
From: Brad Malamud [REDACTED]

Sent: Monday, July 22, 2024 10:52 AM

To: Brad Malamud [REDACTED]; C. Jayden Smith <cjsmith@picketfencemedia.com>; Cabral, Victor <CabralV@san-clemente.org>; Duncan, Chris <DuncanC@san-clemente.org>; Elizabeth A. Mitchell <emitchell@bwsllaw.com>; Enmeier, Mark <EnmeierM@san-clemente.org>; Hall, Andy <HallA@san-clemente.org>; Knoblock, Steve <KnoblockS@san-clemente.org>; Campagnolo, Laura <CampagnoloL@san-clemente.org>; Loeffler, Rick <LoefflerR@san-clemente.org>

Subject: Ideas that n require answers before approval of increased sales tax on ballot

I previously sent the council and city manager 14 issues that are required for the next sand agenda report.

Given the additional time, I am providing a comprehensive yet still partial list of questions that need answers in the upcoming Afenda Report

The city claims transparency.

This is a test. If there is nothing to hide, then these and questions raised during the lead up to and the last hearing are critical.

Council members should inform Mr Hall and Ms Mitchell that each of them expect this and even more background before August 6.

Please cc me with each of your comments to both of them. Your continued silence will down volumes. Yes two of you have responded. But the others appear not to care. Voting for such an onerous sales tax increase absent critical background and sunset provisions is dereliction of duty, repulsive, and beneath each of you.

Before a vote is taken, please inform the residents if you will vote no unless all of the necessary background information is provided to you and the residents.

Please explain why the city spent money on a survey?

Who approved the survey?

Why was it necessary?

What were the critical objectives?

How was the vendor chosen?

Where is the contract?

Where are the emails that detail why, and what the city undertook this survey?

What did it cost?

Who created the questions and subject matter?

Why was support level of city government and council approved?

When will questions and raw responses and details be released?

Sand Issues ———

What is the expected annual cost for SAN replenishment for the next 30 years in table form?

How much sand will be added annually?

How many lineal feet of beach will be provided sand each year?

How long is added sand expected to remain on beaches before being eroded away?

Will sand be deposited at Cyprus shore private beach?

Is there any plan for sand retention?

What will be the cost of sand retention?

How much sand will be possibly retained?

How much is the county, state, and feds contributing to sand replenishment on an annual basis in table form?

Why are San Clemente residents supposed to pay 100% or close thereto of the cost of sand replacement?

In the last 5 years, what spending reductions were approved by the city budget (that could find anything including sand replacement)?

In the last 6 years, how many new employee positions and the annual costs thereof, approved by the city?

What were each of those positions, i.e., 2 park rangers, 3 code enforcement, 5 sheriff, \$1m annual ambulance?

Why hasn't the city ever provided council or residents explanation of 5% and 10% possible department cuts which information was requested by residents and councilmembers in the past few years?

How will the increase affect residents?

What is the average expected annual cost per resident (appears to be \$150)?

What is the expected cost per average household? (Appears to be \$500)?

How much will the proposed sales tax increase?m Add an annual revenue?

What percentage of the current revenue will the additional revenue add to the budget?

What are the specific legal parameters placed on the increased revenue if the measure passes voter approval and will that information be provided in a memo to the public before the vote by attorney Mitchell?

given that the residence were in for recently that in the out years, the city will have to find additional revenue to balance the budget. If this sales tax increase is past, how will the city go about obtaining additional revenue to balance future budgets?

What is the expected deficit to the annual budget for the next 5 to 10 years?

Please clarify that none of the funds raised by the proposed sales tax, approximately \$10 million per year, can be used to pay down future deficits.

Please explain what happens to the sales tax revenue if the city determines that sand replacement is a failure or last for such a limited period of time that it is a waste of money and is not fulfill the purpose for which it was intended.

What will be the effect on loss of business?

Where is an analysis of other Orange County cities' rate of sales tax?

Where is Ms. Mitchell's written legal analysis of vote requirements to place this on ballot and to pass the increase?

Why did Andy Hall rather than Ms. Mitchell answer councilmember legal questions?

Why didn't the Agenda Report contain any substantive information such as the information

requested herein?

Will this information be provided before August 6 to council and residents?

Why did the survey fairly claim a majority of residents visit the beach weekly. Clearly other than summer, beach use (not trail use) is minimal other than surfers many of whom are not from San Clemente.?

How many grants have been requested for sand replacement?

How much money from grants have been received by the city for sand replacement?

Who at the city is in charge of sand replacement?

Who at the city is in charge of obtaining grants for Sand replacement?

How much has been spent for each of the last 5 years on issues related to sand replacement or retention and please explain?

What studies have been undertaken regarding beach use with or without sand replacement?

Please provide these details?

How much loss of taxes has resulted in each of the last 5 years due to loss of sand at the beaches?

How is the city funding repair and replacement of the trail bridge near north beach?

What is the expected cost?

Does it relate in any way to sand deficits?

Legal issues:

What happens if money is not needed in future?

Can money be used for other purposes?

Why isn't there a sunset date like clean ocean fund?

I believe that any new sales tax should have a six year end date at which time the residents could be asked to reimpose a new tax. Is it legal yo limit this proposed tax to 6 years?

How can residents be asked to vote on this specific increase without being informed if this funding will be enough to avboumplush the goal, which beaches will receive the added sand, how long the sand will remain on the shore, then quality of the sand, etc. ?

While the above is a long list, it is not comprehensive. More to the point, none of these questions requires significant time as all of this information is within the city.

Please take this as a constructive attempt for the council members to be fully informed before they vote to radically increase taxes on local citizens, residence, and visitors to sad Clemente.

Brad Malamud
Sent from my gmail account: