



# MINUTES

## Regular Meeting of the San Marcos City Council

**TUESDAY, SEPTEMBER 11, 2018**

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 Desmond called the City Council Meeting to order at 6:00 P.M.

**PLEDGE OF ALLEGIANCE:** Led by Councilmember Orlando.

**INVOCATION:** Given by Pastor Jason Mayer from the Rock Church.

**ROLL CALL:**

PRESENT: COUNCILMEMBERS: JABARA, JENKINS, JONES, ORLANDO, DESMOND

ABSENT: COUNCILMEMBERS: NONE

**ALSO PRESENT:** City Manager Griffin, City Attorney Peak, City Clerk Scollick, and Deputy City Clerk Wilcox

**PROCLAMATIONS AND PRESENTATIONS**

A. Recognized San Marcos Sheriff Deputy's for being awarded for auto theft recovery in 2016 and 2017:

Deputy Miguel Correa	Deputy Scott Crane	Deputy Jose Galvan	Deputy Adam Hipschen
Deputy Anthony Mireles	Deputy Danisha Neazer	Deputy Scott Rossall	Deputy Scott Winter

B. Proclaimed September 10th – 14<sup>th</sup>, 2018 as Yellow Ribbon Youth Suicide Awareness/Prevention Week for Mission Hills High School.

**CONSENT CALENDAR**



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**MOVED BY COUNCILMEMBER JABARA, SECONDED BY VICE MAYOR JONES TO APPROVE THE CONSENT CALENDAR, EXCEPT ITEM NO. 8 AND ITEM NO. 9.**

AYES: COUNCILMEMBERS: JABARA, JONES, JENKINS, ORLANDO, DESMOND

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 or adopted at this meeting. Ordinances and Resolutions shall be introduced or adopted by title.
- 2) **APPROVAL OF MINUTES.** Regular City Council/Special City of San Marcos as Successor Agency to the San Marcos Redevelopment Agency/Special City of San Marcos as Successor Housing Agency to the San Marcos Redevelopment Agency/Regular Fire Protection District/ Special Public Financing Authority/Regular San Marcos Public Facilities Authority Meetings, August 14, 2018, at 6:00 p.m.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated 8/20/2018 and 9/4/2018.
- 4) **RESOLUTION NO. 2018-8543 - AWARDING A FIVE YEAR LANDSCAPE MAINTENANCE CONTRACT FOR PASSIVE PARKS & MISCELLANEOUS AREAS.** Approved a resolution awarding a five year landscape maintenance services contract to PWLC 1, Inc. in the amount of \$427,500.00 for passive parks & miscellaneous areas.
- 5) **RESOLUTION NO. 2018-8544 - EXPENDITURE OF FUNDS PURSUANT TO COMPENSATION AND REIMBURSEMENT POLICY EVENT TICKET APPROVAL.** Approved a resolution for expenditure of funds for attendance at a public purpose event.
- 6) **RESOLUTION NO. 2018-8545 - APPROVAL TO PURCHASE ONE (1) NEW RECHASSIS TYPE III FIRE DEPARTMENT AMBULANCE.** Approved a resolution to purchase of one (1) new rechassis Type III Fire Department Ambulance.
- 7) **RESOLUTION NO. 2018-8546 - FISCAL YEAR 2017/18 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT.** Approved a resolution for the fiscal Year 2017/18 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and authorized the submittal to the U.S. Department of Housing and Urban Development.
- 8) **TSM 17-003 - FINAL MAP APPROVAL - RANCHO CORONADO MU-4.** Approve a Final subdivision Map for Tentative Subdivision Map 17-003 (TSM17-003). ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***



- 9) **LEGISLATIVE REPORT.** Note and file updates to state and federal legislation. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 8) **TSM 17-003 - FINAL MAP APPROVAL - RANCHO CORONADO MU-4.** Approved a Final subdivision Map for Tentative Subdivision Map 17-003 (TSM17-003).

**MOVED BY MAYOR DESMOND, SECONDED BY COUNCILMEMBER JABARA TO APPROVE ITEM NO.8, AS RECOMMENDED BY STAFF.**

AYES: COUNCILMEMBERS: JABARA, JONES, JENKINS, DESMOND  
NOES: COUNCILMEMBERS: ORLANDO  
ABSENT: COUNCILMEMBERS: NONE

- 9) **LEGISLATIVE REPORT.** Noted and filed updates to state and federal legislation. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***

**JOHN SIGNORINO**, resident, spoke about his concerns with City Council opposing state legislation regarding small cell tower technology, and warned that the city is violating San Marcos Municipal Code (SMMC) Chapter 20.465.

**COUNCIL DISCUSSIONS INCLUDED:** cell tower ordinance enforcement; city ramifications of cell tower facility denials and approvals; and concerns with losing local government control.

**CITY ATTORNEY PEAK** stated that the city is enforcing SMMC Chapter 20.465 to the extent that it is not pre-empted by federal regulations. The city is not allowed to regulate antennas on the basis of radio frequency emissions to the extent that they do not exceed Federal Communications Commission (FCC) approved standards.

**MOVED BY COUNCILMEMBER JABARA, SECONDED BY VICE MAYOR JONES TO APPROVE ITEM NO. 9, AS RECOMMENDED BY STAFF.**

AYES: COUNCILMEMBERS: JABARA, JONES, JENKINS, ORLANDO, DESMOND  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: NONE

**ORAL COMMUNICATIONS**

**There were no requests to speak.**

**REPORTS** (Including AB 1234 Reporting Requirements)



- 10) **SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT** – MAYOR DESMOND. Report given with no action taken.
- 11) **NORTH COUNTY TRANSIT DISTRICT REPORT** - VICE MAYOR JONES. No report given.
- 12) **LEAGUE OF CALIFORNIA CITIES REPORT** - COUNCILMEMBER JABARA. No report given.
- 13) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** - COUNCILMEMBER JENKINS. Report given with no action taken.
- 14) **SAN MARCOS UNIFIED SCHOOL DISTRICT JOINT WORKING GROUP** - COUNCILMEMBER JENKINS. No report given.

#### **COUNCIL COMMENTARY**

**VICE MAYOR JONES** requested staff to devise a plan to communicate with residents as it relates to code enforcement, mobile home parks, and Title 25 Health and Safety issues.

**MAYOR DESMOND** announced he and Councilmember Jenkins attended an Innovate 78 meeting on September 11, 2018.

**COUNCILMEMBER JENKINS** announced a business site visit with Councilmember Orlando to Eminent Cycles in San Marcos.

#### **CLOSED SESSION**

The City Council adjourned to closed session at 6:39 p.m.

- 15) **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION [GC 54956.9(d)(1)]**. Citizens Development Corporation, Inc. vs. County of San Diego, City of San Marcos, et. al., United States District Court Case No. 12CV0334 IEG RBB.

The City Council reconvened from closed session at 7:11 p.m.

**CITY ATTORNEY PEAK** reported on Item No. 15 that, Councilmember Jabara did not participate in the discussion, as she had a conflict of interest. The remaining Councilmember's discussed the matter with the City Manager and City Attorney, and provided direction regarding a settlement with no reportable action was taken.

#### **ADJOURNMENT**

**MAYOR DESMOND** adjourned the meeting at 7:12 p.m.



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JAMES M. DESMOND, MAYOR  
CITY OF SAN MARCOS

ATTEST:

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PHILLIP SCOLLICK, CITY CLERK  
CITY OF SAN MARCOS