



Regular City Council Meeting

Special San Marcos Successor Agency to the San Marcos Redevelopment Agency Meeting

Special San Marcos Successor Housing Agency to the San Marcos Redevelopment Agency Meeting

Regular Fire Protection District Meeting

Special San Marcos Public Financing Authority Meeting

Regular San Marcos Public Facilities Authority Meeting

Pursuant to Governor Newsom's Executive Order N-29-20 dated March 17, 2020, and Executive Order N-33-20 dated March 19, 2020, issued with respect to the COVID-19 pandemic, this City Council meeting will require members of the public to maintain social distancing and wear a facial covering at all times while in the Council Chamber.

Public Comment: To submit a public comment at the City Council meeting, please email cityclerk@san-marcos.net and write "Public Comment" in the subject line, or identify the number of the Agenda item on which you are commenting. In the body of the email, include the item number and/or title of the item as well as your comments. Email comments on matters not on the agenda must be submitted prior to the time the Mayor calls the Oral Communications item. Email comments on any agenda item must be submitted prior to the time the Mayor closes public comments on the agenda item. Please be advised that all emailed comments are subject to the same rules as would otherwise apply to speaker comments at any Council meeting, and that electronic comments on agenda items for this meeting may only be submitted by email. Comments via text message and/or social media (Facebook, Twitter, Instagram, etc.), will not be accepted.

The City Clerk will read all email comments, provided that the reading will not exceed five (5) minutes, or such other time as the Council may provide, consistent with its ability to set time parameters for public comment at a Council meeting. If persons submitting comments do not want their comment to be read out loud at the meeting (not to exceed five minutes), they should note "Do Not Read Out Loud at Meeting" at the top of the email. All emailed comments received by 4:00 pm will be provided to the City Council members and included as "Supplemental Information" on the City's website prior to the meeting. Those comments received after 4:00 pm and prior to the close of public comment on the applicable agenda item will be added to the record and will be shared with the City Council members at the meeting.

Americans with Disabilities Act: If you need special assistance to participate in this meeting, please contact the City Clerk at (760)744-1050, ext. 3145. Notification 48 hours in advance will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Assisted listening devices are available for the hearing impaired. Please see the City Clerk if you wish to use this device.

Meeting Schedule and Broadcast Information: Regular City Council meetings are held on the second and fourth Tuesday of each month at 6:00 pm in the Council Chambers. City meetings are broadcast LIVE on San Marcos Community Television (SMTV) on Cox Channel 19, Time Warner Channel 24 and AT&T Channel 99. Meetings are also streamed live and archived online at www.san-marcos.net.

Agendas: Agenda packets are available for public inspection 72 hours prior to scheduled meetings at the City Clerk Department located on the second floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours. Packet documents are also posted online at www.san-marcos.net.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****INVOCATION - PASTOR JUSTIN BURKHOLDER - NORTH HILLS BAPTIST CHURCH****ROLL CALL****PROCLAMATIONS AND PRESENTATIONS**

A. SMILE AWARD

B. EDCO PRESENTATION ON SB 1383: STATE MANDATED ORGANICS RECOVERY PROGRAMS

C. PARKS MAKE LIFE BETTER MONTH

CONSENT CALENDAR

1. [21-1644](#) WAIVER OF TEXT. This item is to waive the reading of the text of all ordinances and resolutions introduced and adopted at this meeting. Ordinances and resolutions shall be introduced or adopted by title.
Recommendation: WAIVE
2. [21-1645](#) APPROVAL OF MINUTES
Recommendation: APPROVE the minutes of a special and regular city council meetings on June 22, 2021.
Attachments: [06-22-21S Closed Session](#)
[06-22-2021R](#)
3. [21-1646](#) APPROVAL OF WARRANTS
Recommendation: APPROVE City Council, Successor Agency, and Fire Protection District warrants dated 07/06/2021.
Attachments: [Warrants 07062021](#)
4. [TMP-1559](#) LEGISLATIVE REPORT
Recommendation: NOTE AND FILE updates to legislation with an official City position.
Attachments: [Attachment A - Staff Legislative Update Attachment](#)

5. [TMP-1564](#) RESCHEDULE LAKEVIEW MOBILE ESTATES RENT REVIEW PETITION FOR PROPOSED RENT INCREASE
- Recommendation:** RESCHEDULE a public hearing before the Mobilehome Rent Review Commission on one of the dates listed below.
6. [TMP-1517](#) FINAL MAP APPROVAL FOR TENTATIVE SUBDIVISION MAP 13-001-1 FOR THE SAN MARCOS HIGHLANDS PROJECT BY KB HOME CALIFORNIA LLC, A DELAWARE LIMITED LIABILITY COMPANY.
- Recommendation:** APPROVE Final Subdivision Map for Tentative Subdivision Map (TSM) 13-001-1.
- Attachments:** [Attachment A - Aerial Map](#)
[Attachment B- Final Map Highlands - Unit 1](#)
7. [21-1653](#) ORDINANCE NO. 2021-1497 - SECOND READING ADDING SAN MARCOS MUNICIPAL CODE SECTIONS 2.30.105 ESTABLISHING PROCEDURES FOR PREQUALIFYING CONTRACTORS AND SECTION 2.30.190 ESTABLISHING GROUNDS FOR DEBARMENT OF CONTRACTORS
- Recommendation:** ADOPT second reading of an ordinance adding San Marcos Municipal Code Sections 2.30.105 establishing procedures for prequalifying contractors and Section 2.30.190 establishing grounds for debarment of contractors.
- Attachments:** [Ordinance No. 2021-1497](#)
8. [21-1654](#) ORDINANCE NO. 2021-1498 - SECOND READING AMENDING SECTION 5.55.100 (SUSPENSION OR REVOCATION OF LICENSE) OF CHAPTER 5.55 (TOBACCO RETAIL LICENSE) OF THE SAN MARCOS MUNICIPAL CODE TO MODIFY PROVISIONS RELATING TO SUSPENSION OR REVOCATION OF TOBACCO RETAIL LICENSES
- Recommendation:** ADOPT second reading of an ordinance amending section 5.55.100 (Suspension or Revocation of License) of Chapter 5.55 (Tobacco Retail License) of the San Marcos Municipal Code to modify provisions relating to suspension or revocation of Tobacco Retail Licenses.
- Attachments:** [Ordinance No. 2021-1498](#)
[2021-1498 Exhibit A Redlined](#)
[2021-1498 Exhibit A Clean](#)
9. [TMP-1574](#) RESOLUTION NO. 2021-8896 - EIGHTH AMENDMENT TO THE CITY MANAGER EMPLOYMENT AGREEMENT
- Recommendation:** ADOPT a resolution amending the City Manager employment agreement.
- Attachments:** [CM 8th amendment resolution](#)
[8th Addendum to City Manager Employment Agmt 7 13 21](#)

10. [TMP-1577](#) RESOLUTION NO. 2021-8897 - APPROVING AN HOURLY RATE INCREASE FOR THE FIRM OF LOUNSBERY FERGUSON ALTONA AND PEAK FOR CONTRACT CITY ATTORNEY SERVICES, AND PROVIDING CONTINUED AUTHORIZATION FOR ALL ATTORNEYS AFFILIATED WITH SAID FIRM, AS WELL AS SPECIAL COUNSEL RETAINED BY THE CITY, TO INITIATE AND PROSECUTE SAN MARCOS MUNICIPAL CODE ENFORCEMENT ACTIONS, WHETHER CIVIL OR CRIMINAL

Recommendation: ADOPT resolution relating to the hourly rates for City Attorney services, and providing continued authorization for all attorneys of the City Attorney's firm and retained special counsel to initiate civil or criminal enforcement actions and to prosecute San Marcos Municipal Code violations.

Attachments: [City Attorney Rate Resolution 2021](#)

11. [TMP-1553](#) RESOLUTION NO. 2021-8898 - ANNEXATION NO. 75 TO THE CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 98-01 IMPROVEMENT AREA NO. 1 (POLICE ONLY)

Recommendation: ADOPT resolution certifying the results of elections and annexing the properties listed below to Community Facilities District No. 98-01 IA No. 1 (Police Only).

Attachments: [Resolution Certifying and Adding Property CFD 98-01 IA 1 #75 6.8.21](#)
[Exhibit A - Certificate of Election Official for CFD No. 98-01 No. 1 - Annexation 1](#)
[Exhibit B - Annexation Boundary Map for CFD No. 98-01 No. 1 - Annexation No](#)
[Attachment 4 - Aerial Property Maps for CFD No. 98-01 No. 1 - Annexation No.](#)
[Attachment 5 - Rate and Method of Apportionment of Special Tax For CFD No.](#)

12. [TMP-1554](#) RESOLUTION NO. 2021-8899 - ANNEXATION NO. 139 TO THE CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 98-02 (LIGHTING, LANDSCAPING, OPEN SPACE AND PRESERVE MAINTENANCE)

Recommendation: ADOPT resolution certifying the results of the elections and annexing the properties listed below to Community Facilities District No. 98-02 (Lighting, Landscaping, Open Space and Preserve Maintenance).

Attachments: [Resolution Certifying and Adding Property CFD 98-02 #139 6.8.21](#)
[Exhibit A - Certificate of Election Official for CFD No. 98-02 - Annexation No. 13](#)
[Exhibit B - Annexation Boundary Map for CFD No. 98-02 - Annexation No. 139](#)
[Aerial Property Maps for CFD No. 98-02 - Annexation No. 139](#)
[Rate and Method of Apportionment of Special Tax for CFD No. 98-02](#)

13. [TMP-1555](#) RESOLUTION NO. 2021-8900 - ANNEXATION NO. 80 TO THE SAN MARCOS FIRE PROTECTION DISTRICT NO. 2001-01
- Recommendation:** ADOPT resolution certifying the results of elections and annexing real property into Community Facilities District No. 2001-01.
- Attachments:** [Resolution Certifying and Adding Property CFD 2001-01 #80 6.8.21](#)
[Exhibit A - Certificate of Election Official for CFD No. 2001-01 - Annexation No.](#)
[Exhibit B - Annexation Boundary Map for CFD No. 2001-01 - Annexation No. 80](#)
[Aerial Property Maps for CFD No. 2001-01 - Annexation No. 80](#)
[Rate of Method of Apportionment of Special Tax for CFD No. 2001-01](#)
14. [TMP-1556](#) RESOLUTION NO. 2021-8901- ANNEXATION NO. 20 TO THE CITY OF SAN MARCOS NO. 2011-01
- Recommendation:** ADOPT resolution certifying the results of election(s) and annexing real property to Community Facilities District No. 2011-01 (Congestion Management).
- Attachments:** [Resolution Certifying and Adding Property CFD 2011-01 #20 6.8.21](#)
[Exhibit A - Certificate of Election Official for CFD No. 2011-01 - Annexation No.](#)
[Exhibit B - Annexation Boundary Map for CFD No. 2011-01 - Annexation No. 20](#)
[Aerial Property Maps for CFD No. 2011-01 - Annexation No. 20](#)
[Rate and Method of Apportionment of Special Tax for CFD No. 2011-01](#)
15. [TMP-1568](#) RESOLUTION NO. 2021-8902 - APPROVING CONSTRUCTION DOCUMENTS AND AUTHORIZING ADVERTISEMENT FOR BID, AUTHORIZING THE CITY MANAGER TO AWARD, FINALIZE, AND EXECUTE THE CONSTRUCTION CONTRACT DOCUMENTS, AND APPROVING A TEMPORARY NIGHTTIME WORK HOUR WAIVER FROM THE REQUIREMENTS OF RESOLUTION 2002-5865, FOR THE SAN MARCOS BOULEVARD AT DISCOVERY STREET INTERSECTION PROJECT (CIP #86002)
- Recommendation:** ADOPT a resolution to approve the construction drawings, authorize bids, delegate and authorize the City Manager to award, finalize, and execute the construction contract documents, and to approve a temporary waiver of the requirements of Resolution 2002-5865 to allow work to occur along San Marcos Boulevard at hours approved by the City Engineer, for the San Marcos Boulevard at Discovery Street Intersection Project (CIP #86002).
- Attachments:** [Resolution 2021_XXXX](#)
[Discovery and San Marcos Specs FINAL](#)
[2021-07-01 Scanned Mylar Plans](#)

16. [TMP-1575](#) RESOLUTION NO. 2021-8903 - AUTHORIZING AWARD OF CONTRACTS AND DELEGATING AUTHORITY TO THE CITY MANAGER TO FINALIZE AND EXECUTE CONTRACTS WITH CIVIC SOLUTIONS AND RICK ENGINEERING COMPANY TO PROVIDE ON-CALL PLANNING CONSULTING SERVICES TO THE DEVELOPMENT SERVICES DEPARTMENT.

Recommendation: ADOPT a resolution authorizing the award of contracts and delegating authority to the City Manager to finalize and execute contracts with Civic Solutions and Rick Engineering Company to provide On-Call Planning Consulting Services to the Development Services Department.

Attachments: [Resolution Authorizing Consultant Award](#)

ORAL COMMUNICATIONS

The Oral Communication segment of the agenda is for the purpose of allowing the public to address the City Council on any matter NOT listed on the agenda. Speakers are limited to five minutes. Please complete a "Request to Speak" form and provide to staff. Members of the public may also submit a public comment at the City Council meeting by emailing cityclerk@san-marcos.net and write "Oral Communication" in the subject line. Email comments on matters not on the agenda must be submitted prior to the time the Mayor calls the Oral Communications item.

PUBLIC HEARINGS

17. [TMP-1565](#) RESOLUTION NO. 2021-8904 - LEVY OF THE ASSESSMENT OF THE LANDSCAPING AND LIGHTING DISTRICT NO. 1 WITHIN THE CITY OF SAN MARCOS FOR FISCAL YEAR 2021-22

Recommendation: ADOPT resolution approving and confirming the diagram and assessment, and levying the assessment for fiscal year 2021-2022.

Attachments: [3b - LMD Confirming-Assessment FY 2021-2022](#)
[Prelim Engineer's Report 21-22](#)

18. [TMP-1566](#) RESOLUTION NO. 2021-8905 - LEVY OF THE ASSESSMENT OF VALLECITOS TOWN CENTER STREET MAINTENANCE DISTRICT WITHIN THE CITY OF SAN MARCOS FOR FISCAL YEAR 2021-2022

Recommendation: ADOPT a resolution approving and confirming the diagram and assessment, and levying the assessment for Fiscal Year 2021-2022.

Attachments: [3b-Resolution rev](#)
[Vicinity Map](#)
[Prelim Engineer's Report 21-22](#)

19. [TMP-1572](#) RESOLUTION NO. 2021-8906 - ADOPTING THE 2021-2029 6TH CYCLE HOUSING ELEMENT AND AN ADDENDUM TO THE 2012 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NUMBER 2011071028)

Recommendation: ADOPT a resolution adopting the 2021-2029 6th Cycle Housing Element and an addendum to the 2012 General Plan Final Environmental Impact Report (SCH No. 2011071028)

Attachments: [GPA 21-0003 Staff Report Attachment 1 City Council Resolution](#)
[GPA 21-0003 Staff Report Attachment 2 Draft Housing Element](#)
[GPA 21-0003 Staff Report Attachment 3 Draft Housing Element tracked chang](#)
[GPA 21-0003 Staff Report Attachment 4 Environmental Addendum.doc](#)
[GPA 21-0003 Staff Report Attachment 5 HCD Comment Letters](#)
[GPA 21-0003 Staff Report Attachment 6 PC Resolution](#)
[GPA 21-0003 Staff Report Attachment 7 PC Public Commentst](#)

NEW BUSINESS

20. [TMP-1579](#) RESOLUTION NO. 2021-8907 - RESOLUTION AMENDING THE FISCAL YEAR 2021-22 OPERATING BUDGET AND DELEGATING AUTHORITY TO THE CITY MANAGER TO EXPEND THE FIRST TRANCHE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS, TO EXECUTE ALL RELATED AGREEMENTS AND AMENDMENTS AND TO ESTABLISH ALL RELATED ARPA GRANT PROGRAMS

Recommendation: ADOPT a resolution amending the Fiscal Year 2021-22 Operating Budget and delegating authority to the City Manager to expend the first tranche of American Rescue Plan Act (ARPA) funds, to execute all related agreements and amendments, and to establish all related ARPA grant programs.

Attachments: [Resolution 2021-XXXX Adopting ARPA Fund Appropriation Final Draft](#)
[COVID-19 COMMUNITY NON-PROFIT GRANT PROGRAM](#)

ORAL COMMUNICATIONS - CONTINUED

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REPORTS (INCLUDING AB 1234 REPORTING REQUIREMENTS)

21. [21-1647](#) SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT (MAYOR JONES)

Recommendation: Note and File

- 22. [21-1648](#) LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER NUÑEZ)
Recommendation: Note and File
- 23. [21-1649](#) NORTH COUNTY TRANSIT DISTRICT REPORT (MAYOR PRO TEM JENKINS)
Recommendation: Note and File.
- 24. [21-1650](#) NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT (COUNCILMEMBER WALTON)
Recommendation: Note and File
- 25. [21-1652](#) SAN MARCOS CREEK PROJECT UPDATE (CITY MANAGER GRIFFIN)
Recommendation: Note and File

COUNCIL COMMENTARY

ADJOURNMENT

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SAN MARCOS)

I, PHILLIP SCOLLICK, CITY CLERK OF THE CITY OF SAN MARCOS, HEREBY CERTIFY THAT I CAUSED THE POSTING OF THIS AGENDA IN THE GLASS DISPLAY CASE AT THE NORTH ENTRANCE OF CITY HALL AND ON THE CITY'S WEBSITE ON JULY 8, 2021, 5:30 P.M.

DATE: JULY 8, 2021

PHILLIP SCOLLICK, CITY CLERK