

CITY OF SAN CLEMENTE

City Council Minutes

Special City Council Meeting - June 26, 2019

A Special Meeting of the San Clemente City Council was called to order on June 26, 2019 at 1:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Pro Tem Bane.

PRESENT FERGUSON, HAMM, WARD, MAYOR PRO TEM BANE

ABSENT NONE

STAFF PRESENT Erik Sund, Assistant City Manager; Mal Richardson, Assistant City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

Councilmember Hamm led the Pledge of Allegiance.

1. **FY 2019-20 Police Services Contract**

Report from the Assistant City Manager concerning the proposed Police Services contract for FY 2019-20.

Management Analyst Johnston reviewed the contents of the Administrative Report.

Brad Malamud, San Clemente, urged that the City explore ways to find \$2 million to fund six new Deputies.

Aimee Berberet, San Clemente, addressed the need for additional Police presence to prevent crimes; spoke in support of a homeless shelter that meets only minimal requirements, adding that San Clemente is too small to bear the impacts of a large shelter.

Dawn Urbanek, San Clemente, urged Council to approve the Police contract, noting that elected officials are responsible for public safety; urged Councilmembers to work together to effect positive change.

Christina Selter, San Clemente, stated that the addition of two Deputies and one Crime Prevention Specialist is a good start, but stressed that more law enforcement professionals are needed.

Susan Nelson, San Clemente, urged Council to not make budget reductions from Code Enforcement.

Gene James, San Clemente, recommended that Council examine potential budget cuts, and revenue increases, to fund enhanced Police services.

Ken Nielsen, San Clemente, suggested that additional Deputies could be funded through an increase in the City's Transient Occupancy Tax, adding that supermajority support could be obtained if the tax is earmarked for Police services; suggested that additional funding could be obtained through reductions in City staff and revenue from increased parking citations.

Don Brown, San Clemente, noted that the addition of five new Deputies would cover a new patrolling area; commented on the challenges associated with obtaining supermajority support for a Transient Occupancy Tax measure that is earmarked for a specific purpose; stated that Councilmembers need to work together to govern effectively.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER WARD, CARRIED 4-0, to:

1. Approve, and authorize the Mayor Pro Tem to execute, Contract C19-50, by and between the City of San Clemente and the County of Orange, providing for Police Services for the 2019-20 fiscal year, in the amount of \$16,345,966.
2. Approve a budget transfer in FY2019-20 for a total of \$87,000 to General Fund Account 001-218-43625 (Police Contract Services) with \$37,000 funded from Account 001-218-48630 (PERS Liability) and \$50,000 funded from Account 001-617-45700 (Major Maintenance – Facilities).
3. Approve and authorize a supplemental appropriation in FY2019-20 in the amount of \$40,000 to Account 002-217-43625 (Police Contract Services) from the Police Services Grant Fund Unassigned Fund Balance.
4. Approve and authorize a supplemental appropriation in FY2019-20 in the amount of \$267,000 to Account 001-218-43625 (Police Contract Services) from the General Fund Unassigned Fund Balance.

2. **ORAL COMMUNICATIONS**

Funding for Additional Sheriff Deputies

Brad Malamud, San Clemente, stated that additional Deputies are needed immediately and recommended that Council demand budget reductions from City departments.

Gene James, San Clemente, opined that budget efficiencies should be part of a continual improvement process; recommended an independent study to determine where budget cuts can be made.

Don Brown, San Clemente, urged that Council require Staff to find cost reductions to fund a specific number of Deputies, as opposed to requiring Staff to reduce their budgets by a specified percentage.

Rules for Transitional Camps

Maura Mikulec, Capistrano Beach, opined that the ordinance that Council introduced concerning rules for transitional camps is discriminatory against camp residents; voiced concern that rule violations could lead to incarceration, adding that substance-dependent individuals lose their tolerance for drugs while incarcerated and, consequently, may overdose upon release.

3. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

Letter to Supervisor Bartlett Concerning Cost Increases to the Orange County Sheriff's Contract

Councilmember Hamm noted that the City of Mission Viejo sent a letter to Supervisor Bartlett which expressed concerns about cost increases to the Orange County Sheriff's Department contract; requested that Mayor Pro Tem Bane send a similar letter to Supervisor Bartlett on behalf of the City of San Clemente.

Possibility of Opposing AB 1912 (Gonzales) - Joint Powers Agencies' Unfunded Pension Liabilities

Councilmember Ward suggested that Mayor Pro Tem Bane review, and possibly sign, the California League of Cities' letter opposing AB 1912 (Gonzales); voiced concern that the subject legislation would place responsibility for a Joint Powers Agency's unfunded pension liabilities on cities that are members of the Agency.

Possibility of Supporting HR 2995 (Levin) - Spent Fuel Prioritization Act

Mayor Pro Tem Bane reported that Congressman Levin has introduced HR 2995, the Spent Fuel Prioritization Act; suggested that the City examine the bill and take a support position if it is determined that the legislation would be beneficial for the City.

Inclusion of San Clemente Pier on Heal the Bay's Beach Bummer List

Mayor Pro Tem Bane noted that the San Clemente Pier was listed on Heal the Bay's Beach Bummer List; requested that information be posted on the City's website to inform the public about the root cause of the pollution problem and remedial steps being taken by the City.

Funding for Enhanced Police Services

Mayor Pro Tem Bane noted that the Orange County Sheriffs Department is conducting a service level needs assessment for its 13 contract cities, which is expected to be complete by the end of the calendar year. Council discussion ensued relative to whether potential budget reductions and revenue enhancement opportunities should be investigated at this time to fund additional Deputies. Following deliberations, Council directed Staff to identify sources (such as using the remaining funds that were allocated for the Memorial Care litigation) to fund an additional Deputy as part of a mid-year budget adjustment.

Public Input Opportunities into City Budget

Councilmember Ferguson opined that the public should be afforded additional opportunities to provide input into the City budget and Long Term Financial Plan; suggested that the Vital Few Priorities workshop be reinstated.

Possible Expansion of the Subcommittee on Homelessness

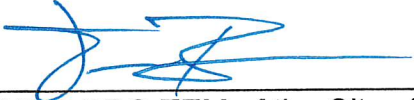
Councilmember Ferguson suggested that the Subcommittee on Homelessness be expanded to include additional members and goals. Council indicated that Councilmember Ferguson and Mayor Pro Tem Bane (who constitute the Subcommittee on Homelessness) can expand the Subcommittee without Council approval, provided that Council created the Subcommittee as a standing committee as opposed to being created for the sole purpose of planning the Community Town Hall on homeless issues. Council directed the City Clerk to research the record to determine whether the Subcommittee was established as a standing or ad hoc body. If the Subcommittee was established for the sole purpose of facilitating the Community Town Hall, the possibility of expanding the membership/scope of the Subcommittee on Homelessness is to be agendized for Council consideration at its meeting of August 20, 2019. *[Note: Subsequent to the June 26, 2019 Council meeting, Staff confirmed that Council established the Subcommittee on Homelessness for the purpose of planning the Community Town Hall that took place on June 12, 2019. Consequently, the issue of expanding the membership/scope of the Subcommittee on Homelessness will appear on the City Council agenda for August 20, 2019.]*

4. ADJOURNMENT

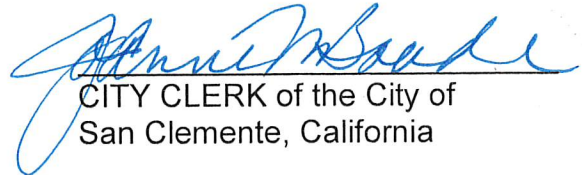
MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER FERGUSON, CARRIED 4-0, to adjourn at 1:59 p.m.

The next Regular Council Meeting will be held on **August 20, 2019** in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. and the regular business meeting will take place at 6:00 p.m.

NOTE: Council previously cancelled its Regular Meetings of July 2, 2019 and August 6, 2019. In addition, it tentatively cancelled its Regular Meeting of July 16, 2019, with the understanding that that meeting could be reinstated if deemed necessary.



MAYOR PRO TEM of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California