



REVISED MINUTES

Regular Meeting of the San Marcos City Council

TUESDAY, January 24, 2023

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

Regular City Council Meeting

Special City of San Marcos as Successor Agency to the San Marcos Redevelopment Agency Meeting

Special City of San Marcos as 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

CALL TO ORDER: Mayor Jones called the City Council meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE: Led by Troop 700

INVOCATION: Led by Troop 700

ROLL CALL:

PRESENT: COUNCILMEMBERS: MUSGROVE, NUÑEZ, SANNELLA, JENKINS, JONES
ABSENT: COUNCILMEMBERS: NONE

ALSO PRESENT: City Manager Griffin, City Attorney Peak, Deputy City Clerk Roig, and City Clerk Scollick.

PROCLAMATIONS AND PRESENTATIONS:

- A) Eagle Scout Award – Allison Primosch Troop 700
- B) San Marcos 60th Birthday Proclamation
- C) Human Trafficking Prevention Month

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.



- 2) **APPROVAL OF MINUTES.** Approved the minutes of a regular City Council meeting on January 10, 2023.
- 3) **APPROVAL OF WARRANTS.** Approved City Council, Successor Agency, and Fire Protection District warrants dated January 09, 2023 and January 19, 2023.
- 4) **RESOLUTION NO. 2023-9101 – APPROVING THE 2023 LEGISLATIVE PLATFORM.** Adopted a resolution approving the 2023 San Marcos Legislative Platform to guide the City's legislative program and advocacy activities.
- 5) **RESOLUTION NO. 2023-364 – ANNEXATION NO. 86 TO THE SAN MARCOS FIRE PROTECTION DISTRICT NO. 2001-01.** Adopted a resolution certifying the results of the elections and annexing the properties listed below to Community Facilities District No. 2001-01.
- 6) **RESOLUTION NO. 2023-9102 – ANNEXATION NO. 81 TO THE CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 98-01 IMPROVEMENT AREA NO. 1 (POLICE ONLY).** Adopted a resolution certifying the results of the elections and annexing the properties listed below to Community Facilities District No. 98-01 Improvement Area No. 1 (Police Only).
- 7) **RESOLUTION NO. 2023-9103 – ANNEXATION NO. 26 TO CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 2011-01 (CONGESTION MANAGEMENT).** Adopted a resolution certifying the results of the election(s) and annexing the properties listed below to Community Facilities District No. 2011-01 (Congestion management).
- 8) **RESOLUTION NO. 2023-9104 – ANNEXATION NO. 147 TO THE CITY OF SAN MARCOS COMMUNITY FACILITIES DISTRICT NO. 98-02 (LIGHTING, LANDSCAPING, OPEN SPACE AND PRESERVE MAINTENANCE).** Adopted resolution certifying the results of the elections and annexing the properties listed below to Community Facilities District No. 98-01 (Lighting, Landscaping, Open Space and Preserve Maintenance).

MOVED BY COUNCILMEMBER SANNELLA, SECONDED BY COUNCILMEMBER NUÑEZ.

AYES: COUNCILMEMBERS: JENKINS, MUSGROVE, SANNELLA, NUÑEZ, JONES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

ORAL COMMUNICATIONS

No public comments.

PUBLIC HEARINGS



9) ORDINANCE 2023-1528 & RESOLUTION NO. 2023-9105 – MONTIEL COMMERCIAL: MITIGATED NEGATIVE DECLARATION ND21-005; SPECIFIC PLAN SP19-0001 AND SITE DEVELOPMENT PLAN SDP19-0003. Adopted and approved the following, in the order set forth below:

- (1) Adopted mitigated negative Declaration (ND21-005);
- (2) First Reading to introduce Ordinance 2023-1528 (Specific Plan SP19-0001) for “Montiel Road Commercial Office Building” Specific Plan to allow for the site’s development;
- (3) Approved Resolution 2023-9105 (Site Development Plan SDP19-0003) to allow the construction of a two-story office/commercial building of 32,969 square feet at the project site.

ORAL COMMUNICATIONS – CONTINUED

Jamie Looney gave a brief statement on behalf of the Montiel Project

MOVED BY COUNCILMEMBER SANNELLA, SECONDED BY COUNCILMEMBER NUÑEZ.

AYES: COUNCILMEMBERS: JENKINS, MUSGROVE, SANNELLA, NUÑEZ, JONES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

REPORTS (Including AB 1234 Reporting Requirements)

10) SAN DIEGO ASSOCIATION OF GOVERNMENTS REPORT – MAYOR JONES. Report given with no action taken.

11) LEAGUE OF CALIFORNIA CITIES REPORT – COUNCILMEMBER MUSGROVE. Report given with no action taken.

12) NORTH COUNTY TRANSIT DISTRICT REPORT – DEPUTY MAYOR JENKINS. Report given with no action taken.

13) NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY REPORT – COUNCILMEMBER NUÑEZ. Report given with no action taken.

14) CLEAN ENERGY ALLIANCE REPORT – COUNCILMEMBER MUSGROVE. Report given with announcement of Clean Energy Alliance presentation at the Senior Activity Center on February 16, 2023 from 1:00pm – 4:00pm. Mayor Jones has requested that all Clean Energy Alliance meetings held at City Hall are announced on social media.

15) CITY COUNCIL BUSINESS VISITS

Councilmembers Sannella and Musgrove visited PRAVA Construction.

16) SAN MARCOS CREEK PROJECT UPDATE – CITY MANAGER GRIFFIN. Report given.



COUNCIL COMMENTARY

Mayor Jones spoke about San Marcos' 60th birthday celebration and would like staff to pull the video from the celebration to share on the webpage.

Councilmember Sannella and Mayor Jones spoke about how passionate City staff are.

CLOSED SESSION

- 17) **CONFERENCE WITH LABOR NEGOTIATORS (GC 54957.6)**. Conferenced with the City manager, Human Resources/Risk Director, and the City's designated negotiators, regarding labor negotiations with the San Marcos Classified Miscellaneous Employees Association, San Marcos supervisors Association, and San Marcos Professional Firefighters Association.
- 18) **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION [GC 54956.9(d)(4)]**. One or more potential actions against AToM Engineering Construction, Inc. and/or its surety, The Ohio Casualty Insurance Company, concerning Contract No. 6619 dated November 18, 2021 between the City of San Marcos and AToM Engineering Construction, Inc. for the construction of the Fire Station No. 3 Apparatus Storage Building, CIP No. FC006, and related Performance Bond No. 024256607 issued by The Ohio Casualty Insurance Company, and potential interested parties.

RECESSED TO CLOSED SESSION AT 7:02 P.M.

RECOVENED FROM CLOSED SESSION AT 7:53 P.M.

City Attorney Peak provided the following reports:

Item 17, no reportable action was taken.

Item 18, city council agreed unanimously on a potential settlement range and provided instruction to the City Attorney. No further reportable action was taken.

ADJOURNMENT

MAYOR JONES adjourned the meeting at 7:53 PM.

REBECCA D. JONES, MAYOR
CITY OF SAN MARCOS

ATTEST:

PHILLIP SCOLICK, CITY CLERK
CITY OF SAN MARCOS