



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

Cell Phones: As a courtesy to others, please silence your cell phone or pager during the meeting and engage in conversations outside the Council Chambers.

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.

Public Comment: If you wish to address the City Council, please complete a "Request to Speak" form. Forms are located at the rear of the Council Chambers. Be sure to indicate which item number you wish to address. Comments are limited to FIVE minutes, unless you meet the requirements of a formal or informal organization and have registered your organization with the City Clerk in advance. Speakers are asked to fill out a "Request to Speak" form and hand it to staff, although provision of a name, address, or other identifying information is optional.

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 only one opportunity to address the Council under Oral Communications. The Oral Communication segment is split on the agenda and begins with a 15 minute timed segment during which the Council will hear as many speakers as possible. Upon the conclusion of the 15 minute timed segment, any remaining speakers will automatically be called during the continuation of the Oral Communication segment at the end of the agenda. The City Council is prohibited by state law from taking action on items NOT listed on the Agenda. However, they may refer the matter to staff for a future report and recommendation. If you wish to speak under "Oral Communications," please complete a "Request to Speak" form as noted above.

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.

Agenda related writings or documents provided to a majority of the City Council after distribution of the agenda packet will be available for public inspection at the time of distribution in the City Clerk Department located on the second floor of City Hall, 1 Civic Center Drive, San Marcos, CA during normal business hours. The same materials are also posted online at www.san-marcos.net as time permits.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****INVOCATION - SR. PASTOR SAM PASCHALL - MISSION HILLS CHURCH****ROLL CALL****CONSENT CALENDAR**

1. [23-2187](#) 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. [23-2188](#) APPROVAL OF MINUTES

Recommendation: APPROVE the minutes of special City Council meetings on July 7, 2023 and July 11, 2023; and a regular City Council meetings on July 13, 2023.

Attachments: [07-07-2023S Closed Session](#)
[07-11-23R](#)
[07-13-2023S CM CA Evaluations](#)
3. [23-2189](#) APPROVAL OF WARRANTS

Recommendation: APPROVE City Council, Successor Agency, and Fire Protection District warrants dated July 2023.

Attachments: [WARRANTS](#)
4. [23-2181](#) ORDINANCE NO. 2023-1532 - SECOND READING OF ORDINANCE FOR REZONE CHANGE TO ZONING DESIGNATION OF PROJECT SITE FROM MIXED USE 3 (MU 3) TO COMMERCIAL (C)

Recommendation: ADOPT (second reading) Ordinance 2023-1532 to change the Zoning designation of the 1.76 acre project site (Rezone 21-0001) from Mixed Use 3 (MU-3) to Commercial (C);

Attachments: [2023-1532](#)
5. [23-2182](#) ORDINANCE NO. 2023-1533 - SECOND READING OF ORDINANCE TO ADOPT THE GRAN VISTA SPECIFIC PLAN TO ESTABLISH DEVELOPMENT GUIDELINES

Recommendation: ADOPT (second reading) of Ordinance 2023-1533 to adopt the Gran Vista Specific Plan (Specific Plan SP21-0003) to establish development guidelines and serve as the primary land use, policy, and regulatory document for the project.

Attachments: [2023-1533](#)

6. [23-2183](#) ORDINANCE NO. 2023-1534 - SECOND READING OF ORDINANCE FOR REZONE CHANGE TO ZONING RECLASSIFICATION OF 7.6 ACRES FROM COMMERCIAL (c) TO SPECIFIC PLAN AREA (SPA)
- Recommendation:** ADOPT (second reading) of Ordinance 2023-1534 for a zone reclassification of 7.6 acres (Rezone R21-0003) from Commercial (C) to Specific Plan Area (SPA).
- Attachments:** [2023-1534](#)
7. [23-2184](#) RESOLUTION NO. 2023-9184 - CANCELLATION OF THE AUGUST 8, 2023 & AUGUST 22, 2023 REGULAR CITY COUNCIL MEETINGS
- Recommendation:** ADOPT a resolution cancelling the August 8, 2023 and August 22, 2023 regular City Council meetings.
- Attachments:** [Resolution](#)
8. [TMP-1954](#) RESOLUTION NO. 2023-9185 - EXPENDITURE OF FUNDS PURSUANT TO COMPENSATION AND REIMBURSEMENT POLICY, EVENT TICKET APPROVAL
- Recommendation:** ADOPT a resolution approving expenditure of funds for attendance at a public purpose event.
- Attachments:** [Form 802](#)
[Ticket Resolution](#)
9. [TMP-1956](#) RESOLUTION NO. 2023-9186 - HOURLY RATE INCREASE FOR THE FIRM OF LOUNSBERY FERGUSON ALTONA AND PEAK FOR CONTRACT CITY ATTORNEY AND CITY PROSECUTOR SERVICES, AND PROVIDING CONTINUED AUTHORIZATION FOR ATTORNEYS AFFILIATED WITH SAID FIRM, AS WELL AS SPECIAL COUNSEL RETAINED BY THE CITY, TO INITIATE AND TO PROSECUTE SAN MARCOS MUNICIPAL CODE ENFORCEMENT ACTIONS, WHETHER CIVIL OR CRIMINAL
- Recommendation:** ADOPT resolution relating to the hourly rates for City Attorney and City Prosecutor services, and continued authorization for attorneys of the City Attorney's firm and retained special counsel to initiate enforcement actions and to prosecute San Marcos Municipal Code violations.
- Attachments:** [City Attorney Rate Resolution 2023](#)

10. [23-2186](#) RESOLUTION NO. 2023-9188 - ANNEXATION NO. 28 TO THE CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 2011-01 (CONGESTION MANAGEMENT)

Recommendation: ADOPT resolution certifying the results of elections and annexing the properties listed below to Community Facilities District No. 2011-01 (Congestion Management).

Attachments: [Resolution Certifying and Adding Property CFD 2011-01 #28](#)
[Attachment 2 - Exhibit A - Certificate of Election Official](#)
[Attachment 3 - Exhibit B - Boundary Map](#)
[Attachment 4 - Aerial Maps](#)
[Rate and Method of Apportionment of Special Tax for CFD No. 2011-01](#)

11. [TMP-1945](#) RESOLUTION NO. 2023-9189 - ANNEXATION NO. 89 TO THE SAN MARCOS FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2001-01

Recommendation: ADOPT resolution certifying the results of elections and annexing the properties listed below to San Marcos Fire Protection District Community Facilities District No. 2001-01.

Attachments: [Resolution Certifying and Adding Property CFD 2001-01 #89](#)
[Attachment 2 - Exhibit A - Certificate of Election Official](#)
[Attachment 3 - Exhibit B - Boundary Map](#)
[Attachment 4 - Aerial Maps](#)
[Rate and Method of Apportionment of Special Tax for CFD No. 2001-01](#)

12. [TMP-1946](#) RESOLUTION NO. 2023-9190 - ANNEXATION NO. 150 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 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 #150](#)
[Attachment 2 - Exhibit A – Certificate of Election Official](#)
[Attachment 3 - Exhibit B - Boundary Map](#)
[Attachment 4 - Aerial Maps](#)
[Rate and Method of Apportionment of Special Tax for CFD No. 98-02](#)

13. [TMP-1947](#) RESOLUTION NO. 2023-9191 - ANNEXATION NO. 84 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 #84](#)

[Attachment 2 - Exhibit A – Certificate of Election Official](#)

[Attachment 3 - Exhibit B - Boundary Map](#)

[Attachment 4 - Aerial Maps](#)

[Rate and Method of Apportionment of Special Tax For CFD No. 98-01 IA No. 1](#)

14. [TMP-1952](#) RESOLUTION NO. 2023-9192 - APPROVE AN AMENDMENT TO THE FISCAL YEAR 2023-24 CAPITAL IMPROVEMENT PROGRAM TO ADD A NEW CAPITAL IMPROVEMENT PROJECT FOR THE RICHLAND ROAD STORM DRAIN REPLACEMENT BETWEEN FELICIA LANE AND ROCK SPRINGS ROAD (CIP #ST016) AND APPROPRIATE NECESSARY FUNDS

Recommendation: ADOPT resolution to amend the Fiscal Year 2023-24 Capital Improvement Program budget to add a new capital improvement project for the Richland Road Storm Drain Replacement between Felicia Lane and Rock Springs Road (CIP #ST016) and appropriate the necessary funds.

Attachments: [Richland Rd Storm Drain Resolution](#)

[Attachment 1: ST016 CIP Budget Sheet](#)

15. [TMP-1953](#) RESOLUTION NO. 2023-9193- AUTHORIZING THE ACTING CITY MANAGER TO FINALIZE AND FILE AN APPLICATION FOR, AND TO RECEIVE, REGIONAL EARLY ACTION PLANNING GRANTS OF 2021 (REAP 2.0) FUNDS, ACCEPTING THE TERMS OF THE GRANT AGREEMENT, AND AUTHORIZING THE ACTING CITY MANAGER TO AMEND THE BUDGET AS NEEDED AND TO TAKE NECESSARY ASSOCIATED ACTIONS

Recommendation: ADOPT resolution authorizing the filing of an application for the Regional Early Action Planning Grants of 2021 (REAP 2.0), and delegating and authorizing the Acting City Manager to finalize, complete, and execute all applicable documents relating to said application and any grant arising therefrom, and further authorizing the Acting City Manager to receive funds that may be awarded and to amend the budget as needed.

Attachments: [Resolution 2023-xxxx](#)

16. [TMP-1944](#) RESOLUTION NO. SHA 2023-047 - AUTHORIZING MODIFIED PROJECT GAP LOAN FINANCING WITH NATIONAL CORE AND THE PREPARATION OF AN UPDATED LOAN AGREEMENT FOR THE VILLA SERENA II PHASE 2 AFFORDABLE HOUSING COMMUNITY
- Recommendation:** ADOPT resolution approving modified project gap loan financing with National CORE and the preparation of a draft updated loan agreement for the Villa Serena II Phase 2 affordable housing development to document the same, which updated agreement would be brought back to the City Council in its capacity as the Successor Housing Agency for its consideration and action at a future date.
- Attachments:** [Villa Serena II Phase 2 Request for Additional Funding](#)
[Villa Serena II Phase 2 Project Proforma](#)
[TMP-1944 - Affordable Housing - Villa Serena II - Resolution - 25 July 2023](#)
17. [TMP-1949](#) RESOLUTION NO. 2023-9194 - AUTHORIZING AMENDMENTS TO THE CONSTRUCTION CONTRACT WITH SEMA CONSTRUCTION, INC. FOR THE SAN MARCOS CREEK INFRASTRUCTURE PROJECT (CIP Numbers 88263, 88264, 88265, 88505, 88507, 88529)
- Recommendation:** ADOPT resolution authorizing amendments to the construction support contract with SEMA Construction Inc. for the San Marcos Creek Infrastructure Project.
- Attachments:** [RESOLUTION - SEMA Contract Amendment](#)
18. [TMP-1943](#) RESOLUTION NO. 2023-9187 - AUTHORIZES THE SUBMITTAL OF APPLICATIONS FOR FUTURE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY OIL PAYMENT PROGRAM GRANT FUNDS AND ACCEPTS FUTURE GRANT FUNDING
- Recommendation:** ADOPT a resolution authorizing the submittal of future California Department of Resources Recycling and Recovery (CalRecycle) Oil Payment Program (OPP) grant fund applications and accepting the future OPP grant funds.
- Attachments:** [Used Oil Grant Resolution 2023](#)

ORAL COMMUNICATIONS

Speakers are limited to five minutes. Please complete a "Request to Speak" form and place in basket provided.

REPORTS (INCLUDING AB 1234 REPORTING REQUIREMENTS)

19. [23-2196](#) SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT (MAYOR JONES)
- Recommendation:** Note and File
20. [23-2195](#) LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER MUSGROVE)
- Recommendation:** Note and File

21. [23-2194](#) NORTH COUNTY TRANSIT DISTRICT REPORT (DEPUTY MAYOR JENKINS)
Recommendation: Note and File.
22. [23-2193](#) NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT (COUNCILMEMBER NUÑEZ)
Recommendation: Note and File
23. [23-2192](#) CLEAN ENERGY ALLIANCE REPORT (COUNCILMEMBER MUSGROVE)
Recommendation: Note and File
24. [23-2191](#) CITY COUNCIL BUSINESS VISITS
Recommendation: Note and File
25. [23-2185](#) SAN MARCOS CREEK PROJECT UPDATE (ACTING CITY MANAGER)
Recommendation: Note and File

COUNCIL COMMENTARY

ADJOURNMENT

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

I, PHILLIP SCOLICK, 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 20, 2023, 6:00 P.M.

DATE: JULY 20, 2023

PHILLIP SCOLICK, CITY CLERK