

# CITY OF SAN CLEMENTE

## City Council Minutes

### Special and Regular Meeting - December 4, 2007

A Special and Regular Meeting of the San Clemente City Council was called to order on December 4, 2007 at 5:30 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; Joanne Baade, City Clerk

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### **CLOSED SESSION**

City Attorney Oderman requested that Council recess to Closed Session to discuss the items on the agenda; noted that Item A may not be discussed and advised that Item B relates to a contract dispute with David Volz Design, the design firm for the La Pata/Vista Hermosa Park.

MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to recess to Closed Session at 5:31 p.m. to discuss the following:

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8:

Property:     100 Avenida Victoria, San Clemente

Negotiating Parties: George Scarborough, City Manager and Dr. Marilyn Ditty, Executive Director of South County Senior Services

Under Negotiation: Long Term Lease--Both Price and Terms of Payment

*Closed Session items continued on next page*

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, pursuant to Government Code Section 54957.

Title: City Manager

City Manager Scarborough, City Attorney Oderman, Beaches, Parks and Recreation Director King, Park Planner Shaw and City Clerk Baade were in attendance.

**MEETING RECONVENED**

Council reconvened at 7:00 p.m., with all members present.

**CLOSED SESSION**

City Attorney Oderman announced that there are no reportable actions from this evening's Closed Session.

**INVOCATION**

Councilmember Knoblock gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Anderson led the Pledge of Allegiance.

A. **COUNCIL REORGANIZATION - Election of Mayor and Mayor Pro Tempore**

Councilmember Donchak nominated Joe Anderson to serve as Mayor. Councilmember Dahl seconded the nomination. The nomination was voted on and carried unanimously.

Mayor Anderson presented Councilmember Dahl with a plaque in recognition of his outstanding service as Mayor.

Mayor Anderson opened nominations for the office of Mayor Pro Tem.

Councilmember Dahl nominated Steve Knoblock for the office of Mayor Pro Tem. The nomination failed for lack of a second.

Councilmember Eggleston nominated Lori Donchak for the office of Mayor Pro Tem. Councilmember Donchak seconded the nomination. The nomination was voted on and carried unanimously.

Mayor Anderson expressed appreciation to Council for the confidence it displayed in electing him to the office of Mayor; explained that he will do his best to capably represent the City Council and City of San Clemente; noted that he will be open and accessible and will hold Mayor's hours every Monday that City Hall is open at 10:00 a.m. in the Mayor's Conference Room.

1. **SPECIAL PRESENTATIONS**

A. **Holiday Serenade**

The San Clemente High School Madrigals, under the direction of Dr. Phil Theodorou, provided a Holiday Serenade.

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

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

None.

**RE-ORDERING OF COUNCIL AGENDA**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0 to consider Agenda Item 8-A prior to the Consent Calendar. Item 8-A is a request from the Saddleback College Foundation for a City donation to the Saddleback College Veterans Memorial.

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

**AB 32 (Global Warming Solutions Act)**

Gary Headrick, speaking on behalf of San Clemente Green, urged that the City comply with AB 32, the Global Warming Solutions Act, which requires that the State's greenhouse gas emissions be reduced by the Year 2020 to the levels experienced in 1990; noted that other cities have instituted successful programs that can be adapted to fit San Clemente's needs; urged that Council agendize the possibility of "going green" for the next Council meeting and that Council ultimately direct City Staff to conduct a sustainability study.

Larry Harrison, City resident and member of San Clemente Green, urged that the City take a leadership role in helping to accomplish sustainability.

Council requested that Staff review AB 32 and then return to Council with potential opportunities available to the City. January 8, 2008 was set as the target date for this issue to be agendized for Council consideration.

**Request for Support of H.R. 808 (Department of Peace)**

Sandra Weaver, San Clemente, requested that Council adopt a resolution supporting H.R. 808, which would create a United States cabinet-level Department of Peace.

**Noise Concerns within the Los Molinos Industrial Area**

Bill Kurnik, San Clemente, stated that he resides on Calle Redondel overlooking the Los Molinos industrial area; commented that operations within a light industrial zoning area must be conducted within a fully enclosed area unless otherwise indicated; voiced concern that doors and windows in the Los Molinos area are left open while manufacturing activities are occurring, thus contributing to noise far in excess of permitted levels; urged that Council establish a task force to address the problem.

It was agreed that City Manager Scarborough will contact Mr. Kurnick to further define his issues.

**NEW BUSINESS**

A. **Request from Saddleback College Foundation for Donation to the Saddleback College Veterans Memorial**

Report from the City Manager concerning a request from the Saddleback College Foundation for the City to support efforts to erect a memorial on the Saddleback campus through a \$5,000 donation.

City Manager Scarborough reviewed the contents of the Administrative Report.

Nancy Padberg, member of the Board of Governors for the Saddleback College Foundation and Trustee of the College District, explained that a memorial is being constructed at Saddleback College; urged that the City donate \$5,000 for one of the benches that will surround the memorial; noted that the City's contribution will help to offset the cost of the memorial.

Al Ehlow, San Clemente, commented that the site is well suited for the proposed memorial and urged that Council favorably consider the request.

Duane Matthews explained the “fired in place” technique that will be used to create the memorial sculpture.

During the course of discussion, Council expressed a desire to commit to funding \$5,000 for the veterans memorial, and to also request that service clubs, etc. contribute to the funding effort.

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to support the request from the Saddleback College Foundation for a \$5,000 donation for a bench to surround the veterans memorial. Funding is to occur from the Council Contingency.

5. **CONSENT CALENDAR**

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

A. **City Council Minutes**

None.

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

- (1) Planning Commission minutes of Adjourned Regular Meeting and Adjourned Regular Study Session of November 19, 2007.
- (2) Parks and Recreation Commission minutes of October 9, 2007.

**C. Warrant Register**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Warrant Nos. 789185 through 789360 for the period 11-5-07 through 11-9-07 in the amount of \$2,997,559.38; approve Wire Transfers Nos. 494 through 495 and Warrant Nos. 789361 through 789566 for the period 11-12-07 through 11-16-07 in the amount of \$885,892.30; for a total Warrant Register of \$3,883,451.68.

**Payroll Register**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Warrant Nos. 319963 through 320030, Automatic Deposit Advises 149765 through 149993, for the period 11-5-07 through 11-18-07 in the amount of \$372,393.11; for a total Payroll Register of \$372,393.11.

**D. Notice of Completion - Dije Beach Access Rebuild**

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

1. Accept the construction of Dije Beach Access Rebuild, Project No. 15801.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for Dije Beach Access Rebuild, Project No. 15801. (Contract C07-44)

**E. Contract Award - South El Camino Real Rehabilitation**

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

1. Approve the plans and specifications for contract award for Street Improvement Project No. 17314, Federal Project No. STPL-5274 (026).
2. Approve, and authorize the Mayor to execute, Contract C07-54 by and between the City of San Clemente and All American Asphalt, providing for Street Improvement Project No. 17314, Federal Project No. STPL-5274(026), in the amount of \$529,529.

**F. Parking Prohibitions on North El Camino Real South of Avenida Palizada**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Resolution No. 07-87 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 NORTH EL CAMINO REAL.

**H. Sports Field Partnership Agreements for Resident Youth Sport Organizations**

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

1. Approve, and authorize the Beaches, Parks and Recreation Director to execute, a Partnership Agreement for City Field Use by Resident Non-Profit Youth Sports Organizations, by and between the City of San Clemente and American Youth Soccer Organization (AYSO). (Contract C07-55)

*Action continued on next page*

2. Approve, and authorize the Beaches, Parks and Recreation Director to execute, a Partnership Agreement for City Field Use by Resident Non-Profit Youth Sports Organizations, by and between the City of San Clemente and San Clemente Little League. (Contract C07-55)
3. Approve, and authorize the Beaches, Parks and Recreation Director to execute, a Partnership Agreement for City Field Use by Resident Non-Profit Youth Sports Organizations, by and between the City of San Clemente and San Clemente Girls Softball. (Contract C07-55)
4. Approve, and authorize the Beaches, Parks and Recreation Director to execute, a Partnership Agreement for City Field Use by Resident Non-Profit Youth Sports Organizations, by and between the City of San Clemente and South Coast Youth Football. (Contract C07-55)
5. Approve Partnership status for the American Youth Soccer Organization (AYSO), San Clemente Little League, San Clemente Girls Softball, and South Coast Youth Football.

**I. Parking Prohibitions and Restrictions on Avenida La Cuesta, Avenida De La Paz and Avenida Solano**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Resolution No. 07-88 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 LA CUESTA, AVENIDA DE LA PAZ, AND AVENIDA SOLANO AND AMENDING “RESTRICTED PARKING AREAS” ON AVENIDA LA CUESTA.

**J. Parking Restrictions on Calle Oso**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Resolution No. 07-89 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING “RESTRICTED PARKING AREAS” ON CALLE OSO.

**K. Release of Improvement Performance Bonds, Without Limitation, for Tract 16369 in the Talega Development, Standard Pacific Corporation**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Resolution No. 07-90 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE RELEASE OF THE IMPROVEMENT PERFORMANCE BONDS, WITHOUT LIMITATION, FOR TRACT 16369 IN THE TALEGA DEVELOPMENT, STANDARD PACIFIC CORPORATION.

**L. Final Parcel Map 2007-120 Marquita Condominiums - 148 West Avenida Marquita**

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

1. Approve the Parcel Map as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
2. Authorize the City Engineer to execute the Parcel Map.
3. Authorize the City Clerk to execute and submit for recordation the Parcel Map with the County of Orange Recorder's Office.

**M. Contract Amendment - Extension of Utility Billing Printing and Mailing Services**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve, and authorize the Mayor to execute, the First Amendment to Contract C04-61 by and between the City of San Clemente and Infosend, Inc., providing for utility billing printing and mailing services, in an amount not to exceed \$45,060 for the period beginning December 1, 2007 and ending November 30, 2008 and \$47,100 for the period beginning December 1, 2008 and ending November 30, 2009.

N. **Contract Award - Sewer and Water SCADA System Integration Services**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C07-56 by and between the City of San Clemente and DLT&V Systems Engineering, providing for the Sewer System SCADA Implementation and the Water System SCADA Implementation, Project Nos. 12605 and 13501, in the amount of \$250,985.

O. **Easement at the Municipal Golf Course (Request from San Diego Gas & Electric)**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve, and authorize the Mayor to execute, an Anchorage Easement by and between the City of San Clemente and San Diego Gas & Electric Company, granting an easement request at the Municipal Golf Course. (Deed 431)

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

G. **Contract Award - Scanning and Indexing of Building Permit Records**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to continue this item to the Council meeting of January 8, 2008. Staff is to respond to Council's questions relative to the number of files to be imaged, flawed work product of the original imaging contractor, whether the errors create a liability on the part of the City, whether or not the City sought legal recourse from the original contractor, the process utilized in the selection of the original contractor, cost estimates and chances of overrun for the new contract, and means to ensure that future errors will not occur.

6. **PUBLIC HEARINGS**

A. **Historic Property Preservation Agreement (HPPA) 07-404, Casa De Juan (130 Avenida Miramar)**

Public Hearing to consider a request to enter into a Mills Act agreement with the City of San Clemente. The designated historic property is located at 130 Avenida Miramar in the Residential Medium (RM) zoning district, legal description being Lot 29 of Block 2 of Track 779.

Associate Planner Gates narrated a PowerPoint presentation entitled "Historic Property Preservation Agreement 07-404, Casa de Juan". A hard copy of Ms. Gates' presentation, dated December 4, 2007, is on file with the City Clerk.

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

Council requested to be informed whenever improvements are not made according to schedule.

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

1. Adopt Resolution No. 07-91 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING HISTORIC PROPERTY PRESERVATION AGREEMENT 07-404 FOR THE PROPERTY LOCATED AT 130 AVENIDA MIRAMAR.
2. Authorize the Mayor to execute, and the City Clerk to record, the HPPA after the filing fee is paid to the City.

**B. Historic Property Preservation Agreement (HPPA) 07-406, Shaw Residence (121 Avenida Pelayo)**

Public Hearing to consider a request to enter into a Mills Act agreement with the City of San Clemente. The designated historic property is located at 121 Avenida Pelayo in the Residential Medium and Coastal Zone Overlay (RM-CZ) zoning district, legal description being Lot 4 of Block 9 of Track 793.

Associate Planner Gates narrated a PowerPoint presentation entitled "Historic Property Preservation Agreement 07-406, Shaw Residence". A hard copy of Ms. Gates' presentation, dated December 4, 2007, is on file with the City Clerk.

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

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

1. Adopt Resolution No. 07-92 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING HISTORIC PROPERTY PRESERVATION AGREEMENT 07-406 FOR THE PROPERTY LOCATED AT 121 AVENIDA PELAYO, as amended to eliminate the wood shingle roof option.
2. Authorize the Mayor to execute, and the City Clerk to record, the HPPA after the filing fee is paid to the City.

**C. Amendment to Conditional Use Permit 88-11, Tropicana Rental Unit (610 Avenida Victoria)**

Public Hearing to consider a request to amend an existing Conditional Use Permit to allow modifications to the interior space of a mixed use building located at 610 Avenida Victoria, legal description being Lot 6, of Block 12, of Tract 785. The proposed interior modifications do not intensify the number of bed and breakfast units on site or the size of the existing restaurant space.

Associate Planner Jones reviewed the contents of the Administrative Report.

Mayor Anderson opened the Public Hearing.

Rick Anderson, Applicant, provided a brief overview of the request, noting that it involves the relocation of interior space of the building and will not have any impacts.

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

**MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Resolution No. 07-93 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AMENDMENT TO CONDITIONAL USE PERMIT 88-11, TROPICANA RENTAL UNIT, A REQUEST TO ALLOW MODIFICATIONS TO THE INTERIOR SPACE OF A MIXED USE BUILDING LOCATED AT 610 AVENIDA VICTORIA.**

7. **UNFINISHED BUSINESS**

A. **FY 2006-07 4<sup>th</sup> Quarter Financial Report and FY 2007-08 1<sup>st</sup> Quarter Financial Report**

Presentation of the FY 2006-07 4<sup>th</sup> Quarter Financial Report and FY 2007-08 1<sup>st</sup> Quarter Financial Report by Assistant City Manager Gudgeirsson.

Assistant City Manager Gudgeirsson narrated a PowerPoint presentation entitled “FY 2006-07 4<sup>th</sup> Quarter Report and FY 2007-08 1<sup>st</sup> Quarter Report” and responded to Council inquiries. A hard copy of Mr. Gudgeirsson’s presentation, dated December 4, 2007, is on file with the City Clerk.

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to receive and file the FY 2006-07 4<sup>th</sup> Quarter Financial Report and FY 2007-08 1<sup>st</sup> Quarter Financial Report.

B. **Freeway Signs**

Report from the Community Development Director concerning wording of the proposed I-5 signage.

Community Development Director Holloway reviewed the contents of the Administrative Report.

Jim Eckel, representing the Downtown Business Association (DBA), related that the DBA Board of Directors unanimously voted that “Downtown San Clemente” would be the most appropriate wording for the I-5 signage.

Mike Cotter, representing the San Clemente Historical Society, stated that Ole Hanson named San Clemente the “Spanish Village” and that the words “by the sea” were added in the 1930s; opined that signage that references “Downtown San Clemente” conveys a clear message, while “San Clemente Downtown Village” would be confusing; opined that it would be inappropriate to include the word “village” when it is not preceded by the word “Spanish”; urged that the sign simply say “Downtown San Clemente”.

Council noted that the Chamber of Commerce submitted a letter to Council that requested that the signage include reference to “Downtown Village”.

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

1. Direct that the I-5 signage prior to the Palizada and Presidio exits include reference to “San Clemente Downtown Village” (i.e., as depicted in the Administrative Report).
2. Approve a transfer of \$10,000 from Account 001-203-44900 (Council Contingency) to Account 001-612-43890 to pay for fabrication and installation of the selected I-5 signage.

C. **Investment Policy 202-1**

Report from the City Treasurer concerning adoption of City Investment Policy 202-1.

City Treasurer Gudgeirsson reviewed the contents of the Administrative Report.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to adopt revised Investment Policy No. 202-1, effective December 4, 2007.

8. **NEW BUSINESS**

A. **Request from Saddleback College Foundation for Donation to the Saddleback College Veterans Memorial**

Report from the City Manager concerning a request from the Saddleback College Foundation for the City to support efforts to erect a memorial on the Saddleback campus through a \$5,000 donation.

This item was considered earlier in the meeting. Please refer to Page 5 of these minutes for a summary of that action.

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

None.

10. **REPORTS**

A. **Commissions and Committees**

(1) **City Representative - Downtown Business Association (DBA) Board of Directors**

City Clerk Baade reviewed the contents of the Administrative Report.

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to authorize the City Clerk to advertise a vacancy for the City's representative to the DBA Board of Directors for a term to expire on December 31, 2008 and direct that interviews and a subsequent appointment be agendized for the Council meeting of December 18, 2007.

Council requested that in the event multiple applications are received that interviews be scheduled prior to the Regular Council Meeting.

(2) **City Representative - Orange County Vector Control District**

City Clerk Baade reviewed the contents of the Administrative Report.

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to authorize the City Clerk to advertise a vacancy for the City's representative to the Orange County Vector Control District for a term to expire on December 31, 2009 and direct that interviews and a subsequent appointment be agendized for the Council meeting of December 18, 2007.

B. **City Manager**

None.

C. **City Attorney**

- (1) **Request by Law Firm Retained by Municipal Water District of Orange County (MWDOC) for City Approval of Conflict of Interest Waiver With Respect to Proposition 50 Implementation Agreement**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve a waiver of the conflict of interest to permit the law firm of Liebert Cassidy Whitmore to represent MWDOC with respect to the Proposition 50 Implementation Agreement and authorize the City Manager to execute a letter memorializing the conflict waiver.

- (2) **Pacific Golf Club Arguments/Rebuttals**

City Attorney Oderman reported that Judge Siegel ordered changes to the initial argument and rebuttal argument for the Pacific Golf Club ballot measure that was submitted by the “No on C” proponents.

D. **Council Members**

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

Councilmember Dahl noted that the City sent a letter to the Orange County Division last week requesting that the practice of monthly business meetings be continued (as opposed to conducting bi-monthly meetings).

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

None.

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

Councilmember Dahl reported that Engine 60 was recently replaced with a new E-1 engine.

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

Councilmember Dahl expressed gratitude to the shelter's volunteers, staff and veterinarians; reported on animals available for adoption.

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

David Lowe, Acting Chief Engineer with the TCA, narrated a PowerPoint presentation entitled "TCA's Initial Review of Smart Mobility's Proposed Alternative to Foothill South". During the course of his presentation, Mr. Lowe explained that the TCA's engineering staff's initial review of the study has determined that it is seriously flawed and misleading. A hard copy of Mr. Lowe's presentation, dated December 4, 2007, is on file with the City Clerk.

(6) **Councilmember Items.**

**City of Newport Beach Moratorium on Sober Living and Rehabilitation Homes**

Councilmember Eggleston requested that the City Attorney report to Council relative to the moratorium that the City of Newport Beach has enacted with regard to sober living and rehabilitation homes.

City Manager Scarborough advised that a written report has already been prepared and will be provided to Council tomorrow.

**Traffic Task Force Status Report (Appointment of Citizen Members)**

Mayor Pro Tem Donchak provided a status report on the Traffic Task Force, noting that two citizen members have been appointed, i.e., Steve Mullen and Jeff McClure.

**Mayor Pro Tem Donchak to Represent City at CUSD Meeting Re Avenida Pico and San Clemente High School Parking Lot Improvements**

It was agreed that Mayor Pro Tem Donchak will represent the City at a Capistrano Unified School District meeting on December 10, 2007 concerning improvements on Avenida Pico and the San Clemente High School parking lot. Mayor Pro Tem Donchak will encourage that the project be approved and implemented prior to commencement of the next school year.

**Orange County Sheriffs Department Community Feedback**

Councilmember Knoblock complimented the Orange County Sheriffs Department for its community feedback program and the positive results received.

Chief D'Auria provided a status report on the gang suppression activities that are occurring, noting that the program has experienced positive results; agreed to keep Council apprised of the program's progress.

**Candy Cane Carnival (Commendation for Event and Request to Plant an Alternative Pine Tree)**

Councilmember Dahl commended the Beaches, Parks and Recreation Department for the successful Candy Cane Carnival.

Councilmember Dahl noted that the tree at the Community Center that is traditionally lighted during the holiday season is in danger of failing; suggested that Staff investigate the possibility of planting another pine tree on the property so that it has a chance to mature before the current tree dies.

**Puttin' on the Glitz**

Councilmember Dahl thanked the DBA for "Puttin' on the Glitz", noting that it was an enjoyable event.

**Parking Lot Behind Russell's Stationers Now Open**

Councilmember Dahl reported that the new parking lot behind Russell's Stationers is now open.

**Menorah Lighting at the Community Center**

Councilmember Knoblock advised that the Chabad Jewish Center of San Clemente, in observance of the first day of Hanukkah, conducted a menorah lighting this evening at the Community Center; noted that the event was festive and well attended.

**Display of Painting of Officer Richard T. Steed at City Hall**

Mayor Anderson noted that last week marked the 29<sup>th</sup> anniversary of the death of Richard T. Steed, the only San Clemente police officer to be killed in the line of duty; requested that the painting of Officer Steed, that was previously displayed at the San Clemente Historical Society's Museum, be displayed at an appropriate location at City Hall.

11. **RESOLUTIONS/ORDINANCES**

None.

**MEETING RECESSED**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to recess to a meeting of the Redevelopment Agency at 9:15 p.m.

**MEETING RECONVENED**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR ANDERSON, CARRIED 5-0, to reconvene at 9:16 p.m., with all members present.

12. **ADJOURNMENT**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to adjourn at 9:16 p.m.

The next Regular Meeting will be held on December 18, 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