

# **CITY OF SAN CLEMENTE**

## **City Council Minutes**

### **Adjourned Regular Meeting - May 15, 2007**

An Adjourned Regular Meeting of the San Clemente City Council was called to order on May 15, 2007 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

**PRESENT**                      ANDERSON, DONCHAK, EGGLESTON, KNOBLOCK,  
MAYOR DAHL

**ABSENT**                        NONE

**STAFF PRESENT**            George Scarborough, City Manager; Jeff Oderman, City  
Attorney; Myrna Erway, City Clerk; Joanne Baade, Deputy  
City Clerk

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### **CLOSED SESSION**

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to recess to Closed Session to discuss the following:

A.      CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation, pursuant to Government Code Section 54956.9(c): One Potential Case

City Manager Scarborough, Community Development Director Holloway, Code Compliance Manager Montoya and City Clerk Erway were in attendance.

### **MEETING RECONVENED**

Council reconvened at 6:40 p.m., with all members present.

**BUDGET SESSION (6:30 P.M.)**

Presentation of the FY 2006-07 3<sup>rd</sup> Quarter Financial Report and FY 2007-08 Proposed Budget.

City Manager Scarborough narrated a PowerPoint presentation entitled “FY 2007-08 Proposed Budget”, focusing on the budget schedule, decision-making process, Long-Term Financial Plan, Vital Few Priorities, and funding assumptions for the La Pata/Vista Hermosa Community Park.

Assistant City Manager Gudgeirsson continued the PowerPoint presentation by reviewing specifics of the proposed FY 2007/08 budget document, including revenues and expenditures, operating budget, capital improvement program, decision packages, staffing changes, and proposed General Fund budget.

A hard copy of the PowerPoint presentation given by City Manager Scarborough and Assistant City Manager Gudgeirsson is on file with the City Clerk.

During the course of discussion, individual Councilmember(s) requested the following:

- That the philosophy of selling a City asset (i.e., the City Hall site) to fund maintenance of the La Pata/Vista Hermosa Community Park be revisited.
- That a geological study be conducted of the City Hall site to determine if the projected \$16.5 million sale price is realistic.
- Cost and other issues associated with increasing beach maintenance from the current Level of Service C to a Level of Service A or B.
- That Council consider funding the installation of restrooms at Linda Lane Park.
- That Council consider funding doors for the women’s restrooms along the beach area, especially at T Street, as well as at Liberty Park.
- That future budgets be formatted so that departmental budget information and performance data can be viewed on side-by-side pages.
- Update on the effectiveness of the permit processing and customer service improvements that were implemented in the Building Division.

Assistant City Manager Gudgeirsson narrated a PowerPoint presentation entitled FY 2006-07 3<sup>rd</sup> Quarter Report. A hard copy of Mr. Gudgeirsson’s presentation is on file with the City Clerk.

**INVOCATION**

Brett Peterson, OCFA Fire Chaplain, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Anderson led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Proclamation Presentation - Neighborhood Watch Month Proclamation**

Mayor Dahl presented a proclamation to Jan Sener, Director of Crime Prevention and Volunteer Services, and Janet Dunford, Crime Prevention Specialist, declaring May, 2007 as Neighborhood Watch Month. Ms. Dunford and Ms. Sener then presented Certificates of Recognition to the following individuals for their assistance in advancing the Neighborhood Watch program:

Fran and Dan Thompson  
Mary Johnson, Universal Press  
Craig Hunn (on behalf of the City's Maintenance Division)  
Jim Russell, City Emergency Planning Officer  
Rich Atkinson (on behalf of the City's Code Compliance Division)

B. **Certificate of Recognition - Cornerstone Church Sidewalk**

Mayor Dahl presented a Certificate of Recognition to Pastor Ron Sukut and the Cornerstone Church volunteers for improving safety by constructing a sidewalk from the church at 702 Avenida de la Estrella to 1002 Avenida de la Estrella.

C. **Buddy Poppy Days Proclamation**

Presentation of proclamation to George Key, Commander of Veterans of Foreign Wars Post 7142, designating May 25 and 26, 2007 as Buddy Poppy Days.

2. MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

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

None

4. **ORAL COMMUNICATIONS (PART ONE)**

**Marblehead Coastal Commercial Signage**

Karen Ahola, San Clemente, requested that Council re-evaluate its approval of the Marblehead Coastal commercial signage program.

**Fire Hazard in Trafalgar Canyon**

Kathy Makinson-Sanders presented a petition, signed by 28 residents of Pasadena Ct. and Cazador Lane, requesting that Trafalgar Canyon be designated an extreme fire hazard; urged that smoking be prohibited in the canyon and that penalties for violation consist of significant fines or incarceration; requested the relocation of the beach fire ring that is closest to the canyon, vegetation and wooden structures.

Council requested that the Beaches, Parks and Recreation Department consult with the Orange County Fire Authority to determine methods to reduce the potential for fires in coastal canyons. This item is to be agendized for the Council meeting of June 5, 2007.

**Traffic Congestion (Marblehead Coastal Commercial Center)**

Lynn Sobel, San Clemente, referenced the recent traffic accident that claimed the lives of three young children; voiced concern that an outlet center at Marblehead Coastal will generate traffic and congestion on the I-5; voiced concern that 32 freeway-oriented signs will distract drivers; requested that Council form a Traffic Commission.

Council directed that Staff include information about the Marblehead Coastal project, including traffic analyses conducted for the Avenida Vista Hermosa/I-5 interchange, on the City's web page. Staff is to mail copies of the subject information to Ms. Sobel.

Council advised that an analysis is underway relative to the possibility of reinstating a City Traffic Commission.

During the course of discussion, it was noted that the I-5 Vista Hermosa southbound offramp currently consists of only one lane; noted that two or three lanes will be needed as Marblehead Coastal is developed. Mayor Pro Tem Anderson will discuss the need for additional offramp lanes with Supervisor Bates when he meets with her tomorrow.

Council requested that a letter be sent to Nancy Quon, of CalTrans, requesting information about the I-5 Avenida Pico (southbound) offramp improvement project; voiced concern that the current striping of the lanes causes cars to drive on an angled grade.

5. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve the Consent Calendar with the removal of Item H.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve the City Council minutes of April 17, 2007.

B. MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to receive and file:

- (1) Zoning Administrator meeting minutes of May 2, 2007.
- (2) Planning Commission Study Session of May 2, 2007.
- (3) Planning Commission Regular Meeting of May 2, 2007.

C. **Warrant Register**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Wire Transfers Nos. 455 and 456 and Warrant Nos. 783927 through 784107 for the period 4-16-07 through 4-20-07 in the amount of \$1,705,528.39; approve Wire Transfer No. 457 and Warrant Nos. 784108 through 784313 for the period 4-23-07 through 4-27-07 in the amount of \$1,478,799.33; for a total Warrant Register of \$3,184,327.72.

**Payroll Register**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Warrant Nos. 319055 through 319117, Automatic Deposit Advises 146153 through 146391, for the period 4-9-07 through 4-22-07 in the amount of \$369,551.03; for a total Payroll Register of \$369,551.03.

D. **Establishment of Policy and Procedure No. 201-4-2 (Legislative Body Reimbursement)**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Policy and Procedure No. 201-4-2, entitled "Legislative Body Reimbursement".

E. **Contract Award - Trolley Transit Needs Assessment Study**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to:

1. Accept revenue in the amount of \$200,000 from the Go Local Program into Account 012-000-33900-000-37806.
2. Approve a supplemental appropriation in the amount of \$200,000 to Account 012-861-43690-000-37806.
3. Approve, and authorize the Mayor to execute, Contract C07-21 by and between the City of San Clemente and Dan Boyle & Associates, relating to the conduct of a Tri-City Trolley Transit Needs Assessment Study for a multi-purpose trolley system in the cities of San Clemente, Dana Point and San Juan Capistrano, in the amount of \$128,527.

F. **Wall of Recognition 2007**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to ratify the Wall of Recognition Committee's recommendation for individuals to be honored as the year 2007 recipients to the Wall of Recognition.

G. **San Clemente Senior Mobility Program - Extension of Contracts for Senior Transportation Services**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, Amendment No. 1 to Cooperative Agreement No. C-2-1010 Between Orange County Transportation Authority and the City of San Clemente for the Senior Mobility Program. (Contract C02-50)
2. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract C02-49 by and between the City of San Clemente and South County Senior Services to extend the contract for senior transportation services for an additional two years with an option to extend the agreement for an additional two years.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

H. **La Pata/Vista Hermosa Community Park Fundraising Agreement**

Mayor Pro Tem Anderson abstained from deliberations on this item, and left the Council Chambers at 7:40 p.m., due to a potential conflict of interest.

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

Council discussion ensued relative to whether the fundraising agreement as written provides adequate protection that funds raised for the La Pata/Vista Hermosa Community Park will be transferred to the City in the event of a disagreement between the City and Foundation.

Mary Anna Anderson, President of the Beaches, Parks and Recreation Foundation, explained that any adjustments to the contract language would require Foundation Board approval; noted that the City Treasurer can review the Foundation's financial records at any time. In response to Council inquiry, Ms. Anderson confirmed that all donations made to the Foundation for the La Pata/Vista Hermosa Park would be specifically designated for that purpose.



MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 4-0-1 (MAYOR PRO TEM ANDERSON ABSTAINING), to approve, and authorize the Mayor to execute, Contract C07-10 by and between the City of San Clemente and Beaches, Parks and Recreation Foundation, Inc., relating to fundraising for the La Pata/Vista Hermosa Community Park.

Mayor Pro Tem Anderson returned to the dais at 7:56 p.m.

6. **PUBLIC HEARINGS**

A. **Time Extension for Conditional Use Permit 04-040, Sprint Traffic Light Standard Stealth Facility**

Public Hearing to consider a request for a time extension to allow the construction of a new Sprint PCS Stealth Communication Tower in a City owned Traffic Light Standard located on the border of San Clemente and Dana Point at North El Camino Real and Camino Capistrano, the address being 35904½ North El Camino Real (PCH).

Associate Planner Nicholas reviewed the contents of the Administrative Report.

Mayor Dahl opened the Public Hearing.

John Bitterly, on behalf of Sprint, explained that the time extension is needed because of the complexity of the project; pointed out that no project changes are proposed; concurred with the proposed Conditions of Approval and requested Council's approval.

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

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt Resolution No. 07-24 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING A TIME EXTENSION FOR CONDITIONAL USE PERMIT 04-040, SPRINT PCS, TO ALLOW THE INSTALLATION OF A WIRELESS COMMUNICATION FACILITY, TO BE INSTALLED ON A REPLACEMENT TRAFFIC SIGNAL LOCATED AT THE NORTHEAST CORNER OF EL CAMINO REAL AND CAMINO CAPISTRANO AT 35904½ EL CAMINO REAL.

**B. Code Amendment - Increase or Adjustment to Water Fixed Rates and Consumption Charges**

Public Hearing to consider amending the Code of the City of San Clemente relating to water rates and consumption charges.

Finance Manager Rendina narrated a PowerPoint presentation entitled “City Code Modification Water Rate Adjustment” and responded to Council inquiries. A hard copy of Mr. Rendina’s presentation, dated May 15, 2007, is on file with the City Clerk.

Council expressed an interest in viewing alternate tier-rate options, especially those that have proven successful in other jurisdictions.

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

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 4-1 (COUNCILMEMBER KNOBLOCK VOTING NOE, to:

1. Introduce Ordinance No. 1333 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 13.04.220, SUBSECTIONS (A), (B), AND (C) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO WATER RATES.
2. Direct Staff to conduct a Cost-of-Service analysis in FY 2007-08.
3. Direct Staff to present recommendations to modify or alter the tier, rate, and classification methodologies to Council with the annual rate review in 2008.

C. **Code Amendment - Increase or Adjustment to Sanitary Sewer Fixed Rates and Commodity Charges**

Public Hearing to consider amending the Code of the City of San Clemente relating to sanitary sewer fixed rates and commodity charges.

Finance Manager Rendina narrated a PowerPoint presentation entitled "City Code Modification Sewer Rate Adjustment". A hard copy of Mr. Rendina's presentation, dated May 15, 2007, is on file with the City Clerk.

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

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 4-1 (COUNCILMEMBER KNOBLOCK VOTING NOE), to introduce Ordinance No. 1334 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 13.24 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO SANITARY SEWER FIXED RATES AND COMMODITY RATES.

7. **UNFINISHED BUSINESS**

A. **Open Space Ordinance**

Report from the Community Development Director concerning the draft open space ordinance that Charles Mann presented for Council consideration at the April 17, 2007 Council meeting. The subject Ordinance would require a vote of the people in order to convert open space to developable land.

Community Development Director Holloway reviewed the contents of the Administrative Report and requested that Council provide input to assist Staff in preparing a draft ordinance; responded to Council inquiries.

During the ensuing discussion, individual Councilmember(s) expressed opinions. The following statements reflect comments offered by at least one Councilmember and do not necessarily reflect Council consensus: 1) Discussion on the open space issue should be deferred until Staff develops a

proposal; 2) Staff should not devote time to developing a draft ordinance prior to Council making a policy decision on the concept; 3) Even if Council does not ultimately adopt an ordinance, it is beneficial to embark on a collaborative process that leads to a Council decision; 4) It is important to remain alert to unintended consequences that may materialize from the results of the process; 5) By failing to become a participant in the process, the decision may be taken from Council via an initiative; 6) Council was elected to make land use decisions and citizens who believe those decisions are inappropriate can either remove Councilmembers from office or utilize the initiative process to enact an alternative action; and 7) the process under consideration represents a resource approach as opposed to a City-generated ordinance.

Jim Smith, San Clemente, suggested that the issue of land use should have been determined before staff devoted time to the Pacific Golf proposal; spoke in support of enabling voters to determine whether open space should be converted to developable land; urged that Council allow Staff to proceed with the process.

Charles Mann, San Clemente, stated the draft Ordinance was not developed to impede or abrogate any of Council's rights; urged that Council direct Staff to draft an ordinance and that all parties work together toward a mutually acceptable solution.

Don Kunze, San Clemente, voiced concern with the concept of selling park land to benefit another park; disagreed with the placement of a developer's roadway through a land conservancy; opined that a traffic hazard exists in the vicinity of Carl's Jr. because a small triangular piece of parkland was sold 20 years ago and then developed with 10 condominiums and a taco stand; voiced concern that the stop sign and 40' of fencing at the intersection of Cristianitos and El Camino Real have been removed.

Council requested that Staff contact Cindy Quon, of CalTrans, relative to the removal of the stop sign and fencing at the intersection of Cristianitos and El Camino Real.

Duffy Brook, San Clemente, stated that Councilmembers are elected to make decisions and suggested that the proposed Ordinance is inappropriate.

Bob Wallin, San Clemente, presented a letter, dated May 11, 2007, which is on file with the City Clerk; asserted that the City approves incremental development without considering the traffic increase associated with each project; urged that updated traffic counts be obtained for Avenida Pico, Vista Hermosa and Calle Del Cerro.

During the course of discussion, Council indicated that an open space ordinance should: 1) enable the City to construct public facilities (including transportation facilities); 2) include a small lot exclusion; 3) enable the City to construct facilities necessary to improve, or prevent degradation of, the public's health and safety; and 4) allow development in situations where failure to do so would constitute inverse condemnation.

Council requested that Staff provide an inventory of current open space and identify permitted uses of open space.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to continue the issue to the Council meeting of June 19, 2007. (Council recognized that the meeting date may need to be deferred if Staff requires more time.)

B. **Elimination of Parking Prohibitions - Southwest Side of Patero De Oro Between the Driveways at 111 and 123 Patero De Oro**

Report from the Public Works/Economic Development Director concerning the possibility of eliminating parking prohibitions on the southwest side of Patero De Oro between the driveways at 111 and 123 Patero De Oro.

Councilmember Donchak abstained from deliberations on this item, and left the Council Chambers at 9:15 p.m., due to the proximity of her residence to the project site.

Principal Civil Engineer Hindiye reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 4-0-1 (COUNCILMEMBER DONCHAK ABSTAINING), to deny residents' request to eliminate the existing parking prohibitions between the driveways at 111 and 123 Patero de Oro.

C. **Golf Course Clubhouse Financing**

Report from the Assistant City Manager/City Treasurer concerning financing of the Golf Course Clubhouse.

MOTION BY COUNCILMEMBER/PFA DIRECTOR KNOBLOCK, SECOND BY COUNCILMEMBER/PFA DIRECTOR EGGLESTON, CARRIED 4-0 (COUNCILMEMBER/PFA DIRECTOR DONCHAK ABSENT), to convene the San Clemente Public Financing Authority to meet in Joint Session with the Council at 9:16 p.m.

Councilmember/PFA Director Donchak returned to the dais at 9:17 p.m.

Assistant City Manager Gudgeirsson reviewed the contents of the Administrative Report, focusing on financing alternatives as set forth in a handout entitled "Golf Course Clubhouse Financing Alternatives", which is on file with the City Clerk. Additionally, Mr. Gudgeirsson presented revised Resolutions for Council and PFA consideration that reflect that the maximum amount of financing for the golf course clubhouse is \$3.5 million.

During the course of discussion, Assistant City Manager Gudgeirsson, Stan Wolcott (bond counsel), and Larry Orr and Larry Rolapp (Fieldman, Rolapp & Associates), responded to Council and PFA inquiries.

MOTION BY MAYOR PRO TEM/PFA CHAIR ANDERSON, SECOND BY COUNCILMEMBER/PFA DIRECTOR EGGLESTON, CARRIED 3-2 (COUNCILMEMBERS/PFA DIRECTORS DONCHAK AND KNOBLOCK VOTING NOE), to pursue the M. L. Stern AAA-insured debt instrument for financing of the golf course clubhouse project, with an annual debt service of \$280,000 and a 24½ year term.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 3-2 (COUNCILMEMBERS DONCHAK AND KNOBLOCK VOTING NOE), to adopt Resolution No. 07-28 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AUTHORIZING EXECUTION AND DELIVERY BY THE CITY OF A SITE AND FACILITIES LEASE, LEASE AGREEMENT, A TRUST AGREEMENT AND CERTIFICATE PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING DELIVERY OF A PRELIMINARY LIMITED OFFERING MEMORANDUM AND LIMITED OFFERING MEMORANDUM WITH RESPECT TO THE DELIVERY AND SALE OF 2007 CERTIFICATES OF PARTICIPATION (GOLF COURSE IMPROVEMENT PROJECT), APPOINTING A TRUSTEE AND AUTHORIZING DELIVERY AND SALE OF SUCH CERTIFICATES IN AN AMOUNT NOT TO EXCEED \$3,500,000.

MOTION BY PFA CHAIR ANDERSON, SECOND BY PFA DIRECTOR EGGLESTON, CARRIED 3-2 (PFA DIRECTORS DONCHAK AND KNOBLOCK VOTING NOE), to adopt Resolution No. PFA-2007-01 entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF SAN CLEMENTE PUBLIC FINANCING AUTHORITY AUTHORIZING EXECUTION AND DELIVERY BY THE CITY OF A SITE AND FACILITIES LEASE, LEASE AGREEMENT, A TRUST

AGREEMENT AND CERTIFICATE PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING DELIVERY OF A PRELIMINARY LIMITED OFFERING MEMORANDUM AND LIMITED OFFERING MEMORANDUM WITH RESPECT TO THE DELIVERY AND SALE OF 2007 CERTIFICATES OF PARTICIPATION (GOLF COURSE IMPROVEMENT PROJECT), APPOINTING A TRUSTEE AND AUTHORIZING DELIVERY AND SALE OF SUCH CERTIFICATES IN AN AMOUNT NOT TO EXCEED \$3,500,000.

**ADJOURNMENT OF SAN CLEMENTE PUBLIC FINANCING AUTHORITY**

MOTION BY PFA DIRECTOR DAHL, SECOND BY PFA CHAIR ANDERSON, CARRIED 5-0, to adjourn the San Clemente Public Financing Authority at 10:00 p.m. to an Adjourned Regular Meeting to be held on June 5, 2007 at 7:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

8. **NEW BUSINESS**

A. **Lease Agreements to Provide for Conversion of Private Parking Resources to Public Parking Resources in the Downtown Area**

Report from the Community Development Director relating to lease agreements that provide for conversion of private parking resources to public parking resources in the Downtown area.

Community Development Director Holloway reviewed the contents of the Administrative Report; advised that Jim Miranda, private real estate broker, assisted the City in working with private property owners to make private parking lots available for public use; provided an overview of the three lease agreements that are before Council this evening and responded to Council inquiries.

Jim Miranda, Coldwell Banker, stated that the leases are well thought out and will encourage others to participate; suggested that the utilization of private parking lots for public use will demonstrate the benefits that can be derived from private individuals working with the City for the common good.



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

1. Approve, and authorize the Mayor to execute, a Lease Agreement by and between the City of San Clemente and Dr. Jack Boatman relating to the utilization of private parking resources for public use. (Contract C07-22)
2. Approve, and authorize the Mayor to execute, a Lease Agreement by and between the City of San Clemente and Cynthia Taylor relating to the utilization of private parking resources for public use. (Contract C07-22)
3. Approve, and authorize the Mayor to execute, a Lease Agreement by and between the City of San Clemente and HRH Partnership relating to the utilization of private parking resources for public use. (Contract C07-22)

**B. Code Amendment - Hours of Operation for the Southern Section of the Coastal Trail (South T Street Restrooms to Calafia Beach Parking Lot)**

Report from the Beaches, Parks and Recreation Director concerning the possibility of amending the Code of the City of San Clemente relating to hours of operation for the southern section of the Coastal Trail (from the South T Street restrooms to the Calafia Beach Parking Lot).

Beaches, Parks and Recreation Director King reviewed the contents of the Administrative Report.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to introduce Ordinance No. 1335 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 9.12 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE USE OF MUNICIPAL PARKS AND TRAILS.

9. **ORAL COMMUNICATIONS (PART TWO)**

None.

10. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

(1) **Council Position on Orange County Division, California League of Cities Issues.**

Mayor Pro Tem Anderson reported on the last meeting of the Orange County Division, focusing on the election of officers for the City Selection Committee and possible bylaw changes for the League.

(2) **Council Position on Legislative Issues.**

None.

(3) **Orange County Fire Authority Status Update.**

Mayor Dahl reported that four OCFA engines responded to the recent fire on Catalina Island.

(4) **San Clemente-Dana Point Animal Services Authority.**

Mayor Dahl reported on animals available for adoption at the San Clemente-Dana Point Animal Shelter; expressed gratitude to the Shelter's staff, veterinarians and volunteers.

(5) **Transportation Corridor Agencies Status Report.**

None.

(6) **Councilmember Items.**

**2007 Annual California Preservation Conference**

Councilmember Eggleston reported on his attendance at the 2007 Annual California Preservation Conference.

**Request for Ordinance Development (Establishing Weights of Dogs That May Utilize Small and Large Dog Parks)**

Mayor Dahl requested that Staff draft an Ordinance that establishes the weights of dogs that may utilize the small and large dog parks. Staff offered to report back to Council with strategies to help ensure that the dog parks are used only by dogs of appropriate size.

**Request that Rutan and Tucker's Response to Ross Velderrain's Conflict of Interest Allegations be Forwarded to Planning Commissioners Kaupp and Prime**

Councilmember Knoblock requested that copies of the letter that Rutan and Tucker prepared in response to Ross Velderrain's conflict of interest allegations be forwarded to Planning Commissioners Kaupp and Prime.

11. **RESOLUTIONS/ORDINANCES**

A. **Ordinance No. 1332 (Second Reading) - Approval and Execution of Certain City Contracts by the City Manager**

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to adopt Ordinance No. 1332 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 2.08 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE CITY MANAGER'S POWER TO APPROVE AND EXECUTE CONTRACTS ON BEHALF OF THE CITY.

12. **ADJOURNMENT**

MOTION BY MAYOR DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to adjourn at 10:27 p.m. to an Adjourned Regular Meeting to be held on May 21, 2007 at 5:30 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of conducting a workshop on the proposed FY 2007/08 City budget.

The next Regular Meeting will be held on June 5, 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.

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CITY CLERK of the City of  
San Clemente, California

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MAYOR of the City of  
San Clemente, California