

CITY OF SAN CLEMENTE  
Tuesday, June 20, 2023 5:00 PM  
City Council  
Regular Meeting Minutes



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

5:00 p.m. - Closed Session  
6:00 p.m. - Business Meeting

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

*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 Meeting of the San Clemente City Council was called to order by Mayor Duncan on June 20, 2023 at 5:00 p.m. in the San Clemente City Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

**PRESENT:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**STAFF PRESENT:** Andy Hall, City Manager; Elizabeth Mitchell, City Attorney; Laura Campagnolo, City Clerk; Megan Jimenez, Deputy City Clerk

**CLOSED SESSION**

Ruth Martin, San Clemente, commented on impacts of pickleball at San Gorgonio Park on the neighboring residents.

Amanda expressed concerns regarding the draft complaint submitted to the City and linked to the June 20, 2023 agenda; voiced concern with illegal parking during the pickleball tournament at Lifetime Fitness.

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to recess to Closed Session at 5:07 p.m. to discuss the following:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Existing litigation pursuant to Government Code Section 54956.9(d)(1) Number of Cases: 2

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor Agency, et al.

Riverside Superior Court Consolidated Case No.: RIC 1800232

CA Court of Appeal Case No.: E078045 (Fourth Appellate District, Division 2)

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code section 54956.9(a)(d) (3)  
Number of Cases: 1

Ruth Martin v. the City of San Clemente: Draft complaint received by the City is in the agenda materials per Government Code sections 54956.9(e)(3) and 54957.5.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

Closed Session concluded at 5:34 p.m.

## **BUSINESS MEETING**

The meeting reconvened at 6:00 p.m. with all Councilmembers present. The meeting was opened in memory of Alice Chandler, Orange County's first female deputy sheriff.

### **INVOCATION**

Stacy Tertany, Missions Director, The Shoreline Church, gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Duncan led the Pledge of Allegiance.

#### **1. Special Presentations**

None.

#### **2. Oral Communications (Part 1)**

Concerned Resident, San Clemente, opined that Mayor Duncan should not be participating in media interviews as it impacted Closed Session deliberations for tonight's meeting.

Donna Vidrine, San Clemente, urged council to reinstate the Health Care Subcommittee as it relates to the City re-establishing a hospital with an emergency room in San Clemente; opined that Council should implement the City's Climate Action Plan.

Christopher Butler, North Beach Community Association, urged Council to take action to get sand on San Clemente beaches.

#### **3. Motion waiving reading in full of all Resolutions and Ordinances**

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

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**4. Consideration of agendizing items requiring immediate action**

None.

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

City Attorney Mitchell announced that the following action was taken in Closed Session:

Council gave direction; no reportable action concerning:

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor Agency, et al.  
Riverside Superior Court Consolidated Case No.: RIC 1800232  
CA Court of Appeal Case No.: E078045 (Fourth Appellate District, Division 2)

Council gave direction; no reportable action concerning:

Case Name: Ruth Martin v. the City of San Clemente: Draft complaint received by the City is in the agenda materials per Government Code sections 54956.9(e)(3) and 54957.5.

**6. Staff Communications**

None.

**Reorganization of Agenda**

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 5-0, to consider item 10I - Contract Award - Security Services ahead of the Consent Calendar.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**7. Consent Calendar**

Items 7D, 7G, 7L and 7N were removed from the Consent Calendar for discussion.

**A. City Council Minutes**

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

- (1) APPROVE CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES OF JUNE 5, 2023.
- (2) APPROVE CITY COUNCIL SPECIAL MEETING MINUTES OF JUNE 6, 2023.
- (3) APPROVE CITY COUNCIL REGULAR MEETING MINUTES OF JUNE 6, 2023.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**B. Commission/Committee Minutes**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to receive and file the following:

- (1) PLANNING COMMISSION REGULAR MEETING MINUTES OF MAY 17, 2023.
- (2) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF MAY 18, 2023.
- (3) PLANNING COMMISSION REGULAR MEETING MINUTES OF JUNE 7, 2023.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**C. Warrant Register**

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

- (1) APPROVE WIRE TRANSFER NOS.  
2855 THROUGH 2860 AND WARRANT NOS.  
588703 THROUGH 588827, PAID ON  
6-2-23, IN THE AMOUNT OF \$798,644.54
  - (2) APPROVE HANDWRITE NO. 588828  
WIRE TRANSFER NOS. 2861 THROUGH  
2865 AND WARRANT NOS. 5288829  
THROUGH 589045, PAID ON 6-9-23,  
IN THE AMOUNT OF \$6,009,069.63
- TOTAL WARRANT REGISTER \$6,807,714.17

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**Payroll Register**

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

AUTOMATIC DEPOSIT ADVISES 86052  
THROUGH 86376, FOR THE PERIOD  
5-15-23 THROUGH 5-28-23, PAID  
ON 6-2-23, IN THE AMOUNT OF \$475,322.44

TOTAL PAYROLL REGISTER \$475,322.44

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**E. LICENSE AGREEMENT - CONTINUED USE OF THE SAN CLEMENTE PEDESTRIAN BEACH TRAIL AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS I (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-29, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
2. Approve, and authorize the City Manager to execute, Contract No. C23-20, a License Agreement, by and between the City of San Clemente and the Orange County Transportation Authority (OCTA), for continued use of the OCTA right-of-way and City maintenance of the Pedestrian Beach Trail.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**F. CONTRACT AWARD - ANNUAL CATHODIC PROTECTION SYSTEM TESTING, EVALUATION AND DESIGN SERVICES AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 9 (INSPECTIONS), SECTION 15309 OF THE STATE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-48, which will:

1. Determine that the project is categorically exempt from CEQA under Class 9 (Inspections, 14 CCR section 15309), Section 15309 of the State CEQA Guidelines.
2. Approve, and authorize the City Manager to execute, Contract No. 23-27, by and between the City of San Clemente and Universal Corrosion Services, LLC,

providing for annual cathodic protection system testing, evaluation and design services, in an amount not to exceed \$209,838 for a three-year term.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**H. CONTRACT AWARD - SEWER MANHOLE INSECT CONTROL SERVICES AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301) OF THE STATE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-50, which will:

1. Determine that the project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. C23-29, by and between the City of San Clemente and Golden Bell Products, Inc., providing for sewer manhole insect control services, in an amount not to exceed \$70,000 for a two year period.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**I. CONTRACT AWARD - RODENT CONTROL AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-51, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. 23-30, a Maintenance Services Agreement, by and between the City of San Clemente and Animal Pest Management Services, Inc., providing for landscape rodent control, for a not to exceed annual contract price of \$34,852.80, plus a \$10,000 annual contingency, for a total not to exceed annual amount of \$44,852 per year for a three-year term with the option of two one-year extensions to be exercised at the City Manager's discretion.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**J. CONTRACT AWARD - LANDSCAPE MAINTENANCE AT THE WATER RECLAMATION PLANT AND NINE RESERVOIR LOCATIONS AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-52, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. 23-31, a Maintenance Services Agreement, by and between the City of San Clemente and Ed Stewart and Associates, Inc., providing for landscape maintenance services, not to exceed annual contract price of \$34,800, plus a \$5,000 annual contingency, for a total not to exceed annual amount of \$39,800 per year for a three year term with the option of two one-year extensions to be exercised at the City Manager's discretion.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**K. CONTRACT AWARD - INFIELD AND TRACK MAINTENANCE AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to Adopt Resolution No. 23-53, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. 23-32, a Maintenance Services Agreement, by and between the City of San Clemente and PSFM, Inc., providing for infield and track maintenance, with a not to exceed annual contract price of \$510,000, plus a \$25,000 annual contingency, for a total not to exceed annual amount of \$535,000 per year for a three year term with the option of two one-year extensions to be exercised at the City Manager's discretion.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**M. CONTRACT AWARD - LANDSCAPE MAINTENANCE OF CITY PARKS WEST OF INTERSTATE 5 AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-55, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. 23-34, a Maintenance Services Agreement, by and between the City of San Clemente and Priority Landscape Services, Inc., providing for landscape maintenance of City properties west of Interstate 5, for a not to exceed annual contract price of \$477,000. plus an annual contingency of \$125,000, for a total not to exceed annual amount of \$602,000 per year for a three year term with the option of two one-year extensions to be exercised at the City Manager's discretion.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

**D. ORDINANCE 1752 (SECOND READING) - MODIFICATION OF BEACH HOURS**

Bernice Rivera-Giles, San Clemente, opined on the need for security at T-Street and enforcing the beach curfew.

Amanda Q spoke in support of adopting Ordinance No. 1752: modification of beach hours.

Tom Garrett spoke in support of adopting Ordinance No. 1752 related to changing the beach closure time to 10:00 p.m.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 5-0, to adopt Ordinance No. 1752 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, DECLARING A PUBLIC NUISANCE; AMENDING SECTION 12.32.140 OF THE SAN CLEMENTE MUNICIPAL CODE TO CLOSE THE PUBLIC BEACHES AT 10:00 P.M. FOR PUBLIC HEALTH, SAFETY AND WELFARE; AND FINDING THE ORDINANCE TO BE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301) OF THE STATE CEQA GUIDELINES.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None.



**G. CONTRACT AWARD - CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW SERVICES IN CONNECTION WITH THE BLUFFS AT BOCA PROJECT**

Deputy Community Director Atamian and Senior Planner Johnson reviewed the contents of the administrative report and responded to Council inquiries.

AQ spoke on the importance of the City to review the project; opined on the potential abandonment of a City parcel and land stability at the project site.

Craig Cooper, San Clemente, commented on the applicants selection of an environmental review consultant; expressed concerns related to site conditions and stability.

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-49, which will authorize the City Manager to execute, Contract No. 23-28, by and between the City of San Clemente and Kimley-Horn and Associates, Inc., providing for California Environmental Quality Act (CEQA) review services in connection with the Bluffs at Boca Project, in the amount of \$54,903.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**L. CONTRACT AWARD - DOWNTOWN PRESSURE WASHING AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR 15301) OF THE CEQA GUIDELINES**

Maintenance Manager Little reviewed the contents of the administrative report and responded to Council inquiries.

AQ spoke about social media comments concerning the sidewalk cleanliness on Avenida Del Mar; urged Council to initiate weekly cleanings of sidewalks on Avenida Del Mar.

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 5-0, to adopt Resolution No. 23-54, which will:

1. Determine that this project is categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
2. Approve, and authorize the City Manager to execute, Contract No. 23-33, a Maintenance Services Agreement, by and between the City of San Clemente and Powerclean, providing for downtown pressure washing services, in an amount not to exceed \$66,950 per year for a three year term with the option of two one-year extensions to be exercised at the City Manager's discretion.

3. Amend the third whereas clause in Resolution No. 23-54 to read as follows:  
*WHEREAS, providing pressure washing services in the downtown T-Zone area, to the extent necessary, due to the health and safety risk associated with not conducting that cleaning;*

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**N. CONTRACT AMENDMENT - SCRIDES AGREEMENT WITH LYFT AND BUTTERFLI**

Assistant City Engineer Ponsen reviewed the contents of the administrative report and responded to Council inquiries.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Enmeier, CARRIED 5-0, to adopt Resolution No. 23-56, which will:

1. Approve and authorize the City Manager to execute, Amendment No. 2 to Contract No. AC-775, by and between the City of San Clemente and Lyft to extend the SC Rides Program for an additional year through June 30, 2024.

2. Approve and authorize the City Manager to execute, Amendment No. 2 to Contract No. AC-775, by and between the City of San Clemente and Butterfli to extend the SC Rides Program for an additional year through June 30, 2024.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**8. Public Hearings**

None.

**9. Unfinished Business**

**A. MEASURE M2 ANNUAL FUNDING ELIGIBILITY - FISCAL YEAR 2023-2024, AND FINDING THE PROJECTS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301) AND CLASS 2 (REPLACEMENT OR RECONSTRUCTION, 14 CCR SECTION 15302) OF THE STATE CEQA GUIDELINES**

Assistant City Engineer Ponsen narrated a PowerPoint presentation entitled "Measure M2 Annual Funding Eligibility - Fiscal Year 2023-2024" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Amanda Q narrated a PowerPoint presentation entitled "Measure M2 Funds Bike lanes, Trails, & Parking". A hard copy of the presentation is on file with the City Clerk.

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

1. Determine the projects to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR Section 15301) and Class 2 (Replacement or Reconstruction, 14 CCR Section 15302).
2. Approve and adopt the 2023 Measure M2 seven-year Capital Improvement Program for Fiscal Years 2023-24 through 2029-30.
3. Adopt Resolution No. 23-37 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT, AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM.
4. Adopt Resolution No. 23-38 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M (M2) PROGRAM.
5. Adopt Resolution No. 23-39 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONCERNING THE UPDATE OF THE LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE MEASURE M (M2) PROGRAM.
6. Authorize and direct the Public Works Director/City Engineer to submit Measure M2 funding eligibility requirements on behalf of the City of San Clemente to the Orange County Transportation Authority and take all actions necessary and proper to obtain Measure M2 funding for Fiscal Year 2023-24.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

### **Meeting Recessed**

Meeting recessed at 8:11 p.m. and reconvened at 8:16 p.m. with all Councilmembers present.

## **10. New Business**

### **A. OPERATIONS AND COMPOSITION OF VARIOUS CITY COMMISSIONS AND COMMITTEES AND CONSIDERATION OF RE-ESTABLISHING THE COASTAL ADVISORY COMMITTEE**

City Clerk Campagnolo reviewed the contents of the administrative report and responded to Council inquiries.

Susan Ambrose, San Clemente, spoke in support of re-establishing the Coastal Advisory Committee; provided examples of previous goals and accomplishments

of the committee.

Donna Vidrine, San Clemente, spoke in support of re-establishing the Coastal Advisory Committee.

Amanda Q commented on the difficulty of scheduling Citizens Amphitheater Committee meetings.

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

1. Reinstate the Coastal Advisory Committee with five citizen members to meet bi-monthly.

2. Introduce Ordinance No. 1753 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADDING CHAPTER 2.29 TO THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE TO CREATE A COASTAL ADVISORY COMMITTEE.

3. Receive and file the administrative report, dated June 20, 2023, and on file with the City Clerk.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

Motion by Councilmember Enmeier, second by Councilmember Loeffler, CARRIED 5-0, to create an Arts and Culture Committee composed of five citizens, holding bi-monthly meetings.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 5-0, to appoint staff to the Citizens Amphitheater Committee and have the committee provide a report to Council within three months.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to direct the City Clerk to return to Council with an ordinance to modify the municipal code to allow for the Human Affairs Committee to meet monthly.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**B. ADOPTION OF FISCAL YEAR 2023-24 SALARY SCHEDULE**

Human Resources Manager Thordahl reviewed the contents of the administrative report and responded to Council inquiries.

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-57, which will adopt the revised salary schedule and new classifications and amend Resolution No. 23-13 and any other Resolutions in conflict therewith.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**C. FY 2023-24 CONTRACT BETWEEN THE CITY OF SAN CLEMENTE AND THE COUNTY OF ORANGE FOR POLICE SERVICES**

Financial Services Officer Rahn reviewed the contents of the administrative report and responded to Council inquiries.

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-58, which will approve, and authorize the City Manager to execute, Contract No. 23-35, by and between the City of San Clemente and the County of Orange, providing for police services, in the amount of \$19,809,265.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**D. WITHDRAWAL OF RESOLUTION OF NECESSITY WITH RESPECT TO OPEN SPACE PROPERTY LOCATED SOUTHEAST OF AVENIDA PICO, ASSESSOR'S PARCEL NUMBERS 688-011-01 AND 688-011-02**

City Attorney Mitchell and City Manager Hall reviewed the contents of the administrative report and responded to Council inquiries.

AQ narrated a PowerPoint presentation entitled "Open Space". A hard copy of the presentation is on file with the City Clerk.

Donna Vidrine, San Clemente, spoke in opposition to the lawsuit with Emergency Shelter Coalition; expressed support for the withdrawal of the Resolution of Necessity.

Shelley Moore commented on the circumstances regarding the sale of the property to Emergency Shelter Coalition; opined the area should remain open space.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 5-0, to adopt Resolution No. 23-59, which will:

1. Withdraw Resolution of Necessity 20-27.

2. Authorize and direct staff to withdraw the Notice of Pendency of Action (Lis Pendens) and seek the release of the funds on deposit with the California State Treasurer.

3. Authorize and direct staff to take those actions that are necessary and proper in connection with dismissal of the eminent domain action and to accomplish the purpose and intent of the Resolution in a timely and expeditious fashion.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**E. REVIEW OF AGENDA TEMPLATE AND POLICY AND PROCEDURE 1201-11 - CITY COUNCIL MEETING AND OPERATING PROCEDURES (PROPOSED UPDATE PURSUANT TO COUNCIL'S DIRECTION OF JUNE 6, 2023) WITH CONSIDERATION OF REMOVAL OF ORAL COMMUNICATIONS PART 2 AND EXPLANATION OF STAFF COMMUNICATIONS**

City Clerk Campagnolo reviewed the contents of the administrative report and responded to Council inquiries.

Amanda Q expressed concerns regarding elimination of Oral Communications Part 2; opined the City should support free speech rights.

Donna Vidrine, San Clemente, opined that Oral Communications Part 2 should remain on the agenda as it allows opportunity for those who are unable to attend Council meetings during Oral Communications 1 to still have an opportunity to speak.

Tony Rubolino commented on the history of Oral Communications Part 2; opined that the removal of Oral Communications Part 2 will not allow for public input and infringe upon free speech.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 4-1 (Councilmember Enmeier voting Noe), to take no action and table this item.

**AYE:** Cabral, Knoblock, Loeffler and Mayor Duncan

**NOE:** Enmeier

**F. CONSIDERATION OF LETTER OF SUPPORT - THE HELPER ACT (HOMES FOR EVERY LOCAL PROTECTOR, EDUCATOR AND RESPONDER) - BILL H.R. 3170 AND S. 1514**

AQ expressed concerns with the definition of first responders, who is eligible and potential exclusion of individuals under the Helper Act.

Thor Johnson spoke in support of the Helper Act; urged Council to assist Orange County Sheriffs deputies and Orange County Fire Authority personnel by offering

property tax rebates.

Motion by Councilmember Enmeier, second by Mayor Duncan, CARRIED 4-0-1(Mayor Pro Tem Knoblock Abstaining), to approve, and authorize the Mayor to execute a letter in support of the HELPER Act and direct staff to send the letter with the modification to the letter to encourage the inclusion of nurses as first responders to qualify them for benefits under the HELPER Act.

**AYE:** Cabral, Enmeier, Loeffler and Mayor Duncan

**NOE:** None

**ABSTAIN:** Knoblock

**G. GREEN LINE TROLLEY UPDATE AND CONSIDERATION OF RESOLUTION 23-60 AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL CONTRACT BETWEEN LAZ PARKING CALIFORNIA LLC AND THE CITY OF SAN CLEMENTE FOR TROLLEY SERVICES ON THE GREEN LINE AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301) OF THE STATE CEQA GUIDELINES**

Economic Development Officer Lightfoot reviewed the contents of the administrative report and responded to Council inquiries.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Enmeier, CARRIED 5-0, to adopt Resolution No. 23-60, which will:

1. Determine the project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities, 14CCR Section 15301).
2. Approve, and authorize the City Manager to execute, Contract No. 23-36, a Supplemental Contract, by and between the City of San Clemente and LAZ Parking, providing for Green Line trolley service, in an amount not to exceed \$201,600.
3. Appropriate the necessary supplemental funds into Account No. 021-808-43690 (Other Professional Services) for operations of the Green Line trolley during the summer of 2023.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**H. PARKING MODIFICATIONS - SOUTH EL CAMINO REAL AND AVENIDA SAN LUIS REY AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301) OF THE STATE CEQA GUIDELINES**

Senior Traffic Engineer Kim and Assistant City Engineer Ponsen narrated a PowerPoint presentation entitled "On-Street Parking Modification" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 5-0, to adopt Resolution No. 23-61, which will:

1. Finding the project categorically exempt from the California Environmental Quality Act (CEQA) under Class 1(Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
2. Approve the parking modification as illustrated in Attachment 2 of the Administrative Report dated June 20, 2023, and on file with the City Clerk.
3. Appropriate the required funds (approximately \$1000) from the Street Sign Replacement Project No. 21306.
4. Request Police Services to consider increasing parking enforcement near the intersection of South El Camino Real and Avenida San Luis Rey.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**I. CONTRACT AWARD - SECURITY SERVICES**

This item was considered before the Consent Calendar, please reference page 3 of these minutes for a summary of action.

City Manager Hall reviewed the contents of the administrative report and responded to Council inquiries.

Tad, Allied Universal Security Services, commented on the services Allied Universal Security Services will provide to the City of San Clemente.

Darryl McFann, San Clemente, spoke in support of a security services contract with Allied Universal Security Services on a temporary basis.

Ken Poczekaj, San Clemente, spoke in support of a contract for private security services with Allied Universal Security Services; opined on proactive policing.

Amanda Q commented on residents need for safety in the community; spoke in support of a private security contract.



Christopher Butler, North Beach Community Association, expressed community frustration regarding safety concerns; urged Council to approve the contract with Allied Universal Security Services.

Evet Sahakian, San Clemente, spoke in support of a private security contract with Allied Universal Security Services.

Lawrence Luke, San Clemente, spoke in support of a private security contract with Allied Universal Security Services.

Allison Lusk-Mauvezin, San Clemente, spoke in support of a private security contract with Allied Universal Security Services.

Jill Watson, San Clemente, commented on safety concerns; spoke in support of a private security contract with Allied Universal Security Services.

Concerned Citizen, San Clemente, questioned how Allied Universal Security Services will address child trafficking; inquired how metrics will be determined.

Shelley Moore commented on the potential impact private security will have on the cleanliness in the City.

Joe Janis spoke in support of a private security contract with Allied Universal Security Services.

Tom Garrett spoke in support of a private security contract with Allied Universal Security Services.

Sara Martin, San Clemente, spoke in support of a private security contract with Allied Universal Security Services.

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 4-1 (Mayor Duncan voting Noe), to adopt Resolution No. 23-62, which will authorize the City Manager to prepare and execute, Contract No. C23-37, an agreement with Allied Universal Security Services, providing security services for the City of San Clemente for a period of six months, in an amount not to exceed \$350,000.

**AYE:** Cabral, Enmeier, Knoblock and Loeffler

**NOE:** Mayor Duncan

**J. RATIFICATION OF AN EMERGENCY CONTRACT AND FIRST AMENDMENT THERETO - TEMPORARY EMERGENCY SLOPE STABILIZATION REPAIRS AT CASA ROMANTICA**

Public Works Director/City Engineer Koger reviewed the contents of the administrative report and responded to Council inquiries.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Enmeier, CARRIED 5-0, to adopt Resolution No. 23-63, which will:

1. Make a finding that an emergency exists due to the potential failure of an existing slope and that the situation requires immediate action to prevent or mitigate impairment to property and public services that might otherwise occur if required to incur delays attributed to the typical engineering analysis and competitive bidding process.
2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health.
3. Approve a supplemental appropriation in the amount of \$350,000 to Account No. 001-481-43470-000-23502 from the General Fund unassigned fund balance.
4. Ratify Construction Contract No. C23-38 and Amendment No. 1 to Contract No. C23-38, by and between the City of San Clemente and Alliance Diversified Enterprises, Inc., providing for emergency temporary slope stabilization repairs at Casa Romantica, on a time and materials basis for up to \$350,000.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

**11. Oral Communications (Part 2)**

Sandy Exelby, San Clemente, expressed interest in the revitalization of North Beach; supports efforts in making North Beach family friendly.

Amanda Q commented on Oral Communications Part 2 related to the value of citizens being able to voice their opinions even after an agenda item has been decided.

**12. Future Agenda Items****Commerical Vehicle Parking**

Mayor Pro Tem Knoblock requested an update concerning the previously agendized commercial vehicle parking.

**Recycling Program**

Councilmember Cabral, with the support of Council agendized a presentation concerning a pilot project for consumer access to recycling program.

**Public Safety Department**

Councilmember Loeffler, with the support of Mayor Pro Tem Knoblock and Mayor Duncan, agendized discussion of transitioning Marine Safety from Beaches Parks and Recreation to a Public Safety Department that would include Marine Safety, Sheriff and Fire services.

**Vista Hermosa Sports Park Memorial**

Mayor Duncan, with the support of Councilmember Enmeier and Councilmember Loeffler, agendized for the July 18, 2023 Council meeting, consideration of naming a sports field or similar at the Vista Hermosa Sports Park in memory of fallen firefighter Jonathan Flagler and/or first responders.

**Roundabout at Avenida Palizada**

Mayor Pro Tem Knoblock, with the support of Councilmember Loeffler and Councilmember Cabral, directed staff to evaluate the feasibility of a roundabout or other traffic mitigation measures at the intersection of Avendia Palizada and Avenida Estrella with the potential of expanding the right of way on to the Valero property.

**13. Reports****A. Commissions and Committees****Orange County Vector Control**

Mayor Pro Tem Knoblock provided an update on the OC Vector Control's efforts to reduce the mosquito population in Orange County.

**B. Council Subcommittee Updates**

None.

**C. Council Members****Rivera Beach Access Maintenance**

Councilmember Loeffler acknowledged the City Manager for expediently resolving an access maintenance issue at Riviera Beach.

**Orange County Clerk-Recorder Services**

Councilmember Cabral reported that the South Orange County Clerk-Recorder office, located in Laguna Hills, offers passport services.

**Pickleball Tournament**

Mayor Duncan commented on the success of the pickleball tournament at Lifetime Fitness.

**Grant Funding for Boys and Girls Club**

Councilmember Enmeier requested an update concerning grant funds that were allocated for the Boys and Girls Club; inquired whether a complete application was submitted for Community Development Block Grant funding.

**D. City Attorney**

None.

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

City Manager Hall reported that the following professional services contracts were executed under his authority: Diamond Construction providing for Municipal Gold Course Storm Drain Repair in the amount of \$42,338 and Aqua Staffing providing for On-Call Licensed Temporary Staffing in the amount of \$49,500.

**14. Adjournment**

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 5-0, to adjourn at 10:22 p.m. The next Regular Meeting will be held on July 18, 2023. Closed Session will begin at 5:00 p.m. The Business Meeting will commence at 6:00 p.m. The meeting will take place at City Hall Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

The Regular Council meeting of July 4, 2023 was previously cancelled.

**AYE:** Cabral, Enmeier, Knoblock, Loeffler and Mayor Duncan

**NOE:** None

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MAYOR of the City of  
Clemente, California

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CITY CLERK of the City of San  
San Clemente, California