



Regular City Council Meeting

Special San Marcos Successor Agency to the San Marcos Redevelopment Agency Meeting

Special San Marcos 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

Cell Phones: As a courtesy to others, please silence your cell phone or pager during the meeting and engage in conversations outside the Council Chambers.

Americans with Disabilities Act: If you need special assistance to participate in this meeting, please contact the City Clerk at (760) 744 1050, ext. 3145. Notification 48 hours in advance will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Assisted listening devices are available for the hearing impaired. Please see the City Clerk if you wish to use this device.

Public Comment: If you wish to address the City Council, please complete a "Request to Speak" form. Forms are located at the rear of the Council Chambers. Be sure to indicate which item number you wish to address. Comments are limited to THREE minutes, unless you meet the requirements of a formal or informal organization and have registered your organization with the City Clerk in advance. Speakers are asked to fill out a "Request to Speak" form and hand it to staff, although provision of a name, address, or other identifying information is optional.

The Oral Communication segment of the agenda is for the purpose of allowing the public to address the City Council on any matter NOT listed on the agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications. The Oral Communication segment is split on the agenda and begins with a 15 minute timed segment during which the Council will hear as many speakers as possible. Upon the conclusion of the 15 minute timed segment, any remaining speakers will automatically be called during the continuation of the Oral Communication segment at the end of the agenda. The City Council is prohibited by state law from taking action on items NOT listed on the Agenda. However, they may refer the matter to staff for a future report and recommendation. If you wish to speak under "Oral Communications," please complete a "Request to Speak" form as noted above.

Meeting Schedule and Broadcast Information: Regular City Council meetings are held on the second and fourth Tuesday of each month at 6:00 pm in the Council Chambers. City meetings are broadcast LIVE on San Marcos Community Television (SMTV) on Cox Channel 19, Time Warner Channel 24 and AT&T Channel 99. Meetings are also streamed live and archived online at www.san-marcos.net.

Agenda related writings or documents provided to a majority of the City Council after distribution of the agenda packet will be available for public inspection at the time of distribution in the City Clerk Department located on the second floor of City Hall, 1 Civic Center Drive, San Marcos, CA during normal business hours. The same materials are also posted online at www.san-marcos.net as time permits.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****INVOCATION****ROLL CALL****PROCLAMATIONS AND PRESENTATIONS**

A. SMILE Award, Councilmember Nuñez

B. San Marcos Girls Softball 10U All Star Team – Mayhem

C. National Preparedness Month

D. Rise Above: Sheriff Youth Leadership Program

CONSENT CALENDAR

1. [24-2438](#) 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.

Recommendation: WAIVE

2. [24-2439](#) APPROVAL OF MINUTES

Recommendation: APPROVE the minutes of City Council special meeting and regular meeting on July 23, 2024 and special meeting on August 14, 2024.

Attachments: [07-23-24](#)
[07-23-24S Closed Session](#)
[08-14-24S Closed Session](#)

3. [24-2440](#) APPROVAL OF WARRANTS

Recommendation: APPROVE City Council, Successor Agency, and Fire Protection District warrants dated August and September 2024.

Attachments: [WARRANTS](#)

4. [24-2447](#) 2024 LOCAL AGENCY BIENNIAL NOTICE FOR THE CITY OF SAN MARCOS CONFLICT OF INTEREST CODE
- Recommendation:** RECEIVE AND FILE the Fair Political Practices Commission 2024 Local Agency Biennial Notice for the code reviewing body to review the conflict of interest code for the City of San Marcos and file said notice with the agency's code reviewing body before October 1, 2024.
- Attachments:** [Resolution No. 2022-9071 Conflict of Interest Code](#)
[2024 Local Agency Biennial Notice](#)
5. [24-2446](#) ORDINANCE NO. 2024-1547 - SECOND READING OF ORDINANCE APPROVING A REZONE (R21-0002) OF A 33.2-ACRE PROJECT SITE FROM INDUSTRIAL (I) TO SPECIFIC PLAN AREA (SPA)
- Recommendation:** ADOPT (second reading) Ordinance 2024-1547, approving a rezone (R21-0002) of a 33.2-acre project site from Industrial (I) to Specific Plan Area (SPA).
- Attachments:** [Ordinance 2024-1547](#)
[SP22-0001_Pacific SP Memo](#)
6. [24-2445](#) ORDINANCE NO. 2024-1548 - SECOND READING OF ORDINANCE APPROVING A SPECIFIC PLAN ALLOWING 228 RESIDENTIAL UNITS ON A VACANT 33.2-ACRE PARCEL (SP22-0001)
- Recommendation:** ADOPT (second reading) Ordinance 2024-1548 approving a Specific Plan allowing 228 residential units on a vacant 33.2-acre parcel (SP22-0001).
- Attachments:** [Ordinance 2024-1548](#)
[EX A Pacific Specific Plan](#)
[SP22-0001_Pacific SP Memo](#)
7. [24-2441](#) ORDINANCE NO. 2024-1549 - SECOND READING OF ORDINANCE AMENDING MUNICIPAL CODE TITLE 14 (CONSTRUCTION WITHIN STREETS, SIDEWALKS, AND PUBLIC PLACES; UNDERGROUND UTILITY FACILITIES) SECTIONS 14.04.010, 14.12.060, 14.12.240, AND 14.21.080
- Recommendation:** ADOPT (second reading) Ordinance 2024-1549, amending Municipal Code Title 14 (Construction Within Streets, Sidewalks, And Public Places; Underground Utility Facilities), Sections 14.04.010, 14.12.160, 14.12.240, and 14.21.080.
- Attachments:** [Attachment 1: Ordinance](#)
[Attachment 2: Redline, Title 14 Construction Within Streets](#)

8. [24-2443](#) ORDINANCE NO. 2024-1550 - SECOND READING OF ORDINANCE AMENDING SECTIONS 20.310.020, 20.310.030, 20.310.040, 20.310.050, 20.310.060, and 20.310.080 OF TITLE 20 OF THE SAN MARCOS MUNICIPAL CODE RELATIVE TO INCLUSIONARY HOUSING REQUIREMENTS AND ASSOCIATED DENSITY BONUS CALCULATIONS FOR RESIDENTIAL RENTAL PROJECTS AND INCLUSIONARY HOUSING AGREEMENTS

Recommendation: ADOPT (second reading) Ordinance 2024-1550, amending Sections 20.310.020, 20.310.030, 20.310.040, 20.310.050, 20.310.060, and 20.310.080 of the San Marcos Municipal Code and finding that said amendments are categorically exempt from CEQA review, in the following order: a) Categorical Exemption (EX24-007) and b) Ordinance (TA24-0002) amending Title 20, Chapter 20.310 of the San Marcos Municipal Code.

Attachments: [Ordinance 2024-1550](#)
[Exhibit A - CHAPTER 20.310 INCLUSIONARY HOUSING Clean](#)
[Exhibit B - CHAPTER 20.310 INCLUSIONARY HOUSING Redline](#)

9. [24-2436](#) RESOLUTION NO. 2024-9339 - DELEGATING TO AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE, FINALIZE, AND EXECUTE A CONSULTANT AGREEMENT FOR PROFESSIONAL SERVICES ON THE SAN MARCOS CREEK DISTRICT SPECIFIC PLAN UPDATE

Recommendation: ADOPT a resolution delegating to and authorizing the City Manager to negotiate, finalize, and execute a consultant agreement for professional services to update the San Marcos Creek District Specific Plan.

Attachments: [Resolution No. 2024-XXXX](#)

10. [TMP-2103](#) RESOLUTION NO. 2024-9340 - APPROVING CONSTRUCTION DOCUMENTS AND AUTHORIZING THE CITY MANAGER TO AWARD, FINALIZE, AND EXECUTE CONSTRUCTION CONTRACT DOCUMENTS FOR THE RETROREFLECTIVE BACKPLATE PROJECT (CIP# TR008)

Recommendation: ADOPT a resolution to approve the construction documents and authorize the City Manager to award, finalize, and execute the construction contract documents for the Retroreflective Backplate Project (CIP# TR008).

Attachments: [ATTACHMENT 1 - Resolution 2024-XXXX.docx](#)
[ATTACHMENT 2 - Project Plans.pdf](#)
[ATTACHMENT 3 - Project Special Provisions.pdf](#)

11. [TMP-2150](#) RESOLUTION NO. 2024-9341 AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION FOR FUNDING THROUGH THE RECONNECTING COMMUNITIES PILOT (RCP) PROGRAM FOR THE FISCAL YEAR 2024 TO FUND CONSTRUCTION OF A MULTI-USE TUNNEL.

Recommendation: ADOPT the resolution authorizing the City Manager to apply for funding through the U.S. Department of Transportation's Reconnecting Communities Pilot (RCP) Program for FY 2024.

Attachments: [RESOLUTION 2024-XXXX](#)

12. [TMP-2151](#) RESOLUTION NOS. 2024-9342, 2024-9343, & 2024-9344 - ADOPTING A CATEGORICAL EXEMPTION FROM CEQA REVIEW (EX24-010), CLASS V (MINOR ALTERATIONS IN LAND USE LIMITATIONS, AND ORDERING THE SUMMARY VACATION AND ABANDONMENT OF PUBLIC RIGHT-OF-WAY FOR PORTIONS OF WEST LA CIENEGA ROAD, RESERVING THEREFROM UTILITY RIGHTS, AND TERMINATING THE DECLARATION OF COVENANT FOR STREET IMPROVEMENTS, AS RECOMMENDED BY THE PLANNING COMMISSION

Recommendation: ADOPT and APPROVE the following, in the order set forth below, as recommended by the Planning Commission:

1. Categorical Exemption EX24-010 per CEQA Section 15305, Class V (Minor Alterations in Land Use Limitations); and
2. Resolution 2024-9342 (VAC24-0001) ordering the summary vacation and abandonment of public right-of-way for a portion of West La Cienega Road, reserving therefrom utility rights, and ordering the termination of Declaration of Covenant for Street Improvements at 245 West La Cienega Road (APN: 182-210-23-00); and
3. Resolution 2024-9343 (VAC24-0002) ordering the summary vacation and abandonment of public right-of-way for a portion of West La Cienega Road, reserving therefrom utility rights, and ordering the termination of Declaration of Covenant for Street Improvements at 165 West La Cienega Road (APN: 182-210-18-00); and
4. Resolution 2024-9344 (VAC24-0003) ordering the summary vacation and abandonment of public right-of-way for a portion of West La Cienega Road, reserving therefrom utility rights, and ordering the termination of Declaration of Covenant for Street Improvements at 157 West La Cienega Road (APN: 182-210-19-00).

Attachments: [Attachment 1 - Aerial Easement Exhibit](#)
[Attachment 2 -Resolution 2024-9342 \(VAC24-0001\)](#)
[Attachment 2 - Resolution 2024-9342 Exhibit A & B](#)
[Attachment 3 -Resolution 2024-9343 \(VAC24-0002\)](#)
[Attachment 3 - Resolution 2024-9343 Exhibit A & B](#)
[Attachment 4 -Resolution 2024-9344 \(VAC24-0003\)](#)
[Attachment 4 - Resolution 2024-9344 Exhibit A & B](#)
[Attachment 5 - Termination of Declaration APN182-210-23-00](#)
[Attachment 6 - Termination of Declaration APN182-210-18-00](#)
[Attachment 7 - Termination of Declaration APN182-210-19-00](#)

13. [TMP-2163](#) RESOLUTION NO. 2024-9345 – DECLARING THAT TRANSFER OF REAL PROPERTY LOCATED WITHIN THE UNIVERSITY DISTRICT SPECIFIC PLAN AREA AT 318 E. BARHAM DRIVE, SAN MARCOS, CA (ASSESSOR'S PARCEL NUMBER 220-202-27-00) TO FACILITATE THE CONSTRUCTION AND INSTALLATION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS IS EXEMPT FROM THE SURPLUS LAND ACT, AUTHORIZING THE CITY ATTORNEY TO SEEK ASSISTANCE FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITH RESPECT TO SUCH EXEMPTION, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO FINALIZE, AND EXECUTE ALL DOCUMENTS NECESSARY FOR THE TRANSFER OF REAL PROPERTY AND IMPROVEMENTS AND TO PROCESS AND IMPLEMENT SUCH TRANSFER IN THE EVENT SAID EXEMPTION FROM THE SURPLUS LAND ACT IS CONFIRMED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: ADOPT resolution declaring the proposed transfer of real property and improvements located within the University District Specific Plan Area, addressed as 318 E. Barham Drive, San Marcos, CA (Assessor's Parcel Number 220-202-27-00) to be exempt from the Surplus Land Act, authorizing the City Attorney to seek assistance from the California Department of Housing and Community Development with respect to such exemption, and authorizing the City Manager and City Attorney to complete negotiations, finalize, and execute all documents necessary for the to facilitate the construction and installation of public infrastructure in the event said exemption from the Surplus Land Act is confirmed by the California Department of Housing and Community Development.

Attachments: [E BARHAM DR ROW EXHIBIT Moreland Parcel 05202024](#)
[City Council Post Acquisition Resolution re Exemption from SLA 09042024](#)
[CoSM to UVSM \(PSA 2\) 09042024](#)

14. [TMP-2162](#) RESOLUTION NOS. 2024-9346 & 2024-9347- DECLARING THAT THE TRANSFER OF REAL PROPERTY IDENTIFIED AS A PORTION OF ASSESSOR'S PARCEL NUMBER 219-152-74-00 TO ADJACENT PROPERTY OWNER AOA SAN MARCOS LLC IS EXEMPT FROM THE SURPLUS LAND ACT, AUTHORIZING THE CITY ATTORNEY TO SEEK ASSISTANCE FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITH RESPECT TO SUCH EXEMPTION, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE, FINALIZE, AND EXECUTE ALL DOCUMENTS NECESSARY FOR THE TRANSFER OF SUCH REAL PROPERTY AND TO IMPLEMENT SUCH TRANSFER IN THE EVENT SAID EXEMPTION FROM THE SURPLUS LAND ACT IS CONFIRMED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND RESOLUTION AUTHORIZING ACCEPTANCE OF EMERGENCY ACCESS AND CREEK MAINTENANCE ACCESS EASEMENTS OVER PROPERTY OWNED BY AOA SAN MARCOS, LLC

Recommendation: 1. ADOPT resolution declaring that the transfer of real property identified as a portion of Assessor's Parcel Number 219-152-74-00 to adjacent property owner AOA San Marcos LLC is exempt from the Surplus Land Act, authorizing the City Attorney to seek confirmation from the California Department of Housing and Community Development with respect to such exemption, and authorizing the City Manager and City Attorney to negotiate, finalize, and execute all documents necessary for the transfer of such real property and to implement such transfer in the event said exemption is confirmed by the California Department of Housing and Community Development.
2. ADOPT resolution authorizing City acceptance of emergency access and creek maintenance access easements over property owned by AOA San Marcos LLC.

Attachments: [AOA - City Land Transfer, Emergency Access and Maintenance Easement Exhi](#)
[City Council Resolution re Exemption from SLA 09042024](#)
[City Council Resolution re Acceptance of Grant of Easement from AOA 090520;](#)

15. [TMP-2158](#) RESOLUTION NO. 2024-9349 - DELEGATING TO AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE, FINALIZE, AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR THE SAN MARCOS CREEK SPECIFIC PLAN ENVIRONMENTAL HABITAT AND MITIGATION PROJECT (CIP #88529)

Recommendation: ADOPT a resolution delegating to and authorizing the City Manager to negotiate, finalize, and execute a professional services agreement with Dudek for the San Marcos Specific Plan Environmental Habitat and Mitigation (CIP #88529).

Attachments: [Council Resolution](#)

16. [24-2448](#) RESOLUTION NO. 2024-9350 - LEGISLATIVE REPORT

Recommendation: ADOPT a resolution taking a position on pending legislation in the California State Legislature and projects of local impacts.

Attachments: [San Marcos Official Positions 2024](#)

[2024-xxx](#)

[AB 3093-Oppose](#)

[AB 98-Oppose](#)

[SB 972 SUPPORT](#)

[AB 2023-Oppose](#)

17. [TMP-2164](#) RESOLUTION NO. 2024-9348 - APPROVING AN UPDATED FULL TIME CLASSIFICATION AND COMPENSATION SCHEDULE

Recommendation: ADOPT a resolution approving an updated Full Time Classification and Compensation Schedule.

Attachments: [Resolution to update FT class and comp schedule eff09132024](#)

[Full Time Classification and Compensation Schedule 20240913 Building updat](#)

ORAL COMMUNICATIONS

Persons wishing to speak on items not on the agenda may do so during this time period. Speakers are limited to three minutes. Please complete a "Request to Speak" form. The first Oral Communication segment consists of a 15-minute timed segment during which the Council will hear as many speakers as possible. Any speakers not heard during the first Oral Communications segment will automatically be called during the continuation of the Oral Communication segment at the end of the agenda. Please note that the City Council is precluded by State law from taking action on any topic that is not included on the posted agenda.

PUBLIC HEARINGS

18. [TMP-2149](#) ORDINANCE NO. 2024-1551, AN ORDINANCE OF THE CITY COUNCIL REPEALING AND REPLACING CHAPTER 20.410 OF THE SAN MARCOS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND ACCESSORY STRUCTURES AND FINDING THAT SAID REPEAL AND REPLACEMENT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Recommendation: INTRODUCE (First Reading) of an Ordinance repealing and replacing Chapter 20.410 of the San Marcos Municipal Code and finding that said repeal and replacement is categorically exempt from CEQA review, in the following order:

1. Notice of Exemption (EX24-013); and
2. Ordinance No. 2024-1551 (Text Amendment TA24-0003) for repeal and replacement of Chapter 20.410 of the San Marcos Municipal Code.

Attachments: [Ordinance 2024-1551 \(TA24-0003\)](#)
[Exhibit A - Chapter 20.410 Clean](#)
[Exhibit B - Chapter 20.410 Strikeout](#)
[Attachment A - Public Comment and City Response](#)
[Attachment B - Draft Planning Commission Meeting Minutes](#)

ORAL COMMUNICATIONS - CONTINUED

Speakers are limited to three minutes. Please complete a "Request to Speak" form and place in basket provided.

REPORTS (INCLUDING AB 1234 REPORTING REQUIREMENTS - GC 53232.3(D))

19. [24-2449](#) SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT (MAYOR JONES)
Recommendation: Note and File
20. [24-2450](#) LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER MUSGROVE)
Recommendation: Note and File
21. [24-2451](#) NORTH COUNTY TRANSIT DISTRICT REPORT (DEPUTY MAYOR JENKINS)
Recommendation: Note and File.
22. [24-2452](#) NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT (COUNCILMEMBER NUÑEZ)
Recommendation: Note and File
23. [24-2453](#) CLEAN ENERGY ALLIANCE REPORT (COUNCILMEMBER MUSGROVE)
Recommendation: Note and File

24. [24-2454](#) CITY COUNCIL BUSINESS VISITS

Recommendation: Note and File

COUNCIL COMMENTARY

ADJOURNMENT

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SAN MARCOS)

I, PHILLIP SCOLICK, CITY CLERK OF THE CITY OF SAN MARCOS, HEREBY CERTIFY THAT I CAUSED THE POSTING OF THIS AGENDA IN THE GLASS DISPLAY CASE AT THE NORTH ENTRANCE OF CITY HALL AND ON THE CITY'S WEBSITE ON SEPTEMBER 6, 2024, 5:30 P.M.

DATE: SEPTEMBER 6, 2024

PHILLIP SCOLICK, CITY CLERK