

CITY OF SAN CLEMENTE

City Council Minutes

Regular Meeting – June 4, 2013

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

A Regular Meeting of the San Clemente City Council was called to order on June 4, 2013 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

PRESENT BROWN, DONCHAK, EVERT, HAMM, MAYOR BAKER

ABSENT NONE

STAFF PRESENT Pall Gudgeirsson, City Manager; Jeff Goldfarb, City Attorney; Joanne Baade, City Clerk; George Aghabegians, Deputy City Clerk

CLOSED SESSION

City Attorney Goldfarb announced that Closed Session Item A – Real Property Negotiations with the Chamber of Commerce is not needed; announced a correction to the agendaized verbiage for Closed Session Item B.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to recess to Closed Session at 5:00 p.m. to discuss the following:

- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9(a):

City of San Clemente v. Bubba Gump Shrimp Company Restaurants, et al., Orange County Superior Court Case No. 30-2012-00566971-CU-BC-CJC

- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION, Government Code § 54956.9 (d)(4), (one case): California Regional Water Quality Control Board, San Diego Region

In attendance for the Closed Session were the following: All members of Council, City Manager Gudgeirsson, City Attorney Goldfarb, and City Clerk Baade. Assistant City Engineer Bonigut was in attendance for Closed Session Item C only.

MEETING RECONVENED

Council reconvened at 6:00 p.m., with all members present.

INVOCATION

Mayor Pro Tem Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Evert led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Human Relations Leadership Awards**

Mayor Baker presented Human Relations Leadership awards to Amanda Giannelli and Caili McDaniel in recognition of their dedicated commitment to human relations.

Amanda Giannelli and Caili McDaniel expressed gratitude to the City of San Clemente and San Clemente High School.

B. **San Clemente High School Student Report**

Matt Garritson and Gabby Meyer, student representatives of San Clemente High School, narrated a PowerPoint entitled "San Clemente High School" that summarized campus activities.

C. **Citizens Police Academy**

Deputy Joseph Bull, Community Liaison, narrated a PowerPoint entitled "San Clemente Police Services – Citizen Academy Class #1" which summarized the first Citizens Police Academy, recently conducted by the Orange County Sheriff Department.

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

None.

3. **MOTION WAIVING READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES**

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

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

None.

5. **CLOSED SESSION REPORT – CITY ATTORNEY**

None.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve the Consent Calendar with the removal of Items B(3), B(5), D, and F.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve the City Council Adjourned Regular Meeting Minutes of May 16, 2013 and the Regular City Council Meeting Minutes of May 21, 2013.

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

- 1) Golf Course Committee Regular Meeting Minutes of May 2, 2013.
- 2) Planning Commission Adjourned Regular Meeting Minutes of May 15, 2013.
- 4) Beaches, Parks, and Recreation Commission Regular Meeting Minutes of May 14, 2013.

C. **Warrant Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve Wire Transfers Nos. 1129 through 1132 and Warrant Nos. 508155 through 508317 for the period 5-6-13 through 5-10-13 in the amount of \$1,843,417.44; approve Warrant Nos. 508318 through 508487 for the period 5-13-13 through 5-17-13 in the amount of \$694,305.23; for a total Warrant Register of \$2,537,722.67.

Payroll Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve Warrant Nos. 207 through 212 and Automatic Deposit Advises 7651 through 7945 for the period 4-29-13 through 5-12-13 in the amount of \$407,553.84; for a total Payroll Register of \$407,553.84.

E. **Status Update on Redevelopment Agency Dissolution (RDA)**

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

- 1) Direct staff to prepare a resolution for the Oversight Board finding that the General Fund loan was for legitimate redevelopment purposes.
- 2) Direct staff to prepare an accelerated General Fund loan payment plan for presentation to the Oversight Board to further the dissolution of the former Redevelopment Agency.
- 3) Direct staff to prepare the Long-Range Property Management Plan finding that the properties of the former RDA are being used for governmental purposes.

G. **Contract Award – Calle Seville Sidewalk Improvements, Project No. 13309**

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

- 1) Approve the plans and specifications for the Community Development Block Grant (CDBG) Calle Seville Sidewalk Improvements – Project No. 13309.
- 2) Approve, and authorize the Mayor to execute, Contract No. C13-17 by and between the City of San Clemente and CT&T, Inc., relating to the CDBG Calle Seville Sidewalk Improvements, Project No. 13309, in the amount of \$89,501.00.

H. **Agreement with Orange County Transportation Authority (OCTA) to Define Roles and Responsibilities for the Commuter Rail Station Located at 615 Avenida Victoria (San Clemente Pier Area)**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve, and authorize the Mayor to execute, Cooperative Agreement No. C-2-1988 by and between the OCTA and the City of San Clemente to define roles and responsibilities for the Commuter Rail Station located at 615 Avenida Victoria. (Contract C13-18)

I. **Notice of Completion – Fiscal Year (FY) 2012 and 2013 Slurry Seal Program, City Project No. 27304**

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

- 1) Accept the FY 2012 and FY 2013 Slurry Seal Program, Project No. 27304 from the contractor, American Asphalt South, Inc.
- 2) Authorize the Mayor to execute the Notice of Completion for the FY 2012 and FY 2013 Slurry Seal Program, Project No. 27304.
- 3) Authorize the City Clerk to record the Notice of Completion for the FY 2012 and FY 2013 Slurry Seal Program, Project No. 27304. (Contract C12-35)
- 4) 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 American Asphalt South, Inc.
- 5) Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

J. **Easement Acceptance – Extension of Avenida La Pata**

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

- 1) Adopt Resolution No. 13-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DEDICATING THE STREET RIGHT-OF-WAY FOR AVENIDA LA PATA AND CAMINO DEL RIO WITHIN THE CITY PROPERTY THAT IS DEFINED AS THE CIVIC USE SITE.
- 2) Adopt Resolution No. 13-20 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING AN EASEMENT FOR STREET, SLOPE AND CONSTRUCTION PURPOSES AS DEDICATED FOR AVENIDA LA PATA ON TRACT NO. 16337.
- 3) Authorize the City Clerk to record the Irrevocable Offer of Dedication in the official records of the Orange County Recorder's Office. (Contract D-460)
- 4) Adopt Resolution No. 13-21 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ACCEPT CERTAIN INTERESTS IN REAL PROPERTY IN CONJUNCTION WITH THE AVENIDA LA PATA AND CAMINO DEL RIO PROJECT.
- 5) Affirm the City's right-of-way needed to construct Avenida La Pata as depicted in Attachment 4 of the Administrative Report, dated May 21, 2013, that is on file with the City Clerk.

K. **Notice of Completion – Corporation Yard Building ‘A’ Seismic Upgrade, Project No. 11547**

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

- 1) Accept the construction of the Corporation Yard Building ‘A’ Seismic Upgrade, Project No. 11547, from the contractor, Robert D. Gosney Construction.
- 2) Authorize the Mayor to execute the Notice of Completion for the Corporation Yard Building ‘A’ Seismic Upgrade, Project No. 11547.
- 3) Authorize the City Clerk to record the Notice of Completion for the Corporation Yard Building ‘A’ Seismic Upgrade, Project No. 11547. (Contract C12-31)
- 4) 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 Robert D. Gosney Construction.
- 5) Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

L. **Contract Award – Sewer System Rehabilitation FY 2013, Project No. 24200 and Storm Drain Rehabilitation FY 2013, Project No. 26001**

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

- 1) Approve the plans and specifications for the Sewer System Rehabilitation FY 2013, Project No. 24200 and Storm Drain Rehabilitation FY 2013, Project No. 26001.
- 2) Approve, and authorize the Mayor to execute, Contract No. C13-19, by and between the City of San Clemente and Sancon Engineering, Inc., providing for the Sewer System Rehabilitation FY 2013, Project No. 24200 and Storm Drain Rehabilitation FY 2013, Project No. 26001 in the amount of \$204,389.00.

M. **Contract Award – Water Reclamation Plant Aeration Blowers – Project No. 12201**

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

- 1) Approve the plans and specifications for the Water Reclamation Plant Aeration Blowers Replacement, Project No. 12201.
- 2) Approve, and authorize the Mayor to execute, Contract No. C13-20, by and between the City of San Clemente and J.R. Filanc Construction Company, Inc., providing for the replacement of the Water Reclamation Plant Aeration Blowers, Project No. 12201, in the amount of \$102,598.00.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

B(3). **Zoning Administrator Regular Meeting Minutes of May 22, 2013**

In response to Council inquiries, Community Development Director Holloway responded to questions relating to the Conditional Use Permit for the San Clemente Wine Company.

Wayne Eggleston, San Clemente, voiced concern that regulations are not consistently applied, since some businesses that provide entertainment are required to keep their doors and windows closed at all times, while others are not; stated that a Noise Ordinance was adopted when he was a member of the City Council, but the General Plan was never amended to coincide with the Ordinance; related his understanding that the General Plan would trump in the subject situation, adding that if that is the case, noise must be measured 50 feet from the source.

During the course of discussion, Council requested the following:

- 1) That staff report back with the results of a six-month trial period for San Clemente Wine Company's live entertainment.
- 2) That Code Compliance conduct sound monitoring in the Del Mar area after normal business hours and that the results of that analysis be provided to Council.
- 3) That the City Attorney determine whether the General Plan trumps the noise-measurement regulations contained in a subsequently-adopted Noise Ordinance when the General Plan was not amended to coincide with the regulations of the Noise Ordinance.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to receive and file the Zoning Administrator Regular Meeting Minutes of May 22, 2013.

B(5). **Planning Commission Adjourned Regular Meeting Minutes of May 22, 2013**

Council referred to the portion of the Planning Commission Adjourned Regular Meeting Minutes of May 22, 2013 that related to the Centennial General Plan. During the course of discussion, Council noted as follows:

- 1) Council wants to consider the proposal to change the Coastal Recreation Commercial designation of the Shorecliffs Golf Course to Residential Medium or Residential High.
- 2) The Planning Commission determined that it is not necessary to include the number of building stories on LUE Table LU-1 because the information is contained elsewhere in the Land Use Element. Council suggested that the information should either be included in the table or that a link be provided to the exact location of the subject information.
- 3) Requested copies of the document entitled "Unresolved Land Use Questions/Issues" that Mr. Judd, of The Planning Center, provided to the Planning Commission.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to receive and file the Planning Commission Adjourned Regular Meeting Minutes of May 22, 2013.

D. **Recreation Sports Partnership Agreements**

Council referenced the portion of the Administrative Report which stated that Council appointed Mayor Pro Tem Brown and Councilmember Hamm to a Sports Partnership subcommittee to review the content of the Recreation Sports Partnership Policy and to determine if Elite Soccer qualified for partnership. Council noted that Mayor Baker attended one of the subcommittee meetings in place of Mayor Pro Tem Brown and questioned whether that substitution could have created a serial meeting, in violation of the Brown Act.

City Attorney Goldfarb responded by stating that he spoke with the persons who attended the meeting and, based on the information he received, a serial meeting was not created pursuant to the Brown Act.

Recreation Manager Passow reviewed the contents of the Administrative Report and responded to Council inquiries.

Michael Affleck, Aliso Viejo, Director of Elite Soccer League, spoke in favor of approving a Partnership with Elite Soccer League; outlined goals and objectives of the Elite Soccer League; responded to Council inquiries concerning the League's financial and staffing status.

Kevin Daehnke, San Clemente, spoke in support of Elite Soccer; stated that Elite Soccer is an affordable alternative for those who cannot enroll in other soccer programs; stated that the presence of Elite Soccer League allows youth more options relating to sports activities.

Dan Foy, San Clemente, volunteer with the Elite Soccer League, spoke in favor of approving a Partnership with Elite Soccer League; compared field use fees charged by other cities; spoke concerning the misconception that Elite Soccer League staff is highly paid.

Tom Tuttle, San Clemente, urged that Elite Soccer League be given Senior Partnership status; requested that the Vista Hermosa field be examined to address deficiencies; requested that all sports teams be treated fairly.

Jeff Mosher, San Clemente, spoke in support of Elite Soccer League; affirmed that Elite Soccer League is a business; expressed that the Council's intent should be to make the best use of City amenities; listed potential actions that Council could take and stressed that denial of Partnership status should not be an option; suggested that criteria relating to league requirements should be more clear.

Stacie Cunningham, San Clemente, volunteer soccer coach for Elite Soccer League, spoke in support of Elite Soccer League; stated that children who excel in soccer have the opportunity to join Elite Soccer League to advance their skills; requested that Elite Soccer League members be allowed affordable access to the same fields as AYSO members.

Michael Studenka, San Clemente, spoke in support of Elite Soccer League; identified the importance and need for leagues, such as Elite Soccer League and AYSO; echoed previous speaker's comments and added that continuity is a key element for advancement of soccer players; stated that Elite Soccer League allows for continuity and advancement of soccer skills.

Amy Cook, San Clemente, spoke in favor of approving a Partnership with Elite Soccer League for safety, equality, and affordability reasons.

Eric Swartz, Vice Chair of the Beaches, Parks, and Recreation Commission, stated that the definitions of "recreation" and "partner" do not necessarily apply to Elite Soccer League; defined "recreation" as non-competitive; expressed that Elite Soccer League's vision of producing advance-level athletes may not fall under the definition of "recreation".

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-1 (MAYOR BAKER VOTING NOE), to approve Junior Partnership status to Elite Soccer.

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

- 1) Approve Recreation Sports Partnership Agreements for AYSO, San Clemente Girls Softball, San Clemente Little League, and South Coast Youth Football. (Contract C13-21)
- 2) Approve the changes to the Recreation Sports Partnership Policy as recommended in the Administrative Report, dated June 4, 2013, that is on file with the City Clerk, with the modification that Section 3.1(i) be added to read as follows:

(i) Organization must have:

- 1) A no discrimination policy, and
- 2) A "zero tolerance" policy requiring the Organization to terminate membership and any and all right to participate in any Organization activities to any member who is found to have used any alcohol, controlled substances (which have not been prescribed for the member), or tobacco.

Council requested that Beaches, Parks, and Recreation staff provide a report relative to the process used to schedule field use.

F. **Contract Termination and New Contract Award – Annual Audit of Financial Records**

Financial Services Officer Rahn reviewed the Administrative Report and responded to Council inquiries.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to:

- 1) Terminate Contract No. 12-024 by and between the City of San Clemente and Teaman, Ramirez, & Smith, Inc. relating to financial auditing services.
- 2) Approve, and authorize the Mayor to execute, Contract No. C13-16, by and between the City of San Clemente and Van Lant & Fankhanel, providing for annual financial auditing services, in an amount not to exceed \$129,600.00.

MEETING RECESSED

Council recessed at 8:15 p.m. and reconvened at 8:30 p.m., with all members present.

7. **PUBLIC HEARINGS**

A. **City of San Clemente Proposed Budget for Fiscal Year 2014**

Public Hearing relative to the proposed San Clemente Fiscal Year 2014 budget.

City Manager Gudgeirsson displayed an informational video concerning the proposed San Clemente Fiscal Year 2014 Budget.

Interim Director of Finance and Administrative Services Vincent narrated a PowerPoint presentation entitled "FY 2014 Proposed Budget" and responded to Council inquiries.

Mayor Baker opened the Public Hearing.

Michael Kaupp, President of the San Clemente Downtown Business Association (DBA), outlined the DBA's upcoming operational cost increases; explained significant expenses included in the DBA's request for funding and, together with Marie Luna, responded to Council inquiries.

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

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-1 (MAYOR BAKER VOTING NOE), to direct Staff to prepare resolutions approving the City Budget for Fiscal Year 2014 for consideration at the Council Meeting of June 18, 2013, with the modification that funds allocated to the Downtown Business Association total \$40,312.50.

B. Code Amendment – Water Rates

Public Hearing concerning a proposal to increase fixed water meter charges and water commodity charges.

City Clerk Baade reported that her office received 12 written protests to the proposed water rate increase, which does not constitute a majority protest.

Business Services Officer Rendina narrated a PowerPoint presentation entitled "Code Modification to Water Rates" and responded to Council inquiries.

Mayor Baker opened and closed the Public Hearing, there being no members of the public desiring to speak to this issue.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0 to introduce Ordinance No. 1567 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.

C. Code Amendment – Sanitary Sewer Rates

Public Hearing concerning a proposal to increase sewer base and commodity charges.

City Clerk Baade reported that her office received 10 written protests to the proposed sewer rate increase, which does not constitute a majority protest.

Business Services Officer Rendina narrated a PowerPoint presentation entitled "Code Modification to Sewer Rates" and responded to Council inquiries.

Mayor Baker opened and closed the Public Hearing, there being no members of the public desiring to speak to this issue.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0 to introduce Ordinance No. 1568 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 13.24.190, SUBSECTIONS (D), AND (E) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO SANITARY SEWER RATES.

D. **Amendment to Tentative Tract Map (TTM) 17049 – Bellota Landslide Repair**

Public Hearing concerning a proposal to add four additional lots to the approved subdivision associated with the Bellota Landslide Repair.

Associate Planner Nicholas reviewed the contents of the Administrative Report and responded to Council inquiries.

Mayor Baker opened and closed the Public Hearing, there being no members of the public desiring to speak to this issue.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0 to adopt Resolution No. 13-22 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN AMENDMENT TO TENTATIVE TRACT MAP 17049, BELLOTA LANDSLIDE REPAIR, ALLOWING FOR THE SUBDIVISION AND SALE OF 24 MOBILE HOME LOTS WITHIN THE SHORECLIFFS MOBILE HOME PARK ASSOCIATED WITH THE BELLOTA LANDSLIDE REPAIR.

8. **UNFINISHED BUSINESS**

A. **Granada Trash Enclosure – Cost Recovery Strategy**

Report from the Director of Public Works/City Engineer concerning the cost recovery strategy for the Granada Trash Enclosure.

Assistant City Engineer Bonigut reviewed the contents of the Administrative Report and responded to Council inquiries.

Wayne Eggleston, San Clemente, suggested that the City encourage business owners to aesthetically enhance the back sides of their businesses in lieu of requiring them to fund the trash enclosure project; requested an update concerning a fallen fence between Duke's and the adjacent property.

George Gregory, San Clemente, stated that residents who do not screen their trash are subject to penalties; expressed concern relating to potential non-compliance of the proposed trash enclosure.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to send a notice to business owners informing them that a 30-day time period will be provided to enter into an agreement to use the Granada Trash Enclosure at a cost of \$500. If an agreement is not executed within the 30-day time period, businesses will be allotted an additional 60 days in which to meet Code requirements. If a business fails to meet Code requirements at the end of the 60-day extension period (90 days from the date of the original notice), they will be subject to the penalties of the Code, or allowed the opportunity to enter into a City agreement to use the Granada Trash Enclosure at a cost of \$1,500.

9. **NEW BUSINESS**

A. **Code Amendment – Adoption of City Seal and City Logo and Establishing Regulations with Regard to Their Usage**

Report from the City Clerk concerning the possibility of adopting a City Seal and Logo by ordinance and establishing regulations relating to their use.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to defer this item to the City Council Meeting of June 18, 2013.

B. **Scholarship Program for Camp Pendleton Marine Families and Authorizing Resident Status for Active Military**

Report from the Beaches, Parks, and Recreation Director concerning scholarship programs for Marines stationed at Camp Pendleton and authorizing resident status for all active military for purposes of programs, swim passes, and rentals.

Recreation Manager Passow reviewed the contents of the Administrative Report and responded to Council inquiries.

Carla Hogan, on behalf of the Marine Corps Support Group, urged Council to financially support marines at Camp Pendleton; stated that many standard amenities provided by the government have been decreased; reiterated the need for community support; conveyed her goal to make the program self-supporting through grants.

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

- 1) Support the addition of a scholarship program for Marine families stationed at Camp Pendleton with the City financing two-thirds (\$3,334) and the Marine Corps Support Group financing one-third (\$1,666) of the \$5,000 total cost of the scholarship program. The City's share of the program is to be funded from the City Council Contingency Fund, Account No. 001-624-44890.
- 2) Add "Active Military Stationed at Camp Pendleton" as a resident status for programs, swim passes, and rentals.

C. **Unsolicited Proposal from French Soccer Institute – Use of Undeveloped Park Land at Richard T. Steed Memorial Park**

Report from the Beaches, Parks, and Recreation Director concerning an unsolicited request for use of undeveloped park land at Richard T. Steed Memorial Park.

Director of Beaches, Parks, and Recreation Heider reviewed the contents of the Administrative Report and responded to Council inquiries.

Alexis Gallice, CEO of the French Soccer Institute, and Stephane Koval, Project Architect, narrated a PowerPoint presentation entitled "French Soccer Institute" and responded to Council inquiries.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-1 (COUNCILMEMBER DONCHAK VOTING NOE), to direct staff to contemplate and develop a proposal taking into account the following elements:

- 1) No financial support will be provided from the City of San Clemente to facilitate the project.
- 2) Land cannot be sold or sublet.
- 3) Propose a lease term in excess of 20 years.
- 4) Access to facilities to be open to public which, in turn, will affect the lease rate.
- 5) Require a deposit account to fund retention of outside staff to assist with the project.

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

None.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

1) **California Joint Powers Insurance Authority (CJPIA) Report**

None.

2) **Orange County Fire Authority (OCFA) Report**

None.

Mayor Baker left the Council Chambers at 10:53 p.m.

3) **Appointment of City Representatives to the Coastal Animal Services Authority (CASA) Board**

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (MAYOR BAKER ABSENT), to appoint Councilmember Hamm as the City representative to the Coastal Animal Services Authority (CASA) Board, and to appoint Councilmember Donchak as the alternate representative.

4) **Appointment of City Representative to the Nine South County Water Agencies Board**

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (MAYOR BAKER ABSENT), to appoint Mayor Baker as the City representative to the Nine South County Water Agencies.

Mayor Baker returned to the dais at 10:55 p.m.

5) **Association of California Cities – Orange County (ACCOC) Update**

Councilmember Donchak reported on her attendance at the Association of California Cities – Orange County (ACCOC) Infrastructure Summit last week; reported that the Covered California Insurance Program, which will have direct impact on the citizens of San Clemente, is scheduled to go into effect on the first of the year; stated that citizens will be fined if they do not choose an insurance carrier; requested that program information be posted to the City's website.

6) **Coastal Animal Services Authority (CASA) Update**

Councilmember Donchak reported on her attendance at the quarterly CASA meeting and stated that a new program entitled "Packed and Ready to Go Home" is in place; encouraged members of the public to adopt available pets.

7) **Dedication Ceremony for Fallen Soldiers and Marines**

Mayor Baker invited members of the public to attend a dedication ceremony on June 6, 2013 at Camp San Mateo Memorial Garden that will honor fallen soldiers and marines from the 5th Regiment; reported that a stone monument honoring the 5th Marine Regiment will be dedicated at the ceremony.

8) **Air Quality Management District (AQMD) Update**

Mayor Pro Tem Brown reported that the fire-pit discussion has been deferred to the July AQMD meeting; reported that conversations are ongoing and multiple cities are attempting to develop an alternative to a blanket ban, noting that the final decision rests with the Coastal Commission; advised that he will continue to reach out to Mayors of other cities to discuss the open burning issue.

9) Fourth of July Flyover

Mayor Baker reported that the Condor Squadron will conduct a flyover in San Clemente on the 4th of July.

12. RESOLUTIONS/ORDINANCES

None.

13. ADJOURNMENT

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adjourn at 10:59 p.m. The next Regular Meeting will be held on June 18, 2013 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be discussed at 5:00 p.m. The public business meeting will commence at 6:00 p.m.

A subsequent Adjourned Regular Council Meeting will be held on June 24, 2013 at 6:00 p.m. in the Council Chambers, for the purpose of interviewing and making appointments to various City Commissions and Committees.

Another Adjourned Regular Council Meeting will be held on June 25, 2013 at 6:00 p.m. in the Council Chambers, for the purpose of continuing interviews and making appointments to various City Commissions and Committees.


MAYOR of the City of
San Clemente, California


CITY CLERK of the City of
San Clemente, California