



MINUTES

Regular Meeting of the San Marcos City Council

TUESDAY, SEPTEMBER 28, 2021

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

Regular City Council Meeting

Special City of San Marcos as Successor Agency to the San Marcos Redevelopment Agency Meeting

Special City of San Marcos as 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

CALL TO ORDER: Mayor Jones called the City Council meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE: Led by the members of Operation Collaboration.

INVOCATION: Given by Mayor Jones.

ROLL CALL:

PRESENT: COUNCILMEMBERS: JENKINS, MUSGROVE, NUÑEZ, WALTON, JONES

ABSENT: COUNCILMEMBERS: NONE

ALSO PRESENT: City Manager Griffin, City Attorney Peak, and City Clerk Scollick.

PROCLAMATIONS AND PRESENTATIONS

A. SMILE Award was presented by Councilmember Nunez to the following representatives of Operation Collaboration: Jason Malneritch, Deputy Chief, Cal Fire/San Diego County Fire; Ken Kremensky, Fire Chief, Barona Fire Department; Dan Barron, Fire Chief, San Marcos Fire Department; and Nick Johnson, Fire Captain, Cal Fire/San Diego County Fire – Program Manager/Operations.

Arcela Nunez Alvarez, Universidad Popular, spoke in support of Operation Collaboration and the valuable resource it provided to the community by vaccinating hard to reach individuals.

B. LEUKEMIA AND LYMPHOMA AWARENESS MONTH PROCLAMATION was presented by the City Council to Lauren Phinney.



C. PROCLAIM OCTOBER 1, 2021 AS MANUFACTURING DAY was presented by the City Council to Amanda Cheyney, California's Manufacturing Network.

D. SAN DIEGO SHERIFF SENIOR PATROL VOLUNTEER PRESENTATION was presented by the City Council to Ruby Miller, Roberta "Bobbi" Siebert, and Robert "Bob" Steiner.

E. SAN MARCOS PAVEMENT MANAGEMENT PRESENTATION was provide by Isaac Etchamendy, City Engineer and Lewis Clapp, Principal Civil Engineer.

CONSENT CALENDAR

MOVED BY MAYOR PRO TEM JENKINS, SECONDED BY COUNCILMEMBER WALTON TO APPROVE THE CONSENT CALENDAR.

AYES: COUNCILMEMBERS: JENKINS, MUSGROVE, NUÑEZ, WALTON, JONES

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

- 1) **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.
- 2) **APPROVAL OF MINUTES.** Approved the minutes of a regular city council meeting on September 14, 2021.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated 09/20/2021.
- 4) **ORDINANCE NO. 2021-1500 - SECOND READING OF SPECIFIC PLAN AMENDMENT 19 0004 FOR APPROVAL OF ENTITLEMENTS TO DEVELOP A 1,797 SQ. FT. COFFEE SHOP LOCATED ON THE SOUTHEAST CORNER OF SAN MARCOS BOULEVARD AND BENT AVENUE.** Adopted second reading of ordinance No. 2021-1500 (Specific Plan Amendment SP19-0004) to modify the boundaries of the San Marcos Creek Specific Plan Area.
- 5) **ORDINANCE NO. 2021-1501 - SECOND READING OF REZONE 19 00028922 FOR CARTEL SAN MARCOS REQUEST FOR APPROVAL OF ENTITLEMENTS TO DEVELOP A 1,797 SQ. FT. COFFEE SHOP LOCATED ON THE SOUTHEAST CORNER OF SAN MARCOS BOULEVARD AND BENT AVENUE.** Adopted second reading of ordinance No. No. 2021-1501 (Rezone R19-0002) for a zone reclassification of 0.55 acres from San Marcos Creek Specific Plan Area (SPA) to Commercial (C).
- 6) **ORDINANCE NO. 2021-1502 - SECOND READING OF ORDINANCE TO REZONE THE RANCHO LA SOMBRA AND RANCHO DE CIMA NEIGHBORHOODS FROM AG/A-1 TO A MIXTURE OF RR/R-1-20 AND VLDR/R-1-10 DESIGNATIONS.** Adopted second reading of ordinance No. 2021-1502 (Rezone R19-0001) for rezone of the project area from A-1 to a mixture of R-1-20 and R-1-10.



- 7) **ORDINANCE NO. 2021-1503 - SECOND READING OF ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, AMENDING CHAPTER 8.80 (SMOKING IN CERTAIN PUBLIC PLACES) OF THE SAN MARCOS MUNICIPAL CODE TO PROHIBIT SMOKING IN OUTDOOR/PATIO DINING AREAS AND AREAS ADJACENT THERETO.** Adopted second reading of ordinance 2021-1503, amending Chapter 8.80 of the San Marcos Municipal Code to prohibit smoking in outdoor/patio dining areas and adjacent areas.
- 8) **ORDINANCE NO. 2021-1504 - SECOND READING OF ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, MODIFYING CHAPTER 2.04 (GENERAL) AND CHAPTER 2.08 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SAN MARCOS MUNICIPAL CODE TO CHANGE THE TERM "MAYOR PRO TEM" TO "DEPUTY MAYOR," AND MODIFYING CHAPTER 2.20 (CITY OFFICERS) TO CHANGE THE TERM "CITY MANAGER PRO TEM" TO "ACTING CITY MANAGER".** Adopted second reading of ordinance 2021-1504, modifying the San Marcos Municipal Code to change the term "Mayor pro tem" to "Deputy Mayor," and to change the term "City Manager pro tem" to "Acting City Manager."
- 9) **RESOLUTION NO. 2021-8924 - EXPENDITURE OF FUNDS PURSUANT TO COMPENSATION AND REIMBURSEMENT POLICY, EVENT TICKET APPROVAL.** Adopted a resolution approving expenditure of funds for attendance at public purpose events.
- 10) **RESOLUTION NO. 2021-8925 - AWARDING A CONTRACT FOR PURCHASE, DELIVERY AND INSTALLATION OF PLAYGROUND EQUIPMENT AND RELATED SERVICES AT CITY PARKS AS NEEDED.** Adopted a resolution awarding a contract to Pacific Play Systems, Inc., for the purchase, delivery and installation of playground equipment and related services at City parks as needed not to exceed \$2,000,000.
- 11) **PROGRAM YEAR 2020/2021 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING.** Noted and Filed.
- 12) **RESOLUTION NO. 2021-8926 - CARRY OVER OF FISCAL YEAR 2020-21 APPROPRIATIONS INTO FISCAL YEAR 2021-22.** Adopted a resolution approving the carry-over of appropriations from Fiscal Year 2020-21 to Fiscal Year 2021-22.
- 13) **RESOLUTION 2021-8927 - APPROVING AMENDMENT TO REIMBURSEMENT AGREEMENT RELATING TO DISCOVERY STREET ROAD IMPROVEMENTS.** Approved a resolution to amend the reimbursement agreement relating to Discovery Street road improvements, Contract 5940.

ORAL COMMUNICATIONS

There were no public comments.



ORDINANCES

- 14) **ORDINANCE 2021-1505 - AN ORDINANCE OF THE CITY OF SAN MARCOS, CALIFORNIA, ADDING CHAPTER 5.75 (SIDEWALK VENDING) TO THE SAN MARCOS MUNICIPAL CODE, AND RESOLUTION 2021-8928, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, ADOPTING SIDEWALK VENDING REGULATIONS AND SETTING PERMITTING FEES FOR SAME.** 1. Introduced Ordinance 2021 - 1505, an Ordinance adding Chapter 5.75 (Sidewalk Vending) to the San Marcos Municipal Code, and ADOPT Resolution 2021-8928, adopting Sidewalk Vending Regulations and Setting Permitting Fees for Same.

CITY ATTORNEY PEAK presented the staff report.

COUNCILMEMBER DISCUSSION INCLUDED clarification of AB 946 compliance, health and safety issues, accessibility, prohibited locations, types of allowed vendors, permit costs and process, current status of sidewalk vendor permits, outreach or training provided to vendors, and current prohibitions in place.

Public comments included the following individuals who support in opposition of the proposed ordinance:

Ana Maria Ardon Bejarano
Ryana Contreras
Caroline Theiss-Aird
Pao Ilescas
Dulce Aguirre

Ian M. Seruelo
Moses Cuevas
Lillie Sanchez
Clint Carney
Katie Hansen

Erin Tsurumoto Grassi
Christian Ramirez
Adriana Jasso
Patricia Mondragon
Joaquin Vazquez

MOVED BY MAYOR JONES, SECONDED BY COUNCILMEMBER MUSGROVE TO APPROVE RECOMMENDED ACTION.

AYES: COUNCILMEMBERS: JENKINS, MUSGROVE, JONES
NOES: COUNCILMEMBERS: NUÑEZ, WALTON
ABSENT: COUNCILMEMBERS: NONE

ORAL COMMUNICATIONS

There were no public comments.

REPORTS (Including AB 1234 Reporting Requirements)

- 15) **SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT** – MAYOR JONES. Report given with no action taken.



- 16) **LEAGUE OF CALIFORNIA CITIES REPORT** – COUNCILMEMBER NUÑEZ. Report given with no action taken.
- 17) **NORTH COUNTY TRANSIT DISTRICT REPORT** – MAYOR PRO TEM JENKINS. No report.
- 18) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** - COUNCILMEMBER WALTON. No report.
- 19) **SAN MARCOS CREEK PROJECT UPDATE** – CITY MANAGER GRIFFIN. Report given with no action taken.

COUNCIL COMMENTARY

COUNCILMEMBER WALTON AND COUNCILMEMBER NUÑEZ announced a business visit to Blue Fire Brewing.

MAYOR JONES announced the Double Peak race and Fashion Week events.

COUNCILMEMBER WALTON congratulated Operation Collaboration for a job well done in vaccinating over 70,000 individuals.

COUNCILMEMBER MUSGROVE announced several new business to the community.

ADJOURNMENT

MAYOR JONES adjourned the meeting at 8:08 p.m.

REBECCA D. JONES, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLLICK, CITY CLERK
CITY OF SAN MARCOS