

# CITY OF SAN CLEMENTE

## City Council Minutes

### Special Meeting – March 1, 2021

*These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.*

A Special Meeting of the San Clemente City Council was called to order on March 1, 2021 at 6:02 p.m. by Mayor Ward. The meeting was conducted via teleconference.

**PRESENT** DUNCAN, FERGUSON, JAMES, KNOBLOCK, MAYOR WARD

**ABSENT** NONE

**STAFF PRESENT** Erik Sund, Interim City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

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### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem James led the Pledge of Allegiance.

#### 1. **Waiver of Reading in Full of All Resolutions and Ordinances**

MOTION BY MAYOR PRO TEM JAMES, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

#### 2. **Oral Communications**

City Clerk staff read the following communications, which are on file with the City Clerk:

Michelle Schumacher, communication dated February 28, 2021, commenting on the City's efforts in connection with the toll road and opposing Councilmembers monitoring YouTube Chat activity during Council meetings.

Kristina (last name not provided), communication dated March 1, 2021, alleging that Councilmember Ferguson is being mistreated.

Laura Smith, communication dated March 1, 2021, alleging that Councilmember Ferguson acts in a divisive manner.

Camille Wyatt, communication dated March 1, 2021, urging that YouTube Chat functionality be restored.

Sue Nespor, communication dated March 1, 2021, urging that YouTube Chat functionality be restored.

3. **Policy and Procedure 1201-11 – City Council Meetings and Operating Procedures**

At the request of Mayor Ward, the video from the portion of the January 21, 2020 Council meeting relating to Policy and Procedure 1201-11, was played.

City Clerk staff read the following communication, which is on file with the City Clerk:

Camille Wyatt, communication dated March 1, 2021.

During the course of deliberations, Council considered the below Policy Sections and provided direction as follows:

Section 4.2.5, relating to the Mayor executing all official City documents approved by the City Council. Council noted that this Section requires adherence, but did not modify the Section language.

Section 4.5.1, relating to the Mayor and City Manager setting the agenda in conference. Council considered whether language should be added to this Section to specify that a difference in opinion between the Mayor and City Manager with regard to agenda content should be agendized for Council discussion. Because the Policy as currently written is not proving to be problematic, Council determined to not augment the Section language.

Section 4.7, relating to Closed Sessions. Council debated the pros and cons associated with minutes being taken during Closed Sessions. Council ultimately determined, pursuant to the below motion, to not add a provision to Section 4.7 to specify that minutes shall be taken during Closed Sessions.

MOTION BY COUNCILMEMBER FERGUSON, SECOND BY COUNCILMEMBER KNOBLOCK, **FAILED 2-3** (COUNCILMEMBERS DUNCAN AND JAMES AND MAYOR WARD VOTING NOE) to add a provision to Section 4.7 to specify that minutes shall be taken during Closed Sessions.

Section 4.5.4, relating to two members of the Council being able to agendize an item for a future Council meeting. Council determined to expand this Section to indicate that three affirmative Council votes are needed to direct that a Staff Report be prepared for an item agendized by two members of the Council. Additionally, Council amended the Section, pursuant to the below motion, to specify that items agendized for a future meeting by two members of the City Council shall be agendized under the New Business portion of the agenda and that the names of the Council members who agendized the item shall be identified on the agenda along with the topic title.

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY COUNCILMEMBER FERGUSON, CARRIED 5-0, to direct that Policy 4.5.4 include a provision to state that items agendized for a future meeting by two members of the City Council shall appear on the New Business portion of the agenda and that the names of the Council members who agendized the item shall be identified on the agenda along with the topic title.

Council directed Staff to draft modified language for Policy and Procedure 1201-11 to reflect Council's above directions for Council consideration at its meeting of March 16, 2021.

4. Policy and Procedure 1201-12 – City Council Access to Confidential Documents

City Clerk staff read the following communication, which is on file with the City Clerk:

Dawn Urbanek, communication dated March 1, 2021.

MOTION BY COUNCILMEMBER KNOBLOCK, SECOND BY MAYOR PRO TEM JAMES, CARRIED 5-0, to direct Staff to draft changes to Policy and Procedure 1201-12 (City Council Access to Confidential Documents), for Council consideration at its meeting of March 16, 2021. The revised Policy is to provide that Councilmembers may elect to receive confidential documents via the current CapLinked program, or receive hard copies of confidential documents that include a cover sheet that advises of the Government Code provisions relating to confidentiality obligations and the sanctions that may be imposed for disclosing the information to any other person or entity. Hard copies shall be provided to any Councilmember who requests the material in hard copy form and may be included in sealed envelopes as a component of agenda packets without the necessity for the recipient to sign a pledge of confidentiality as a condition to receiving said documents.

**MEETING RECESSED**

Council recessed at 7:47 p.m. and reconvened at 7:53 p.m., with all members participating.

**5. Consideration of City Council Leadership Decisions and Protocol**

City Clerk staff read the following communication, which is on file with the City Clerk:

Anonymous, communication dated March 1, 2021.

Council discussed protocols to facilitate effective Council leadership. During the course of discussion, individual Councilmembers suggested that the below practices be followed. *Note: The below comments were expressed by at least one Councilmember and do not necessarily reflect Council consensus:*

- Announcements concerning City support or opposition to issues (such as pending bills) should not be announced before Council has taken official positions on the issues.
- Councilmembers should not be interrupted while speaking.
- Confidential Closed Session information must not be divulged.
- Councilmember intervention in matters (such as the field repairs at Steed Park and its impact on Girls Softball) are sometimes warranted to serve the public most effectively.
- It is important for Council to work in a unified and considerate manner.
- Councilmembers are encouraged to ask questions of Staff prior to Council meetings.
- Councilmembers can "call for the question" whenever they believe that it is time to end discussion and vote on a matter.

**Opening of City Hall/Council Meetings to Public**

Council directed Staff to draft a plan for Council consideration at its meeting of March 16, 2021 concerning opening City Hall and Council meetings to the public.

Interim City Manager Sund advised that Staff expects to implement appointment-based meetings with permit applicants in approximately three weeks, noting that the first phase of the plan will involve teleconference meetings that can accommodate mutual viewing of project plans.


**YouTube Chat Functionality During Live Broadcasts of Council Meetings**

Councilmember Ferguson requested, and Mayor Pro Tem James supported, agendaing the topic of YouTube Chat functionality for Council consideration at its meeting of March 16, 2021.

**Adjournment**

MOTION BY COUNCILMEMBER DUNCAN, SECOND BY COUNCILMEMBER KNOBLOCK, CARRIED 5-0, to adjourn at 8:37 p.m. The next Regular Council Meeting will take place on March 2, 2021. 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 be conducted via teleconference and the YouTube Chat feature will be enabled for this meeting.

  
MAYOR of the City of  
San Clemente, California

  
CITY CLERK of the City of  
San Clemente, California