



4:30 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 Special and Regular Meeting of the San Clemente City Council was called to order by Mayor Duncan on December 5, 2023 at 4:33 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

Closed Session Item B(1)

Amanda Q commented on the merit of the demand by the Law Office of Michelle R. Jackson concerning the California Voting Rights Act.

Closed Session Item B(2)

B Malamud commented on the Joint Powers Insurance Authority (JPIA) denial of coverage for former Councilmember James' legal fees and the related legal representation by the City; spoke in support of the denial.

Closed Session Item C(2)

Leslie Eisner, Camino Real Playhouse, spoke in support of Camino Real Playhouse utilizing the Community Center; opined on the potential benefits to San Clemente with having a community theater.

Amanda Q spoke in support of the Camino Real Playhouse performing at the Community Center.

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to recess to Closed Session at 4:41 p.m. to discuss the following:

A. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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

B. 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):
Demand by The Law Office of Michelle R. Jackson for payment under the California Voting Rights Act of 2001.

2. Facts and circumstances per Government Code section 54956.9(e)(2):
Demand by former City Councilmember Gene James that the City reimburse him for his attorney fees incurred in defending James Bieber v. Gene James, OCSC Case No. 30-2020- 01145593-CU-DF-CJC .

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

1. 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, Adam Atamian, Community Development Director and Jonathan Lightfoot, City Planner Negotiating Parties: Orange County Fire Authority

Under Negotiation: Price and terms

2. Real Property Negotiations: APN 058-111-55 Property: 100 Calle Seville, San Clemente, CA 92672

City Negotiators: Andy Hall, City Manager and Samantha Wylie, Beaches, Parks and Recreation Director

Negotiating Parties: San Clemente Historical Society and Camino Real Playhouse Under Negotiations: Price and terms

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

NOE: None

Closed Session concluded at 6:02 p.m.

BUSINESS MEETING

The meeting reconvened at 6:07 p.m. with all Councilmembers present.

Holiday Serenade - San Clemente High School Madrigals

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

INVOCATION

Lead Pastor Holland Davis, Calvary Chapel San Clemente, gave the invocation.

PLEDGE OF ALLEGIANCE

San Clemente High School Football Coach Ortiz and San Clemente High School Cross Country Coach Luciani led the Pledge of Allegiance.

Reorganization of Agenda

Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to hear Special Presentations before items A and B on the agenda.

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

NOE: None

Motion by Councilmember Loeffler, second by Councilmember Enmeier, CARRIED 5-0, to consider Item B prior to Item A.

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

NOE: None

A. ELECTION OF MAYOR AND MAYOR PRO TEMPORE

City Clerk Campagnolo narrated a PowerPoint presentation entitled "Election of Mayor and Mayor Pro Tem Policy 1201-11" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

B Malamud commented on Mayor Duncan's ballot designation; spoke in support of Mayor Pro Tem Knoblock for Mayor.

Amanda Q narrated a PowerPoint presentation entitled "Selection of Mayor and Mayor Pro Tem Questionable Conduct & Concerns". A hard copy of the presentation is on file with the City Clerk.

Concerned Resident, San Clemente, commented on decisions made by Council at the November 9, 2023 Special City Council Meeting concerning pickleball at San Gorgonio Park; spoke in support of Mayor Pro Tem Knoblock and Councilmember Loeffler.

Donna Vidrine, San Clemente, spoke in support of Mayor Pro Tem Knoblock for Mayor and Councilmember Enmeier for Mayor Pro Tem.

Sarah D'Agostino, Supervisor Foley's Office, presented the incoming Mayor and Mayor Pro Tem with Certificates of Recognition.

Thor Johnson recognized Mayor Duncan for his service to San Clemente as Mayor; spoke in support of Mayor Pro Tem Knoblock for Mayor and Councilmember Cabral as Mayor Pro Tem.

City Clerk Campagnolo opened the nominations for Mayor.

Mayor Pro Tem Knoblock nominated himself for the office of Mayor.

Councilmember Loeffler nominated Councilmember Cabral for the office of Mayor.

Mayor Duncan nominated Councilmember Enmeier.

There being no other nominations, City Clerk Campagnolo closed the nominations.

Council voted to appoint Mayor Pro Tem Knoblock to the office of Mayor. The vote was as follows:

Duncan: Noe
Cabral: Noe
Enmeier: Noe
Knoblock: Aye
Loeffler: Noe

Since Mayor Pro Tem Knoblock was not appointed (Failed 4-1), Council considered Councilmember Cabral for the office of Mayor, the vote was as follows:

Duncan: Noe
Cabral: Aye
Enmeier: Aye
Knoblock: Noe
Loeffler: Aye

Councilmember Cabral was appointed (Carried 3-2) to the office of Mayor.

Mayor Duncan nominated Councilmember Enmeier for the office of Mayor Pro Tem.

Councilmember Enmeier nominated Mayor Pro Tem Knoblock for the office of

Mayor Pro Tem.

There being no other nominations, City Clerk Campagnolo closed the nominations.

Council voted to appoint Councilmember Enmeier to the office of Mayor Pro Tem. The vote was as follows:

Duncan: Aye

Cabral: Aye

Enmeier: Aye

Knoblock: Noe

Loeffler: Aye

Councilmember Enmeier was appointed (Carried 4-1) to the office of Mayor Pro Tem.

B. CONSIDERATION OF MAKING THE MAYOR AND MAYOR PRO TEMPORE TERM EFFECTIVE JANUARY 1 THROUGH DECEMBER 31 OF EACH CALENDAR YEAR

This Item was considered earlier in the meeting, please reference page 3 for a summary of action.

Mayor Duncan reviewed the contents of the Administrative Report.

B Malamud opined on the motivations of Mayor Duncan agendizing this item.

Amanda Q expressed concerns regarding potential benefits for Mayor Duncan.

Concerned Resident, San Clemente, expressed concerns regarding political motivations for this item; spoke in support of no changes to the mayoral transition process.

Motion by Councilmember Loeffler, second by Mayor Duncan, CARRIED 4-1 (Councilmember Cabral voting NOE), to elect the Mayor and Mayor Pro Tem at the first regular meeting in December. The current Mayor will continue to chair the remainder of the meeting (first regular meeting in December) and the newly elected Mayor and Mayor Pro Tem terms will commence upon adjournment of the meeting. The newly appointed Mayor and Mayor Pro Tem will have a ceremony at the next regularly scheduled meeting to accommodate attendance by family and friends.

AYE: Enmeier, Knoblock, Loeffler and Mayor Duncan

NOE: Cabral

1. Special Presentations

The Special Presentation Items were considered earlier in the meeting, please reference page 3 for a summary of action.

A. Presentation of Commendation(s) - San Clemente High School Boys Cross Country CIF Division 1 Champions

Mayor Duncan presented Commendations to the San Clemente High School Boys Cross Country Team in recognition of their CIF Division 1 Championship win.

B. Presentation of Commendation(s) – San Clemente High School Triton Football Team

Mayor Duncan presented a Commendation to the San Clemente High School Triton Football team in recognition of winning the final South Coast League Championship.

C. Update on the Sand and Beach Nourishment Project

Coastal Zone Administrator Meyerhoff narrated a PowerPoint presentation entitled "San Clemente Beach Sand Project, Project Update" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Joe Wilson, San Clemente, urged the City to consider the potential impacts of winter storms on sand retention and impacts to the beach nourishment project and take necessary steps to mitigate negative impacts.

2. Oral Communications (Part 1)

B Malamud commented on the contents of the speaker card; opined on pickleball at San Gorgonio Park as it relates to litigation.

Lois McNicoll commented on usability of the City's website; expressed concerns regarding Proposition 1 concerning affordable housing.

Concerned Citizen, San Clemente, narrated a PowerPoint presentation concerning pickleball at San Gorgonio Park. A hard copy of the presentation is on file with the City Clerk.

Amanda Q commented on pickleball at San Gorgonio Park as it relates to gifts presented to Council at the November 9, 2023 Special City Council meeting.

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

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, 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 agenda 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 vote was taken and CARRIED 5-0 to initiate litigation with Alfie and Patricia Shahid owners of 104-106 Avenida Buena Ventura, nuisance abatement action including health and safety code violations and an appointment of a receiver concerning:

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

Council gave direction; no reportable action concerning:

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):
Demand by The Law Office of Michelle R. Jackson for payment under the California Voting Rights Act of 2001.
2. Facts and circumstances per Government Code section 54956.9(e)(2):
Demand by former City Councilmember Gene James that the City reimburse him for his attorney fees incurred in defending *James Bieber v. Gene James*, OCSC Case No. 30-2020- 01145593-CU-DF-CJC.

No reportable action concerning:

1. 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, Adam Atamian, Community Development Director and Jonathan Lightfoot, City Planner
Negotiating Parties: Orange County Fire Authority
Under Negotiation: Price and terms

Council gave direction; no reportable action concerning:

2. Real Property Negotiations: APN 058-111-55
Property: 100 Calle Seville, San Clemente, CA 92672
City Negotiators: Andy Hall, City Manager and Samantha Wylie, Beaches, Parks and Recreation Director
Negotiating Parties: San Clemente Historical Society and Camino Real Playhouse
Under Negotiations: Price and terms

6. Staff Communications

None.

7. Consent Calendar

Items 7K, 7M, 7W, 7CC, 7DD, 7EE, 7GG were removed from the Consent Calendar for discussion.

A. City Council Minutes

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

- (1) APPROVE THE CITY COUNCIL REGULAR MEETING MINUTES OF NOVEMBER 7, 2023.
- (2) APPROVE THE CITY COUNCIL SPECIAL MEETING MINUTES OF NOVEMBER 9, 2023 (2:00 P.M.).
- (3) APPROVE THE CITY COUNCIL SPECIAL MEETING MINUTES OF NOVEMBER 9, 2023 (4:30 P.M.).

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

NOE: None

B. Commission/Committee Minutes

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

- (1) INVESTMENT ADVISORY COMMITTEE REGULAR MEETING MINUTES OF JULY 24, 2023.
- (2) HUMAN AFFAIRS COMMITTEE SPECIAL MEETING MINUTES OF OCTOBER 24, 2023.
- (3) PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF OCTOBER 24, 2023.
- (4) PLANNING COMMISSION/CITY COUNCIL JOINT STUDY SESSION OF NOVEMBER 8, 2023.
- (5) PLANNING COMMISSION REGULAR MEETING MINUTES OF NOVEMBER 8, 2023.

- (6) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF NOVEMBER 9, 2023.

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

NOE: None

C. Warrant Register

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

- (1) APPROVE WIRE TRANSFER NOS.
2944 THROUGH 2949 AND WARRANT NOS.
592338 THROUGH 592513, PAID ON
11-3-23, IN THE AMOUNT OF \$1,226,704.28
- (2) APPROVE WIRE TRANSFER NOS.
2950 THROUGH 2951 AND WARRANT NOS.
592514 THROUGH 592651, PAID ON
11-10-23, IN THE AMOUNT OF \$2,404,558.02
- (3) APPROVE WIRE TRANSFER NOS.
2952 THROUGH 2956 AND WARRANT NOS.
592652 THROUGH 592884, PAID ON
11-17-23, IN THE AMOUNT OF \$2,883,784.33

TOTAL WARRANT REGISTER \$6,515,046.63

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

NOE: None

Payroll Register

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

WARRANT NO. 917, AUTOMATIC DEPOSIT
ADVISES 89694 THROUGH 89998,
FOR THE PERIOD 10-16-23 THROUGH
10-29-23, PAID ON 11-3-23, IN THE
AMOUNT OF \$483,384.39

WARRANT NO. 918, AUTOMATIC DEPOSIT
ADVISES 89999 THROUGH 90295,
FOR THE PERIOD 10-30-23 THROUGH
11-12-23, PAID ON 11-17-23,
IN THE AMOUNT OF \$483,085.72

TOTAL PAYROLL REGISTER \$966,470.11

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

NOE: None

D. ORDINANCE NO. 1764 (SECOND READING) - PROHIBITING BICYCLES AND ELECTRIC BICYCLES AT THE MUNICIPAL GOLF COURSE

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1764 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 12.28.020 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE PROHIBITION OF BICYCLES, INCLUDING ELECTRIC BICYCLES CLASS 1 AND CLASS 2, ON THE SAN CLEMENTE MUNICIPAL GOLF COURSE.

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

NOE: None

E. ORDINANCE NO. 1765 (SECOND READING) - CIVIC CENTER LOCATION

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1765 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 1.04.070 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE, RELATING TO THE CIVIC CENTER LOCATED AT 910 CALLE NEGOCIO, SAN CLEMENTE, CALIFORNIA 92673.

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

NOE: None

F. ORDINANCE NO. 1766 (SECOND READING) - DESIGNATING PUBLIC PLACES FOR POSTING OFFICIAL CITY DOCUMENTS

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1766 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 1.04.080 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE, RELATING TO DESIGNATING PUBLIC PLACES FOR POSTING OFFICIAL CITY DOCUMENTS AND REPEALING ORDINANCE NO. 93.

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

NOE: None

G. ORDINANCE NO. 1767 (SECOND READING) - LOCATION OF CITY COUNCIL MEETINGS

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1767 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 2.04.020 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE, RELATING TO LOCATION OF CITY COUNCIL MEETINGS AND REPEALING ORDINANCE NO. 411.

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

NOE: None

H. ORDINANCE NO. 1768 (SECOND READING) - INCREASE THE COASTAL ADVISORY COMMITTEE FROM FIVE TO SEVEN MEMBERS

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Ordinance No. 1768 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 2.29.010 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE TO CHANGE THE COASTAL ADVISORY COMMITTEE FROM A FIVE MEMBER COMMITTEE TO A SEVEN MEMBER COMMITTEE.

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

NOE: None

I. RATIFICATION OF GRANT SUBMITTAL FOR ORANGE COUNTY TRANSPORTATION AUTHORITY MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (PROJECT P)

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-134 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RATIFYING AND APPROVING THE SUBMITTAL OF EL CAMINO REAL TRAFFIC SIGNAL SYNCHRONIZATION PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRANSPORTATION SIGNAL SYNCHRONIZATION PROGRAM.

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

NOE: None

J. CITY OF SAN CLEMENTE FISCAL YEAR 2022-2023, MEASURE M2 EXPENDITURE REPORT

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-135 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO ADOPT THE FISCAL YEAR 2022-2023 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF SAN CLEMENTE.

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

NOE: None

L. CONSIDERATION OF A RESOLUTION APPROVING THE PUBLIC SAFETY COMMITTEE'S FISCAL YEAR 2023-2024 WORK PLAN, AND DETERMINING THAT THE WORK PLAN ACTIVITIES ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Adopt Resolution No. 23-137, which will:

1. Approve the FY 2023-24 Work Plan as presented by the Public Safety Committee.
2. Determine that the FY 2023-24 Work Plan Items are categorically exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15060(c)(2) and 15378.

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

NOE: None

N. NOTICE OF COMPLETION - CYPRUS SHORE EMERGENCY PUMP STATION MONITORING

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

Adopt Resolution No. 23-139, which will:

1. Accept the Cyprus Shore Emergency Pump Station Monitoring, Project No. 12209 from the contractor, O'Connell Engineering & Construction, Inc. as complete.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the completed Cyprus Shore Emergency Pump Station Monitoring.
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, O'Connell Engineering & Construction, Inc.

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

NOE: None

O. NOTICE OF COMPLETION - EMERGENCY RESERVOIR 13 ISOLATION VALVE REPLACEMENT

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

Adopt Resolution No. 23-140, which will:

1. Accept Reservoir 13 Isolation Valve Replacement, Project No. 24405 from the contractor, O'Connell Engineering & Construction as complete.

2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the completed Reservoir 13 Isolation Valve Replacement project.

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, O'Connell Engineering & Construction.

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

NOE: None

P. NOTICE OF COMPLETION - CALLE REAL WATERLINE IMPROVEMENTS, AND APPROVE A CONTINGENCY INCREASE IN THE AMOUNT OF \$30,412

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

Adopt Resolution No. 23-141, which will:

1. Accept the Calle Real Waterline Improvements, CIP Project No. 19516, from the contractor, Diamond Construction & Design.

2. Approve an increase to the project contingency in the amount of \$30,412.

3. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the completed Calle Real Waterline Improvements.

4. 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, Diamond Construction & Design.

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

NOE: None

Q. NOTICE OF COMPLETION - STREET IMPROVEMENTS FOR CALLE DEL CERRO FROM AVENIDA PICO TO AVENIDA LA PATA

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

Adopt Resolution No. 23-142, which will:

1. Accept the Street Improvement for Calle Del Cerro from Avenida Pico to Avenida La Pata, CIP Project No. 12306, from the contractor, L.C. Paving and Sealing, Inc.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for Street Improvement for Calle Del Cerro, CIP Project No. 12306.
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 and Sealing, Inc.
4. Authorize the City Clerk to release the performance bond for this project upon receipt of a warranty bond in a form acceptable to the Public Works Director in the amount of 25% of the total construction cost.

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

NOE: None

R. NOTICE OF COMPLETION - AVENIDA MONTALVO CANYON AND TRAIL IMPROVEMENT; AND RATIFY AN EMERGENCY CONSTRUCTION CONTRACT WITH DIAMOND CONSTRUCTION & DESIGN

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

Adopt Resolution No. 23-143, which will:

1. Making a finding that an emergency existed due to the potential failure of the bluff where the installation of the gabion baskets and construction of the sidewalk at the Montalvo Canyon was occurring that required immediate action to prevent or mitigate impairment to property and public safety that might otherwise occur if the City had been required to incur delays attributed to typical competitive bidding process for the additional work.
2. Declare that the public interest and necessity demanded the immediate

expenditure of public funds to safeguard public health.

3. Ratify and authorize the City Manager to execute, Contract No. C23-68, by and between the City of San Clemente and Diamond Construction & Design for the Avenida Montalvo Canyon and Trail Improvement, that have already been performed in the amount of \$59,194.

4. Accept the Avenida Montalvo Canyon and Trail Improvement, CIP Project No. 16004, from the contractor, Diamond Construction & Design.

5. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the completed Avenida Montalvo Canyon and Trail, CIP Project No. 16004.

6. 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, Diamond Construction & Design.

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

NOE: None

S. CONTRACT AWARD - MARINE SAFETY HEADQUARTERS BUILDING CONCRETE REPAIRS

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

Adopt Resolution No. 23-144, which will:

1. Award the Marine Safety Headquarters Building Concrete Repairs Project, CIP Project No. 24805, construction contract to Harbor Coating & Restoration, as the lowest responsible and responsive bidder.

2. Approve, and authorize the City Manager to execute, Contract No. C23-69, by and between the City of San Clemente and Harbor Coating & Restoration, providing for the Marine Safety Headquarters Building Concrete Repairs, in an amount not to exceed \$101,750, and a 19% project contingency in the amount of \$19,333, in a form substantially similar to Contract No. C23-69 (Attachment 4).

3. Approve a 19% project contingency of \$19,333.

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

NOE: None

T. CONTRACT AWARD - FURNISH AND DELIVER 12.5% SODIUM HYPOCHLORITE TO CITY RESERVOIRS 5A, 10, AND 14, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 1

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

Adopt Resolution No. 23-145, which will:

1. Find the project 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. C23-70, a Purchase Contract, by and between the City of San Clemente and HASA, Inc., to furnish and deliver 12.5% Sodium Hypochlorite to City Reservoirs 5A, 10, and 14, for a two-year period, in an amount not to exceed \$80,000.
3. Authorize the City Manager to approve up to three, one-year extensions to the Contract for amounts not to exceed the approved budget amounts for this chemical in each appropriate fiscal year.

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

NOE: None

U. PURCHASE OF A HYDRO-EXCAVATOR AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$721,618

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

Adopt Resolution No. 23-146, which will:

1. Approve, and authorize the City Manager to execute, Contract No. C23-71, by and between the City of San Clemente and Plumbers Depot, Inc., providing for a 2023 VHX42 Hydro-Excavator Unit, in the amount of \$721,618.
2. Authorize a supplemental appropriation in the amount of \$721,618 to the Fleet Automotive Account #065-824-45600 from the Water Fund balance .

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

NOE: None

V. **CONTRACT AWARD - BID IT-039 FOR THE PURCHASE OF PURE STORAGE FLASH ARRAY SYSTEM**

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

Adopt Resolution No. 23-147, which will:

1. Award Bid IT-039 to ePlus Technology, Inc.
2. Approve, and authorize the City Manager to execute, Contract No. C23-72, by and between the City of San Clemente and ePlus Technology, providing for the purchase of the Pure Storage Flash Array system, under substantially the same terms and conditions of NASPO Valuepoint Master Agreement 23020, in an amount not to exceed \$183,061.83, for the equipment and software purchase, training, technical service, maintenance, and support for a three-year term.
3. Authorize City staff to accept the Pure Storage End User Agreement.

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

NOE: None

X. **CONSIDERATION OF REJECTING ALL BIDS FOR FY 2024 AS-NEEDED PAVEMENT REPAIRS**

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

Adopt Resolution No. 23-149, which will:

1. Reject all bids received on October 5, 2023, for the FY 2024 As-Needed Pavement Repairs, CIP Project No. 24306, pursuant to Section 20166 of the Public Contract Code.
2. Authorize staff to re-scope the bid package and bid the FY 2024 As-Needed Pavement Repairs, CIP Project No. 24306, with a revised project scope.

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

NOE: None

Y. **ADOPTION OF CITY INVESTMENT POLICY**

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Investment Policy Number 201-1, effective December 5, 2023.

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

NOE: None

Z. CONSIDERATION OF ACCEPTING EASEMENTS FOR THE AVENIDA PICO RECYCLED WATER PIPELINE RELOCATION

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

Adopt Resolution No. 23-150, which will:

- 1. Accept the granting of the Easement Deed from McDonald's Corporation and the Modification to the Easement Deed from SC Bucks, LLC for the Avenida Pico Recycled Water Pipeline.
- 2. Authorize the City Clerk to execute the Easement Deed from McDonald's Corporation and the Modification to Easement Deed from SC Bucks, LLC for the Avenida Pico Recycled Water Pipeline.
- 3. Authorize City Clerk to submit the Easement Deed from McDonald's Corporation and the Modification to Easement Deed from SC Bucks, LLC for the Avenida Pico Recycled Water Pipeline to the Orange County Recorder for recordation.

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

NOE: None

AA. CONSIDERATION OF APPROVING A CROSSING AGREEMENT AND ACCEPTANCE OF UTILITY AND PEDESTRIAN EASEMENTS LOCATED AT 501 AND 515 AVENIDA VAQUERO-SHORECLIFFS SENIOR APARTMENTS AND SHORECLIFFS GOLF COURSE

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-151 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE CROSSING AGREEMENT AND ACCEPTANCE OF THE UTILITY AND PEDESTRIAN EASEMENTS, AND AUTHORIZING THE CITY MANAGER AND/OR PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE UTILITY EASEMENT QUITCLAIM AND OTHER SUCH DOCUMENTS AS ARE NECESSARY AND PROPER TO COMPLETE THE PROJECT.

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

NOE: None

BB. CONSIDERATION OF ACCEPTING A COMMITMENT OF A DONATION FROM THE SAN CLEMENTE AQUATICS TEAM, AUTHORIZING THE REPLACEMENT OF THE SCOREBOARD AT THE SAN CLEMENTE AQUATICS CENTER AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 2

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

Adopt Resolution No. 23-152, which will:

1. Authorize the replacement of the San Clemente Aquatics Center scoreboard with an LED panel display system.
2. Accept a commitment of a donation from the San Clemente Aquatics Team up to \$90,000 for the project.
3. Find the project categorically exempt from the California Environmental Quality Act (CEQA) under 14 CCR Section 15302 (Class 2: Replacement or Reconstruction) of the State CEQA Guidelines.

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

NOE: None

FF. CONSIDERATION OF LETTER ON CITY COUNCIL LETTERHEAD THANKING FISHERMAN'S RESTAURANT FOR THEIR GENEROUS DONATION OF THANKSGIVING MEALS TO THE CITY'S ADOPTED MARINE UNIT, 2ND BATTALION 4TH MARINES (2/4)

Motion by Councilmember Cabral, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to approve, and authorize use of the City Council letterhead to allow all five Councilmembers to execute the letter to Fisherman's Restaurant.

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

NOE: None

Council requested that the City Manager send a letter to H. H. Cotton's San Clemente to thank them for providing Thanksgiving meals to Marines stationed at Camp Pendelton.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

K. CONSIDERATION OF AFFIRMING THE CITY'S COMMITMENT TO IMPLEMENT PROJECTS IN THE FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)

Amanda Q spoke in opposition to the proposed project on El Camino Real.

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 5-0, to adopt Resolution No. 23-136 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CERTIFYING THAT THE CITY OF SAN CLEMENTE HAS THE RESOURCES TO FUND CITY PROJECTS IN THE FEDERAL FISCAL YEAR 2024/2025 - 2029/2030 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMING THE CITY'S COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM.

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

NOE: None

M. CONSIDERATION OF A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR REGIONAL BEACH SAND PROJECT III, PHASE 1 AND FINDING THE PROJECT STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Suzie Whitelaw, Save our Beaches San Clemente, spoke in support of the proposed Memorandum of Understanding with the San Diego Association of Governments.

Coastal Zone Administrator Meyerhoff responded to Council inquiries.

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

Adopt Resolution No. 23-138, which will:

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA) under Section 15262 of the State CEQA Guidelines (Feasibility and Planning Studies, 14 CCR section 15262).
2. Authorize the City Manager to enter into a Memorandum of Understanding, Contract No. C23-73, with the San Diego Association of Governments (SANDAG) for the Regional Beach Sand Project (RBSP) III, Phase I activities.
3. Authorize payment of the requested amount to San Diego Association of Governments (SANDAG) in the amount of \$109,511.85.

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

NOE: None

W. LEASE OF MULTI-FUNCTIONAL COPIER DEVICES FOR ALL CITY OFFICES

City Clerk Campagnolo reported that staff requested to continue this item to the January 16, 2024 Regular City Council meeting.

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

NOE: None

CC. CONSIDERATION OF ACCEPTING A DONATION FROM FRIENDS OF SAN CLEMENTE BEACHES, PARKS AND RECREATION FOUNDATION FOR PALAPA STRUCTURES AT LASUENS BEACH AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Councilmember Loeffler recused himself from this item (and agenda items 7DD and 7EE) due to being a non-paid member of the Friends of San Clemente Beaches, Parks and Recreation Foundation and left the dais at 8:03 p.m. Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 4-0 (Councilmember Loeffler RECUSED), to:

Adopt Resolution No. 23-153 which will:

1. Accept a donation of two palapa structures from the Friends of San Clemente Beaches, Parks & Recreation Foundation to be installed at Lasuens Beach.

2. Find the project categorically exempt from CEQA under 14 CCR Section 15303 (Class 3: New Construction or Conversion of Small Structures) of the State CEQA Guidelines.

AYE: Cabral, Enmeier, Knoblock and Mayor Duncan

NOE: None

RECUSED: Loeffler

Councilmember Enmeier requested that the City evaluate the feasibility of additional beach restrooms at or near Lasuens Beach during the budget process.

DD. CONSIDERATION OF INSTALLATION OF CROSSWALK IMPROVEMENTS, SPEED FEEDBACK SIGNS, AND RED CURBS ON CAMINO CAPISTRANO, VIA BREVE, AND MONTE VISTA, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 1

Councilmember Loeffler recused himself from this item due to living within 500 feet of the proposed project.

Assistant City Engineer Ponsen narrated a PowerPoint presentation and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Lois McNicoll commented in support of the proposed crosswalk; spoke in opposition to red curbs due to parking issues.

Tom Streeter, San Clemente, spoke in support of the proposed changes.

Carol Becker, San Clemente, spoke in support of the proposed changes.

Susan Daum, San Clemente, spoke in support of the proposed changes.

Michael Fustin, San Clemente, commented on the parking and access conditions within the proposed project area.

Tim Daum, San Clemente, spoke in support of the 5 foot red curbs in the project area.

Paul Hickey, Board Member, Bay Cliff Village North, spoke in support of the proposed project.

Linh Le, San Clemente, commented on the current conditions to cross Camino Capistrano; spoke in support of the proposed project.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Enmeier, CARRIED 4-0 (Councilmember Loeffler RECUSED), to:

Adopt Resolution No. 23-154, which will:

1. Find 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 a new marked crosswalk, flashing signs at the crosswalk, in-roadway warning lights, advance flashing warning signs, in-roadway markings, speed feedback signs, and the 42-foot red curb on the north side of Camino Capistrano.

AND

2. Adopt Resolution No. 23-155 , which will:

1. Find 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. Amend Master Traffic Resolution No. 1846 establishing no parking areas on Camino Capistrano, Via Breve and Monte Vista with a 5-foot red curb.

AYE: Cabral, Enmeier, Knoblock and Mayor Duncan

NOE: None

RECUSED: Loeffler

EE. CONSIDERATION OF AUTHORIZING THE REPLACEMENT OF SUBSTRATE SURFACING AT SAN GORGONIO PARK PLAYGROUND, APPROPRIATING \$130,000 FOR THE PROJECT, ACCEPTING A \$20,000 DONATION FROM THE FRIENDS OF THE SAN CLEMENTE BEACHES, PARKS & RECREATION FOUNDATION AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 2

Councilmember Loeffler recused himself from this item due to being a non-paid member of the Friends of San Clemente Beaches, Parks and Recreation Foundation and left the dais.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Cabral, CARRIED 4-0 (Councilmember Loeffler RECUSED), to:

Adopt Resolution No. 23-160, which will:

1. Find the project categorically exempt from the California Environmental Quality Act (CEQA) under 14 CCR Section 15302 (Class 2: Replacement or Reconstruction) of the State CEQA Guidelines.

2. Authorize the replacement of the engineered wood fiber substrate surface at the San Gorgonio Park playground with a poured-in-place rubber surface.

3. Approve a supplemental appropriation of \$130,000 from the Reserve Capital Fund Balance to Park Asset Replacement Account 014-820-45300 -000-11148.

4. Accept a donation of \$20,000 from the Friends of San Clemente Beaches, Parks & Recreation Foundation to be allocated to the substrate replacement project (014-000-36780).

AYE: Cabral, Enmeier, Knoblock and Mayor Duncan

NOE: None

RECUSED: Loeffler

GG. CITY COUNCIL DIRECTION TO ADDRESS THE IMPACT OF SOBER LIVING FACILITIES ON RESIDENTIAL NEIGHBORHOODS IN THE CITY OF SAN CLEMENTE

Lois McNicoll commented on local control and state legislation; spoke in opposition to sober living homes.

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

Direct the City Manager to implement the provisions identified in the staff report and send the attached correspondence to the office of Governor Newsom.

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

NOE: None

Meeting Recess

The meeting was recessed at 8:29 p.m. and reconvened at 8:40 p.m. with all Councilmembers present.

8. Public Hearings

A. INTRODUCTION (FIRST READING) OF AN ORDINANCE AMENDING SECTION 2.04.011 OF THE SAN CLEMENTE MUNICIPAL CODE TO MAKE MODIFICATIONS TO THE ADOPTED DISTRICT MAP

Public Hearing to consider amending Ordinance No. 1762 to modify the district elections map.

Mayor Duncan opened the Public Hearing.

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

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

Zhen Wu, San Clemente, narrated a PowerPoint Presentation concerning zoning as it relates to district boundaries. A hard copy of the presentation is on file with the City Clerk.

Wayne Eggleston spoke in support of map 120.

Donna Vidrine, San Clemente, spoke in support of maps 102 and 111; opined that maps 109 and 120 have community concerns that should be addressed if considered for adoption.

Judy Jones, San Clemente, spoke in support of map 111.

Warren Vidrine spoke in support of maps 102 and 111; spoke in opposition to maps 109 and 120.

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

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, to adopt map 120 and introduce and conduct the first reading of Ordinance No. 1769 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 2.04.011 OF THE SAN CLEMENTE MUNICIPAL CODE TO REVISE THE DISTRICT ELECTION MAP.

Substitute Motion by Councilmember Enmeier, second by Councilmember Cabral, CARRIED 3-2 (Councilmember Loeffler and Mayor Pro Tem Knoblock voting NOE) to adopt map 111 and introduce and conduct the first reading of Ordinance No. 1770 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 2.04.011 OF THE SAN CLEMENTE MUNICIPAL CODE TO REVISE THE DISTRICT ELECTION MAP with map 111 inserted as Exhibit A.

AYE: Cabral, Enmeier and Mayor Duncan

NOE: Knoblock and Loeffler

B. ANNUAL REPORT CONCERNING THE MITIGATION FEE ACT FOR FISCAL YEAR 2022-23 FOR THE CITY OF SAN CLEMENTE

Public Hearing to consider the City of San Clemente's Annual Report for Fiscal Year 2023 on Mitigation Fees.

Mayor Duncan opened the Public Hearing.

Financial Services Officer Rahn reviewed the contents of the Administrative Report.

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

Motion by Councilmember Cabral, second by Councilmember Loeffler, CARRIED 5-0, to adopt Resolution No. 23-156 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECEIVING AND FILING THE CITY OF SAN CLEMENTE'S ANNUAL REPORT CONCERNING THE MITIGATION FEE ACT FOR THE FISCAL YEAR ENDED

JUNE 30, 2023.

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

NOE: None

C. INTRODUCTION (FIRST READING) OF COMMERCIAL AND RECREATIONAL VEHICLE PARKING ORDINANCE AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A continued public hearing for the City Council to consider a recommendation of the Public Safety Committee to adopt a proposed ordinance to amend various provisions of Title 10, Vehicles and Traffic, of the San Clemente Municipal Code ("SCMC") to modify regulations related to the parking of commercial, recreational, and oversize vehicles on public property, including streets.

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

Amanda Q spoke in support of the item being continued to January 16, 2024.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, CARRIED 5-0, to continue the Public Hearing to the January 16, 2024 Regular City Council meeting.

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

NOE: None

9. Unfinished Business

None.

10. New Business

A. PRESENTATION OF THE FULL-TIME CLASSIFICATION AND COMPENSATION STUDY FINDINGS AND RECOMMENDATIONS AND CONSIDERATION OF A RESOLUTION APPROVING THE RECOMMENDED CHANGES AND REVISED SALARY SCHEDULE

City Manager Hall narrated a PowerPoint presentation entitled "2023 Classification and Compensation Study" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Kade Boisseranc, SCCEA President, spoke in support of adoption of the 2023 Classification and Compensation Study.

Motion by Councilmember Loeffler, second by Councilmember Cabral, CARRIED 5-0, to adopt Resolution No. 23-157 entitled A RESOLUTION OF THE

CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REVISED SALARY SCHEDULE AND NEW CLASSIFICATIONS AND AMENDING RESOLUTION NO. 23-57 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

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

NOE: None

B. CONSIDERATION OF INITIATING AND SETTING A PUBLIC HEARING TO CONSIDER CHANGING OR REVOKING CONDITIONAL PERMIT 1021/ VOLUNTARY COMPLIANCE AGREEMENT/ AND WIRELESS SCREENING FORM WMS 23-231 RELATED TO THE PROPERTY LOCATED AT 616 DEL DIOS, ASSESSOR'S PARCEL NUMBER 690-552-05

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

Shawn Cobb, Counsel for American Tower Corporation (ATC), spoke on behalf of ATC in opposition to a Public Hearing.

David Armstrong spoke in support of the Public Hearing; submitted a petition in opposition to any new tower use. A hard copy of the petition is on file with the City Clerk.

Kortney Morrow, San Clemente, spoke in support of the Public Hearing.

Shawn Caley, San Clemente, commented on the functionality of the tower.

David Shick, San Clemente, spoke in support of the Public Hearing.

Amanda Q spoke in support of the Public Hearing.

MEETING RECESSED

Meeting recessed at 9:48 p.m. and reconvened at 9:57 p.m. with all Councilmembers present.

Motion by Councilmember Enmeier, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adopt Resolution No. 23-159 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, INITIATING A PUBLIC HEARING TO CONSIDER A CHANGE OR REVOCATION TO CONDITIONAL PERMIT 1021 (1962), WHICH PERMITTED A MICROWAVE RELAY STATION IN CONNECTION WITH A PUBLIC TELEPHONE SERVICE AT 616 DEL DIOS, ASSESSOR'S PARCEL NUMBER 690-552- 05, THE VOLUNTARY COMPLIANCE AGREEMENT BETWEEN AMERICAN TOWER CORPORATION AND THE CITY EXECUTED ON, OR ABOUT, JULY 6, 2023, AND WIRELESS SCREENING FORM WMS 23-231, AND SETTING THE

PUBLIC HEARING FOR JANUARY 16, 2024.

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

NOE: None

C. CREATION AND FUNDING OF AN EMERGENCY OPERATIONS COORDINATOR/PUBLIC INFORMATION OFFICER POSITION

Lois McNicoll spoke in support of continuation of this item to January 16, 2024 to provide additional information on the duties and responsibilities of this position.

Motion by Mayor Pro Tem Knoblock, second by Councilmember Loeffler, CARRIED 5-0, to accept the Public Safety Committee's recommendation that an Emergency Operations Coordinator/Public Information Officer function be created, and direct staff to present a decision package during next year's proposed budget for further Council review and action.

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

NOE: None

D. APPOINTMENT OF TWO COASTAL ADVISORY COMMITTEE MEMBERS FROM ELIGIBILITY LIST

Council cast written ballots to determine which three applicants on the eligibility list will fill two terms on the Coastal Advisory Committee, one set to expire June 30, 2024 and one set to expire June 30, 2025, which were announced verbally by City Clerk Campagnolo as follows:

DUNCAN: Dolegowski and Jacobs

CABRAL: Dolegowski and Jacobs

ENMEIER: Dolegowski and Jacobs

KNOBLOCK: Ayer and Jacobs

LOEFFLER: Dolegowski and Jacobs

Motion by Mayor Duncan, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to appoint John Dolegowski to fill a term set to expire June 30, 2024 and Brian Jacobs to fill a term set to expire June 30, 2025.

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

NOE: None

E. UPDATE TO COUNCIL APPOINTEES TO REGIONAL COMMITTEES, COMMISSIONS AND BOARDS

Motion by Mayor Duncan, second by Councilmember Loeffler, CARRIED 5-0, to amend the Regional Committees, Commission and Boards to reflect one modification that Councilmember Loeffler will be the representative for the Chamber of Commerce with Mayor Pro Tem Knoblock continuing to serve as the alternate.

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

NOE: None

11. Oral Communications (Part 2)

Michelle Brooks commented on the selection of a district map; spoke on homeless issues in southwest San Clemente.

12. Future Agenda Items

Resolution Concerning By-District Elections and Council's Commitment to Serve the Entire City

Councilmember Cabral, with the support of Councilmember Loeffler, agendized for the January 16, 2024 City Council meeting consideration of a resolution for Councilmembers elected by-district to continue to serve the entire city and its residents.

By-District Election Sequence

Councilmember Loeffler, with the support of Mayor Duncan and Mayor Pro Tem Knoblock, agendized for the January 16, 2024 City Council meeting consideration of re-evaluating the by-district election sequence with the newly selected map 111.

13. Reports

A. Commissions and Committees

None.

B. Council Subcommittee Updates

Homeless Subcommittee

Councilmember Enmeier and Councilmember Loeffler reported that they toured Jamboree House to evaluate potential workforce housing/affordable housing options for the City.

C. Council Members

Environmentally Friendly Practices

Councilmember Enmeier requested that the City evaluate plastic usage and environmentally friendly options.

Memorial Service for Lois Divel, City Matriarch

Mayor Pro Tem Knoblock announced the memorial service for Lois Divel, City Matriarch, will be held on January 6, 2024. Council requested the memorial service be added to their calendars.

Comments from Out-Going Mayor Duncan

Mayor Duncan thanked the Council and residents for the opportunity to serve as Mayor; provided best wishes to Councilmember Cabral on his appointment to Mayor.

D. City Attorney

None.

E. City Manager

Announcement of Contracts Approved and Executed by the City Manager

City Manager Hall announced the following contracts were executed under his signature authority:

1. Underground Solutions - Camino Vera Cruz Recycled Water Extension \$14,807.
2. Underground Solutions - Potholing Services for the Recycled Water Quality Improvement Project \$25,294.
3. O'Connell Engineering - Emergency repair of 8 inch water line located at Avenida del Presidente \$20,850.

14. Adjournment


Motion by Councilmember Loeffler, second by Mayor Pro Tem Knoblock, CARRIED 5-0, to adjourn at 10:25 p.m. The next Regular Meeting will be held on January 16, 2024. 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



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California