



**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 DAN DAUGHERTY, THE FATHER'S HOUSE****ROLL CALL****PROCLAMATIONS AND PRESENTATIONS**

- A. DEMOCRACY IN ACTION - SCOTT GROSS, ASSOCIATE VICE PRESIDENT OF COMMUNITY ENGAGEMENT, CSUSM**
- B. EAGLE SCOUT RECIPIENTS - TROOP 649**
- C. VOLUNTEER RECOGNITION AWARD - PATTY MORTON**

**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 a regular meeting on July 25, 2017, at 6:00 p.m.

3. APPROVAL OF WARRANTS

*Recommendation:* APPROVE City Council, Successor Agency, and Fire Protection District warrants dated 07/31/2017.

4. ORDINANCE NO. 2017-1447 - SECOND READING OF AN ORDINANCE AMENDING THE SAN MARCOS MUNICIPAL CODE CHAPTER 5.74 REGULATING TRANSIENT LODGING FACILITIES.

*Recommendation:* ADOPT second reading of an ordinance amending the San Marcos Municipal Code Chapter 5.74 regulating transient lodging facilities.

5. ORDINANCE NO. 2017-1448 - SECOND READING OF AN ORDINANCE REPEALING CHAPTER 10.44 OF THE SAN MARCOS MUNICIPAL CODE

*Recommendation:* ADOPT second reading of an ordinance repealing Chapter 10.44 of the San Marcos Municipal Code.

6. RESOLUTION NO. 2017-8394 - LEGISLATIVE REPORT

*Recommendation:* ADOPT a resolution on legislation pending in the State Legislature.

**7. RESOLUTION NO. FD 2017-338 - ADOPTION OF THE MULTI-YEAR PLAN FOR SAN DIEGO COUNTY FIRE MITIGATION FUNDING**

Recommendation: ADOPT a resolution approving the San Diego County Fire Mitigation Fee Program Funding Multi-Year Plan

**8. RESOLUTION NO. 2017-8395 - AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS FOR CONSULTANT SERVICES WITH PARSONS TRANSPORTATION GROUP, INC., TO PERFORM ENGINEERING DESIGN SERVICES REQUIRED TO COMPLETE THE BENT AVENUE BRIDGE PROJECT (CIP #88263) AND THE VIA VERA CRUZ BRIDGE PROJECT (CIP #88264).**

Recommendation: ADOPT a resolution authorizing the City Manager and City Attorney to finalize and execute the Agreements for Consultant Services with Parsons Transportation Group, Inc., to perform engineering design services required to complete plans, specifications and estimates for the Bent Avenue Bridge Project (CIP #88263) and Via Vera Cruz Bridge Project (CIP #88264).

**9. RESOLUTION NO. 2017-8396 - AWARD CONTRACT TO CHAMBERS INC., DBA ROOF CONSTRUCTION FOR THE CITY HALL RE-ROOFING PROJECT AND THE ALLOCATION OF ADDITIONAL FUNDING**

Recommendation: ADOPT a resolution awarding the construction contract for the City Hall Re-roofing Project in the amount of \$825,500 to Chambers Inc., dba Roof Construction, and the allocation of \$300,805.00 of unencumbered Infrastructure funds.

**10. RESOLUTION NO. 2017-8397 - EXPENDITURE OF FUNDS PURSUANT TO COMPENSATION AND REIMBURSEMENT POLICY EVENT TICKET APPROVAL**

Recommendation: ADOPT a resolution approving expenditure of funds for attendance at a public purpose event.

**11. RESOLUTION NO. 2017-8398 - CANCELLATION OF THE AUGUST 22, 2017 REGULAR CITY COUNCIL MEETING**

Recommendation: ADOPT a resolution canceling the August 22, 2017 regular city council meeting.

**ORAL COMMUNICATIONS**

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

**PUBLIC HEARINGS**

**12. RESOLUTION NO. 2017-8399 - ANNEXATION NO. 124, F-55 TO COMMUNITY FACILITIES DISTRICT 98-02 FOR LIGHTING, LANDSCAPING, OPEN SPACE AND PRESERVE MAINTENANCE (CFD NO. 98-02) IMPROVEMENT AREA F-55 PUBLIC HEARING**

Recommendation: ADOPT a resolution declaring the annexation of territory to CFD 98-02 Improvement Area F-55 and authorizing submittal of levy of special taxes to the qualified electors.

13. ORDINANCE NO. 2017-1449 - URGENCY ORDINANCE EXTENDING THE EXISTING MORATORIUM REGARDING MARIJUANA REGULATIONS AND ISSUANCE OF GOVERNMENT CODE SECTION 65858(D) WRITTEN REPORT

**Recommendation:** ADOPT the proposed urgency Ordinance extending the existing moratorium on the establishment of marijuana dispensaries, the outdoor cultivation and processing of marijuana, the indoor cultivation and processing of marijuana in excess of what is permitted under the "Medicinal and Adult-Use Cannabis Regulation and Safety Act", and the use and possession of marijuana and marijuana products in public places, places where smoking is prohibited under the SMMC and otherwise, and within buildings owned, leased or occupied by the City, and the issuance of Government Code section 65858(d) written report.

## **OLD BUSINESS**

14. ORDINANCE NO. 2017-1450 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA AMENDING VARIOUS PROVISIONS UNDER TITLE 20 OF THE SAN MARCOS MUNICIPAL CODE (ZONING ORDINANCE) TO REGULATE WALLS AND FENCES; AND HEARING PROCEDURES TO AMEND THE ZONING ORDINANCE OR THE SAN MARCOS GENERAL PLAN

**Recommendation:** APPROVE first reading of an Ordinance amending various provisions under Title 20 of the San Marcos Municipal Code (Zoning Ordinance) to regulate walls and fences; and hearing procedures to amend the Zoning Ordinance or the San Marcos General Plan

## **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)**

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

**Recommendation:** Note and File

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

**Recommendation:** Note and File.

17. LEAGUE OF CALIFORNIA CITIES REPORT (COUNCILMEMBER JABARA)

**Recommendation:** Note and File

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

**Recommendation:** Note and File

19. SAN MARCOS UNIFIED SCHOOL DISTRICT JOINT WORKING GROUP (COUNCILMEMBER JENKINS)

**Recommendation:** Note and File

## **COUNCIL COMMENTARY**

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**CLOSED SESSION**

20. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION [GC 54956.9(d)(1)].  
City of San Marcos v. James L. Lukich and Petka Lukich, Trustees of the Lukich Family Trust, San Diego Superior Court Case No. 37-2016-00010270-CU-EI-NC.
21. 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.
22. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION [GC 54956.9(d)(1)].  
San Diego County Office of Education, et al., v. The County of San Diego, et al., San Diego Superior Court Case No. 37-2017-00019775-CU-WM-CTL.

**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 AUGUST 4, 2017, 5:30 P.M.

DATE: AUGUST 4, 2017



PHILLIP SCOLICK, CITY CLERK