



5:30 p.m. - Closed Session (Special Meeting)  
6:00 p.m. - Business Meeting

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

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*Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.*

### **RULES FOR ADDRESSING COUNCIL**

- **Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.**
- **If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and turn it in to the City Clerk or Deputy City Clerk.**
- **Persons wishing to address Council concerning an agenda item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a non-agenda item will be invited to address Council during the “Oral Communications” portion of the meeting.**
- **When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Please limit your presentation to three minutes.**

### **MISSION STATEMENT**

*The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:*

*Maintaining a safe, healthy atmosphere in which to live, work and play;*

*Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;*

*Providing for the City’s long-term stability through promotion of economic vitality and diversity...*

*Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow’s needs.*

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The California Environmental Quality Act (“CEQA”) is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000-21189.3; and the “CEQA Guidelines” at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000-15387). For each item that requires a CEQA determination by the City Council, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this agenda.

## ***DISCLOSURE OF CAMPAIGN CONTRIBUTIONS***

Pursuant to Government Code § 84308, City Council Members are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the City Council Member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the City's decision on the agenda item since January 1, 2023. Members of the City Council who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a City Council Member since January 1, 2023, are required to disclose that fact for the official record of the subject proceedings. Disclosures must include the amount of the campaign contribution and identify the recipient City Council Member and may be made either in writing to the City Clerk before the agenda item or by verbal disclosure during consideration.

### **CLOSED SESSION (5:30 P.M.SPECIAL MEETING)**

#### **A. PERFORMANCE EVALUATION OF CITY ATTORNEY PURSUANT TO GOVERNMENT CODE SECTION 54857(b)(1)&(4)**

### **BUSINESS MEETING (6:00 P.M.)**

#### **CALL TO ORDER**

**INVOCATION – Reverend Dale Rosenberger, San Clemente Presbyterian Church**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

### **1. Special Presentations**

#### **A. FY 2023-2024 2ND QUARTER AND MID-YEAR BUDGET ADJUSTMENTS**

Presentation from Financial Services Officer Rahn concerning the FY 2023-24 2nd Quarter Report and mid-year budget adjustments

#### **Staff Recommendation**

1. Receive and file the FY 2023-24 2nd Quarter Report - Attachment "A".
2. Approve and authorize the mid-year budget adjustments for FY 2023-24 as listed in "Attachment B".

#### **B. EMPLOYEE SERVICE AWARDS**

Presentation by City Manager Hall recognizing the 2024 Core Values Award Recipients: Brant Barraah, Kade Boisseranc, Dave Loflin, Marilyn Mares and Scott Pierce; recognizing Thomas Evans for 35 years of service to the City and Scott Pierce as the 2024 Employee of the Year.

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

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. Speakers may address Council once during either Oral Communications Part 1 or Part 2. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 10. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Under the Ralph M. Brown Act, the City Council cannot act on items raised during public comment but may respond briefly to statements made or questions posed, request clarification or refer the item to staff.

**3. Motion waiving reading in full of all Resolutions and Ordinances****4. Consideration of agenda items requiring immediate action**

Any items agenda items will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

**5. Closed Session Report - City Attorney****6. Staff Communications****7. Public Hearings**

The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

**7A. PUBLIC HEARING ON ESTABLISHMENT OF RECREATION FEES FOR THE USE OF PICKLEBALL COURTS AND OTHER PICKLEBALL RELATED ACTIONS; AND FINDING SUCH ACTION NOT SUBJECT TO FURTHER ENVIRONMENTAL REVIEW**

Public Hearing to consider a City-initiated proposal to amend the parks and recreation fee schedule to include the rental of and play upon public pickleball facilities pursuant to Chapter 66018(a) of the California Government Code. The purpose of the public hearing is to gather feedback from residents, stakeholders, and community members regarding the establishment of pickleball use fees.

**Staff Recommendation**

Adopt Resolution No. 24-46 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING PICKLEBALL

COURT USE FEES, OPERATING SCHEDULES, QUIET PADDLE USE, COURT LIGHTING INSTALLATION, AND FINDING THE ACTIONS NOT SUBJECT TO FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

**7B. EIGHTH PUBLIC HEARING AND INTRODUCTION (FIRST READING) OF AN ORDINANCE FINALIZING THE DISTRICT MAP TO BRING THE PIER BOWL COMMUNITY OF INTEREST INTO ONE DISTRICT (DISTRICT 3)**

(Agendized by Councilmember Loeffler, with the support of Councilmember Duncan and Mayor Pro Tem Enmeier.)

Eighth Public Hearing pursuant to Elections Code section 10010 and Government Code section 34886 to consider introduction of an ordinance finalizing the district-based elections map for City Council effective for the November 2024 General Municipal Election.

Staff Recommendation

1. Open the public hearing, hear public comment and testimony, and close the public hearing; and
2. Introduce and conduct the first reading of Ordinance No. 1775 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SAN CLEMENTE MUNICIPAL CODE SECTION 2.04.11 TO FINALIZE THE DISTRICT MAP AND BRING THE PIER BOWL COMMUNITY OF INTEREST INTO ONE DISTRICT (DISTRICT 3).

**7C. WEED ABATEMENT 2024 - ORDER TO ABATE NUISANCES BY HAVING WEEDS, RUBBISH, AND REFUSE REMOVED FROM VACANT AND UNOCCUPIED, DEVELOPED PROPERTIES AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Public Hearing to consider all objections or protests, if any, to the proposed abatement of weeds, rubbish, refuse and dirt upon streets, sidewalks, parkways and private property within the City of San Clemente.

Staff Recommendation

Adopt Resolution No. 24-47 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ABATE THE NUISANCES BY HAVING WEEDS, RUBBISH, REFUSE AND DIRT REMOVED FROM VACANT PROPERTIES AND UNOCCUPIED, DEVELOPED PROPERTIES WITHIN THE CITY AND NOTIFYING THE STATE, COUNTY, OR ANY OTHER PUBLIC AGENCY AND FINDING THE

PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTIONS 15301, 15308, AND 15321 OF THE CEQA GUIDELINES (14 CCR § 15301(h), CLASS 1: EXISTING FACILITIES, 15308, CLASS 8: ACTIONS BY REGULATORY AGENCIES FOR PROTECTION OF THE ENVIRONMENT, AND 15321, CLASS 21: ENFORCEMENT ACTIONS BY REGULATORY AGENCIES).

**7D. ADOPTION OF THE 2024-2025 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Public Hearing for the Action Plan for Fiscal Year 2024-2025. This action is taken in compliance with federal regulations [24 CFR 91]. As a recipient of Community Development Block Grant (CDBG) funds, the City must prepare a Consolidated Plan every five years. The City is also required to update the related Action Plan annually. The Consolidated Plan is a multi-year strategic plan that identifies housing and community priority needs, strategies to address priority needs, and programs/resources to address these needs. The Action Plan delineates proposed activities to be funded under the U.S. Department of Housing and Urban Development's (HUD) CDBG program.

Staff Recommendation

Adopt Resolution No. 24-48, which will:

1. Approve the 2024-2025 Annual Action Plan for the use of Community Development Block Grant Funds.
2. Authorize the City Manager to submit the Annual Action Plan to the U.S. Department of Housing and Urban Development and execute the contract and related agreements, forms, and certifications.
3. Accept grant revenues of an estimated \$434,471 from the U.S. Department of Housing and Urban Development to account #017-000- 33712.
4. Authorize a related budget appropriation of an estimated \$434,471 to the Community Development Block Grant fund for the amounts in the 2024-2025 Annual Action Plan.
5. Authorize staff to make changes to the above based on actual funding.

**8. Unfinished Business**

None.

**9. New Business****9A. CONSIDERATION OF APPROVING TWO SETTLEMENT AGREEMENTS, ACCEPTING TWO CONSERVATION EASEMENTS, APPROVING AN ENDOWMENT AGREEMENT, AND ACCEPTING THREE EASEMENT DEEDS FOR STORM DRAIN AND ASSOCIATED IMPROVEMENTS ALL RELATED TO THE ARRIOLA GLOBAL SETTLEMENT AGREEMENT AND LANDSLIDE REPAIR PROJECT AT VIA BALLENA AND THE SHORECLIFFS GOLF COURSE AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF \$700,000 TO FUND THE SETTLEMENTS PART 2**Staff Recommendation

Adopt Resolution No. 24-49, which will:

1. Approve the two proposed Settlement Agreements for the Action.
2. Accept the Conservation Easements for both On-Site and Off-Site habitat management areas.
3. Approve the proposed Endowment Agreement.
4. Accept the three (3) storm drain easements and improvements.
5. Authorize the City Manager and City Attorney to take all remaining actions and execute all necessary documents to finalize the Settlement Agreements for the Action in substantially the form attached, with minor modifications as hereinafter approved by the City Manager and City Attorney.
6. Approve a supplemental appropriation in the amount of \$700,000 from the General Liability Fund to Account No. 068-816-44050-000-00000 to fund the City's monetary obligation under the Settlement Agreements.

**9B. CONSIDERATION OF FUTURE OPERATIONS OF THE CITY'S BEACH CLUB FACILITY**Staff Recommendation

Adopt Resolution No. 24-63, which will:

1. Direct staff to notify 24 Carrots Catering and Events that its lease will not be renewed at the end of its current term, ending on September 30, 2026.
2. Direct staff to initiate the necessary steps to assume programming and facility operations of the Ole Hanson Beach Club upon the conclusion of the lease term, under the direction and management of the Beaches, Parks & Recreation Department.

**9C. CONSIDERATION OF A POLICY CONCERNING COUNCIL SUPPORT OR OPPOSITION FOR STATE AND FEDERAL LEGISLATION**

(Agendized by Mayor Pro Tem Enmeier, with the support of Councilmember Duncan, at the March 5, 2024 City Council meeting.)

Staff Recommendation

No staff recommendation, agendized by City Councilmembers.

**9D. CONSIDERATION OF AMENDMENT TO POLICY 1201-11 TO ALLOW A MAJORITY OF CITY COUNCILMEMBERS TO VETO AN ITEM THAT WAS AGENDIZED BY A MINORITY OF CITY COUNCILMEMBERS**

(Agendized by Councilmember Knoblock, with the support of Councilmember Duncan and Mayor Pro Tem Enmeier).

Staff Recommendation

If the City Council wants to allow a majority (three) City Councilmembers to veto items agendized by a minority (two) City Councilmembers, direct the City Clerk to update City Policy and Procedure 1201-11 (City Council Meeting and Operating Procedures) to reflect the changes.

**10. Consent Calendar**

All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council or Staff requests removal of an item for separate discussion and action.

**A. City Council Minutes**

Staff Recommendation:

- (1) [APPROVE THE SPECIAL AND REGULAR CITY COUNCIL MEETING MINUTES OF MARCH 19, 2024.](#)

**B. Commission/Committee Minutes**

Staff Recommendation:

Receive and file the following:

- (1) [COASTAL ADVISORY COMMITTEE SPECIAL MEETING MINUTES OF JANUARY 18, 2024.](#)
- (2) [PLANNING COMMISSION REGULAR MEETING MINUTES OF FEBRUARY 7, 2024.](#)
- (3) [ARTS & CULTURE COMMITTEE ADJOURNED REGULAR MEETING MINUTES OF FEBRUARY 15, 2024.](#)

- (4) [PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF FEBRUARY 27, 2024.](#)
- (5) [DESIGN REVIEW SUBCOMMITTEE REGULAR MEETING MINUTES OF FEBRUARY 28, 2024.](#)
- (6) [PLANNING COMMISSION REGULAR STUDY SESSION MINUTES OF MARCH 6, 2024.](#)
- (7) [PLANNING COMMISSION REGULAR MEETING MINUTES OF MARCH 6, 2024.](#)
- (8) [ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF MARCH 7, 2024.](#)
- (9) [HUMAN AFFAIRS COMMITTEE REGULAR MEETING MINUTES OF MARCH 12, 2024.](#)
- (10) [PLANNING COMMISSION REGULAR MEETING MINUTES OF MARCH 20, 2024.](#)
- (11) [ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF MARCH 21, 2024.](#)
- (12) [DESIGN REVIEW SUBCOMMITTEE REGULAR MEETING MINUTES OF MARCH 27, 2024.](#)
- (13) [ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF APRIL 4, 2024.](#)

**C. Warrant Register**

- |     |   |                                       |
|-----|---|---------------------------------------|
| (1) | <a href="#"><u>APPROVE WIRE TRANSFER NOS. 3011 THROUGH 3016 AND WARRANT NOS. 594918 THROUGH 595049, PAID ON 3-8-24, IN THE AMOUNT OF</u></a>  | <a href="#"><u>\$3,693,729.15</u></a> |
| (2) | <a href="#"><u>APPROVE WIRE TRANSFER NOS. 3017 THROUGH 3018 AND WARRANT NOS. 595050 THROUGH 595172, PAID ON 3-15-24, IN THE AMOUNT OF</u></a>                                       | <a href="#"><u>\$1,213,722.77</u></a> |
| (3) | <a href="#"><u>APPROVE HANDWRITE NOS. 595173 THROUGH 595174, WIRE TRANSFER NOS. 3019 THROUGH 3024 AND WARRANT NOS. 595175 THROUGH 595333, PAID ON 3-22-24, IN THE AMOUNT OF</u></a> | <a href="#"><u>\$1,168,821.96</u></a> |
|     | TOTAL WARRANT REGISTER  | \$6,076,273.88                        |



**Payroll Register**

WARRANT NO. 928, AUTOMATIC DEPOSIT ADVISES 92390 THROUGH 92697, FOR THE PERIOD 2-19-24 THROUGH 3-3-24, PAID ON 3-8-24, IN THE AMOUNT OF \$496,466.63

WARRANT NOS. 929 THROUGH 930, AUTOMATIC DEPOSIT ADVISES 92698 THROUGH 93017, FOR THE PERIOD 3-4-24 THROUGH 3-17-24, PAID ON 3-22-24, IN THE AMOUNT OF \$493,995.27

TOTAL PAYROLL REGISTER \$990,461.90

**10D. COASTAL COMMISSION GRANT APPLICATION TO SUPPORT IMPLEMENTATION OF COASTAL RESILIENCY PLAN AND LOCAL COASTAL PROGRAM**

Staff Recommendation

Adopt Resolution No. 24-50 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA COASTAL COMMISSION FOR A LOCAL COASTAL PROGRAM GRANT TO SUPPORT IMPLEMENTATION OF THE CITY'S COASTAL RESILIENCY PLAN AND LOCAL COASTAL PROGRAM.

**10E. CONSIDERATION OF APPROVING THE COASTAL ADVISORY COMMITTEE FISCAL YEAR 2023-2024 WORK PLAN**

Staff Recommendation

Adopt Resolution No. 24-51 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE FY 2023-24 COASTAL ADVISORY COMMITTEE WORK PLAN.

**10F. CONTRACT AMENDMENT - APPOINTING AUDITOR AND APPROVING AUDIT SERVICES**

Staff Recommendation

Adopt Resolution No. 24-52, which will:

Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract No. C18-23, by and between the City of San Clemente and Lance, Stoll, & Lunghard, LLP., providing for audit services for a one-year term, in an amount not to exceed \$35,290.

**10G. CONTRACT AWARD - LAND USE SOFTWARE WATER USE COMPLIANCE AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Staff Recommendation

Adopt Resolution No. 24-53, which would:

1. Find the project categorically exempt from the California Environmental Quality Act pursuant to 14 CCR 15306 - Information Collection.
2. Award a three-year Professional Services Agreement to Eagle Aerial Solutions for WaterView subscriptions.
3. Approve, and authorize the City Manager to execute, Contract No. C24-16, by and between the City of San Clemente and Eagle Aerial Solutions, providing for three years of WaterView annual subscriptions, in the amount of \$140,800.

**10H. CONSIDERATION OF A RESOLUTION APPROVING THE ORANGE COUNTY TRANSPORTATION AUTHORITY GRANT COOPERATIVE AGREEMENT FOR PROJECT V SAN CLEMENTE DOWNTOWN TROLLEY ROUTE CONTINUATION PROJECT**

Staff Recommendation

Approve Resolution 24-54, which will:

1. Approve, and authorize the City Manager to execute, Contract No. C24- 17, (No. C-3-2787), by and between the City of San Clemente and the Orange County Transportation Authority, accepting grant revenue for the San Clemente Trolley Red and Blue Lines for FY 2023-24 through 2028/29, in an amount up to \$1,077,262.
2. Accept grant revenue from OCTA in the amount of up to \$1,077,262 for the San Clemente Trolley Red and Blue Lines for FY 2023-24 through 2028-29.
3. Direct staff to include the 10% match funds of \$53,840 to be included within the General Fund Budget for the upcoming FY 2024-25 and 2025-26 budgets.

**10I. CONTRACT AWARD - TROLLEY SERVICES**Staff Recommendation

Approve Resolution No. 24-55 which will approve, and authorize the City Manager to execute, Contract No. 24-18, by and between the City of San Clemente and LAZ Parking, providing for Project V San Clemente Downtown Trolley Route Continuation Project, in the amount of \$221,542.20.

**10J. CONTRACT AWARD - WATER QUALITY MANAGEMENT PLAN REVIEW AND BEST MANAGEMENT PRACTICES COMPLIANCE SERVICES**Staff Recommendation

Adopt Resolution No. 24-56 to approve, and authorize the City Manager to execute, Contract No. C24-19, by and between the City of San Clemente and Geosyntec Consultants, providing for Water Quality Management Plan Review and Best Management Plan Compliance services, in an amount not to exceed \$299,935.

**10K. CONTRACT AWARD - RESERVOIR NO. 4 EXTERIOR COATING AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**Staff Recommendation

Adopt Resolution No. 24-57, which will:

1. Find the Reservoir No. 4 Exterior Coating, CIP Project No. 23404 categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
2. Award the Reservoir No. 4 Exterior Coating, CIP Project No. 23404, contract to Unified Field Services Corporation.
3. Approve, and authorize the City Manager to execute, Contract No. C24-20, by and between the City of San Clemente and Unified Field Services Corporation, providing for the Reservoir No. 4 Exterior Coating in an amount not to exceed \$170,178 in a form substantially similar to Contract No. C24-20 (Attachment 4).
4. Approve a 15% construction contingency of \$25,572.

**10L. CONTRACT AWARD - SIDEWALK REPAIRS AND IMPROVEMENTS AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Staff Recommendation

Adopt Resolution No. 24-58, which will:

1. Find the Sidewalk Repairs and Improvements, CIP Project No. 24304, categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
2. Award the Sidewalk Repairs and Improvements contract to CJ Concrete Construction, Inc.
3. Approve, and authorize the City Manager to execute, Contract No. C24- 21, by and between the City of San Clemente and CJ Concrete Construction, Inc., providing for the Sidewalk Repairs and Improvements, in an amount not to exceed \$165,620, in a form substantially similar to Contract No. 24-21 (Attachment 4).
4. Approve a 10% construction contingency of \$16,560 for this project.

**10M. NOTICE OF COMPLETION - STREET PAVEMENT MAINTENANCE FOR AVENIDA VAQUERO (VIA CASCADITA TO CAMINO DE LOS MARES)**

Staff Recommendation

Adopt Resolution No. 24-59, which will:

1. Accept the Street Pavement Maintenance for Avenida Vaquero (Via Cascadita to Camino De Los Mares), CIP Project No. 13321, from the contractor, Roy Allan Slurry Seal, Inc.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the Street Pavement Maintenance for Avenida Vaquero (Via Cascadita to Camino De Los Mares).
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, Roy Allan Slurry Seal, 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/City Engineer in the amount of 25% of the total construction cost.

**10N. NOTICE OF COMPLETION - FY 2024 STREET IMPROVEMENT PROGRAM, FY 2024 ALLEY REHABILITATION PROGRAM, FY 2024 MAJOR STREET MAINTENANCE, FY 2024 LOCAL STREET PAVEMENT MAINTENANCE, AND TRAFFIC CALMING PROGRAM**

Staff Recommendation

Adopt Resolution No. 24-60, which will:

1. Accept the FY 2024 Street Improvement Program, FY 2024 Alley Rehabilitation Program, FY 2024 Major Street Maintenance, FY 2024 Local Street Pavement Maintenance, and Traffic Calming Program, CIP Project Nos. 14337, 14336, 24302, 14335 and 39807, from the contractor, Roy Allan Slurry Seal, Inc.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the FY 2024 Street Improvement Program, FY 2024 Alley Rehabilitation Program, FY 2024 Major Street Maintenance, FY 2024 Local Street Pavement Maintenance, and Traffic Calming Program.
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, Roy Allan Slurry Seal, 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/City Engineer in the amount of 25% of the total construction cost.

**10O. NOTICE OF COMPLETION - PARK MONUMENT SIGN REPLACEMENT PROGRAM (AUGUST 2023), MAX BERG PLAZA AND MARBLEHEAD PARKS**

Staff Recommendation

Adopt Resolution No. 24-61, which will:

1. Accept the Park Monument Sign Replacement Program (August 2023), Max Berg Plaza and Marblehead Parks, CIP Project No. 29103, from the contractor, A&D Signs Corporation dba America's Instant Signs.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the Park Monument Sign Replacement Program (August 2023), Max Berg Plaza and Marblehead Parks.

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, A&D Signs Corporation dba America's Instant Signs.

**10P. BID REJECTION - NORTH BEACH PLAYGROUND REPLACEMENT**

Staff Recommendation

Adopt Resolution No. 24-62, which will:

1. Reject all bids for the North Beach Playground Replacement project.
2. Authorize the City Manager and/or his designee to rebid the project with a modified scope.

**10Q. CONSIDERATION OF COUNCILMEMBER TRAVEL AND TRAINING EXPENSES**

Staff Recommendation

Authorize an expenditure of up to \$500 related to Mayor Cabral's attendance at The Senate Transportation Subcommittee on LOSSAN Rail Corridor Resiliency in Sacramento, California.

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

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation, not to exceed three minutes. Under the Ralph M. Brown Act, the City Council cannot act on items raised during public comment but may respond briefly to statements made or questions posed, request clarification or refer the item to staff.

**12. Future Agenda Items**

**13. Reports**

**A. Commissions and Committees**

- (1) **SCHEDULING OF MEETINGS TO INTERVIEW AND APPOINT INDIVIDUALS TO SERVE ON VARIOUS CITY COMMISSIONS AND COMMITTEES**

Staff Recommendation

1. Should the City Council choose to allow current City Commission and Committee members whose terms are set to expire the opportunity to stay on their respective Commissions/Committees without the need to reapply and interview, direct Staff to contact the

Commission/Committee members and provide direction to notify us no later than April 22, 2024 with their decision. Staff would then advertise only for vacant positions on each of the Commissions and Committees.

OR

2. Authorize the City Clerk to advertise to fill 22 vacancies on the Beaches, Parks and Recreation Commission, Coastal Advisory Committee, Golf Course Committee, Human Affairs Committee, Investment Advisory Committee, Planning Commission, and Public Safety Committee. All positions are for two-year terms to expire June 30, 2026.
3. Authorize the City Clerk to advertise to fill 1 vacancy on the Coastal Advisory Committee for a one-year term to expire June 30, 2025, to fill the position of Suzie Whitelaw, who recently resigned.
4. Establish two meeting dates in June 2024 to interview and appoint individuals to fill the upcoming vacancies.

**B. Council Subcommittee Updates**

**C. Council Members**

**D. City Attorney**

**E. City Manager**

**14. Adjournment**

The next Regular City Council Meeting is scheduled to take place on May 7, 2024. Closed Session will begin at 5:00 p.m. and the Regular Business Meeting will begin at 6:00 p.m. The meeting will take place in the Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

## **CITY COUNCIL MEETING PROCEDURES**

### **PRESENTATION OF WRITTEN MATERIALS TO COUNCIL**

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

### **MEETINGS RECORDED AND TELEVISED**

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 854. Meetings are also available for live-stream or post meeting viewing from the City's website. Meetings are also recorded via audio CD and/or DVD and retained as a City record in accordance with the City's records retention schedule.

### **USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS**

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

### **LENGTH OF MEETINGS**

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

### **AMERICANS WITH DISABILITIES ACT**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

### **COMMUNICATION DEVICES**

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

### **MEETING SCHEDULE**

Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 910 Calle Negocio, 2nd floor, San Clemente. Closed Session are considered at 5:00 p.m. and the Business Meeting begins at 6:00 p.m. Additional meetings of the City Council may be called as needed.

### **AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS**

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Department as soon as agendas are posted, by accessing the City's website at [www.san-clemente.org](http://www.san-clemente.org). An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Department, located at 910 Calle Negocio, San Clemente, during normal business hours.

The City Clerk's Department offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, register at <http://san-clemente.org/enotification>.