



Mayor James
Mayor Pro Tem Duncan
Councilmember Ferguson
Councilmember Knoblock
Councilmember Ward

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 Council Chambers and turn it in to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an agenda 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-agenda item 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**CALL TO ORDER****INVOCATION – Dusty Davis, Director of Operations, 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 agendaized 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. 10. 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 CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 3, 2022.](#)
- (2) [APPROVE THE CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES OF OCTOBER 4, 2022.](#)

B. Commission/Committee Minutes

Staff Recommendation

Receive and file the following:

[PLANNING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 5, 2022](#)

C. Warrant Register

[Approve Wire Transfer Nos. 2723 through 2730 and Warrant Nos. 583918 through 584065, paid on 10-7-22, in the amount of](#) [\\$ 4,415,253.13](#)

TOTAL WARRANT REGISTER.....\$ 4,415,253.13

Payroll Register

Automatic Deposit Advises 81367 through 81637, for the period 9-19-22 through 10-2-22, paid on 10-7-22, in the amount of..... \$ 419,778.73

TOTAL PAYROLL REGISTER.....\$ 419,778.73

D. [CONTRACT AWARD - STREET IMPROVEMENT ON CALLE DEL CERRO](#)

Staff Recommendation

1. Approve the plans and specifications for Street Improvement for Calle Del Cerro, Project No.12306.
2. Approve a supplemental appropriation in the amount of \$81,000 from the Street Improvement Undesignated Fund balance to Account No. 042-848-45300-000-12306.
3. Approve, and authorize the Public Works Director/City Engineer to execute, Contract No. C22-62, by and between the City of San Clemente and L.C. Paving & Sealing, Inc., providing for Street Improvement for Calle Del Cerro, in the amount of \$792,396.

E. [CONTRACT AMENDMENT - AVENIDA PICO CLASS 1 BIKE/PEDESTRIAN PATH PHASE 1, AND AVENIDA PICO WIDENING I-5 TO FRONTERA](#)

Staff Recommendation

Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract C20-69, by and between the City of San Clemente and Stantec Consulting Services, Inc., providing for Avenida Pico Class 1 Bike/Pedestrian Path Phase 1 and the Avenida Pico I-5 widening to Frontera. This contract amendment increases the total contract amount from \$367,403 to \$382,403 (an increase of \$15,000) and extends the term of the contract to December 31, 2023.

F. [CONTRACT AMENDMENT - COMPREHENSIVE COST-OF-SERVICE STUDY OF THE CITY'S WASTEWATER UTILITY](#)

Staff Recommendation

1. Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract C19-28, by and between the City of San Clemente and Raftelis Financial Consultants, Inc., providing for Wastewater Comprehensive Cost-of-Service Study. This contract amendment increases the total contract amount from \$46,708 to an amount not to exceed \$61,968 (an increase of \$15,260) and extends the contract term through May 31, 2023.
2. Approve a supplemental appropriation in the amount of \$15,260 to Account No. 054-471-43690 from the Sewer Fund Depreciation Reserve.

G. [CONTRACT AWARD - DEVELOPMENT OF A NATURE BASED COASTAL RESILIENCY PROJECT FEASIBILITY STUDY IN CONNECTION WITH THE LOCAL COASTAL PROGRAM ROUND 7 CALIFORNIA COASTAL COMMISSION GRANT](#)

Staff Recommendation

1. Approve, and authorize the City Manager to execute, Contract No. C22-63, by and between the City of San Clemente and Moffatt & Nichol providing for the development of a Nature Based Coastal Resiliency Project Feasibility Study in connection with the Local Coastal Program Round 7 California Coastal Commission Grant, in the amount of \$300,000.
2. Accept grant revenues from the California Coastal Commission in the amount of \$300,000 to Account No. 001-000-33490.
3. Authorize a related budget appropriation of \$300,000 to Account No. 001-431-43890.

H. [CONSTRUCTION CONTRACT AWARD TO SKYLINE SERVICES, INC. FOR THE T-STREET PEDESTRIAN OVERPASS CONCRETE REHABILITATION, CIP PROJECT NO. 23804.](#)

Staff Recommendation

Approve, and authorize the Public Works Director/City Engineer to execute, Contract No. C22-64, by and between the City of San Clemente and Skyline Services, Inc., providing for the T-Street Overpass Concrete Rehabilitation, in the amount of \$53,522.

I. [CONTRACT AWARD - WATER RECLAMATION PLANT \(WRP\) SODIUM HYPOCHLORITE TANK REPLACEMENT](#)

Staff Recommendation

1. Approve the Plans and Specifications for WRP Sodium Hypochlorite Tank Replacement, Project No. 23405.
2. Approve a supplemental appropriation in the amount of \$134,825 to Account No. 052-466-43420-000-23405 from the Water Fund Depreciation Reserve .
3. Approve, and authorize the Utilities Director to execute, Contract No. C22-65, by and between the City of San Clemente and Jennette Company, Inc., providing for the WRP Sodium Hypochlorite Tank Replacement, in the amount of \$394,614.

J. [HUMAN AFFAIRS COMMITTEE'S FISCAL YEAR \(FY\) 2022-2023 WORK PLAN](#)

Human Affairs Committee Recommendation

Approve the Fiscal Year 2022-23 Human Affairs Committee Work Plan.

K. [RESOLUTION ALLOWING FOR THE USE OF OCEAN LIFEGUARD PERSONNEL AT CITY SWIMMING POOL FACILITIES](#)

Staff Recommendation

Adopt Resolution No. 22-38 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ALLOWING FOR THE USE OF OCEAN LIFEGUARDS AT ITS PUBLIC SWIMMING POOL FACILITIES.

L. [APPROVAL OF ADDITIONAL SERVICES AGREEMENT FOR FLOCK GROUP INC. FOR AUTOMATIC LICENSE PLATE READERS AND SERVICES](#)

Staff Recommendation

1. Authorize an appropriation of \$1,900 from the Council Contingency Fund to Account No. 001-451-43890.
2. Approve, and authorize the City Manager to execute, the additional services agreement Contract No. C22-37, by and between the City of San Clemente and Flock Group, Inc., providing for automatic license plate readers near Max Berg Park. This additional services agreement increases the total contract amount from \$49,250 to \$68,150 (an increase of \$18,900).

M. [PUBLIC SAFETY COMMITTEE 2022-2023 ANNUAL WORK PLAN](#)

Public Safety Committee and Staff Recommendation

Approve the Public Safety Committee's Fiscal Year 2022-2023 Work Plan and appropriate \$3,500 for the Human Trafficking Project from the City's General Fund to Account No. 001-438-44310.

5. **Reports**

A. **Commissions and Committees**

B. **City Manager**

October 26, 2022 Public Safety Town Hall

C. **City Attorney**

D. **Council Members**

E. **Council Subcommittee Updates**

6. **Closed Session Report - City Attorney**

7. **Special Presentations**

A. **Presentation of Proclamation - Red Ribbon Week**

Presentation of Proclamation to the Junior Women's Club, proclaiming October 24 - 28, 2022, as Red Ribbon Week.

B. **Presentation of Commendation - Filipe Toledo**

Presentation of Commendation to Filipe Toledo, in recognition of his World Championship Title at the Rip Curl World Surfing League Finals at Lower Trestles on September 8, 2022.

C. **September Update on the Homeless Issue**

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 ORDINANCE TO APPROVE MASTER PROJECT \(MP\) 22-089 - SENIOR HOUSING AND MEDICAL OFFICE, 654 CAMINO DE LOS MARES](#)

Scheduled to be heard at **7:30 p.m.**

Public Hearing to consider a request to demolish an existing medical building and surface parking lot; construct a mixed-use project with 250 for-rent senior residential units and a 7,500 square foot medical office.

Staff Recommendation

Direct the City Clerk to re-notice the Public Hearing for the November 1, 2022 City Council Meeting in order to include the applicant's request for a development agreement as part of the project.

B. [GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, COASTAL LAND USE PLAN AMENDMENT, AND ZONING AMENDMENT; WEST PICO CORRIDOR SPECIFIC PLAN UPDATE AND ARCHITECTURAL OVERLAY EXPANSION](#)

Scheduled to be heard at **8:30 p.m.**

Public Hearing to consider City-initiated amendments to the City's General Plan, West Pico Corridor Specific Plan, Zoning, and Local Coastal Program Land Use Plan.

Staff Recommendation

1. Adopt Resolution No. 22-39 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CERTIFYING ADDENDUM NO. 4 TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, APPROVING GENERAL PLAN AMENDMENT 21-238, SPECIFIC PLAN AMENDMENT 21-239, AND LAND USE PLAN AMENDMENT 21-241; TO ACHIEVE CONSISTENCY BETWEEN THE GENERAL PLAN, LOCAL COASTAL PROGRAM, AND WEST PICO CORRIDOR SPECIFIC PLAN, AND ZONING REGULATIONS; CHANGE THE LAND USE DESIGNATION OF TWO PARCELS AT 1510 AVENIDA DE LA ESTRELLA, AND EXPAND THE ARCHITECTURAL OVERLAY DISTRICT
2. Adopt Ordinance No. 1736 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CERTIFYING ADDENDUM NO. 4 TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, AND APPROVING ZONING AMENDMENT 21-240; TO ACHIEVE CONSISTENCY BETWEEN THE GENERAL PLAN, LOCAL COASTAL PROGRAM, AND WEST

PICO CORRIDOR SPECIFIC PLAN, AND AMEND THE ZONING MAP TO EXPAND THE WEST PICO CORRIDOR SPECIFIC PLAN AREA AND THE ARCHITECTURAL OVERLAY DISTRICT BETWEEN THE DOWNTOWN AND PIER BOWL AREAS

3. Approve and include alternative amendments that add 1311, 1315, and 1402 North El Camino Real into the West Pico Corridor Specific Plan by updating the proposed Resolution and Ordinance according to Attachment 4 of the Administrative Report, dated October 18, 2022, and on file with the City Clerk.

9. Unfinished Business

None.

10. New Business

A. [FILLING OF VACANCIES IN THE ELECTED OFFICES OF CITY CLERK AND CITY TREASURER](#)

(Agendized at the October 4, 2022 City Council Meeting by Mayor James, with the support of Councilmember Ward and Mayor Pro Tem Duncan.)

City Clerk Recommendation

If Council determines to fill one or both vacancies by appointment, City Clerk recommends that Council either appoint San Clemente registered voters to fill the unexpired terms at this time, or alternatively, direct staff to recruit for applicants through the San Clemente Times and City website. If Council chooses to recruit for the offices, City Clerk recommends that Council schedule an Adjourned Regular Meeting between November 17, 2022 and November 21, 2022 to interview candidates and make appointment(s).

If Council determines to call a special election to fill one or both vacancies, City Clerk recommends that Council direct the City Clerk to prepare the resolutions necessary to call the special election and direct that the resolutions be agendized for Council consideration at its meeting of either November 1, 2022 or November 15, 2022. If Council directs that the resolutions be agendized for the Council meeting of November 1, 2022, the special election will occur on March 7, 2023. If Council directs that the resolutions be agendized for the Council meeting of November 15, 2022, the special election will occur on November 7, 2023.

B. [UPDATE OF TREE CITY USA APPLICATION AND CITY TREE POLICY](#)

(Agendized at the June 7, 2022 City Council Meeting by Mayor Pro Tem Duncan, with the support of Mayor James and Councilmember Ward.)

Staff Recommendation

Receive and file the Administrative Report, dated October 18, 2022, and on file with the City Clerk.

C. [UPDATE RELATED TO THE PUBLIC SAFETY COMMITTEE'S E-BICYCLE / TRAFFIC SAFETY WORK PLAN PROJECT](#)

(Agendized at the September 20, 2022 City Council Meeting by Mayor James, with the support of Councilmember Knoblock and Mayor Pro Tem Duncan.)

Staff Recommendation

Receive and file the Administrative report dated, October 18, 2022, and on file with the City Clerk.

D. [AMENDMENT TO CITY COUNCIL POLICY 1201-11 CITY COUNCIL MEETINGS AND OPERATING PROCEDURES](#)

(Agendized at the October 4, 2022 City Council Meeting by Mayor James, with the support of Councilmember Knoblock and Councilmember Ferguson.)

Staff Recommendation

Adopt the amended City Council Policy 1201-11 City Council Meeting and Operating Procedures.

E. [REVIEW OF THE BEST BEST AND KRIEGER LEGAL SERVICES CONTRACT](#)

(Agendized at the September 20, 2022 City Council Meeting by Councilmember Knoblock, with the support of Mayor James and Councilmember Ferguson.)

Staff Recommendation

Receive and file the Administrative Report dated, October 18, 2022, and on file with the City Clerk.

11. Reports (continued from Business Meeting Part 1)**A. Commissions and Committees****B. City Manager**

October 26, 2022 Public Safety Town Hall

C. City Attorney**D. Council Members****E. Council Subcommittee Updates****12. 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.

13. Adjournment

The next Regular Council Meeting is scheduled to take place on November 1, 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 Business Meeting will commence at 7:00 p.m. The meeting will take place in the Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

Items to be Considered at a Future Meeting

November 1, 2022: Transient Occupancy Tax Review

November 15, 2022: Consideration of Night Surfing

November 15, 2022: Farmers Market Location

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 Council Chambers, located at 910 Calle Negocio, 2nd floor, 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 Council Chambers 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>.