

CITY OF SAN CLEMENTE
Tuesday, December 6, 2022 5:00 PM
City Council
Regular and Special Meeting Minutes



910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org
Council Chambers

5:00 p.m. - Business Meeting Part 1
6:00 p.m. - Special Meeting
7:00 p.m. - Business Meeting Part 2

Mayor Duncan
Mayor Pro Tem Knoblock
Councilmember Cabral
Councilmember Enmeier
Councilmember James

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 Regular and Special Meeting of the San Clemente City Council was called to order by Mayor James on December 6, 2022 at 5:00 p.m. in the San Clemente City Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

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

STAFF PRESENT: Sean Joyce, Interim City Manager; Scott Smith, City Attorney; Laura Campagnolo, City Clerk; Megan Jimenez, Deputy City Clerk

BUSINESS MEETING PART 1

HOLIDAY SERENADE- SAN CLEMENTE HIGH SCHOOL MADRIGALS

The San Clemente High School Madrigals, under the direction of Alexandra Schultz, performed a holiday serenade.

INVOCATION

Joe Croft, Church Leader, Church of Jesus Christ of Latter-Day Saints gave the invocation.

PLEDGE OF ALLEGIANCE

John Conley led the Pledge of Allegiance.

ELECTION RESULTS, ADMINISTRATION OF OATH OF ALLEGIANCE, AND ELECTION OF MAYOR AND MAYOR PRO TEMPORE**A. RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022**

Motion by Councilmember Knoblock, second by Mayor Pro Tem Duncan, CARRIED 4-0, to adopt Resolution No. 22-42 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY ON NOVEMBER 8, 2022, DECLARING THE RESULTS, AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

AYE: Duncan, Knoblock, Ward, and Mayor James

NOE: None

ABSENT: Ferguson

B. RECOGNITION OF OUTGOING COUNCILMEMBERS, CITY CLERK AND CITY TREASURER

Councilmember Knoblock read a statement on behalf of Councilmember Ferguson in her absence; Mayor James recognized Councilmember Ferguson for her four years of service.

Mayor James presented Councilmember Ward with a City tile and Commendation in recognition of her eight years of service.

Councilmember Ward thanked city staff, her family and husband for support during her tenure as a member of the City Council; noted highlights during her term and congratulated new Councilmembers.

City Clerk Campagnolo read comments from Vonne Barnes, and former Mayor and Councilmember Bob Baker and former Mayor and Councilmember Tim Brown into the record in recognition of Councilmember Ward, which are on file with the City Clerk.

Wayne Eggleston thanked Councilmember Ward for her service to the City; noting her efforts and legacy to stop the toll road from being built in San Clemente.

Bart Crandell congratulated Councilmember Knoblock on his re-election and thanked Councilmember Ward for her service to the City, including her time on the Planning Commission.

Amanda Q narrated a PowerPoint entitled "Councilmember Kathy Ward" in recognition of Councilmember Ward. A hard copy of the presentation is on file with the City Clerk.

Joe Janis expressed gratitude for Councilmember Ward and her efforts for the

City and its residents.

Mayor James presented City Clerk Baade with a City tile and Commendation in recognition of her 35 years of service to the City of San Clemente.

City Clerk Baade spoke on her experience and time in the City and the citizens of San Clemente; congratulated Councilmembers -elect.

Wayne Eggleston thanked City Clerk Baade for her service to the City.

Joe Anderson thanked City Clerk Baade for her service, knowledge and advice during his tenure on Council.

Mayor James presented City Treasurer Taylor with a City tile and Commendation in recognition of his nine years of service to the City of San Clemente.

City Treasurer Taylor thanked his family, Councilmembers that he has served alongside, and City staff.

Mayor Pro Tem Duncan presented Mayor James with a plaque in recognition of his service as Mayor during the past year.

C. OATH OF ALLEGIANCE - NEWLY-ELECTED COUNCILMEMBERS

City Clerk Campagnolo administered the Oath of Allegiance to Councilmember-elect Victor Cabral and presented him with a Certificate of Election.

Councilmember Cabral thanked those who supported his run for City Council and sat at the dais.

City Clerk Campagnolo administered the Oath of Allegiance to Councilmember-elect Mark Enmeier and presented him with a Certificate of Election.

Councilmember Enmeier thanked his supporters in his run for City Council and sat at the dais.

City Clerk Campagnolo administered the Oath of Allegiance to Councilmember-elect Steven Knoblock and presented him with a Certificate of Election.

Councilmember Knoblock thanked his supporters and took his seat.

Annie Mitchell, representing Supervisor Katrina Foley, presented Councilmembers-elect Cabral and Enmeier with Certificates of Recognition for their election to City Council of the City of San Clemente.

D. ELECTION OF MAYOR AND MAYOR PRO TEMPORE

Amanda Q expressed her support for Mayor James to continue his tenure as Mayor.

Bill Kreutinger spoke in support of tradition of the nomination of Mayor and Mayor Pro Tem and supports Mayor Pro Tem Duncan being appointed to Mayor.

Louise Herbert voiced support for the selection of a new Mayor.

City Clerk Campagnolo opened the nominations for Mayor.

Mayor James nominated himself to the office of Mayor, second by Councilmember Cabral.

Councilmember Enmeier nominated Mayor Pro Tem Duncan to the office of Mayor, second by Mayor Pro Tem Duncan.

Councilmember Knoblock nominated himself to the office of Mayor.

Motion by Mayor James, second by Mayor Pro Tem Duncan, CARRIED 5-0, to close nominations for the office of Mayor.

AYE: Cabral, Duncan, Enmeier, Knoblock, and Mayor James

NOE: None

Council voted to appoint Mayor James to the office of Mayor, FAILED 2-2-1

AYE: Cabral, and Mayor James

NOE: Enmeier, and Duncan

ABSTAIN: Knoblock

Council voted to appoint Mayor Pro Tem Duncan to the office of Mayor, FAILED 2-3

AYE: Enmeier, and Duncan

NOE: Cabral, Knoblock, and Mayor James

Council re-voted to appoint Mayor James to the office of Mayor, FAILED 2-2-1

AYE: Cabral, and Mayor James

NOE: Enmeier, and Duncan

ABSTAIN: Knoblock

Council re-voted to appoint Mayor Pro Tem Duncan to the office of Mayor, CARRIED 3-2, to appoint Mayor Pro Tem Duncan to the office of Mayor.

AYE: Enmeier, Knoblock, and Mayor Duncan

NOE: Cabral, and James

Mayor Duncan opened nominations for the office of Mayor Pro Tem.

Councilmember James nominated Councilmember Cabral for the office of Mayor Pro Tem, second by Councilmember Cabral.

Councilmember Knoblock nominated himself for the office of Mayor Pro Tem, second by Mayor Duncan.

Motion by Councilmember Knoblock, second by Mayor Duncan, CARRIED 5-0 to close nominations for the office of Mayor Pro Tem.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

Council voted on appointing Councilmember Cabral to the office of Mayor Pro Tem, FAILED 2-1-2

AYE: Cabral, and James

NOE: Mayor Duncan

ABSTAIN: Enmeier, and Knoblock

Council voted on Councilmember Knoblock being appointed to the office of Mayor Pro Tem, CARRIED 4-1, to appoint Councilmember Knoblock to the office of Mayor Pro Tem.

AYE: Cabral, Enmeier, Knoblock, and Mayor Duncan

NOE: James

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

Motion by Mayor Pro Tem Knoblock, second by Councilmember James, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

2. Consideration of agendizing items requiring immediate action

Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to agendize under New Business the discussion of the Revocation of the Conley encroachment permit. This was agendized based on the need to take immediate action and the fact that the need for action arose subsequent to the agenda being posted. Councilmember James amended the motion, second by Mayor Pro Tem Knoblock agendized for the December 20, 2022 City Council meeting the consideration of the Revocation of the Conley encroachment permit; staff is to take no action on the permit for either the Conley's or Irion's concerning the area in question until after the item is discussed at the December 20, 2022 City Council Meeting. Please see page 6 of these minutes for a summary of action

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

SPECIAL MEETING

3. Oral Communications (Part 1)

John Conley, San Clemente, narrated a Powerpoint presentation entitled "City's Revocation of Encroachment Permit". A hard copy of the presentation is on file with the City Clerk.

Sharon Conley, San Clemente, spoke on the Conley encroachment permit no. E22-0112, revoked by the City of San Clemente.

John M. Conley spoke on the encroachment permit no. E22-0112, revoked by the City of San Clemente.

Brian Demsey spoke in support of the Conley's; urged the City to reinstate the encroachment permit. (Permit No. E22-0112.)

Jean-Louis Selam, San Clemente, spoke in support of the Conley's (permit no. E22-0112); supports the encroachment permit being reinstated. (Permit No. E22-0112.)

William Cunningham, San Clemente, spoke in support of the Conley's; opined the Irion's have submitted a false permit to the City of San Juan Capistrano.

Clive Makinson-Sanders, San Clemente, requested help from the City to stop the Metrolink trains from idling and polluting outside of his home at T-Street.

Interim City Manager Joyce provided an update on communications with the Orange County Transportation Authority concerning the trains idling at T-Street. Interim City Manager Joyce will provide an update at the December 20, 2022 City Council meeting.

Amanda Q commented on a tree that broke in the City and spoke on a potential replacement; encouraged council to establish a citizen transportation committee.

Aaron Washington congratulated the newly elected Councilmembers and encouraged Council to work with other local municipalities to establish a homeless shelter on County property and work towards getting additional sand on the beaches.

Mike Kay congratulated newly elected Council and spoke on the elections and campaign contributions and how to expand on the effort as it relates to outside influence and facts/information.

Motion by Councilmember James, second by Mayor Pro Tem Knoblock agendized for the December 20, 2022 City Council meeting the consideration of the Revocation of the Conley encroachment permit E22-0112 for the property located at 4055 Via Manzana; staff is to take no action on the permit for either the Conley's or Irion's concerning the area in question until after the item is discussed at the December 20, 2022 City Council Meeting.

4. Consent Calendar

A. City Council Minutes

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

- (1) APPROVE CITY COUNCIL REGULAR AND SPECIAL MEETING MINUTES OF NOVEMBER 15, 2022.
- (2) APPROVE CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES OF NOVEMBER 17, 2022.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

B. Commission/Committee Minutes

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to receive and file:

- (1) PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF OCTOBER 25, 2022.
- (2) PLANNING COMMISSION STUDY SESSION MINUTES OF NOVEMBER 16, 2022.
- (3) PLANNING COMMISSION REGULAR MEETING MINUTES OF NOVEMBER 16, 2022.
- (4) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF NOVEMBER 17, 2022.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

C. Warrant Register

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

- (1) APPROVE WIRE TRANSFER NOS. 2746 THROUGH 2748 AND WARRANT NOS. 584642 THROUGH 584801, PAID ON 11-11-22, IN THE AMOUNT OF \$2,184,557.32
 - (2) APPROVE WIRE TRANSFER NOS. 2749 THROUGH 2755 AND WARRANT NOS. 584802 THROUGH 584946, PAID ON 11-18-22, IN THE AMOUNT OF \$1,483,755.01
 - (3) APPROVE WARRANT NOS. 584947 THROUGH 585059, PAID ON 11-25-22, IN THE AMOUNT OF \$2,025,438.40
- TOTAL WARRANT REGISTER.....\$ 5,693,750.73

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

Payroll Register

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

- (1) APPROVE WARRANT NOS. 889 THROUGH 890 AND AUTOMATIC DEPOSIT ADVISES 82191 THROUGH 82471, FOR THE PERIOD 10-31-22 THROUGH 11-13-22, PAID ON 11-18-22, IN THE AMOUNT OF \$430,410.99
- TOTAL PAYROLL REGISTER.....\$ 430,410.99

Motion to:

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

D. CONTRACT AMENDMENT - BANKING AND CUSTODY SERVICES

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to approve, and authorize the City Manager to execute, Amendment No. 2 to Contract No. C11-48, by and between the City of San Clemente and Bank of the West, providing for banking and custody services, and allow for the City Manager to execute future extensions.

E. COMMUNITY FACILITIES DISTRICT NO. 2006-01 (MARBLEHEAD COASTAL) LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT REPORT (SB 165) FOR FISCAL YEAR ENDED JUNE 30, 2022.

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to accept, and file the Community Facilities District No. 2006-1 (Marblehead Coastal) Local Agency Special Tax and Bond Accountability Act Report (SB 165) for the Fiscal Year ended June 30, 2022.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

F. CONTRACT AMENDMENT - MONTHLY METER READING

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

1. Approve, and authorize the City Manager to execute, Amendment No. 3 to Contract No. C07-04, by and between the City of San Clemente and Alexander's Contract Services Inc., providing for Meter Reading Services.

2. Authorize the City Manager to execute one year extension option.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

H. NOTICE OF COMPLETION - ALLEY PAVEMENT REHABILITATION

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

1. Accept the Alley Pavement Rehabilitation, from the contractor, L.C. Paving & Sealing Inc., CIP Project Nos. 10318, 18326 and 18328.

2. Authorize the Public Works Director/City Engineer to execute and record, the Notice of Completion for Alley Pavement Rehabilitation.

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, L.C. Paving & Sealing, Inc.

4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

I. CONTRACT AMENDMENT - AS-NEEDED GEOTECHNICAL AND RELATED SERVICES.

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to:

1. Approve, and authorize the Public Works Director/City Engineer to execute, Amendment No. 1 to Contract No. C19-65, by and between the City of San Clemente and LGC Geotechnical, Inc., providing for As-Needed Geotechnical and Related Services.

2. Approve, and authorize the Public Works Director/City Engineer to execute, Amendment No. 1 to Contract No. C19-66, by and between the City of San Clemente and Geo-Logic Associates, Inc., providing for As-Needed Geotechnical and Related Services.

3. Approve, and authorize the Public Works Director/City Engineer to execute, Amendment No. 1 to Contract No. C19-67, by and between the City of San Clemente and Ninyo & Moore Geotechnical & Environmental Science Consultants, providing for As-Needed Geotechnical and Related Services.

4. Approve, and authorize the Public Works Director/City Engineer to assign As-Needed Geotechnical and Related Services task authorizations under the original approved agreements and First Amendments, not to exceed \$200,000 total per fiscal year, for each consultant, provided funds are available in prior City Council approved project budgets.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

J. ADOPT RESOLUTION FOR GRANT FUNDING APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR THE WATER RECYCLING FUNDING PROGRAM

Motion by Councilmember James, second by Councilmember Cabral, CARRIED 5-0, to adopt Resolution No. 22-43 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS UNDER THE STATE WATER RESOURCES CONTROL BOARD WATER RECYCLING FUNDING PROGRAM FOR RECYCLED WATER MASTER PLAN AND EXPANSION PROJECT.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

The following item was removed from the Consent Calendar for discussion: 4G

4G. SENIOR AQUATICS PARTNERSHIP - SAN CLEMENTE AQUATICS

Yann De Fabrique, President of San Clemente Aquatics, provided an overview of the San Clemente Aquatics program and responded to Council inquiries.

Motion by Councilmember Knoblock, second by Councilmember Cabral,

to:

1. Grant Senior Aquatics Partnership status to San Clemente Aquatics for a one-year agreement with two possible one-year extensions.

2. Approve, and authorize the Mayor to execute the Senior Aquatics Partnership agreement, with two possible one-year extensions.

Substitute motion by Mayor Duncan, second by Councilmember Enmeier, CARRIED 5-0, to:

1. Grant Senior Aquatics Partnership status to San Clemente Aquatics for a one-year agreement with two possible one-year extensions.

2. Approve, and authorize the City Manager to execute the Senior Aquatics Partnership agreement, with two possible one-year extensions.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

ABSENT: None

5. Special Presentations

A. California Department of Insurance

Andrea Valdes, Outreach Analyst, California Department of Insurance narrated a Powerpoint presentation concerning an overview of the California Department of Insurance and the Safer From Wildfires program. A hard copy of the presentation is on file with the City Clerk.

B. USO Camp Pendleton

Crystal Gates, Center Operations and Program Manager USO Camp Pendleton, narrated a Powerpoint presentation concerning USO programs at Camp Pendleton. A hard copy of the presentation is on file with the City Clerk.

C. Homeless Update

November Homeless update to be provided at the December 20, 2022 City Council Meeting.

BUSINESS MEETING PART 2

6. Reports

A. Commissions and Committees

None.

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

Interim City Manager Joyce reported that the following contract was executed under his signature authority: MGT of America providing for part-time classification and compensation study in the amount of \$17,668.

Winter Hiring Fair

Interim City Manager Joyce announced a winter hiring fair is scheduled for December 16, 2022 from 10:00 a.m. to 12:00 p.m. to recruit applicants for all aquatics positions.

C. City Attorney

None.

D. Council Members

Mayor Duncan noted he is honored to be serving as Mayor and is looking forward to working with residents, staff and public safety.

Councilmember James, with the support of Councilmember Cabral and Mayor Duncan, requested the Interim City Manager issue a letter to West Coast Arborists regarding safety concerns.

Councilmember Cabral congratulated Mayor Duncan and Mayor Pro Tem Knoblock on their appointment to office.

Mayor Duncan requested clarification from the City Attorney concerning Council assigning and creating ad-hoc committees and/or subcommittees. Note: this item is agendized for the December 20, 2022 City Council Meeting.

Councilmember James, with the support of Mayor Duncan and Mayor Pro Tem Knoblock, agendized reconsideration of the design of Steed Park pickleball courts as previously approved at the November 15, 2022 City Council meeting; reconsideration of this item will be at the December 20, 2022.

E. Council Subcommittee Updates

None.

7. Closed Session Report - City Attorney

None.

8. Public Hearings**A. ORDINANCE TO ADOPT VARIOUS BUILDING CODE REGULATIONS AND LOCAL AMENDMENTS**

Public Hearing to consider the Municipal Code amendments to Title 15 Buildings and Construction and Chapter 8.16 Fire Code.

Building Official Holden narrated a Powerpoint entitled "2022 Building Code Adoption". A hard copy of the presentation is on file with the City Clerk.

Mayor Duncan opened the Public Hearing. There being no one desiring to speak, the Public Hearing was closed.

Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to Adopt Ordinance No. 1738 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING TITLE 15 CHAPTERS 15.05, 15.08, 15.11, 15.12, 15.14, 15.16, 15.17, 15.18, 15.20, 15.22, 15.23 AND TITLE 8 CHAPTER 8.16 OF THE SAN CLEMENTE MUNICIPAL CODE AND, ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING IN PART OF THE 2022 ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA FIRE CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, AND THE 2022 CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

B. SPECIFIC PLAN AMENDMENTS (SPA) 21-229 TO UPDATE SPECIFIC PLANS FOR CONSISTENCY WITH THE CENTENNIAL GENERAL PLAN, ZONING CODE, AND COASTAL LAND USE PLAN

Public Hearing to consider a recommendation of the Planning Commission to adopt City-initiated amendments to the Talega, Rancho San Clemente, Forster Ranch, Marblehead Inland, and Marblehead Coastal Specific Plans.

Associate Planner Webber narrated a Powerpoint presentation entitled "Specific Plan Amendments (SPA 21-229)" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Duncan opened the Public Hearing. There being no one desiring to speak, the Public Hearing was closed.

Motion by Councilmember James, second by Mayor Pro Tem Knoblock,

CARRIED 5-0, to:

1. Determine a review of the project has been completed according to the California Environmental Quality Act (CEQA), and find SPA 21-229 does not constitute a "project" subject to CEQA [State CEQA Guidelines, §§ 15060, subd. (c)(2), 15060, subd. (c)(3), 15378(a), and 15378 (b)(5)], in that SPA 21-229 is exempt under CEQA's common sense exemption [State CEQA Guidelines, § 15061, subd. (b)(3)]; and if SPA 21-229 were determined to be a non-exempt project subject to CEQA, environmental review is unnecessary under Public Resources Code section 21166 and State CEQA Guidelines section 15162, whereas the "project" would not cause new significant environmental effects or substantially increase the environmental effects that were fully disclosed, evaluated, and mitigated, to the extent feasible in the certified General Plan EIR.

2. Adopt Resolution No. 22-44 entitled A RESOLUTION OF CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT 21-229 UPDATING SPECIFIC PLANS FOR TALEGA, RANCHO SAN CLEMENTE, MARBLEHEAD INLAND, MARBLEHEAD COASTAL, AND FORSTER RANCH FOR CONSISTENCY WITH THE CENTENNIAL GENERAL PLAN, ZONING CODE, AND COASTAL LAND USE PLAN.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

C. CODE AMENDMENT - AMENDING VARIOUS SECTIONS OF THE SAN CLEMENTE MUNICIPAL CODE TO IMPLEMENT THE CITY'S SIXTH CYCLE HOUSING ELEMENT (PROJECT NO. ZONING AMENDMENT 22-369).

Public Hearing to consider a recommendation of the Planning Commission to amend various provisions of the San Clemente Municipal Code to effectuate revisions contemplated by the City's Sixth Cycle Housing Element.

Senior Planner Toma narrated a Powerpoint presentation entitled "Zoning Amendments: Implementation of Sixth Cycle Housing Element Update" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Duncan opened the Public Hearing. There being no one desiring to speak, the Public Hearing was closed.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Enmeier, CARRIED 5-0, to:

1. Introduce Ordinance No. 1740 entitled AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.24.070 OF THE SAN CLEMENTE MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

2. Introduce Ordinance No. 1741 entitled AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.56.100 OF THE SAN CLEMENTE MUNICIPAL CODE TO COMPLY WITH ASSEMBLY BILL 139 REGARDING PARKING REQUIREMENTS FOR EMERGENCY SHELTERS AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

3. Introduce Ordinance No. 1742 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.28.270 OF THE SAN CLEMENTE MUNICIPAL CODE GOVERNING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO COMPLY WITH CHANGES IN STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA (CEQA).

4. Introduce Ordinance No. 1743 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING LOW BARRIER NAVIGATION CENTERS AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

5. Introduce Ordinance No. 1744 entitled AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING SUPPORTIVE AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

6. Introduce Ordinance No. 1745 entitled AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE REGARDING RESIDENTIAL CARE FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

D HISTORIC PROPERTY PRESERVATION AGREEMENT 22-297, 212 ROSA MILLS ACT CONTRACT, LOCATED AT 212 AVENIDA ROSA

Public Hearing to consider a Mills Act agreement between the City and the owners of a historic private single-family residence at 212 Avenida Rosa.

Assistant Planner Carrillo narrated a Powerpoint presentation entitled "Historic Property Preservation Agreements" and responded to Council Inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Duncan opened the Public Hearing. There being no one desiring to speak, the Public Hearing was closed.

Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 22-45 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING HISTORIC PROPERTY PRESERVATION AGREEMENT 22-297 FOR THE PROPERTY LOCATED AT 212 AVENIDA ROSA.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

E. HISTORIC PROPERTY PRESERVATION AGREEMENT 22-338, 217 ESPLANADE MILLS ACT CONTRACT, LOCATED AT 217 ESPLANADE

Public Hearing to consider a Mills Act agreement between the City and the owners of a historic private single-family residence at 217 Esplanade.

Assistant Planner Carrillo narrated a Powerpoint presentation entitled "Historic Property Preservation Agreement (HPPA) 22-338: 217 Esplanade" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Duncan opened the Public Hearing. There being no one desiring to speak, the Public Hearing was closed.

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 22-46 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING HISTORIC PROPERTY PRESERVATION AGREEMENT 22-338 FOR THE PROPERTY LOCATED AT 217 ESPLANADE.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

9. Unfinished Business

A. ORDINANCE NO. 1739 (SECOND READING) - PARKING RECREATIONAL VEHICLES ON CITY STREETS AND ALLEYS

Amanda Q spoke in support of adoption of the ordinance.

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1739 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 10.28.230(B) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO PARKING RECREATIONAL VEHICLES ON CITY STREETS AND ALLEYS.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

10. New Business**A. CONSIDERATION OF ALLOCATING A DONATION TO THE FLYING LEATHERNECKS HISTORICAL FOUNDATION**

Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to postpone consideration of allocating General Funds for a donation until such a time as it can be considered during the regular budget process.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

B. ASSEMBLY BILL 2449 - OPEN MEETINGS AND VIRTUAL COUNCIL MEETING PARTICIPATION

Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0 to receive and file the administrative report dated December 6, 2022 and on file with the City Clerk.

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None

11. Oral Communications (Part 2)


None.

12. Adjournment

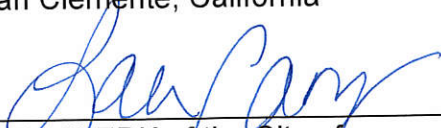
Motion by Councilmember James, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adjourn at 8:20 p.m. to an Adjourned Regular meeting to be held on December 13, 2022 at 4:00 p.m. for the purpose of conducting Closed Session. The next Regular Meeting to be held on December 20, 2022. Part 1 of the Regular 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. This meeting was adjourned in memory of the individuals that perished in the attacks at Pearl Harbor on December 7, 1941

AYE: Cabral, Enmeier, James, Knoblock, and Mayor Duncan

NOE: None



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California