

RESOLUTION NO 2024 – XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS APPROVING A LETTER OF COMMITMENT WITH PECHANGA BAND OF INDIANS, SAN LUIS REY BAND OF MISSION INDIANS, AND RINCON BAND OF LUISENO INDIANS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF ACCESS EASEMENT AND MEMORANDUM OF THE GRANT OF ACCESS EASEMENT

WHEREAS, San Diego Gas & Electric (“SDG&E”) unearthed Native American remains as part of its TL 6975 project within its utility easement located on property owned by the City of San Marcos (“City”) near San Marcos Boulevard; and

WHEREAS, SDG&E unearthed Native American remains in the City’s road widening project on San Marcos Boulevard; and

WHEREAS, the City unearthed Native American artifacts within its Creek District project; and

WHEREAS, the City, SDG&E, and Tribal representatives from Pechanga Band of Indians, San Luis Rey Band of Mission Indians and Rincon Band of Luiseno Indians (“Tribes”) collaborated to find a suitable location for the reburial of the remains consistent with the Most Likely Descendant Process; and

WHEREAS, the City provided a reburial location suitable to the Tribes within the bounds of its future Creek District conservation easement where the remains would not be subject to further disturbance and would be protected in perpetuity; and

WHEREAS, the City will provide access to the reburial area via an access easement granted to the Tribes; and

WHEREAS, reburial of the Native American remains and artifacts occurred on October 23, 2024; and

WHEREAS, the City commits to providing notice to the Tribes before any activities occur within the reburial area in the time period before conveyance of the conservation easement to San Diego Habitat Conservancy, to execute the Grant of Access Easement and execute and record the Memorandum of Grant of Access Easement, and to continue working with the Tribes on specific revisions of the Long-Term Management Plan for the conservation easement:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS AS FOLLOWS:

1. The City Council hereby approves the Grant of Access Easement and authorizes the City Manager to execute the same, and authorizes the City Manager to execute and record a Memorandum of Grant of Access Easement to Pechanga Band of Indians, San Luis Rey Band of Mission Indians, and Rincon Band of Luiseno Indians to allow access to the Tribal reburial area within the City's Creek District conservation easement.
2. The City Council further authorizes the City Manager to execute a Letter of Commitment with Pechanga Band of Indians, San Luis Rey Band of Mission Indians, and Rincon Band of Luiseno Indians, ensuring the City will continue working on specific revisions to the Long-Term Management Plan and assist with any outstanding items related to the reburial.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of San Marcos, California, held on the 12th day of November, 2024, by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

Rebecca D. Jones, Mayor

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos