

CITY OF SAN CLEMENTE

City Council Minutes

Regular Meeting – October 15, 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 October 15, 2013 at 5:02 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Baker.

PRESENT BROWN*, DONCHAK, EVERT, HAMM, MAYOR BAKER
 *Arrived at 5:04 p.m.

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 requested a Closed Session to discuss the items listed on the Closed Session agenda.

Councilmember Donchak announced that she will recuse herself from participation on Closed Session Item B, Chamber of Commerce Real Property Negotiations, because her husband's place of business is located within 300' of the property that is the subject of negotiations.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0 (MAYOR PRO TEM BROWN ABSENT), to recess to Closed Session at 5:03 p.m. to discuss the following:

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

Property: Vista Hermosa Sports Park, 987 Avenida Vista Hermosa, San Clemente

Agency Negotiator: Pall Gudgeirsson, City Manager

Negotiating Parties: City of San Clemente and Scott Melcher, on behalf of Surf N' Turf Paradiso, LLC

Under Negotiation: Price and terms of payment

Closed Session items continued on next page

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

Property: 1100 N. El Camino Real, San Clemente
Agency Negotiator: Pall Gudgeirsson, City Manager
Negotiating Parties: Lynn Wood, CEO, San Clemente Chamber of Commerce
Under Negotiation: Price and terms of payment

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

Property: 24 new lots within Tract 17049 of Shorecliffs Mobile Home Park, located at 3000 Calle Nuevo, San Clemente
Agency Negotiator: Bill Cameron, Acting Assistant City Manager/Public Works Director
Negotiating Parties: Five Star Homes; Factory Housing
Under Negotiation: Price and terms of payment

In attendance for the Closed Session were all members of the City Council, with the exception of Councilmember Donchak who recused herself from participation, and was not in attendance, for Closed Session B. Also in attendance for the full Closed Session were City Manager Gudgeirsson, City Attorney Goldfarb, Acting Assistant City Manager Cameron, and City Clerk Baade. Beaches, Parks and Recreation Director Heider was in attendance for Closed Session Item A only.

MEETING RECONVENED

Council reconvened at 6:08 p.m. with all members present.

INVOCATION

Don Kappauf, Senior Chaplain, Orange County Sheriff's Department, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Donchak led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS**A. San Clemente High School Student Report**

Matt Garritson and Gabby Meyer, student representatives of San Clemente High School, narrated a PowerPoint presentation entitled "San Clemente High School" concerning campus activities. A hard copy of the subject PowerPoint is on file with the City Clerk.

B. Scholarship Program – Military Families Stationed at Camp Pendleton

Carla Hogan, Co-Founder, San Clemente Marine Corps Support Group, provided an update on the current scholarship program for military families stationed at Camp Pendleton; presented an American flag to the City that was flown in Afghanistan. The flag is available for viewing in the City Clerk's Department.

C. Proclamation – Hunger Walk Week

Mayor Baker presented a Proclamation to Mary Gray Perdue, Executive Director, Family Assistance Ministries, proclaiming October 14, 2013 through October 20, 2013 as "Hunger Walk Week" in San Clemente.

D. Certificate of Recognition – Healthy Eating Active Living (HEAL)

Scott Kelly, Assistant Director of Public Affairs and Brand Communications, Kaiser Permanente, presented a certificate to the City, acknowledging San Clemente as an active member of Healthy Eating Active Living (HEAL) cities. The subject certificate is on file with the City Clerk.

2. ORAL COMMUNICATIONS (PART 1)**Street Parking on Avenida Vaquero**

Michael A. Johnson, San Clemente, conveyed her understanding that the City plans to remove street parking spots on the east side of Avenida Vaquero; voiced concern that bicycle lanes may replace the subject parking spots; asserted that elderly residents will be adversely impacted; urged Council to not eliminate parking on the east side of Avenida Vaquero.

Mosquito Outbreak/Semper Fi Golf Tournament

Jim Dahl, speaking on behalf of the Orange County Vector Control District, reported on a recent mosquito outbreak in San Mateo Creek; advised that affected areas were sprayed to eliminate the threat; noted that the West Nile Virus was also discovered in North Orange County; reminded residents to be aware of standing pools of water near their homes; encouraged proper disposal of deceased animals by directing residents to call the Orange County Vector Control District office.

Mr. Dahl announced that the Semper Fi Golf Tournament will take place on October 28, 2013; relayed the Exchange Club's request for volunteers and directed interested persons to contact him for more details.

HELP Program

Rose Velasquez, San Clemente, reported on the HELP program, which is a recently established after-school tutoring program that was not previously budgeted; asked Council to help fund the new program.

Council directed staff to look into the possibility of providing funding for the subject program via Community Development Block Grant (CDBG) funds. City Manager Gudgeirsson stated that staff will report back to Council concerning this matter.

San Clemente Farmer's Market

Sam Olmstead, President of the Board of the San Clemente Community Market, speaking on behalf of 113 families who own the Community Market, requested that Council issue a request for proposal for the Farmer's Market operations; suggested that a limited extension be granted for the current operator in order to not disrupt current operations; requested that Council look into other Farmer's Markets to determine best practice models.

Halloween Haunt Event

Ken Nielsen, speaking on behalf of the Doheny State Beach Interpretive Association, invited members of the public to attend the Halloween Haunt event on October 26, 2013; informed that a can of food will substitute for the admission fee, and will benefit Family Assistance Ministries.

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

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, 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**

City Attorney Goldfarb announced that no reportable actions occurred during this evening's Closed Session.

Councilmember Donchak stated for the record that she recused herself from participation in Closed Session Item B (Chamber of Commerce property negotiations) because her husband and she own property within 300' of the property that is the subject of negotiations.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to approve the Consent Calendar with the removal of Items A, B(1), B(2), E, H, and I.

C. **Warrant Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to approve Wire Transfer No. 1177 and Warrant Nos. 511273 through 511499, paid on 09/27/2013 in the amount of \$2,006,948.83; and approve Wire Transfer Nos. 1178 through 1181 and Warrant Nos. 511500 through 511634 paid on 10/04/2013 in the amount of \$624,407.75, for a total Warrant Register of \$2,631,356.58.

Payroll Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to approve Warrant Nos. 251 through 252 and Automatic Deposit Advises 10915 through 11210 for the period of 09/16/2013 through 09/29/2013 in the amount of \$415,451.26 for a total Payroll Register of \$415,451.26.

D. **Request to Authorize a Limited-Term, Benefited Employee (Maintenance Worker II)**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to authorize a Limited-Term, benefited position (Maintenance Worker II) for the Beaches and Parks Maintenance Division, effective November 1, 2013 through June 30, 2014.

F. **Notice of Completion – Street Rehabilitation for Arriba Linda, Cerrito Cielo, La Ventana, Via Breve and Major Maintenance for Encino Lane and South Ola Vista**

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

1. Accept the street rehabilitation for Arriba Linda and Cerrito Cielo, Project No. 13310, La Ventana, Project No. 13313, Via Breve, Project No. 13314, and Major Street Maintenance for Encino Lane, Project No. 23301, from the contractor, R.J. Noble Company.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the street rehabilitation for Arriba Linda and Cerrito Cielo, Project No. 13310, La Ventana, Project No. 13313, Via Breve, Project No. 13314, and Major Street Maintenance for Encino Lane, Project No. 23301. (Contract No. C12-55)
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion, upon verification with the Engineering Division that no liens have been levied against R.J. Noble Company.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

G. **Notice of Completion – Calle Seville Sidewalk Improvements, Project No. 13309**

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

1. Accept the Calle Seville Sidewalk Improvements, Project No. 13309 from the contractor, CT&T, Inc.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the Calle Seville Sidewalk Improvements, Project No. 13309. (Contract No. C13-17)
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion, upon verification with the Engineering Division that no liens have been levied against CT&T, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to approve the City Council Adjourned Regular Meeting minutes of October 1, 2013.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to defer the City Council Adjourned Regular Meeting minutes of September 24, 2013 to the Council Meeting of November 5, 2013 to enable additional time to review the minutes.

B(1). **Planning Commission Regular Study Session Minutes of October 2, 2013 and Regular Meeting Minutes of October 2, 2013**

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file the Planning Commission Regular Meeting minutes of October 2, 2013 as written, and to receive and file the Planning Commission Regular Study Session minutes of October 2, 2013 as amended to replace the word "since" on Page 1 with the word "sense".

B(2). **Zoning Administrator Regular Meeting Minutes of October 2, 2013**

Council referenced the portion of the Zoning Administrator Regular Meeting minutes of October 2, 2013 that related to the design of the Base of Pier Restroom Renovation; requested clarification concerning the use of tile murals in relation to Mr. Pechous' reference to the project's "tight budget". Beaches, Parks, and Recreation Heider stated that the use of tile murals was previously budgeted and clarified that the context of the discussion related to the most economical ways to provide the tile murals.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to receive and file the Zoning Administrator Regular Meeting Minutes of October 2, 2013.

E. **Contract Award – Aquatics Program Agreement**

Council noted that the public pool at the Aquatics Center is owned by the people of San Clemente, and not by San Clemente Aquatics; stressed that all persons utilizing the public pool should be given equal consideration.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract No. C13-42, the Aquatics Program Agreement, by and between the City of San Clemente and San Clemente Aquatics.

H. **Recreation Sports Partnership Agreements**

In response to Council inquiry, Beaches, Parks, and Recreation Director Heider stated that discussions with the French Soccer Institute (FSI) are ongoing; advised that the FSI is currently seeking to establish a land lease, as opposed to a sports partnership agreement.

In response to Council inquiry, Recreation Manager Passow stated that staff will evaluate other cities' sports partnerships and fee structures; indicated that staff will return to Council with a recommendation on how to proceed with future sports partnership agreements.

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

1. Approve, and authorize the Mayor to execute, Contract No. C13-43, by and between the City of San Clemente and American Youth Soccer Organization (AYSO), providing for Recreation Sports Senior Partnership status.
2. Approve, and authorize the Mayor to execute, Contract No. C13-44, by and between the City of San Clemente and San Clemente Girls Softball (SCGS), providing for Recreation Sports Senior Partnership status.
3. Approve, and authorize the Mayor to execute, Contract No. C13-45, by and between the City of San Clemente and San Clemente Little League (SCLL), providing for Recreation Sports Senior Partnership status.
4. Approve, and authorize the Mayor to execute, Contract No. C13-46, by and between the City of San Clemente and South Coast Youth Football (SCYF), providing for Recreation Sports Senior Partnership status.
5. Approve, and authorize the Mayor to execute, Contract No. C13-47, by and between the City of San Clemente and Elite Soccer, providing for Recreation Sports Junior Partnership status.

I. **Contract Contingency Increase – Sewer System Rehabilitation and Arenoso Lane Sewer Line Replacement Contracts**

Council referenced the portion of the Administrative Report, dated October 15, 2013, that referred to an alternative method of maintaining an 18” cast-iron pipe; acknowledged the estimated cost-savings and commended staff for its efforts in reducing costs for the City.

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

1. Approve an increase in the construction contract contingency with Sancon Engineering, Inc., in the amount of \$103,065, providing for Sewer System Rehabilitation Fiscal Year 2013, Project No. 24200. (Contract No. C13-19)
2. Approve an increase in the construction contract contingency with Sancon Engineering, Inc., in the amount of \$28,323, providing for the Arenoso Lane Sewer Line Replacement, Project No. 14203. (Contract No. C13-19)

7. **PUBLIC HEARINGS**

A. **Community Development Block Grant (CDBG) Funds – 2013-2017 Consolidated Plan and 2012-2013 Consolidated Annual Performance Evaluation Report (CAPER)**

Continued Public Hearing to consider approving the Consolidated Annual Performance Evaluation Report for 2012-2013, which summarizes last year’s program accomplishments funded under the U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) Program, and adopting the CDBG Consolidated Plan Report, which delineates the City’s priority housing and community development needs.

Community Development Director Holloway reported that due to the Federal Government shutdown, staff has been unable to communicate with the Housing and Urban Development (HUD) Department to resolve certain technical issues; requested that the Public Hearing on this item be continued to the Council Meeting of November 19, 2013.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to continue the Public Hearing to the Council Meeting of November 19, 2013.

B. Clean Ocean Fee Renewal

Public Hearing to consider a proposal to renew and increase the existing Clean Ocean Fee.

City Clerk Baade announced that 30 written protests to the Clean Ocean Fee have been received; noted that 22,074 properties would be subject to the fee and hence the 30 protests do not constitute a majority protest.

Assistant City Engineer Bonigut narrated a PowerPoint presentation entitled "Clean Ocean Fee – Renewal and Increase" and responded to Council inquiries. A hard copy of the subject PowerPoint is on file with the City Clerk.

Mayor Baker opened the Public Hearing.

Daniel Apt, San Clemente, spoke in favor of the Clean Ocean Fee; voiced his desire to maintain a clean beach and ocean, since they are essential to Ole Hanson's vision and the local economy.

Ken Nielsen, San Clemente, spoke in favor of the Clean Ocean Fee increase; stated that the Regional Water Quality Control Board identified street sweeping as an effective practice for keeping oceans clean; urged Council to evaluate street sweeping parking enforcement as a source of revenue for the Clean Ocean Program.

Bill Hart, speaking on behalf of the Watershed Task Force and Coastal Advisory Committee, noted that property owners have approved the fee in the past and summarized the program's success; encouraged Council and members of the public to vote in favor of the Clean Ocean Fee increase.

George Gregory, San Clemente, expressed concern that the Clean Ocean Fee negatively affects residents who struggle financially; suggested that Council look into assessing the Clean Ocean Fee on a per-lot basis as opposed to a per-unit basis.

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

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to adopt Resolution No. 13-41, entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING A SPECIAL MAIL BALLOT ELECTION FOR SUBMITTAL OF A RENEWAL AND INCREASE OF THE EXISTING CLEAN OCEAN FEE TO THE OWNERS OF REAL PROPERTY SUBJECT TO THE FEE.

Action continued on next page

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to authorize the Mayor to vote in favor of the Clean Ocean Fee increase on the ballots for those properties on which the City currently pays a Clean Ocean Fee.

C. **Introduction to the Draft Centennial General Plan, Draft Environmental Impact Report, Draft Bicycle and Pedestrian Master Plan, and Draft Climate Action Plan** *(Continued from the Council Meetings of September 24, 2013, October 1, 2013, and October 8, 2013)*

Public Hearing concerning the Draft Centennial General Plan, Draft Environmental Impact Report, Draft Bicycle and Pedestrian Master Plan, and Draft Climate Action Plan.

Council reviewed the Mobility Element by page and provided direction as follows:

General Plan Section	Issue	Council Decision
M-3	Council requested the addition of a subsection to M-1.01 that, in essence, captures Council’s intent to ensure that all roadways are maintained at an acceptable standard to ensure efficient travel.	M-101.f is to be added as a separate subsection in M-1.01 that will ensure that all roadways are maintained at a standard that provides for efficient travel, with language to be developed by Engineering staff.
M-4	Council questioned whether Section M-1.10, concerning regional transportation improvements, covers the City’s desire to extend the I-5 HOV lane to San Diego.	Language is to be added to M-1.10 that expresses support for the extension of the HOV lane on the I-5 to the San Diego County line.
M-5	Council expressed concern relating to the amount of detail in subsection M-1.18.a through M-1.18.h; expressed that the subsections appear to be implementation measures. Senior Planner Hook recommended removing M-1.18.a since it is redundant inasmuch as it is contained as an implementation measure elsewhere in the General Plan.	M-1.18a. is to be deleted in its entirety.
M-6	Council referenced Section M-1.26 relating to Scenic View Corridor Enhancement and Designation and noted that Council previously directed that a map of the Scenic View corridor be included in the General Plan.	It was noted that Council directed at a past meeting that a Scenic View Corridor map be incorporated into the General Plan.
M-7	Council noted that Section M-1.33 prohibits billboards within scenic corridors and discussed extending the subject prohibition throughout the City.	M-1.33 is to be replaced with the following verbiage: “We prohibit the construction of billboards within the City of San Clemente.” A definition of “billboard” is to be included in the General Plan glossary.

M-10	Council referenced Section M-2.23 that reads as follows: "We encourage and support skateboard use as an efficient and legitimate transportation mode to connect gaps between destination and transit stops and rail stations."	Section M-2.23 is to be modified to read as follows: "We encourage and support skateboarding use as an efficient and legitimate transportation mode."
M-11	Council referenced Section M-2.30 which reads as follows: "We encourage city staff, employees, residents and visitors to walk and bicycle as often as possible."	M-2.30 is to be deleted in its entirety.
M-12	Council referenced Section M-2.47 which reads as follows: "We improve appropriate legal access to public lands for cyclists and pedestrians."	Section M-2.47 is to be modified to read as follows: "We improve appropriate legal access to appropriate public lands for cyclists and pedestrians."
M-13	Council referenced Section M-2.55 which reads as follows: "We may approve certain commercial uses in public sidewalks in the Pedestrian Overlay District when those uses benefit the overall pedestrian environment."	Section M-2.55 is to be modified to replace "in public sidewalks" with "on public sidewalks".
M-14	Commissioner Darden referenced the "Parking" section that commences on Page M-14 and recommended that Council revisit parking issues in light of Council's action of October 8, 2013 relating to height limitations on Avenida Del Mar. Specifically, Commissioner Darden suggested that possible tools be identified and added that will help achieve goals (e.g., pedestrian amenities) for the downtown area.	Council requested that Commissioner Darden send an email to Council explaining her proposal.
M-14, M-15, and M-17	Council referenced the Goal on Page M-14 which reads as follows: "Create a parking system which provides an appropriate level of multi-modal parking supply in public and private parking areas."	<p>The Goal and/or Parking sections on Page M-14 are to be modified to include verbiage similar to the following: "Create a circulation-driven parking system which provides an appropriate level of multi-modal parking supply in public and private parking areas."</p> <p>Section M-4.06 is to be modified to read as follows: "We base parking decisions and related improvements in key commercial areas on comprehensive parking strategies and circulation studies."</p> <p>Implementation Measure 14 on Page M-17 is to be modified to read as follows: "Prepare comprehensive parking and circulation strategies for key commercial areas, including: North Beach, Pier Bowl, Del Mar/T-Zone, and Plaza San Clemente."</p>

M-14	Senior Planner Hook recommended that a new Section M-3.07 be added to read as follows: "Railway Safety. We coordinate with appropriate agencies and organizations when reviewing development projects located adjacent to or near railroad rights of way to minimize negative impacts on surrounding areas and railway operations."	A new Section M-3.07 was added to read as follows: "Railway Safety. We coordinate with appropriate agencies and organizations when reviewing development projects located adjacent to or near railroad rights of way to minimize negative impacts on surrounding areas and railway operations."
M-15	Council referenced Section M-4.04 which reads as follows: "We consider alternative parking strategies that address multi-modal parking needs, improve land use efficiency and enhance environmental quality, such as use of energy-saving/generating features, demand based parking strategies, stacking, alternative paving, accommodating multiple uses, and parking elevators."	Section M-4.04 is to be modified to read as follows: "We consider alternative parking strategies that address multi-modal parking needs, improve land use efficiency and enhance environmental quality, such as use of energy-saving/generating features, demand based parking strategies, stacking, alternative paving, and accommodating multiple uses."
M-16	Council referenced Implementation Measure 7 that reads as follows: "Update the Municipal Code to require end of trip bicycle facilities, as appropriate to the scale of the project, such as lockers, showers and enclosed bicycle parking, within non-residential sites and bicycle parking within multi-family and non-residential sites."	Implementation Measure 7 is to be modified to read as follows: "Update the Municipal Code to require end of trip bicycle facilities, as appropriate to the scale and use of the project, such as lockers, showers and enclosed bicycle parking, within non-residential sites and bicycle parking within multi-family and non-residential sites."
M-17	Council referenced Implementation Measure 10 that reads as follows: "When and where appropriate, prepare feasibility study for a shuttle service connecting North Beach, Del Mar/T-Zone, Pier Bowl, and other major commercial areas within the City."	Council modified Implementation Measure 10 to read as follows: "When and where appropriate, prepare a feasibility study for a community-serving shuttle or trolley type transit system that connects San Clemente's key destinations and residential areas (e.g. North Beach, Del Mar/T-Zone, Marblehead Coastal, and Pier Bowl) with public transit and bicycle routes."
M-19	Council referenced Figure M-1 entitled "Roadway System Map" on Page M-19.	The title of Figure M-1 on Page M-19 is to be modified to replace "Roadway System Map" with "Future Roadway System Map."

Council continued discussion of the General Plan to the Council meeting of November 5, 2013.

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Contract Award – City Website Redesign and Hosting**

Report from the Finance and Administrative Services Director concerning the redesign and hosting of the City's website.

Information Systems Specialist Boisseranc reviewed the contents of the Administrative Report and responded to Council inquiries.

Susan Nguyen, Regional Sales Manager, Vision Internet, narrated the contents of a PowerPoint presentation entitled "Creating What's Next for the City of San Clemente", concerning the City's proposed website. A hard copy of the subject PowerPoint is on file with the City Clerk.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract No. C13-48, by and between the City of San Clemente and Vision Internet, providing for the redesign of the City's website, in the amount of \$51,562, subject to City Attorney approval of the final contract language.

Council recessed at 7:40 p.m. and reconvened at 7:56 p.m. with all members present.

B. **Farmer's Market on Avenida Del Mar**

Report from the Beaches, Parks, and Recreation Director concerning the Farmer's Market on Avenida Del Mar.

Beaches, Parks, and Recreation Director Heider reviewed the contents of the Administrative Report; stated that petitions have been generated both in favor and against the current Farmer's Market special event permit renewal; responded to Council inquiries.

Sandy Heil, representing the Farmer's Market on Avenida Del Mar, stated that her family takes pride in operating the Farmer's Market; relayed that her husband, Rick Heil, and she are very involved in the community and wish to continue operating the Farmer's Market.

Bill Hart, San Clemente, spoke in favor of extending the current Farmer's Market permit; stated that operating a Farmer's Market is a difficult task and asserted that Mr. Heil successfully balances multiple interests within the community and strictly adheres to rules and regulations.

Freda D'Souza, San Clemente, spoke against extending the current Farmer's Market Permit; displayed a petition on behalf of the Friends of San Clemente Farmer's Market, urging Council to issue a Request for Proposal (RFP); suggested that Council solicit bids to attract additional vendors and allow the Farmer's Market to expand.

Eli Herrera, San Clemente, spoke against extending the current Farmer's Market Permit; opined that the market's operation can be improved; suggested that arts, crafts, culture, and music can be added to the event; stated that issuing RFP's for the Farmer's Market may attract more visitors and benefit local merchants.

David Franco, Farmer's Market concession booth operator, spoke in favor of extending the current operator's permit; expressed satisfaction with Mr. Heil's current operation; stated that an alternative open-air market could result in lower quality produce for residents.

Heidi Johnson, San Clemente, spoke against extending the current Farmer's Market Permit; asserted that the quality of the Farmer's Market has diminished over recent years; expressed a need for variety to improve the Farmer's Market.

Eli Hofshi, Farmer's Market concession booth operator, spoke in favor of extending the current Farmer's Market permit; expressed that operating a Farmer's Market is difficult and stated that Mr. Heil manages the market harmoniously and effectively.

Rick Heil, current Farmer's Market operator, summarized regulatory conditions and definitions associated with operating the Farmer's Market; explained State and County requirements for the conduct of a Certified Farmer's Market; referenced a petition that he submitted to the City Clerk's office on October 15, 2013, that supported the renewal of his current operation; requested that Council extend his Special Event Permit and increase his monthly fee to \$300 per month to accommodate the City's need for increased revenue. A hard copy of Mr. Heil's petition is on file with the City Clerk.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-1 (COUNCILMEMBER DONCHAK VOTING NOE), to extend the existing Farmer's Market Special Event Permit with Sandy and Rick Heil and Jan Peverill for two years, at an increased monthly rate of \$300. Further, to direct staff to issue a Request for Proposal when the permit is nearing expiration.

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

None.

11. **REPORTS**A. **COMMISSIONS AND COMMITTEES**

None.

B. **CITY MANAGER**(1) **Avenida Vaquero – Waterline Incident**

Public Works Director Cameron narrated a PowerPoint presentation entitled “18-Inch Water Line Break – Camino de los Mares and Avenida Vaquero” concerning the City’s response to a recent waterline break on Avenida Vaquero; responded to Council inquiries. A hard copy of the subject PowerPoint is on file with the City Clerk.

C. **CITY ATTORNEY**

None.

D. **COUNCIL MEMBERS**(1) **San Joaquin Hills Transportation Corridor Agency Report**

None.

(2) **Foothill Eastern Transportation Corridor Agency Report**

Mayor Baker reported that the Foothill Eastern Transportation Corridor Agency Board voted to refinance \$2.4 billion in bonds; stated that he voted against the proposal to refinance because it will extend the toll road payoff date to 2053.

(3) **California Joint Powers Insurance Authority Report**

None.

(4) **The Great California Shakeout**

Mayor Pro Tem Brown encouraged residents to participate in an emergency earthquake drill on October 17, 2013; urged residents to become aware of earthquake preparation procedures.

(5) **Coastal Animal Services Authority (CASA)**

Councilmember Hamm announced that CASA will provide animal clinic services at decreased costs on October 16, 2013.

(6) **Flu Shots**

Mayor Baker announced that free flu shots will be administered at San Clemente Hospital on October 18, 2013.

(7) **Mayor's Hours in Talega Shopping Center**

Mayor Baker reported that Mayor's Hours will be held at Panera Bread in Talega on October 26, 2013 from 8:30 a.m. – 10:00 a.m.

(8) **Saddleback Church**

Mayor Baker reported on his attendance at a service at Saddleback Church and displayed photographs. Hard copies of the subject photographs are on file with the City Clerk.

(9) **San Clemente High School Homecoming Parade**

Mayor Baker reported on his participation in San Clemente High School's Homecoming Parade; expressed appreciation for the small-town character of the City.

(10) **Introduction of Brigadier General John W. Bullard Jr.**

Mayor Baker announced that Brigadier General John W. Bullard Jr., Marine Corps Camp Pendleton, will attend the Council Meeting of November 5, 2013.

(11) **Death of Paul Michelena**

Mayor Baker expressed regret about the recent tragic death of Paul Michelena; expressed condolences on behalf of all Councilmembers to Mr. Michelena's family.

12. RESOLUTIONS/ORDINANCES

A. Ordinance No. 1571 (Second Reading) – Construction and Maintenance of Sidewalks Relating to the City’s Comprehensive Sidewalk Policy No. 801-1

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to adopt Ordinance No. 1571 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO AMEND MUNICIPAL CODE CHAPTER 12.08.

13. ADJOURNMENT


MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to adjourn at 10:31 p.m., to a Joint City Council/Commissions/Committees Meeting to be held on October 22, 2013 at 7:00 p.m., at Pride of the Pacific Restaurant – San Clemente Municipal Golf Course, located at 150 Avenida Magdalena, San Clemente, California.

The next Regular Council Meeting will be held on November 5, 2013 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered 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 November 13, 2013 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of considering the Centennial General Plan.



MAYOR of the City of
San Clemente, California


CITY CLERK of the City of
San Clemente, California