



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

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 by Mayor James on October 18, 2022 at 5:00 p.m. in the San Clemente City Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

PRESENT: Duncan, Ferguson, Mayor James, Knoblock, and Ward

Councilmember Ward left the meeting at 8:36 p.m.

STAFF PRESENT: Cecilia Gallardo-Daly, Acting City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Legislative Administrator; Megan Jimenez, Deputy City Clerk

BUSINESS MEETING

INVOCATION

Dusty Davis, Shoreline Community Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Aaron Washington led the Pledge of Allegiance.

1. Motion waiving reading in full of all Resolutions and Ordinances

Motion by Councilmember Knoblock, second by Mayor James, CARRIED to waive reading in full of all Resolutions and Ordinances.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

2. Consideration of agenda items requiring immediate action

None.

3. Oral Communications (Part 1)

Brad Malamud opined on the City's current legal services contract with Best Best and Krieger and current litigation concerning the Transportation Corridor Agency appeal.

Concerned Resident narrated a powerpoint concerning pickleball noise at San Gorgonio Park as it relates to a public nuisance. A hard copy of the presentation is on file with the City Clerk.

Dolores Padgett, Coast HOA President, requested traffic calming measures be considered on Calle Frontera, Calle Juarez and Calle Vallarta due to speeding.

Shawn Grubbs, San Clemente, voiced safety concerns with traffic in the Coast community; urged Council to prioritize traffic calming.

Butterfly Russi, San Clemente, voiced safety concerns with traffic and bike accidents in Forster Highlands; requested Council add additional crosswalks on Camino Del Rio.

Henry Rager, San Clemente, opined that the Coast should not be a main thoroughfare for traffic; voiced safety concerns with traffic and speeding in the Coast.

Amanda Q narrated a Powerpoint entitled "OCTA Scoping Comments & CalTrans Practices." A hard copy of the presentation is on file with the City Clerk.

Stacy Roulette spoke to the need for traffic calming measures in the Coast; voiced concerns with traffic and speeding.

Lisa Edone voiced concern with the growing number of disabled and poorly maintained recreational vehicles in San Clemente and related public health and safety concerns.

Jim Eckel opined on the decreasing property values in the Coast due to traffic issues on Calle Frontera; voiced concerns with vehicle speeds and opined that stop signs and speed bumps will help mitigate speeding vehicles.

Cara Proffet Skinner, San Clemente, voiced concerns over speeding vehicles in the Coast; encouraged the City to take mitigation measures to calm traffic.

Traffic Calming Measures in the Coast

Motion by Mayor James, second by Councilmember Knoblock, CARRIED to agendize the consideration of traffic calming measures in the Coast for the November 1, 2022 City Council Meeting.

AYE: Duncan, Ferguson, Mayor James, and Knoblock

NOE: Ward

4. Consent Calendar

The following Items were removed from the Consent Calendar for discussion: 4A(2), 4D, 4E, 4G, 4K, 4L and 4M.

A. City Council Minutes

Motion by Councilmember Ward, second by Mayor James, CARRIED to:

(1) APPROVE THE CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 3, 2022.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

B. Commission/Committee Minutes

Motion by Councilmember Ward, second by Mayor James, CARRIED to receive and file:

(1) PLANNING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 5, 2022

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

C. Warrant Register

Motion by Councilmember Ward, second by Mayor James, CARRIED to:

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

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

Payroll Register

Motion by Councilmember Ward, second by Mayor James, CARRIED to:

Approve 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

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

F. CONTRACT AMENDMENT - COMPREHENSIVE COST-OF-SERVICE STUDY OF THE CITY'S WASTEWATER UTILITY

Motion by Councilmember Ward, second by Mayor James, CARRIED to:

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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

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

Motion by Councilmember Ward, second by Mayor James, CARRIED to 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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

I. CONTRACT AWARD - WATER RECLAMATION PLANT (WRP) SODIUM HYPOCHLORITE TANK REPLACEMENT

Motion by Councilmember Ward, second by Mayor James, CARRIED to:

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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

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

Motion by Councilmember Ward, second by Mayor James, CARRIED to approve the Fiscal Year 2022-23 Human Affairs Committee Work Plan.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

4A(2) APPROVE THE CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES OF OCTOBER 4, 2022.

Susan Ambrose, San Clemente, requested that additional language be added to her public comment in the minutes of October 4, 2022.

Motion by Councilmember Ferguson, second by Councilmember Knoblock, FAILED to amend the minutes with the additional language requested by the public speaker.

AYE: Ferguson, and Knoblock

NOE: Duncan, Mayor James, and Ward

Motion by Councilmember Ward, second by Councilmember Knoblock, CARRIED to APPROVE THE CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES OF OCTOBER 4, 2022 as written.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

D. CONTRACT AWARD - STREET IMPROVEMENT ON CALLE DEL CERRO

Motion by Councilmember Ward, second by Mayor Pro Tem Duncan, CARRIED to:

- 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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

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

DELETED from the Agenda at the request of staff for additional review.

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

Dawn Urbanek asserted improprieties as it relates to 401 wastewater permits and the toll road.

Motion by Mayor Pro Tem Duncan, second by Councilmember Knoblock, CARRIED to:

- 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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

K. RESOLUTION ALLOWING FOR THE USE OF OCEAN LIFEGUARD PERSONNEL AT CITY SWIMMING POOL FACILITIES

Acting City Manager Gallardo-Daly will provide an update to Council with a timeline for the Class and Compensation study concerning part-time positions.

Motion by Councilmember Ferguson, second by Councilmember Knoblock, CARRIED to 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.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

L. APPROVAL OF ADDITIONAL SERVICES AGREEMENT FOR FLOCK GROUP INC. FOR AUTOMATIC LICENSE PLATE READERS AND SERVICES

Captain Benfield, San Clemente Police Services, spoke on the benefits of automatic license plate readers.

Motion by Mayor James, second by Councilmember Knoblock, CARRIED to:

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).

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

M. PUBLIC SAFETY COMMITTEE 2022-2023 ANNUAL WORK PLAN

William Hanrahan with the Public Safety Committee provided an overview of the Public Safety Committee work plan and responded to Council inquiries.

Council recognized Committee Member Hanrahan for his service on the Public Safety Committee.

Motion by Mayor James, second by Councilmember Knoblock, CARRIED to 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.

AYE: Duncan, Ferguson, Mayor James, and Knoblock

NOE: Ward

5. Reports**A. Commissions and Committees**

None.

B. City Manager**Announcement of Contracts Approved and Executed by the City Manager**

Acting City Manager Gallardo-Daly reported that the following professional service contract was executed under her signature authority: 1) Precision Civil Engineering, Inc., for the Housing Element Rezoning Program, in the amount of \$50,000.

Housing Element

Acting City Manager Gallardo-Daly reported that the City's Housing Element was certified by the State Office of Housing and Community Development.

Public Safety Town Hall Meeting

Acting City Manager Gallardo-Daly requested confirmation on Councilmembers planning on attending the Town Hall meeting on October 26, 2022 to allow the City to properly notice the meeting.

Interstate 5 Listening Session

Acting City Manager Gallardo-Daly announced that the interstate 5 listening session scheduled for October 20, 2022 is cancelled and will be rescheduled to a date that the transportation subcommittee can attend.

C. City Attorney

None.

D. Council Members**Housing Element**

Councilmember Ferguson recognized staff for efforts in getting the Housing Element certified.

Underground Utility Lines

Councilmember Knoblock, with the support of Councilmember Ward and Mayor Pro Tem Duncan, agendized a report to include the possibility and necessary steps to underground power lines and available grants from the state. The report is also to include a history on undergrounding power lines.

Bicycle Parking at Riviera

Councilmember Ward, with the support of Councilmember Knoblock and Mayor Pro Tem Duncan, agendized evaluating bicycle parking in the Riviera area to reduce crowding of beach access and sidewalks by parked bicycles.

Recognition of San Clemente Police Services

Mayor Pro Tem Duncan recognized Captain Benfield and the OCSD Deputies for the efforts in apprehending individuals suspected of the recent burglaries in Talega.

Desalination and Water Sustainability

Mayor James announced he toured the Carlsbad and Santa Barbara desalination facilities and attended an infrastructure meeting with the State Infrastructure Advisor Anthony Villariagosa to discuss water availability, conservation and future access to water.

Vehicle Leasing

Mayor James, with the support of Councilmember Knoblock and Councilmember Ward agendized an evaluation of potential cost savings of leasing, rather than purchasing, City vehicles, in the hope that any savings could be applied to the unfunded pension liability.

Risk Financing

Mayor James, with the support of Councilmember Ferguson and Councilmember Knoblock, agendized the issue of insurance coverage, and requested a consultant evaluate the possibility of increasing the City's self insured level as a potential cost savings to assist in funding the unfunded pension liability.

E. Council Subcommittee Updates**Human Trafficking Town Hall**

Mayor Pro Tem Duncan spoke on the Human Trafficking Town Hall held on October 12, 2022 and urged continuing education opportunities in the community.

MEETING RECESSED

Motion by Mayor James, second by Councilmember Ward, CARRIED to recess at 6:27 p.m.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

MEETING RECONVENED

Council reconvened at 7:01 p.m., with all Councilmembers present.

I-5 Town Hall

Amanda Q reported that Senator Pat Bates and Assembly Member Laurie Davies informed her that they would like to attend the City's I-5 Town Hall Meeting.

6. Closed Session Report - City Attorney

None.

7. Special Presentations**A. Presentation of Proclamation - Red Ribbon Week**

Mayor James presented a Proclamation to Amber Holcum and Anna Frazer with the Junior Women's Club proclaiming October 24-28, 2022, as Red Ribbon Week.

B. Presentation of Commendation - Filipe Toledo

Mayor James presented a Commendation to Filipe Toledo in recognition winning the World Championship at the Rip Curl World Surfing League Finals.

C. September Update on the Homeless Issue

Donna Vidrine commented on the need for supportive housing and services for the homeless.

Deputy Community Development Director Atamian presented the City Outreach and Engagement Report for August 2022 and responded to Council inquiries. A hard copy of the August 2022 Outreach Report is on file with the City Clerk.

Acting City Manager Gallardo-Daly will arrange meetings with Be Well to receive additional information on programs and services they offer and how they can assist the City's homeless population.

8. Public Hearings**A. CONSIDERATION OF ORDINANCE TO APPROVE MASTER PROJECT (MP) 22-089 - SENIOR HOUSING AND MEDICAL OFFICE, 654 CAMINO DE LOS MARES**

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.

Mayor James opened the Public Hearing.

Brian Daeley, San Clemente, spoke in opposition of the proposed project at 654 Camino De Los Mares.

Amanda Q voiced concern with the proposed project; spoke to Mayor Pro Tem Duncan's comments concerning the project and opined he should recuse.

Larry Culbertson expressed concern with the proposed architecture and size of the subject project; urged Council to listen to the Design Review Subcommittee meetings before making a decision.

There being no others desiring to speak at this time, motion by Mayor Pro Tem Duncan, second by Mayor James, CARRIED to continue the Public Hearing to the November 1, 2022 City Council Meeting at 7:30 p.m.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

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

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.

Associate Planner Wright reviewed the contents of the Administrative Report and responded to Council inquiries.

Mayor James opened the Public Hearing.

Larry Culbertson, San Clemente Historical Society, spoke in support of the Architectural Overlay District.

Mike Gentile noted his property was excluded from the prior specific plan and supported this amendment to include his 3 properties.

There being no others desiring to speak, the Public Hearing was closed.

Motion by Councilmember Ward, second by Councilmember Knoblock, CARRIED to:

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. Introduce 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 1401 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.

4. Include the following verbiage on pages 109 and 131 of the Resolution and the Ordinance:

Agenda Packet Page 109, EIR Addendum page 64, Heading "Future Condition (Year 2035)." Insert the following after "...based on the Preferred General Plan With FTC scenario."

"Since the General Plan's adoption, the State Route 241 (SR-241) FTC toll road extension alignment has been abandoned that was to skirt the eastern perimeter of San Clemente. In 2021, the City adopted a General Plan amendment that updated its Roadway Systems Map to be consistent with the Orange County Master Plan of Arterial Highways inclusion of a planned County of Orange extension of the Los Patrones Parkway Extension (LPPE) that would connect to Avenida La Pata within the City limits. This change in circumstance is a common occurrence as it relates to infrastructure and development anticipated under a long-range planning document such as a General Plan. Given the limited scope, scale, and nature of the proposed project, the abandonment of the SR-241 extension and planned implementation of the LPPE are not anticipated to substantially alter the basis of conclusions in this addendum. It is also noted that, prior to discretionary approvals for any development occurring under this proposed project, each project would be subject to site-specific analysis under CEQA to determine if significant impacts may occur."

Agenda Packet Page 131, EIR Addendum Attachment 1 Page 9, Heading "Future Condition (Year 2035)", 1st paragraph. Insert the following after "...based on the Preferred General Plan With FTC scenario."

"Since the General Plan's adoption, the State Route 241 (SR-241) FTC toll road extension alignment has been abandoned that was to skirt the eastern perimeter of San Clemente. In 2021, the City adopted a General Plan amendment that updated its Roadway Systems Map to be consistent with the Orange County Master Plan of Arterial Highways inclusion of a planned County of Orange extension of the Los Patrones Parkway Extension (LPPE) that would connect to Avenida La Pata within the City limits. This change in circumstance is a common occurrence as it relates to infrastructure and development anticipated under a long-range planning document such as a General Plan. Given the limited scope, scale, and nature of the proposed project, the abandonment of the SR-241 extension and planned implementation of the LPPE are not anticipated to substantially alter the basis of conclusions in this addendum. It is also noted that, prior to discretionary approvals for any development occurring under this proposed project, each project would be subject to site-specific analysis under CEQA to determine if significant impacts may occur."

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

9. Unfinished Business

None.

10. New Business

A. FILLING OF VACANCIES IN THE ELECTED OFFICES OF CITY CLERK AND CITY TREASURER

Motion by Mayor James, second by Mayor Pro Tem Duncan, CARRIED to advertise the City Clerk vacancy in the San Clemente Times with interviews to be held on November 17, 2022 at 4:00 p.m.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

Motion by Mayor James, second by Mayor Pro Tem Duncan, CARRIED to advertise the City Treasurer vacancy in the San Clemente Times and Orange County Business Journal with interviews to be held on November 17, 2022 at 4:00 p.m.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

B. UPDATE OF TREE CITY USA APPLICATION AND CITY TREE POLICY

Staff to evaluate the condition of the trees at (Old City Hall Site) 100 Avenida Presidio to determine if trimming is appropriate.

Motion by Mayor Pro Tem Duncan, second by Councilmember Knoblock, CARRIED to receive and file the Administrative Report, dated October 18, 2022, and on file with the City Clerk, and proceed with submitting the application for the City of San Clemente to be recognized as a Tree City to the Arbor Day Foundation.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

C. UPDATE RELATED TO THE PUBLIC SAFETY COMMITTEE'S E-BICYCLE / TRAFFIC SAFETY WORK PLAN PROJECT

William Hanrahan with the Public Safety Committee spoke on the efforts of the Committee concerning E-Bikes and responded to Council inquiries.

Motion by Mayor Pro Tem Duncan, second by Councilmember Knoblock, CARRIED to receive and file the Administrative Report dated October 18, 2022, and on file with the City Clerk.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

D. AMENDMENT TO CITY COUNCIL POLICY 1201-11 CITY COUNCIL MEETINGS AND OPERATING PROCEDURES

Motion by Councilmember Ferguson, second by Councilmember Knoblock, CARRIED to adopt the amended City Council Policy 1201-11 City Council Meeting and Operating Procedures.

AYE: Duncan, Ferguson, Mayor James, Knoblock, and Ward

NOE: None

E. REVIEW OF THE BEST BEST AND KRIEGER LEGAL SERVICES CONTRACT

City Attorney Smith reported that he has a financial interest in this matter, recused himself from the item, and relocated to the audience at 8:02 p.m.

Brad Malamud voiced concern with the cost of Best Best and Krieger services and urged Council to issue an Request for Proposals.

Scott Smith, responded to Councilmember Ferguson's comments and stated that he is appreciative to serve San Clemente and its residents as City Attorney.

Meeting Recessed

Council recessed at 8:27 p.m. and reconvened at 8:32 p.m., with all members present.

Meeting Recessed

Council went into recess at 8:32 p.m. and reconvened at 8:33 p.m., with all members present.

Motion by Councilmember Ferguson, second by Councilmember Knoblock, to issue a Request for Proposal for legal services to include both in-house and contract attorney services.

Substitute Motion by Mayor Pro Tem Duncan, second by Councilmember Ward, FAILED to not issue a Request for Proposal and continue with Best Best and Krieger for legal services.

AYE: Duncan, and Ward

NOE: Ferguson, Mayor James, and Knoblock

The original motion was voted on and CARRIED to issue a Request for Proposal for legal services to include both in-house and contract services. The Request for Proposal is to be issued by November 18, 2022.

AYE: Ferguson, Mayor James, and Knoblock

NOE: Duncan, and Ward

City Attorney Smith returned to the dais at 8:40 p.m.

11. Reports

The Reports portion of the agenda was considered earlier in the meeting. Please refer to page 8 of these minutes for a summary of that discussion.

12. Oral Communications (Part 2)

Michelle Brooks, voiced concern that the OC Jail is accepting the address of Family Assistance Ministries as a residence address for retained persons; requested sidewalk sterilization on Avenida Del Mar and El Camino Real.

Mark Enmeier spoke in support of Item 10C (E-Bike safety); urged Council to seek grant opportunities to facilitate E-Bike and vehicle safety.

Tony Rubolino narrated a powerpoint entitled "Mark Enmeier, Can San Clemente Survive Another Chris Duncan?" A hard copy is on file with the City Clerk.

Sidewalk Sanitizing

Councilmember Knoblock, with the support of Mayor James and Mayor Pro Tem Duncan, agendized a report concerning sanitizing the sidewalks in the Del Mar/ El Camino Real T-Zone area at the November 1, 2022 City Council Meeting.


13. ADJOURNMENT

Motion by Mayor James, second by Mayor Pro Tem Duncan, CARRIED to adjourn at 9:04 p.m. The next Regular Meeting to be held 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 at City Hall Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

AYE: Duncan, Ferguson, Mayor James, and Knoblock

NOE: None

ABSENT: Ward



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California