



# CITY OF SAN CLEMENTE

## REGULAR CITY COUNCIL

### MEETING AGENDA

**Meeting Date:** December 1, 2020

**Meeting Time:** 5:00 p.m. – Closed Session (\*See Note on Page 2)  
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 the meeting via live stream from the City's YouTube channel at [www.san-clemente.org/live](http://www.san-clemente.org/live) or live on Cox Communications Local Access Channel 854.

#### **HOW TO PARTICIPATE BEFORE AND DURING THE MEETING:**

The public is invited to provide comments to the City Council concerning items appearing on Council meeting agendas, as well as issues not appearing on the agenda during either Oral Communications Part 1 or Part 2. Members of the public are requested to submit their comments by completing the Public Comment Submittal form available from the City's website at [www.san-clemente.org/ccpubliccomment](http://www.san-clemente.org/ccpubliccomment). Users of the on-line portal must indicate whether they wish their comments to be read aloud at a Council meeting, or forwarded to Councilmembers via email. All comments become part of the public record. Comments to be read at Council meetings are limited to a maximum of three minutes per speaker per item and will only be read if they are received prior to the commencement of Council's deliberations on the item to which the comment pertains. Comments received after Council deliberations begin will not be read at the meeting, but will be emailed to Councilmembers after the meeting. Transmittal by 4:00 p.m. on Council meeting days is recommended.

### **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 (5:00 P.M.)**

**\*Note:** A Closed Session will not be held at 5:00 p.m.; however, a Closed Session will be held at the end of the Business Meeting which begins at 6:00 p.m. Please refer to Page 6 of this agenda for Closed Session items to be discussed at that time.

### **BUSINESS MEETING (6:00 P.M.)**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

A. **ELECTION RESULTS, ADMINISTRATION OF OATH OF ALLEGIANCE, AND ELECTION OF MAYOR AND MAYOR PRO TEMPORE**

- (1) [Results of the General and Special Municipal Elections Held on November 3, 2020](#)

Staff Recommendation

Adopt Resolution No. 20-65 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE GENERAL AND SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY ON NOVEMBER 3, 2020, DECLARING THE RESULTS, AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

(2) **Oath of Allegiance - Newly-Elected City Clerk and City Treasurer**

Administration of the Oath of Allegiance to City Clerk-Elect Joanne Baade and City Treasurer-Elect Mark A. Taylor.

(3) **Oath of Allegiance - Newly-Elected Councilmembers**

Administration of the Oath of Allegiance to Councilmembers-Elect Chris Duncan, Gene James and Steven Knoblock.

(4) **Election of Mayor and Mayor Pro Tempore**

The City Clerk will conduct the election for Mayor. The newly elected Mayor will then conduct the election for Mayor Pro Tempore.

1. **Special Presentations.**

A. **Toll Road Update**

B. **City Net Update/Homeless Issue**

This item will be presented at the December 15, 2020 Council meeting.

C. **Monthly Financial Report – October 2020**

This item will be presented at the December 15, 2020 Council meeting.

2. **Oral Communications (Part 1).** Members of the public who wish to provide comments to be read at Council meetings on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may complete the Public Comment Submittal form available on the City's website at [www.san-clemente.org/ccpubliccomment](http://www.san-clemente.org/ccpubliccomment). All comments become part of the public record. Transmittal by 4:00 p.m. on Council meeting days is recommended. Comments 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 agendizing items requiring immediate action.** Any items agendized 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.

None.

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.

None.

8. **Unfinished Business.**

None.

9. **New Business.**

A. **Warrant Register**

Approve Wire Transfers Nos. 2341 through 2342, paid on 11-13-20, and Warrant Nos. 570348 through 570474, paid on 11-13-20 in the amount of.....\$1,738,820.25

Approve Wire Transfers Nos. 2343 through 2346, paid on 11-20-20, and Warrant Nos. 570475 through 570590, paid on 11-20-20 in the amount of.....\$ 705,020.51

TOTAL WARRANT REGISTER.....\$2,443,840.76

**Payroll Register**

Approve Warrant Nos. 809 through 811, Automatic Deposit Advises 67848 through 68111, for the period 11-2-20 through 11-15-20, paid on 11-20-20, in the amount of.....	\$ 486,405.37
TOTAL PAYROLL REGISTER.....	\$ 486,405.37

10. **Oral Communications (Part 2).** Members of the public who wish to provide comments to be read at Council meetings on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may complete the Public Comment Submittal form available on the City’s website at [www.san-clemente.org/ccpubliccomment](http://www.san-clemente.org/ccpubliccomment). All comments become part of the public record. Transmittal by 4:00 p.m. on Council meeting days is recommended. Comments 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**
- B. **City Manager**
- C. **City Attorney**
- D. **Council Members**

12. **Resolutions/Ordinances.**

- A. **[Ordinance No. 1706 \(Second Reading\) – Special Events and Amplified Sound Permits](#)** Pages 12A-1 through 12A-28

Staff Recommendation

Adopt Ordinance No. 1706 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA (I) MOVING SAN CLEMENTE MUNICIPAL CODE CHAPTER 8.72 RELATING TO SPECIAL EVENT PERMITS FROM TITLE 8 (HEALTH AND SAFETY) TO TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) AND AMENDING THE SAME; (II) MOVING SAN CLEMENTE MUNICIPAL CODE SECTION 8.48.080 RELATING TO AMPLIFIED SOUND PERMITS FROM TITLE 8 (HEALTH AND SAFETY) TO TITLE 17 (ZONING) AND AMENDING THE SAME; (III) AMENDING SUBSECTION 8.48.090(C); (IV)

REPEALING SECTION 17.16.190; AND (V) AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

**CLOSED SESSION**

Recess to Closed Session to discuss the following:

**A. 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

**B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)

Number of potential cases: 2

**RECONVENE IN PUBLIC SESSION**

**13. Adjournment.**

The next Regular Council Meeting is scheduled to take place on December 15, 2020. Closed Session items will be considered at 5:00 p.m. and the Regular Business Meeting will commence at 6:00 p.m. The meeting will take place via teleconference.

A subsequent Adjourned Regular City Council Meeting will take place on December 16, 2020 at 5:30 p.m. for the purpose of meeting in joint session with the Planning Commission concerning the Inclusionary Housing Program.

## CITY COUNCIL MEETING PROCEDURES

**PRESENTATION OF WRITTEN MATERIALS TO COUNCIL** The public is invited to provide comments to the City Council concerning items appearing on Council meeting agendas, as well as issues not appearing on the agenda during either Oral Communications Part 1 or Part 2. Members of the public are requested to submit their comments by completing the Public Comment Submittal form available from the City's website at [www.san-clemente.org/ccpubliccomment](http://www.san-clemente.org/ccpubliccomment). Users of the on-line portal must indicate whether they wish their comments to be read aloud at a Council meeting, or forwarded to Councilmembers via email. All comments become part of the public record. Comments to be read at Council meetings are limited to a maximum of three minutes per speaker per item and will only be read if they are received prior to the commencement of Council's deliberations on the item to which the comment pertains. Comments received after Council deliberations begin will not be read at the meeting, but will be emailed to Councilmembers after the meeting. Transmittal by 4:00 p.m. on Council meeting days is recommended.

### **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](http://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 at (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](mailto:cityclerk@san-clemente.org) or call 949-361-8200.