



**AGENDA REPORT**  
**SAN CLEMENTE CITY COUNCIL MEETING**  
 Meeting Date: September 1, 2020

Agenda Item 11D1  
 Approvals: \_\_\_\_\_  
 City Manager ES  
 Dept. Head \_\_\_\_\_  
 Attorney \_\_\_\_\_  
 Finance \_\_\_\_\_

**Department:** City Clerk  
**Prepared By:** Joanne Baade, City Clerk/Legislative Administrator *JMB*

**Subject:** **PUBLIC SAFETY COMMITTEE (CONSIDERATION OF EXPANDING MEMBERSHIP TO INCLUDE A REPRESENTATIVE OF THE ORANGE COUNTY FIRE AUTHORITY)**

**Fiscal Impact:** None.

**Summary:** The City Council established a Public Safety Committee on December 3, 2019, which consists of five technical professionals with a public safety background as well as one representative of the Orange County Sheriff’s Department. At the Council meeting of August 18, 2020, Councilmember Ward, with the support of Councilmember James, requested that the possibility of expanding the membership of the Public Safety Committee to include a representative of the Orange County Fire Authority (OCFA) be agendized for the Council meeting of September 1, 2020.

Staff recommends that Council determine at this time whether it wishes to expand the Committee’s membership to include an OCFA representative. Staff further recommends that if an OCFA member is added to the Committee, that it be added as an ex-officio, non-voting member to be appointed by the OCFA Division Chief (Rob Capobianco) to mirror the status of the Orange County Sheriff’s Department representative to the Committee. Division Chief Capobianco has expressed an interest in personally serving on the Committee if Council determines to expand the Committee’s membership to include an OCFA representative.

A copy of the Public Safety Committee’s operating regulations, with proposed language to include an OCFA representative, is attached.

**Recommended**

**Action:** THAT Council approve a modification to the Public Safety Committee’s operating regulations to include a representative of the Orange County Fire Authority to serve as an ex-officio, non-voting member of the Public Safety Committee.

**Attachment:** Proposed revised Public Safety Committee Operating Regulations.

**Notifications:** Nicholas Berkuta  
 Joe Janis  
 Rick Loeffler  
 Gary Walsh  
 Lt. Ed Manhart  
 Division Chief Capobianco

## **PUBLIC SAFETY COMMITTEE OPERATING REGULATIONS**

### Establishment - Composition

There is established a Public Safety Committee which shall serve as an ad-hoc committee and consist of seven (7) members. The City Council shall appoint five technical professionals with a public safety background (such as a retired police, fire or marine chief, officer, lifeguard, etc.) to serve on the Public Safety Committee. The Committee shall also consist of one (1) representative of the Orange County Sheriffs Department (OCSD) to be appointed by San Clemente's Chief of Police Services, as well as one (1) representative of the Orange County Fire Authority (OCFA) to be appointed by the OCFA Division Chief assigned to San Clemente. Both the OCSD and OCFA representatives shall serve as ex-officio, non-voting members. Members of the Public Safety Committee need not be residents of San Clemente. Members shall serve an indefinite term until the Public Safety Committee is terminated.

### Function

The Public Safety Committee's functions and duties are to:

- A. Review performance measures and make recommendations to the City Council pursuant to direction provided by the City Council.
- B. Develop an annual work plan with specific goals and objectives for the coming year. The work plan, with recommendations, shall be submitted to the City Council no later than October 1 of each year. The plan shall be submitted in written form for approval at a City Council meeting. Any amendments to the work plan shall require Council approval;
- C. Limit meetings to three hours unless otherwise approved by a majority vote of the Committee plus the concurrence of the primary staff support to the Committee;
- D. Perform such other duties as may be prescribed by the City Council.

### Meetings - Attendance

The Public Safety Committee is an ad hoc committee and shall hold meetings as needed. A Public Safety Committee member who was appointed by the City Council who is absent from three (3) consecutive meetings of the Public Safety Committee, without furnishing to the City Clerk a certificate of illness from a duly practicing physician, or without the authorization of the Public Safety Committee to be absent from three (3) consecutive meetings for good cause, shall, as a result, surrender his or her office on the Public Safety Committee and the office shall be considered vacant.

The Orange County Sheriff's Department representative to the Public Safety Committee may be removed from office at the discretion of the Chief of Police Services if he/she is absent from three (3) consecutive meetings of the Public Safety Committee, without furnishing to the City Clerk a certificate of illness from a duly practicing physician, or without the authorization of the Public Safety Committee to be absent from three (3) consecutive meetings for good cause.

The Orange County Fire Authority representative to the Public Safety Committee may be removed from office at the discretion of the Division Chief assigned to San Clemente if he/she is absent from three (3) consecutive meetings of the Public Safety Committee, without furnishing to the City Clerk a certificate of illness from a duly practicing physician, or without the authorization of the Public Safety Committee to be absent from three (3) consecutive meetings for good cause.

#### Filling of vacancies - Removal of members

Any vacancy occurring in the office of a Public Safety Committee member shall be filled in the same manner as the original appointment. Each member of the Public Safety Committee who is appointed by the City Council shall serve at the pleasure of the City Council and may be removed from office with or without cause by a majority vote of all members of the City Council. The Orange County Sheriff's Department representative shall serve at the pleasure of the Chief of Police Services and may be removed from office with or without cause at the will of the Chief of Police Services. The Orange County Fire Authority's representative shall serve at the pleasure of the Division Chief assigned to San Clemente and may be removed from office with or without cause at the will of the Division Chief.

#### Voting power of members

The members of the Public Safety Committee, with the exception of the OCSD and OCFA non-voting, ex-officio members, shall each have one (1) vote on any matter pending before the committee.

#### Committee subject to state law, etc.

The Public Safety Committee shall be subject to the rules and regulations regarding the conduct of meetings under state and city law, and to the provisions of any ordinance of the City.