



MINUTES

Regular Meeting of the San Marcos City Council

TUESDAY, JUNE 14, 2016

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

Special 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.

ROLL CALL:

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| 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

PLEDGE OF ALLEGIANCE: Led by Councilmember Orlando.

INVOCATION: Given by Reverend Tai Kim, San Marcos United Methodist Church.

PROCLAMATIONS AND PRESENTATIONS:

- A. Introduced new City Staff members, Christie Coats, Real Property Manager; Merce LeClair, Contracts, Grants and Procurement Manager.
- B. Recognized Girls Scout Troop 1027, Girls Scout Bronze Award winners.
- C. Recognized Emily Clifford, Miss Teenage California.

CONSENT CALENDAR



**MOVED BY VICE MAYOR JONES, SECOND BY COUNCILMEMBER JABARA TO APPROVE THE
CONSENT CALENDAR, AS RECOMMENDED BY STAFF.**

AYES: COUNCILMEMBERS: JABARA, JENKINS, JONES, 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.** Approved the Special City Council meeting for May 23, 2016, 5 p.m., Special City Council meeting May 24, 2016, 5:30 p.m., and 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, May 24, 2016, 6:00 p.m.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated 6/7/2016.
- 4) **RESOLUTION NO. 2016-8205 - AWARD OF CONTRACT FOR AN AS-NEEDED GENERAL CIVIL ENGINEERING CONSULTANT.** Approved a resolution awarding contract for as-needed general civil engineering consultant services to Cvaldo Corporation for a not-to-exceed amount of \$500,000.00 and a contract duration of three years.
- 5) **RESOLUTION NO. SHA 2016-019 - APPROVAL OF A COMMITMENT LETTER TO NATIONAL CORE (DEVELOPER) FOR A POTENTIAL REFINANCE AND REHABILITATION OF THE VILLA SERENA AFFORDABLE HOUSING DEVELOPMENT.** Approved a resolution of the City Council acting solely in its capacity as the Successor Housing Agency (SHA) to the San Marcos Redevelopment Agency authorizing the City Manager to sign a commitment letter.
- 6) **RESOLUTION NO. SHA 2016-020 - APPROVAL OF A COMMITMENT LETTER TO NATIONAL CORE FOR A REFINANCE AND REHABILITATION OF THE PASEO DEL ORO AFFORDABLE HOUSING DEVELOPMENT.** Approved a resolution of the City Council acting solely in its capacity as the Successor Housing Agency (SHA) to the San Marcos Redevelopment Agency authorizing the City Manager to sign a Commitment Letter.
- 7) **RESOLUTION NO. SHA 2016-021 - APPROVAL OF FULL APPLICATION FOR THE AFFORDABLE HOUSING & SUSTAINABLE COMMUNITIES PROGRAM FUNDING FOR THE EL DORADO II AFFORDABLE HOUSING PROJECT.** Approved a resolution of the City Council acting solely in its capacity as the Successor Housing Agency (SHA) to the San Marcos Redevelopment Agency approving the submittal of a full joint application for the Affordable Housing & Sustainable Communities (AHSC) Program funding with Orange Housing Development Corporation/C & C



Development (Developer) for the El Dorado II affordable housing project and authorizing the City Manager to sign all necessary documents.

- 8) **RESOLUTION NO. 2016-8206 - CITY MANAGER EMPLOYMENT AGREEMENT AMENDMENT.** Approved a resolution approving the fourth addendum to the City Manager's employment agreement.
- 9) **RESOLUTION NO. 2016-8207 - LEGISLATIVE REPORT.** Approved a resolution taking a position on a pending bill in the State Legislature.
- 10) **RESOLUTION NO. 2016-8208 - SENIOR ACTIVITY CENTER NUTRITION CONTRACT.** Approved a resolution approving the Senior Center Nutrition Contract with Kitchens For Good.
- 11) **RESOLUTION NO. 2016-8209 - LEGAL ADVERTISING FOR FISCAL YEAR 2016/2017.** Approved a resolution that establishes a contract to provide legal advertising services for the period July 1, 2016 through June 30, 2017.
- 12) **RESOLUTION NO. 2016-8210 - MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN MARCOS AND THE SAN MARCOS SUPERVISORS' ASSOCIATION.** Approved a resolution approving a Memorandum of Understanding (MOU) with the San Marcos Supervisors' Association (SMSA) for the period of July 1, 2016 through June 30, 2019 to replace the existing MOU that expires on June 30, 2016.
- 13) **RESOLUTION NO. 2016-8211 - MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN MARCOS AND THE SAN MARCOS CLASSIFIED MISCELLANEOUS EMPLOYEES' ASSOCIATION.** Approved a resolution approving a Memorandum of Understanding (MOU) with the San Marcos Classified Miscellaneous Employees' Association (SMCMEA) for the period of July 1, 2016 through June 30, 2019 to replace the existing MOU that expires on June 30, 2016.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the consent calendar.

ORAL COMMUNICATIONS

RICHARD SACHS, resident, spoke about his concerns with the safety of wildlife at the pond in Woodland Park and suggested to post signs to remind residents and children not to handle the wildlife.

KARIE MCEWEN, resident Rancho Vallecitos Mobilehome Park, spoke about her concerns with Millenium Housing, LLC., and claims brought against her and her autistic son.

SHIRLEY JO FAIN, resident Rancho Vallecitos Mobilhome park, spoke about her concerns with Millenium Housing, LLC., the board members at Rancho Vallecitos Mobilhome Park, and conditions under which she had to remove a tree.



NICOLAS JONVILLE, resident, spoke in support of the new Town Center in San Elijo, and shared other supporting comments from other homeowners in San Elijo Hills.

JEFF O'CONNER, Homefed Corporation (Developer for San Elijo Hills), reported on the San Elijo Town Center meeting held on May 25, 2016, where homeowners voiced their needs for the San Elijo area and the new Town Center.

PUBLIC HEARINGS

- 14) **RESOLUTION NO. 2016-8212 - ADOPTING THE CITY'S 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM PROJECTS FOR FISCAL YEAR 2017 TO FISCAL YEAR 2021.** Approved a resolution to approve the City's 2016 Regional Transportation Improvement Program List of Projects for Fiscal Year 2017 to Fiscal Year 2021.

PUBLIC WORKS DIRECTOR EDWARDS provided the staff report.

COUNCILMEMBERS DISCUSSION INCLUDED: clarification of the use of TRANSNET funds and project timelines for Grand Avenue bridge and Palomar pedestrian bridge.

CITY STAFF responded that this program is addressing the current Capital Improvement Program of TRANSNET funds. The Palomar pedestrian bridge is in current 2016 Regional Transportation Capital Improvement Program, and will be funded with federal dollars. The Grand Avenue Bridge is not currently funded in the 2016/2017 fiscal budget.

MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JABARA TO CLOSE THE PUBLIC HEARING.

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

MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JABARA TO APPROVE ITEM NO. 14, AS RECOMMENDED BY STAFF.

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

ORAL COMMUNICATIONS – CONTINUED

There were no requests to speak.

NEW BUSINESS



- 15) **RESOLUTION NOS. 2016-8213, 2016-8214, 2016-8215 - PROPOSED OPERATIONS & MAINTENANCE BUDGET FOR FISCAL YEAR (FY) 2016-17 AND CAPITAL IMPROVEMENT PROJECTS BUDGET FOR FISCAL YEAR (FY) 2016-17 FOR THE CITY OF SAN MARCOS.** Approved the following three resolutions: 1) a resolution approving the Operation & Maintenance Budget for Fiscal Year (FY) 2016-17 and Capital Improvement Projects Budget for Fiscal Year (FY) 2016-17, authorizing the appropriation of the funds from the City Treasury, and adopting the Fiscal Year (FY) 2016-17 classification and compensation schedule; 2) a resolution authorizing the appropriation and transfer of funds for the establishment of an appropriated reserve fund for future expenditures and/or contingencies for Fiscal Year (FY) 2016-17; and 3) a resolution setting the tax rate for Fiscal Year (FY) 2016-17.

BUDGET REVIEW COMMITTEE CHAIR CHARLES ZAHL, spoke on the Budget Review Committee was pleased to present a balanced 2016/2017 budget.

FINANCE DIRECTOR ROCHA provided the staff report and presentation for the Operation and Maintenance Budget.

PUBLIC WORKS DIRECTOR EDWARDS provided the staff report and presentation for the Capital Improvement Program Budget.

COUNCILMEMBER DISCUSSIONS INCLUDED: taxable assessed values; detailed split on rental income for future budgets; PERS contribution and unfunded liability; investment return on PERS; increase in liability insurance; increase in Fire Department call volume; breakdown of city owned property income within the budget; Bradley Park turf replacement; traffic improvement and safety; Creek District developer funds; and resident notification for street resurfacing.

CITY STAFF responded that the City's assessed values on property taxes are 8 cents on the dollar; PERS liability payment is \$2.7 million; liability insurance increased approximately 10%; increase in Fire Department call volume most likely due to residents enrolled in the Medical Care Act and final fiscal year 2015-16 budget audit to be concluded in September.

MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JABARA TO APPROVE ITEM NO. 15, AS RECOMMENDED BY STAFF.

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

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

REPORTS (Including AB 1234 Reporting Requirements)

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



- 17) **NORTH COUNTY TRANSIT DISTRICT REPORT** - VICE MAYOR JONES. Report given with no action taken.
- 18) **LEAGUE OF CALIFORNIA CITIES REPORT** - COUNCILMEMBER JABARA. Report given with no action taken.
- 19) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** - COUNCILMEMBER JENKINS. Report given with no action taken.

COUNCIL COMMENTARY

COUNCILMEMBER JABARA commented on the music fest and thought it was a great event.

MAYOR DESMOND shared a photo of him and his family having a picnic lunch on the new median grass.

VICE MAYOR JONES urged residents and businesses to make donations for the 4th of July Fireworks event through the GoFundMeAccount. More information can be found on the City's website: www.san-marcos.net or www.gofundme.com/sm2016Fireworks.

CLOSED SESSION

The City Council adjourned to closed session at 8:20 p.m.

- 20) **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION [GC§ 54956.9(d)(2)]**. Confer with City Attorney, Special Counsel and City Manager regarding potential litigation, one potential action.

The City Council reconvened from closed session at 9:25 p.m.

CITY ATTORNEY PEAK reported that Item No. 20 was discussed in closed session and provided the following report. In December 2015, the City received a letter from Shenkman & Hughes, a Los Angeles area law firm, which alleged violations of the California Voting Rights Act, often referred to as the "CRVA". In that letter, Mr. Shenkman threatened to file a lawsuit against the City under the CRVA unless the City changes its current "at-large" election system. The City had previously begun a review of the potential for a CVRA issue. The City Council has provided direction to City staff to study potential district boundaries and to bring the results of such studies to the City Council to receive public comment. The City retained a preeminent expert in this CVRA field as a consultant to start the process and ensure that the districts are drawn in compliance with all applicable law. No further reportable action was taken.



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/Special Fire Protection District/ Special Public Financing Authority/ Regular San Marcos Public Facilities Authority Meetings

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ADJOURNMENT

MAYOR DESMOND adjourned the meeting at 9:30 p.m.

JAMES M. DESMOND, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLICK, CITY CLERK
CITY OF SAN MARCOS