

REVISED

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
--

Tuesday, July 10, 2018

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JULY 10, 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.~~ (Rev. 07/05/18)

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

05/21/2018

05/22/2018

05/28/2018 - Adj.

05/29/2018 - Adj.

06/04/2018 - Adj.

06/05/2018 - Adj.

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 INTRODUCED:

**Item 50: Design Build Contract with J. R. Filanc Construction Co. for MBC
Dewatering Centrifuges Replacement - Change Order No. 3 for time
extension.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no additional costs associated with this change order for time extension.

Council District(s) Affected: 6.

Proposed Actions:

(O-2018-138)

Introduction of Ordinance authorizing the Mayor, or his designee, to execute Change Order No. 3 to the design/build Contract with J. R. Filanc Construction Company, Inc., extending the MBC Dewatering Centrifuges Replacement Contract for two years until June 6, 2020.

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

Committee Actions Taken:

This item was heard Infrastructure Committee meeting on June 20, 2018.

ACTION: Motion by Councilmember Ward, second by Vice Chair Alvarez, to recommend Council introduce the ordinance.

VOTE: 4-0; Kersey-yea, Alvarez-yea, Zapf-yea, Ward-yea.

Public Works: Brian Vitelle, (619) 533-5105

City Attorney Contact: Christine Leone

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 51: Adoption of Municipal Code Amendments necessary to make corrections to recently adopted Municipal Code updates approved under Ordinance O-20897 in January 2018.

Total Estimated Cost of Proposed Action and Funding Source:

Administration of the Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building and Existing Building regulations as well as the Fire Code for new construction or alterations to existing buildings is based upon a fee for service paid for by applicants in the development process.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/19/2018, Item 50. (Council voted 9-0):

An ordinance amending the San Diego Municipal Code by deleting references to the 2013 California Building Standards Code; by adding an Editor's Note to direct readers to the recently adopted Existing Building Regulations; by adopting Electrical Code regulations; by adopting Green Building Standards Code lighting zone designators for outdoor lighting zones; by specifically referencing the authority of the Building Official to approve alternate materials, details, or construction methods; and by readopting regulations requiring the bracing of parapets and anchorage of exterior walls on Unreinforced Masonry Buildings.

(O-2018-128)

Amending Chapters 12 and 14 of the Municipal Code relating to the adoption of and local amendments to the 2016 California State Building, Electrical, Mechanical, Green Building Standards, and Existing Building Code.

Committee Actions Taken: N/A

Development Services: Ali Fattah, (619) 446-5092

City Attorney Contact: Shannon M. Thomas

Item 52: Superseding and Replacing Urban Agriculture Incentive Zone Ordinance as Approved by City Council on January 29, 2018.

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/19/2018, Item 51.
(Council voted 9-0):

(O-2018-119)

Establishing an Urban Agriculture Incentive Zone, and superseding and replacing Ordinance No. O-20902.

Committee Actions Taken: N/A

Economic Development: Tracy Reed, (619) 236-6543

City Attorney Contact: Adam Wander

Item 53: Amendments to Municipal Code Records Retention Provisions and City Clerk Administrative Guidelines.

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/19/2018, Item 60, Subitem A. (Council voted 9-0):

(O-2018-133)

Amending the San Diego Municipal Code regarding procedures governing the management of City records.

Committee Actions Taken: N/A

Office of the City Clerk: Elizabeth Maland, (619) 533-4081

City Attorney Contact: Willian, Monica

Item 54: Approval of Implementation Ordinance and Resolution related to Charter Amendments in City Charter Article V, Section 43(d) regarding the Community Review Board on Police Practices.

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/18/2018, Item 200, Subitem A. (Council voted 9-0):

(O-2018-125 Cor. Copy)

Amending Chapter 2, Article 6 of the San Diego Municipal Code relating to the Community Review Board on Police Practices.

Committee Actions Taken: N/A

Community Review Board on Police Practices: Sharmaine Moseley, (619) 533-3432

City Attorney Contact: William Gersten

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Consultant Contract with Enforcement Support Service, Inc.

Total Estimated Cost of Proposed Action and Funding Source:

The cost for Fiscal Year 2019 for this consultant Contract is \$218, 400. The funding source will be allocated through the San Diego Police Department's General Fund Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-631)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Enforcement Support Service, Inc., in an amount of \$218,400 per fiscal year, for fiscal year 2019 and four optional one-year extensions, to provide technical consultant services to the San Diego Police Department.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on June 13, 2018.

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

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

Police: Steve Chen, (619) 533-5762

City Attorney Contact: Michelle Garland

Item 101: First Amendments to Three Agreements for As-Needed Land Surveying Services with O'Day Consultants, Inc., Rick Engineering Co., and Towill, Inc.

Total Estimated Cost of Proposed Action and Funding Source:

The funding for this Contract is funded by each project.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2018-608)

Resolution authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with O'Day Consultants for additional as-needed land surveying services in an amount not-to-exceed \$1,500,000, and related funding actions.

Subitem-B: (R-2018-609)

Resolution authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with Rick Engineering Company for additional as-needed land surveying services in an amount not-to-exceed \$1,500,000, and related funding actions.

Subitem-C: (R-2018-614)

Resolution authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with Towill, Inc., for additional as-needed land surveying services in an amount not-to-exceed \$1,500,000, and related funding actions.

Committee Actions Taken:

This item was heard at the Infrastructure Committee meeting on June 20, 2018.

ACTION: Motion by Councilmember Ward, second by Vice Chair Alvarez, to recommend Council adopt the resolutions.

VOTE: 4-0; Kersey-yea, Alvarez-yea, Zapf-yea, Ward-yea.

Public Works: Kris Shackelford, (619) 533-4121

City Attorney Contact: Pedro De Lara, Jr.

Item 102: Sale of unimproved City-owned property located at El Cajon Boulevard and Central Avenue (APN 454-732-34), University Avenue and 40th Street (APN 447-491-31) and University Avenue and 41st Street (APN 454-762-13) in San Diego, CA, and reservation of sewer easement.

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

Council District(s) Affected: 9.

Proposed Actions:

Subitem-A: (R-2018-644)

Resolution authorizing the City's sale of three parcels of unimproved real property located at El Cajon Boulevard and Central Avenue (APN: 454-732-34), University Avenue and 40th Street (APN: 447-491-31) and University Avenue and 41st Street (APN: 454-762-13) at or above the appraised values, restricting the use of the real properties to affordable housing purposes for a period of 55 years, and related actions.

Subitem-B: (R-2018-648)

Resolution determining that the sale of three parcels of unimproved real property located at El Cajon Boulevard and Central Avenue (APN: 454-732-34), University Avenue and 40th Street (APN: 447-491-31) and University Avenue and 41st Street (APN: 454-762-13) with the restriction that the property be used for affordable housing purposes for a period of 55 years is exempt from the California Environmental Quality Act pursuant to Section 15312 of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Smart Growth and Land Use Committee meeting on June 15, 2018.

ACTION: Motion by Chair Gómez, second by Vice Chair Alvarez, to recommend Council adopt the resolution with the addition that future development requires 100% of the units be restricted to Affordable Housing at 60% AMI or less, excluding the on-site managers units.

VOTE: 4-0; Sherman-yea, Alvarez-yea, Gómez-yea, Zapf-yea.

Real Estate Assets: Mary Carlson, (619) 236-6079

City Attorney Contact: Melissa Ables

Item 103: Reappointments to the Citizens Advisory Board on Police/Community Relations.

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

Council District(s) Affected: 1, 2, 3, 4, 5.

Proposed Actions:

(R-2018-552)

Resolution confirming the Mayor's reappointments of Rachael Allen (Pacific Beach, District 2 Representative), James Halliday (Bankers Hill, District 3 Representative), Bob Ilko (Scripps Ranch, District 5 Representative), Armand King (Encanto, District 4 Representative), Joe LaCava (La Jolla, District 1 Representative) on the Citizens Advisory Board on Police/Community Relations, for terms ending January 1, 2020.

Committee Actions Taken: N/A

Office of the Mayor: John Ly, (619) 236-6630

City Attorney Contact: William Gersten

Item 104: Appointment to the Accessibility Advisory Board.

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

Council District(s) Affected: 5.

Proposed Actions:

(R-2018-629)

Resolution confirming the Mayor's appointment to the Accessibility Advisory Board of Kim Gibbens (Rancho Peñasquitos, District 5, filling the seat previously held by Israel Martinez) for a term expiring June 30, 2019.

Committee Actions Taken: N/A

Office of the Mayor: John Ly, (619) 236-6330

City Attorney Contact: Jennifer L. Berry

Item 105: Appointment to the Municipal Golf Committee.

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

Council District(s) Affected: 3.

Proposed Actions:

(R-2018-632)

Resolution confirming the Mayor's appointment to the Municipal Golf Committee of Olivia Flores (North Park, District 3, filling the seat previously held by Michael Zucchet), for a term expiring May 1, 2021.

Committee Actions Taken: N/A

Office of the Mayor: John Ly, (619) 236-6330

City Attorney Contact: Jennifer L. Berry

Item 106: Appointments to the Small Business Advisory Board.

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

Council District(s) Affected: 3, 6.

Proposed Actions:

(R-2018-630)

Resolution confirming the Mayor's appointments to the Small Business Advisory Board of Tristan Barnum (Downtown, District 3, filling the seat previously held by Robert Glick) and Viviane Windmiller (Mira Mesa, District 6, filling the seat previously held by Antonio Barbosa), for terms expiring July 1, 2019.

Committee Actions Taken: N/A

Office of the Mayor: John Ly, (619) 236-6330

City Attorney Contact: Jennifer L. Berry

Item 107: Appointment to the Park and Recreation Board.

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

Council District(s) Affected: 1.

Proposed Actions:

(R-2018-633)

Resolution confirming the Mayor's appointment to the Parks and Recreation Board of Richard Gulley (Pacific Highlands Ranch, District 1, filling the seat previously held by David Kinney), for a term expiring March 1, 2020.

Committee Actions Taken: N/A

Office of the Mayor: John Ly, (619) 236-6330

City Attorney Contact: Jennifer L. Berry

Item 108: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

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

Council District(s) Affected: .

Proposed Actions:

(R-2018-597)

Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico

Committee Actions Taken: N/A

City Attorney Contact: Thomas Zeleny

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: Lesbian, Gay, Bisexual and Transgender Pride Month.

PRESENTED BY COUNCILMEMBER WARD AND COUNCILMEMBER GÓMEZ:

Proclaiming the month of July 2018, to be "Lesbian, Gay, Bisexual and Transgender Pride Month" in the City of San Diego.

Item 31: AFSCME Local 127 Day.

PRESENTED BY COUNCIL PRESIDENT COLE AND COUNCILMEMBER GÓMEZ:

Proclaiming July 10, 2018, to be "AFSCME Local 127 Day" in the City of San Diego.

Item 32: Judy von Kalinowski Day.

PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT COLE:

Proclaiming July 10, 2018, to be "Judy von Kalinowski Day" in the City of San Diego.

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED IN CHAMBERS)

NOTE: The following Proclamations will NOT be presented in Council Chambers. It will be approved by Unanimous Consent unless pulled for discussion.

Item S500: Carmel Valley Branch Library Day. (Added 7/3/18)

COUNCIL PRESIDENT PRO TEM BRY'S RECOMMENDATION:

Proclaiming July 14, 2018, to be "Carmel Valley Branch Library 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: Councilmember responses to a request for additional transitional storage facility locations.

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: Jillian Kisse, (619) 533-3717

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 331: Flat Rate Lease Agreement with Coast Air Center LLC, for 9.4 Acres on Montgomery-Gibbs Executive Airport.

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: 6.

Proposed Actions:

Subitem-A: (R-2018-619)

Resolution authorizing execution of a flat rate lease with Coast Air Center LLC, for the lease of approximately 9.4 acres of City-owned property located at Montgomery-Gibbs Executive Airport, waiving Council Policy 700-10 regarding the maximum loan proceeds not-to-exceed 75 percent loan to value of the leasehold improvements, and related actions.

Subitem-B: (R-2018-620)

Resolution determining that the authorization of the execution of a flat rate lease with Coast Air Center LLC, for the lease of approximately 9.4 acres of City-owned property located at Montgomery-Gibbs Executive Airport and waiving Council Policy 700-10 regarding the maximum loan proceeds not-to-exceed 75 percent loan to value of the leasehold improvements is exempt from the California Environmental Quality Act pursuant to Sections 15301, 15302, 15303, and 15304 of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Smart Growth and Land Use Committee meeting on June 15, 2018.

ACTION: Motion by Vice Chair Alvarez, second by Councilmember Sherman, to recommend Council adopt the resolution with direction to the IBA and staff to review if non-annual Consumer Price Index (CPI) adjustments are standard for City leaseholds.

VOTE: 4-0; Sherman-yea, Alvarez-yea, Gómez-yea, Zapf-yea.

Real Estate Assets: Thurman Hodges, (858) 573-1426

City Attorney Contact: Hilda R. Mendoza

Item 332: Authorization to retain outside Counsel and approval of certain as-needed Contracts for various selected law firms to represent the City on a rotational basis in seven designated areas of law.

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:

The cost of each Contract is in an amount not-to-exceed \$250,000. Legal services are to be provided on an as-needed basis so there is no need for an allocation of funds at this time. The source of funding when the need for legal services arises under these contracts will be from the Public Liability Fund, or one or more Enterprise Funds, or the Citywide Program Expenditures of the General fund not-to-exceed the amount appropriated each year by the City Council.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-561)

Resolution authorizing the retention of 17 selected law firms to represent the City of San Diego as outside counsel on an as-needed rotational basis in seven areas of law: 1. Bankruptcy, 2. Employment Litigation, Internal Investigations, and Fact Findings, 3. Environmental Law, Land Use, and Litigation, including Clean Water Act and Stormwater Compliance Issues, 4. Police Excessive Force/Misconduct Litigation, including Alleged Violations of 42 USC Section 1983, 5. Insurance Coverage and Litigation, 6. Worker's Compensation, and, 7. Business and Financial Affairs; and, approving as-needed contracts with four of these law firms pursuant to Municipal Code Section 22.3207 where the total cumulative Contract awards exceed \$250,000 based on either having other existing contracts with the City or entering into multiple contracts as part of this action.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on June 20, 2018.

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

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

Office of the City Attorney: Ken So, (619) 533-5814

Item 333: Sale of unimproved City-owned property located between 3555 and 3543 Silktree Terrace in San Diego, CA 92113 (APN 550-780-39), and reservation of an easement for existing City water pipeline.

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: 9.

Proposed Actions:

(R-2018-643)

Resolution authorizing the City's sale of approximately .118 acres of real property located between 3555 and 3453 Silktree Terrace, San Diego, California, identified as APN: 550-780-39 at or above the appraised value of \$7,500 and related actions.

Committee Actions Taken:

This item was heard at the Smart Growth and Land Use Committee meeting on June 15, 2018.

ACTION: Motion by Councilmember Sherman, second by Vice Chair Alvarez, to recommend Council adopt the resolution.

VOTE: 4-0; Sherman-yea, Alvarez-yea, Gómez-yea, Zapf-yea.

Real Estate Assets: Mary Carlson, (619) 236-6079

City Attorney Contact: Melissa Ables

Item 334: Sale of City-owned property at 10155 Rancho Carmel Drive (also known as 10211 Rancho Carmel Drive), San Diego, CA (APN 313-680-18) and approval of real estate brokerage commission.

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: 5 (Rev. 7/3/18)

Proposed Actions:

Approval of one of the following resolutions as:

Subitem-A: (R-2018-646 Cor. Copy) (Rev. 7/9/18)

Resolution authorizing the City's sale of approximately .458 acres of real property located at 10211 Rancho Carmel Drive, San Diego, California (APN: 313-680-18) at or above \$350,500, restricting the use of at least five of the units developed for affordable housing purposes offered to income-qualified individuals with an income of 60% of the area median income, and related actions.; **OR**

(R-2018-651)

Resolution authorizing the City's sale of approximately .458 acres of real property located at 10211 Rancho Carmel Drive, San Diego, California (APN: 313-680-18) at or above \$607,500, restricting the use of at least four of the units developed for affordable housing purposes offered to income-qualified individuals with an income of 80% of the area median income, and related actions; **OR**

(R-2018-652)

Resolution authorizing the City's sale of approximately .458 acres of real property located at 10211 Rancho Carmel Drive, San Diego, California (APN: 313-680-18) at or above \$600,000, restricting the use of at least five of the units developed for affordable housing purposes offered to income-qualified individuals with an income of 60% of the area median income with the potential for additional affordable units to be required, and related actions.

Subitem-B: (R-2018-647)

Resolution determining that the City's sale of approximately .458 acres of real property located at 10211 Rancho Carmel Drive, San Diego, California (APN: 313-680-18) with the restriction that a portion of the property be used for affordable housing purposes is exempt from the California Environmental Quality Act pursuant to Section 15312 of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Smart Growth and Land Use Committee meeting on June 15, 2018.

ACTION: Motion by Chair Gómez, second by Vice-chair Alvarez, to move the item forward without a recommendation with direction to staff to seek the best and final offers from both buyers prior to the full Council meeting.

VOTE: 4-0; Gómez-yea, Alvarez-yea, Sherman-yea, Zapf-yea.

Real Estate Assets: Mary Carlson, (619) 236-6079

City Attorney Contact: Melissa Ables

Item 335: San Ysidro Senior Village Apartments (517 West San Ysidro Boulevard) - Proposed Owner Participation Agreement with SYSV, L.P. - San Ysidro Community Plan Area.

(Continued from the meeting of June 25, 2018, at the request of Staff for further review.)

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:

This action will authorize an expenditure of up to \$5.5 million from the LMIHAF, for the City Loan, as a below-market interest rate affordable housing loan for the development and construction of the Project, and authorize loan repayments to be deposited to the LMIHAF for future affordable housing. Borrower shall pay a Non-refundable Developer Deposit of \$50,000 to CivicSD to cover costs incurred by CivicSD, for the benefit of the City, in connection to this Agreement. See staff report for additional information.

Council District(s) Affected: 8.

Proposed Actions:

(R-2018-635)

Resolution making certain findings and determinations, and approving certain actions, related to the proposed San Ysidro Senior Village Affordable Housing Project.

Committee Actions Taken: N/A

Civic San Diego: Eli Sanchez, (619) 533-7124

City Attorney Contact: Daphne Skogen

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 336: Silktree Terrace Public Right-of Way Vacation - PTS No. 551341.

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:

All costs are recovered through the Real Estate Assets Department (READ)/Applicant.

Council District(s) Affected: 9.

Proposed Actions:

Public (pedestrian) Right-of-Way Vacation (PROW) to vacate an existing pedestrian and non-motor vehicular right-of-way easement traversing through the center of the property at 3555 Silktree Terrace. The lot is located on city owned land (APN No. 550-780-39) and the Public Right of Way vacation encompasses approximately 2,569 square feet in area. The existing pedestrian Right of Way no longer has a functional use as a new pedestrian bridge was built to the west of the subject site linking Petway Park to Southcrest Trails Park. The property is located within the RM-2-5 (Residential Base Zone), Southeastern Community Plan.

Subitem-A: (R-2018-638)

Resolution determining that Public Right-of-Way Vacation No. 2147757 is categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15305 and 15312, and that no exceptions to the exemptions set forth in Section 15300.2 apply under the circumstances.

Directing the City Clerk to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

Subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2018-637)

Resolution approving Public Right-of-Way Vacation No. 2147757 vacating a pedestrian and non-motor vehicular right-of-way on a portion of lot 63 of Map 14253 - Southcrest Park Estate II.

Subitem B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Golsa Soraya, (619) 446-5236

City Attorney Contact: Casey Shaw

Item 337: 16450-64 Via Esprillo Storm Drain Replacement PTS No. 230855.

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:

All costs are recovered through WBS No. B-11015.07.01.

Council District(s) Affected: 5.

Proposed Actions:

Subitem-A: (R-2018-645)

Resolution determining that approval of an after the fact Site Development Permit No. 1673361 for the Via Esprillo Storm Drain Replacement Project No. 230855 is categorically exempt from the California Environmental Quality Act pursuant to Sections 15304 and 15333 of the CEQA Guidelines.

Subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2018-364)

Resolution approving after the fact Site Development Permit No. 1673361 for the Via Esprillo Storm Drain Replacement Project No. 230855.

Subitem B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Angela Nazareno, (619) 446-5277

City Attorney Contact: Jeremy Jung

Item 338: Frost Right-of-Way Vacation - Project No. 507338.

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 application for a Coastal Development Permit and Public Right-of-Way Vacation of the 25 feet wide by 168 feet in length (0.096-acre) unimproved portion of San Dionicio Street, located north of Qualtrough Street and east of San Elijo Street, and abutting the property at 660 San Dionicio Street, a 0.053-acre site, in the RS-1-7 and Coastal (Non-appealable) Overlay Zones within the Peninsula Community Plan area.

Subitem-A: (R-2018-639)

Resolution granting Coastal Development Permit for the Frost Street Right-of-Way Vacation Project.

subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2018-640)

Resolution approving Right-of-Way Vacation No. 1782175 vacating a portion of San Dionicio Street.

Subitem B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Tim Daly, (619) 446-5356

City Attorney Contact: Casey Shaw

Item 339: Atlas Street - Project No. 518391.

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: 6.

Proposed Actions:

Conditional Use Permit, Planned Development Permit and Tentative Map with public right-of-way vacation to subdivide a single lot, with an existing church facility use, and create nine lots for residential development with deviations on a 2.8-acre site located at 3455 Atlas Street in the RS-1-7, Clairemont Mesa Height Limitation Overlay, and Residential Tandem Parking Overlay Zones within the Clairemont Community Plan area.

Subitem-A: (R-2018-649)

Resolution granting Conditional Use Permit No. 1818204 and Planned Development Permit No. 1818203 for the Atlas Street project - Project No. 518391.

Subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2018-650)

Resolution approving Tentative Map No. 1818213, vacation of public right-of-way, and waiver of the requirement to underground utilities for the Atlas Street project - Project No. 518391.

Subitem B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Tim Daly, (619) 446-5356

City Attorney Contact: Jeremy Jung

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT