



**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**

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**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 FIVE 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](http://www.san-marcos.net).

**Agendas:** Agenda packets are available for public inspection 72 hours prior to scheduled meetings at the City Clerk Department located on the second floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours. Packet documents are also posted online at [www.san-marcos.net](http://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](http://www.san-marcos.net) as time permits.

**CALL TO ORDER****PLEDGE OF ALLEGIANCE****INVOCATION - PASTOR GREG BARNES, BRIDGE COMMUNITY CHURCH****ROLL CALL****PROCLAMATIONS AND PRESENTATIONS**

A. SHERIFF'S SENIOR PATROL VOLUNTEER

B. RETIREMENT - MIKE EDWARDS, DIRECTOR OF PUBLIC WORKS

**CONSENT CALENDAR**

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.

**Recommendation:** WAIVE

2. APPROVAL OF MINUTES

**Recommendation:** APPROVE the minutes of the Regular City Council meeting of July 26, 2016.

3. APPROVAL OF WARRANTS

**Recommendation:** APPROVE City Council, Successor Agency, and Fire Protection District warrants dated 8/01/2016.

4. RESOLUTION NO. FD 2016-334 - ADOPTION OF THE MULTI-YEAR PLAN FOR SAN DIEGO COUNTY FIRE MITIGATION FUNDING

**Recommendation:** ADOPT a resolution for the San Diego County Fire Mitigation Funding multi-year plan.

5. RESOLUTION NO. 2016-8246 - ACCEPTANCE AND AUTHORIZE FILING NOTICE OF COMPLETION FOR THE ANNUAL SURFACE SEAL PROJECT - 2015 CHIP SEAL CAPITAL IMPROVEMENT PROJECT (CIP) # 86004

**Recommendation:** ADOPT a resolution accepting the improvements included in the Annual Surface Seal-2015 Chip Seal Project (CIP #86004), ordering the recording of a Notice of Completion (NOC), authorizing the release of retention 35 days after filing the NOC, and the release of construction bonds required per the contract between the City of San Marcos and Pavement Coatings Company. The City Clerk is to release the Faithful Performance Bond one (1) year after the NOC has been recorded.

6. RESOLUTION NO. 2016-8247 - LEGISLATIVE REPORT

**Recommendation:** ADOPT a resolution taking a position on a pending bill in the State Legislature

7. RESOLUTION NO. 2016-8248 -- MEMORANDUM OF UNDERSTANDING FOR THE DOUBLE PEAK CHALLENGE 10K RACE

**Recommendation:** ADOPT a resolution approving the Memorandum of Understanding between the City of San Marcos, the Friends of San Marcos Parks and Recreation, and the San Marcos Promise for the Double Peak Challenge 10K race.

## **ORAL COMMUNICATIONS**

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

## **PUBLIC HEARINGS**

8. CONDUCT SECOND PUBLIC HEARING PURSUANT TO ELECTIONS CODE SECTION 10010 TO CONSIDER A PROPOSAL TO (I) CHANGE THE CITY'S METHOD OF ELECTING CITY COUNCIL MEMBERS FROM AT-LARGE TO BY-DISTRICT ELECTIONS; (II) DRAW CITY COUNCIL DISTRICT BOUNDARIES

**Recommendation:** CONDUCT second public hearing and RECEIVE testimony on proposed by-district election maps prepared in accordance with the Federal (42 U.S.C. § 1973 et seq.) and California Voting Rights Act (Elec. Code §§ 14025-14032).

## **ORAL COMMUNICATIONS - CONTINUED**

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

## **REPORTS (INCLUDING AB 1234 REPORTING REQUIREMENTS)**

9. SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT (MAYOR DESMOND)

**Recommendation:** Note and File

10. NORTH COUNTY TRANSIT DISTRICT REPORT (VICE MAYOR JONES)

**Recommendation:** Note and File.

11. LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER JABARA)

**Recommendation:** Note and File

12. NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT (COUNCILMEMBER JENKINS)

**Recommendation:** Note and File

## **COUNCIL COMMENTARY**

## **CLOSED SESSION**

13. CONFERENCE WITH LABOR NEGOTIATORS (GC §54957.6). Conference with the City Manager and the Human Resources Director, the City's designated negotiators, regarding labor negotiations with represented and unrepresented employees.

14. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. Harborview Holdings Limited Partnership; County of San Diego;  
The Pacific Telephone and Telegraph Company; Tahir J. Salim; Jahanara Sabrina  
Salim -San Diego Superior Court Case No. 37-2016-00010273-CU-EI-NC.
15. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. Galleria Vera Cruz, L.P.; County of San Diego; San Diego Gas and  
Electric; San Diego Trust & Savings Bank; First Interstate Bank, San Diego Superior  
Court Case No. 37-2016-00010268-CU-EI-NC
16. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. Timothy and Linda Lyons; Commonwealth Land Title Company; Sun  
West Mortgage Company, Inc.; Mortgage Electronic Registration Systems, Inc.; County of  
San Diego; WRCOG Supporting Foundation-San Diego Superior Court Case No.  
37-2016-00010255-CU-EI-NC.
17. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. SMIL Ventures, LLC; County of San Diego; The Pacific Telephone  
and Telegraph Company; American Securities Company; Wells Fargo Bank-San Diego  
Superior Court Case No. 37-2016-00010267-CU-EI-NC.
18. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. James and Petka Lukich, Trustees of the Lukich Family Trust, San  
Diego Superior Court Case No. 37-2016-00010270-CU-EI-NC
19. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. James and Petka Lukich, as husband and wife; New Century Title  
Company; Plaza Home Mortgage Inc.; PRLAP, Inc.; Bank of America, N.A.; Vivint Solar  
Developer LLC; County of San Diego-San Diego Superior Court Case No.  
37-2016-00010266-CU-EI-NC.

## **ADJOURNMENT**

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

I, PHILLIP SCOLLICK, 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 AUGUST 5, 2016,  
5:30 P.M.

DATE: AUGUST 5, 2016



PHILLIP SCOLLICK, CITY CLERK