



4:00 p.m. - Closed Session  
6:00 p.m. - Business Meeting

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

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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 and Regular Meeting of the San Clemente City Council was called to order by Mayor Duncan on August 15, 2023 at 4:00 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; Maile Stivers, Administrative Assistant

**CLOSED SESSION**

**City of San Clemente v. Eastern/Foothill Transportation Corridor Agency**

Amanda Q opined that the City should not pursue an appeal; expressed concerns with the Memorandum of Understanding Agreement with CalTrans.

**Real Property Negotiations with Orange County Fire Authority**

Amanda Q narrated a PowerPoint presentation entitled "Three Parcels for Sale or Lease?". A hard copy of the presentation is on file with the City Clerk.

**Real Property Negotiations with Sysco Corporation**

Amanda Q narrated a PowerPoint presentation entitled "Closed Session Lease of Parking Lot at 100 Avenida Presidio". A hard copy of the presentation is on file with the City Clerk.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, to recess to Closed Session at 4:12 p.m. to discuss the following:

**A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code section 54956.9(a)(d) (2)

Number of Cases: 2

1. Facts and Circumstances per Government Code section 54956.9(e)(2): Allegations under the California Voting Rights Act of 2001.
2. Facts and Circumstances per Government Code section 54956.9(e)(1): Facts and circumstances that might result in litigation against the City that the City believes are not yet known to a potential plaintiff or plaintiffs.

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Existing litigation pursuant to Government Code Section 54956.9(d)(1) Number of Cases: 3

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)

Case Name: City of San Clemente v. Emergency Shelter Coalition, et al. Orange County Superior Court Case Number: 2020-01153535-CU-EI-CXC

**C. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

Whether to initiate litigation pursuant to Government Code section 54956.9(d)(4) Number of Cases: 1

Case Name: Socal Recovery, LLC, et al. v. City of Costa Mesa, et al.  
United States Court of Appeals for the Ninth Circuit Docket No.: 20-55820

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Discussion concerning real property transactions in compliance with Government Code section 54956.8 regarding:

1. Real Property Negotiations: APN 678-163-01  
Property: 1.1-acre undeveloped area west of Courtney's Sandcastle Playground of Vista Hermosa Sports Park  
City Negotiators: Andy Hall, City Manager and Samantha Wylie, Director of Beaches, Parks and Recreation  
Negotiating Parties: Salty Turf  
Under Negotiation: Price and terms
2. Real Property Negotiations: APN 679-152-03, APN 678-163-01 and part of APN 678-163-01  
Property: 2.7-acre undeveloped area on the west side of Vista Hermosa Park, 3.3-acre undeveloped lot at the southeast corner of Avenida Vista Hermosa and

Camino Vera Cruz, and 2.3-acre undeveloped area at the southwest Avenida Vista Hermosa and La Pata

City Negotiators: Andy Hall, City Manager, Cecilia Gallardo Daly, Community Development Director and Jonathan Lightfoot, Economic Development Officer  
Negotiating Parties: Orange County Fire Authority

Under Negotiation: Price and terms

3. Real Property Negotiations: APN 690-012-01

Property: The parking lot located at 100 Avenida Presidio, San Clemente, CA 92672  
City Negotiators: Andy Hall, City Manager

Negotiating Parties: Sysco Corporation Under Negotiation: Price and terms

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

**NOE:** None

Closed Session concluded at 6:00 p.m.

### **BUSINESS MEETING**

The Regular Business meeting reconvened at 6:05 p.m., with all Councilmembers present.

#### **INVOCATION**

Pastor John Randall, Calvary South Orange County, gave the invocation.

#### **PLEDGE OF ALLEGIANCE**

Amelia-Mae Weinstein led the Pledge of Allegiance.

### **1. Special Presentations**

#### **A. Recognition of Out-Going Commission and Committee Members**

Mayor Duncan recognized and presented City tiles to the following out-going City Commission and Committee members:

**Dick Veale**, Golf Course Committee.

**Charlie Hightower**, Public Safety Committee.

**Jorine Campopiano, Teri Rousseau and Amelia-Mae Weinstein**, Beaches, Parks and Recreation Commission.

**Michelle Brooks and Aaron Washington**, Human Affairs Committee.

**B. Presentation of Commendation(s) - Sawyer Lindblad and Crosby Colapinto - US Open of Surfing**

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, to remove this item from the agenda and reschedule to the September 5, 2023 Regular City Council meeting.

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

**NOE:** None

**C. World Surf League (WSL) at Trestles**

Economic Development Officer Lightfoot narrated a PowerPoint presentation concerning the Rip Curl WSL Finals at Trestles. A hard copy of the presentation is on file with the City Clerk.

Mike Kay, San Clemente, expressed the need for a traffic control plan in south San Clemente impacted by the WSL Finals at Trestles; opined that additional maintenance and clean-up is needed in the Trestles area.

City Manager Hall provided an update concerning ongoing maintenance and clean-up efforts near Trestles.

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

Fred Smoller, Orange County Sustainability Decathlon, spoke on the upcoming Orange County Sustainability Decathlon at the Orange County Fairgrounds; requested the City consider sponsorship.

David Erickson, San Clemente, expressed concerns regarding parking enforcement and potential traffic hazards at the intersection of Avenida Rosa and Avenida Santa Barbara.

George Gregory, San Clemente, expressed concerns regarding the unequal enforcement of street sweeping.

Mike Kay, San Clemente, expressed concerns regarding the City's ability to notify the citizens in case of a natural disaster or emergency.

Amanda Q, narrated a PowerPoint Presentation entitled "Flyer". A hard copy of the presentation is on file with the City Clerk.

**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:

**A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

No reportable action concerning:

1. Facts and Circumstances per Government Code section 54956.9(e)(2): Allegations under the California Voting Rights Act of 2001.
2. Facts and Circumstances per Government Code section 54956.9(e)(1): Facts and circumstances that might result in litigation against the City that the City believes are not yet known to a potential plaintiff or plaintiffs.

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Council did not discuss this item at the August 15, 2023 Closed Session:

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)

Direction was given, no reportable action concerning:

Case Name: *City of San Clemente v. Emergency Shelter Coalition, et al.* Orange County Superior Court Case Number: 2020-01153535-CU-EI-CXC

**C. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

The City will be joining the Amicus Brief that is being filed:

Case Name: *Socal Recovery, LLC, et al. v. City of Costa Mesa, et al.*  
United States Court of Appeals for the Ninth Circuit Docket No.: 20-55820

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

No reportable action concerning:

1. Real Property Negotiations: APN 678-163-01

Property: 1.1-acre undeveloped area west of Courtney's Sandcastle Playground of Vista Hermosa Sports Park  
City Negotiators: Andy Hall, City Manager and Samantha Wylie, Director of Beaches, Parks and Recreation  
Negotiating Parties: Salty Turf  
Under Negotiation: Price and Terms

2. Real Property Negotiations: APN 79-152-03, APN 678-163-01 and part of APN 678-163-01

Property: 2.7-acre undeveloped area on the west side of Vista Hermosa Park, 3.3-acre undeveloped lot at the southeast corner of Avenida Vista Hermosa and Camino Vera Cruz, and 2.3-acre undeveloped area at the southwest Avenida Vista Hermosa and La Pata

City Negotiators: Andy Hall, City Manager, Cecilia Gallardo Daly, Community Development Director and Jonathan Lightfoot, Economic Development Officer

Negotiating Parties: Orange County Fire Authority

Under Negotiation: Price and terms

3. Real Property Negotiations: APN 690-012-01

Property: The parking lot located at 100 Avenida Presidio, San Clemente, CA 92672 City Negotiators: Andy Hall, City Manager

Negotiating Parties: Sysco Corporation

Under Negotiations: Price and terms

**6. Consent Calendar**

Items 6D, 6H, 6N, 6O and 6P were removed from the Consent Calendar for discussion.

**A. City Council Minutes**

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

**(1) APPROVE THE CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES OF JULY 18, 2023.**

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

**NOE:** None

**B. Commission/Committee Minutes**

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

- (1) HUMAN AFFAIRS COMMITTEE REGULAR MEETING MINUTES OF JUNE 13, 2023.
- (2) INVESTMENT ADVISORY COMMITTEE SPECIAL MEETING MINUTES OF MAY 1, 2023.
- (3) PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF JUNE 27, 2023.
- (4) BEACHES, PARKS AND RECREATION COMMISSION REGULAR MEETING MINUTES OF APRIL 11, 2023.
- (5) HUMAN AFFAIRS COMMITTEE MEETING MINUTES OF JULY 25, 2023.
- (6) PLANNING COMMISSION REGULAR MEETING MINUTES OF AUGUST 2, 2023.
- (7) STUDY SESSION OF THE PLANNING COMMISSION MINUTES OF AUGUST 2, 2023.

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

**NOE:** None

**C. Warrant Register**

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

- (1) APPROVE WIRE TRANSFER NOS.  
2881 THROUGH 2886 AND WARRANT NOS.  
589707 THROUGH 589907, PAID ON  
7-14-23, IN THE AMOUNT OF \$2,144,423.32
- (2) APPROVE WIRE TRANSFER NO.  
2887 AND WARRANT NOS.  
589908 THROUGH 590030, PAID ON  
7-21-23, IN THE AMOUNT OF \$4,584,852.70
- (3) APPROVE WIRE TRANSFER NOS.  
2888 THROUGH 2894 AND WARRANT NOS.  
590031 THROUGH 590275, PAID ON  
7-28-23, IN THE AMOUNT OF \$4,641,596.50

TOTAL WARRANT REGISTER \$11,370,872.52

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

**NOE:** None

**Payroll Register**

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

AUTOMATIC DEPOSIT ADVISES 87064  
THROUGH 87409, FOR THE PERIOD  
6-26-23 THROUGH 7-9-23, PAID  
ON 7-14-23, IN THE AMOUNT OF \$535,058.93

AUTOMATIC DEPOSIT ADVISES 87410  
THROUGH 87756, FOR THE PERIOD  
7-10-23 THROUGH 7-23-23, PAID  
ON 7-28-23, IN THE AMOUNT OF \$541,156.21

TOTAL PAYROLL REGISTER \$1,076,215.14

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

**NOE:** None

**E. ORDINANCE NO. 1756 (SECOND READING) - RELATING TO THE BEACHES, PARKS AND RECREATION COMMISSION AND HUMAN AFFAIRS COMMITTEE, RESPECTIVELY, ADDING CHAPTER 2.45, ESTABLISHING AN ARTS AND CULTURE COMMITTEE**

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1756 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTERS 2.28 AND 2.40 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE, RELATING TO THE BEACHES, PARKS AND RECREATION COMMISSION AND HUMAN AFFAIRS COMMITTEE, RESPECTIVELY, AND ADDING CHAPTER 2.45 ESTABLISHING AN ARTS AND CULTURE COMMITTEE.

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

**NOE:** None



**F. RESPONSE TO 2022-2023 ORANGE COUNTY GRAND JURY REPORT  
“WELCOME TO THE NEIGHBORHOOD: ARE CITIES RESPONSIBLY  
MANAGING THE INTEGRATION OF GROUP HOMES?”**

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-77, which will approve, and authorize the Mayor to submit the response letter to the Presiding Judge of the Superior Court regarding the 2022-2023 Orange County Grand Jury report, “Welcome to the Neighborhood: Are cities responsibly managing the integration of group homes?” as recommended in the Administrative Report dated August 15, 2023, and on file with the City Clerk.

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

**NOE:** None

**G. CONSIDERATION OF OPPOSITION TO SENATE BILL 423 (WIENER)  
BY-RIGHT HOUSING APPROVALS: MULTIFAMILY HOUSING  
DEVELOPMENTS: SB 35 (CHAPTER 366, STATUTES OF 2017) AND  
ASSEMBLY BILL 309 (LEE) SOCIAL HOUSING PROGRAM**

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to authorize the Mayor to execute, and staff to submit, letters in opposition to Assembly Bill 309 and Senate Bill 423 with amended language. The amended letter regarding Senate Bill 423 is on file with the City Clerk.

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

**NOE:** None

I. **CONSIDERATION OF APPROVAL OF FINAL PARCEL MAP 2021-160, 162 AVENIDA FLORENCIA, LECOMPTE DUPLEX CONDOMINIUM SUBDIVISION**

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

Adopt Resolution No. 23-79, which will:

1. Approve the Final Parcel Map 2021-160 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
2. Accept on behalf of the City of San Clemente the water rights as dedicated.
3. Authorize and direct the Public Works Director/City Engineer to execute the Final Parcel Map.
4. Authorize and direct the City Clerk to execute and submit the Final Parcel Map for recordation with the County of Orange Recorder's Office.

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

**NOE:** None

J. **CONTRACT AWARD - MARINE SAFETY HEADQUARTER BUILDING CONCRETE REPAIRS**

This item was removed from the agenda and will be agendized for a future date.

K. **CONTRACT AWARD - MONTALVO AND RIVIERA PEDESTRIAN BRIDGES COATING REPLACEMENT**

This item was removed from the agenda and will be agendized for a future date.

L. **CONTRACT AMENDMENT - SENIOR MOBILITY PROGRAM**

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-82, which will approve, and authorize the City Manager to execute, Amendment No. 2 to Contract No. C18-37, by and between the City of San Clemente and California Yellow Cab, providing for a month-to-month contract extension for the Senior Mobility Program.

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

**NOE:** None

**M. CONSIDERATION OF RATIFYING A SECOND EMERGENCY CONTRACT FOR GEOTECHNICAL DESIGN AND CONSULTING, CONSTRUCTION OVERSIGHT, TESTING AND INSPECTION SERVICES AS WELL AS SUBCONTRACTED WORK TO INCLUDE SURVEYING AND CIVIL SITE DESIGN AT CASA ROMANTICA**

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-83, which will ratify an Emergency Professional Consultant Services Agreement, Contract No. C23-44, by and between the City of San Clemente and LGC Geotechnical Inc., providing for geotechnical design and consulting, construction oversight, testing and inspection as well as the subcontracted work to include surveying and civil site design to be performed at Casa Romantica, in an amount not to exceed \$783,560 for up to 12 months.

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

**NOE:** None

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

**D. ORDINANCE NO. 1754 (SECOND READING) - AMENDING CHAPTER 13.29.190 SUBSECTION (D) AND (E) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO SANITARY SEWER RATES AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Motion by Councilmember Cabral, second by Councilmember Enmeier, CARRIED 4-1 (Mayor Pro Tem Knoblock voting Noe) to adopt Ordinance No. 1754 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 13.24.190 SUBSECTIONS (D) AND (E) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO SANITARY SEWER RATES AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

**NOE:** Knoblock

**H. CONSIDERATION TO APPROVE AN INCREASE TO THE CONTINGENCY FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS**

George Gregory, San Clemente, expressed concerns with the catch basin adjacent to his property as it relates to the potential impact on development of a retaining wall on his property.

City Manager Hall to meet with George Gregory to address his concerns regarding the catch basin adjacent to his property and the possibility of a retaining wall in his front yard.

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

CARRIED 5-0, to:

Adopt Resolution No. 23-78, which will:

1. Approve an increase to the project contingency in the amount of \$79,030 for the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No.10015.
2. Approve transfer of \$38,311 funding from the Sewer Depreciation Reserve Fund to Account No. 033-834-45300-000-10015, Las Bolas Storm Drain Improvements, for the emergency repairs to the 8-inch sewer main performed during the Project.
3. Approve an additional \$25,000 for the construction management and inspection services for the Storm Drain Improvements at Called Las Bolas.

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

**NOE:** None

**N. CONSIDERATION OF RATIFYING A SECOND EMERGENCY CONTRACT FOR THE EMERGENCY SLOPE STABILIZATION REPAIRS AT CASA ROMANTICA**

Mike Kay, San Clemente, spoke in opposition to the contract with Alliance Diversified Enterprises for repairs at Casa Romantica.

Motion by Councilmember Enmeier, second by Councilmember Loeffler, CARRIED 5-0, to adopt Resolution No. 23-84, which will ratify an Emergency Construction Contract, Contract No. C23-45, by and between the City of San Clemente and Alliance Diversified Enterprises, Inc. on a time and materials basis, providing for emergency slope stabilization repairs at Casa Romantica to include construction tiebacks and grade beams as well as reconstructing the slope with geogrid reinforcement and compacted soil backfill, in an amount not to exceed \$7,760,800.

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

**NOE:** None

**O. CONSIDERATION OF COUNCILMEMBER TRAVEL AND TRAINING EXPENSES - LEAGUE OF CALIFORNIA CITIES CONFERENCE**

Amanda Q expressed concerns regarding the cost of individual Councilmember expenditures; acknowledged the importance of Council attendance at the League of California Cities Conference.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, CARRIED 5-0, to authorize an expenditure of up to \$6,200 related to three City Councilmembers' attendance at the League of California Cities conference in

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Sacramento, California in September 2023.

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

**NOE:** None

**P. CONSIDERATION OF LETTER OF SUPPORT: SB 326 (EGGMAN) BEHAVIORAL HEALTH SERVICES ACT AND AB 531 (IRWIN) BEHAVIORAL HEALTH INFRASTRUCTURE BOND ACT OF 2023**

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, to table this item.

Substitute motion by Councilmember Enmeier, second by Mayor Duncan, CARRIED 3-2 (Councilmember Cabral and Mayor Pro Tem Knoblock voting Noe) to authorize the Mayor to execute, and staff to submit, a letter in support of SB 326 and AB 531.

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

**NOE:** Cabral and Knoblock

**7. Public Hearings**

**A. CONSIDERATION OF DECLARING THE INTENTION OF THE CITY OF SAN CLEMENTE TO TRANSITION FROM AT-LARGE TO DISTRICT ELECTIONS; CONSIDERATION OF CONTRACT AWARD FOR PROFESSIONAL DEMOGRAPHER SERVICES; AND FIRST PUBLIC HEARING ON COMPOSITION OF DISTRICTS**

City Clerk Campagnolo reviewed the contents of the Administrative Report and responded to Council inquiries.

Chuck Beaty, San Clemente, spoke on his experience with at large elections and by-district elections.

Dennis Grimes, San Clemente, spoke in opposition to by-district elections; opined that the City has more pressing issues to discuss.

Mike Kay, San Clemente, opined that the districts should be based on neighborhoods as opposed to race or ethnicity.

George Gregory, San Clemente, opined that by-district elections will reduce citizen participation.

Amanda Q narrated a PowerPoint presentation entitled "District Elections". A hard copy of the presentation is on file with the City Clerk.

Lisa H., San Clemente, spoke in opposition to by-district elections.

Aaron Washington spoke in opposition to by-district elections.

Motion by Councilmember Enmeier, second by Councilmember Loeffler, CARRIED 4-1 (Mayor Pro Tem Knoblock voting Noe), to adopt Resolution No. 23-85 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS FOR CITY COUNCIL PURSUANT TO ELECTIONS CODE SECTION 10010 AND GOVERNMENT CODE SECTION 34886 EFFECTIVE FOR THE NOVEMBER 2024 GENERAL MUNICIPAL ELECTION.

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

**NOE:** Knoblock

Motion by Councilmember Enmeier, second by Councilmember Loeffler, CARRIED 4-1 (Mayor Pro Tem Knoblock voting Noe) to adopt Resolution No. 23-86, which will approve and authorize the City Manager to execute, Contract No. C23-46, by and between the City of San Clemente and National Demographics Corporation, providing for demographer services related to transitioning to by-district elections for City Council, in an amount not to exceed \$65,000.

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

**NOE:** Knoblock

Mayor Duncan opened the Public Hearing.

Dr. Justin Levitt, National Demographics Corporation, narrated a PowerPoint presentation entitled "San Clemente Introduction to Districting". A hard copy of the presentation is on file with the City Clerk.

Amanda Quintanilla opined that the City should have better informed the public prior to voting on the Resolution of Intention.

Laura Smith spoke in opposition to by-district elections; expressed concerns with the contract award with National Demographics Corporation.

Mike Kay, San Clemente, spoke in opposition to Council awarding a contract with National Demographics Corporation; urged Council to develop districts based on community interests.

George Gregory, San Clemente, spoke in opposition to by-district elections; urged Council to change the Council terms from 4 years to 2 years.

Dr. Justin Levitt, National Demographics Corporation, responded to Council inquiries.

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

**Meeting Recessed**

The meeting recessed at 9:09 p.m., and reconvened at 9:16 p.m. with all Councilmembers present.

**B. INTRODUCTION (FIRST READING) OF AN ORDINANCE TO MODIFY THE DEFINITION OF "COMMERCIAL VEHICLE" AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Mayor Duncan opened the Public Hearing.

Deputy Community Development Director Atamian reviewed the contents of the Administrative Report and responded to Council inquiries.

Martyn Barnes, San Clemente, spoke on parking enforcement in the pier bowl.

George Gregory, San Clemente, spoke in support of the ordinance.

Amanda expressed concerns regarding potential safety issues with storing ladders and other items on vehicles.

Mike Kay spoke in opposition to the commercial vehicle ordinance.

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

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 4-1 (Mayor Duncan voting Noe), to introduce Ordinance No. 1755 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 10.04.010(B)(1) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE DEFINITION OF "COMMERCIAL VEHICLE" AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

**NOE:** Mayor Duncan

**C. CONSIDERATION OF A RESOLUTION OF INTENTION AND INTRODUCTION (FIRST READING) OF AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE CONTRACT WITH THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS)**

Mayor Duncan opened the Public Hearing.

Human Resources Manager Thordahl reviewed the contents of the Administrative Report and responded to Council inquiries.

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

Motion by Councilmember Cabral, second by Councilmember Enmeier,

CARRIED 5-0, to:

1. Adopt resolution No. 23-87 which will approve an amendment to the contract with CalPERS to replace the existing exclusions for "Ocean Lifeguards and Park Ranger" to provide for the exclusion of Ocean Lifeguard I, Ocean Lifeguard II, Park Ranger I, and Park Ranger II.

2. Introduce Ordinance No. 1757 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

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

**NOE:** None

**8. Unfinished Business**

None.

**9. New Business**

**A. PUBLIC SAFETY COMMITTEE REVIEW OF PARK RANGER PROGRAM ENHANCEMENTS**

Community Development Director Atamian reviewed the contents of the Administrative Report and responded to Council inquiries.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, CARRIED 5-0, to direct the Public Safety to review and make recommendations to enhance the Park Ranger Program.

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

**NOE:** None

**B. INTRODUCTION (FIRST READING) OF AN ORDINANCE MODIFYING THE COASTAL ADVISORY COMMITTEE'S MISSION STATEMENT**

City Clerk Campagnolo 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:

1. Introduce Ordinance No. 1758 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 2.29.015 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE REGARDING TO THE COASTAL ADVISORY COMMITTEE'S MISSION STATEMENT.



2. Receive and file the Administrative Report, dated August 15, 2023, and on file with the City Clerk.

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

**NOE:** None

**C. CONSIDERATION OF SETTING COMPENSATION FOR THE CITIZENS AMPHITHEATER COMMITTEE, INVESTMENT ADVISORY COMMITTEE AND PUBLIC SAFETY COMMITTEE**

City Clerk Campagnolo reviewed the contents of the Administrative Report and responded to Council inquiries.

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 4-0-1 (Mayor Pro Tem Knoblock abstained) to adopt Resolution No. 23-88 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA RELATING TO COMPENSATION PAID TO MEMBERS OF THE CITIZENS AMPHITHEATER COMMITTEE, INVESTMENT ADVISORY COMMITTEE AND PUBLIC SAFETY COMMITTEE.

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

**NOE:** None

**ABSTAIN:** Knoblock

**D. TRAFFIC ANALYSIS FOR AVENIDA PALIZADA CORRIDOR AT AVENIDA DE LA ESTRELLA**

This item was removed from the agenda and will be agendized for a future date.

**E. LETTER REQUESTING THAT THE FAIRVIEW DEVELOPMENTAL CENTER BE REPURPOSED TO PROVIDE TEMPORARY AND SEMI-PERMANENT HOUSING FOR UNSHELTERED PERSONS THROUGHOUT ORANGE COUNTY TOGETHER WITH APPROPRIATE SUPPORTIVE SERVICES**

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 4-1 (Mayor Duncan voting Noe) to authorize the Mayor to execute, and staff to submit, a letter in support with modified language. A hard copy of the modified letter is on file with the City Clerk.

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

**NOE:** Mayor Duncan

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

George Gregory, San Clemente, commented on by-district elections; suggested that a phone and laptop computer be provided by the homeless outreach workers for the homeless to utilize while the homeless outreach workers are in the field.

**11. Future Agenda Items****Council Training Budget**

Councilmember Loeffler, with support of Councilmember Enmeier and Councilmember Cabral, agendized the consideration of reviewing options concerning the management of Councilmember travel and expenses.

**Administrative Hearing Fee**

Mayor Pro Tem Knoblock, with the support of Councilmember Loeffler, agendized consideration of eliminating the Administrative Hearing cost. Staff to include a copy of the ordinance at the September 5, 2023 Regular City Council meeting.

**Public Emergency Notification**

Councilmember Enmeier, with the support of Council, directed the Public Safety Committee to investigate the City's siren and public safety notification system for emergencies.

**12. Reports****A. Commissions and Committees****Vector Control**

Mayor Pro Tem Knoblock reported on the Orange County mosquito sterilization program.

**Coastal Animal Services Authority**

Councilmember Enmeier reported on capital improvement projects at the animal shelter.

**San Onofre Nuclear Generating Station**

Councilmember Cabral reported on the August 17, 2023 Community Engagement Panel meeting regarding education for communities and monetary incentives for storage of spent nuclear fuel.

**B. Council Subcommittee Updates****Private Security**

Councilmember Loeffler and Councilmember Cabral reported they met with the City's private security company to address issues and concerns.

**C. Council Members****Commandant's National Security Program**

Mayor Duncan reported on his trip to the Commandant's National Security Program and FEMA assistance regarding local emergencies.

**D. City Attorney**

None.

**E. City Manager****Emergency Preparedness Training**

City Manager Hall reported that over 80% of staff have taken the Incident Command System Training 100, 200, 700 and 800 classes.

**13. Adjournment**

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adjourn at 10:16 p.m. in memory of the victims of the Maui wildfire. The next Regular Meeting will be held on September 5, 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.

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

**NOE:** None



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MAYOR of the City of  
San Clemente, California



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CITY CLERK of the City of  
San Clemente, California