



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

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

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 and Special Meeting of the San Clemente City Council was called to order by Mayor Cabral on June 4, 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

B1 - Conference with Real Property Negotiators concerning the property at 100 Avenida Presidio

Amanda Q commented on the geotechnical conditions at 100 Avenida Presidio as it relates to liability for the City.

Motion by Councilmember Knoblock, second by Mayor Pro Tem Enmeier, CARRIED 5-0, to recess to Closed Session at 5:04 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

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 REAL PROPERTY NEGOTIATORS

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

1. Property: 100 Avenida Presidio, San Clemente, Assessor Parcel Number (APN): 690-012-01 and 690-012-02
City Negotiators: Andy Hall, City Manager
Negotiating Parties: West Development Ventures, LLC
Under Negotiations: Price and terms

2. Property: 1100 North El Camino Real, San Clemente, Assessor Parcel Number (APN): 988-393-01 and 692-393-01
City Negotiators: Andy Hall, City Manager
Negotiating Parties: Novella Royale
Under Negotiations: Price and terms

C. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(a)(d)(2)
Number of Cases: 1

1. Facts and Circumstances per Government Code section 54956.9(e)(1): Facts and circumstances that might result in litigation against the City that the City believes are not yet known to a potential plaintiff or plaintiffs.

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

NOE: None

Closed Session Concluded at 5:56 p.m.

BUSINESS MEETING

The meeting reconvened at 6:01 p.m. with all City Councilmembers present

INVOCATION

Carolyn McOwen, Pastor, San Clemente Presbyterian Church gave the invocation

PLEDGE OF ALLEGIANCE

Mayor Cabral led the Pledge of Allegiance

1. Special Presentations

A. Presentation of Proclamation Proclaiming May through August 2024 as Drowning Prevention Awareness Season and Orange County Fire Authority (OCFA) Quarterly Size Up Presentation

Mayor Cabral presented a proclamation to Orange County Fire Authority Division Chief Maule proclaiming May through August 2024 as Drowning Prevention and Awareness Season.

Division Chief Maule displayed a video of the Orange County Fire Authority Quarterly Size Up. A link to the video is on file with the City Clerk.

B. Stars, Stripes and Slip & Slides 4th of July Event

Beaches, Parks and Recreation director Wylie presented a PowerPoint presentation concerning the upcoming Stars, Stripes and Slip n' Slides 4th of July event. A hard copy of the presentation is on file with the City Clerk.

2. Council Member Reports

Mayor Cabral reported his attendance at the following events:

- Joseph Alexander, My Story: How I survived the Holocaust, speaking engagement at the San Clemente Community Center on June 2, 2024.
- Boys and Girls Club summer camp opening, Monday, June 2, 2024.
- Beach Ribbon Cutting & Beach Celebration on May 31, 2024 at the San Clemente Pier.
- 2024 Highschool Graduation on May 30, 2024.
- Orange County Transportation Authority Bluffs Residents Listening Session on May 22, 2024.
- Orange County Transportation Authority luncheon meeting concerning the use of mitigation fees.
- Meeting with the San Clemente Downtown Business Association concerning event collaboration with the City.
- Provided the opening statement at the Hawaiian Surf Club of San Onofre's Polynesian Festival on May 25, 2024.
- City of San Clemente Budget Open House and Human Affairs Committee Community Resource Fair at the Community Center on May 23, 2024.
- Memorial Day Observance at Park Semper Fi and provided the opening statement for the City's ceremony at the Community Center on May 27, 2024.
- TV Interviews concerning sand replenishment and the Supreme Court Grants Pass case.
- Met with owners of Sylvester's, a new Italian restaurant, opening June 2024 at 1814 North El Camino Real.

Councilmember Loeffler reported:

- Commented on the Army Corps of Engineers sand placement project at the base of the pier.

Mayor Pro Tem Enmeier reported:

- Acknowledged bipartisan efforts concerning sand replenishment for San Clemente beaches.
- Extended congratulations to the San Clemente High School graduating class of 2024.
- Attended a seminar in Palm Desert concerning human trafficking and fentanyl.
- Acknowledged the efforts of the Human Affairs Committee concerning their resource fair held on May 23, 2024.

Councilmember Duncan reported:

- Acknowledged the community participation in the Orange County Transportation Authority Coastal Rail Resiliency meeting on May 30, 2024.
- Recognized Los Molinos Brewery on their two-year anniversary.

3. Oral Communications (Part 1)

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

Gary Headrick, San Clemente Green, displayed a photograph concerning the documentary S.O.S: San Onofre Syndrome. A hard copy of the photograph is on file with the City Clerk.

Cameron Houle, Happy Coffee, commented on the planning process for developing his commercial property on Avenida Victoria.

Scott McKhann, San Clemente, commented on his application for the Planning Commission.

Mike Kay, San Clemente, commented that the Local Hazard Mitigation Plan should address issues that affect residents insurance rates and coverage; urged the City to become a Fire Wise City to mitigate insurance rates.

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

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

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

NOE: None

5. Consideration of agendizing items requiring immediate action

None.

6. Closed Session Report - City Attorney

City Attorney Mitchell announced that the following action was taken in Closed Session:

Direction given; no reportable action concerning:

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.

Direction given; no reportable action concerning:

1. Property: 100 Avenida Presidio, San Clemente, Assessor Parcel Number (APN): 690-012-01 and 690-012-02

City Negotiators: Andy Hall, City Manager
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City Negotiators: Andy Hall, City Manager
Negotiating Parties: Novella Royale Under Negotiations: Price and terms

Direction given; no reportable action concerning:

1. Facts and Circumstances per Government Code section 54956.9(e)(1): Facts and circumstances that might result in litigation against the City that the City believes are not yet known to a potential plaintiff or plaintiffs.

7. Staff Communications

City Manager Hall announced where the S.O.S: San Onofre Syndrome documentary discussed during Oral Communications can be viewed.

8. Public Hearings

8A. PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE BUDGET FOR FISCAL YEAR 2024-25 AND FISCAL YEAR 2025-26

Mayor Cabral opened the Public Hearing.

Administrative Services Director Brower and Finance Manager Rahn narrated a PowerPoint presentation entitled "Budget Public Hearing Fiscal Year 24-25 and Fiscal Year 25-26, June 4, 2024" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Amanda Q narrated a PowerPoint presentation entitled "Budget Public Comment". A hard copy of the presentation is on file with the City Clerk.

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

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

1. Adopt Resolution No. 24-78 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AND APPROVING THE BUDGET AT THE FUND LEVEL FOR THE CITY OF SAN CLEMENTE MUNICIPAL BUDGET FOR FISCAL YEARS 2024-25 AND 2025-26 AND THE COMMITMENT OF FUND BALANCE.

2. Direct the City Manager to prepare an Agenda Report addressing the Emergency Services position with recommendations to best meet the service

needs related to this position.

3. Direct the City Manager to prepare an Agenda Report in conjunction with the City Treasurer for the consideration of participation in a Section 115 Trust for the funding of future pension contributions.

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

NOE: None

9. Unfinished Business

None.

10. New Business

10A. CONSIDERATION OF A RESOLUTION TO APPROVE A COOPERATIVE SERVICES AGREEMENT WITH THE COUNTY OF ORANGE FOR UNMANNED AVIATION SYSTEMS (DRONE) SERVICES TO INSPECT OPEN SPACE AREAS FOR FIRE HAZARDS AND SLOPE MONITORING

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

Mike Kay commented on potential negative impacts and privacy concerns with the use of drones to inspect open spaces.

Motion by Councilmember Knoblock, second by Mayor Pro Tem Enmeier, CARRIED 5-0, **TO TABLE THIS ITEM.**

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

NOE: None

10B. REQUEST FOR ALLOCATION OF FUNDING FOR BEACH NOURISHMENT AT NORTH BEACH

City Manager Hall reviewed Council options regarding this item and responded to Council inquiries.

Amanda Q spoke in support of sand placement on North Beach; expressed concerns regarding pausing the Sand Compatibility and Opportunistic use Program (SCOUP).

Motion by Mayor Cabral, second by Councilmember Loeffler, CARRIED 5-0 to:

1. Approve an allocation from the Sand Account in the amount of \$800,000.

2. Suspend the next phase of the Sand Compatibility and Opportunistic Use Program (SCOUP) until funds are available.

3. City Manager to provide a monthly update to the City Council regarding replenishing the funding for SCoup.

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

NOE: None

11. Consent Calendar

A. City Council Minutes

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

- (1) APPROVE THE SPECIAL AND REGULAR CITY COUNCIL MEETING MINUTES OF MAY 21, 2024.

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

NOE: None

B. Commission/Committee Minutes

Motion by Councilmember Duncan, second by Councilmember Knoblock, CARRIED 5-0, to receive and file the following:

- (1) PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF APRIL 23, 2024.
- (2) HUMAN AFFAIRS COMMITTEE REGULAR MEETING MINUTES OF MAY 14, 2024.
- (3) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF MAY 23, 2024.

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

NOE: None

C. Warrant Register

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

APPROVE WIRE TRANSFER NOS. 3042 THROUGH 3047 AND WARRANT NOS. 596155 THROUGH 596359, PAID ON 5-3-24, IN THE AMOUNT OF	\$1,217,585.34
APPROVE WIRE TRANSFER NOS. 3048 THROUGH 3049 AND WARRANT NOS. 596360 THROUGH 596470, PAID ON 5-10-24, IN THE AMOUNT OF	\$4,274,487.90
TOTAL WARRANT REGISTER	\$5,492,073.24

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

NOE: None

Payroll Register

Motion by Councilmember Duncan, second by Councilmember Knoblock, to approve:

WARRANT NO. 932, AUTOMATIC DEPOSIT
ADVISES 93671 THROUGH 94009,
FOR THE PERIOD 4-15-24 THROUGH 4-28-24,
PAID ON 5-3-24, IN THE AMOUNT OF \$493,573.25

TOTAL PAYROLL REGISTER \$493,573.25

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

NOE: None

11D. CONTRACT AWARD - UPDATE OF THE CITY'S LOCAL HAZARD MITIGATION PLAN (LHMP), AND APPROVING AN APPROPRIATION IN THE AMOUNT OF \$98,750

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

Adopt Resolution No. 24-80, which will:

1. Award the Professional Services Agreement, provided as Attachment 2 of the Administrative Report dated June 4, 2024, for the Local Hazard Mitigation Plan Update to Michael Baker International.
2. Authorize an appropriation, not to exceed \$98,750, to Account No. 001-441-43695-000-00000 for Fiscal Year 2023-24.
3. Approve, and authorize the City Manager to execute, Contract No. C24-27, by and between the City of San Clemente and Michael Baker International, providing for the Local Hazard Mitigation Plan Update, in an amount not to exceed \$98,750.

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

NOE: None

11E. CONTRACT AMENDMENT - FLEET MAINTENANCE SERVICES

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

Adopt Resolution 24-81 which will:

1. Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract No. C14-22, by and between the City of San Clemente and First Vehicle Services, formally exercising the five (5) year extension option, with an annual cost for FY 2023-24 of \$570,000 with future years adjusted by the consumer price index per the terms of the Agreement.

2. Approve, and authorize the City Manager to exercise future options with pricing not to exceed the annual consumer price index (CPI) adjustment.

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

NOE: None

11F. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A REGIONAL CONTRACT BETWEEN THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA), POLYDYNE, INC., AND SOCWA ENTITIES FOR SUPPLY OF POLYMER TO THE WATER RECLAMATION PLANT FOR WASTEWATER TREATMENT AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Adopt Resolution No. 24-82, which will:

1. Find the project categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR Section 15301) and Class 7 (Actions by Regulatory Agencies for Protection of Natural Resources, 14 CCR section 15307) of the State CEQA Guidelines.

2. Approve, and authorize the City Manager to execute, Contract No. C24-28, a regional contract, by and between the City of San Clemente and the South Orange County Wastewater Authority (SOCWA), Polydyne, Inc., and the South Orange County Wastewater Authority (SOCWA) entities for a one year term for the supply of Polymer to the City's Water Reclamation Plant (WRP), in an amount not to exceed \$230,000.

3. Authorize the Public Works Director/City Engineer to approve up to four one year renewals to the contract for amounts not to exceed the approved budget amounts for this chemical in each appropriate fiscal year.

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

NOE: None

11G. NOTICE OF COMPLETION - MARINE SAFETY HEADQUARTERS (HQ) BUILDING CONCRETE REPAIRS

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

Adopt Resolution No. 24-83, which will:

1. Accept the Marine Safety Headquarters Building Concrete Repairs, CIP Project No. 24805, from the contractor, Harbor Coating & Restoration.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the Marine Safety Headquarters Building Concrete Repairs.
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, Harbor Coating & Restoration.

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

NOE: None

11H. NOTICE OF COMPLETION - CITY HALL COUNCIL CHAMBERS TENANT IMPROVEMENT

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

Adopt Resolution No. 24-84, which will:

1. Accept the City Hall Council Chambers Tenant Improvements, Project No. 12563, from the contractor, Thomco Construction, Inc.
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the City Hall Council Chambers Tenant Improvements.
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, Thomco Construction, Inc.

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

NOE: None

11I. ESTABLISHING APPROPRIATIONS LIMIT (GANN) FOR FISCAL YEAR (FY) 2024-25

Motion by Councilmember Duncan, second by Councilmember Knoblock, CARRIED 5-0, to adopt Resolution No. 24-85 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING AN APPROPRIATIONS LIMIT PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.

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

NOE: None

11J. CONSIDERATION OF A RESOLUTION TO DESIGNATE FISCAL YEAR (FY) 2024-2025 STREET REHABILITATION PROJECTS PURSUANT TO SENATE BILL 1 (SB1) THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 AND FINDING THE PROJECTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Motion by Councilmember Duncan, second by Councilmember Knoblock, CARRIED 5-0, to adopt Resolution No. 24-86 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-2025 FUNDED BY SENATE BILL 1 (SB 1): THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 AND FINDING THE PROJECTS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 (EXISTING FACILITIES, 14 CCR SECTION 15301), AND CLASS 2 (REPLACEMENT OR RECONSTRUCTION, 14 CCR SECTION 15302) OF THE STATE CEQA GUIDELINES.

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

NOE: None

11K. CONSIDERATION OF A RESOLUTION FOR RENEWED MEASURE M2 ANNUAL FUNDING ELIGIBILITY - FISCAL YEAR 2024-2025

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

Adopt Resolution No. 24-87, which will:

1. Approve and adopt the 2024 Measure M2 Seven Year Capital Improvement Program for Fiscal Years 2024-25 through 2030-2031.
2. Authorize and direct the Public Works Director/City Engineer to submit Measure M2 funding eligibility requirements on behalf of the City of San Clemente to the Orange County Transportation Authority and take all actions necessary and proper to obtain Measure M2 funding for Fiscal Year 2024-2025.

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

NOE: None

12. Oral Communications (Part 2)

None.

13. Future Agenda Items

Councilmember Loeffler, with the support of Mayor Pro Tem Enmeier and Mayor Cabral, agendized consideration of term limits for commission and committee members.

14. Reports**A. Commissions and Committees**

Mayor Pro Tem Enmeier reported that the Coastal Animal Services Authority will have some position changes which will improve service to the community.

Coastal Animal Services Authority will host a summer reading to shelter dogs program.

B. Council Subcommittee Updates

None.

C. City Attorney

None.

D. City Manager

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

Trussell Technologies, Inc. providing for Membrane Filtration/ Reverse Osmosis (MF/RO) Project Evaluation in the amount of \$9,950 under his signature authority.

15. Adjournment

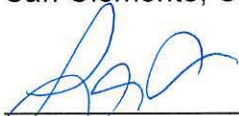
Motion by Mayor Pro Tem Enmeier, second by Councilmember Knoblock, CARRIED 5-0, to adjourn at 8:14 p.m. to an Adjourned Regular City Council Meeting to be held on June 18, 2024 at 1:00 p.m. for the purpose of conducting City Commission and Committee interviews. Closed Session will begin at 5:00 p.m. 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.

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

NOE: None



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California