

# CITY OF SAN CLEMENTE

## City Council Minutes

### Adjourned Regular Meeting - February 3, 2004

An Adjourned Regular Meeting of the San Clemente City Council was called to order on February 3, 2004 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

**PRESENT**                      ANDERSON, DAHL, DOREY, EGGLESTON, MAYOR  
RITSCHHEL

**ABSENT**                        NONE

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

\* \* \*

### **CONSIDERATION OF ADOPTING THE LONG TERM FINANCIAL PLAN**

City Manager Scarborough explained that the purpose of the Long Term Financial Plan is to provide a long-range approach for addressing San Clemente's fiscal issues; noted that the Long Term Financial Plan has been successful over the past year in strengthening the City's financial position; explained that this year's financial process begins with Council's review of the Long Term Financial Plan, continues with establishment of the Vital Few Priorities, and concludes with the adoption of the FY 2004/05 City budget.

Assistant City Manager Gudgeirsson narrated a powerpoint presentation entitled "Long Term Financial Plan Executive Summary", a copy of which is on file with the City Clerk.

Accounting Supervisor Brower narrated a powerpoint presentation entitled "Financial Trend Analysis", a copy of which is on file with the City Clerk.

Principal Financial Analyst Elston narrated a powerpoint presentation entitled "Financial Forecast", a copy of which is on file with the City Clerk.

During the course of discussion, Council requested the following: 1) That future publications relating to the financial forecast include a footnote that explains interfund transfers; and 2) That "General Fund" be clearly labeled throughout the Long Term Financial Plan.

Golf Course Manager Nelson narrated a powerpoint presentation entitled "Golf Enterprise Fund Analysis", a copy of which is on file with the City Clerk.

Council requested that the Golf Course Committee offer recommendations to increase golf course revenue within the next 90 days.

Finance Manager Rendina narrated a powerpoint presentation entitled "Reserve Analysis", a copy of which is on file with the City Clerk.

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

1. Budget sufficient funds for FY 2004-05 to bring the emergency reserve to the 8% level of projected General Fund operating expenditures. Based on the Financial Forecast, this would amount to \$330,000; however, expenditures may be less.
2. Recommend that \$376,120 (which represents 1% of the estimated General Fund operating expenditures) be set aside in fiscal year 2004-05 to fund the Council Contingency Reserve.
3. Increase the specified reserve in the General Liability Self-Insurance Fund from the current reserve of \$546,000 to \$625,000 for fiscal year 2004-05. The reserve includes three times the self-insurance retention (\$300,000), plus the average of the previous five years of claims costs not covered by the insurance pool (\$325,000).
4. Charge existing workers' compensation rates for fiscal year 2004-05.
5. Transfer \$145,000 from the General Fund to the Accrued Leave Reserve for fiscal year 2004-05.
6. Transfer \$100,000 from the General Fund to the Facilities Maintenance Capital Asset Reserve for fiscal year 2004-05.

*Action continued on next page*

7. Budget \$5,000 from the Water Operating Fund in FY 2004-05 to bring the emergency reserve to \$395,000, which will maintain the 8% of projected Water Fund operating expenditures level.
8. Budget an additional \$200,000 transfer from the Water Operating Fund to the Water Depreciation Fund for Fiscal Year 2004-05.
9. Defer policy changes until the completion of the Water and Sewer System Asset Study.
10. Budget \$27,000 from the Sewer Operating Fund in FY 2004-05 to bring the emergency reserve to \$465,000, which represents 8% of the projected Sewer Fund operating expenditures level.
11. Defer policy changes until the completion of the Sewer System Asset Study.
12. Budget \$9,000 from the Storm Drain Operating Fund for FY 2004-05 to bring the emergency reserve to \$64,000, which will maintain the 8% of projected Storm Drain Fund operating expenditures level.
13. Defer policy changes until the completion of the Storm Drain System Asset Study.
14. Based on the Financial Forecast, no contribution is necessary for FY 2004-05 in order to maintain the emergency reserve at \$11,000, which represents 8% of the projected Solid Waste Fund operating expenditures level.
15. Based on the Financial Forecast, no contribution is necessary for FY 2004-05 in order to maintain the emergency reserve at \$161,000, which represents 8% of the projected Golf Course Operating Fund operating expenditures level.
16. Revise the City's Fiscal Policy to specifically include the Golf Course Depreciation Reserve. "The City will establish a Golf Course Depreciation Reserve for costs associated with the replacement of equipment/physical plant and course improvements as they become unserviceable, obsolete, or reach a predetermined service life. The reserve will be maintained at a level at least equal to the projected five-year golf course replacement costs."
17. Continue the annual transfer of \$160,000 from the Golf Course Operating Fund to the Golf Course Improvement Fund.

Public Works/Economic Development Director Lund narrated a powerpoint presentation entitled "Street Improvement Program Update", a copy of which is on file with the City Clerk.

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

1. Approve and authorize the allocation of a General Fund contribution of \$597,020 for the coming FY 2004-05.
2. Confirm the City Council's continuing commitment to the fiscal policy requiring General Fund contributions to the program as resources become available.
3. Confirm the City Council's continuing commitment to the Major Street Maintenance Program and the Slurry Seal Program to provide programmed preventive maintenance for the streets.
4. Approve the Street Improvement Program schedule modification:
  - a. To accelerate ten street projects from FY 2004/05 within the Shorecliffs area, and combine them with other street projects within the same area in FY 2003/04 due to the proximity of these streets.
  - b. To postpone four street projects in FY 2003/04 within the North Beach area and combine them with other street projects within the same area in FY 2004/05 due to the proximity of these streets.
5. Approve the Street Improvement Program schedule modification to accelerate Calle Del Cerro from FY 2009/10 to FY 2004/05.

Public Works/Economic Development Director Lund narrated a powerpoint presentation entitled "Economic Development Update", a copy of which is on file with the City Clerk.

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

1. Direct Staff to continue to work closely with the Downtown Business Association, Chamber of Commerce and other stakeholders to implement public improvement projects and related programs for the Downtown area.
2. Working with the Downtown Business Association, provide appropriate staff support and assistance towards the objective of supporting and strengthening the Main Street Program. In this regard, also ensure coordination of the City's proposed Downtown Strategic Plan and Downtown Visioning process with the Downtown Business Association's Main Street Program efforts.
3. Continue to aggressively market and promote the recruitment and attraction of new business firms to the Rancho San Clemente Business Park and the Talega Business Park.
4. With respect to older commercial shopping centers, direct Staff to continue to provide appropriate assistance and support for the revitalization of these centers.
5. Continue to provide Staff support for the Central Business District Transition Program and the Los Molinos Public/Private Partnership Program.
6. Continue to diligently provide business ombudsman and developer advocacy services to the business community and continue to coordinate resolution and response to complaints and requests for business-related support services.
7. Continue to promote and support the development of a new grocery store for the area of south San Clemente.
8. In concert with the efforts of the City's Planning Division to undertake a Specific Plan process, coordinate marketing and promotion of appropriate and viable economic development initiatives and projects for the North Beach area.

Marine Safety Chief Humphreys narrated a powerpoint presentation entitled "Environmental Program Update", a copy of which is on file with the City Clerk.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to receive and file the Environmental Program Update with the understanding that Council will make decisions as individual projects reach milestones.

Council deferred consideration of the State Impact Financial Analysis Update to the Vital Few Priority session to be held on February 10, 2004.

**MEETING RECESSED**

Council recessed at 7:00 p.m. and reconvened at 7:10 p.m., with all members present.

**INVOCATION**

Gary Coleman, Orange County Sheriff's Chaplain, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Councilmember Eggleston led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

None.

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

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

None.

4. ORAL COMMUNICATIONS (PART ONE)

Coastal Trail Status Update

John Dorey, member of the Rail Corridor Safety and Education Panel (RCSEP) Oversight Committee, reported that City Staff and the RCSEP Oversight Committee has worked for nearly four years to design and obtain approvals from all necessary State agencies for the coastal trail; voiced concern that in November 2003, the California Public Utilities Commission (CPUC), the Sacramento division of CalTrans, and a division of the BNSF Railway banded together to protest the City's design for the coastal trail because of their position that it would be unsafe; voiced concern that the three protesting agencies suggested, as an alternative, that the rail corridor be double fenced except where approved crossings exist; commented that a judge in San Francisco will decide on February 6, 2003 whether an opportunity exists for a reasonable compromise, noting that if a concession is deemed infeasible, Staff and the Oversight Committee will ask the CPUC Commission to overrule its Staff's recommendation; stated that \$5 million in funding will be forfeited if project permits are not pulled by June 30, 2004, and voiced additional concern with the prospect that the CPUC will then pressure the OCTA for double fencing; urged that citizens attend a CPUC public meeting that is anticipated to occur in late March or April to demonstrate support for the coastal trail and objection to double fencing. Mr. Dorey's written remarks are on file with the City Clerk.

Council pointed out that Tom Wilson, Chairman of the Orange County Board of Supervisors, has issued a news release advising that the Board of Supervisors adopted a resolution urging State legislation to direct the California Public Utilities Commission to support San Clemente's public safety project.

**Public Safety**

Scott Dobias, San Clemente, voiced concern that a young boy was struck by a vehicle on Camino de los Mares in the vicinity of the Krikorian movie theatre; voiced concern that there are no pay phones at the theatre and that children must cross Camino de los Mares, without a crossing guard, to use the pay phones in the Carls' Jr. parking lot; stated that ticketed customers are not permitted to remain in the theatre parking lot to be picked up by adults; suggested that safety measures need to be implemented. Additionally, Mr. Dobias stated that he resides in the Pier Bowl area and is concerned that public safety is being jeopardized as a result of private property owners placing items and non-conforming structures within the public right-of-way, thereby forcing pedestrians to walk in the street.

City Manager Scarborough responded that he is scheduled to meet with the theater owner and management company to address safety measures; noted that a long-term sidewalk program, which includes removal of sidewalk encroachments, will be agendized for Council consideration as part of the Vital Few Priorities meeting that will be held on February 10, 2004.

5. **CONSENT CALENDAR**

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

A. **City Council Minutes**

None.

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

- (1) Parks and Recreation Commission minutes of December 9, 2003.
- (2) Zoning Administrator meeting minutes of January 27, 2004.
- (3) Planning Commission minutes of January 21, 2004.



C. Warrant Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Wire Transfers Nos. 235 and 236 and Warrant Nos. 754925 through 755089 for the period 1-12-04 through 1-16-04 in the amount of \$838,586.06; approve Handwrite Nos. 755090 through 755093 and Warrant Nos. 755094 through 755252 for the period 1-19-04 through 1-23-04 in the amount of \$2,719,593.94; for a total Warrant Register of 3,558,180.00.

Payroll Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to approve Warrant Nos. 313313 through 313380 and Automatic Deposit Advises 128690 through 128870 for the period 1-5-04 through 1-18-04 in the amount of \$273,230.69; for a total Payroll Register of \$273,230.69.

E. Final Map and Subdivision Improvement Agreement - Tract 16215 (SCC Verano, LLC)

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

1. Approve the Final Map for Tract 16215 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved amended tentative map.
2. Authorize the Mayor to execute the Subdivision Improvement Agreement.
3. Authorize the City Engineer to execute the Final Map.
4. Authorize the City Clerk to execute, and submit for recordation, the Final Map with the County of Orange Recorder's Office.

F. **Contract Award - Linda Lane Street Reconstruction**

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

1. Approve the plans and specifications for the Linda Lane Street Reconstruction, Project No. 12104.
2. Approve, and authorize the Mayor to execute, Contract C04-07 by and between the City of San Clemente and Orion Contracting, Inc., providing for the Linda Lane Street Reconstruction, Project No. 12104, in the amount of \$72,432.
3. Authorize the City Engineer to execute Change Orders, as needed, in an amount not to exceed the contingency amount of \$14,878.

G. **Final Map and Subdivision Improvement Agreement - Tract 16368 (Standard Pacific Corporation in the Talega Development)**

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

1. Approve the Final Map for Tract 16368 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved tentative tract map.
2. Approve, and authorize the Mayor to execute, the Subdivision Improvement Agreement.
3. Authorize the City Engineer to execute the Final Map.
4. Authorize the City Clerk to execute, and submit for recordation, the Final Map with the Orange County Recorder's Office.

H. **Final Map and Subdivision Improvement Agreement - Tract 16519  
(Standard Pacific Corporation in the Talega Development)**

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

1. Approve the Final Map for Tract 16519 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved tentative tract map.
2. Authorize the Mayor to execute the Subdivision Improvement Agreement.
3. Authorize the City Engineer to execute the Final Map.
4. Authorize the City Clerk to execute, and submit for recordation, the Final Map with the Orange County Recorder's Office.

I. **Final Map and Subdivision Improvement Agreement - Tract 16411  
(Talega Technology Park, Inc.)**

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

1. Approve the Final Map for Tract 16411 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved amended tentative map.
2. Authorize the Mayor to execute the Subdivision Improvement Agreement.
3. Authorize the City Engineer to execute the Final Map.
4. Authorize the City Clerk to execute, and submit for recordation, the Final Map with the County of Orange Recorder's Office.

J. **Final Map and Subdivision Improvement Agreement - Tract 16369  
(Standard Pacific Corporation in the Talega Development)**

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

1. Approve the Final Map for Tract 16369 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved tentative tract map.
2. Authorize the Mayor to execute the Subdivision Improvement Agreement.
3. Authorize the City Engineer to execute the Final Map.
4. Authorize the City Clerk to execute, and submit for recordation, the Final Map with the Orange County Recorder's Office.

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

D. **Contract Award - Downtown Visioning and Strategic Planning Services**

City Clerk Erway advised that a memorandum from City Planner Buell has been placed on the dais that identifies minor changes to the proposed contract.

In response to Council inquiry, Staff verified that the recommended contractor (Moore Iacofano Goltsman) is aware that the geographic area to be addressed could extend to the North Beach area.

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

1. Approve, and authorize the Mayor to execute, Contract C04-03 by and between the City of San Clemente and Moore Iacofano Goltsman, providing for downtown visioning and strategic planning services, at a cost not to exceed \$179,125.
2. Direct Staff to commence work on the subject project.
3. Appropriate \$179,125 from General Fund unreserved fund balances to Account 001-438-43690 (Planning Administration - Other Professional Services).

6. PUBLIC HEARINGS

A. Conditional Use Permit 03-008, Sprint Wireless Telecommunication Facility at Shorecliffs Mobile Home Park - 3000 Calle Nuevo

Continued Public Hearing to consider an appeal of the Planning Commission's approval of a wireless communication facility consisting of a 38-foot high, 16-inch diameter pole with three panel antennas contained within the pole, and an adjoining storage facility. Both the pole and storage facility are proposed on land zoned private open space (OS-2) adjacent to the northwest corner of the Shorecliffs Mobile Home Park clubhouse. The clubhouse is located at the intersection of Mira Puerta and Mira Adelante in the Shorecliffs Mobile Home Park. The entrance to the Park is located at 3000 Calle Nuevo, the legal description being Parcel 1 of Parcel Map 90-266, Block 272, Pages 30 through 32.

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

Council discussion ensued relative to the following: 1) fact that Sprint did not request City approval to erect the temporary pole; 2) quality of faux trees, such as mono-palms and mono-pines; 3) whether a communications facility at the Shorecliffs Mobile Home Park would provide sufficient coverage for all of Forster Ranch or whether an additional facility would be needed; and 4) feasibility of siting the wireless facility at the County of Orange regional landfill.

City Attorney Oderman responded to legal points raised in a letter from Sprint's attorney, dated January 8, 2004, as follows:

1. The Federal Communications Act that Congress adopted in 1996 does, to some extent, restrict Council's discretion in acting upon the subject application. Specifically, Council cannot prohibit wireless facilities and cannot act in a manner that effectively prevents Sprint, or other similar applicants, from obtaining reasonable coverage. Council can be involved in locational decisions but if it were shown that the Shorecliffs Mobile Home Park is the only site that would enable Sprint to obtain coverage, then that would be a concern in terms of consistency with the Federal Communications Act.

2. Council has discretion with respect to the type and aesthetics of communication facilities, so long as it does not effectively prohibit such structures from being located in the City.
3. Scientific uncertainty exists as to whether or not the electromagnetic fields associated with wireless facilities have health impacts. Congress has indicated that since there is no evidence that such facilities are not safe, all public agencies are prohibited from considering health impacts as a part of its decision-making process.

Mayor Ritschel opened the Public Hearing.

John Bitterly, on behalf of Sprint PCS, stated that Sprint has prepared an alternative analysis as previously directed by Council, and found that the current site is the only feasible location with regard to signal coverage and access; reported that the subject location will provide over 80% of needed coverage, but noted that a second site may be needed at a later date to complete coverage in Forster Ranch; commented that the mock-up was constructed for demonstration purposes and opined that it confirms the accuracy of the photo simulations (copies of which were distributed for the record); stated the Design Review Subcommittee had concerns about the design, but believed that architectural solutions may be available, such as installing a clock tower or relocating the tower to the east side of the clubhouse; suggested that the use of faux trees (mono-pine or mono-palm) could provide a solution, noting that the quality of such trees has improved; suggested the use of faux Canary Island pines, explaining that Sprint would be amenable to a condition of approval that requires that the aesthetics of the tree be reviewed in five or ten years; requested that Sprint's application remain open if Council desires a re-design that requires review by the Design Review Subcommittee; reiterated that the Shorecliffs Mobile Home Park site is the only feasible location for the subject wireless facility, and relayed Sprint's desire to explore design alternatives with the City; responded to Council inquiries.

Michael Shonafelt, attorney representing Sprint PCS, reaffirmed the letter submitted on January 28, 2004 which expresses Sprint's legal position; suggested that three years of analysis has revealed that the Shorecliffs Mobile Home Park location is the least obtrusive site for the facility and asserted that the least obtrusive means of filling a significant need in service gives rise to a prohibition on a denial under Section 332 of the Telecom Act; stated that the Telecom Act also requires local governments to act in an

expeditious manner and requested that Council allow any potential alternatives to be piggy-backed on the pending CUP application.

City Attorney Oderman explained that Council has the discretion to allow a continuance for a re-design with the Applicant's consent; pointed out, however, that under the City Code, any project that is so significantly revised as to essentially constitute a new project must be referred to the Planning Commission for action; stated that the Planning Commission has approval authority over this type of application, provided the decision is not controversial and is not called up for Council review; noted that the Planning Commission has already approved the Shorecliffs Mobile Home Park site and, therefore, it would not be necessary for the Commission to act upon a revised application that involves the same site but includes design revisions to make the structure more aesthetically pleasing.

Gary Lovrien, San Clemente, states he lives adjacent to Shorecliffs Mobile Home Park; suggested that panels could be installed on the City-owned water tank at the end of Calle Reata in lieu of placing a wireless facility at the mobile home park; opined that the proposed pole is not in keeping with the neighborhood and suggested that better sites exist.

Rich Rader, Appellant, stated that all but one member of the Board and residents within the Normandy Ridge Homeowners Association oppose the proposed tower; stated that an attorney informed him that several court rulings have held that the Telecommunications Act was originally designed to ensure that all communities have access to wireless service, and was not intended to accommodate every company that desires to locate antennas within a given area; stated that coverage by other carriers within Forster Ranch is excellent and, consequently, the City has met the requirements of the Federal Communications Act; suggested that the proposed site is inadequate since it will be necessary to erect an additional communications tower; stated that his property is located 427' from the proposed tower and other homes are located even closer to the facility; stated that some of the mobile homes are located within 50' of the cell tower.

Sue Lally, speaking on behalf of Hal Book, commented that she has lived in the Shorecliffs Mobile Home Park for two years and was elected to the Board in November 2003; commented on the high cost associated with maintaining the mobile home park and pointed out that many persons support the tower since it will enhance cell coverage.



Rich Beigle, San Clemente, pointed out that Staff recommended that the Planning Commission approve the proposed application and all but one Planning Commissioner voted in favor of the site; questioned the rationale for Staff's current recommendation for denial.

Associate Planner Luna responded that the installation of the mock antenna demonstrated to Staff that the facility would have a negative aesthetic impact.

In response to Council inquiry, Mike Bell, President of the Shorecliffs Mobile Home Park, stated that the Park's CC&Rs do not prohibit the placement of an antenna on the Park's property.

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

During the ensuing discussion, City Attorney Oderman stated that Council needs to make a determination based upon substantial evidence in the record; commented that a professional study does not exist that questions the coverage study provided by the Applicant and, therefore, there is no substantial evidence to justify a denial based upon the possibility that another location may better serve the area. In response to Council inquiry, City Attorney Oderman confirmed that it would be appropriate to request that the Applicant investigate another site if one is identified and there is reason to believe that it is available and could serve the intended purpose.

Following discussion, MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER DOREY, CARRIED 5-0, to direct the Applicant to process alternative designs (e.g., redesigned clock tower and faux palm and pine trees) through the Design Review Sub-Committee. Council requested that the Applicant concurrently consider the possibility of situating the antenna at the County landfill site as well as other locations on the Shorecliffs Mobile Home Park property. All designs are to be brought back to Council.

### **MEETING RECESSED**

Council recessed at 8:45 p.m. and reconvened at 8:50 p.m., with all members present.

B. Tentative Parcel Map 2002-233, Wolf Condominiums - 103 Alameda Lane

Continued Public Hearing to consider a request to allow a one lot subdivision for condominium purposes for a previously approved duplex currently under construction at 103 Alameda Lane, the legal description being Lot 2, Block 10 of Tract 785.

Associate Planner Orduna reviewed the contents of the Administrative Report and narrated a powerpoint presentation entitled "TPM 2002-233, Wolf Condominiums, 103 Alameda Lane", a copy of which is on file with the City Clerk.

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

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to adopt Resolution No. 04-06 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 2002-233, WOLF CONDOMINIUMS, A REQUEST TO ALLOW A CONDOMINIUM CONVERSION FOR TWO RESIDENTIAL DWELLING UNITS AT 103 ALAMEDA LANE, with the inclusion of an additional condition to require that prior to the recordation of the final map, the owner or designee shall complete the improvements approved under CUP 03-071/CHP 03-078.

7. UNFINISHED BUSINESS

None.

8. NEW BUSINESS

A. San Clemente Beach Sand Nourishment Policy

Report from the Beaches, Parks and Recreation Director concerning the possibility of approving a San Clemente Beach Sand Nourishment Policy.

Marine Safety Captain Humphreys reviewed the contents of the Administrative Report.

Chris Webb, Moffat & Nichols Engineering, responded to Council queries relating to the method by which the placement rate figures in Section 6.6 of the proposed policy were determined, availability and quality of sand from both opportunistic as well as dedicated sources; typical sand quality associated with various locales; and the fact that the State, in lieu of having a formal policy on grain size, defers to the Army Corps of Engineers' policy which requires that the percentage of fines at the location of placement not be exceeded by more than 10%.

Chuck Hauswirth, San Clemente, stated that he has attended four Coastal Advisory Committee meetings to date and is impressed with the quality of the Committee's work.

MOTION BY COUNCILMEMBER EGGLESTON, SECOND BY COUNCILMEMBER DOREY, CARRIED 5-0, to approve Policy No. 702-3 entitled "San Clemente Beach Sand Nourishment".

B. Contract Amendment - Water Reclamation Plant Land Outfall Pipeline Review

Report from the Public Works/Economic Development Director concerning a proposed amendment to the Water Reclamation Plant Land Outfall Pipeline Review project.

Senior Civil Engineer Rebensdorf narrated a powerpoint presentation entitled "Corrosion Evaluation of WRP Land Outfall", a copy of which is on file with the City Clerk.

John Barnes, from RBF, continued the presentation, focusing on findings and rehabilitation recommendations.

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

1. Approve, and authorize the Mayor to execute, Amendment No. 1 to Contract C03-32 by and between the City of San Clemente and RBF Consulting, relating to the Water Reclamation Plant (WRP) Land Outfall Pipeline Review, Project No. 13605, for an additional cost not to exceed \$43,020.
2. Approve a supplemental appropriation of \$50,000 to Account 054-476-45300-000-13605, Sewer Fund Depreciation Reserve, Improvements Other Than Buildings, within the Sewer Fund for WRP Land Outfall Pipeline Review, Project 13605.

9. ORAL COMMUNICATIONS (PART TWO)

None.

10. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

(1). **FY 2003-04 2<sup>nd</sup> Quarter Report**

Finance and Administrative Services Director Gudgeirsson narrated a powerpoint presentation entitled "FY 2003-04 Mid-Year Financial Report", a copy of which is on file with the City Clerk.

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

1. Approve the FY 2003-04 2<sup>nd</sup> Quarter Report.
2. Approve and authorize the recommended mid-year adjustments detailed in the FY 2003-04 2<sup>nd</sup> Quarter Report.

(2). **Consideration of Scheduling Joint Meeting**

Council scheduled a Joint Meeting between the Council and the City's Commissions and Committees for March 30, 2004.

C. **City Attorney**

None.

D. Council Members

(1) Orange County Division, California League of Cities Issues.

Mayor Ritschel reported that the next General Meeting will be held February 12, 2004 at the Laguna Hills Community Center, noting that Assemblyman Todd Spitzer will speak at that meeting.

(2) Council Position on Legislative Issues.

None.

(3) Orange County Fire Authority Status Update.

Mayor Ritschel reported that the OCFA Board of Directors will conduct a Special Meeting on February 26, 2004, explaining that agenda items include the mid-year budget update, financial forecast, and status of Proposition 172 issues.

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

Councilmember Dahl reminded citizens that the Wag-a-Thon will be held on March 13, 2004; expressed appreciation to the shelter staff and volunteers and urged citizens to consider adopting an animal.

(5) Transportation Corridor Agencies Status Report.

Councilmember Dahl provided a status report on the consolidation effort and reported that the Draft EIR for the Foothill/South Transportation Corridor is expected to be available in March 2004.

(6) Integrated Waste Management District Report.

None.

(7) Councilmember Items.

Steed Park

Council noted that positive feedback has been received about operations at Steed Park.

Early Voting at City Hall

City Clerk Erway reported that registered voters in Orange County can cast early votes for the March 2, 2004 election by visiting City Hall on weekdays from 8:00 a.m. to 5:00 p.m. from now through February 20, 2004.

11. RESOLUTIONS/ORDINANCES

A. Ordinance No. 1287 (Second Reading) - Authorization for Lifeguards to Close the Beach and/or Ocean Area When Public Safety Requires

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adopt Ordinance No. 1287 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 12.32, BEACHES AND PIERS, TO AUTHORIZE THE SAN CLEMENTE LIFEGUARDS TO CLOSE THE BEACH AND/OR OCEAN AREA WHEN PUBLIC SAFETY REQUIRES.

CLOSED SESSION

None.

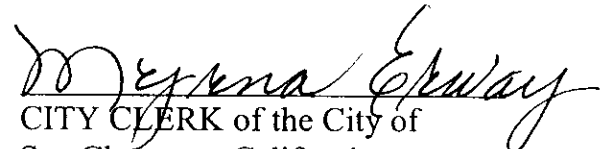
**MEETING RECESSED**

Council recessed to a meeting of the Redevelopment Agency at 9:48 p.m. and reconvened at 9:50 p.m., with all members present.

12. **ADJOURNMENT**

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER EGGLESTON, CARRIED 5-0, to adjourn at 9:50 p.m. to an Adjourned Regular Meeting to be held on February 10, 2004 at 6:30 p.m. in Community Development Conference Room A, located at 910 Calle Negocio, San Clemente, for the purpose of conducting a workshop on the Vital Few Priorities.

The next Regular Meeting will be held on February 17, 2004 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