



CITY OF SAN CLEMENTE

REGULAR AND SPECIAL CITY COUNCIL

MEETING AGENDA



San Clemente Community Center Auditorium
100 N. Calle Seville
San Clemente, California
www.san-clemente.org

August 16, 2022
5:00 p.m. – Business Meeting I
6:00 p.m. – Closed Session
6:30 p.m. – Business Meeting II
(Special Meeting)

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

RULES FOR ADDRESSING COUNCIL

- Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.
- If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Community Center Auditorium and turn it in to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an **agendized** item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a **non-agendized** issue will be invited to address Council during the “Oral Communications” portion of the meeting.
- When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Please limit your presentation to three minutes.

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.

BUSINESS MEETING PART 1 (5:00 P.M.)

CALL TO ORDER

INVOCATION – Doug Roland, Student Director, Shoreline Community Church.

PLEDGE OF ALLEGIANCE

ROLL CALL

1. **Motion waiving reading in full of all Resolutions and Ordinances.**
2. **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.
3. **Oral Communications (Part 1).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. Speakers may address Council once during either Oral Communications Part 1 or Part 2. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 11. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

4. **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**

Staff Recommendation

- (1) [Approve the minutes of the Adjourned City Council Meeting of July 19, 2022.](#)
- (2) [Approve the minutes of the Special City Council Meeting of August 6, 2022.](#)

B. **Commission/Committee Minutes**

Staff Recommendation

Receive and file the following:

- (1) [Planning Commission Regular Meeting minutes of June 22, 2022.](#)
- (2) [Zoning Administrator Regular Meeting minutes of June 23, 2022.](#)
- (3) [Golf Course Committee Regular Meeting minutes of May 5, 2022.](#)
- (4) [Beaches Parks and Recreation Regular Meeting minutes of June 14, 2022.](#)
- (5) [Zoning Administrator Regular Meeting minutes of July 21, 2022.](#)
- (6) [Planning Commission Regular Meeting minutes of March 2, 2022.](#)

C. **Warrant Register**

[Approve Wire Transfer Nos.](#)
[2685 through 2686 and Warrant Nos.](#)
[582308 through 582440, paid on](#)
[7-22-22, in the amount of.....](#) \$ 3,030,567.57

[Approve Wire Transfer Nos.](#)
[2687 through 2690 and Warrant Nos.](#)
[582441 through 582651, paid on](#)
[7-29-22, in the amount of.....](#) \$ 3,915,266.30

[Approve Wire Transfer Nos.](#)
[2691 through 2694 and Warrant Nos.](#)
[582652 through 582756, paid on](#)
[8-5-22, in the amount of.....](#) \$ 1,044,886.31

Approve Handwrite Nos. 582950
Wire Transfer Nos. 2695
through 2698 and Warrant Nos.
582757 through 582949, paid on
8-12-22, in the amount of..... \$ 3,174,341.94

TOTAL WARRANT REGISTER.....\$ 11,165,062.12

Payroll Register

Automatic Deposit Advises 79835
through 80141, for the period
7-11-22 through 7-24-22, paid
on 7-29-22, in the amount of.....\$ 484,735.72

Warrant Nos. 873 through 874
Automatic Deposit Advises 80142
through 80451, for the period
7-25-22 through 8-7-22, paid
on 8-12-22, in the amount of.....\$ 478,892.25

TOTAL PAYROLL REGISTER.....\$ 963,627.97

D. **Notice of Completion – Calle Vista Torito Storm Drain Repair**
Pages 4D-1 through 4D-6

Staff Recommendation

1. Accept the Calle Vista Torito Storm Drain Repair, from the contractor, O’Connell Engineering & Construction, Inc., Project No. 22002.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the Calle Vista Torito Storm Drain Repair.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the contractor, O’Connell Engineering & Construction, Inc.

E. **Contract Award – Steed Park Sports Field Lighting Replacement Project** Pages 4E-1 through 4E-99

Staff Recommendation

1. Approve the plans and specifications for the Steed Park Sports Field Lighting Replacement Project, CIP Project No. 12161.

Staff Recommendation Continued on Next Page

2. Approve, and authorize the City Manager to execute, Contract No. C22-46, by and between the City of San Clemente and Musco Sports Lighting, providing for Sports Field Lighting Replacement at Steed Park, in the amount of \$1,694,885.
3. Approve, and authorize the City Manager to execute a purchase order with Musco Sports Lighting for Sports Field Lighting Replacements at Steed Park in accordance with the BuyBoard National Purchasing Cooperative Agreement Contract No. 592-19 (Master Project No. 196290) in the amount of \$1,694,885.

F. [Update to Policy and Procedure 1201-11 \(City Council Meeting and Operating Procedures\)](#) Pages 4F-1 through 4F-11

Staff Recommendation

Approve Policy and Procedure 1201-11 (City Council Meeting and Operating Procedures), effective August 16, 2022, with the modification that Section 4.5.10 be updated to include Oral Communications Part 1 and Part 2.

G. [Declaration of Surplus and Disposition of Retired Fleet Equipment](#) Pages 4G-1 through 4G-2

Staff Recommendation

Declare the vehicles identified on Attachment No. 1 of the Administrative Report dated August 16, 2022 and on file with the City Clerk, as surplus and approve, and authorize Ken Porter Auctions for the public auctioning of City of San Clemente surplus vehicles.

H. [Purchase of a Standby Generator and Electrical Distribution System for the City Hall Building Located at 910 Calle Negocio](#) Pages 4H-1 through 4H-134

Staff Recommendation

Approve, and authorize the Public Works Director/City Engineer to execute, Contract No. C22-49, a purchase order with Caterpillar Inc., providing for a standby generator and related distribution systems, in accordance with the Sourcewell National Purchasing Cooperative Agreement (Contract No. 120617-CAT), in an amount not to exceed \$350,000.

I. [Special Event Permit – World Surfing League Press Conference](#) Pages 4I-1 through 4I-3

Staff Recommendation

Approve the exclusive use of the end of the pier by the World Surfing League for a one-time special event to be held on September 6, 2022.

- J. [Lease Amendment – Communications Site Lease at 721 Avenida Salvador](#) Pages 4J-1 through 4J-7

Staff Recommendation

Approve, and authorize the Mayor to execute, Amendment No. 4 to Contract No. C89-49, a communications site lease agreement, related to the property at 721 Avenida Salvador, by and between the City of San Clemente and San Diego Gas and Electric, for a five-year term with three additional five-year extensions for a total of 20 years.

- K. [Lease Agreement – Communications Site Lease at 5 Avenida La Pata](#) Pages 4K-1 through 4K-29

Staff Recommendation

1. Approve, and authorize the Mayor to execute, Contract No. C22-47, a communications site lease agreement, related to the property at 5 Avenida La Pata, by and between the City of San Clemente and T-Mobile, for a five-year term with three additional five-year extensions for a total of 20 years.
2. Appropriate \$6,500 from the General Fund Unassigned Fund Balance into account 001-631-43425-000-00000 (Maintenance of Landscaping)

5. **Reports. (If the Reports section is not completed by 6:00 p.m., it will be continued at the end of Business Meeting Part 2.)**

A. **Commissions and Committees**

- (1) [Accept the Resignation of Amy Tallakson – Public Safety Committee](#) Page 5A(1)-1

Staff Recommendation

1. Accept the resignation of Amy Tallakson from the Public Safety Committee, with regret.
2. Provide direction to Staff on whether to solicit applications for a technical professional with a public safety background to fill the position, or leave it vacant.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

E. **Council Subcommittee Updates**

CLOSED SESSION (6:00 P.M.)

- A. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code section 54957
Title: Interim City Manager/City Manager
- B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code section 54957.6
Agency Designated Representatives: Mayor
Unrepresented Prospective Employee: Interim City Manager/City Manager

BUSINESS MEETING PART 2 (6:30 P.M.) (SPECIAL MEETING)

- 6. **Closed Session Report - City Attorney.**
- 7. **Special Presentations.**
 - A. **Permit Streamlining Implementation**

Presentation by Community Development Director Gallardo-Daly concerning the implementation of permit streamlining opportunities.
 - B. **Third Quarter Financial Report** Pages 7B-1 through 7B-4

Presentation by Financial Services Officer Rahn concerning the third quarter financial report.
 - C. **Update on Homeless Issue (May, June, July update)**
 - D. **Wall of Recognition 2022 Honorees** Pages 7D-1 through 7D-11

Wall of Recognition Committee Recommendation
 - 1. Approve the selection for the 2022 recipients, Don Brown and Fred Swegles to be honored on the Wall of Recognition.
 - 2. Direct the Mayor to present the honorees with certificates of recognition.

8. **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. [Consideration of Establishing a Processing Fee for Urban Lot Split and Two-Unit Project Application \(7:45 p.m.\)](#) Pages 8A-1 through 8A-40

Public Hearing to consider establishing a processing fee for urban lot split and two-unit project applications.

Staff Recommendation

Adopt Resolution No. 22-34 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING A PERMIT FEE FOR PROCESSING URBAN LOT SPLIT AND TWO-UNIT PROJECT APPLICATION UNDER SENATE BILL (SB) 9; AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

9. **Unfinished Business.**

None.

10. **New Business.**

- A. [Update of Legislative and Transportation Activities](#) Pages 10A-1 through 10A- 38

Report from the Assistant to the City Manager concerning updates on Legislative and Transportation Activities.

Staff Recommendation

Receive and file the Administrative Report dated August 16, 2022, and on file with the City Clerk.

- B. [Code Amendment – Urgency Ordinance Enacting Local Campaign Contribution Limits and Policy Regarding Contractor Disclosure of Political Contributions](#) (Agendized at the May 25, 2022 City Council Meeting by Mayor James with the support of Council). Pages 10B-1 through 10B-26

Report from the City Clerk and City Attorney concerning enacting local campaign contribution limits and policy regarding contractor disclosure of Political Contributions.

Recommendation Actions:

If Council desires to establish Local Campaign Contribution Limits that vary from the State's default limits, the City Clerk recommends that Council do so through adoption of the below ordinances. If Council wishes to require disclosure of contractor political contributions, the City Clerk recommends that Council adopt Policy and Procedure No. 201-15:

1. Adopt Urgency Ordinance No. 1730 entitled AN URGENCY ORDINANCE OF THE CITY OF SAN CLEMENTE ADDING SECTION 2.04.100 TO CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO LOCAL ELECTION CAMPAIGN CONTRIBUTION LIMITS AND REGULATIONS, with the incorporation of campaign contribution limits of either \$500 or \$1,000 per source per election and allowing for CPI increases.
2. Introduce Ordinance No. 1735 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE ADDING SECTION 2.04.100 TO CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO LOCAL ELECTION CAMPAIGN CONTRIBUTION LIMITS AND REGULATIONS, with the incorporation of campaign contribution limits of either \$500 or \$1,000 per source per election and allowing for CPI increases.
3. Adopt Policy and Procedure No. 201-15 (Disclosure of Political Contributions), effective August 16, 2022.
4. Determine whether to direct the City Clerk to publish a summary of Form 460's and Form 497's in the San Clemente Times.

C. [Code Amendment – Prohibiting Unlawful Possession of Catalytic Converters](#) Pages 10C-1 through 10C-6

Report from the City Attorney concerning the introduction of an ordinance prohibiting the unlawful possession of catalytic converters.

Staff Recommendation

Introduce Ordinance No. 1733 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE ADDING CHAPTER 10.54 (UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER PROHIBITED) OF TITLE 10 (VEHICLES AND TRAFFIC) TO THE SAN CLEMENTE MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS.

- D. [Consideration of a Future Amphitheater Site and Development of a Related Citizen Committee](#) (Agendized at the April 19, 2022 Council Meeting by Councilmember Ferguson, with the support of Councilmember Knoblock and Mayor James). Pages 10D-1 through 10D-5

Report from the Beaches, Parks and Recreation Director and the Economic Development Officer concerning the consideration of a future amphitheater site and development of a related citizens committee.

Staff Recommendation

City Council establish a Citizens Committee to further analyze the feasibility of an amphitheater.

- E. [Use of Unmanned Aviation Systems or “Drones” to Inspect Open Space Areas](#) (Agendized at the May 25, 2022 City Council Meeting by Mayor James, with the support of Mayor Pro Tem Duncan and Councilmember Knoblock) Page 10E-1

Report from Deputy Community Development Director concerning the use of unmanned aviation systems or “Drones” to inspect open space areas.

Staff Recommendation

Direct staff to engage the services of a qualified unmanned aircraft operator to provide unmanned aircraft inspection services.

- F. [Consideration of a Resolution calling on the California Legislature to Enhance the Confidence of the Voting Public in Election Outcomes Through Improved Election Processes](#) (Agendized at the July 19, 2022 Council Meeting by Councilmember Knoblock, with the support of Mayor James). Pages 10F-1 through 10F-2

- G. [Discussion of Email Redactions](#) (Agendized at the July 19, 2022 Meeting by Councilmember Ferguson, with support of Councilmember Knoblock)

- H. [Lease Agreement for Concession Operations at the T-Street Concession Building](#) Pages 10H-1 through 10H-47

Report from the Economic Development Officer concerning the lease agreement for the T-Street Concession Building.

Staff Recommendation

1. Approve, and authorize the City Manager to execute, Contract No. C22-48, a building lease agreement, by and between the City of San Clemente and Organic Concepts, LLC., for a five year lease term.
2. Waive any permit fees associated with tenant-initiated improvements to the T-Street Concession building.

11. **Oral Communications (Part 2).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation, not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

12. **Reports (continued from Business Meeting Part 1).**

A. **Commissions and Committees**

- (1) [Accept the Resignation of Amy Tallakson – Public Safety Committee](#) Page 5A(1)-1 *(If not discussed in Part 1 of the Business Meeting).*

Staff Recommendation

1. Accept the resignation of Amy Tallakson from the Public Safety Committee, with regret.
2. Provide direction to Staff on whether to solicit applications for a technical professional with a public safety background to fill the position, or leave it vacant.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

E. **Council Subcommittee Updates**

13. **Adjournment.**

Adjourn to an Adjourned Regular Council Meeting to be held on August 30, 2022 at 6:00 p.m. in the Municipal Golf Course banquet room, located at 150 Avenida Magdalena, San Clemente, for the purpose of meeting in joint session with City Commissions and Committees.

The next Regular Council Meeting is scheduled to take place on September 6, 2022. Part 1 of the Regular Business Meeting will commence at 5:00 p.m. and Closed Session will begin at 6:00 p.m. Part 2 of the Regular Business Meeting will commence at 7:00 p.m. The meeting will take place in the Community Center Auditorium, located at 100 N. Calle Seville, San Clemente.

Items to be Considered at a Future Meeting

Agenda Item	Tentative Meeting Date
Santa Margarita Interconnection Agreement	September 6, 2022
Recognition of Out-Going Commission and Committee Members	September 6, 2022

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 854. Meetings are also available for live-stream or post meeting viewing from the City's website. 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.

USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

LENGTH OF MEETINGS

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

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.

COMMUNICATION DEVICES

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

MEETING SCHEDULE

Regular Council Meetings are held on the first and third Tuesdays of each month in the Community Center Auditorium, located at 100 North Calle Seville, San Clemente. Part 1 of the Business Meeting will begin at 5:00 p.m. and Closed Session begins at 6:00 p.m. Part 2 of the Business Meeting will commence at 7:00 p.m. Additional meetings of the City Council may be called as needed.

AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Department as soon as agendas are posted (a minimum of 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting). Agendas and Administrative Reports can also be viewed at the San Clemente Library, located at 242 Avenida Del Mar, or by accessing the City's website at www.san-clemente.org. An "Inspection Copy" of agenda materials is also located at the entrance to the Community Center during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Department, located at 910 Calle Negocio, San Clemente, during normal business hours.

The City Clerk's Department 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, register at <http://san-clemente.org/enotification>.