



CITY OF SAN CLEMENTE

SPECIAL AND REGULAR CITY

COUNCIL

MEETING AGENDA

Meeting Date: July 7, 2020

Meeting Time: 4:30 p.m. – Closed Session

6:00 p.m. - Business Meeting

THIS CITY COUNCIL MEETING WILL BE CONDUCTED VIA TELECONFERENCE.

Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.

Public Participation in City Council Meeting During Coronavirus Pandemic

To help prevent the spread of the coronavirus, this meeting will be held via teleconference, pursuant to the Governor's Executive Orders N-25-20 and N-29-20. All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING:

Citizens are invited to view to the meeting via live stream from the City's YouTube channel at www.san-clemente.org/live or live on Cox Communications Local Access Channel 854.

HOW TO PARTICIPATE BEFORE AND DURING THE MEETING:

Citizens can submit their comments on agenda items to Council electronically. Material may be emailed to Campagnolol@san-clemente.org Transmittal by 4:00 p.m. on Council meeting days is recommended. Comments must indicate by item title or number the agenda item to which they apply, or indicate that they are to be read during the general "oral communications" portion of the meeting. Emails lacking that indication will be forwarded to the City Council's general email accounts. Depending on the number of comments submitted on a particular item and the total amount of time allocated for the Council meeting, the Council may, at the beginning of its deliberation of an item, limit equally the time allocated for each comment.

MISSION STATEMENT

The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:

Maintaining a safe, healthy atmosphere in which to live, work and play;

Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;

Providing for the City's long-term stability through promotion of economic vitality and diversity...

Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow's needs.

CLOSED SESSION (4:30 P.M.)

A. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code section 54957
Title: Interim City Manager

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code section 54956.8

Property: 654 Camino de los Mares (San Clemente hospital)
Agency Negotiator: City Manager, Assistant City Manager, City Attorney, and Steven Rousso
Negotiating Parties: City of San Clemente and Memorial Health Services and Saddleback Memorial Medical Center and/or their authorized agent(s)
Under Negotiation: Consideration of Proposals for Interim or Long Term Acquisition or Lease
[\(Settlement Agreement\)](#)

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing litigation pursuant to Government Code section 54956.9(d)(1)
Number of Cases: 1

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor Agency and County of Orange
Case Number: 30-2017-00934703-CU-PT-CXC

D. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representative: Assistant City Manager
Unrepresented employees: All Employees
Employee organization: San Clemente City Employees Association

Closed Session items continued on following page

E. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)
Number of potential cases: 2

BUSINESS MEETING (6:00 P.M.)

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Special Presentations.

A. **Toll Road Update**

B. **Update on Homeless Issue**

C. **Monthly Financial Report – May 2020** Pages 1C-1 through 1C-2

2. Oral Communications (Part 1). Members of the public who wish to provide comments to Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may email their comments to Campagnolo@san-clemente.org for reading during the Oral Communications portion of the agenda. Transmittal by 4:00 p.m. on Council meeting days is recommended. Emails will be read publicly at the meeting up to the allotted time limit of 3 minutes per person. Individuals may provide comments to be read during either Oral Communications Part 1 or Part 2.

3. Motion waiving reading in full of all Resolutions and Ordinances.

4. Consideration of agenda items requiring immediate action. Any items agenda items will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

5. Closed Session Report - City Attorney.

6. **Consent Calendar.** All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.

A. **City Council Minutes**

(1) [Approve the City Council Regular Meeting Minutes of June 2, 2020.](#)

(2) [Approve the City Council Regular Meeting Minutes of June 16, 2020.](#)

B. **Commission/Committee Minutes**

None.

C. **Budget Appropriation for Bridge Maintenance** Page 6C-1

Staff Recommendation

Approve a supplemental appropriation of \$100,000 from the Developers Improvement Fund Bridge Maintenance Reserve to Account 037-869-43420 (Maintenance of Improvements) to provide for bridge maintenance work.

D. **PierPride Electrical System and Light Donation** Pages 6D-1 through 6D-5

Staff Recommendation

1. Direct staff to proceed with a project to expand the Municipal Pier electrical system to support seasonal holiday string lighting at a cost not to exceed \$25,000.
2. Accept, with appreciation, a donation of \$25,000 from PierPride for an expanded Municipal Pier electrical system to Account 014-000-36780-000-00000.
3. Approve a supplemental appropriation of \$25,000 from the Reserve Fund undesignated fund balance to Account 014-811-45300-000-00000 for the expansion of the Municipal Pier electrical system.

- E. [Contract Award – Traffic Signal Installation at Camino Vera Cruz/Costa and Traffic Signal Modification at Camino Vera Cruz/Sarmentoso and Traffic Signal Cabinet and Pedestal Replacements](#) Pages 6E-1 through 6E-161

Staff Recommendation

1. Approve the plans and specifications for the Traffic Signal Installation at Camino Vera Cruz/Costa and Traffic Signal Modification at Camino Vera Cruz/Sarmentoso, Project No. 17347, and FY 2020 Traffic Signal Cabinet and Pedestal Replacements, Project No. 10815.
2. Approve, and authorize the Public Works Director/City Engineer to execute, Contract C20-35, by and between the City of San Clemente and Select Electric, Inc., providing for Traffic Signal Installation at Camino Vera Cruz/Costa and Traffic Signal Modification at Camino Vera Cruz/Sarmentoso, and FY 2020 Traffic Signal Cabinet and Pedestal Replacements, in the amount of \$565,865.

- F. [Parking Agreement Template for Hotel/Motel Parking Program for Alley East of South El Camino Real, Between East Avenida San Gabriel and East Avenida Magdalena](#) Pages 6F-1 through 6F-13

Staff Recommendation

Approve and authorize the Public Works Director/City Engineer to finalize and execute Parking Agreements with San Clemente Travelodge, Hampton Inn & Suites, La Vista Inn, C-VU Motel, and the Inn at Calafia Beach.

- G. [Contract Award – Fiscal Year 2019 and 2020 Sidewalk Repair Program](#) Pages 6G-1 through 6G-20

Staff Recommendation

1. Approve the specifications for the FY 2019 and FY 2020 Sidewalk Repair Program, Project No's. 29305, 29307, and 20306.
2. Approve, and authorize the Public Works Director/City Engineer to execute, Contract C20-36, by and between the City of San Clemente and CT&T Concrete Paving, Inc., providing for the FY 2019 and FY 2020 Sidewalk Repair Program, in the amount of \$332,470.

- H. [Short Term Contract Award – Tree Maintenance Services](#) Pages 6H-1 through 6H-51

Staff Recommendation

1. Approve, and authorize the Public Works Director/City Engineer to execute, Contract C20-37, an agreement by and between the City of San Clemente and Rod's Tree Service to provide tree maintenance services from July 1, 2020 through September 30, 2020 at a cost not to exceed \$87,921.
2. Approve a supplemental agreement contingency amount of \$10,000 for as-needed work only if approved by the Public Works Director/City Engineer.

- I. [Postponement of Joint Council/Commissions/Committees Meeting of September 29, 2020](#) Page 6I-1

Staff Recommendation

Postpone the Joint Council/Commissions/Committees meeting of September 29, 2020 until the State enters Stage 4 of its COVID-19 reopening plan.

- J. [Orange County Transportation Authority \(OCTA\) Grant Submittal and 20% Match for San Clemente Eastern Pico Corridor Runoff Treatment Project](#) Pages 6J-1 through 6J-123

Staff Recommendation

Adopt Resolution No. 20-48 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE SAN CLEMENTE EASTERN PICO CORRIDOR RUNOFF TREATMENT PROJECT.

- K. [Direction to City Staff to Discontinue Work on the Amendment to the General Plan, Zoning Ordinance, Specific Plans, and Local Coastal Program Initiated on January 15, 2020](#) Page 6K-1

Staff Recommendation

Direct City Staff to discontinue work on the amendments to the General Plan, Zoning Ordinance, Specific Plans, and Local Coastal Program initiated on January 15, 2020.

- L. [Contract Award – Water Reclamation Plant \(WRP\) Digester Flare Replacement](#) Pages 6L-1 through 6L-226

Staff Recommendation

1. Approve the Plans and Specifications for the WRP Flare Replacement, Project No. 17203.
2. Approve, and authorize the Utilities Director to execute, Contract C20-38, by and between the City of San Clemente and NEWest Construction Company, Inc., providing for the WRP Flare Replacement, in the amount of \$822,000.

- M. [Proposed Template for Commission/Committee Annual Work Plans and Possibility of Directing Certain Commissions and Committees to Prepare an Annual Work Plan for FY20-21](#) Pages 6M-1 through 6M-4

Staff Recommendation

1. Approve the Annual Work Plan template for use by City Commissions and Committees.
2. Direct all standing City Commissions and Committees (with the exception of the Investment Advisory Committee), to submit a proposed Annual Work Plan for FY20-21 for Council consideration by no later than October 1, 2020.

- N. [Request for Proposal Hospital Facility Partnership Update](#) Pages 6N-1 through 6N-18

Staff Recommendation

Receive and file Administrative Report, dated July 7, 2020, which is on file with the City Clerk.

- O. [Contract Amendment – Pier Bacteria Source Characterization Study](#) Pages 6O-1 through 6O-74

Staff Recommendation

1. Approve a supplemental appropriation in the amount of \$77,874 from the Clean Ocean Operating Fund to Account 057-543-54300-000-18810.
2. Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract C19-05, by and between the City of San Clemente and Wood Environment & Infrastructure Solutions, Inc. This amendment increases the contract amount from \$175,608 to \$253,482, an increase of \$77,874.

- P. [Consideration of Certification of the Proposed Amended and Restated Declaration of Covenants, Conditions and Restrictions \(CC&Rs\) of the Talega Gallery Community Association](#) Pages 6P-1 through 6P-127

Staff Recommendation

1. Approve the Talega Gallery Community Association's amended and restated CC&Rs.
2. Direct Staff to execute the certification form and deliver it to the Talega Gallery Community Association.

- Q. [Parking Agreement – Los Molinos Beer Company](#) Pages 6Q-1 through 6Q-79

Staff Recommendation

Approve, and authorize the Mayor Pro Tem to execute, Contract C20-39, a parking lease agreement, by and between the City of San Clemente and Los Molinos Brewery.

- R. [Direction to City Staff to Discontinue Work on the Amendment to the Rancho San Clemente Specific Plan and the General Plan Amendment to the Rancho San Clemente Specific Plan Area](#) Pages 6R-1 through 6R-2

Staff Recommendation

Direct City Staff to discontinue work on the amendment to the Rancho San Clemente Specific Plan initiated on August 20, 2019 and the General Plan amendment to the Rancho San Clemente Specific Plan area initiated on December 17, 2019.

- S. [Policy and Procedure 201-2-8 - Selection of General Services Contactors](#) Pages 6S-1 through 6S-9

Staff Recommendation

Approve and adopt City Policy and Procedure No. 201-2-8 titled "Selection of General Services Consultants and Contractors".

7. **Public Hearings.** The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

A. [Application for Senate Bill 2 \(SB2\) Permanent Local Housing Allocation \(PLHA\) Program Grant and Approval of the Five-Year Plan](#) Pages 7A-1 through 7A-10

Public Hearing to consider authorizing and application for Senate Bill 2 (SB2) Permanent Local Housing Allocation (PLHA) Program Grant and approval of the five-year plan.

Staff Recommendation

1. Adopt Resolution 20-49 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB2 PERMANENT LOCAL HOUSING ALLOCATION PROGRAM GRANT FUNDS.
2. Accept grant revenues of \$189,040 from the State Department of Housing and Community Development to Account 001-000-33490.
3. Authorize a related budget appropriation in the amount of \$189,040 to Professional Services Account 001-441-43890.

8. **Unfinished Business.**

None.

9. **New Business.**

A. **Warrant Register**

[Approve Wire Transfers Nos. 2255 through 2258, and Warrant Nos. 567390 through 567490, paid on 6/19/20, in the amount of.....\\$ 1,295,243.11](#)

TOTAL WARRANT REGISTER....\$ 1,295,243.11

Payroll Register

Approve Warrant No. 787 through 788, Automatic Deposit Advises 64534 through 64846, for the period of 6/1/20 through 6/14/20, paid on 6/19/20, in the amount of.....\$ 496,680.73

TOTAL PAYROLL REGISTER.....\$ 496,680.73

- B. [Repeal of Chapter 15.64 of the San Clemente Municipal Code Concerning the Avenida La Pata Supplementary Road Fee Program](#)
Pages 9B-1 through 9B-5

Staff Recommendation

Introduce Ordinance No. 1701 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO END THE AVENIDA LA PATA SUPPLEMENTARY ROAD FEE PROGRAM AND REPEAL CHAPTER 15.64 OF THE SAN CLEMENTE MUNICIPAL CODE.

10. **Oral Communications (Part 2).** Members of the public who wish to provide comments to Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may email their comments to Campagnolol@san-clemente.org for reading during the Oral Communications portion of the agenda. Transmittal by 4:00 p.m. on Council meeting days is recommended. Emails will be read publicly at the meeting up to the allotted time limit of 3 minutes per person. Individuals may provide comments to be read during either Oral Communications Part 1 or Part 2.

11. **Reports.**

A. **Commissions and Committees**

- (1) [City Council Appointee to the South Orange County Watershed Management Area \(SOCWMA\) Executive Committee](#) Pages 11A(1)-1 through 11A(1)-63

Staff Recommendation

Appoint an elected official representative and alternate representative to serve on the SOCWMA Executive Committee.

B. **City Manager**

- (1) **Covid-19 Update**
(2) **City Commission/Committee Update**

C. **City Attorney**

D. **Council Members**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

The next Regular Council Meeting is scheduled to take place on August 18, 2020. Closed Session items will be considered at 5:00 p.m. and the Regular Business Meeting will commence at 6:00 p.m.

Please note the City Council meetings of July 21, 2020 and August 4, 2020 were previously cancelled.

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL Citizens can submit their comments on agenda items to Council electronically. Material may be emailed to Campagnolol@san-clemente.org Transmittal by 4:00 p.m. on Council meeting days is recommended. Comments must indicate by item title or number the agenda item to which they apply, or indicate that they are to be read during the general “oral communications” portion of the meeting. Emails lacking that indication will be forwarded to the City Council’s general email accounts. Depending on the number of comments submitted on a particular item and the total amount of time allocated for the Council meeting, the Council may, at the beginning of its deliberation of an item, limit equally the time allocated for each comment.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 854. Meetings are also recorded via audio CD and/or DVD and retained as a City record in accordance with the City’s records retention schedule.

LENGTH OF MEETINGS

At 11:00 p.m. at each meeting, the City Council, by majority vote, will determine whether to continue the meeting or adjourn.

AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

MEETING SCHEDULE

Regular Council Meetings are held on the first and third Tuesdays of each month via teleconference, with Closed Session beginning at 5:00 p.m. and the Business Meeting beginning at 6:00 p.m. Additional meetings of the City Council may be called as needed.

AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS

Agendas and Administrative Reports can be viewed by accessing the City’s website at www.san-clemente.org or by calling the City Clerk’s Office at (949) 361-8200. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection by contacting the City Clerk’s Department (949) 361-8200, during normal business hours.

The City Clerk’s Department also offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, please send an email to cityclerk@san-clemente.org or call 949-361-8200.