



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

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

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 (5:00 P.M.)

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Name: Harbor View Estates Homeowners Association v. City of San Clemente, Orange County Superior Court Case No. 30-2024-01371169-CU-WM-CXC

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Administrative Services Director

Unrepresented employees: All Employees

Employee Organization: San Clemente City Employees Association

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

Real Property Negotiations: APN 988-393-01 and 692-393-01

Property: 1100 North El Camino Real

City Negotiators: Andy Hall, City Manager

Negotiating Parties: Novella Royale

Under Negotiations: Price and terms

BUSINESS MEETING (6:00 P.M.)

CALL TO ORDER

INVOCATION – Pastor John Randall, Calvary South OC

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Special Presentations**A. MAYOR'S SPECIAL RECOGNITION**

Mayor Cabral and the City Council would like to recognize the following:

- Councilmember Loeffler on his 50th anniversary of being sworn in as a Los Angeles Police Officer.
- Teacher Appreciation week: May 6-10, 2024.
- Asian American and Pacific Islander Heritage Month.

B. 2024 WALL OF RECOGNITION HONOREE**Staff Recommendation**

Adopt Resolution No. 24-64 which will:

1. Approve the selection for the 2024 Wall of Recognition Recipients, A. John Dorey and Dick Veale.
2. Authorize the Mayor to present the honorees with certificates of recognition.

C. DONATION ACCEPTANCE - FRIENDS OF SAN CLEMENTE BEACHES, PARKS & RECREATION FOUNDATION 2024 DONATION**Staff Recommendation**

Adopt Resolution No. 24-65 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING THE 2024 DONATION FROM THE FRIENDS OF SAN CLEMENTE BEACHES, PARKS & RECREATION FOUNDATION.

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. NINTH PUBLIC HEARING AND ADOPTION (SECOND READING) OF AN ORDINANCE FINALIZING THE DISTRICT MAP TO BRING THE PIER BOWL COMMUNITY OF INTEREST INTO ONE DISTRICT (DISTRICT 3)

Ninth Public Hearing pursuant to Elections Code Section 10010 and Government Code Section 34886 to adopt 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.
2. Conduct the second reading and adopt 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).

7B. PUBLIC HEARING ON CONDUIT FINANCING FOR THE MENDOCINO AT TALEGA I APARTMENTS AFFORDABLE HOUSING PROJECT

A continued public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), will be held with respect to a proposed plan of financing providing for the issuance by the California Municipal Finance Authority (the "Authority") of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Code in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, in an amount not to exceed \$25,000,000 in aggregate principal amount (the "Bonds"). The proceeds of the Bonds will be used to: (1) finance or refinance the acquisition, rehabilitation, improvement and equipping of Mendocino at Talega I, a multifamily rental housing project located at 123 Calle Amistad, San Clemente, California; and (2) pay certain expenses incurred in

connection with the issuance of the Bonds. The facilities are to be owned by Amistad Housing Partners I LP (the "Borrower") or a partnership of which Jamboree Housing Corporation (the "Developer") or a related person to the Developer is the general partner.

Staff Recommendation

1. Conduct the public hearing under the requirements of the Tax and Equity Fiscal Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended (the "Code"), hear public testimony and comment, and close the public hearing.
2. Adopt Resolution No. 24-66 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY EXEMPT FACILITY BONDS FOR A QUALIFIED RESIDENTIAL RENTAL PROJECT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF MENDOCINO AT TALEGA I AND CERTAIN OTHER MATTERS RELATING THERETO.

7C. PUBLIC HEARING ON CONDUIT FINANCING FOR THE MENDOCINO AT TALEGA II APARTMENTS AFFORDABLE HOUSING PROJECT

A continued public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), will be held with respect to a proposed plan of financing providing for the issuance by the California Municipal Finance Authority (the "Authority") of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Code in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, in an amount not to exceed \$15,000,000 in aggregate principal amount (the "Bonds"). The proceeds of the Bonds will be used to: (1) finance or refinance the acquisition, rehabilitation, improvement and equipping of Mendocino at Talega II, a multifamily rental housing project located at 123 Calle Amistad, San Clemente, California; and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned by Amistad Housing Partners II LP (the "Borrower") or a partnership of which Jamboree Housing Corporation (the "Developer") or a related person to the Developer is the general partner.

Staff Recommendation

1. Conduct the public hearing under the requirements of Tax and Equity Fiscal Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended (the "Code"), hear public testimony and comment, and close the

public hearing.

2. Adopt Resolution No. 24-67 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY EXEMPT FACILITY BONDS FOR A QUALIFIED RESIDENTIAL RENTAL PROJECT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF MENDOCINO AT TALEGA II AND CERTAIN OTHER MATTERS RELATING THERETO.

8. Unfinished Business

None

9. New Business

9A. CONSIDERATION OF A 50-YEAR TIME CAPSULE IN CITY HALL COUNCIL CHAMBERS PROPOSED BY THE SAN CLEMENTE HISTORICAL SOCIETY

Staff Recommendation

Provide direction regarding the use of City Hall Council Chambers for a 50-year time capsule.

9B. CONSIDERATION OF A RESOLUTION TO ADOPT A RECOMMENDATION OF THE PUBLIC SAFETY COMMITTEE AND INITIATE AN ORDINANCE TO AMEND THE SAN CLEMENTE MUNICIPAL CODE TO INCLUDE ADDITIONAL REGULATIONS ON THE USE AND ENFORCEMENT OF ELECTRIC BICYCLES

Public Safety Committee Recommendation

Adopt Resolution No. 24-68 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING THE PUBLIC SAFETY COMMITTEE'S RECOMMENDATION TO INITIATE AN ORDINANCE TO AMEND THE SAN CLEMENTE MUNICIPAL CODE TO INCLUDE ADDITIONAL REGULATIONS ON THE USE AND ENFORCEMENT OF ELECTRIC BICYCLES.

9C. CONTRACT AWARD - PHASE 1 OF REESTABLISHING A SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (SCOUP)

Staff Recommendation

Adopt Resolution No. 24-69, which will:

1. Award a professional services agreement to Coastal Frontiers Corporation, who is teamed with Moffat & Nichol and Merkel & Associates, to provide technical assistance to the City in support of

the re-establishment of the Sand Compatibility and Opportunistic Use Program (SCOUP) Phase 1.

2. Approve, and authorize the City Manager to execute, Contract No. C24-22, by and between the City of San Clemente and Coastal Frontiers Corporation, providing for technical assistance for the re-establishment of the Sand Compatibility and Opportunistic Use Program (SCOUP) Phase 1, in an amount not to exceed \$178,449 for Phase 1 (Attachment 3).

9D. REVIEW OF CITY COUNCIL AGENDA TEMPLATE WITH CONSIDERATION OF MOVING COUNCILMEMBER REPORTS

Staff Recommendation

If the City Council determines to re-organize the agenda template to have Councilmember Reports follow Oral Communications Part 1, direct the City Clerk to update the agenda template accordingly.

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 CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES OF APRIL 16, 2024.](#)

B. Commission/Committee Minutes

Staff Recommendation:

Receive and file the following:

- (1) [INVESTMENT ADVISORY COMMITTEE SPECIAL MEETING MINUTES OF JANUARY 22, 2024.](#)
- (2) [INVESTMENT ADVISORY COMMITTEE REGULAR MEETING MINUTES OF JANUARY 29, 2024.](#)
- (3) [INVESTMENT ADVISORY COMMITTEE SPECIAL MEETING MINUTES OF FEBRUARY 5, 2024.](#)
- (4) [INVESTMENT ADVISORY COMMITTEE SPECIAL MEETING MINUTES OF FEBRUARY 12, 2024.](#)
- (5) [BEACHES, PARKS & RECREATION COMMISSION SPECIAL MEETING MINUTES OF FEBRUARY 12, 2024.](#)

- (6) [BEACHES, PARKS & RECREATION COMMISSION REGULAR MEETING MINUTES OF FEBRUARY 13, 2024.](#)
- (7) [PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF MARCH 26, 2024.](#)
- (8) [HUMAN AFFAIRS COMMITTEE REGULAR MEETING MINUTES OF APRIL 9, 2024.](#)
- (9) [DESIGN REVIEW SUBCOMMITTEE REGULAR MEETING MINUTES OF APRIL 10, 2024.](#)
- (10) [PLANNING COMMISSION REGULAR MEETING MINUTES OF APRIL 17, 2024.](#)

C. Warrant Register

- | | | |
|-----|---|---------------------------------------|
| (1) | <u>APPROVE WIRE TRANSFER NOS. 3025 THROUGH 3026 AND WARRANT NOS. 595334 THROUGH 595506, PAID ON 3-29-24, IN THE AMOUNT OF</u> | <u>\$1,372,424.48</u> |
| (2) | <u>APPROVE WIRE TRANSFER NOS. 3027 THROUGH 3032 AND WARRANT NOS. 595507 THROUGH 595717, PAID ON 4-5-24, IN THE AMOUNT OF</u> | <u>\$5,336,886.33</u> |
| (3) | <u>APPROVE WARRANT NOS. 595718 THROUGH 595854, PAID ON 4-12-24, IN THE AMOUNT OF</u> | <u>\$1,608,932.97</u> |
| (4) | <u>APPROVE WIRE TRANSFER NOS. 3033 THROUGH 3039 AND WARRANT NOS. 595855 THROUGH 595986, PAID ON 4-19-24, IN THE AMOUNT OF</u> | <u>\$1,202,197.12</u> |
| | TOTAL WARRANT REGISTER | \$9,520,420.90 |

Payroll Register

<u>WARRANT NO. 931, AUTOMATIC DEPOSIT ADVISES 93018 THROUGH 93343, FOR THE PERIOD 3-18-24 THROUGH 3-31-24, PAID ON 4-5-24, IN THE AMOUNT OF</u>	<u>\$478,984.30</u>
<u>AUTOMATIC DEPOSIT ADVISES 93344 THROUGH 93670, FOR THE PERIOD 4-1-24 THROUGH 4-14-24, PAID ON 4-19-24, IN THE AMOUNT OF</u>	<u>\$492,308.70</u>
TOTAL PAYROLL REGISTER	\$971,293.00

10D. CONSIDERATION OF A LETTER IN OPPOSITION TO ASSEMBLY BILL 1886 (ALVAREZ) - HOUSING ELEMENT LAW; SUBSTANTIAL COMPLIANCE: HOUSING ACCOUNTABILITY ACT

Staff Recommendation

Adopt Resolution No. 24-70 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE A LETTER IN OPPOSITION TO ASSEMBLY BILL 1886 (ALVAREZ) AND CAUSE THE DELIVERY OF SAID LETTER TO THE CHAIR OF THE CALIFORNIA STATE ASSEMBLY'S LOCAL GOVERNMENT COMMITTEE.

10E. CONSIDERATION OF AUTHORIZING AN ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) PROJECT X TIER 1 GRANT SUBMITTAL AND A 20% MATCH FOR THE EL CAMINO REAL CORRIDOR RUNOFF TREATMENT PROJECT

Staff Recommendation

Adopt Resolution No. 24-71 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE EL CAMINO REAL CORRIDOR RUNOFF TREATMENT PROJECT.

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**
- B. Council Subcommittee Updates**
- C. Council Members**
- D. City Attorney**
- E. City Manager**

14. Adjournment

Adjourn to an Adjourned Regular Meeting to be held on May 14, 2024 at 4:00 p.m. for the purpose of conducting the 2024-2026 Budget Workshop. The meeting will take place in the Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

The next Regular City Council Meeting is scheduled to take place on May 21, 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. 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>.