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# MINUTES

## Regular Meeting of the Student and Neighborhood Relations Commission

**MONDAY, APRIL 14, 2014**

City Council Chambers  
1 Civic Center Drive, San Marcos, CA 92069

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**CALL TO ORDER:** Chairwoman Kildoo called the meeting to order at 6:30 PM.

**PLEDGE OF ALLEGIANCE:** Led by Chairwoman Kildoo.

**ROLL CALL:**

PRESENT:	CAVANAUGH, CLARK, K. KILDOO, S. KILDOO, KRETCHMAN, MARTINEZ, PARIS, TOVAR, WALSH
ABSENT:	NONE

**ALSO PRESENT:** Deputy City Manager Romero, Interim Building Official Reynolds, Housing & Neighborhood Services Director Schwarm, Sergeant Haynesworth and Recording Secretary Gallegos.

**1) APPROVAL OF MINUTES:**

Correction to the February 10<sup>th</sup> minutes: Commissioner Martinez did not attend was absent from the February 10, 2014 meeting.

**MOVED BY S. KILDOO, SECONDED BY PARIS, TO APPROVE THE REGULAR MEETING MINUTES OF 2/10/14 AS CORRECTED.**

AYES:	CAVANAUGH, CLARK, K. KILDOO, S. KILDOO, PARIS, TOVAR, WALSH
NOES:	NONE
ABSTENTION:	KRETCHMAN, MARTINEZ
ABSENT:	NONE

**2) ORAL COMMUNICATIONS** – None

**3) PRESENTATIONS:**



#### **A) SAN MARCOS PREVENTION COALITION**

**KC STRANG**, program manager with the San Marcos Prevention Coalition provided the presentation. Their mission is to reduce youth alcohol and drug use and advocate for safe and healthy neighborhoods by improving environmental norms and community policies and enhancing efforts to promote and deliver effective substance abuse prevention. The Coalition was founded by Mr. Strang, Audra Wallace, she serves as the Chair and Leticia Robles, she serves as the Media and Community Relations Specialist. All three of them are parents and residents of San Marcos.

In response to questions from the Commission Mr. Strang stated the Coalition has been in existence for a little over two years. Last year they received a federal grant from the Office of National Drug Control Policies that will sustain the Coalition for the next five years.

#### **4) NEW BUSINESS:**

##### **A) BARHAM/INDUSTRIAL PARKING ISSUES:**

**HOUSING & NEIGHBORHOOD SERVICES DIRECTOR SCHWARM** provided the staff report. Staff's recommendation is that this Commission recommends to the Traffic Commission that the Barham/Discovery Industrial Area be posted for 2-hour parking and no parking on street sweeping days, and that staff report back to this Commission on the results of the pilot program six months after implementation.

**DAN HOLLINGSWORTH** stated that he and his brother own the property at 201 Trade Street. He came to the meeting to become informed and the presentation by Director Schwarm answered most of his questions.

**CHAIRWOMAN KILDOO** asked if there are currently signs that say no overnight parking in the industrial area. Director Schwarm responded there is a city ordinance that does not allow the parking of commercial vehicles between 2 a.m. and 6 a.m. in industrial and commercial areas. Several businesses commented in the survey that there is a problem with semi-trucks parking overnight.

**CHAIRWOMAN KILDOO** asked if the Cal State campus police are adequately staffed to enforce the parking restrictions. **DIRECTOR SCHWARM** indicated that the Cal State campus police chief is in the audience tonight. He also stated that campus police has been enforcing the one hour parking restriction near The QUAD student housing. The



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industrial area is quite large and that would be up to Cal State's chief of police to determine if they have adequate time to enforce the city's parking restrictions.

**CAL STATE CHIEF OF POLICE BOB McMANUS** indicated they would need to look at it on a case by case basis. They can assist with enforcing the parking restrictions but at this point they will not take it on as a priority.

**CHAIRWOMAN KILDOO** asked if there are businesses that are open on weekends and **DIRECTOR SCHWARM** responded that according to the surveys 50% of the businesses operate on the weekends. He indicated that eventually they would need to implement the parking restrictions area-wide because if they concentrate in one spot the students will find another area to park in.

**CHAIRWOMAN KILDOO** stated that at one point the plan was to build a cross over from The QUAD to the campus to eliminate students wandering across the street.

**DEPUTY CITY MANAGER ROMERO** stated that a pedestrian bridge is still planned for The QUAD to cross over onto Campus Way and it will be built when they start constructing that portion of Campus Way and Barham.

**DIRECTOR SCHWARM** stated that the prime free parking spot for students is Industrial and the students are crossing the street illegally to get from Industrial to school. Students will cross as soon as they can where ever there is an opening. There is a sizeable hill coming west bound on Barham that drops down as you go under the Sprinter which makes it difficult to see pedestrians crossing at Industrial especially if a car is moving at a high rate of speed.

**COMMISSIONER MARTINEZ** stated that one of the issues he has is that there are businesses where employees are not able to park on the premises and if there is a two hour restriction on the street, where are those employees going to park. The other issue is that there was only a 17% response out of 136 businesses. It seems that the businesses do not appear to want restrictions at this point. He would lean towards restricting parking on street sweeping days. He asked what the university's position on this is.

**DIRECTOR SCHWARM** indicated that the businesses that said they do not want parking restrictions also said that they want parking permits for their employees and customers to be able to park on the street. **COMMISSIONER MARTINEZ** stated that would be too much bureaucracy in his view. **DIRECTOR SCHWARM** stated that he agreed. He also stated that if you went to the businesses that responded to the survey, you will see that



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a few are using their parking spaces for storage or their parking lot is very small. Most of the businesses in that area have adequate parking with very few vehicles parked on-site. He stated that the one business that complained the "loudest" is a high tech business located at the end of Distribution. The business is doing very well and has two locations. Their parking lot is full and some employees have to park on the street as well as customers. This particular business is against parking restrictions and they want a free parking permit.

**COMMISSIONER MARTINEZ** talked about the trucking company in that area and that he has seen how difficult it is for the trucks to turn into their parking lot because of all the cars parked on the street. He stated there is a problem but he does not know what the solution is at this time. He asked again what the university's position is on this.

**COMMISSIONER CLARK** stated that they understand the issue with the student parking permits being as expensive as they are but there are legitimate reasons for that. They would like all their students to park on campus and be safe and not be running across streets. At some point the parking restrictions will have to be considered otherwise it is an attractive nuisance to have free parking available where it is, within proximity to the campus.

**COMMISSIONER MARTINEZ** states that the only issue he has is that the two hour parking restriction is not practical for employees that have to park on the street.

**CHAIRWOMAN KILDOO** indicated that businesses may have to adapt to some sort of on premises parking for customers so they are not impacted and a combination of permitted parking for employees for certain business hours. For now she would like to see something done to restrict overnight parking because that can lead to other issues.

**DEPUTY CITY MANAGER ROMERO** indicated that staff is trying their best to illicit as much response as they can from that neighborhood so they can do the right thing. The survey was mailed to the businesses and the parking enforcement officer also went to the businesses to invite them to the meeting and to give them the survey to fill out.

**COMMISSIONER KILDOO** stated that when he was a Traffic Commissioner they looked at this issue in the industrial park off of Los Vallecitos across from Palomar College. It is a challenge for every business. They fight for the need for customer parking and employee parking. They would like to have the kind of available parking that would happen if there were no colleges. With the colleges on both ends of town it does really impact the adjoining areas because of the human nature of students looking for a cheaper way to go. The solutions are challenging and most businesses are reluctant to



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look at permitting with cost. Even the idea of free permitting is off-putting because they then have to get permitting for employees and hand out permits to their customers to park on the street. It starts another whole level of thought process and they don't want to do that. He stated that this is a very good first step. He does not know if it is the perfect solution but it is the first step to try and create the opportunity for students to realize that they need to park on campus, and businesses in the adjoining area should not be forced to pay the price. He does not feel they are ready to go into a permit parking discussion yet but he thinks this is a very good first step with minimal impacts to businesses and still with the hope of reducing some of that student impact. He supports staff's recommendations.

**COMMISSIONER WALSH** stated that he agreed with almost every staff recommendation with the exception of the recommendation to offer students a reduced fine if they provide proof of CSUSM parking permit purchase because students will borrow someone else's permit so they can get the reduction. A reduction would not encourage students to buy a parking pass; they would just borrow one and continue to do what they have been doing. **DIRECTOR SCHWARM** explained that they would only reduce the fine if the name of the person on the parking permit matches the name of the registered owner.

**COMMISSIONER KRETCHMAN** asked if there is a short term solution for overnight parking and visitors coming on the weekends. **COMMISSIONER CLARK** stated that they could work something out with the university parking office to provide a parking permit that is valid only overnight for one or two nights at a time. The only parking that is provided in and around The QUAD at this point is intended to serve the retail spaces that are along the first floor of those units that face Campus Way. Students from The QUAD and their guests need to park on campus in Lot O near the existing residential facilities or in the parking structure across the street.

**DEPUTY CITY MANAGER ROMERO** stated that one of the caveats for the student housing was to get an affiliation agreement to allow those students that were off campus to park on campus for 24 hours if they had a car. There was a provision for parking to be made but what they did not envision is the students that live at The QUAD not buying a parking pass.

**CHAIRWOMAN KILDOO** stated she is also concerned how the two hour parking restriction will affect employees. **DIRECTOR SCHWARM** stated that from surveys they received, 5 or 6 do not have adequate employee parking on the premises. Some of that is due to shifts overlapping or they fluctuate in their staffing levels when production is rampant. There are a number of businesses that have few cars in their parking lots. He



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indicated that if they marked the curb "employee parking only" they would then have to verify that and that goes back to the permit issue.

**COMMISSIONER KILDOO** indicated that about 20% of the businesses need off-street parking and that is a big number. He understands the issues going on there but he does not want to penalize the wrong folks. He suggested that instead of staff coming back in 6 months with the results of this pilot program that he would like to change it to 3 months so that if there is a problem for businesses that is really severe and if they are getting feedback that is really negative that they have a chance to react to that in a more timely way.

**COMMISSIONER MARTINEZ** asked that in the future when this whole area is developed is there going to be other parking available for businesses and individuals and are they going to have this same issue arise. **DIRECTOR SCHWARM** responded that in the university district there will be parking structures for that development, more for the residential development. The industrial side on the east side of the tracks will still have the standard parking as it is today, off-street and on-street.

**COMMISSIONER MARTINEZ** asked what the cost of the signage will be. **DIRECTOR SCHWARM** responded that it will cost about \$9,000 to install the 2 hour parking and the no parking on street sweeping day signs throughout the industrial park. **COMMISSIONER MARTINEZ** asked that if they determine that the signs are not practical, what is the cost to remove them. **DIRECTOR SCHWARM** explained that only the 2 hour parking signs would be removed and the no parking on street sweeping day signs would remain. The 2 hour parking signs could be replaced with employee parking only signs. If they were to do that, they would verify that the business truly has a need for on-street parking. If the business is using the on-site parking for storage or something other than parking that is not going to be a reason for on-street parking.

**CHAIRWOMAN KILDOO** stated that she would like staff to report back to the Commission after the start of the school year so there is enough time for the program to be in place. If the signs go up in late June and school doesn't start until August they will not know how the program is working.

**COMMISSIONER KILDOO MOVED, AND COMMISSIONER KRETCHMAN SECONDED TO RECOMMEND TO THE TRAFFIC COMMISSION THAT THE BARHAM/DISCOVERY INDUSTRIAL AREA BE POSTED FOR 2-HOUR PARKING AND NO PARKING ON STREET SWEEPING DAYS AND THAT THAT STAFF REPORT BACK TO THIS COMMISSION IN THREE MONTHS, INSTEAD OF SIX MONTHS, AFTER THE IMPLEMENTATION OF THE PILOT PROGRAM AND AFTER SCHOOL HAS STARTED AT CAL STATE SAN MARCOS.**



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**AYES:** CAVANAUGH, CLARK, K. KILDOO, S. KILDOO, KRETCHMAN,  
MARTINEZ, PARIS, TOVAR, WALSH  
**NOES:** NONE  
**ABSENT:** NONE

**5) E-CIGARETTES/VAPING:**

**DEPUTY CITY MANAGER ROMERO** provided the staff report. Staff's recommendation is that the Commission give staff direction on a potential ordinance that will prohibit e-cigarettes.

**DANA HOSFORD** of Vista Community Clinic and the Smoke Free North County Project stated that youth are rapidly adopting the e-cigarettes. The easy access to these devices is the reason she is here today. In March of this year Vista Community Clinic and North Inland Community Prevention Program visited all stores in San Marcos that have a tobacco license. They found that 57% sell e-cigarettes and of those 41% had the devices near the register and 23% near ice cream and gum. Recent studies have proven they not just contain water but carcinogenic, toxins and lead as well. She encouraged the Commission to move forward with adopting the ordinance.

**KC STRANG** of the San Marcos Prevention Coalition and resident stated that the Center for Disease Control and Prevention reported that the number of middle and high school students using the e-cigarettes doubled from 2011 to 2012. He has personally seen an increase at local parks and outdoor dining establishments. He indicated that it is not just liquid nicotine that can be vaped but also meth, heroin, and a high concentrated wax form of marijuana. The nicotine e-juice is completely unregulated. He agrees that vaping should not be allowed in public places where there is a smoke free policy.

**AUDRA WALLACE** of the San Marcos Prevention Coalition and resident is a counselor at Twin Oaks High School. She provided statistics with regard to vaping devices from a grant she wrote on tobacco use prevention and education. In 2011 there were 3 suspensions in the San Marcos school district for tobacco or use possession and in 2012 there were 22 suspensions. This year the school's Board of Directors amended the tobacco free policy to include vaping devices. This year suspensions are down to 7 thus far. In the state of California there was a 39.5% increase in vaping devices from 2008 to 2011. While there has been a decline in smoking rates there has been an increase in vaping rates.

**CHERRYL BAKER**, resident, parent and high school counselor is concerned with the growing trend in vaping and the use of electronic vaping devices. Her concerns are based on



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experience and conversations with students. The students are doing this for novelty and social reasons and think that vaping is harmless and that it is being normalized. One way to send a message that vaping is harmful is to prohibit vaping at any location in our city that is already smoke free.

**LETICIA ROBLES** of the San Marcos Prevention Coalition stated that in California tobacco use has decreased over the years. In San Marcos, tobacco is the third most abused substance among students, according to the California Kids Survey. E-cigarettes make it easier for kids and first timers to begin smoking. She stated that 13% of 7<sup>th</sup> graders said they are very easy to obtain and 42% for 11<sup>th</sup> graders which almost triples the accessibility between 7<sup>th</sup> and 11<sup>th</sup> grade. Of those that said they have tried smoking, 8% were 7<sup>th</sup> graders and 25% were 11<sup>th</sup> graders. She asked that e-cigarettes and vaping be banned where smoking is prohibited and on behalf of the Latino families in San Marcos she urged the Commission to consider prohibiting e-cigarettes.

**CHRISTINA LINDEL** parent, resident and past president of the school district's English Learner Committee stated there is a misunderstanding in the Spanish speaking community of what these devices actually are and how harmful they are to children. About 50% of the San Marcos school district is Latino and there is not enough representation or people willing to speak on their behalf. She asked the Commission to consider not allowing the e-cigarettes where smoking is prohibited.

**SERGEANT HAYNESWORTH** stated that currently the e-cigarettes are illegal to possess even though law enforcement might suspect there is illegal substances being consumed in them, they do not have probable cause to inspect or confiscate unless the individual has search conditions given by the court. They do suspect a lot of illegal things going on with these. He is in favor of prohibiting them.

**CHAIRWOMAN KILDOO** stated there is a lot of confusion as to what these are; some think it is just harmless water vapor. A major concern is that they are not regulated by federal government or anyone else. She encouraged staff to consider outdoor dining spaces and parks.

**COMMISSIONER KILDOO** indicated there are rarely issues that come before him that are as clear cut as this one. There is no reason to allow e-cigarettes. At the very least they should be made illegal in all places where tobacco is illegal in the city. The potential for damage and harm is great and should be dealt with quickly before it becomes a problem.

**COMMISSIONER KRETCHMAN** stated that the current ASG has been doing student polling on campus as to whether to allow these devices on campus. There is issue with students



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and professors smoking them in the classrooms. She is glad this has been brought to their attention.

**COMMISSIONER TOVAR** expressed that he was concerned as to how this policy could be enforced.

**COMMISSIONER PARIS** indicated that the community where she lives has banned them and a city ordinance would help back up their rules and regulations.

**COMMISSIONER MARTINEZ** stated that several cities have ordinances and agrees that San Marcos should also. He asked if our state legislators have been approached about a state wide ban.

**DANA HOSFORD** indicated there are a few bills being proposed but nothing has yet gone forward. They are still on committees and they are two year bills.

**CHAIRWOMAN KILDOO** stated that this is where the cities have the advantage of being able to move a little more quickly than the state legislature.

**COMMISSIONER WALSH** clarified that they are recommending to city staff to bring back an ordinance. **DEPUTY CITY MANAGER ROMERO** indicated that staff is looking for direction and what to focus on. It is her understanding from the discussion that they want to prohibit e-cigarettes where smoking is currently prohibited, consider prohibiting them in outdoor dining establishments, and prohibit sale of e-cigarettes to minors. **CHAIRWOMAN KILDOO** asked that they also consider signage.

**COMMISSIONER CLARK MOVED TO MAKE THE RECOMMENDATIONS AS REITERATED BY DEPUTY CITY MANAGER ROMERO, COMMISSIONER KILDOO SECONDED.**

<b>AYES:</b>	CAVANAUGH, CLARK, K. KILDOO, S. KILDOO, KRETCHMAN, MARTINEZ, PARIS, TOVAR, WALSH
<b>NOES:</b>	NONE
<b>ABSENT:</b>	NONE

**DEPUTY CITY MANAGER ROMERO** indicated this will come back for final review and recommendation to the City Council at the September meeting.

**6) REPORTS**

**A) SHERIFF'S DEPARTMENT REPORT**



Sergeant Haynesworth stated that the data analyst that prepares the San Marcos disturbance calls report retired unexpectedly. He reported on a human trafficking undercover operation that took place in San Marcos. He stated they will be conducting these types of operations two to three times a month.

#### **B) CODE COMPLIANCE REPORT**

Interim Building Official Reynolds stated that Code Compliance has been very busy. None of the cases they are currently working are student related or related to noise.

**STAFF COMMENTS – None**

#### **COMMISSION COMMENTARY**

**COMMISSIONER MARTINEZ** stated he was appointed to the City's Budget Review Committee.

**COMMISSIONER TOVAR** spoke about some fires that were set in a couple of the men's restrooms at Palomar College in December and February. The arsonist was using toilet paper and paper towels to start the fire. There was no serious damage and no one was injured.

**COMMISSIONER KRETCHMAN** stated that Palomar College will be holding commencement on May 16<sup>th</sup>. She spoke about Project P a yearly project that re-powders the "P" on the hill behind the college. This event will be held Friday, April 25<sup>th</sup> and starts at 8:00 a.m. The student government is helping to host a UCLA STOMP (Student Transfer Opportunity and Mentor Program) Conference and they are busing about 50 students to Los Angeles. This event is also being held on April 25<sup>th</sup>. She indicated there are various campus events going on throughout the next few weeks with different clubs and organizations. The humanities building is just about finished and they will be moving in over the summer semester and will officially open in the fall. Directly behind that building they will be starting construction on the new library. She has noticed on her drive to work a lot of movement going on with the new Palomar Station and there is a lot of talk on campus about the extra foot traffic that might be accompanying that new development.

**COMMISSIONER CLARK** stated that Cal State San Marcos commencement will be held May 16<sup>th</sup> and May 17<sup>th</sup>. Two ceremonies will be held each day with the largest ceremony taking place the morning of the 17<sup>th</sup>. A campus open house was held this past Saturday and 675 students plus guests attended. It was such a great success that they are thinking of making it an annual event once again. Tomorrow is the ribbon cutting ceremony for the Student Union and today they started a two week long grand celebration.



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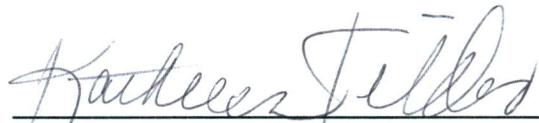
**COMMISSIONER WALSH** stated this was his last meeting as he will be graduating in May. His fellow commissioners thanked him for his participation and wished him well.

**COMMISSIONER KILDOO** spoke about the Chamber of Commerce street fair. They had the largest attendance thus far, about 15,000. A lot of businesses that were at the fair said there was more participation and sales this year.

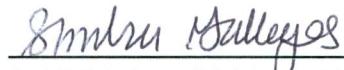
**COMMISSIONER PARIS** stated that the San Marcos Senior Services Foundation is now the Foundation for Senior Well Being. They are excited to get their new name out and to let the community know what they are about.

**CHAIRWOMAN KILDOO** stated that the Foundation for Senior Well Being is hoping to get interaction from both college campuses. The trees for the annual festival of trees will be decorated this year at The QUAD and they hope to get involvement from Cal State and Palomar College.

**ADJOURNMENT:** Chairwoman Kildoo adjourned the meeting at 8:35 PM.

  
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KATHLEEN KILDOO, CHAIR  
STUDENT AND NEIGHBORHOOD RELATIONS COMMISSION  
CITY OF SAN MARCOS

ATTEST:

  
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SANDRA GALLEGOS, RECORDING SECRETARY  
CITY OF SAN MARCOS