

CITY OF SAN CLEMENTE  
Tuesday, May 7, 2024  
City Council  
Regular Meeting Minutes



910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org  
Council Chambers

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

Mayor Cabral  
Mayor Pro Tem Enmeier  
Councilmember Duncan  
Councilmember Knoblock  
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 Regular Meeting of the San Clemente City Council was called to order by Mayor Cabral on May 7, 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; Megan Jimenez, Deputy City Clerk

**CLOSED SESSION**

Motion by Councilmember Knoblock, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to recess to Closed Session at 5:01 p.m. to discuss the following:

**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: Brian Brower, 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

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

**NOE:** None

Closed Session concluded at 5:59 p.m.

## **BUSINESS MEETING**

Council reconvened at 6:03 p.m. with all Councilmembers present.

### **INVOCATION**

Pastor Jim Wilke, Calvary Chapel South Orange County gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Karen Prescott-Loeffler led the Pledge of Allegiance.

## **1. Special Presentations**

### **A. MAYOR'S SPECIAL RECOGNITION**

Mayor Cabral and the Council recognized Councilmember Loeffler on his 50th anniversary of being sworn in as a Los Angeles Police Officer; recognized Teacher Appreciation Week: May 6-10, 2024 and presented a Certificate of Recognition to Ms. Dimperio, San Clemente High School teacher, in honor of receiving the Crystal Apple Award; and recognized May as Asian American and Pacific Islander Heritage Month.

### **B. 2024 WALL OF RECOGNITION HONOREE**

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

Adopt Resolution No. 24-64 which will:

1. Approve the selection of the 2024 Wall of Recognition recipients A. John Dorey and Dick Veale.

2. Authorize the Mayor to present the honorees with certificates of recognition.

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

**NOE:** None

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

Councilmember Loeffler disclosed he is a non-compensated board member for the Friends of San Clemente Foundation.

Beaches Parks and Recreation Director Wylie spoke on the collaboration between the Friends of San Clemente Foundation and the City for Community Events.

Brian de la Puente, Friends of San Clemente Foundation, reviewed the Foundation's fundraising efforts and support of community programs in San Clemente.

Motion by Councilmember Loeffler, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to 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.

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

**NOE:** None

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

Joe Wilson, Save Our Beaches San Clemente, commented on the proposed Orange County Transportation Authority railway protection project; urged the City to assemble a technical advisory panel of experts to advise stakeholders on the project. Announced that on Friday, May 10, 2024, Save Our Beaches San Clemente, will hold an informational event at Los Molinos Brewery.

Suzie Whitelaw, Save Our Beaches San Clemente, narrated a PowerPoint presentation concerning the proposed Orange County Transportation Authority railway protection project. A hard copy of the presentation is on file with the City Clerk.

Mike Kay, San Clemente, urged Council to agendaize consideration of an ordinance to prevent the Orange County Transportation Authority or other entity from depositing rip-rap boulders on San Clemente beaches; opined that mitigation fees distributed to the City should be used in the area where the damage was incurred.

Amanda Q narrated a PowerPoint presentation entitled "CRRS Part 2". A hard copy of the presentation is on file with the City Clerk.

Patricia Holloway, San Clemente, expressed appreciation for the Public Works Department and the Maintenance Division regarding the Arbor Day tree planting event at Jim Johnson Memorial Park; urged the City to budget for future tree

plantings.

Bill Kreutinger, Tri-Cities RACES, narrated a PowerPoint presentation entitled "Tri-Cities RACES report on May 4th County-Wide Auxiliary Communications Exercise". A hard copy of the presentation is on file with the City Clerk.

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

Motion by 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 announced that the following action was taken in Closed Session:

Direction given; no reportable action concerning:

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

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

Direction given; no reportable action concerning:

**B. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency designated representative: Brian Brower, Administrative Services Director

Unrepresented employees: All Employees

Employee Organization: San Clemente City Employees Association

Direction given; no reportable action concerning:

**C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

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

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Under Negotiations: Price and terms

**6. Staff Communications**

None.

**7. Public Hearings**

**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)**

Mayor Cabral opened the Public Hearing.

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

Amanda Q spoke in support of district map 120.

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

Motion by Councilmember Loeffler, second by Councilmember Knoblock, CARRIED 4-1 (Mayor Cabral voting NOE) to 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).

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

**NOE:** Mayor Cabral

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

This Public Hearing was moved to the May 21, 2024 City Council meeting and will be republished in the San Clemente Times on May 9, 2024.

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

This Public Hearing was moved to the May 21, 2024 City Council meeting and will be republished in the San Clemente Times on May 9, 2024.

**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

This item was tabled at the request of the San Clemente Historical Society.

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

Code Compliance Manager Sorahan reviewed the contents of the Administrative Report and responded to Council inquiries.

Donna Vidrine, San Clemente, spoke in support of the City Council considering an ordinance concerning electric bikes.

Mike Kay spoke in support of additional regulations for electric bikes; urged the City Council to allow additional opportunities for public input.

Chief of Police Services Christian responded to Council inquiries related to enforcement of the proposed ordinance concerning electric bikes.

Public Safety Committee Chair Berkuta responded to Council inquiries.

Motion by Councilmember Knoblock, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to 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. The ordinance should include regulations concerning carrying passengers on electric bikes, and age or other restrictions related to riding electric bikes after dark as discussed by Council during its deliberations.

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

**NOE:** None

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

Coastal Administrator Meyerhoff narrated a PowerPoint presentation entitled "Restarting SCOUP (San Compatibility and Opportunistic Use Program)" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Suzie Whitelaw spoke in support of the Sand Compatibility and Opportunistic Use Program; expressed concerns regarding excluding beaches from the program.

Amanda Q spoke in support of the Sand Compatibility and Opportunistic Use Program; commented on previous projects and seasonal impacts to sand placed on the beach.

Mike Kay urged Council to include all San Clemente Beaches in the Sand Compatibility and Opportunistic Use Program; commented on potential impacts to grunion with little to no sand on the beaches; opined that the City should consider a storage area for available sand.

City Manager Hall provided an update on collaborations with stakeholders regarding beach nourishment.

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

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).

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

**NOE:** None

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

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

Amanda Q spoke in support of keeping Council Member Reports at the end of the agenda.

Motion by Councilmember Duncan, second by Mayor Cabral, to move Council Member Reports after item 6 - Staff Communications and before item 7 - Public Hearings on the agenda template.

Substitute motion by Councilmember Knoblock, second by Councilmember Loeffler, CARRIED 3-2 (Mayor Pro Tem Enmeier and Councilmember Duncan voting NOE), to move Council Member Reports after item 1 -Special Presentations and before item 2 - Oral Communications on the agenda template. THE SUBSTITUTE MOTION CARRIED:

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

**NOE:** Duncan and Enmeier

**A. City Council Minutes**

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

- (1) APPROVE THE CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES OF APRIL 16, 2024.

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

**NOE:** None

**B. Commission/Committee Minutes**

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

- (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.

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

**NOE:** None

**C. Warrant Register**

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

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

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

**NOE:** None

**Payroll Register**

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

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	\$478,984.30
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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	\$492,308.70
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TOTAL PAYROLL REGISTER	\$971,293.00
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**AYE:** Duncan, Enmeier, Knoblock, Loeffler and Mayor Cabral

**NOE:** None

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

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

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

**NOE:** None

**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**

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

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

**NOE:** None

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

None.

**12. Future Agenda Items**

City Manager Hall to provide an update to Council concerning the dog beach pilot program.

**13. Reports**

**A. Commissions and Committees**

**Coastal Animal Services Authority**

Mayor Pro Tem Enmeier provided an update on Coastal Animal Services Authority employees transitioning to the CalPERS retirement system.

**Lifeguard Statue - Parque Del Mar**

Councilmember Duncan provided an update regarding the Beaches, Parks and Recreation Commission working in collaboration with the Lifeguard Foundation on placement of a lifeguard statue at Parque Del Mar.

**San Onofre Nuclear Generating Station (SONGS)**

Mayor Cabral provided an update concerning the San Onofre Nuclear Generating Station (SONGS) and safe storage of nuclear material; upcoming tests regarding earthquake safety and safe transportation of materials on the railway.

**B. Council Subcommittee Updates**

None.

**C. Council Members****Orange County Fire Authority Fire Operations 101**

Councilmember Duncan reported his attendance at Fire Operations 101 hosted by the Orange County Fire Authority.

**Cal Cities Conference**

Mayor Pro Tem Enmeier and Councilmember Duncan reported their attendance at the Cal Cities Conference April 17-19, 2024 in Sacramento, California.

**Cinco De Mayo Fiesta**

Councilmember Loeffler commented on the success of the Cinco De Mayo Fiesta on May 4, 2024 at Max Berg Plaza Park.

**State of the City Luncheon**

Mayor Cabral reported on the May 3, 2024 State of the City luncheon.

**Southern California Mayors Leadership Conference**

Mayor Cabral reported his attendance at the Southern California Mayors Leadership Conference on April 27, 2024 presented by the Peter F. Drucker School of Management in Claremont, California.

**Orange County Transportation Authority (OCTA) Meeting**

Mayor Cabral reported meeting with OCTA concerning the railway protection project.

**Orange County Sheriff's Department Metal of Valor Event**

Mayor Cabral reported his attendance at the Orange County Sheriff's Department Medal of Valor Ceremony on April 25, 2024.

**Community Meeting - Rotary Club, Coral Thrift Shop**

Mayor Cabral reported meeting with the Rotary Club and Coral Thrift Shop.

**Federal Appropriation Committees**

Mayor Cabral reported that he met with the Federal Senate and House Appropriation Chairs concerning funding for San Clemente sand projects.

**State of California Lifeguards**

Mayor Cabral reported meeting with California State Parks concerning additional lifeguards for summer.

**California State Senate Transportation Subcommittee**

Mayor Cabral reported he testified in Sacramento at the Senate Transportation Subcommittee on LOSSAN Rail Corridor Resiliency.

**Grants Pass Oregon Supreme Court Case**

Mayor Cabral reported his attendance at the Supreme Court hearing regarding the City of Grants Pass, Oregon v. Gloria Johnson, et. al. United States Supreme Court Case No. 23-175.

**Marine Corps Dinner**

Councilmember Knoblock and Mayor Cabral attended a Marine Corps Dinner on May 2, 2024 at Casa Romantica.

**Junior Lifeguard Registration**

Mayor Pro Tem Enmeier acknowledged Beaches, Parks and Recreation regarding the improvements to the Junior Lifeguard program online registration system.

**D. City Attorney**

None.

**E. City Manager****Beach Sand Update**

City Manager Hall reported on the City's efforts to get additional sand on the beaches; noted that the City will be conducting a survey for residents to provide their opinion on funding sources.

**Contracts Executed Under City Manager Signature Authority**

City Manager Hall reported that he executed the following contracts under his signature authority:

1. RCH Group providing for California Environmental Quality Act Compliance Support for the Federal Beach Sand Project in the amount of \$18,000.
2. BGB Design Group for the Base of Pier Bike Rack Redesign \$19,890.

**14. Adjournment**

Motion by Councilmember Knoblock, second by Councilmember Duncan, CARRIED 5-0, to adjourn at 8:20 p.m. The next Regular Meeting will be held on May 21, 2024. The Budget Workshop will commence at 4:00 p.m. Closed Session will begin at 5:30 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:** 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