

CITY OF SAN CLEMENTE

City Council Minutes

Regular Meeting - September 4, 2007

An Adjourned Regular Meeting of the San Clemente City Council was called to order on September 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 Goldfarb, Assistant City Attorney; Myrna Erway, City Clerk; Joanne Baade, Deputy City Clerk.

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CLOSED SESSION

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to recess to Closed Session at 5:33 p.m. 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

B. CONFERENCE WITH LABOR NEGOTIATOR, pursuant to Government Code Section 54957.6:

Agency Representative: Pall Gudgeirsson, Assistant City Manager

Employee Organizations: San Clemente City Employees Association, Management Employees, Mid-Management Employees and Confidential Employees.

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation, pursuant to Government Code Section 54956.9(b): One Potential Case

City Manager Scarborough, Assistant City Manager Gudgeirsson, Assistant City Attorney Goldfarb, Community Development Director Holloway, City Planner Buell, and City Clerk Erway were in attendance for the entire Closed Session. Senior Code Compliance Officer Smith was in attendance for Closed Session Item A only.

MEETING RECONVENED

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

INVOCATION

Don Kappauf, Orange County Sheriffs Department Chaplain, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Knoblock led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

None.

2. MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER KNOBLOCK, 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**

Marblehead Coastal Freeway Signage/Pacific Golf Course Residential Development

Karen Ahola, San Clemente, recounted the concerns that led to the filing of a lawsuit concerning the Marblehead Coastal freeway signage; reviewed the status of the lawsuit.

Richard Boyer, San Clemente, spoke in opposition to the Marblehead Coastal freeway signage project as well as the Pacific Golf Course housing project; urged Council to provide leadership to preserve quality of life, ease traffic and protect open space.

Code Enforcement Request (Noise Ordinance)

Jeff Brooks, San Clemente, voiced concern that noise emanates from the assisted living facility at 201 Calle Sonora; related that neighbors are disturbed by regular crying and outdoor conversations during early morning hours.

City Manager Scarborough indicated that he will refer the complaint to the City's Code Enforcement Division.

Conflict of Interest

Rick Collins, San Clemente, requested that Councilmember Eggleston recuse himself from considering Agenda Item 6-A, relating to historic preservation, due to ethical reasons; opined that the Landmarks Task Force consisted of a disproportionate number of representatives from the San Clemente Historical Society and urged that a new task force be formulated to review the historic preservation issue and provide a recommendation to Council.

5. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to approve the Consent Calendar with the removal of Item F.

A. **City Council Minutes**

None.

B. MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to receive and file:

- (1) Parks and Recreation Commission minutes of June 12, 2007 and July 11, 2007.
- (2) Zoning Administrator meeting minutes of July 23, 2007 (Portion relating to the Molly Bloom project only - Minor Architectural Permit 07-087/Minor CUP 07-209).
- (3) Planning Commission minutes of August 22, 2007.
- (4) Zoning Administrator meeting minutes of August 22, 2007.

C. **Warrant Register**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to approve Wire Transfers Nos. 475 and 476 and Warrant Nos. 786876 through 787080 for the period 8-6-07 through 8-10-07 in the amount of \$2,138,643.31; approve Warrant Nos. 787081 through 787243 for the period 8-13-07 through 8-17-07 in the amount of \$2,021,671.44; for a total Warrant Register of \$4,160,314.75.

Payroll Register

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to approve Bank Adjustment Replacement Check #319547, Warrant Nos. 319548 through 319616, and Automatic Deposit Advises 148118 through 148366 for the period 7-30-07 through 8-12-07 in the amount of \$412,261.24; for a total Payroll Register of \$412,261.24.

D. **Acceptance of Certain Public Improvements and the Release of Improvement Performance Bonds for Camino Tierra Grande Within Tracts 16517 and 16334 in the Talega Development**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to adopt Resolution No. 07-62 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF CERTAIN PUBLIC IMPROVEMENTS AND THE RELEASE OF IMPROVEMENT PERFORMANCE BONDS FOR CAMINO TIERRA GRANDE IN THE TALEGA DEVELOPMENT, TALEGA ASSOCIATES, LLC.

E. **Release of Segunda Deshecha Rough Grading and Storm Drain Improvements Bond - Tracts 16253 and 16148, Talega Associates, LLC**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to adopt Resolution No. 07-63 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AUTHORIZING THE RELEASE OF THE IMPROVEMENT PERFORMANCE BOND FOR THE SEGUNDA DESHECHA ROUGH GRADING AND STORM DRAIN IMPROVEMENTS, TRACTS 16253 AND 16148, TALEGA ASSOCIATES, LLC.

G. **Bellota Landslide Repair Project (Callan Lawsuit) - Supplemental Appropriation and Transfer**

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

1. Authorize a supplemental appropriation of \$2.65 million to the General Liability Self-Insurance Fund, Account 068-816-44050, Claims Paid, for the Bellota Landslide Repair project.
2. Authorize a transfer of \$1.65 million from the General Fund to the General Liability Self-Insurance Fund, Account 068-000-39204.

H. **Release of Improvement Performance Bonds, Without Limitation - Tract 16519 in the Talega Development, Standard Pacific Corporation**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to adopt Resolution No. 07-64 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 16519 IN THE TALEGA DEVELOPMENT, STANDARD PACIFIC CORPORATION.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

F. **Contract Award - Engineering Design and Construction Support Services for the Reeves Booster Pump Station, Project No. 17405**

City Engineer Cameron responded to Council inquiries relative to the Request for Proposal process and Staff's rationale for recommending the proposal of AKM Consulting Engineers.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C07-43 by and between the City of San Clemente and AKM Consulting Engineers, providing for engineering design and construction support services for the Reeves Booster Pump Station, in the amount of \$173,576.

6. **PUBLIC HEARINGS**

A. **Historic Preservation Zoning Code (Cultural Heritage Permit 06-480/Zoning Amendment 06-481/Zoning Amendment 06-268)**

Public Hearing to consider an amendment to portions of the Historic Preservation Zoning Ordinance establishing Historic Landmarks that have a value inherent to the heritage of the City of San Clemente, the State of California, and/or the United States; and an amendment to Section 17.16.170 and Section 17.24.020 of the City’s Zoning Ordinance to make the process for reviewing demolition permits for historic properties consistent with the California Environmental Quality Act, and to require the maintenance of the City’s Designated Historic Structures to prevent deterioration. The other component of this project (the amendment to the Historic Structures List and establishment of a Landmarks List) will be heard at a future noticed City Council meeting.

Councilmember Donchak stated for the record that she is not a member of the Landmarks Task Force and the task force doesn’t represent her views, either personally or politically. Because she owns an historic home, Councilmember Donchak recused herself from participating on this item, and left the Council Chambers at 7:30 p.m.

Assistant City Attorney Goldfarb responded to conflict of interest assertions raised earlier this evening under Oral Communications, by explaining that the Landmarks Task Force is not regulated by the Fair Political Practices Commission because members do not meet the definition of “public official”; stated that while Councilmember Eggleston resides within 300’ of an historical structure, he is not required to recuse himself from participation on this item because the Fair Political Practices Act allows officials to participate in decisions in cases where 10% or more of the population would be affected in the same manner as the official; stated that because there are 17,000 parcels in the City, and 3,565 of those properties are located within 300’ of historic structures, the “public generally” provision of the Fair Political Practices Act applies.

Councilmember Eggleston announced that the City received a “Preserve America” designation from First Lady Laura Bush; thanked Principal Planner Pechous and Assistant Planner Gates for their efforts in achieving the designation, announced that Preserve America grant funds were received for the City’s Wayfinding Signage Project, and distributed Preserve America pins to Council.

Principal Planner Pechous narrated a PowerPoint presentation entitled “Amendment to Historic Preservation Zoning Ordinance”, a hard copy of which is on file with the City Clerk. During the ensuing discussion, Mr. Pechous and Christy McAvoy of Historic Resources Group (the City’s consultant) responded to Council inquiries.

Mayor Dahl opened the Public Hearing.

Julia Darden, Landmarks Task Force Member, provided an overview of the task force’s deliberative process, which ultimately led to the recommendation before Council; spoke in support of preserving the City’s historic resources and preventing demolition by neglect; related that the task force’s recommendation is dominated by incentives as opposed to restrictions.

Rick Collins, San Clemente, stated that he supports historic preservation, but believes that Councilmember Eggleston should recuse himself from deliberations for ethical reasons; opined that the recommendations of the Landmarks Task Force are skewed because the task force consisted of a disproportionate number of members from the San Clemente Historical Society.

Mike Cotter, Landmarks Task Force Member and President of the San Clemente Historical Society, recommended that the word “imminent” be deleted from the “demotion by neglect” language within the Maintenance of Historic Properties section of Ordinance No. 1446; voiced concern that the inclusion of the word “imminent” will lead to the City waiting too long to prevent substantial deterioration of historic structures; urged that projects that are currently in the review process be subjected to the new guidelines.

Sally Jeisy, San Clemente, voiced concern that the recommendations being considered will severely impact property owners; asserted that non-voluntary placement on the Landmarks List will effectively take property by eminent domain; suggested that an excessive number of landmarks are proposed.

Terry Hershak, Miramar Theater owner, stated that the deterioration of the Miramar building occurred many years before he purchased the property; speculated that his application to demolish the structure, and develop a new project, served as the catalyst for the formation of the Landmarks Task Force and proposal to establish City landmarks; stressed that the existing Miramar Theatre is not economically viable and is contributing to the blight at North Beach; voiced concern that including his property on the Landmarks List will hinder his ability to bring his project to fruition.

Don Prime, Landmarks Task Force Member, stated that the task force successfully reached consensus even though the members represented extreme diversity of opinion; spoke in support of the recommendations before Council with the removal of the word “imminent” from Section 3B of Ordinance No. 1446, and inclusion of a requirement that Cultural Heritage Permits be required for all sites located within 300 feet and on the same street as a City Landmark.

Lee Van Slyke, Director of the San Clemente Historical Society, supported the establishment of landmarks to help children understand the City’s heritage; objected to the word “imminent” in Section 3B of Ordinance No. 1446; opined that property owner permission should not be a prerequisite to including a property on the Landmarks List; opposed allowing property owners to permit their buildings to deteriorate in order to facilitate demolition.

Larry Culbertson, San Clemente, spoke in support of the Landmarks Task Force’s recommendation with the removal of the word “imminent” from the “demolition by neglect” language within Section 3B of Ordinance No. 1446.

Jay Gummerman, historic home owner, urged that Council preserve the City’s character-defining features, “Spanish Village by the Sea” charm, and natural beauty; noted that he has benefitted from the Mills Act tax incentives.

Raad Ghantous San Clemente, recommended that the City protect and promote its irreplaceable historic assets; urged that Council fulfill its obligations as set forth in the resolution that led to the City receiving the “Preserve America” designation.

Georgette Korsen, San Clemente, conveyed her concern with the practice of demolition by neglect; recommended omission of the word “imminent” from Section 3B of Ordinance No. 1446.

Mary Ann Comes, San Clemente, commended the members of the Landmarks Task Force for their time and effort; supported the recommendations of the Landmarks Task Force and Planning Commission.

Karen Ahola, San Clemente, stated that the ocean and historic buildings define San Clemente; spoke in support of the Planning Commission’s proposed ordinance to maintain the City’s natural beauty and charm.

Allen Korsen, San Clemente, spoke in opposition to requiring owner approval before placing structures on the Landmarks List; conveyed concern with the word “imminent” in Section 3B of Ordinance No. 1446 due to his belief that landmarks need to be protected before they reach the brink of destruction.

Dena Van Slyke, Preservation Committee Chair of the San Clemente Historical Society, and realtor specializing in historic properties, recommended that only City landmarks be eligible for improvement grants.

James Miranda, San Clemente, urged that the Miramar Theatre be removed from the Landmarks List and allowed due process; asserted that the current property owner is not responsible for the condition of the Miramar since it was neglected and ignored by City officials for many years.

Richard Boyer, San Clemente, urged that Council remain true to the City’s heritage and mission statement by protecting its historic landmarks.

Sam LaSala, San Clemente, urged that San Clemente’s historical landmarks be preserved for future generations; recommended deletion of the “imminent” reference within Section 3B of Ordinance No. 1446 due to his belief that it has nefarious overtones; pointed out that the history of local and national landmarks is a required third grade curriculum.

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

During the course of discussion, the following information was provided and/or discussed:

- Fact that the Amendment provisions would not obligate the City to ensure that no properties suffer demolition by neglect.
- Fact that Staff is recommending that the revised Ordinance apply to projects that submit for an entitlement or building plan check after the date that the Ordinance becomes effective, as opposed to being applied to properties currently in the review process.
- Staff’s rationale for proposing the addition of the word “imminent” within Section 3B of Ordinance No. 1446 and the difficulty in identifying the point at which the City should invoke code enforcement actions to prevent demolition by neglect.
- Fact that the proposed financial incentive grants would not constitute a gift of public funds since the funding would result in a public benefit.
- Concern that allowing owners to voluntarily remove properties from the Historic Properties Resource List would neutralize the effectiveness of the ordinance and may jeopardize the City’s status as a Certified Local Government and result in the loss of guidance from the State Office of Historic Preservation and/or grant awards.
- Possibility of deferring Ordinance No. 1446 to allow Mayor Dahl, Staff, the City Attorney, representatives of the San Clemente Historical Society, and the City’s historic preservation consultant to reach consensus relative to the verbiage for the “demolition by neglect” portion of the Ordinance.
- Whether or not Cultural Heritage Permits should be required for all sites located within 300 feet and on the same street as a City Landmark, or whether the current Cultural Heritage Permit guidelines should remain in effect. *(Note: The current CHP guidelines provide that only those properties that abut structures listed on the City’s Designated Historic Resources and Landmarks Lists are subject to Cultural Heritage Permits).*

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR DAHL to support the recommendations before Council with the following modifications: 1) The proposed Cultural Heritage Permit requirement for properties within 300 feet and on the same street as a City Landmark shall not be imposed; 2) The amounts of the financial restoration incentives shall be doubled and the improvement grants shall be limited to owners of City Landmarks; and 3) The verbiage in Ordinance No. 1446 relating to demolition by neglect shall be deleted to accommodate refinement and consideration by Council at a future meeting.

SUBSTITUTE MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 4-0-1 (COUNCILMEMBER DONCHAK ABSTAINING) to introduce Ordinance No. 1445 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.16.100, 17.16.110, 17.16.120, 17.16.160, 17.16.780, 17.56.020, 17.72.100, 17.88.030 AND ADDING SECTION 17.16.175 OF THE MUNICIPAL CODE RELATING TO HISTORIC PRESERVATION OF CULTURAL RESOURCES AND LANDMARKS (06-481), with the exception of the language relating to the expanded review area around landmarks. *(Please refer to the separate motions below for specific Ordinance content decisions.)*

MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY MAYOR PRO TEM ANDERSON, **FAILED 2-2-1** (COUNCILMEMBER KNOBLOCK AND MAYOR DAHL VOTING NOE AND COUNCILMEMBER DONCHAK ABSTAINING) to require Cultural Heritage Permits for all sites located within 300 feet and on the same street as a City Landmark.

MOTION BY MAYOR DAHL, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 4-0-1 (COUNCILMEMBER DONCHAK ABSTAINING) to continue the current Cultural Heritage Permit provisions (which provide that only properties that abut structures listed on the City's Designated Historic Resources and Landmarks Lists are subject to Cultural Heritage Permits).

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 4-0-1 (COUNCILMEMBER DONCHAK ABSTAINING) to double the amounts of the historic restoration incentives (i.e., \$600 instead of \$300 for historic structures, \$2,000 instead of \$1,000 for City Landmarks, and \$40,000 instead of \$20,000 for the annual historic preservation grant program.)

Council deferred Ordinance No. 1446 (which relates to demolition of historic resources and maintenance of property) to allow Mayor Dahl, Staff, the City Attorney, representatives of the San Clemente Historical Society, and the City’s historic preservation consultant to reach consensus relative to the appropriate language for Section 3B. The proposed Ordinance, as modified, will subsequently be agendized for Council consideration.

Councilmember Donchak returned to the dais at 10:40 p.m.

MEETING RECESSED

Council recessed at 10:40 p.m. and reconvened at 10:50 p.m. with all members present.

RECESS TO A MEETING OF THE REDEVELOPMENT AGENCY

Council recessed at 10:51 p.m. to a meeting of the San Clemente Redevelopment Agency and reconvened at 10:52 p.m., with all members present.

B. **Tropicana Condominiums - 610 Avenida Victoria (Tentative Parcel Map 2007-134)**

Public Hearing to consider a request for a one lot subdivision for condominium purposes for an existing commercial building consisting of a restaurant on the ground level and bed and breakfast use on the upper levels located at 610 Avenida Victoria, the legal description being Block 12, Lot 6 of Tract 785.

Associate Planner Jones narrated a PowerPoint presentation entitled “TPM 2007-134, Tropicana Condominiums” and responded to Council inquiries. A hard copy of Mr. Jones’ presentation is on file with the City Clerk.

Mayor Dahl opened the Public Hearing.

Rick Anderson, Applicant, requested that Council approve the subdivision request, noting that it will give him more discretion and options with regard to his property; responded to Council inquiries.

Mark Norris, tenant of the property's first floor restaurant, voiced concern that the proposed subdivision may violate his lease, which preempts the CC&Rs; requested that Council continue the item to allow his legal counsel to review the proposed CC&Rs and assess potential impacts--especially those relating to utilities sharing and lobby access.

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

Following discussion, MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0 to adopt Resolution No. 07-65 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 2007-134, TROPICANA CONDOMINIUMS, A REQUEST FOR A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES FOR AN EXISTING COMMERCIAL BUILDING CONSISTING OF A RESTAURANT ON THE GROUND LEVEL AND BED AND BREAKFAST INN ON THE GROUND AND UPPER LEVELS LOCATED AT 610 AVENIDA VICTORIA, with modifications as follows:

1. The Resolution shall be amended to reference that the bed and breakfast inn is located on the ground level in addition to the upper levels of the building.
2. A 15th condition shall be added to read as follows:

“Access to the restaurant, that meets local and State codes, shall be approved by the Building Official prior to Final Parcel Map approval.”

CONTINUATION OF MEETING PAST 11:00 P.M.

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 3-2 (COUNCILMEMBERS DONCHAK AND EGGLESTON VOTING NOE), to continue the meeting past 11:00 p.m.

C. **Moss Condominium Subdivision - 249 Avenida Santa Barbara (Tentative Parcel Map 2006-169)**

Public Hearing to consider a request for a one lot subdivision for condominium purposes for a residential triplex currently under construction. The project is located within the Residential Medium (RM-CZ) zoning district at 249 Avenida Santa Barbara, the legal description being Lots 26 and 27, of Block 21, of Tract 779.

Associate Planner Gregg summarized the contents of the Administrative Report.

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

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt Resolution No. 07-66 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 2006-169, MOSS CONDOMINIUMS, A REQUEST FOR A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES FOR THREE RESIDENTIAL UNITS LOCATED AT 249 AVENIDA SANTA BARBARA.

7. **UNFINISHED BUSINESS**

A. **Code Amendment - Condominium and Time Share Use or Project Conversion**

Report from the Community Development Director concerning the possibility of amending Municipal Code Chapter 16.40.10 relating to condominium and time share use or project conversion.

Senior Housing Coordinator Davis reviewed the contents of the Administrative Report and responded to Council inquiries.

Chad Clarkin, San Clemente, urged that Council support the proposed Code amendment to increase the number of condominium units available for purchase; noted that he has been trying to convert four units to condominiums since 2005.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to introduce Ordinance No. 1447 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 16.40.10 OF THE SAN CLEMENTE MUNICIPAL CODE, RELATING TO THE CONVERSION OF RESIDENTIAL DUPLEX AND MULTIPLE FAMILY RENTAL UNITS TO CONDOMINIUM AND TIME SHARE USE.

8. **NEW BUSINESS**

A. **City Clerk Appointment**

Report from the City Clerk concerning appointment of an individual to complete the unexpired term of the elected City Clerk.

City Clerk Erway summarized the contents of the Administrative Report.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY MAYOR DAHL, CARRIED 5-0, to appoint Joanne Baade to complete the unexpired term of the elected City Clerk.

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.**

It was agreed that Mayor Dahl will serve as the City's voting delegate at the City Selection Committee meeting on September 13, 2007. If Mayor Dahl is unable to attend, Mayor Pro Tem Anderson will vote on Council's behalf.

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

None.

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

Councilmember Knoblock noted that the City's contract with the OCFA will expire in two years; related that the OCFA Staff is recommending that the contract be extended for a 20-year period.

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

Mayor Dahl commended the veterinarians, staff, and volunteers at the shelter for their efforts to secure pet adoptions.

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

Mayor Dahl agreed to notify Councilmembers of upcoming public hearings before the California Coastal Commission and San Diego Regional Water Quality Control Board relative to the proposed extension of the Foothill South Transportation Corridor.

(6) **Appointment of Alternate Member to the Orange County Fire Authority Board of Directors.**

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR DAHL, CARRIED 5-0, to appoint Mayor Dahl to serve as the City's alternate representative to the Orange County Fire Authority Board of Directors.

(7) **Consideration of Suggestions to Streamline the Length of Council Meetings.**

This issue was deferred to the Council meeting of September 18, 2007.

(8) **Consideration of Rescheduling Council Meetings to Accommodate Usage of the Council Chambers as an Election Polling Location**

To accommodate usage of the Council Chambers as an election polling location, Council rescheduled the first Regular Council Meeting in February, June and November 2008 to the prior Monday (i.e., February 4, 2008, June 2, 2008 and November 3, 2008).

(9) **Determination as to Whether a Joint Meeting of the City Council and Commissions and Committees Should be Scheduled for October 30, 2007.**

Council scheduled a Joint Meeting with the Beaches, Parks and Recreation Commission and Coastal Advisory Committee for October 30, 2007.

(10) **Councilmember Items**

None.

11. **RESOLUTIONS/ORDINANCES**

None.

12. **ADJOURNMENT**

MOTION BY MAYOR DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adjourn at 12:20 a.m., in memory of Toby Tsuma to a Joint Council/Planning Commission meeting to be held on September 11, 2007 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. The next Regular Meeting will be held on September 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.

CITY CLERK of the City of
San Clemente, California

MAYOR of the City of
San Clemente, California