



MINUTES

Regular Meeting of the San Marcos City Council

TUESDAY, OCTOBER 9, 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 City Manager Jack Griffin.

INVOCATION: Given by Pastor Tae Kim from San Marcos United Methodist 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 Jim Poltl for his work in the community.

B. Proclaimed October 23rd -31st, 2018, as "Red Ribbon Week" and recognized the following schools for their participation:

Discovery Elementary	Paloma Elementary	San Marcos High	San Marcos Middle
Woodland Park Middle	San Elijo Middle	Knob Hill Elementary	San Marcos Elementary
Double Peak	Mission Hills High	San Marcos Youth	Joli Ann Leichtag
		Advocacy Coalition	Elementary

C. Recognized The Rock Church San Marcos as "Business of the Quarter."

D. Panorama Teen and Family Resource Center update given by Enrique Perez.



CONSENT CALENDAR

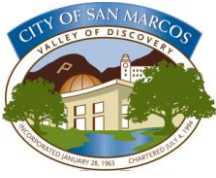
MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JENKINS TO APPROVE THE CONSENT CALENDAR, EXCEPT ITEM NO. 4.

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, September 25, 2018, at 6:00 p.m.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated 10/2/2018.
- 4) **RESOLUTION NO. 2018-8550 - ACCEPTANCE AND AUTHORIZE FILING NOTICE OF COMPLETION FOR THE SR-78 EASTBOUND AUXILIARY LANE IMPROVEMENT CAPITAL IMPROVEMENT PROGRAM PROJECT (CIP #88247).** Approve a resolution accepting the improvements included in the SR-78 Eastbound Auxiliary Lane Improvement Capital Improvement Program Project (CIP #88247) and authorizing staff to file a Notice of Completion. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***
- 5) **RESOLUTION NO. 2018-8551 - APPROVE CONSTRUCTION DOCUMENTS AND AUTHORIZE BIDS FOR THE CLEARING OF VEGETATION IN THE SAN MARCOS CREEK SPECIFIC PLAN CAPITAL IMPROVEMENT PROGRAM PROJECTS (CIP #88263, 88264, 88265, 88505, 88507, 88529).** Approved a resolution to approve construction documents and authorize advertisement for bids for the clearing of vegetation San Marcos Creek Specific Plan Capital Improvement Program Projects (CIP #88263, 88264, 88265, 88505, 88507, 88529).
- 6) **RESOLUTION NO. 2018-8552 - AUTHORIZING THE FILING OF AN APPLICATION FOR TRANSNET SENIOR MINI-GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS AND COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECT.** Approved a resolution authorize the filing of an application for the Senior Mini-Grant Program through the San Diego Association of Governments (SANDAG), committing the City to the necessary local match, and authorizing the City Manager or his designee to execute necessary agreements to receive funding.



- 7) **RESOLUTION NO. 2018-8553 - AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN REAL PROPERTY HELD TO DATE FOR INVESTMENT PURPOSES AVAILABLE FOR SALE, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE, FINALIZE AND EXECUTE ALL NECESSARY AGREEMENTS, CONTRACTS, AND DOCUMENTATION TO EFFECTUATE THE SALE OF SUCH PROPERTIES, IDENTIFIED AS Assessor's Parcel Numbers 182-076-01, 182-076-02, 182-076-03, 220-050-09, 221-720-31, 222-042-14, 222-042-17, and 222-042-20.** Approved a resolution authorizing the City Manager to make certain real property held by the City to date for investment purposes, identified as set forth above, available for sale, and to authorize the City Manager and City Attorney to negotiate, finalize, and execute all necessary agreements, contracts, and documentation to effectuate the sale of such properties, to maximize to the extent possible the City's return on its investment.
- 8) **LEGISLATIVE REPORT.** Noted and file updates to legislation with an official City position.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 4) **RESOLUTION NO. 2018-8550 - ACCEPTANCE AND AUTHORIZE FILING NOTICE OF COMPLETION FOR THE SR-78 EASTBOUND AUXILIARY LANE IMPROVEMENT CAPITAL IMPROVEMENT PROGRAM PROJECT (CIP #88247).** Approved a resolution accepting the improvements included in the SR-78 Eastbound Auxiliary Lane Improvement Capital Improvement Program Project (CIP #88247) and authorizing staff to file a Notice of Completion. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***

COUNCILMEMBER DISCUSSIONS INCLUDED: clarification on the change orders and whether 10% is a reasonable number for the project; and responsibility for ongoing landscaping, and maintenance.

CITY MANAGER GRIFFIN explained that the Nordahl Rd. Auxiliary Lane Improvement Project was completed July, 2013 with a 5 year landscape maintenance period, completed August, 2018; there were twenty-six change orders, including large cost items such as rock distribution, retaining walls, and significant changes to the traffic management program; a 10% increase in change orders was reasonable for this type of complicated project and the City and CALTRANS will be responsible for ongoing landscape and maintenance of the interchange.

MOVED BY COUNCILMEMBER JENKINS, SECONDED BY VICE MAYOR JONES TO APPROVE ITEM NO. 4, AS RECOMMENDED BY STAFF.

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

ORAL COMMUNICATIONS



PAUL WEBSTER, Vice President, Solutions for Change, spoke about homelessness in the area and thanked the City for their support.

ANGELA TILARO, President San Marcos Mobile Estates Home Owners Association, thanked Councilmember Orlando, and Vice Mayor Jones for meeting with the residents and listening to their concerns.

NEW BUSINESS

- 9) **ORDINANCE NO. 2018-1467 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, AMENDING SAN MARCOS MUNICIPAL CODE CHAPTERS 6.04, 6.08, 6.12, 6.16, 6.20, 6.28 AND 6.32 AND REPEALING AND REPLACING CHAPTER 6.24 RELATING TO ANIMAL CONTROL.** Approved first reading of an ordinance to amend the San Marcos Municipal Code Chapters 6.04, 6.08, 6.12, 6.16, 6.20, 6.28 and 6.32, and repeal and replace Chapter 6.24 relating to animal control.

DEPUTY CITY ATTORNEY HOUSE presented the staff report.

COUNCIL DISCUSSIONS INCLUDED: clarification on physicians reporting animal bites; kennel compliance; and process for animal complaints and hearings.

CHIEF MCKINNON, Humane Society Law Enforcement, responded that his office will be in control of the administrative hearings for violations, and the modifications to the animal control ordinance enables the City of San Marcos and San Diego Humane Society enforcement officers to continue to enforce and protect the residents and animals in the city.

CITY MANAGER GRIFFIN responded that animal complaints can be reported using the City's website, or contact the San Diego Humane Society.

CITY ATTORNEY PEAK responded that all parties associated with animal bites (physicians, owners and victims) are required to report the incidents to the San Diego Humane Society or the County Health Officer as soon as possible, and failure to report is a violation of the city code; and that the concerns emailed by a resident, were identified and handled as much as legally possible within the amended ordinance.

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

COUNCIL COMMENTARY

COUNCILMEMBER JABARA announced a business site visit with Councilmember Jenkins to Fresh Origins and Umami Japanese in San Marcos.

ADJOURNMENT

MAYOR DESMOND adjourned the meeting at 7:33 p.m.

JAMES M. DESMOND, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLLICK, CITY CLERK
CITY OF SAN MARCOS