



1:00 p.m. - Commission and Committee Interviews
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.

COMMISSION AND COMMITTEE INTERVIEWS AND APPOINTMENTS (1:00 P.M.)

A. PLANNING COMMISSION

Interview applicants for the Planning Commission and appoint four citizens to fill two-year terms to expire June 30, 2026.

B. INVESTMENT ADVISORY COMMITTEE

Interview applicants for the Investment Advisory Committee and appoint one citizen to fill a two-year term to expire June 30, 2026.

C. BEACHES, PARKS AND RECREATION

Interview applicants for the Beaches, Parks and Recreation Commission and appoint four citizens to fill two-year terms to expire June 30, 2026.

D. COASTAL ADVISORY COMMITTEE

Interview applicants for the Coastal Advisory Committee and appoint three citizens to fill two-year terms to expire June 30, 2026 and one citizen to fill a one-year term to expire June 30, 2025.

E. GOLF COURSE COMMITTEE

Interview applicants for the Golf Course Committee and appoint three citizens to fill two-year terms to expire June 30, 2026.

F. PUBLIC SAFETY COMMITTEE

Interview applicants for the Public Safety Committee and appoint three citizens to fill two-year terms to expire June 30, 2026.

G. HUMAN AFFAIRS COMMITTEE

Interview applicants for the Human Affairs Committee and appoint four citizens to fill two-year terms to expire June 30, 2026.

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: 2

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
2. Case Name: MDL No. 2804 National Prescription Opiate Litigation Proposed Opioid Settlement - Kroger Co.

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

BUSINESS MEETING (6:00 P.M.)**CALL TO ORDER**

INVOCATION – Stan Mathis, Member of the Elders Quorum Presidency, Ola Vista Ward, Church of Jesus Christ of Latter-day Saints

PLEDGE OF ALLEGIANCE**ROLL CALL****1. Special Presentations**

None.

2. Council Member Reports**3. 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. 12. 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.

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

5. 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.

6. Closed Session Report - City Attorney

7. Staff Communications

8. 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.

8A. PARK MASTER PLAN AMENDMENT OF RICHARD T. STEED MEMORIAL PARK/BARON VON WILLARD DOG PARK AND ADOPTION OF AN ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A public hearing to consider a City-initiated proposal to amend the parks and recreation site-specific master plan for Richard T. Steed Memorial Park to include an additional eight pickleball courts in accordance with California Government Code Section 65453 (a). The purpose of the public hearing is to adopt an amendment to the Richard T. Steed Memorial Park master plan, including an addendum to the Initial Study/Mitigated Negative Declaration for the park. The City Council will further consider approval of a design for the future pickleball court facility.

Staff Recommendation

1. Adopt Resolution No. 24-88, entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 23-24 FOR RICHARD T. STEED MEMORIAL PARK/BARON VON WILLARD DOG PARK MASTER PLAN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, AND ADOPTING AN ADDENDUM TO THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FINDING THAT THE MODIFICATIONS POSE NO SIGNIFICANT CHANGES TO THE ORIGINAL ENVIRONMENTAL ANALYSIS.
2. Adopt Resolution No. 24-89, entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RICHARD T. STEED MEMORIAL PARK/BARON VON WILLARD DOG PARK MASTER PLAN RESOLUTION NO. 23-25, TO INCORPORATE EIGHT ADDITIONAL PICKLEBALL COURTS FOR A TOTAL OF 24

PICKLEBALL COURTS.

3. Approve Design Option C for the 24-court pickleball facility.

8B. DE NOVO APPEAL HEARING OF DEVELOPMENT PERMIT 24-027, A REQUEST TO CONSTRUCT A TWO-STORY, SINGLE-FAMILY RESIDENCE ON A VACANT LOT AT 239 AVENIDA LA CUESTA ABUTTING TWO HISTORIC RESOURCES (233 AVENIDA LA CUESTA AND 243 AVENIDA LA CUESTA), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15303 (CLASS 3: NEW CONSTRUCTION AND CONVERSION OF SMALL STRUCTURES, 14 CCR §15303) (Part 2)

A public hearing to consider a request to construct a two-story, single-family residence on a vacant lot between two historic resources at 233 Avenida La Cuesta and 243 Avenida La Cuesta. The project is located within Residential Low Zoning District and Special Residential 2 Overlay District. This project was formerly referenced as Cultural Heritage Permit (CHP 23-318). After the adoption of the City's streamlining ordinance in November of 2023, the permit type has been reclassified to a Development Permit (DP 24-027).

Staff Recommendation

Adopt Resolution No. 24-90, which will:

1. Find the project categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures).
2. Deny the Appeal and approve Development Permit 24-027, Moses Residence, to allow the construction of a two-story, single-family residence on a vacant lot abutting two historic resources (233 Avenida La Cuesta and 243 Avenida La Cuesta).

9. Unfinished Business

None.

10. New Business**10A. ADOPT REGULATIONS FOR CANDIDATE STATEMENTS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD NOVEMBER 5, 2024**Staff Recommendation

Adopt Resolution No. 24-91 entitled RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AT THE MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 5, 2024.

10B. FY 2024-25 CONTRACT BETWEEN THE CITY OF SAN CLEMENTE AND THE COUNTY OF ORANGE FOR POLICE SERVICESStaff Recommendation

Adopt Resolution No. 24-92, which will:

1. Approve, and authorize the City Manager to execute, Contract No. C24-30, by and between the City of San Clemente and the County of Orange, for FY 2024-25 police services, in the amount of \$21,700,000.

10C. CONSIDERATION OF A REVISED PURCHASING POLICY AND INTRODUCING AND CONDUCTING A FIRST READING OF ORDINANCE NO. 1776 AMENDING AND REPLACING SECTIONS OF SAN CLEMENTE CODE TITLE 3 REVENUE AND FINANCEStaff Recommendation

Introduce Ordinance No. 1776 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SAN CLEMENTE MUNICIPAL CODE SECTIONS 3.40.010, 3.40.040, AND 3.40.050 AND ADDING SECTION 3.40.080, ALL RELATING TO PURCHASING PROCEDURES.

10D. CONSIDERATION OF A RESOLUTION FINDING THAT AN EMERGENCY EXISTS DUE TO SAND EROSION AND IMMEDIATE NEED OF SAND PLACEMENT AT NORTH BEACH, AWARDING A CONSTRUCTION CONTRACT TO _____ FOR THE NORTH BEACH EMERGENCY SAND PLACEMENT PROJECT, PROJECT NO. 14901, IN AN AMOUNT NOT TO EXCEED \$ _____, AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONSTRUCTION CONTRACT, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff Recommendation

Adopt Resolution No. 24-93, which would:

1. Declare that an emergency exists due to sand erosion and immediate need of sand placement at North Beach.
2. Find the project categorically exempt from the California Environmental Quality Act under state CEQA Guidelines Section 15269.
3. Approve transfer of funds to the project Account No. 001-636-45300-000-14901 from the following accounts:

Transfer From	Project Name	Amount (\$)
001-636-45300-000-19907	Army Corps Sand Project	\$750,000
001-636-45300-000-14809	North Beach Concession Building	\$300,000
001-636-45300-000-14193	North Beach Playground	\$150,000
001-416-45710-000-22307	Avenida Victoria Sidewalk Widening	\$300,000
Total:		\$1,500,000

4. Award the North Beach Emergency Sand Placement, Project No. 14901, contract to _____.
5. Approve, and authorize the City Manager to execute, C24-38, by and between the City of San Clemente and _____, for the North Beach Emergency Sand Placement, in an amount of not to exceed \$ _____, in a form substantially similar to attached construction contract (Attachment 2).
6. Approve a 10% construction contingency of \$ _____ for this project.

10E. CONSIDERATION OF JULY 2024 AND DECEMBER 2024 CITY COUNCIL MEETING SCHEDULE MODIFICATIONS

Staff Recommendation

1. Determine whether or not to cancel the December 3, 2024 and December 17, 2024 Regular City Council meetings and hold one meeting on December 10, 2024.
2. Change the Regular City Council Meeting of July 16, 2024 to July 17, 2024.

11. 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 REGULAR MEETING MINUTES OF JUNE 4, 2024.

B. Commission/Committee Minutes

Staff Recommendation:

Receive and file the following:

- (1) ARTS AND CULTURE REGULAR MEETING MINUTES OF MARCH 25, 2024.

C. Warrant Register

- | | | |
|-----|---|-----------------------|
| (1) | <u>APPROVE WIRE TRANSFER NOS. 3040 THROUGH 3041 AND WARRANT NOS. 595987 THROUGH 596154, PAID ON 4-26-24, IN THE AMOUNT OF</u> | <u>\$945,258.69</u> |
| (2) | <u>APPROVE WIRE TRANSFER NOS. 3050 THROUGH 3053 AND WARRANT NOS. 596471 THROUGH 596691, PAID ON 5-17-24, IN THE AMOUNT OF</u> | <u>\$1,454,629.35</u> |
| (3) | <u>APPROVE HANDWRITE NO. 596900, WIRE TRANSFER NOS. 3054 THROUGH 3055 AND WARRANT NOS. 596692 THROUGH 596899, PAID ON 5-24-24, IN THE AMOUNT OF</u> | <u>\$950,921.99</u> |

<p>(4) <u>APPROVE WIRE TRANSFER NOS. 3056 THROUGH 3059 AND WARRANT NOS. 596901 THROUGH 597071, PAID ON 5-31-24, IN THE AMOUNT OF</u></p>	<p><u>\$1,818,427.52</u></p>
<p>TOTAL WARRANT REGISTER</p>	<p>\$5,169,237.55</p>

Payroll Register

<p><u>WARRANT NO. 933, AUTOMATIC DEPOSIT ADVISES 94010 THROUGH 94367, FOR THE PERIOD 4-29-24 THROUGH 5-12-24, PAID ON 5-17-24, IN THE AMOUNT OF</u></p>	<p><u>\$520,404.67</u></p>
<p><u>WARRANT NOS. 934 THROUGH 936 AND AUTOMATIC DEPOSIT ADVISES 94368 THROUGH 94734, FOR THE PERIOD 5-13-24 THROUGH 5-26-24, PAID ON 5-31-24, IN THE AMOUNT OF</u></p>	<p><u>\$495,678.49</u></p>
<p>TOTAL PAYROLL REGISTER</p>	<p>\$1,016,083.16</p>

11D. CONSIDERATION OF A RESOLUTION APPROVING REVISED SALARY SCHEDULE AND STAFFING CHANGES WITH THE ADOPTED FISCAL YEARS 2024-25 AND 2025-26 BUDGET

Staff Recommendation

Adopt Resolution No. 24-94 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. 24-22 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

11E. CONSIDERATION OF AMENDMENTS TO REGULATORY AGREEMENTS AND DECLARATION OF COVENANTS AND RESTRICTIONS, SUBORDINATIONS TO NEW TAX EXEMPT BONDS, AND RESUBORDINATIONS RELATED TO EXISTING LOANS WITH RESPECT TO THE MENDOCINO AT TALEGA I AND II APARTMENTS AFFORDABLE HOUSING PROJECT

Staff Recommendation

Adopt Resolution No. 24-95, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE PROPOSED RESYNDICATION PLAN FOR MENDOCINO AT TALEGA I AND II APARTMENTS AFFORDABLE HOUSING PROJECT.

11F. DECLARATION OF SURPLUS AND DISPOSITION OF RETIRED FLEET EQUIPMENT & VEHICLESStaff Recommendation

Adopt Resolution No 24-96, which will:

1. Declare the vehicles and equipment listed on Attachment 1 to the Administrative Report dated June 18, 2024, as surplus.
2. Authorize the disposition of surplus property using Ken Porter Auctions pursuant to Policy No. 201-2-4.

11G. CONSIDERATION OF A RESOLUTION APPROVING OCEAN PROTECTION COUNCIL SB1 ADAPTATION PLANNING GRANT APPLICATION TO SUPPORT IMPLEMENTATION OF COASTAL RESILIENCY PLAN AND LOCAL COASTAL PROGRAMStaff Recommendation

Adopt Resolution No. 24-97 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA OCEAN PROTECTION COUNCIL FOR A SB1 ADAPTATION PLANNING GRANT TO SUPPORT IMPLEMENTATION OF THE CITY'S COASTAL RESILIENCY PLAN AND LOCAL COASTAL PROGRAM.

11H. CONSIDERATION OF A RESOLUTION AUTHORIZING A PROJECT X TIER 2 GRANT SUBMITTAL TO ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA)Staff Recommendation

Adopt Resolution No. 24-98 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE POCHE BEACH WATER RECLAMATION PROJECT.

11I. CONTRACT AMENDMENT - DEFINED BENEFIT SERVICESStaff Recommendation

Adopt Resolution 24-99, which will:

1. Approve, and authorize the City Manager to execute, Amendment No. 3 to Contract No. C17-35, by and between the City of San Clemente and Milliman, Inc., extending the services for one (1) year for defined benefit

services, in an amount not exceed \$35,200.

11J. CONTRACT AMENDMENT - ONE-YEAR EXTENSION TO THE SCRIDES AGREEMENTS WITH LYFT AND BUTTERFLI AND FINDING THE PROJECT STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff Recommendation

Adopt Resolution No. 24-100, which will:

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA) under Public Resources Code section 21080(b)(10).
2. Approve, and authorize the City Manager to execute, Contract AC-775, by and between the City of San Clemente and Lyft, to extend the SCRides Program for an additional year through June 30, 2025.
3. Approve, and authorize the City Manager to execute, Amendment No. 3 to Contract AC-775, by and between the City of San Clemente and Butterfli, to extend the SCRides Program for an additional year through June 30, 2025.

11K. CONSIDERATION OF A RESOLUTION APPROVING A FIVE YEAR LEASE FOR THE CITY OWNED COMMERCIAL BUILDING LOCATED AT 1100 N. EL CAMINO REAL (APN 692-393-01)

Staff Recommendation

Adopt Resolution No. 24-101, which will:

1. Approve five-year lease agreement, provided as Attachment 2 to the Administrative Report dated June 18, 2024, for the lease by and between the City of San Clemente and Trestles Property Management, LLC.
2. Approve, and authorize the City Manager to execute, Contract No. C24-31, by and between the City of San Clemente and Trestles Property Management, LLC., for a 5-year lease agreement for a base rent of \$3,724 per month, with 3% increases annually, and including the commission for consultant real estate services not to exceed 6% of gross lease.

11L. CONTRACT AWARD - LEASE OF 1030 CALLE NEGOCIO (APN - 688-142-35)

Staff Recommendation

Adopt Resolution No. 24-102, which will:

1. Award the Professional Services Agreement, provided as Attachment 2 to the Administrative Report dated June 18, 2024, for Commercial Real Estate Consulting services with Wynne CRE, Inc.
2. Approve, and authorize the City Manager to execute, Contract No. C24-32, by and between the City of San Clemente and Wynne CRE, Inc., provided as Attachment 2 to the Administrative Report dated June 18, 2024, for an amount not to exceed 6% of total rent for the length of the lease term.

11M. CONTRACT AWARD - TROLLEY OPERATION SERVICES, IN A COMBINED AMOUNT NOT TO EXCEED \$2,416,757.88 FOR THREE YEARS AND FINDING THE PROJECT STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff Recommendation

Adopt Resolution 24-103, which will:

1. Find the project statutorily exempt from the California Environmental Quality Act (CEQA) under Public Resources Code section 21080(b)(10).
2. Approve, and authorize the City Manager to execute, Contract No. C24-33, by and between the City of San Clemente and LAZ Parking California LLC, providing for Red & Blue Line Operations, in an amount not to exceed a total of \$1,871,665.80 for three years.
3. Approve, and authorize the City Manager to execute, Contract No. C24-34, by and between the City of San Clemente and LAZ Parking California LLC, providing for Green Line Operations in an amount not to exceed a total of \$545,092.08 for three years.
4. Authorize the City Manager to execute two (2) one-year optional extensions.

11N. CONTRACT AWARD - CONTINUE SOLID WASTE HANDLING SERVICES FOR FOUR MONTHS WHILE AN AMENDED AND RESTATED AGREEMENT IS BEING FINALIZED

Staff Recommendation

Adopt Resolution No. 24-104, which will:

1. Approve, and authorize the City Manager to execute, Amendment No. 3 to Contract No. C87-62, by and between the City of San Clemente and CR&R Incorporated, to continue Solid Waste Handling services for four months while an Amended and Restated Agreement is finalized.

110. CONTRACT AWARD - PAVEMENT PRESERVATION PROGRAM - UTILITY ADJUSTMENTS AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff Recommendation

Adopt Resolution No. 24-105, which will:

1. Find the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321, 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 Pavement Preservation Program - Utility Adjustments, contract to EBS Utilities Adjusting, Inc.
3. Approve, and authorize the City Manager to execute, Contract No. C24-35, by and between the City of San Clemente and EBS Utilities Adjusting, Inc., providing for the Pavement Preservation Program - Utility Adjustments, in an amount not to exceed \$74,185, in a form substantially similar to Contract No. 24-35(Attachment 3).
4. Approve a 10% construction contingency of \$7,418 for this project.

11P. CONTRACT AWARD - PURCHASE AND INSTALLATION OF STORM DRAIN TRASH CAPTURE DEVICES FOR THE AVENIDA PICO AND SAN CLEMENTE OUTLETS CORRIDOR RUNOFF TREATMENT PROJECT AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff Recommendation

Adopt Resolution No.24-16, which will:

1. Find the Avenida Pico and San Clemente Outlets Corridor Runoff Treatment Project, Project No. 23805, 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 Avenida Pico and San Clemente Outlets Corridor Runoff Treatment Project, contract to G2 Construction, Inc.
3. Approve, and authorize the City Manager to execute, Contract No. C24-36, by and between the City of San Clemente and G2 Construction, Inc., providing for the Avenida Pico and San Clemente Outlets Corridor Runoff Treatment Project, in an amount not to exceed \$410,000, in a form substantially similar to Contract No. C24-36 (Attachment 6).

11Q. CONTRACT AWARD - CITY HALL STANDBY GENERATOR ADDITION AND ELECTRICAL DISTRIBUTION SYSTEM UPGRADE AND APPROVING A 15% PROJECT CONTINGENCY

Staff Recommendation

Adopt Resolution No. 24-107, which will:

1. Demand strict compliance with the bid documents and reject the bid submitted by Potential Electrical Design Services, Inc. as non-responsive.
2. Award the City Hall Standby Generator Addition and Electrical Distribution System Upgrade, CIP Project No. 14812, construction contract to ACE Capital Engineering, Inc., as the lowest responsible and responsive bidder.
3. Approve, and authorize the City Manager to execute, Contract No. C24-37, by and between the City of San Clemente and ACE Capital Engineering, Inc., providing for the City Hall Standby Generator Addition and Electrical Distribution System Upgrade, in the amount of \$551,994, in a form substantially similar to Contract No. C24-XX (Attachment 3).
4. Approve a 15% project contingency in the amount of \$82,800.

12. 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.

13. Future Agenda Items**14. Reports**

- A. Commissions and Committees**
- B. Council Subcommittee Updates**
- C. City Attorney**
- D. City Manager**

15. Adjournment

Adjourn to an Adjourned Regular City Council Meeting to be held on July 17, 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.

*The Regular City Council meeting of July 16, 2024 was rescheduled to July 17, 2024.

Please note that the Regular City Council meeting of July 2, 2024 was previously cancelled.

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>.