



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

Mayor Cabral  
Mayor Pro Tem Enmeier  
Councilmember Duncan  
Councilmember Knoblock  
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 Regular Meeting of the San Clemente City Council was called to order by Mayor Cabral on February 20, 2024 at 5:00 p.m. in the San Clemente City Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

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

**STAFF PRESENT:** Andy Hall, City Manager; Elizabeth Mitchell, City Attorney; Laura Campagnolo, City Clerk; Maile Stivers, Administrative Assistant

### **CLOSED SESSION**

Amanda Q commented on actions by City Manager Hall.

Motion by Councilmember Loeffler, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to recess to Closed Session at 5:05 p.m. to discuss the following:

#### A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code section 54957  
Title: City Manager

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

**NOE:** None

### **BUSINESS MEETING**

#### **INVOCATION**

Lead Pastor Mark Ambrose, Pacific Coast Church, gave the invocation.

#### **PLEDGE OF ALLEGIANCE**

Cash led the Pledge of Allegiance.

**1. Special Presentations**

None.

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

Gary Headrick narrated a PowerPoint presentation entitled "This is a Race Against Time". A hard copy of the presentation is on file with the City Clerk.

Concerned Resident, 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.

Ken Poczekaj, San Clemente, commented on the wall being proposed at the landslide at Mariposa Bridge.

Jessica Pintu, San Clemente, commented on the San Clemente homeless individuals as it relates to City action.

Mike Kay, San Clemente, requested that Council write a letter to Governor Newsom concerning coastal bluffs and shoreline.

Lois McNicoll commented on events at a previous meeting concerning the property at 616 Del Dios (American Tower).

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

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

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

**NOE:** None

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

None.

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

City Attorney Mitchell reported there was direction given, no reportable action concerning:

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code section 54957

Title: City Manager

**6. Staff Communications**

Community Development Director Atamian narrated a PowerPoint presentation entitled "Staff Communications" and responded to Council inquiries concerning bluff property maintenance guidelines, park ranger enhancements and temporary policy on anonymous complaints. A hard copy of the presentation is on file with the City Clerk.

**7. Public Hearings**

None.

**8. Unfinished Business**

None.

**9. New Business****A. PUBLIC SAFETY COMMITTEE EVALUATION OF THE SAFE GUN STORAGE ORDINANCE PROPOSAL BY MOMS DEMAND ACTION AND INTRODUCTION (FIRST READING) OF RESIDENTIAL SAFE STORAGE OF FIREARMS ORDINANCE AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Community Development Director Atamian reviewed the contents of the administrative report and responded to Council inquiries.

Carol Montgomery, Moms Demand Action, spoke in support of the proposed Ordinance.

Amanda Q narrated a PowerPoint presentation entitled "Support Letter vs. Ordinance". A hard copy of the presentation on file with the City Clerk.

Candace, San Clemente, spoke in support of the proposed Ordinance.

Erin Corn, Moms Demand Action, spoke in support of the proposed Ordinance.

Lois McNicoll spoke in opposition to the proposed Ordinance.

Maryanne Rose, Moms Demand Action, spoke in support of the proposed Ordinance.

Sara Martin spoke in opposition to the proposed Ordinance.

Shelley opined that safe gun storage is not a City issue.

Motion by Councilmember Duncan, second by Councilmember Loeffler, CARRIED 3-2 (Councilmember Knoblock and Mayor Cabral voting NOE) to introduce Ordinance No. 1773 entitled AN ORDINANCE OF THE CITY

COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 9.04 - OFFENSES AGAINST PUBLIC PEACE AND DECENCY, OF THE SAN CLEMENTE MUNICIPAL CODE TO ADD NEW SECTION 9.04.045, RELATING TO SAFE STORAGE OF FIREARMS, AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, with a modification to the 4th whereas on page 1 of the Ordinance to read as follows: *"firearm related deaths in the United States are the leading cause of injury related deaths in children between the ages of 1 and 17."*

**AYE:** Duncan, Enmeier and Loeffler

**NOE:** Knoblock and Mayor Cabral

**B. CONSIDERATION OF RESTABLISHING A SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (SCOUP) IN SAN CLEMENTE**

Coastal Administrator Meyerhoff reviewed the contents of the Administrative Report and responded to Council inquiries.

Susan Ambrose spoke in support of a Sand Compatibility and Opportunistic Use Program (SCOUP).

Lois McNicoll commented on the potential cost of funding a Sand Compatibility and Opportunistic Use Program (SCOUP).

Suzie Whitelaw narrated a PowerPoint presentation entitled "Vote YES on SCOUP Permit". A hard copy of the presentation is on file with the City Clerk.

Concerned Resident spoke in support of a Sand Compatibility and Opportunistic Use Program (SCOUP); urged Council to address sand replenishment at Poche Beach.

Amanda spoke in support of a Sand Compatibility and Opportunistic Use Program (SCOUP); expressed concerns regarding Coastal Advisory Committee as it relates to the Brown Act.

Motion by Councilmember Knoblock, second by Councilmember Duncan, CARRIED 5-0, to direct the Coastal Administrator to proceed with the Sand Compatibility and Opportunistic Use Permit (SCOUP) with the largest possible parameters.

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

**NOE:** None

C. **REQUEST TO INTRODUCE (FIRST READING) AN ORDINANCE MODIFYING THE COASTAL ADVISORY COMMITTEE MEETING SCHEDULE; AND CONSIDERATION OF AD HOC SUBCOMMITTEES**

City Manager Hall reviewed the contents of the Administrative Report and responded to Council inquiries.

Lois McNicoll commented on the recommendations made by the Coastal Advisory Committee.

Suzie Whitelaw spoke in support of the ad-hoc subcommittees; does not support the Coastal Advisory Committee meeting on a monthly basis.

Susan Ambrose spoke in support of monthly meetings for the Coastal Advisory Committee.

Motion by Councilmember Loeffler, second by Councilmember Knoblock, CARRIED 5-0, to take no action and continue with bi-monthly meetings for the Coastal Advisory Committee (CAC); City Manager Hall to meet with the Coastal Advisory Committee to address Brown Act concerns.

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

**NOE:** None

D. **DIRECTION FROM THE CITY COUNCIL IN THE CREATION OF THE COASTAL ADVISORY COMMITTEE 2024 WORK PLAN**

City Manager Hall narrated a PowerPoint presentation entitled "Coastal Advisory Committee 2024 Draft Work Plan Outline". A hard copy of the presentation is on file with the City Clerk.

Susan Ambrose commented on the benefits of the Coastal Advisory Work Plan for the City.

Motion by Councilmember Duncan, second by Councilmember Loeffler, CARRIED 5-0, to approve the following work plan for the Coastal Advisory Committee:

1. Get Sand - Advise the City Council on getting sand for San Clemente beaches with a focus on the Sand Compatibility and Opportunistic Use Permit (SCOUP) concerning site locations for opportunistic sand and feasible methods of delivery.
2. Keep Sand - Advise the City Council on best methods to retain sand that are being proposed and/or should be proposed by the nature based solutions study.
3. Water Quality - Advise the City Council on ways to improve water quality, specifically at Poche Beach.

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

**NOE:** None

**E. CONSIDERATION OF A RESOLUTION APPROVING CLASSIFICATION CHANGES SUPPORTING CITY MANAGER OPERATIONS AND CITY ADMINISTRATION AND REVISED SALARY SCHEDULE**

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

Lois McNicoll commented on the fiscal impacts to the City with approval of the classification changes.

Motion by Councilmember Duncan, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to adopt Resolution No. 24-22 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. 23-157 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

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

**NOE:** None

**F. SAN GORGONIO PARK COMMUNICATIONS SITE LEASE AGREEMENT**

City Planner Lightfoot reviewed the contents of the Administrative Report and responded to Council inquiries.

Lois McNicoll expressed concerns regarding communications site(s) in close proximity to homes.

Motion by Mayor Pro Tem Enmeier, second by Councilmember Duncan, CARRIED 5-0, to adopt Resolution No. 24-23, which will approve, and authorize the City Manager to execute, Contract No. C24-11, a Communications Site Lease Agreement, by and between the City of San Clemente and DISH Wireless for a facility at San Gorgonio Park.

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

**NOE:** None

**10. Consent Calendar**

Items 10A, 10D, 10G and 10H were removed from the Consent Calendar for discussion.

**B. Commission/Committee Minutes**

None.

**C. Warrant Register**

None

**Payroll Register**

None.

**E. RATIFICATION OF AN EMERGENCY CONSTRUCTION CONTRACT FOR BRIDGE DEMOLITION AND REMOVAL FROM METROLINK YARD; RATIFICATION OF AN EMERGENCY PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR INSPECTION AND STRUCTURAL EVALUATION SERVICES DURING BRIDGE REMOVAL; AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$69,037**

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

Adopt Resolution No. 24-25, which will:

1. Make a finding that an emergency existed due to the need for immediate disposal of the damaged two bridge spans of the Pedestrian Beach Trail from the Metrolink Yard due to its limited capacity and required immediate action to protect public health and safety, which might not have been possible to maintain if delays attributable to the typical public competitive bidding process had been incurred.
2. Declare that the public interest and necessity demanded the immediate expenditure of public funds to safeguard public health.
3. Ratify an emergency construction contract with Diamond Construction & Design for the pedestrian bridge demolition and removal from Metrolink's yard in the amount of \$60,078.
4. Ratify an emergency Professional Consultant Services Agreement with KPFF Consulting Engineers for inspection and structural evaluation services during the bridge removal in the amount of \$8,959.
5. Approve a supplemental appropriation in the amount of \$69,037 from the General Fund is requested into Account No. 014-811-45300-000-11810.

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

**NOE:** None



**F. RATIFICATION OF AN EMERGENCY CONSTRUCTION CONTRACT FOR PRIMA DESHECHA CANADA CHANNEL (FACILITY NO. M01) WALL STABILIZATION AT GRANDE VISTA PROJECT; APPROVING A PROJECT CONTINGENCY; AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$99,585**

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

Adopt Resolution No. 24-26, which will:

1. Make a finding that an emergency existed due to the need for immediate channel and slope stabilization and required immediate action to protect public health and safety, which might not have been possible if delays attributable to the typical public competitive bidding process had been incurred.
2. Declare that the public interest and necessity demanded the immediate expenditure of public funds to safeguard public health.
3. Approve a supplemental appropriation in the amount of \$99,585 to Account Number 059-553-43420-000-26001 from the Storm Drain Depreciation Fund for the Prima Deshecha Canada Channel (Facility No. M01) Wall Stabilization at Grande Vista.
4. Ratify the Construction Contract with Diamond Construction & Design for an amount not to exceed \$77,215 for the stabilization of the M01 channel wall and its adjacent slope.
5. Approve a 19% project contingency of \$14,670.

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

**NOE:** None

**I. CONTRACT AWARD - COMPLETION OF LEAD AND COPPER RULE REVISIONS LEAD SERVICE LINE INVENTORY AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 9**

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

Adopt Resolution 24-27, which will:

1. Find the project categorically exempt from the California Environmental Quality Act (CEQA) under Class 9 (Inspections) of the state CEQA Guidelines section 15309.
2. Approve, and authorize the City Manager to execute, Contract No. C24-10, shared services consultant agreement, by and between the City of San



Clemente and Metropolitan Water District of Orange County and Hazen and Sawyer, providing for the completion of Lead and Copper Rule Revisions Lead Service Line Inventory, in the amount of \$74,288.

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

**NOE:** None

**J. ADOPTION OF CITY INVESTMENT POLICY MODIFICATION (CITY'S IP SECTION 4.6 AND APPLICABLE DEFINITIONS)**

Motion by Councilmember Duncan, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to adopt the Proposed Investment Policy No. 201-1 with modifications to Section 4.6 and applicable definitions, effective February 20, 2024.

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

**NOE:** None

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

**A. City Council Minutes**

Minutes were removed from the Consent Calendar due to a point of order card being submitted by a member of the public at the meeting of February 6, 2024. Mayor Cabral overruled the point of order concerning an alleged violation of the Brown Act.

Motion by Councilmember Duncan, second by Councilmember Knoblock, CARRIED 5-0, to:

- (1) APPROVE THE CITY COUNCIL REGULAR MEETING MINUTES OF FEBRUARY 6, 2024.

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

**NOE:** None

**D. CONTRACT AWARD - FOUR LIFEGUARD TOWERS REPLACEMENT (2024), AND APPROVING A SUPPLEMENTAL APPROPRIATION RELATED THERETO**

Staff requested to have this item continued to a future meeting date.

Motion by Councilmember Loeffler, second by Councilmember Duncan, CARRIED 5-0, to remove this item from the agenda and continue it to a future meeting.

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

**NOE:** None

**G. CONSIDERATION OF COUNCILMEMBER TRAVEL AND TRAINING EXPENSES**

Concerned Citizen, San Clemente, commented on Councilmember travel as it relates to benefiting the City and its residents.

Tony Rubolino commented on Councilmember Duncan's travel budget.

Motion by Councilmember Knoblock, second by Councilmember Loeffler, CARRIED 5-0, to continue this item to the March 5, 2024 City Council meeting with additional back up documentation to be provided to the Council.

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

**NOE:** None

**H. CONSIDERATION OF COUNCILMEMBER TRAVEL AND TRAINING EXPENSES**

Amanda Q commented on Councilmember Duncan's travel with his term ending in December 2024.

Lois McNicoll commented on the Council budget for training.

Concerned Resident urged Council to not spend money for travel for Councilmembers terming out.

Tony Rubolino commented on travel for Councilmembers when their term is ending.

Mike Kay expressed concerns regarding the staff recommendation.

Motion by Councilmember Loeffler, second by Councilmember Duncan, CARRIED 5-0, to authorize an expenditure of up to \$4,450 related to City Councilmember Duncan's and Mayor Pro Tem Enmeier's attendance at the League of California Cities, City Leaders Summit in April 2024.

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

**NOE:** None

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

Amanda Q expressed concerns regarding anonymous complaints.

Tony Rubolino narrated a PowerPoint presentation concerning firearms. A hard copy of the presentation is on file with the City Clerk.

**12. Future Agenda Items****Assembly Bill 2081**

Councilmember Knoblock with the support of Councilmember Loeffler agendized consideration of a Resolution in support of Assembly Bill 2081.

**City Manager Compensation**

Councilmember Knoblock, with the support of Mayor Pro Tem Enmeier and Councilmember Duncan, agendized consideration of reviewing the annual compensation for the City Manager for the March 5, 2024 City Council meeting.

**Letter to California Coastal Commission regarding the San Onofre Nuclear Generating Station**

Councilmember Duncan, with the support of Mayor Cabral and Mayor Pro Tem Enmeier, agendized consideration of a letter to the California Coastal Commission concerning coastal erosion threats due to sea level rise at the San Onofre Nuclear Generating Station. Mayor Cabral will provide an update on the Community Engagement Panel discussion prior to the letter being sent.

**By-District Map**

Councilmember Loeffler, with the support of Mayor Pro Tem Enmeier and Councilmember Duncan, agendized consideration of amending the by-district map to address the boundary in the pier bowl area.

**13. Reports****A. Commissions and Committees****Orange County Fire Authority**

Councilmember Duncan reported that the Orange County Fire Authority board will be discussing several issues concerning San Clemente at its upcoming board meeting.

**B. Council Subcommittee Updates****C. Council Members****School Safety**

Councilmember Enmeier and Councilmember Duncan met with parents from Las Palmas and the Las Palmas Safety Committee as well as Capistrano Unified School District and discussed lockdown situations, fencing in the area and communications; commended Orange County Sheriffs Department on the recent shelter in place at San Clemente High School.

**Gun Safety**

Councilmember Loeffler reported he will be working on resources for community education on gun safety.

**Sand and Beach Nourishment**

Mayor Cabral reported that he and the Coastal Administrator met with Colonel Baker concerning the strategy the Army Corps of Engineers is proposing; the Army Corps of Engineers has agreed to ensure that the City get all of the sand that was agreed to per the contract, and the City is underway for permits to access borrow sites.

**D. City Attorney**

None.

**E. City Manager**

None.

**14. Adjournment**


Motion by Mayor Pro Tem Enmeier, second by Councilmember Knoblock, CARRIED 5-0, to adjourn at 9:53 p.m. to an Adjourned Regular Meeting to be held on March 5, 2024 at 4:00 p.m. for the purpose of conducting the Long Term Financial Plan. Closed Session will begin at 5:00 p.m. The meeting will take place at City Hall Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

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

**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