



MINUTES

Regular Meeting of the San Marcos City Council

Tuesday, June 25, 2024

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 6:02 P.M.

PLEDGE OF ALLEGIANCE: Led by Mira Langin, Girl Scouts

INVOCATION: Led by Mira Langin, Girl Scouts

ROLL CALL:

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

ABSENT: COUNCILMEMBERS: NONE

ALSO PRESENT: City Manager Bender, City Attorney Peak, Deputy City Clerk Olinger Chavez, City Clerk Scollick and interpretation services by OC Interpreting Agency.

PROCLAMATIONS AND PRESENTATIONS:

- A. GIRL SCOUT GOLD AWARD RECIPIENT – MIRA LANGIN
- B. PRIDE MONTH PROCLAMATION
- C. PARKS MAKE LIFE BETTER MONTH PROCLAMATION



CONSENT CALENDAR:

MOVED TO APPROVE THE CONSENT CALENDAR BY DEPUTY MAYOR JENKINS, SECONDED BY COUNCILMEMBER MUSGROVE AND UNANIMOUSLY APPROVED.

AYES: COUNCILMEMBERS: JONES, JENKINS, NUÑEZ, MUSGROVE, SANNELLA
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 City Council special and regular meetings on June 11, 2024.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated June 2024.
- 4) **RESOLUTION NO. 2024-9309 - EXPENDITURE OF FUNDS PURSUANT TO COMPENSATION AND REIMBURSEMENT POLICY, EVENT TICKET APPROVAL.** Adopted a resolution approving the expenditure of funds for attendance at public purpose events.
- 5) **RESOLUTION NO. 2024-9310 - FISCAL YEAR 2024-25 APPROPRIATIONS LIMIT.** Adopted a resolution establishing the City of San Marcos' appropriations subject to limit for the fiscal year ending June 30, 2025 as presented.
- 6) **RESOLUTION NOS. 2024-9311 & 2024-9312 - CALLING THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION AND CONSOLIDATION OF ELECTION WITH THE COUNTY OF SAN DIEGO REGISTRAR OF VOTERS WITH THE STATEWIDE GENERAL ELECTION; AND ESTABLISHING REGULATIONS FOR CANDIDATE STATEMENTS.** Adopted resolutions calling the November 5, 2024 General Municipal Election, requesting consolidation with the County of San Diego Registrar of Voters of the City's General Municipal Election with the Statewide General Election; and regulations for candidate statements.
- 7) **RESOLUTION NOS. 2024-9313 & 2024-9314 - APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENT FOR FISCAL YEAR 2024-2025 FOR LANDSCAPING AND LIGHTING DISTRICT NO.1, AND DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR MAINTENANCE IN LANDSCAPING AND LIGHTING DISTRICT NO. 1, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.** Adopted resolutions approving the preliminary engineer's report and declaring the City of San Marcos' intention to levy and collect assessments in the District for the fiscal year 2024-2025 and establishing a subsequent public hearing on July 23, 2024 at the regular 6:00 p.m Council meeting.
- 8) **RESOLUTION NOS. 2024-9315 & 2024-9316 - APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENT FOR FISCAL YEAR 2024-2025 FOR VALLECITOS TOWN CENTER STREET MAINTENANCE DISTRICT; AND DECLARING ITS INTENTION TO**



PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR STREET MAINTENANCE IN THE VALLECITOS TOWN CENTER STREET MAINTENANCE DISTRICT, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON. Adopted resolutions approving the preliminary engineer's report and declaring the City of San Marcos' intention to levy and collect assessments in the Vallecitos Town Center Street Maintenance District for fiscal year 2024-2025, and establishing a subsequent public hearing at a regular meeting of the San Marcos City Council on July 23, 2024, at 6:00 p.m.

- 9) **RESOLUTION NO. 2024-9302 - AUTHORIZING A BUDGET AMENDMENT TO THE FISCAL YEAR 2023-24 BUDGET FOR THE APPROPRIATION OF ADDITIONAL FUNDS AND DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXECUTE FINAL CLOSE-OUT DOCUMENTATION, CONTRACT AMENDMENTS, ALONG WITH AUTHORITY TO MODIFY THE BUDGETS ASSOCIATED WITH THE CREEK INFRASTRUCTURE PROJECT (CIP# 88263, 88264, 88265, 88505, 88507, 88529) WITHIN COUNCIL APPROVED APPROPRIATIONS.** Approved a resolution authorizing the appropriations of additional funds and delegating certain authority to the City Manager.
- 10) **RESOLUTION NO. 2024-9317 - IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THE OFFICIAL DUTY STATION AND ASSIGNED TO AN OUT OF COUNTY EMERGENCY INCIDENT.** Adopted a resolution identifying the terms and conditions for Fire department response away from the official duty station and assigned to a mutual aid emergency incident.
- 11) **RESOLUTION 2024-9318 - UPDATED PART TIME CLASSIFICATION AND COMPENSATION SCHEDULE.** Adopted a resolution approving the Part Time Classification and Compensation Schedule, effective June 26, 2024.
- 12) **RESOLUTION NO. 2024-9319 - APPROVE PROJECTS FOR FISCAL YEAR 2024 - 2025 FUNDED BY SB - 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.** Adopted a resolution approving projects for fiscal year 2024-25 funded by SB 1: The Road Repair and Accountability Act of 2017.

ORAL COMMUNICATIONS

Tiffany Boyd-Hoagson expressed concerns regarding the new North County Transit District (NCTD) On-Demand Transit Program not covering the San Elijo Hills community.

Aaron Weiss provided comment on conflict in the Middle East.

Justin Matsushita expressed support for a local sales tax measure.

NEW BUSINESS

13) APPOINTMENTS TO CITY BOARDS, COMMITTEES AND COMMISSIONS.

Budget Review Committee: Kathleen Smith, Jamie Minotti, and Justin Gans attended and gave a brief statement. Samuel Witt was not in attendance but did provide a written statement.



MOVED BY MAYOR JONES, SECONDED BY COUNCILMEMBER MUSGROVE TO REAPPOINT KATHLEEN SMITH TO THE REGULAR POSITION.

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

Climate Action Plan Working Group: Justin Gans attended and gave a brief statement. Samuel Witt was not in attendance but did provide a written statement.

MOVED BY MAYOR JONES, SECONDED BY COUNCILMEMBER SANNELLA TO APPOINT SAMUEL WITT TO THE REGULAR POSITION.

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

Youth Commission: Sophia Scollick, Ava Scollick, Savera Sekhon, and Madison Emoto-Garay attended and gave a brief statement. Atharva Jadhav was not in attendance but did provide a written statement.

MOVED BY MAYOR JONES, SECONDED BY COUNCILMEMBER SANNELLA TO APPOINT SOPHIA SCOLICK FROM ALTERNATE TO THE REGULAR POSITION, APPOINT AVA SCOLICK TO THE REGULAR POSITION, APPOINT SAVERA SEKHON TO THE REGULAR POSITION, APPOINT MADISON EMOTO-GARAY TO THE REGULAR POSITION, AND APPOINT ATHARVA JADHAV TO THE ALTERNATE POSITION.

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

14) RESOLUTION 2024-9320 - ADOPTING AN UPDATED CITY COUNCIL MEETING POLICY AND PROCEDURES. Adopted Resolution 2024-9320, approving an updated Council Meeting Policy and Procedures.

Helen Peak, City Attorney, presented the staff report.

PUBLIC COMMENTS INCLUDED:

Justin Gans spoke in opposition of the reduction in speaker time.

Dan spoke in support of the reduction in speaker time.

Jake Parvin spoke in opposition of the reduction in speaker time and in support of the additional time for speakers who utilize a translator.



Flower Alvarez-Lopez, Universidad Popular, spoke in opposition of the reduction in speaker time and in support of the additional time for speakers who utilize a translator.

Bryant Rumbaugh expressed the need for everyone to have the ability to have their voices heard.

COUNCILMEMBER DISCUSSION INCLUDED: clarification of time allotments for other agencies in the County, effective date for updated policy, clarification on group speaker designation process, and equitable application of policies.

MOVED BY COUNCILMEMBER MUSGROVE, SECONDED BY MAYOR JONES TO APPROVE RESOLUTION 2024-9320.

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

PUBLIC HEARINGS

- 15) **RESOLUTION NOS. 2024-9307 & 2024-9308 - HUGHES SMCC, LLC - APPEAL (AA24-0001) OF A SITE DEVELOPMENT PLAN (SDP22-0002), AN ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM (EIR23-006) WITH FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS RELATED TO TRANSPORTATION, FOR THE DEVELOPMENT OF A 67,410-SQUARE-FOOT LIGHT INDUSTRIAL BUILDING.** Adopted the following, in the order set forth below:
- 1) Adopted resolution (2024-9307) to DENY the appeal and certify the Environmental Impact Report (EIR23-006 / SCH No. 2023020497), associated Mitigation Monitoring and Reporting Program, with Findings of Fact and Statement of Overriding Considerations for Significant and Unavoidable Impacts related to Transportation; and
 - 2) Adopted resolution (2024-9308) to DENY the appeal and APPROVE the Site Development Plan (SDP22-0002) to allow the construction of a 67,410-square-foot light industrial building.

Chris Garcia, Senior Planner, and **Kyrenne Chua**, Principal Civil Engineer, provided the staff presentation.

Noah Garrison provided a statement on behalf of the **Appellant**.

Matt Simmons – CCI, Vanessa Scheidel – Dudek, and Scott McMillan – Dudek provided a presentation and statements on behalf of the **Applicant**.

PUBLIC COMMENTS INCLUDED:

Jake Parvin spoke in support of the appeal.



COUNCILMEMBER DISCUSSION INCLUDED: a need for habitat restoration on project site, clarification on endowment responsibilities, conservation efforts by applicant, bike rack specifications, parking space allotment, clarification on fair-share contribution percentage for the light signal, clarification on database used for identifying species on site, and lack of appellant participation at hearings.

MOVED BY COUNCILMEMBER SANNELLA, SECONDED BY COUNCILMEMBER NUÑEZ TO CLOSE THE PUBLIC HEARING.

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

MOVED BY DEPUTY MAYOR JENKINS, SECONDED BY COUNCILMEMBER MUSGROVE TO DENY THE APPEAL.

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

ORAL COMMUNICATIONS - CONTINUED

THE FOLLOWING PUBLIC COMMENTS WERE MADE ON THE CONFLICT IN THE MIDDLE EAST:

Angelina	Lauren
Shêro	Kristina
Warshan Ismaeil	Dan
Adan Abaquin-Brown	Miriam G.

Bryant Rumbaugh expressed the need to take money out of politics.

Flower Alvarez-Lopez, Universidad Popular, provided comment on concerns over biased treatment towards residents and the need for policies to be applied fairly.

Amara Abaquin-Brown expressed concerns over police profiling and racial biases.

REPORTS (Including AB 1234 Reporting Requirements)

- 16) **SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT** – MAYOR JONES. Report given with no action taken.
- 17) **LEAGUE OF CALIFORNIA CITIES REPORT** – COUNCILMEMBER MUSGROVE. Report given with no action taken.
- 18) **NORTH COUNTY TRANSIT DISTRICT REPORT** – DEPUTY MAYOR JENKINS. Report given with no action taken.



- 19) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** – COUNCILMEMBER NUÑEZ. No report given.
- 20) **CLEAN ENERGY ALLIANCE REPORT** – COUNCILMEMBER MUSGROVE. No report given.
- 21) **CITY COUNCIL BUSINESS VISITS** – COUNCILMEMBER MUSGROVE AND COUNCILMEMBER NUÑEZ. Visited Rhino Adventure Gear. Report given with no action taken.
- 22) **SAN MARCOS CREEK PROJECT UPDATE** – CITY MANAGER BENDER. Report given with no action taken.

COUNCIL COMMENTARY

Mayor Jones discussed the opening of Bradley Bike Park on June 24, 2024.

ADJOURNMENT

MAYOR JONES adjourned the meeting at 10:09 pm.

REBECCA D. JONES, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLLICK, CITY CLERK
CITY OF SAN MARCOS