appeal for Conditional Use Permit 17-390, Rasta Large Family Day Care)**

Suzanne Shaw, San Clemente, stated that the appeal of the Rasta Large Family Day Care project was withdrawn by the Talega Village Community Association without the knowledge of the homeowners; stated that the area is densely populated and zoned for residential use only; cited circulation and parking concerns; stated that the subject family day care would violate the neighborhood's CC&Rs; urged that a business not be permitted in the neighborhood.

Susan Behnke, San Clemente, stated that the proposed day care violates the portion of the CC&Rs which prohibits the property from being used as a

business; noted that the streets in the area are private and cited liability concerns with the day care using common areas.

Diane Stiefel, San Clemente, opined the minutes of the Planning Commission meeting of April 18, 2018 did not adequately represent Commissioner comments; opined that the application for the project contains misrepresentations and urged that Council call up the proposal for review.

Navid Heyrani, San Clemente, speaking on behalf of the Applicant, stated that a day care has operated on the site for seven years without complaints; explained that the day care now desires to expand from eight to ten children; pointed out that the Planning Commission determined that the proposal complies with all zoning regulations, General Plan policies, and laws; stated the community association withdrew its appeal after meeting with the Applicant.

Ryan Klusmeyer, San Clemente, voiced concern that the 302 residents of his community could be held liable if a child is injured on the property.

Council determined to not call up the Rasta Large Family Care project and received and filed the Planning Commission minutes of April 18, 2018.

MOTION BY MAYOR PRO TEM HAMM, SECOND BY COUNCILMEMBER DONCHAK to extend the public appeal period for the Rasta Large Family Care project for ten consecutive days, i.e., through June 25, 2018.

SUBSTITUTE MOTION BY COUNCILMEMBER WARD that Council call up the Rasta Large Family Care project for review. The Substitute Motion died for lack of a second.

THE ORIGINAL MOTION WAS VOTED ON AND CARRIED 4-1 (COUNCILMEMBER WARD VOTING NOE).

7. **PUBLIC HEARINGS**

A. **Consideration of California Coastal Commission Modified and Approved Local Coastal Program Comprehensive Land Use Plan Update**

Continued Public Hearing to consider the California Coastal Commission (CCC)-approved City of San Clemente Comprehensive Land Use Plan (LUP) Update. The CCC approved the LUP with suggested modifications at the CCC public hearing on February 8, 2018. The City of San Clemente is considering the suggested modifications from the CCC to the LUP and must act to accept or reject the modifications within 6 months of the CCC approval.

Leslea Meyerhoff, Local Coastal Program Manager, narrated a PowerPoint presentation entitled "Item 7A - Consideration of California Coastal Commission Modified and Approved Local Coastal Program Comprehensive Land Use Plan Update", which is on file with the City Clerk.

MEETING RECESSED

Council recessed at 7:55 p.m. and reconvened at 8:07 p.m., with all members present.

Ms. Meyerhoff responded to Council inquiries.

Mayor Brown opened the Public Hearing.

Randy Brent, President of the Cyprus Shore Community Association, expressed gratitude to the City for providing numerous opportunities to involve residents in the LUP process; requested that Council support the LUP; opined that clarifying language would be desirable that addresses what homeowners can and cannot do to protect their properties from hazards.

Chandra Slaven, Jon Corn Law Firm, representing the Cyprus Shore Community Association, thanked Staff for collaborating with them to resolve issues; expressed that she looks forward to continuing to work with the City on the LUP Amendment and implementation; recommended approval of the modified LUP.

Mark McGuire, San Clemente, conveyed support for the LUP; reviewed the circumstances that led to the Coastal Commission changing the southern two lots on Coronado Lane from RH (Residential High) to MU4 (Mixed Use 4), noting that the modification provides an opportunity for additional visitor-

serving commercial; noted that Council will have future opportunities to determine the appropriate size and scale of the commercial use.

There being no others desiring to speak to this issue, the Public Hearing was closed.

Following discussion, MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-1 (MAYOR PRO TEM HAMM VOTING NOE), to adopt Resolution No. 18-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AND ADOPTING THE LOCAL COASTAL PROGRAM COMPREHENSIVE LAND USE PLAN UPDATE AS MODIFIED AND APPROVED BY THE CALIFORNIA COASTAL COMMISSION ON FEBRUARY 8, 2018.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-1 (MAYOR PRO TEM HAMM VOTING NOE), to direct Staff to forward the completed LUP and Resolution to the California Coastal Commission for Executive Director sign off.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 5-0, to direct Staff to prepare an LUP Amendment to immediately follow certification of the LUP to modify the threshold year for calculating cumulative changes related to the definition of a Major Remodel.

MOTION BY COUNCILMEMBER WARD, SECOND BY MAYOR PRO TEM HAMM, CARRIED 4-1 (COUNCILMEMBER DONCHAK VOTING NOE), to direct Staff to prepare an LUP amendment to immediately follow certification of the LUP to modify Figure 2-1-C (Land Use Map), southern two lots on Coronado Lane, Page 310, from MU4 (Mixed Use 4) to RH (Residential High), and also modify Figure 2-1-G, Page 314, to change the subject two southern lots on Coronado Lane to a visitor-serving commercial district overlay.

B. **Establishment of Fees for Administrative Hearings and Administrative Appeals**

Public Hearing to consider establishing fees for Administrative Hearings and Administrative Appeals.

Deputy City Attorney Hull reviewed the contents of the Administrative Report.

Mayor Brown opened and closed the Public Hearing, there being no one desiring to speak to this issue.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to adopt Resolution No. 18-20 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ENACTING A FEE FOR APPEALS UNDER CHAPTER 1.22 OF THE SAN CLEMENTE MUNICIPAL CODE.

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Adoption of Fiscal Year 2018-19 City Budget**

Report from the Assistant City Manager concerning adoption of the Fiscal Year 2018-19 City budget.

Deputy Administrative Services Director Vincent narrated a PowerPoint presentation entitled "City of San Clemente Budget Adoption Fiscal Year 2018-19".

MOTION BY MAYOR BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to continue consideration of the FY 2018-19 City budget until after Agenda Item 9-B (Police Services contract) is considered.

Please see Page 16 of these minutes for a continuation of the FY 2018-19 City budget item.

B. **FY 2018-19 Police Services Contract**

Report from the Assistant City Manager concerning the proposed Police Services contract for FY 2018-19.

Police Chief Peters responded to Council inquiries relative to Police staffing and/or overtime funding to best serve the citizens of San Clemente, while remaining within the City's budgetary constraints.

Council discussion ensued relative to whether three new Deputy positions should be added, or whether two new Deputy positions should be added along with retaining the fourth Investigator.

Brian Wayt, Executive Director of the Financial Division of the County of Orange, stated that Sheriff Hutchens will not sign a contract that eliminates the fourth Investigator.

MOTION BY MAYOR BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-1 (COUNCILMEMBER WARD VOTING NOE), to approve, and authorize the Mayor to execute, Contract C93-16 by and between the City of San Clemente and the County of Orange, providing for police services for the 2018-19 fiscal year with modifications as follows: Add two Deputies (leaving to the discretion of the City Manager and the Police Chief as to whether one of those positions should be a motor), continue with four Investigators (as opposed to reducing the number of Investigators to three), not fund a full-time Crime Prevention Specialist, but retain the extra help part-time Crime Prevention Specialist position, reduce the overtime budget by \$260,000, and remove the three new Mobile Data Computers.

Mayor Pro Tem Hamm left the meeting at 10:05 p.m.

A. **Adoption of Fiscal Year 2018-19 City Budget**

Report from the Assistant City Manager concerning adoption of the Fiscal Year 2018-19 City budget.

This agenda item was continued from Page 15 of these minutes.

During the course of discussion, Council directed that a portion of the Council Contingency be used to fund City employee-related events.

Council requested that Staff make the list of items that were cut from the budget in order to augment Police Services to be made available for public information.

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

1. Adopt Resolution No. 18-21 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AND APPROVING THE BUDGET AT THE FUND LEVEL FOR THE CITY OF SAN CLEMENTE FOR THE 2018-19 FISCAL YEAR AND THE COMMITMENT OF FUND BALANCE, with direction to Staff to fund one of the two newly-added Deputy positions from the General Fund utilizing the proposed General Fund reductions to Police Services that were provided at the dais this evening.

Action continued on next page

2. Adopt Resolution No. 18-22 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REVISED SALARY SCHEDULES AND NEW CLASSIFICATIONS AND AMENDING RESOLUTION NO. 17-15 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

10. **ORAL COMMUNICATIONS (PART 2)**

None.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

Electric Bikes on Beach

Council requested that the Beaches, Parks and Recreation Commission consider the issue of bikes on the beach.

12. **RESOLUTIONS/ORDINANCES**

None.


13. **ADJOURNMENT**

MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (MAYOR PRO TEM HAMM ABSENT), to adjourn at 10:17 p.m. in memory of Billie-Pinnick Lovmark to an Adjourned Regular Council meeting to be held on June 13, 2018 at 4:30 p.m. in the Council Chambers, located

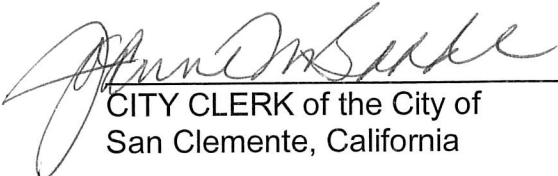
at 100 Avenida Presidio, San Clemente, for the purpose of interviewing and making appointments to various Commissions and Committees.

A subsequent Adjourned Regular Council meeting will be held on June 14, 2018 at 4:30 p.m. in the Council Chambers for the purpose of interviewing and making appointments to various Commissions and Committees.

The next Regular Council Meeting will be held on June 19, 2018 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