



CITY OF SAN CLEMENTE

SPECIAL AND REGULAR CITY COUNCIL MEETING AGENDA

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

May 21, 2019
4:30 p.m. - Closed Session
6:00 p.m. - Business Meeting

Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.

RULES FOR ADDRESSING COUNCIL

- Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.
- If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and submit it to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an **agendized** item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a **non-agendized** issue will be invited to address Council during the "Oral Communications" portion of the meeting.
- When the Mayor calls your name, please step to the podium, state your name and your city of residence, and then give your presentation. Please limit your presentation to three minutes.

MISSION STATEMENT

The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:

Maintaining a safe, healthy atmosphere in which to live, work and play;

Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;

Providing for the City's long-term stability through promotion of economic vitality and diversity...

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

CLOSED SESSION – (4:30 p.m.)

Closed Session 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: 8

Case Name: MemorialCare Services, et al. v. City of San Clemente
Case Number: 8:16-CV-00852 DOC-JCG

Case Name: Housing is a Human Right Orange County, et al v. County of Orange et al.
Case Number: USDC 8:19-CV-00388 DOC-KES

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: Anthem Sales Management, LLC et al. v. City of San Clemente et al.
Case Number: OCSC 30-2019-01063861-CU-WM-CJC

Case Name: Capistrano Shores, Inc. v. City of San Clemente
Case Number: OCSC 30-2014-007099897-CU-EI-CXC

Case Name: Malamud, et al. v. City of San Clemente, et al.
Case Number: USDC 8:19-CV-00855

Case Name: City of San Clemente v. Goode, et al.
Case Number: OCSC 30-2018-01033695 CU-OR-CJC

Closed Session items continued on next page

Case Name: City of San Clemente v. Toyota, et al.
Case Number: OCSC 30-2018-01037112-CU-MC-NJC

B. LIABILITY CLAIMS

Pursuant to Government Code section 54956.95
Number of claims: 2

Claimant: Raya's Paradise, Inc.
Agency claimed against: City of San Clemente

Claimant: Seabreeze Vacation Rental Management
Agency claimed against: City of San Clemente

C. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)
Significant exposure to litigation
Number of potential cases: 3

D. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)
Initiation of litigation
Number of potential cases: 1

BUSINESS MEETING (6:00 p.m.)

CALL TO ORDER

INVOCATION – Rabbi Mendel Slavin with the Chabad Jewish Center of San Clemente

PLEDGE OF ALLEGIANCE

ROLL CALL

- A. [Filling of City Council Vacancy Due to Death of Mayor Steve Swartz \(Special Municipal Election and Possible Appointment of Person to Fill Vacancy Until Successor is Installed\)](#) Pages A-2 through A-32

Report from the City Clerk concerning filling of the vacancy on the City Council due to the death of Mayor Steve Swartz (Special Municipal Election and possible appointment of person to fill the vacancy until a successor is installed.

Staff Recommendation

If Council determines to call a Special Election for November 5, 2019 as an all-mail ballot election, if legally permitted, and to call a Special Election for November 5, 2019 as a precinct election if an all-mail ballot election is not legally permitted, Staff recommends that the City Council take action as follows:

1. Adopt Resolution No. 19-13 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, FOR THE ELECTION OF A MEMBER OF THE CITY COUNCIL TO FILL A VACANCY PURSUANT TO THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND THE CODE OF THE CITY OF SAN CLEMENTE, AND DIRECTING THAT SAID SPECIAL MUNICIPAL ELECTION BE CONDUCTED BY ALL-MAIL BALLOT ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 4004, UNLESS THE NOVEMBER 5, 2019 ELECTION IS A CONSOLIDATED ELECTION, IN WHICH CASE THE SPECIAL ELECTION WILL BE CONDUCTED AS A PRECINCT ELECTION.
2. Adopt Resolution No. 19-14 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO PERMIT THE ORANGE COUNTY REGISTRAR OF VOTERS TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, AND REQUESTING THAT SAID SPECIAL MUNICIPAL ELECTION BE CONDUCTED AS AN ALL-MAIL BALLOT ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 4004, UNLESS THE NOVEMBER 5, 2019 ELECTION IS A CONSOLIDATED ELECTION, IN WHICH CASE THE SPECIAL ELECTION WILL BE CONDUCTED AS A PRECINCT ELECTION.
3. Adopt Resolution No. 19-15 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019.
4. Determine whether to adopt the following optional resolution:

Resolution No. 19-16 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION. *(Note: If Council determines to not adopt this Resolution, a tie vote at the Special Election of November 5, 2019 between candidates who receive an equal number of votes and the highest number of votes shall be determined by lot.)*
5. If Council wishes to appoint a registered voter to fill the Council vacancy until the newly-elected Councilmember is installed, and desires to direct the City Clerk to advertise the vacancy and invite applicants, Staff recommends that Council (1) appoint a Council subcommittee to work with the City Clerk

to develop an application form and supplemental questionnaire to ascertain an applicant's qualifications, philosophies, reasons for seeking a seat on the Council, etc.), (2) schedule a date for Council to interview candidates and make an appointment, and (3) Direct the City Clerk to advertise the vacancy and provide interested individuals with the application packet as approved by the Council subcommittee.

6. Approve a supplemental appropriation of \$295,500 to Account 001-133-44510 (Election Expenses) to fund the Special Election.

1. **Special Presentations.**

- A. **Toll Road Update**

- B. **Buddy Poppy Days**

Presentation of proclamation to Captain Wayne Greenleaf, of the Veterans of Foreign Wars, declaring May 25-27, 2019 as Buddy Poppy Days.

- C. **National Beach Safety Week**

Presentation of proclamation to Rod Mellott, Marine Safety Lieutenant, and Taylor Mellinger, Junior Lifeguard Coordinator/Ocean Lifeguard Supervisor, declaring May 20, 2019 through May 27, 2019 as National Beach Safety Week.

2. **Oral Communications (Part 1).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 10. When the Mayor Pro Tem calls your name, please step to the podium, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

3. **Motion waiving reading in full of all Resolutions and Ordinances.**

4. **Consideration of agendizing items requiring immediate action.** Any items agendized will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

5. **Closed Session Report - City Attorney.**

6. **Consent Calendar.** All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.

A. **City Council Minutes**

Staff Recommendation

- (1) [Approve the City Council Regular Meeting minutes of May 7, 2019.](#)
- (2) [Approve the City Council Regular Meeting minutes of April 16, 2019.](#)

B. **Commission and Committee Minutes**

Staff Recommendation

Receive and file the following:

- (1) [Planning Commission Adjourned Regular Meeting minutes of April 17, 2019.](#)
- (2) [Golf Course Committee Regular Meeting minutes of November 1, 2018.](#)
- (3) [Golf Course Committee Regular Meeting minutes of January 3, 2019.](#)
- (4) [Golf Course Committee Regular Meeting minutes of March 7, 2019.](#)
- (5) [Zoning Administrator Regular Meeting minutes of April 4, 2019.](#)
- (6) [Human Affairs Committee Regular Meeting minutes of April 9, 2019.](#)
- (7) [Coastal Advisory Committee Regular Meeting minutes of March 14, 2019.](#)
- (8) [Coastal Advisory Committee Regular Meeting minutes of April 11, 2019.](#)
- (9) [Planning Commission Adjourned Regular Meeting of May 8, 2019.](#)

C. Warrant Register

Approve Wire Transfers Nos. 2013 through 2018 and Warrant Nos. 557681 through 557829, paid on 4-12-19, in the amount of.....\$2,250,796.16

Approve Wire Transfers Nos. 2019 through 2020 and Warrant Nos. 557830 through 557973, paid on 4-19-19, in the amount of.....\$1,279,256.00

Approve Handwrite No. 558160, Wire Transfers Nos. 2021 through 2025, and Warrant Nos. 557974 through 558159, paid on 4-26-19, in the amount of.....\$ 767,527.50

Approve Wire Transfers Nos. 2026 through 2029 and Warrant Nos. 558161 through 558320, paid on 5-3-19, in the amount of.....\$1,078,577.77

Approve Wire Transfers Nos. 2030 through 2035, and Warrant Nos. 558321 through 558450, paid on 5-10-19, in the amount of.....\$1,224,393.80

Approve Warrant Nos. 558451 through 558686, paid on 5-17-19, in the amount of.....\$2,489,799.86

TOTAL WARRANT REGISTER.....\$9,090,351.09

Payroll Register

Approve Warrant No. 718 and Automatic Deposit Advises 55372 through 55672, for the period 3-25-19 through 4-7-19, paid on 4-12-19, in the amount of.....\$ 469,102.62

Approve Warrant Nos. 719 through 721, Automatic Deposit Advises 55673 through 55986, for the period 4-8-19 through 4-21-19, paid on 4-26-19, in the amount of.....\$ 475,084.37

Approve Warrant Nos. 722 through 723 and Automatic Deposit Advises 55987 through 56293 for the period 4-22-19 through 5-5-19, paid on 5-10-19, in the amount of.....\$ 468,403.92

TOTAL PAYROLL REGISTER.....\$ 1,412,590.91

- D. [Contract Award - Structural Evaluation of Mariposa Beach Trail Bridge](#)
Pages 6D-1 through 6D-2

Staff Recommendation

Approve, and authorize the Mayor Pro Tem to execute, Contract C19-37, by and between the City of San Clemente and KTA-Tator, Inc., providing for a structural evaluation of the Mariposa Beach Trail Steel Bridge, Project No. 26801, in the amount of \$46,570.

- E. [Contract Amendment - Tree Maintenance Services](#) Page 6E-1

Staff Recommendation

Approve, and authorize the Mayor Pro Tem to execute, Amendment No. 4 to Contract C05-31, by and between the City of San Clemente and Rod's Tree Service, providing for tree maintenance services through June 30, 2020, in an amount not to exceed \$394,660.

- F. [Initiation of Zoning Amendment - Update of Permitting Requirements for Certain Wireless Telecommunication Facilities in Response to Recent Federal Communications Commission Regulations](#) Pages 6F-1 through 6F-3

Staff Recommendation

Initiate a Zoning Amendment, as authorized by Municipal Code Section 17.16.020(C)(1), to update permitting requirements for certain wireless telecommunications facilities in response to Federal Communications Commission regulations.

- G. [Proposed Parking Prohibitions at 702 Avenida de la Estrella](#) Pages 6G-1 through 6G-7

Staff Recommendation

1. Prohibit parking on the east side of Avenida de la Estrella adjacent to 702 Avenida de la Estrella, for a distance of thirty (30) feet between the two driveways, and for a distance of thirty (30) feet between the handicap parking lot driveway and the curb return of El Oriente; and to reduce the parking prohibition on the east side of Avenida de la Estrella, from the southeast corner of El Oriente, from a distance of forty-three (43) feet to twenty (20) feet.
2. Adopt Resolution No. 19-17 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING 'NO PARKING AREAS' ON AVENIDA DE LA ESTRELLA.

- H. [Replacement of Community Center Christmas Tree](#) Pages 6H-1 through 6H-2

Staff Recommendation

1. Approve the purchase and installation of a California Incense Cedar tree, 84-inch box size, at the Community Center to replace the fallen tree.
2. Upon approval of the proposed Fiscal Year 2020 budget, authorize the Public Works Director to approve a purchase order not to exceed \$25,000 for the purchase and installation of the new tree using approved Fiscal Year 2020 landscape contract supplemental funding.

- I. [Contract Award - Water Reclamation Plant Gravity Belt Thickeners Replacement](#) Pages 6I-1 through 6I-4

Staff Recommendation

1. Approve the plans and specifications for the Water Reclamation Plant Gravity Belt Thickeners Replacement, Project Nos. 17204.
2. Approve a supplemental appropriation in the amount of \$460,000 from the Sewer Depreciation Reserve Fund to Account 054-476-45300-000-17204.
3. Approve, and authorize the Mayor Pro Tem to execute, Contract C19-38, by and between the City of San Clemente and GSE Construction, Inc., providing for the replacement of the Water Reclamation Plant Gravity Belt Thickeners, Project No. 17204, in the amount of \$1,517,100.

- J. [Final Parcel Map 2017-121 - Raleigh Condominiums at 1507 Calle Sacramento](#) Pages 6J-1 through 6J-3

Staff Recommendation

1. Accept on behalf of the City of San Clemente the water rights within Final Parcel Map 2017-121 as dedicated.
2. Approve Final Parcel Map 2017-121 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
3. Authorize the Public Works Director/City Engineer to execute the Final Parcel Map.
4. Authorize the City Clerk to execute and submit the Final Parcel Map for recordation with the County of Orange Recorder's Office.

- K. [Contract Amendment - Water Reclamation Plant Efficiency Study](#)
Pages 6K-1 through 6K-8

Staff Recommendation

Approve, and authorize the Mayor Pro Tem to execute, Amendment No. 2 to Contract C18-62 by and between the City of San Clemente and Trussell Technologies, Inc., providing engineering services for the Water Reclamation Plant Efficiency Study, Project No. 39202. This Amendment increases the contract amount from \$212,664 to an amount not to exceed \$246,308 (an increase of \$33,644).

- L. [Contract Amendment - Temporary On-Call As-Needed Staffing for the Utilities Department](#) Pages 6L-1 through 6L-5

Staff Recommendation

1. Approve, and authorize the Mayor Pro Tem to execute, Amendment No. 2 to Contract C16-57 by and between the City of San Clemente and Aerotek, Inc., providing for on-call, temporary staffing services, for a term to expire May 16, 2020.
2. Approve, and authorize the Mayor Pro Tem to execute, Amendment No. 2 to Contract C16-58 by and between the City of San Clemente and Aqua Staffing, providing for on-call, temporary staffing services, for a term to expire May 16, 2020.

- M. [Proposed Parking Prohibition on Camino Mira Costa](#) Pages 6M-1 through 6M-4

Staff Recommendation

1. Prohibit parking on the south side of Camino Mira Costa from Camino Capistrano to 60 feet east of Camino Capistrano.
2. Adopt Resolution No. 19-11 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING A 'NO PARKING AREA' ON CAMINO MIRA COSTA.

- N. [Notice of Completion - FY 2018 Street Improvement Project](#) Pages 6N-1 through 6N-4

Staff Recommendation

1. Accept the FY 2018 Street Improvement Project (Project No. 18327) from PALP, Inc., dba Excel Paving Company.
2. Authorize the Mayor Pro Tem to execute, and the City Clerk to record, the Notice of Completion for the FY 2018 Street Improvement Project.
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, PALP, Inc., dba Excel Paving Company.
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.

- O. [Final Parcel Map 2017-182, Target Commercial Retail Center at 990 West Avenida Vista Hermosa](#) Pages 6O-1 through 6O-3

Staff Recommendation

1. Accept on behalf of the City of San Clemente the water rights as dedicated.
2. Accept on behalf of the City of San Clemente the easement for roadway, sidewalk, and public access as dedicated.
3. Accept on behalf of the City of San Clemente the traffic signal easement as dedicated.
4. Approve Final Parcel Map 2017-182 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
5. Authorize the Public Works Director/City Engineer to execute the Final Parcel Map upon confirmation of final approval of the CC&Rs and Parking Agreements by the City Attorney.
6. Authorize the City Clerk to execute and submit the Final Parcel Map to the Orange County Recorder's Office for recordation.

- P. [Contract Amendment - Extension to the Short-Term Wastewater Services Agreement with Santa Margarita Water District \(SMWD\)](#)
Page 6P-1

Staff Recommendation

Approve, and authorize the City Manager to execute, Amendment No. 5 to Contract C17-55, by and between the City of San Clemente and the Santa Margarita Water District, to extend the contract to treat wastewater flows from Talega for 120 days.

- Q. [Notice of Completion - Reservoirs 5A, 10, 12 and 14 Improvements and Reservoir 8 Interior Coating](#) Pages 6Q-1 through 6Q-5

Staff Recommendation

1. Accept the Reservoirs 5A, 10, 12 and 14 Improvements (Project No. 16410) and Reservoir 8 Interior Coating (Project No. 15408) from the contractor, Spiess Construction Co., Inc.
2. Authorize the Mayor Pro Tem to execute, and the City Clerk to record, the Notice of Completion for the Reservoirs 5A, 10, 12 and 14 Improvements and Reservoir 8 Interior Coating projects.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Utilities Department that no liens have been levied against Spiess Construction Co., Inc.
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.
5. Approve, and authorize the Mayor Pro Tem to execute, Amendment No. 2 to Contract AC-691 by and between the City of San Clemente and CSI Services, providing for an analysis, testing and recommendation for temporary coating of Reservoir 5 and additional inspection for Reservoir 8. This Amendment extends the contract term to June 30, 2019 and increases the contract amount from \$44,700 to \$69,108 (an increase of \$24,408).

- R. [Bid Rejection - Via Montego/Via Cascadita Storm Drain Improvements](#)
Pages 6R-1 through 6R-4

Staff Recommendation

1. Consent to relieve GCI Construction, Inc. of its bid, pursuant to Section 5101(b) of the Public Contract Code.
2. Reject all other submitted bids for the Via Montego/Via Cascadita Storm Drain Improvements, Project No. 13017, pursuant to Section 20166 of the Public Contract Code.
3. Authorize Staff to revise the bid package and re-bid the Via Montego/Via Cascadita Storm Drain Improvements, Project No. 13017.

- S. [Bid Rejection - Street Rehabilitation for Via Pico Plaza; Street Rehabilitation for Calle De Los Molinos, Calle De Industrias, and Avenida Navarro; and Street Rehabilitation for Avenida Pico](#) Pages 6S-1 through 6S-3

Staff Recommendation

1. Reject all bids for Street Rehabilitation for Via Pico Plaza, Project No. 13315; Street Rehabilitation for Calle de los Molinos, Calle De Industrias, and Avenida Navarro, Project Nos. 16352 and 16353; and Street Rehabilitation for Avenida Pico, Project No. 17329, pursuant to Section 20166 of the Public Contract Code.
2. Authorize Staff to re-bid the projects discussed in the Administrative Report, dated May 21, 2019, which is on file with the City Clerk.

- T. [Office Furniture for Phase 1 of First Floor Remodel of 910 Calle Negocio](#) Pages 6T-1 through 6T-56

Staff Recommendation

Authorize the City Manager to execute a purchase order for furniture in accordance to the National Joint Powers Alliance (NJPA) contract #031715-STI, in an amount not to exceed \$148,240.

U. [Designation of Legal Fees](#) Pages 6U-1 through 6U-4Staff Recommendation

1. Approve the estimated legal costs for the legal matters noted in the Administrative Report, dated May 21, 2019, which is on file with the City Clerk.
2. Approve, and authorize the Mayor Pro Tem, or designee, to execute the Fourth Amendment to Contract C17-07, by and between the City of San Clemente and Silver & Wright, LLP, providing for code enforcement legal services, and add \$111,000 in additional contract authority.
3. Approve a supplemental appropriation from the General Fund's Unassigned Fund Balance in the amount of \$286,000 to Other Legal Services, Account 001-203-43635-000-00000.

7. **Public Hearings.** The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

A. [La Ventura Event Center Amendment - 2316 South El Camino Real – Conditional Use Permit Amendment 18-659](#) Pages 7A-1 through 7A-32

Public Hearing to consider an amendment to Conditional Use Permit 13-249 (La Ventura Event Center) to increase the permitted hours and occupancy of the event facility located at 2316 South El Camino Real.

Staff Recommendation

1. Find and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) because the project involves the permitting and minor alteration of an existing approved use with negligible expansion of the use and no addition or alteration to the building.
2. Adopt Resolution No. 19-18 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT AMENDMENT 18-659, LA VENTURA EVENT CENTER AMENDMENT, A REQUEST TO AMEND CUP 13-249 TO INCREASE THE PERMITTED HOURS AND OCCUPANCY OF THE EVENT FACILITY LOCATED AT 2316 SOUTH EL CAMINO REAL.

B. [Weed Abatement 2019 \(Order to Abate\)](#) Pages 7B-1 through 7B-8

Continued Public Hearing concerning an order to abate nuisances by having weeds, rubbish, and refuse removed from vacant and unoccupied, developed properties.

Staff Recommendation

Adopt Resolution No. 19-12 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ABATE THE NUISANCES BY HAVING WEEDS, RUBBISH, REFUSE AND DIRT REMOVED FROM VACANT PROPERTIES AND UNOCCUPIED, DEVELOPED PROPERTIES WITHIN THE CITY.

8. **Unfinished Business.**

None.

9. **New Business.**

A. [Update on the Evaluation and Feasibility of Creating a Temporary Emergency Shelter for the Homeless](#) Pages 9A-1 through 9A-85

Report from the City Manager and Assistant City Manager concerning an update on the evaluation and feasibility of creating a temporary emergency shelter for the homeless.

Staff Recommendation

Provide direction to the City Manager regarding the creation of a temporary emergency shelter for the homeless.

B. [Consideration of Ordinances Relating to the Prohibition of Camping on Public Property](#) Pages 9B-1 through 9B-10

Report from the City Manager and City Attorney concerning ordinances relating to the prohibition of camping on public property.

Staff Recommendation

1. Adopt Urgency Ordinance No. 1673 entitled AN URGENCY ORDINANCE OF THE CITY OF SAN CLEMENTE FINDING THAT EXIGENT CIRCUMSTANCES RELATING TO IMMEDIATE THREATS TO THE PUBLIC HEALTH, SAFETY, AND WELFARE REQUIRE ENFORCEMENT OF THE PROVISIONS OF SAN CLEMENTE MUNICIPAL CODE CHAPTER 8.86 PROHIBITING

CAMPING ON PUBLIC PROPERTY, EXCEPT AS PROVIDED THEREIN.

2. Introduce Ordinance No. 1674 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE FINDING THAT EXIGENT CIRCUMSTANCES RELATING TO IMMEDIATE THREATS TO THE PUBLIC HEALTH, SAFETY, AND WELFARE REQUIRE ENFORCEMENT OF THE PROVISIONS OF SAN CLEMENTE MUNICIPAL CODE CHAPTER 8.86 PROHIBITING CAMPING ON PUBLIC PROPERTY, EXCEPT AS PROVIDED THEREIN.

- C. [Establishment of Citywide Posted Speed Limits](#) Pages 9C-1 through 9C-11

Report from the Public Works Director/City Engineer concerning establishment of Citywide posted speed limits.

Planning Commission and Staff Recommendation

1. Approve the establishment of speed limits on City streets.
2. Introduce Ordinance No. 1672 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 10 OF THE MUNICIPAL CODE CONCERNING SPEED ZONES ON CITY STREETS.

- D. [Update on Metered Parking Areas](#) Pages 9D-1 through 9D-3

Report from the Public Works Director/City Engineer concerning an update on metered parking areas.

Staff Recommendation

Receive and file the Administrative Report, dated May 21, 2019 (which is on file with the City Clerk), and provide further direction to Staff, if desired.

- E. [Camino Vera Cruz/Costa Intersection Control and Lane Reconfiguration](#) Pages 9E-1 through 9E-10

Report from the Public Works Director concerning a possible traffic signal at the intersection of Camino Vera Cruz/Costa and conceptual striping plans for Camino Vera Cruz from Riachuelo to Arbolado.

Staff Recommendation

1. Approve a traffic signal at the intersection of Camino Vera Cruz/Costa and direct Staff to proceed with design and bid of a traffic signal project.
2. Approve conceptual striping plans for Camino Vera Cruz from Riachuelo to Arbolado.

10. **Oral Communications (Part 2).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When the Mayor Pro Tem calls your name, please step to the podium, state your name and the City in which you reside, and make a presentation not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

11. **Reports.**

A. **Commissions and Committees**

- (1) [Update to Council Appointees to Regional Committees, Commissions and Boards](#) Pages 11A(1)-1 through 11A(1)-6

Staff Recommendation

1. Update Councilmember appointments to various regional committees, commissions and boards.
2. Determine the Councilmember who will serve as the City's representative to the Orange County Fire Authority Board of Directors and adopt Resolution No. 19-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS, with the direction that the name of the City's new Director be inserted.
3. Appoint one member of the City Council to attend, and vote on the City's behalf, at the City Selection Committee meeting of May 30, 2019.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

Adjourn in memory of Mayor Steve Swartz to an Adjourned Regular Council meeting to be held on Wednesday, May 22, 2019 at 4:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of conducting a Public Hearing and workshop concerning the proposed FY 2019-20 City budget.

The next Regular Council Meeting will be held on Tuesday, June 4, 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.

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 30 (or Channel 854 for high-definition televisions). Meetings are also recorded via audio CD and/or DVD and retained as a City record in accordance with the City's records retention schedule.

USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS

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

LENGTH OF MEETINGS

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

COMMUNICATION DEVICES

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

MEETING SCHEDULE

Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items are considered at 5:00 p.m. and the Business Meeting begins at 6:00 p.m. Additional meetings of the City Council may be called as needed.

AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Department as soon as agendas are posted (a minimum of 72 hours prior to the meeting). Agendas and Administrative Reports can also be viewed at the San Clemente Library, located at 242 Avenida Del Mar, or by accessing the City's website at www.san-clemente.org. An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Department, located at 910 Calle Negocio, San Clemente, during normal business hours.

The City Clerk's Department also offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, please send an email to cityclerk@san-clemente.org or call 949-361-8200.