

CITY OF SAN CLEMENTE

City Council Minutes

Regular Meeting - October 18, 2005

A Regular Meeting of the San Clemente City Council was called to order on October 18, 2005 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

MEETING RECESSED – LACK OF CLOSED SESSION

There being no Closed Sessions to be conducted, City Clerk Erway recessed the meeting to 7:00 p.m.

MEETING CONVENED

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

PRESENT DAHL, EGGLESTON, RITSCHER, MAYOR ANDERSON

ABSENT NONE

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

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INVOCATION

Lt. Ron Kennedy, Navy Chaplain Corps, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Anderson led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Red Ribbon Week Proclamation**

Mayor Anderson presented a proclamation to Jan Sener, Janet Dunford and Leslie Haight, of Police Services Crime Prevention, declaring October 23-30, 2005 as Red Ribbon Week.

B. **Commendation - Lee Steelman**

Mayor Anderson presented a commendation to Lee Steelman in recognition of 26 years of volunteer service as Executive Director of the South Orange County Community Services Council.

C. **Measure M Presentation**

Monte Ward, Director of Special Projects of the Orange County Transportation Authority, narrated a powerpoint presentation entitled "Measure M: Your ½-Cent Sales Tax for Transportation at Work". A hard copy of Mr. Ward's presentation, dated October 18, 2005, is on file with the City Clerk.

Mary McMenamin, San Clemente, expressed support for Measure M inasmuch as she feels it is a much-needed funding source for Orange County's transportation needs.

Peter van Nuys, San Clemente, voiced concern that the I-5 is congested and getting worse; asserted that the 241 Tollroad will do little, if anything, to relieve freeway traffic; commented that CalTrans has drafted plans to add two lanes in each direction on the I-5, but little is heard about those plans because the TCA's "non-compete" requirement makes it difficult for CalTrans to promote its projects; requested that the improvement of the I-5 through South County, and San Clemente in particular, be added to OCTA's project list.

2. MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER RITSCHER, CARRIED 4-0, to waive reading in full of all Resolutions and Ordinances.

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

None.

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

Bert Abley stated that he resides on Calle de los Alamos, directly next to the beach access; stated that the City surveyed the access a few months ago in connection with its plans to install railings on the access steps; conveyed his belief that a portion of the path is located on his property; explained that he does not object to the plan to install railings, but opposes any encroachment onto his land.

Council requested that the City Manager review the survey and communicate with Mr. Abley to ensure that the access does not encroach onto Mr. Abley's property.

5. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to approve the Consent Calendar with the removal of Item 5-B(2).

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to approve the City Council minutes of September 20, 2005.

B. MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to receive and file:

- (1) Planning Commission minutes of October 5, 2005.

C. Warrant Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to approve Wire Transfers Nos. 348 through 350 and Warrant Nos. 770153 through 770326 for the period 9-19-05 through 9-23-05 in the amount of \$1,552,393.07; approve Warrant Nos. 770327 through 770479 for the period 9-26-05 through 9-30-05 in the amount of \$408,153.50; for a total Warrant Register of \$1,960,546.57.

Payroll Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to approve Warrant Nos. 316838 through 316905, Automatic Deposit Advises 137114 through 137318, for the period 9-12-05 through 9-25-05 in the amount of \$342,518.62; for a total Payroll Register of \$342,518.62.

D. Supplemental Funding Appropriation - Fire Station #59

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to:

1. Approve a supplemental appropriation of \$113,000 from the Public Facilities Construction Fund/Public Safety Construction Fee Fund to Account 030-818-45300-000-13002 to pay for outstanding and future change orders related to replacement Fire Station #59.
2. Approve, and authorize the City Manager to execute, additional change orders, as needed, in an amount not to exceed the contingency of \$113,000.
3. Approve a supplemental appropriation of \$25,995 from the Public Facilities Construction Fund/Public Safety Construction Fee Fund to Account 030-818-45300-000-13002 to provide for additional architectural and engineering services required during the remainder of construction related to replacement Fire Station #59.
4. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract C02-64, by and between the City of San Clemente and RRM Design Group, providing for architectural and engineering services during construction, increasing the cap on total payments by \$25,995, not to exceed a total of \$304,660.47.

E. **Contract Award - Aeration System Replacement and Odor Control Improvements**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to approve, and authorize the Mayor to execute, Contract C05-61 by and between the City of San Clemente and Carollo Engineers, providing for aeration system replacement and odor control improvements, Project Nos. 15201 and 18604, in the amount of \$180,800.

F. **Final Parcel Map 2003-213 - Rancho San Clemente Industrial Park**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to:

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

G. **La Pata/Vista Hermosa Park - Award of Design Services**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to:

1. Approve, and authorize the Mayor to execute, Contract C05-62 by and between the City of San Clemente and David Volz Design (DVD) relating to design services in connection with the La Pata/Vista Hermosa Park, in the amount of \$2,094,442.
2. Direct Staff to issue a Notice to Proceed to DVD for intermediate design work, in the amount of \$623,424.
3. Direct Staff to bring back to the Parks and Recreation Commission and Council a revised Scope of Work and fee breakdown at the end of the intermediate plans stage.

H. **Initiation of General Plan and Specific Plan Amendments - City-Owned Property North of Avenida Vista Hermosa and West of Avenida La Pata**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to direct Staff to commence work on Specific Plan and General Plan Amendments that will result in the highest and best use(s) in the subject vicinity.

I. **Marine Monument Dedication - Request for Street Closures**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to:

1. Approve the street closures for the Marine Monument dedication special event to be held on November 12, 2005 as identified in the Administrative Report, which is on file with the City Clerk's Department.
2. Approve the transfer of \$1,000 from Council Contingency Reserve (Account 001-203-44900) to Contract Police Services (Account 001-218-43625) for overtime for Police Services.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

B(2). **Zoning Administrator meeting minutes of October 5, 2005.**

Council referenced Minor Cultural Heritage Permit 05-093, which is a request to allow façade modifications to an existing residential duplex being converted to a single-family residence at 318 Avenida Del Mar; stated that the Zoning Administrator meeting minutes indicate that the Applicant, shortly before the meeting, requested that a three-car garage be approved instead of a two-car garage; stated that the Zoning Administrator ultimately determined to approve the project with a two-car garage; asserted that the City should allow three car garages in congested areas unless there are overriding reasons to not permit a three-car garage.

MOTION BY MAYOR PRO TEM EGGLESTON, SECOND BY COUNCILMEMBER RITSCHER, CARRIED 4-0, to receive and file the Zoning Administrator meeting minutes of October 5, 2005.

6. **PUBLIC HEARINGS**

None.

7. **UNFINISHED BUSINESS**

None.

8. **NEW BUSINESS**

A. **800 MHz In-Building Ordinance**

Report from the Assistant City Manager concerning building regulations relating to public safety radio system coverage.

Purchasing/Budget Officer Elston reviewed the contents of the Administrative Report.

Lt. Hunt and Chief Dave Pierce responded to Council's technical inquiries. During the course of discussion, Building Official Jorgensen stated that the Orange County Communications staff indicated that it would cost a property owner approximately \$10,000 to install an amplification system within an average size four-story wooden apartment building.

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM EGGLESTON, CARRIED 4-0, to introduce Ordinance No. 1306 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING THE SAN CLEMENTE MUNICIPAL CODE BY ADDING A NEW CHAPTER 8.80, ENTITLED BUILDING REGULATIONS, REGARDING PUBLIC SAFETY RADIO SYSTEM COVERAGE.

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

None.

10. **REPORTS**

A. **Commissions and Committees**

- (1) **Consideration of Scheduling a Joint Council, Commissions and Committees meeting on November 29, 2005.**

Council determined to not schedule a Joint Council, Commissions and Committees meeting on November 29, 2005.

B. City Manager

None.

C. City Attorney

None.

D. Council Members

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

None.

(2) Council Position on Legislative Issues.

None.

(3) Orange County Fire Authority Status Update.

Chief Dave Pierce reported on the joint effort between the OCFA, Orange County Sheriff's Department, and various cities, to implement regional citizen preparedness academies and citizen emergency response teams (CERT); commented that he has been working to finalize the reimbursement process for the Urban Search and Rescue Team's assistance in New Orleans.

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

Councilmember Dahl reported on animals available for adoption at the San Clemente-Dana Point Animal Shelter; expressed appreciation to the shelter volunteers, staff and veterinarians; stated that a Tail of Two Cities will be held on November 5, 2005.

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

Councilmember Dahl reported that the Public Hearing on the Foothill/South Transportation Corridor has been postponed until December 2005 or January 2006.

(6) **Councilmember Items.**

Councilmember Ritschel stated that she taped a segment for the Mission Viejo local cable channel with Mission Viejo Mayor Patricia Kelley relating to Measure M and OCTA; expressed willingness to schedule Measure M presentations for any service organization that desires such a presentation.

Mayor Anderson stated that he attended the Economic Forecast this morning that was sponsored by the Orange County Business Council and presented by the School of Business from Cal State Fullerton; advised that the City Manager's Office will circulate copies of the Economic Forecast to Council.

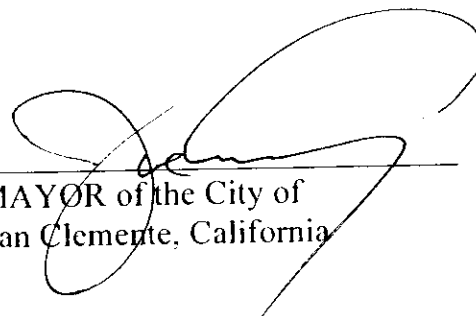
11. **RESOLUTIONS/ORDINANCES**

None.

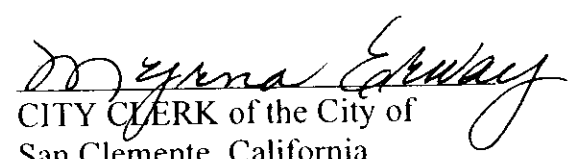
12. ADJOURNMENT

Council adjourned at 8:15 p.m. in memory of Brian E. Dunlap, a Camp Pendleton firefighter who was called back to action and killed in Iraq on September 24, 2005.

The next Regular Meeting will be held on November 1, 2005 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.



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California