



MINUTES

Regular Meeting of the San Marcos City Council

TUESDAY, JUNE 23, 2020

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 6:00 P.M.

PLEDGE OF ALLEGIANCE: Led by Mayor Jones

INVOCATION: Given by Mayor Jones

ROLL CALL:

PRESENT: COUNCILMEMBERS: JENKINS*, NUÑEZ*, PETREK*, WALTON*, JONES*

ABSENT: COUNCILMEMBERS: NONE

*Members of the City Council attending the meeting via teleconference pursuant to Governor Newson's Executive Order N-25-20.

ALSO PRESENT: City Manager Griffin, City Attorney Peak, City Clerk Scollick, and Deputy City Clerk Cadima

CONSENT CALENDAR

MOVED BY MAYOR PRO TEM JENKINS, SECONDED BY COUNCILMEMBER NUÑEZ TO APPROVE THE CONSENT CALENDAR, EXCEPT ITEMS NO. 5 & 7.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES

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 Special City Council meeting on June 9, 2020 at 5:00 p.m. and a Regular City Council meeting on June 9, 2020 at 6:00 p.m.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated 06/16/2020.
- 4) **RESOLUTION NOS. 2020-8775 & 2020-8776 - PRELIMINARY ENGINEER'S REPORT AND INTENT TO LEVY ASSESSMENT FOR THE VALLECITOS TOWN CENTER STREET MAINTENANCE DISTRICT ("DISTRICT") FOR FISCAL YEAR 2020-2021; AND ESTABLISHING A SUBSEQUENT PUBLIC HEARING AT A REGULAR MEETING OF THE SAN MARCOS CITY COUNCIL ON JULY 14, 2020 AT 6:00 P.M.** 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 fiscal year 2020-2021 and establishing a subsequent public hearing at a regular meeting of the San Marcos City Council on July 14, 2020, at 6:00 p.m.
- 5) **RESOLUTION NOS. 2020-8777 & 2020-8778 - PRELIMINARY ENGINEER'S REPORT AND INTENT TO LEVY ASSESSMENT FOR THE CITY OF SAN MARCOS LANDSCAPING AND LIGHTING DISTRICT NO. 1 ("DISTRICT") FOR FISCAL YEAR 2020-2021; AND ESTABLISHING A SUBSEQUENT PUBLIC HEARING ON JULY 14, 2020 AT THE REGULAR 6:00 P.M. COUNCIL MEETING.** Adopt 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 2020-2021 and establishing a subsequent public hearing on July 14, 2020 at the regular 6:00 p.m. Council meeting. ***ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***
- 6) **RESOLUTION NOS. 2020-8779 & SHA NO. 2020-040 - APPROVAL OF A PROJECT FUNDING PACKAGE AND MODIFICATION TO A PREVIOUSLY AUTHORIZED DEVELOPMENT AND LOAN AGREEMENT FOR THE REDEVELOPED MARIPOSA II (PHASE 1/ALORA) AFFORDABLE HOUSING COMMUNITY.** Adopted resolutions approving additional gap financing for Mariposa II (Phase 1) and the First Amendment to Amended and Restated Development and Loan Agreement
- 7) **RESOLUTION NO. 2020-8780 - ADOPT A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE THE COUNTY OF SAN DIEGO CORONAVIRUS RELIEF FUND SUBGRANT AGREEMENT AND ANY AND ALL RELATED DOCUMENTS.** Adopt a resolution delegating authority to the City Manager to execute the recommended County of San Diego Coronavirus Relief Fund sub-grant agreement and any and all related documents. ***ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***
- 8) **RESOLUTION NO. 2020-8781 & ORDINANCE NO. 2020-1488 - APPROVE A RESOLUTION OF INTENTION TO AMEND THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM CONTRACT FOR ALL EMPLOYEE GROUPS, AND INTRODUCE THE ORDINANCE IMPLEMENTING THE CONTRACT**



AMENDMENT. Approved a resolution of Intention to amend the California Public Employees' Retirement System Contract to add optional contract provision Section 20516 (Employees Sharing Additional Cost) for all classic Fire Safety and Fire Management positions, and all classic and new Classified Miscellaneous, Supervisory, and Unrepresented positions, as agreed to in the current MOUs. Introduced an ordinance to amend the California Public Employees' Retirement System Contract to add optional contract provision Section 20516 (Employees Sharing Additional Cost) all classic Fire Safety and Fire Management positions, and all classic and new Classified Miscellaneous, Supervisory, and Unrepresented positions.

- 9) **RESOLUTION NO. 2020-8782 - ACCEPTING THE IMPROVEMENTS CONSTRUCTED IN ASSOCIATION WITH THE CITYWIDE TRAFFIC ETHERNET PROJECT, CAPITAL IMPROVEMENT PROGRAM PROJECT # 88530 AND AUTHORIZING AND DIRECTING THE FILING OF A NOTICE OF COMPLETION.** Adopted a resolution accepting the improvements constructed in association with the Citywide Traffic Ethernet Project (CIP #88530), and authorizing and directing staff to file a Notice of Completion with respect to said improvements.
- 10) **RESOLUTION NO. 2020-8792 - AUTHORIZING THE CITY MANAGER TO NEGOTIATE, FINALIZE, AND ENTER INTO A PURCHASE AND SALE AGREEMENT FOR PORTIONS OF MYRTLE AVENUE, ECHO LANE, AND FORMER DISCOVERY STREET WITHIN THE BOUNDARIES OF APPROVED TSM 16-001 AND 16-003, CONTINGENT UPON CITY COUNCIL APPROVAL OF THE VACATION OF THE SAME.** Adopted a resolution authorizing the City Manager to negotiate, finalize, and enter into a purchase and sale agreement for portions of Myrtle Avenue, Echo Lane, and former Discovery Street within the boundaries of approved TSM 16-001 and TSM 16-003 (Discovery Village North and South, respectively), contingent upon City Council approval of the vacation of the same.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 5) **RESOLUTION NOS. 2020-8777 & 2020-8778 - PRELIMINARY ENGINEER'S REPORT AND INTENT TO LEVY ASSESSMENT FOR THE CITY OF SAN MARCOS LANDSCAPING AND LIGHTING DISTRICT NO. 1 ("DISTRICT") FOR FISCAL YEAR 2020-2021; AND ESTABLISHING A SUBSEQUENT PUBLIC HEARING ON JULY 14, 2020 AT THE REGULAR 6:00 P.M. COUNCIL MEETING.** Adopt 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 2020-2021 and establishing a subsequent public hearing on July 14, 2020 at the regular 6:00 p.m. Council meeting. ***ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***

MAYOR PRO TEM JENKINS requested clarification on the need to use \$600,000 from the general fund to go towards this CFD.

CITY MANAGER GRIFFIN explained the city's need to maintain the level of maintenance in that area that's covered by the original district has to be supplemented with general funds due to cost escalation challenges in this area.



MOVED BY MAYOR PRO TEM JENKINS, SECONDED BY MAYOR JONES TO APPROVE ITEM NO. 5, AS RECOMMENDED BY STAFF.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

- 7) **RESOLUTION NO. 2020-8780 - ADOPT A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE THE COUNTY OF SAN DIEGO CORONAVIRUS RELIEF FUND SUBGRANT AGREEMENT AND ANY AND ALL RELATED DOCUMENTS.** Adopt a resolution delegating authority to the City Manager to execute the recommended County of San Diego Coronavirus Relief Fund sub-grant agreement and any and all related documents. ***ITEM WAS REMOVED FROM THE CONSENT CALENDAR.***

MAYOR PRO TEM JENKINS stated that \$997,140 of the CARE Act money will go towards the loans that were provided through the Business Sustainability Loan Program and requested further information on how the money will be distributed, and if the funds be reflected in this year's fiscal year or the next.

CITY MANAGER GRIFFIN noted that the Business Sustainability Program was broken down into three different tiers and each tier represented the businesses that were affected immediately and were required to close, the funds from the CARE Act will be used to convert those loans to grants and Tier I will convert 50% of their loan to a grant, Tier II will convert 30% of their loan to a grant, Tier III will convert 15% of their loan to a grant, the loan to San Marcos Chamber of Commerce will be forgiven completely as they have helped with the reopening stage, the businesses will be notified via letter with information containing their new loan balance, noted that the funds received will be split into FY 19-20 and FY 20-21.

MOVED BY MAYOR PRO TEM JENKINS, MAYOR JONES TO APPROVE ITEM NO. 7, AS RECOMMENDED BY STAFF.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ORAL COMMUNICATIONS

There were no requests to speak.

PUBLIC HEARING

- 11) **RESOLUTION NO. 2020-8783 - ORDER TO VACATE PUBLIC RIGHT-OF-WAY FOR PORTIONS OF ECHO LANE AND FORMER DISCOVERY STREET.** Approved a resolution for an order to vacate public street



right-of-way, with reservation of rights for existing utilities, for portions of Echo Lane and former Discovery Street.

PRINCIPAL ENGINEER STEPHANIE KELLAR presented the staff report.

COUNCILMEMBER DISCUSSION INCLUDED: clarification on any objections when notices for this project were sent to the public; who maintains the existing utilities.

CITY STAFF responded that there were no objections other than utility companies requesting that their right of way to maintain their utility; the city does not currently maintain utilities, each utility company is responsible for their own utility, and that will not change with the approval of this resolution.

John Vance, Discovery SLLC partners, wrote an email in support of the approval for this resolution.

MOVED BY COUNCILMEMBER WALTON, SECONDED BY COUNCILMEMBER PETREK TO CLOSE THE PUBLIC HEARING.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

MOVED BY COUNCILMEMBER NUÑEZ, SECONDED BY COUNCILMEMBER WALTON TO APPROVE ITEM NO. 11, AS RECOMMENDED BY STAFF.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

- 12) **RESOLUTION NO. 2020-8784 (ENVIRONMENTAL IMPACT REPORT 19-002), RESOLUTION NO. 2020-8785 (GENERAL PLAN AMENDMENT 18-0002), ORDINANCE NO. 2020-1489 (PREZONE 18-0001), ORDINANCE NO. 2020-1490 (REZONE 18-0002), ORDINANCE NO. 2020-1491 (SPECIFIC PLAN AMENDMENT 18-0002), RESOLUTION NO. 2020-8786 (TENTATIVE SUBDIVISION MAP 18-0001), RESOLUTION NO. 2020-8787 (MULTIFAMILY SITE DEVELOPMENT PLAN 18-0001), RESOLUTION NO. 2020-8788 (CONDITIONAL USE PERMIT 18-0006), RESOLUTION NO. 2020-8789 (GRADING VARIANCE 18-0001) - SUNRISE PROJECT REQUEST FOR APPROVAL OF ENTITLEMENTS TO DEVELOP A 192 UNIT MULTIFAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 14.4-ACRE SITE LOCATED AT THE SOUTHEASTERN LIMITS OF SAN MARCOS, SOUTH OF E. BARHAM DRIVE, EAST OF MEYERS AVENUE.** Approved Resolution 2020-XXXX certifying Environmental Impact Report (FEIR 19-002 SCH#2019049004) and adopt Findings and Overriding Considerations for Significant and Unavoidable Impacts related to Transportation; 2. Approved Resolution 2020-XXXX (General Plan Amendment GPA 18-0002) to amend the General Plan on the southern parcel (APN 228-312-10-00) from Light Industrial (LI) to Specific Plan Area (SPA) and the northern parcel of the project site (APN 228-312-09-00) from Low Density Residential (LDR) to Specific Plan Area (SPA). This General Plan



Amendment would allow the SPA to provide rules and regulations for development of the project site. 3. Approved first reading of Ordinance 2020-XXXX (Prezone PZ 18-0001) to assign a City zone of Specific Plan Area (SPA) to parcel 228-312-10-00 in the City of San Marcos upon annexation to the City; parcel currently zoned Single-Family Residential (RS) in the County of San Diego; 4. Approved first reading of Ordinance 2020-XXXX (Rezone R 18-0002) to rezone parcel 228-312-09-00 in the City from Residential Manufactured Home Park (R-MHP) to Specific Plan Area (SPA); 5. Approved first reading of Ordinance 2020-XXXX (Specific Plan SP 18-0002) adopting the Sunrise Specific Plan to establish the development guidelines and serve as the primary land use, policy and regulatory document for the project; 6. Approved Resolution 2020-XXXX (Tentative Subdivision Map TSM 18-0001) to create 192 residential condominiums, drive aisles, private and common open spaces lots; 7. Approved Resolution 2020-XXXX (Multifamily Site Development Plan MFSDP 18-0001) to address the design of the thirty-nine (39) multifamily buildings, site floor plans, building elevations, parking and private and common usable open space areas; 8. Approved Resolution 2020-XXXX (Conditional Use Permit CUP 18-0006) to allow for the temporary use of a rock crusher during grading operations; and 9. Approved Resolution 2020-XXXX (Grading Variance GV 18-0001) to allow manufactured slopes in excess of 20 feet in height within the project site.

CITY ATTORNEY PEAK recused herself from this item due to financial disqualification and identified **AVNEET SIDHU** as conflict council who is available to answer any legal questions.

PLANNING MANAGER JOE FARACE presented the staff report.

JASON GREMINGER, CCI CONNECT, applicant, provided background information on the project and additional information to council.

COUNCILMEMBER DISCUSSION INCLUDED: sewer and water line district differences; requirement to place a sign with on site manager phone number to regulate the noise of the rock crusher; coordination between traffic signals with City of Escondido; residents concern for fire evacuation from that area; affordable housing fees; existing land use; walkability to transit station; sidewalk extension on Barham Drive and new signal connection; what is the student ratio generation; price range of houses; all councilmembers disclosed having met with the applicant.

CITY STAFF noted that it is not unusual for the sewer and water lines to have different district, it varies depending on location; there are conditions within the CUP that require a sign to be placed on site with a phone number to call about any inquiries regarding excessive noise; confirmed that currently there is no signal coordination with Escondido; the driveway, gates and access were evaluated by the Fire Department and there were no evacuation concerns; the developer will be paying the in-lieu fee for affordable housing; the existing land use is light industrial; there will be new ADA path of travels and sidewalk on Barham Drive that will provide easier access to the transit center; new traffic signal on Barham Drive and Myers Avenue.

CCI CONNECT responded that SMUSD stated that the generated student ratios are as follow: 44 students for Elementary School, 19 students for Middle School and 20 students for High School; intention to start home prices in the lows \$400s, but may vary due to market conditions..



The following individuals submitted emails to voice their concern against the approval of this project:

Fred Brown

Stephanie Bell

Steve Beulke

The following individuals submitted emails to voice their support for the approval of this project:

Julie Procopio

Scott Barrick

Casita Los Amigos HOA

MOVED BY MAYOR PRO TEM JENKINS, SECONDED BY COUNCILMEMBER NUÑEZ TO CLOSE THE PUBLIC HEARING.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

MOVED BY MAYOR JONES, SECONDED BY COUNCILMEMBER WALTON TO APPROVE ITEM NO. 12, AS RECOMMENDED BY STAFF.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

NEW BUSINESS

- 13) **RESOLUTION NOS. 2020-8790 & 2020-8791 - PROPOSED OPERATIONS & MAINTENANCE BUDGET FOR FISCAL YEAR (FY) 2020-21 AND CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FY 2020-21 THROUGH FY 2024-25; AND ESTABLISHING RESERVES FOR FY 2020-21.** Adopted a Resolution adopting the Operation & Maintenance Budget for FY 2020-21 and Capital Improvement Program Budget for FY 2020-21 through FY 2024-25 and authorizing the appropriation of the funds from the City Treasury. Additionally, this resolution adopts the FY 2020-21 Classification and Compensation Schedule. And adopted a Resolution authorizing the appropriation and transfer of funds for the establishment of an appropriated reserve fund for future expenditures and/or contingencies for FY 2019-20.

BUDGET REVIEW COMMISSIONER CHARLOTTE WIELAGE, presented a brief report on behalf of the Budget Review Committee.

FINANCE DIRECTOR LISA FOWLER presented the Operations and Maintenance Budget staff report.



DEPUTY CITY ENGINEER ED DEANE presented the Capital Improvement Program Budget staff report.

COUNCILMEMBER DISCUSSION INCLUDED: 4.8% decrease in sales tax; positions that were eliminated; strong fiscal reserve policy; balance goals score card reports; law enforcement contract and renewal; less traffic means less gas tax funding; Bradley Park Design; Connor Park synthetic turf replacement.

CITY STAFF the decrease in sales tax is projected by a third party consultant that provides revenues projections every quarter; confirmed four filled positions were eliminated; goal score cards will be modified to reflect high sustainable goals; San Diego Sheriff's Department contract composes of 29% of our budget which is one of the lowest in the county and the renewal of the contract will occur during FY21-22; anticipated decrease in gas tax funds such as the RMRA funds will decrease; Bradley Park does not have a design yet but it will go out for bid in next fiscal year; the Connor Park turf replacement will last 8-10 years before it needs replacing.

MOVED BY MAYOR JONES, SECONDED BY MAYOR PRO TEM JENKINS TO APPROVE ITEM NO. 13, AS RECOMMENDED BY STAFF.

AYES: COUNCILMEMBERS: JENKINS, NUÑEZ, PETREK, WALTON, JONES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

ORAL COMMUNICATIONS

There were no requests to speak.

REPORTS (Including AB 1234 Reporting Requirements)

- 14) **SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT** – MAYOR JONES. . Report given with no action taken.
- 15) **LEAGUE OF CALIFORNIA CITIES REPORT** – COUNCILMEMBER NUÑEZ. No report given.
- 16) **NORTH COUNTY TRANSIT DISTRICT REPORT** – MAYOR PRO TEM JENKINS. Report given with no action taken.
- 17) **NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT** - COUNCILMEMBER WALTON. No report given.
- 18) **SAN MARCOS UNIFIED SCHOOL DISTRICT JOINT WORKING GROUP** – MAYOR JONES. No report given.



19) **SAN MARCOS CREEK PROJECT UPDATE** – CITY MANAGER GRIFFIN. Report given with no action taken.

COUNCIL COMMENTARY

MAYOR JONES mentioned that the County Board of Supervisors voted to send a letter to the Governor requesting more local control in regards to the opening of other facilities with safety protocols in place and also asked that residents follow the safety guidelines.

COUNCILMEMBER WALTON encouraged residents to comply with safety protocols.

MAYOR PRO TEM JENKINS announced a business site visit with Councilmember Nuñez to the EDCO recycling facility in Escondido.

ADJOURNMENT

MAYOR JONES adjourned the meeting at 9:29 p.m.

REBECCA JONES, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLLICK, CITY CLERK
CITY OF SAN MARCOS