

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Myrtle Cole • Fourth District

COUNCIL PRESIDENT PRO TEM

Barbara Bry • First District

COUNCILMEMBERS

Lorie Zapf • Second District
Christopher Ward • Third District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District
Georgette Gómez • Ninth District

Andrea Tevlin
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Elizabeth Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building
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Tuesday, June 26, 2018

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 26, 2018, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ALTERNATE FORMATS

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

SENATE BILL 343 (LATE-ARRIVING MATERIALS)

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

NOTE: The City Council will meet in Closed Session this morning at 11:00 a.m. Public comment on Closed Session items will occur toward the end of the 10:00 a.m. session before Council adjourns into Closed Session. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7550. Internet access to the agenda is available at:

<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered. Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 50: Sixth Amendment to the Agreement for As-Needed Legal Services for Water Rights and the Long-Range Water Master Plan between the City of San Diego and Somach, Simmons & Dunn.

Total Estimated Cost of Proposed Action and Funding Source:

The Sixth Amendment to the Agreement is a no cost time extension that will add six (6) months to the original Agreement.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/12/2018, Item 50. (Council voted 9-0):

(O-2018-108)

An Ordinance to approve the Sixth Amendment to the Legal Services Contract with Somach, Simmons & Dunn to provide legal services for the Long Range Water Resources Plan and other tasks. The Sixth Amendment is for a no-cost, six-month extension of time for the existing Agreement until September 30, 2018.

6 votes required pursuant to Section 99 of the City Charter.

Committee Actions Taken: N/A

Public Utilities: Ray Palmucci, (619) 236-7725

Item 51: Municipal Code Amendment for Grants Approval Process.

Total Estimated Cost of Proposed Action and Funding Source:

No cost associated with proposed action.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 06/12/2018, Item 330. (Council voted 9-0):

(O-2018-124)

An Ordinance amending Chapter 2, Article 2 of the San Diego Municipal Code by adding new Division 52, Sections 22.5201, 22.5202, 22.5203, and 22.5204, all relating to grants application, acceptance, and oversight.

Committee Actions Taken: N/A

Corporate Partnership: Sarah Brenha, (619) 533-3837

City Attorney Contact: Catherine Morrison

Item 52: Uptown Community Plan Amendments.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: 3.

Proposed Actions:

Adopt the following ordinances which were introduced on 6/12/2018, Item 336, Subitems C, D, and E. (Council voted 9-0):

Amendments to the Uptown Community Plan and General Plan to redesignate 1.10 acres in the Hillcrest neighborhood and 2.79 acres in Bankers Hill/Park West neighborhood and amend the Community Plan Implementation Overlay Zone to include the University Heights neighborhood; rezones consistent with the Community Plan amendments, Amendment of Chapter 13, Article 2, Division 14 of the Municipal Code to amend the boundaries of the Community Plan Implementation Overlay Zone; and Addendum to the Environmental Impact Report No. 380611 (SCH No. 2016061023).

Subitem-A: (O-2018-122)

An Ordinance Rezoning 2.1 acres located at 2635 Second Avenue, 210 Maple Street, 2606 Third Avenue, 328 Maple Street, 2655 Third Avenue, and 311 Nutmeg Street from the RM-3-9 zone to RM-4-10; and 0.69 acres located at 2664 Fourth Avenue, 2654 Fourth Avenue, and 2640 Fourth Avenue from the CC-3-8 zone to CC-3-9 within the Uptown Community Plan Area.

Subitem-B: (O-2018-123)

An Ordinance Rezoning 1.10 acres located at 3922 and 3906 Park Boulevard from the CC-3-8 zone to CC-3-9 within the Uptown Community Plan Area.

Subitem-C: (O-2018-127)

An Ordinance Amending Chapter 13, Article 2, Division 14 of the San Diego Municipal Code by Amending Sections 132.1402, Table 132-14A and 132.1403, Diagram 132-14K, relating to the Community Plan Implementation Overlay Zone for the University Heights neighborhood in the Uptown Community Plan Area.

Committee Actions Taken: N/A

Planning: Marlon Pangilinan, (619) 235-5293

City Attorney Contact: Corrine Neuffer

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Agreement with the San Diego Metropolitan Transit System for Providing ECO Pass Program Benefits to City Employees.

Total Estimated Cost of Proposed Action and Funding Source:

Approximately \$1,000,000 per annum estimated for five years. This amount is budgeted in various cost centers for the purpose of providing subsidized transit passes for City employees.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-581)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Metropolitan Transit System (MTS), to provide transit passes for City employees, under the MTS ECO Pass Program.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on May 23, 2018.

ACTION: Motion by Councilmember Gómez, second by Chair Bry, to recommend Council adopt the resolution.

VOTE: 4-0; Bry-yea, Cate-yea, Gómez-yea, Ward-yea.

Transportation & Storm Water: Stephen Celniker, (619) 533-3611

City Attorney Contact: Miguel Merrell

Item 101: Consent Order Agreement with County of San Diego, Department of Environmental Health, for Claims of Violations Arising from the September 22, 2016, Release of Hazardous Waste from the Alvarado Water Treatment Plant.

Total Estimated Cost of Proposed Action and Funding Source:

This Project will be funded by the Water Fund 700011. Total Cost: \$59,600.

Council District(s) Affected: 7.

Proposed Actions:

(R-2018-617)

Resolution resolves to enter into a Consent Order with the County Department of Health Services to remedy regulatory violations at the Alvarado Water Treatment Plant. The Consent Order imposes a penalty of \$59,070, with \$27,000 of that amount to be used for local supplemental environmental projects.

Committee Actions Taken: N/A

Public Utilities: Isam Hireish, (619) 527-3156

City Attorney Contact: Ray Palmucci

Item 102: Resolution of the Council of the City of San Diego Authorizing and Establishing the Barrio Logan Banner District.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: 8.

Proposed Actions:

(R-2018-618)

Resolution authorizing the installation and display of public right-of-way banners in the Barrio Logan Community.

Committee Actions Taken: N/A

Council District 8: Gabriela Dominguez, (619) 236-6688

City Attorney Contact: Casey Shaw

Item 103: This item has been removed from the Agenda. (Rev. 6/22/18)

PROCLAMATIONS/CEREMONIAL ITEMS (PRESENTED IN CHAMBERS)

NOTE: The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

Item 30: Sierra Club San Diego Chapter, 70th Anniversary Day.

PRESENTED BY COUNCILMEMBER WARD:

Proclaiming June 26, 2018, to be "Sierra Club San Diego Chapter, 70th Anniversary Day" in the City of San Diego.

Item 31: Bean Bandits Day.

PRESENTED BY COUNCIL PRESIDENT PRO TEM BRY AND COUNCILMEMBER ALVAREZ:

Proclaiming June 26, 2018, to be "Bean Bandits Day" in the City of San Diego.

Item 32: Officer Kevin Vasquez Day.

PRESENTED BY COUNCILMEMBER ALVAREZ:

Proclaiming June 26, 2018, to be "Officer Kevin Vasquez Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM THE CONSENT AGENDA

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two (2) minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than fifteen (15) Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to those speakers who did not speak during Non-Agenda Public Comment at the most recent prior Council meeting.

MAYOR, COUNCIL, CITY ATTORNEY, INDEPENDENT BUDGET ANALYST, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

AGENDA

INFORMATIONAL ITEMS

Item 330: Financial Training for the City Council: Overview of Efforts to Create and Preserve Affordable Housing.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

This item is Informational only.

Committee Actions Taken: N/A

Office of the Independent Budget Analyst: Jeff Kavar, (619) 533-4764

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 331: Tax Equity & Fiscal Responsibility Act Public Hearing – Hillside Views Apartments.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: 4.

Proposed Actions:

(R-2018-571)

Resolution approving the issuance of Bonds by the Housing Authority for Hillside Views Apartments pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See the Housing Authority Agenda of June 26, 2018, for a companion item.

This is a TEFRA hearing item.

Item 332: Tax Equity & Fiscal Responsibility Act Public Hearing – West Park Apartments.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: 3.

Proposed Actions:

(R-2018-574)

Resolution approving the issuance of Bonds by the Housing Authority for West Park Apartments pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See the Housing Authority Agenda of June 26, 2018, for a companion item.

This is a TEFRA hearing item.

Item 333: Appeal of the ECO BLÖK Residences - Project No. 530514.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Council District(s) Affected: 2.

Proposed Actions:

An appeal of the Planning Commission's decision to approve Coastal Development Permit No. 2081351 and Site Development Permit No. 2099448 for the demolition of an assisted living complex and the construction of 30 detached single-family dwelling units located at 3937-3977 Shasta Street, 1765 Fortuna Avenue and 1750 Roosevelt Avenue in the Pacific Beach Community Plan area.

According to San Diego Municipal Code Section 112.0508(f), Power to Act on Appeal, the City Council may:

- (1) Affirm Planning Commission's decision to grant the permits; or
- (2) Affirm Planning Commission's decision to grant the permits with modifications; or
- (3) Reverse Planning Commission's decision to grant the permits.

Directing the City Attorney to prepare the appropriate Resolutions according to Section 40 of the City Charter.

This item is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Jeffrey A. Peterson, (619) 446-5237

City Attorney Contact: Corrine Neuffer

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT