

CITY OF SAN CLEMENTE

City Council Minutes

Special and Regular Meeting – February 19, 2019

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 Meeting of the San Clemente City Council was called to order on February 19, 2019 at 4:30 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Swartz.

PRESENT BANE, FERGUSON, HAMM*, WARD, MAYOR SWARTZ
*Arrived at the meeting at 4:38 p.m. and left at 8:38 p.m.

ABSENT NONE

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

CLOSED SESSION (SPECIAL MEETING)

A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)

Initiation of litigation

Number of potential cases: 2

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Number of Cases: 4

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: City of San Clemente v. Foothill/Eastern Transportation Corridor
Agency

Case Number: OCSC 30-2018-01000331-CU-WM-CJC

Case Name: MemorialCare Services, et al. v. City of San Clemente

Case Number: 8:16-CV-00852 DOC-JCG

Name: Capistrano Shores, Inc. v. City of San Clemente

Case Numbers: OCSC 30-2014-00709987 and 30-2014-00726889

Closed Session items continued on next page

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

- D. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8
Property: 2.2 acre section of and 80 acre parcel on the southwest corner of Avenida La Pata and Vista Hermosa
APN: 678-163-01
Agency negotiator: Assistant City Manager
Negotiating parties: n/a
Under Negotiation: Terms for future purchase or lease of surplus property

REGULAR BUSINESS MEETING CONVENED

The City Council Business Meeting of February 19, 2019 convened at 6:09 p.m., with all members present.

INVOCATION

Holland Davis, Senior Pastor, Calvary Chapel San Clemente, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Ward led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Toll Road Update**

Councilmember Ferguson reported that Mayor Pro Tem Bane and she attended their first Transportation Corridor Agencies (TCA) meeting; noted that 21 routing alternatives for the extension of the 241 have been reduced to 8 alternatives, the TCA is currently in the environmental phase, and the scoping phase (which will involve public input) will commence this summer; noted the TCA is forming a City Managers' Advisory Committee, which will include City Manager Makshanoff.

Robert Christman, San Clemente, voiced concern that the City allows the TCA to sponsor events with the City and requested that Councilmembers confirm their unanimous opposition to any toll road alignment through the City.

B. **Girl Scout Troop 1809 - Silver Award Project to Raise Awareness of Endangered Animals**

Elizabeth Duong, Stephanie Ho, Alexandra Bertollini, and Pauline Jong, from Girl Scout Troop 1809, reviewed their recent Silver Award project to raise awareness about endangered animals.

C. **Orange County Text-to-911**

Dispatch Bureau Commander, Lt. Gene Inouye, Orange County Sheriff's Department, and Senior Fire Communications Supervisor Turner, Orange County Fire Authority, narrated a PowerPoint presentation entitled "Orange County Regional Text to 9-1-1 Partnership" concerning Orange County law enforcement and fire dispatch center's Text-to-911 service. A hard copy of the presentation is on file with the City Clerk.

D. **Sexual Harassment Legislation Update**

Heather Lowe, Human Resources Manager, narrated a PowerPoint presentation entitled "Sexual Harassment Legislation Update". A hard copy of Ms. Lowe's presentation is on file with the City Clerk.

2. **ORAL COMMUNICATIONS (PART 1)**

Recommended Signage/Fencing in Rancho San Clemente Open Space

Vonne Barnes, Board President of the Rancho San Clemente Master Association, narrated a PowerPoint presentation concerning the need to prevent unfettered access to the high fire zone portion of the Rancho San Clemente open space; suggested the installation of trail use signage and fencing to address the situation.

Tom Barnes, San Clemente, narrated a PowerPoint presentation that identified areas in which signage could be installed; requested that Council include funding in future budgets to maintain the Ridge Route trail. A hard copy of Mr. and Mrs. Barnes' PowerPoint is on file with the City Clerk.

Ole Hanson Beach Club Weathervane Installation

Larry Culbertson, San Clemente Historical Society, reported that San Clemente Day is on February 23, 2019; noted that a replica of the original Ole Hanson Beach Club weathervane will be installed at the Beach Club on February 20, 2019 and the dedication will occur on February 23, 2019; thanked Council and Staff for allowing the Historical Society to store its archives at the former City Hall.

Memorial Care Lawsuit

Bob Baker, San Clemente, congratulated Council on the recent court decision concerning the Memorial Care lawsuit and thanked members of the community that have been involved in the hospital effort.

[Speaker Declined to State Name] noted that the Memorial Care lawsuit is not yet over and noted that the decision made was related solely to a writ action; pointed out that the City may lose the lawsuit and that a successful lawsuit will not result in the development of a hospital; voiced concern with the cost of City lawsuits, asserting that this year the City has a \$6.6 million budget deficit.

Street Sweeping Enforcement/Commercial Vehicle Ordinance

George Gregory, San Clemente, suggested that street-sweeping citations are issued in the multi-family areas of the City, but not in other areas of San Clemente; voiced concern that large corporations are exempt from the commercial vehicle ordinance, but that he receives citations for storing a ladder on the bed of his truck; opined that the situation represents spot enforcement.

Right to Address Individual Councilmembers

Jim Bieber, San Clemente, stated that people have a constitutional right to address an individual Councilmember at a public meeting.

3. MOTION BY MAYOR PRO TEM BANE, SECOND BY COUNCILMEMBER FERGUSON, 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**

Settlement Agreement - City of San Clemente v. Foothill/Eastern Transportation Corridor Agency (Case No. OCSC 30-2018-01000331-CU-WM-CJC)

City Attorney Smith reported that Council unanimously voted to settle the lawsuit entitled City of San Clemente v. Foothill/Eastern Transportation Corridor Agency, Case No. OCSC 30-2018-01000331-CU-WM-CJC; noted that the settlement agreement will be public record after it is executed by the TCA.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items 6C, 6G, 6H, 6J, and 6K.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to approve the Special and Regular City Council Meeting minutes of February 5, 2019.

B. **Commission and Committee Minutes**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to receive and file the following:

- (1) Planning Commission Regular Study Session minutes of February 6, 2019.
- (2) Planning Commission Regular Meeting minutes of February 6, 2019.

D. **Final Parcel Map 2017-161 – 227 Avenida Granada (Haft Condominiums)**

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

1. Accept on behalf of the City of San Clemente the water rights within Final Parcel Map 2017-161 as dedicated.
2. Accept on behalf of the City of San Clemente the sidewalk and public access easement as dedicated.
3. Approve Final Parcel Map 2017-161 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
4. Authorize the Public Works Director/City Engineer to execute the Final Parcel Map.
5. Authorize the City Clerk to execute and submit the Final Parcel Map for recordation with the County of Orange Recorder's Office.

E. **Easement Abandonment 18-567 – 249 Via Ballena (Carmichael)**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to adopt Resolution No. 19-05 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ABANDONMENT 18-567, CARMICHAEL EASEMENT ABANDONMENT, TO ABANDON A CITY STORM DRAIN EASEMENT ON A SINGLE-FAMILY RESIDENTIAL LOT, LOCATED AT 249 VIA BALLENA.

F. **Contract Amendment – Orange County Fire Authority Joint Powers Authority Agreement**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to approve, and authorize the City Manager to execute, Amendment No. 4 to the Amended Orange County Fire Authority Joint Powers Agreement (Contract C19-26).

I. **Fee Waiver Request – Orange County District Attorney Gang Reduction Intervention Partnership (GRIP) to Use City Fields**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to waive the rental and special event fees associated with the Orange County District Attorney's GRIP Soccer Camp to be held on April 2-4, 2019 at Vista Hermosa Sports Park, in an amount not to exceed \$1,890.

L. **Appropriation of Funds for North El Camino Real Bluff Failure Response and Cleaning**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BANE, CARRIED 5-0, to approve a supplemental appropriation in the amount of \$250,000 from the Developer Improvement Fund undesignated fund balance to Account 037-867-43890-000-00000 for North El Camino Real bluff failure emergency response and cleaning.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

C. **Warrant Register**

[Speaker Declined to State Name] questioned and received clarification relative to why two invoices were paid by check as opposed to the normal procedure; requested an explanation concerning the \$47,357.07 payment for a Toll Road matter.

City Attorney Smith left the dais at 7:08 p.m.

Scott Smith, representing Best, Best & Krieger, explained that the Toll Road expense was for expert services, and is not related to the lawsuit for which BBK is working on a contingency basis.

City Attorney Smith returned to the dais at 7:10 p.m.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to:

Approve Handwrite No. 556288 and Wire Transfers Nos. 1973 through 1978 and Warrant Nos. 556134 through 556287, paid on 2-1-19, in the amount of.....\$1,190,044.86

Approve Wire Transfers No. 1979 and Warrant Nos. 556289 through 556438, paid on 2-8-19, in the amount of.....\$ 677,091.09

TOTAL WARRANT REGISTER.....\$1,867,135.95

C. **Payroll Register**

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to:

Approve Warrant No. 707 and Automatic Deposit Advises 53961 through 54234, for the period of 1-14-19 through 1-27-19, paid on 2/1/19, in the amount of.....\$ 462,111.41

TOTAL PAYROLL REGISTER.....\$ 462,111.41

G. **Opioid Epidemic Contingency Fee Agreement**

Following discussion, Council continued this item to its meeting March 5, 2019 with the request that information be provided relative to how the funds from successful litigation will be used.

H. **Contract Amendment – Legislative Advocacy Services**

[Speaker Declined to State Name] spoke in opposition to the proposed contract for legislative advocacy services; suggested that the Administrative Report should have stated the purpose for the lobbying efforts.

MOTION BY MAYOR PRO TEM BANE, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-1 (COUNCILMEMBER WARD VOTING NOE), to approve, and authorize the City Manager to execute, Amendment No. 2 to Contract C16-15, by and between the City of San Clemente and Aprea & Micheli, providing for legislative advocacy services. This Amendment extends the term of the contract from March 15, 2019 to March 15, 2020, and establishes the annual contract amount at \$180,000. Funds are budgeted in Other Legal Services, Account 001-203-43640-000-00000. Funding for future terms will be subject to approval through the annual budget process. Council determined that any contract renewal will need to be approved by Council, rather than the City Manager. ***See note below.**

****Note: Council voted at its meeting of March 19, 2019 to reconsider this item at its meeting of April 2, 2019. Please refer to the minutes of the City Council meeting of April 2, 2019 for the revised vote on this item.***

J. **Contract Award – Comprehensive Cost-of-Service Study of the City's Wastewater Utility**

[Speaker Declined to State Name] voiced concern that Staff is not recommending the lowest bidder for the subject contract.

MOTION BY MAYOR SWARTZ, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-1 (COUNCILMEMBER FERGUSON VOTING NOE), to approve, and authorize the Mayor to execute, Contract C19-28, by and between the City of San Clemente and Raftelis Financial Consultants, Inc., providing for the Wastewater Comprehensive Cost-of-Service Study, in the amount of \$57,388.

K. **Agreement for Legal Services with O'Melveny & Myers LLP**

[Speaker Declined to State Name] opined the proposed contractor is one of the most expensive in California and suggested that approval of the subject contract would be fiscally irresponsible.

MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-1 (COUNCILMEMBER FERGUSON VOTING NOE), to authorize the City Manager to engage the law firm of O'Melveny in an amount not to exceed \$100,000 and authorize an additional designation of legal fees in the FY 2018-19 budget of that amount.

7. **PUBLIC HEARINGS**

A. **Zoning Amendment 18-243 - City-Initiated Amendment of San Clemente Municipal Code Title 17 for Accessory Dwelling Units**

Public Hearing to consider a City-initiated amendment to San Clemente Municipal Code Title 17, the Zoning Ordinance, regarding the regulation of development of Accessory Dwelling Units (“ADUs”) for consistency with State law.

Contract Planner Stonich narrated a PowerPoint presentation entitled “Accessory Dwelling Units” and, along with City Planner Perez, responded to Council inquiries. A hard copy of Ms. Stonich’s presentation is on file with the City Clerk.

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

Following discussion, MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0 to:

1. Find and determine that the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Public Resources Code section 21080.17, which exempts from CEQA any ordinance that is adopted to implement Government Code section 65852.1 or 65852.2. This ordinance implements section 65852.2 as amended by Senate Bill (SB) 1069, Assembly Bill (AB) 2299, AB 2406, AB 229, AB 494, and AB 2406.
2. Introduce Ordinance No. 1668 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, FOR A CITY-INITIATED AMENDMENT (ZA 18-243) OF THE CITY OF SAN CLEMENTE MUNICIPAL CODE TITLE 17 FOR ACCESSORY DWELLING UNITS, with the modification that Section E (Standards) Subsection 1.b.(2) be amended to read in its entirety as follows:

"An ADU may be rented long-term (longer than 30 days). The ADU may not be rented on a short-term basis (i.e., for 30 or fewer days)."

8. **UNFINISHED BUSINESS**

A. **Thrift Store Zoning Amendment 17-043 - Regulation of Check Cashers, Pawnbrokers, Secondhand Dealers, and Smoke and Tobacco Shops**

Report from the Community Development Director concerning an update, and request for Council direction, on Thrift Store Zoning Amendment 17-043, Regulation of Check Cashers, Pawnbrokers, Secondhand Dealers, and Smoke and Tobacco Shops.

City Planner Perez reviewed the contents of the Administrative Report and responded to Council inquiries.

Kimberly Anderson, Owner of Sweet Repeat Consignment, urged Council to not include secondhand dealers in the Zoning Amendment; noted that many businesses in San Clemente re-sell items.

Pat Serrano, President of Coral Thrift Store, suggested that thrift stores should be removed from the Zoning Amendment; reported on Coral Thrift Store's financial support to non-profit organizations within the City; reviewed recent improvements to Coral Thrift Store on both the interior and exterior, which included a surveillance camera on the alley side of the property.

Kaete Daum, San Clemente, spoke in support of local thrift stores; stated that she has never felt unsafe in the alley behind the thrift store.

Terry Daum, San Clemente, spoke in support of local businesses; suggested that thrift stores should not be in the same category as check cashers, pawnbrokers, and smoke and tobacco shops; opined that thrift stores do not pose an attractive nuisance.

Gizele Farland Stotts, La Tienda Thrift Store volunteer, spoke in support of the La Tienda ministry.

Laurie Moore, La Tienda Thrift Store volunteer, commented on the benefits that La Tienda provides to persons in need of healing.

J.P. Spitz, Co-Owner of La Tienda Thrift Store, noted that that La Tienda changes lives; stated that thrift stores are a ministry, as opposed to a business, and should not be categorized with check cashers, pawnbrokers and smoke and tobacco shops.

Laura Glynn, Co-Owner of La Tienda Thrift Store, spoke on the importance of thrift stores to the community; urged Council to remove thrift stores from the Zoning Amendment.

Following discussion, MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER FERGUSON, CARRIED 5-0, to direct Staff to remove or revise references to thrift store regulations in the Zoning Amendment, and move forward with a modified amendment regulating the remaining uses (check cashers, pawnbrokers, and smoke shops).

Council referred the issue of thrift stores back to the Planning Commission with particular direction to review the following: 1) definition of "Secondhand dealers", 2) justification for the 100' buffer between thrift store establishments and residential development inasmuch as a 100' buffer does not also apply between residential development and other retail uses, 3) Means by which thrift store operations shall be approved (i.e., Minor Use Permit versus Conditional Use Permit), and 4) methods used by other local cities to regulate thrift stores.

MEETING RECESSED/RECONVENED

Council recessed at 8:38 p.m. and reconvened at 8:48 p.m., with all members present, except Councilmember Hamm.

9. **NEW BUSINESS**

A. **Code Amendment - Floodplain Management Regulations**

Report from the Public Works Director/City Engineer concerning an amendment to Municipal Code Chapter 15.76 regarding Floodplain Management Regulations.

Senior Civil Engineer Ponsen reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY MAYOR PRO TEM BANE, SECOND BY COUNCILMEMBER WARD, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to introduce Ordinance No. 1669 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 15.76 TO UPDATE THE FLOODPLAIN MANAGEMENT CODE TO MEET THE MINIMUM REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM.

B. City Commissions and Committees Review

Report from the Assistant City Manager concerning Council consideration of the structure, composition, performance, and staff usage and resources pertaining to City Commissions and Committees.

Management Analyst Johnston reviewed the contents of the Administrative Report and responded to Council inquiries.

Tyler Boden, Human Affairs Committee, reported on the Human Affairs Committee's recent projects.

Susan Ambrose, Coastal Advisory Committee, reviewed the Coastal Advisory Committee's work plan and goals for the year.

Don Brown, Planning Commission, reviewed the function of the Planning Commission, noting that it makes land use decisions and is required by State law; commented that the Planning Commission is a very effective organization.

Bart Crandell, Planning Commission Chair, provided an update on the preliminary In-N-Out Burger proposal, noting that access and stacking issues remain to be resolved.

Dick Veale, Golf Course Committee, suggested that if the Golf Course Committee is consolidated into the Beaches, Parks and Recreation Committee, there should be golfers on the Commission that are familiar with golf course issues.

MOTION BY MAYOR SWARTZ, SECOND BY COUNCILMEMBER FERGUSON, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to appoint Councilmember Ward and Mayor Pro Tem Bane to a subcommittee to recommend possible revisions to the City's Commissions and Committees. Among suggestions raised were 1) consolidating the Coastal Advisory Committee into the Beaches, Parks and Recreation Commission, 2) making the Golf Course Committee an adjunct committee to the Beaches, Parks and Recreation Commission, 3) consolidating the Golf Course Committee into the Beaches, Parks and Recreation Commission, 4) consolidating the Coastal Advisory Committee into the Planning Commission, 5) re-establishing a Public Safety Task Force, and 6) adjusting meeting times to enhance convenience for the public and increase staff efficiency.

C. **Policy and Procedure 201-11 – City Council Meetings and Operations**

Report from the City Clerk concerning proposed Policy and Procedure 201-11 relating to City Council Meetings and Operations.

City Clerk Baade reviewed the contents of the Administrative Report, and along with City Attorney Smith, responded to Council inquiries.

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

1. Introduce Ordinance No. 1670 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REPEALING SECTION 2.04.050 OF THE CODE OF THE CITY OF SAN CLEMENTE RELATING TO CITY COUNCIL PROCEEDINGS BEING GOVERNED UNDER "ROBERT'S RULES OF ORDER".
2. Repeal the following Policies and Procedures, effective April 4, 2019:
 - Policy 1201-1 (Mayor and Mayor Pro Tempore)
 - Policy 1201-2 (Meetings of the City Council)
 - Policy 1201-3 (Order of Business and Preparation of Minutes)
 - Policy 1201-4 (Council Correspondence and Agenda)
 - Policy 1201-5 (Rules of Debate, Decorum, Voting Requirements and Procedures)
3. Adopt Policy and Procedure 1201-11 entitled "City Council Meetings and Operations", effective April 4, 2019, with direction to Staff to delete Section 4.5.5 (which would have allowed an individual Councilmember to add an item to a future agenda), and add a new Section to require that Council motions receive a second in order to proceed to a vote.
4. All City Policies and Procedures are to be reviewed at least once every five years.

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

American Express Invoices Relating to Food and Toll Road Fees

Tony Rubolino, San Clemente, reviewed American Express invoices that he obtained from a Public Records Act request, and voiced concern with the City's expenditure of funds for food and toll road fees.

Transient Occupancy Tax (TOT) Ballot Measure from 2016 General Municipal Election/Ability of Entities Involved in Litigation with City to Contribute to Event Sponsorships

Jim Bieber, San Clemente, stated that he filed a lawsuit to obtain records relating to the possible recount of ballots from the 2016 General Municipal Election pertaining to the TOT ballot measure; questioned whether he would have been precluded from contributing to an event that the City is sponsoring while engaged in a lawsuit against the City.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

Linda Lane Pump Station - Landslide Remediation

City Manager Makshanoff provided an update on the remediation of the landslide at the Linda Lane Pump Station site.

Loss of City Trees Due to Inclement Weather

City Manager Makshanoff noted the City lost ten trees in the last rain and wind storm, including the City's Christmas tree at the Community Center; noted that a replacement Canary Pine will cost approximately \$9,000.

El Camino Real Landslide at Marblehead Coastal Property

City Manager Makshanoff reported on the remediation of the El Camino Real landslide at the Marblehead Coastal property, noting that the street is now open in both directions.

Vista Hermosa Sports Park Ballfield Sod Replacement

City Manager Makshanoff reported that installation of sod on the Vista Hermosa Sports Park ballfields has been slightly delayed because of the inclement weather.

Long Term Financial Plan (LTFFP)

City Manager Makshanoff reported that Council will meet on March 11, 2019 at 4:00 p.m. in the Council Chambers to consider the LTFFP.

C. **City Attorney**

None.

D. **Council Members**

(1) **Coastal Animal Services Authority (CASA)**

Mayor Swartz narrated a PowerPoint presentation concerning pets available for adoption at the San Clemente Animal Shelter. A hard copy of Mr. Swartz's presentation is on file with the City Clerk.

Community Choice Energy - Input from San Diego Gas and Electric (SDGE)

Councilmember Ferguson noted that the California Public Utilities Commission (CPUC) currently does not allow SDGE to provide input on Community Choice Energy; suggested that the City write a letter to the CPUC requesting that SDGE be allowed to advocate its formal position in support of choice in energy. It was agreed that City Manager Makshanoff will communicate with Duane Cave, of SDGE, to obtain more information.

Budget Advisory Committee

Councilmember Ferguson suggested the formation of a small budget advisory group of community volunteers to assist Council during the budget process. Council determined to not pursue this suggestion.

City Policy on Use of City Vehicles/Mileage and Parking/Golf/Swim Passes

Mayor Pro Tem Bane suggested, and Council agreed, that the City Policies relating to use of vehicles/mileage and parking/golf/swim passes be agendaized for Council consideration. Council indicated a desire to also consider whether any adjustments to Council's monthly stipend are warranted.

12. **RESOLUTIONS/ORDINANCES**

None.

13. **ADJOURNMENT**

MOTION BY MAYOR SWARTZ, SECOND BY COUNCILMEMBER WARD, CARRIED 4-0 (COUNCILMEMBER HAMM ABSENT), to adjourn at 10:08 p.m. The next Regular Council Meeting will be held on Tuesday, March 5, 2019 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