



**CITY OF SAN CLEMENTE
REGULAR CITY COUNCIL MEETING
AGENDA**

City Council Chambers
San Clemente Civic Center
100 Avenida Presidio
San Clemente, California

February 20, 2007
6:00 p.m. – Closed Session
7:00 p.m. – General Session

6:00 P.M. CLOSED SESSION

None.

If there are no Closed Session items, the City Clerk will recess the meeting to 7:00 p.m.

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.

All agenda reports are available for public review in the office of the City Clerk located at City Hall, 100 Avenida Presidio, during regular business hours; at the San Clemente Library, located at 242 Avenida Del Mar; and on the City's website at www.ci.san-clemente.ca.us

In order to assure that the City 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 City Council meeting.

7:00 P.M. GENERAL SESSION

The City of San Clemente respects the many people of different faiths who reside here. The City Council historically begins its session with an invocation offered by one of the religious leaders of our community with full appreciation of our shared belief that we are, "One Nation Under God," and while the City cannot endorse any particular religion, we respect the religious freedom and freedom of expression of all our citizens to pray as they feel led to pray.

INVOCATION - SHERIFF CHAPLAIN VALERIE JORDAN

PLEDGE OF ALLEGIANCE

ROLL CALL

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 24 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

RULES FOR ADDRESSING COUNCIL

Members of the audience who wish to address the City Council are requested to complete one of the forms near the entrance to the Council Chambers and submit it to the City Clerk or Deputy City Clerk.

1. Special Presentations

A. **Status Update - Property-Based Improvement District (PBID) for Downtown San Clemente**

Status Report from Michael Kaupp, President of the Downtown Business Association, concerning the status of the Property-Based Improvement District (PBID) for Downtown San Clemente.

2. Motion waiving reading in full of all Resolutions and Ordinances.

3. 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.

4. Oral Communications (Part One)

Members of the audience who wish to address Council on matters of public interest may do so during the Oral Communications portion of the agenda. At this time individuals may step to the podium, state their name and the City in which they reside, and make a presentation not to exceed three minutes. Council cannot discuss or take action on items not on the agenda.

5. **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**

Approve the City Council minutes of January 9, 2007 and January 23, 2007.

B. Receive and file:

- (1) Zoning Administrator meeting minutes of February 7, 2007.
- (2) Planning Commission minutes of February 7, 2007.
- (3) Coastal Advisory Committee minutes of January 11, 2007.

C. **Warrant Register**

Approve Wire Transfers Nos. 438 through 441 and Warrant Nos. 781875 through 782043 for the period 1-22-07 through 1-26-07.....\$3,272,730.22

Approve Warrant Nos. 782044 through 782224 for the period 1-29-07 through 2-2-07.....\$ 368,827.44

TOTAL WARRANT REGISTER.....\$3,641,557.66

Payroll Register

Approve Warrant Nos. 318763 through 318801 and Automatic Deposit Advises 144794 through 145021 for the period 1-15-07 through 1-28-07.....\$ 357,168.55

TOTAL PAYROLL REGISTER.....\$ 357,168.55

D. **Funding Transfer - Noise Ordinance Update** Pages 5-D-1 through 5-D-21

Approve a transfer from Council Contingency Account 001-203-44900 to Account 001-451-43890, Consultant Services, in the amount of \$8,500 to fund a contract with Wieland and Associates for the preparation of a Noise Ordinance.

E. **Program Supplement Agreement No. N017 to Administering Agency/State Agreement No. 12-5274R for Federal Aid Project No. HPLUL-5274(25) for the Rail Corridor Pedestrian Beach Trail, City Project No. 11410** Pages 5-E-1 through 5-E-7

1. Adopt Resolution No. 07-09 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY/STATE AGREEMENT NO. 12-5274R FOR FEDERAL AID PROJECT NO. HPLUL-5274(025) FOR THE RAIL CORRIDOR PEDESTRIAN BEACH TRAIL, CITY PROJECT NO. 11410.
2. Accept revenue in the estimated amount of \$680,000 in Account 012-000-33900-000-11410.

F. **Notice of Completion - Grande Vista Slope Repair, Project No. 27801** Pages 5-F-1 through 5-F-3

1. Accept the construction of Grande Vista Slope Repair, Project No. 27801.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for Grande Vista Slope Repair, Project No. 27801. (Contract AC-283)

G. **Naming of Marblehead Coastal Parks** Pages 5-G-1 through 5-G-20

Approve the following names of the four Marblehead Coastal Parks and the access road connecting the two passive parks as recommended by the Parks and Recreation Commission:

- The Jim Johnson Memorial Sports Park - Located at I-5 and Avenida Vista Hermosa
- Pico Park - Located along Avenida Pico
- Sunset Park - Small passive park designated as Lot G on the map attached to the Administrative Report
- Canyon View Park - Small passive park designated as Lot H on the map attached to the Administrative Report
- Sunset Canyon Drive -- Access Road located between the two passive parks (Lot G and Lot H).

6. **Public Hearings** (Time Limitation: Applicants - 10 minutes; all other speakers - 3 minutes.)

The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony. To facilitate the meeting for all attendees, please limit your presentation to three minutes. 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. **Appeal of Sign Exception Permit 06-402, Marblehead Coastal Plaza San Clemente Master Sign Program** Pages 6-A-1 through 6-A-18

Continued Public Hearing to consider an appeal of a previously denied application by Villa San Clemente, LLC, which would allow freeway-oriented signs and other signs on the Marblehead Coastal Plaza San Clemente project that exceed the standards of the zoning code. Marblehead Coastal Plaza San Clemente consists of approximately 642,584 square feet of commercial uses including a 120 to 130 room hotel, conference center, theater, restaurants and outlet retail uses. The 50.5-acre project site is located within the Marblehead Coastal Specific Plan-Commercial and is west of the San Diego Freeway (Interstate 5) and northeast of the intersection of Avenida Pico and the future extension of Avenida Vista Hermosa.

Staff Recommendation

1. Adopt Resolution No. 07-10 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING SIGN EXCEPTION PERMIT 06-402, MARBLEHEAD COASTAL PLAZA SAN CLEMENTE MASTER SIGN PROGRAM OVERSIZED INTERIOR TENANT SIGNS.
2. Adopt Resolution No. 07-11 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING SIGN EXCEPTION PERMIT 06-402, MARBLEHEAD COASTAL PLAZA SAN CLEMENTE MASTER SIGN PROGRAM FREEWAY ORIENTED SIGNS.

B. **Amendment to the City of San Clemente 2005 Urban Water Management Plan** Pages 6-B-1 through 6-B-4

Public Hearing to consider the adoption of the amended City of San Clemente 2005 Urban Water Management Plan.

Staff Recommendation

Adopt Resolution No. 07-12 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AN AMENDED CITY OF SAN CLEMENTE 2005 URBAN WATER MANAGEMENT PLAN PURSUANT TO AB 797.

7. Unfinished Business

A. **Contract Amendment - Army Corps of Engineers Feasibility Study** Pages 7-A-1 through 7-A-19

Report from the Director of Beaches, Parks and Recreation concerning the possibility of approving a second amendment to the agreement between the Department of the Army and the City of San Clemente for the San Clemente Shoreline Feasibility Study.

Staff Recommendation

1. Approve Amendment No. 2 to Contract C01-68, Agreement between the Department of the Army and the City of San Clemente for the San Clemente Shoreline Feasibility Study.
2. Authorize the City Manager to execute Amendment No. 2 to Contract C01-68 by and between the Department of the Army and the City of San Clemente for the San Clemente Shoreline Feasibility Study.

8. New Business

None.

9. Oral Communications (Part Two)

Members of the audience who wish to address Council on matters of public interest pertaining to the City may step to the podium, state their name and the City in which they reside, and make their presentation. Please limit presentations to three minutes. Council cannot discuss or take action on matters not on the agenda.

10. Reports

A. Commissions and Committees

- (1) **Resignation of Marc Carpenter from the Coastal Advisory Committee** Pages 10-A(1)-1 through 10-A(1)-2

Staff Recommendation

Accept the resignation of Marc Carpenter from the Coastal Advisory Committee and select from the following options:

- Authorize the City Clerk to advertise the vacancy and set a date to interview applicants and select an individual to complete the unexpired term, which expires June 30, 2008.
- Authorize the City Clerk to advertise the vacancy at the time the vacancies are advertised for all commission/committee members whose terms expire June 30, 2007, and fill the vacancy at that time.

B. City Manager

C. City Attorney

D. Council Members

- (1) Consideration of Council Position on Orange County Division, California League of Cities Issues.
- (2) Consideration of Council Position on Legislative Issues.
- (3) Orange County Fire Authority Status Update.
- (4) San Clemente-Dana Point Animal Services Authority.
- (5) Transportation Corridor Agencies Status Report.
- (6) Councilmember Items.

11. Resolutions/Ordinances

None.

12. Adjourn

Adjourn to an Adjourned Regular Meeting to be held on February 21, 2007 at 4:00 p.m. in the Community Center Ole Hanson Room, located at 100 N. Seville, San Clemente, for the purpose of meeting in Joint Session with Congressman Calvert.

A subsequent Adjourned Regular Meeting will be held on February 27, 2007 in the Council Chambers, located at 100 Avenida Presidio, San Clemente. The Long-Term Financial Plan will be considered at 4:00 p.m. and the Vital Few Priorities Workshop will commence at 6:30 p.m.

The next Regular Meeting will be held on March 6, 2007 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be discussed at 6:00 p.m. The General Session will begin at 7:00 p.m.