

**City of San Marcos
City Council Regular Agenda**



**Tuesday, September 27, 2016
1 Civic Center Drive
San Marcos, CA 92069
City Council Chambers
6 PM**

**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 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.

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.

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 - PASTOR JASON MAYER, THE ROCK CHURCH****ROLL CALL****PROCLAMATIONS AND PRESENTATIONS**

- A. BUSINESS OF THE QUARTER - CARLSBAD URGENT CARE SAN MARCOS
- B. PALOMAR PERFORMING ARTS - ELLEN WELLER

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 September 13, 2016.

3. APPROVAL OF WARRANTS

Recommendation: APPROVE City Council, Successor Agency, and Fire Protection District warrants dated 9/19/2016.

4. RESOLUTION NO. 2016-8259 - NEXT GENERATION REGIONAL COMMUNICATIONS SYSTEM (NEXTGEN RCS) INFRASTRUCTURE AND EQUIPMENT PURCHASE, AND INTERFUND LOAN FINANCING STRUCTURE

Recommendation: ADOPT a resolution approving the expenditure of funds necessary to enter into and sustain City public safety and public service radio operations on the Regional Communications System (RCS), as well as the proposed Interfund Loan financing structure.

5. RESOLUTION NO. 2016-8260 - AWARD A PURCHASE CONTRACT TO PIERCE MANUFACTURING AND A LEASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC FOR ONE (1) TYPE I FIRE ENGINE AND ONE (1) TRACTOR DRAWN LADDER TRUCK

Recommendation: ADOPT a resolution approving the expenditure of funds and awarding a lease contract to Pierce Manufacturing for one (1) Type I Fire Engine and one (1) Tractor Drawn Ladder Truck.

6. RESOLUTION NO. 2016-8261 - AWARD CONSTRUCTION CONTRACT FOR THE SOUTH RANCHO SANTA FE ROAD STREET REHABILITATION CAPITAL IMPROVEMENT PROJECT (CIP #86003) AND REALLOCATION OF FUNDING.

Recommendation: ADOPT a resolution disqualifying George Weir Asphalt Construction Inc. as non-responsive and awarding the construction contract for the South Rancho Santa Fe Road Street Rehabilitation Project (CIP #86003) to the second low bidder in the amount of \$3,109,609 to All American Asphalt and reallocating \$520,000.00 from the Annual Street Overlay-2017 Project (CIP #86009).

7. RESOLUTION NO. 2016-8262 - AWARD THREE ON-CALL GEOTECHNICAL AND MATERIAL TESTING CONTRACTS FOR VARIOUS PROJECTS

Recommendation: ADOPT a resolution awarding three on-call geotechnical and material testing contracts for various projects.

8. RESOLUTION NO. SHA 2016-022 - APPROVAL OF THE TRANSFER OF THAT CERTAIN REAL PROPERTY CONSISTING OF A SMALL TOT LOT (APN 220-130-59) FROM THE SUCCESSOR HOUSING AGENCY TO THE CITY

Recommendation: ADOPT, as the Successor Housing Agency (SHA), a resolution authorizing the transfer of tot lot ownership from the SHA to the City.

9. FOURTH QUARTER FISCAL YEAR 2015-16 FINANCIAL STATUS REPORT

Recommendation: NOTE and FILE Fourth Quarter Fiscal Year 2015-16 Financial Status Report.

10. FINAL MAP APPROVAL - OLEANDER 14-LOT SUBDIVISION (TSM14-003)

Recommendation: APPROVE Final Subdivision Map for TSM14-003 and ACCEPT the abutter's rights to Oleander Avenue except at the access opening on Lot B shown on the Final Map; ACCEPT the easement over Lot A for public road, public utility and general municipal purposes; ACCEPT the fire access easement along the westerly lot line of the subdivision; ACCEPT the utility easements; and REJECT the offer of dedication of Lot B, the new residential street named Thorntree Court.

ORAL COMMUNICATIONS

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

ORDINANCES

11. ORDINANCE NO. 2016-1429 - FIRST READING AMENDING THE 2016 CALIFORNIA FIRE CODE

Recommendation: INTRODUCE first reading of an Ordinance amending the 2016 California Fire Code declaring local conditions to modify the State Code.

PUBLIC HEARINGS

12. ORDINANCE NO. 2016-1430 - PUBLIC HEARING TO INTRODUCE ORDINANCE (i) CHANGING THE CITY'S METHOD OF ELECTING CITY COUNCIL MEMBERS FROM AT-LARGE TO BY-DISTRICT ELECTIONS; (ii) ESTABLISHING CITY COUNCIL DISTRICT BOUNDARIES; AND (iii) ESTABLISHING THE SEQUENCE BY WHICH DISTRICT ELECTIONS WILL BE PHASED IN OVER TIME

Recommendation: CONDUCT third public hearing and take testimony on proposed by-district election maps prepared in accordance with the Federal (42 U.S.C. 1973 et seq.) and California Voting Rights Acts (Elec. Code 14025-14032) and INTRODUCE for first reading an ordinance (i) changing the City's method of electing city council members from at-large to by-district elections; (ii) establishing city council district boundaries; and (III) establishing the sequence by which district elections will be phased in over time.

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)

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

Recommendation: Note and File

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

Recommendation: Note and File.

15. LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER JABARA)

Recommendation: Note and File

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

Recommendation: Note and File

COUNCIL COMMENTARY

CLOSED SESSION

17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [GC 54956.9(d)(1)], and POTENTIAL LITIGATION [GC 54956.9(d)(4)]. Confer with City Attorney, City Manager and Property Manager regarding judgment in City of San Marcos v. Yukangyuan, Inc., et al., San Diego Superior Court Case No. 37-2016-00003615--CU-UD-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 SEPTEMBER 22, 2016, 5:30 P.M.

DATE: SEPTEMBER 22, 2016

A handwritten signature in blue ink, appearing to read "P. Scollick", is written over the printed name.

PHILLIP SCOLLICK, CITY CLERK