



# MINUTES

## Special Meeting of the San Marcos City Council

**TUESDAY, DECEMBER 9, 2014**

Valley of Discovery Room

1 Civic Center Drive, San Marcos, CA 92069

**CALL TO ORDER:** Mayor Desmond called the City Council Meeting to order at 9:00 a.m.

**ROLL CALL:**

PRESENT:	COUNCILMEMBERS:	JABARA, JENKINS, JONES, ORLANDO, DESMOND
ABSENT:	COUNCILMEMBERS:	NONE

**ORAL COMMUNICATIONS** – There were no requests to speak.

**1. FISCAL PLANNING WORKSHOP**

- a. Overview
- b. Discuss Potential Cost Saving Measures
- c. Discuss Potential Revenue Enhancement Measures
- d. City Council Discussion and Direction

**CITY MANAGER GRIFFIN** presented a fiscal overview of potential city departmental cost savings and revenue enhancements.

**CITY COUNCIL** discussion included: current and future facility rehabilitation needs, outdated 2002 fee structure analysis, need for fees to be flexible with current economy and inflation, clarification of San Marcos fees in relationship to those of neighboring cities, percentage of City costs to recoup from fees, costs and benefits of recovering costs, influence of fees on development, lack of historical background on discretionary fee collection, accounting tools in place or needed to track project costs, differing process for collecting fees on either a deposit or flat fee basis, fire inspection mandates and associated fees, possibility of capturing approved but not collected fees before fee analysis, clarification of the need to identify actual costs and other factors before initiating fee study, timeline and costs of a fee analysis, need for a public facility fee review after completion of the Drainage Master Plan and facilities inventory, clarification of the need to justify any fee changes or updates, maintain fiscal discipline with general funds, clarification of the annual and overall financial investment needed infrastructure maintenance, policy decisions regarding fee cost recovery, fiscal planning to achieve a goal of using the General Fund to cover 60% of the infrastructure maintenance costs within 10 years, attain 2% level of general fund funding of annual infrastructure costs by next fiscal year and to track progress to reach 6% within 10 years, clarification of the spending of onetime revenues or other costs towards infrastructure needs, create consistency in the fee collection, and the quick implementation of any potential revenue enhancements.



**MICHAEL HUNSAKER**, San Marcos, expressed concern about emergency response services, future needs of parking enforcement within a “Smart Growth” environment, and potential issues of property taxes from mixed-use real estate.

**BY CONSENSUS THE CITY COUNCIL DIRECTED STAFF TO:**

1. INVESTIGATE FULLY THE IDENTIFIED COST SAVINGS MEASURES PRIOR TO THE FISCAL YEAR 2015-16 BUDGET CYCLE.
2. DEVELOP A REQUEST FOR PROPOSALS (RFP) TO UNDERTAKE A COMPREHENSIVE REVIEW OF THE CITY FEE PROGRAM AND TO BRING THAT RFP BACK TO COUNCIL FOR FORMAL APPROVAL BY THE END OF MARCH 2015 AND TO SEEK COUNCIL’S APPROVAL TO AWARD A CONTRACT BY THE END OF FISCAL YEAR 2014/15.
3. DEVELOP A REQUEST FOR PROPOSALS TO UNDERTAKE A COMPREHENSIVE ANALYSIS OF OUR PUBLIC FACILITIES FEE PROGRAM AND TO REVIEW ALL OF OUR EXISTING COMMUNITY FACILITIES DISTRICTS AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL BY THE END OF CALENDAR YEAR 2015 AND TO SEEK COUNCIL’S APPROVAL TO AWARD A CONTRACT BY THE END OF FISCAL YEAR 2015/16.
4. DEVELOP A GENERAL FUND RESERVE/FISCAL PLANNING/INFRASTRUCTURE REHABILITATION POLICY AND BRING BACK FOR CITY COUNCIL REVIEW AT THE CITY COUNCIL GOAL SETTING WORKSHOP IN EARLY 2015.

**ADJOURNMENT** – Mayor Desmond adjourned the meeting at 10:26 a.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



# MINUTES

## Regular Meeting of the San Marcos City Council

**TUESDAY, DECEMBER 9, 2014**

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:**

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

ABSENT: COUNCILMEMBERS: NONE

**ALSO PRESENT:** City Manager Griffin, City Attorney Peak, Deputy City Manager Romero, Planning Director Backoff, Principal Planner Koller, City Clerk Scollick, and Deputy City Clerk Cogle.

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

**INVOCATION:** Given by Mayor Desmond.

**OATH OF OFFICE CEREMONY**

City Clerk Scollick administered the oath of office to Mayor Desmond and Councilmembers Orlando and Jabara who each provided brief comments and took their seats at the dais.

**PRESENTATIONS**

- A. Ginger Hitzke – North County Philanthropy Council 2014 Volunteer Award: The City Council presented Ginger Hitzke a proclamation in recognition of her receiving the North County Philanthropy Council 2014 Volunteer Award.
- B. Twin Oaks Valley Equestrian Association Check Presentation: Patty Morton, Lori Hall-McNary, Viki Strand, and Carol Shuttleworth presented the City Council with a check in the amount of \$9,130 raised from the Horse Heritage festival which benefits Walnut Grove Park.



A plaque was also presented to the Community Services Department declaring them an honorary member of the Twin Oaks Valley Equestrian Association.

## **CONSENT CALENDAR**

**ITEM NOS. 2 AND 15 WERE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE VOTE AND DISCUSSION.**

**MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JENKINS, TO APPROVE THE CONSENT CALENDAR, EXCEPT ITEM NOS. 2 AND 15, 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.** Special 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, 11/10/2014. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants.
- 4) **RESOLUTION NO. 2014-8006 – ADOPTION OF AMENDMENTS TO THE SAN MARCOS CONFLICT OF INTEREST CODE.** Approved amending the conflict of interest code and list of designated employees for the City of San Marcos.
- 5) **RESOLUTION NO. 2014-8007 – AWARD CONTRACT FOR CITYWIDE STREET SWEEPING SERVICES.** Approved awarding contract to Pacific Sweeping for citywide street sweeping service.
- 6) **RESOLUTION NO. 2014-8008 – AWARD CONSTRUCTION CONTRACT FOR TWIN OAKS VALLEY ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL DISTRICT, CAPITAL IMPROVEMENT PROJECT (CIP) #88533.** Approved awarding the construction contract for the Twin Oaks Valley Elementary School Safe Routes to School Project in the amount of \$342,976.00 to PAL General Engineering, Inc.



- 7) **RESOLUTION NO. 2014-8009 – REGIONAL WINTER SHELTER SUPPORT.** Approved participation in the eighth year of the Regional Winter Shelter System and allocate \$62,900 in homeless winter shelter support.
- 8) **RESOLUTION NO. 2014-8010 – INFILL INFRASTRUCTURE GRANT APPLICATION – EL DORADO II AFFORDABLE HOUSING DEVELOPMENT.** Approved submittal of a joint application with Orange Housing Development Corporation to request an allocation of funds through the California Department of Housing and Community Development's Infill Infrastructure Grant Program in an amount not to exceed \$3,000,000 for Phase I of El Dorado II.
- 9) **RESOLUTION NO. SHA 2014-010 AND CITY COUNCIL RESOLUTION NO. 2014-8011 – APPROVAL OF DEVELOPMENT AND LOAN AGREEMENT, MODIFICATION TO OWNER PARTICIPATION AGREEMENT, FUNDING AND PROPERTY TRANSFER FOR AN AFFORDABLE HOUSING DEVELOPMENT IN THE RICHMAR NEIGHBORHOOD TO BE BUILT BY ORANGE HOUSING DEVELOPMENT CORPORATION AND C & C DEVELOPMENT CO. LLC.** Approved the Development and Loan Agreement (DLA), project loan and property transfer for an affordable housing development proposed by Orange Housing Development Corporation (OHDC) and C & C Development Co., LLC in the Richmar neighborhood.
- 10) **RESOLUTION NO. 2014-8012 – APPROVAL FOR APPLICATION FOR HOUSING RELATED PARKS PROGRAM FUNDING.** Approved an application to the California Department of Housing and Community Development (HCD) for the Housing Related Parks Program grant.
- 11) **RESOLUTION NO. SHA 2014-011 – SUPPLEMENTAL HOUSING SUPPORT AGREEMENT WITH NATIONAL CORE.** Approved the Supplemental Housing Support Agreement (SHSA) with National Core.
- 12) **RESOLUTION NO. SHA 2014-012 – SUPPLEMENTAL HOUSING SUPPORT AGREEMENT WITH RICHMAR STATION SAN MARCOS, LP.** Approved the Supplemental Housing Support Agreement (SHSA) with Richmar Station San Marcos, LP.
- 13) **RESOLUTION NO. 2014-8013 – SECOND AMENDED PURCHASE, ASSIGNMENT AND REPURCHASE AGREEMENT WITH URBAN VILLAGES SAN MARCOS.** Approved a second amended purchase, assignment and repurchase agreement ("Amended Agreement") with Urban Villages San Marcos (UVSM) pertaining to properties within the University District Plan.
- 14) **RESOLUTION NO. 2014-8014 – REJECT ALL BIDS AND AUTHORIZE RE-ADVERTISEMENT OF THE HIGHWAY SAFETY IMPROVEMENTS PROJECT (HSIP), EAST MISSION ROAD FIBER OPTIC PROJECT, CAPITAL IMPROVEMENT PROJECT (CIP) #88504, FEDERAL PROJECT NO. HSIPL 5381-034.** Approved rejecting all bids received on October 28, 2014 and authorize re-



advertisement of the construction contract of the E. Mission Road Fiber Optic Project, CIP #88504, Federal Project No. HSIPL 5381-034.

- 15) **SETTLEMENT OF CEQA PETITION FOR WRIT OF MANDATE, SDSC CASE NO. 37-2013-00076859-CU-WM-NC (CELL NO. ET AL V. CITY, ET. AL).** Approve settlement of San Diego Superior Court Case No. 37-2013-00076859-CU-WM-NC, Cell No., an unincorporated association, and Elliot Herman, Petitioners vs. the City of San Marcos and New Singular Wireless PCS, LLC, Respondents, and AT&T Mobility, LLC as Real Party in Interest. ***THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***
- 16) **RESOLUTION NO. 2014-8015 – CONSIDER AN AMENDMENT TO THE CITY’S PROGRAM OF PROJECTS WITHIN THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP).** Approved amendment to the City’s TransNet Program of Projects within the 2014 RTIP.
- 17) **FIRST QUARTER FISCAL YEAR 2014-15 FINANCIAL STATUS REPORT.** Received first quarter Fiscal Year 2014-15 Financial Status Report.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 2) **APPROVAL OF MINUTES.** Special 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, 11/10/2014.

**MOVED BY MAYOR DESMOND, SECONDED BY COUNCILMEMBER ORLANDO, TO APPROVE THE MINUTES, AS RECOMMENDED BY STAFF.**

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

- 15) **SETTLEMENT OF CEQA PETITION FOR WRIT OF MANDATE, SDSC CASE NO. 37-2013-00076859-CU-WM-NC (CELL NO. ET AL V. CITY, ET. AL).** Approved settlement of San Diego Superior Court Case No. 37-2013-00076859-CU-WM-NC, Cell No., an unincorporated association, and Elliot Herman, Petitioners vs. the City of San Marcos and New Singular Wireless PCS, LLC, Respondents, and AT&T Mobility, LLC as Real Party in Interest.

Mayor Desmond clarified that city funds were not used toward the settlement.



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**MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, TO APPROVE THE SETTLEMENT, AS RECOMMENDED BY STAFF.**

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

**ORAL COMMUNICATIONS**

**RENEE GLOTZBACH**, Stand For Children, expressed gratitude to all the sponsors and volunteers for the holiday event held at the Civic Center. She also provided a news article about alcohol related deaths and urged the city to prohibit smoking of any kind in city parks.

**NEW BUSINESS**

**18) APPOINTMENTS TO CITY BOARDS, COMMITTEES AND COMMISSIONS.**

**Student & Neighborhood Relations Commission:** MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO APPOINT DIANA CAVANAUGH TO A REGULAR SEAT FILLING A VACANCY AND APPOINT LENA MEUM TO AN ALTERNATE SEAT REPLACING DIANA CAVANAUGH.

**San Marcos Community Foundation:** MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO REAPPOINT CRYSTAL NAJERA, MICHAEL WASCO, TERRI WILLIAMS, AND TO APPOINT KELLY TEDROW REPLACING BENEDICT MICAL.

**Budget Review Committee:** MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO APPOINT XAVIER MARTINEZ TO A REGULAR VACANT SEAT AND APPOINT MICHAEL ROOP TO AN ALTERATE SEAT REPLACING XAVIER MARTINEZ.

**Traffic Commission:** MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO REAPPOINT CHARLES BUCKLEY AND DONNA NICKEL, AND APPOINT ED MUSGROVE TO A VACANT ALTERNATE SEAT.

**Planning Commission:** MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO REAPPOINT ERIC FLODINE, ROD JONES, AND CARL MAAS AND TO REAPPOINT BILL JACOBY TO AN ALTERNATE SEAT.

**Community Services Commission:** MOVED BY MAYOR DESMOND AND SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO APPOINT HEATHER TOWSLEY TO A REGULAR SEAT REPLACING ROBERT BETTENCOURT.





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**MOVED BY VICE MAYOR JONES, SECONDED BY COUNCILMEMBER JABARA, AND CARRIED UNANIMOUSLY, TO APPOINT ROBERT CRAIN TO A REGULAR SEAT REPLACING APOLO RIOS.**

**MOVED BY COUNCILMEMBER JABARA, SECONDED BY VICE MAYOR JONES, AND CARRIED UNANIMOUSLY, TO APPOINT JULIA MAAS TO REGULAR SEAT REPLACING KATHLEEN KILDOO.**

**MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY MAYOR DESMOND, AND CARRIED UNANIMOUSLY, TO APPOINT SASHA SMITH TO AN ALTERNATE SEAT REPLACING HEATHER TOWSLEY.**

**19) CITY COUNCIL REORGANIZATION AND APPOINTMENTS TO OUTSIDE AGENCIES.**

The City Council concurred to continue Item No. 19 to the January City Council meeting.

The City Council concurred to recess at 6:52 p.m. and reconvened at 7:02 p.m.

**PUBLIC HEARINGS**

**20) ORDINANCE NOS. 2014-1405 & 2014-1406, RESOLUTION NOS. 2014-8016, 2014-8017, 2014-8018 & 2014-8019: THE NORMAN SM PROJECT OWNER, LLC "MISSION 316" (P14-0001) APPROVE PROJECT ENTITLEMENTS – GENERAL PLAN AMENDMENT (GPA 14-001), SPECIFIC PLAN (SP 14-001), MULTI-FAMILY SITE DEVELOPMENT PLAN (MFSDP 14-001), TENTATIVE SUBDIVISION MAP (TSM 14-001) AND CONDITIONAL USE PERMIT (CUP 14-016) AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION (MND 14-007) MITIGATION MONITORING AND REPORTING PROGRAM ALLOWING FOR 93 CONDOMINIUM UNITS.**

**PRINCIPAL PLANNER KOLLER** provided staff report dated 12/9/14. Staff recommended the City Council conduct the public hearing and introduce ordinances and adopt resolutions associated for the project entitlements (General Plan Amendment, Rezone, Specific Plan, Multi-Family Site Development Plan, Tentative Subdivision Map and Conditional Use Permit) and adopt a Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program allowing for 93 condominium units.

CITY COUNCIL discussion included: clarification that eight mature trees will be removed from the project to address a line of sight issue and will be replaced with lower type landscaping. The trees being removed are not able to be preserved due to invasive and large root systems. The City does review and approve CC&R's which include a parking management plan for the project. There are 31 street parking spaces provided in the project in addition to double garages. Rock crushing will take approximately 45 days and a sound berm will be used to mitigate noise, as well as operational hours regulated from 9:00 a.m. to 4:00 p.m. on week days.





**NINIA HAMMOND**, Integral Communities, representing the applicant, provided a presentation and was available for questions.

There were no requests to speak from the public.

**MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES TO CLOSE THE PUBLIC HEARING.**

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

**MOVED BY MAYOR DESMOND, SECONDED BY VICE MAYOR JONES, TO INTRODUCE ORDINANCE NOS. 2014-1405 AND 2014-1406 AND ADOPT RESOLUTION NOS. 2014-8016, 2014-8017, 2014-8018, AND 2014-8019, 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 from the public.

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

- 21) **REGIONAL ECONOMIC REPORT** - MAYOR DESMOND. No report provided
- 22) **SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT** - COUNCILMEMBER ORLANDO. Report provided with no action taken.
- 23) **NORTH COUNTY TRANSIT DISTRICT REPORT** - VICE MAYOR JONES. Report provided with no action taken.
- 24) **LEAGUE OF CALIFORNIA CITIES REPORT** - COUNCILMEMBER JABARA. Report provided with no action taken.
- 25) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** - COUNCILMEMBER JENKINS. Report provided with no action taken.

#### **COUNCIL COMMENTARY**

Mayor Desmond reported he and Councilmember Orlando visited Cobian, a San Marcos business that manufactures sandals and flip flops. Mayor Desmond also mentioned a broker open house is planned for February.

Councilmember Orlando requested an update on water testing done recently at Lake San Marcos.



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 7:45 p.m.

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JAMES M. DESMOND, MAYOR  
CITY OF SAN MARCOS

ATTEST:

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PHILLIP SCOLICK, CITY CLERK  
CITY OF SAN MARCOS