

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Myrtle Cole • Fourth District

COUNCIL PRESIDENT PRO TEM

Mark Kersey • Fifth District

COUNCILMEMBERS

Barbara Bry • First District
Lorie Zapf • Second District
Christopher Ward • Third District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District
Georgette Gomez • Ninth District

Andrea Tevlin
Independent
Budget Analyst

Mara Elliott
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, July 31, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, JULY 31, 2017, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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.

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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-20: Miguel Gomez Day.

PRESENTED BY COUNCILMEMBER GOMEZ:

Proclaiming July 31, 2017, to be "Miguel Gomez Day" in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON RULES:

ITEM-150: City of San Diego Equal Pay Ordinance (EPO).

ITEM DESCRIPTION:

Approval of an Ordinance of the Council of the City of San Diego amending Chapter 2, Article 2 of the San Diego Municipal Code by adding new Division 48, Sections 22.4801, 22.4802, 22.4803, 22.4804, 22.4805, 22.4806, 22.4807, 22.4808, and 22.4809, relating to Equal Pay for Equal or Substantially Similar Work for City Contractor Employees.

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2018-12)

Introduction of an Ordinance amending Chapter 2, Article 2 of the San Diego Municipal Code by adding new Division 48, Sections 22.4801, 22.4802, 22.4803, 22.4804, 22.4805, 22.4806, 22.4807, 22.4808, and 22.4809, relating to Equal Pay for Equal or Substantially Similar Work for City Contractor Employees.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Equal Pay Ordinance (EPO) is proposed to be implemented and enforced by the Mayor, and/or appropriate City department(s) with existing staff resources. With regard to City contractor requirements, no additional reporting or data collection is required above that specified in State law.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Rules Committee meeting on April 5, 2017.

ACTION: Motion by Councilmember Ward, second by Councilmember Cole, to direct Council District 3 to continue to work with the Office of the City Attorney, the Office of the Independent Budget Analyst, the Office of the Mayor, and all appropriate City departments to bring this Ordinance to the full Council.

VOTE: 5-0; Cole-yea, Kersey-yea, Bry-yea, Ward-yea, Cate-yea.

Chase

Primary Contact\Phone: Pamela Ison\619-236-6633
City Attorney Contact: Cristich, Jill S.

ITEM-151: An Ordinance amending Chapter 2, Article 6, Division 4 of the San Diego Municipal Code by amending Sections 26.0404 and 26.0406, relating to the Appointment and Qualification of Members of the Ethics Commission. (Citywide.)

ITEM DESCRIPTION:

- 1) Add to the Municipal Code that “priority consideration shall be given to nominees with some demonstrated familiarity and experience with campaign finance laws, government ethics, lobbying laws, and conflict of interest regulations.”
- 2) Increase, from two to three, the required number of attorneys.
- 3) Increase, from one to two, the required number of Commissioners that “have been a candidate for elective governmental office, have worked as a treasurer or in another high-level position in a campaign for elective governmental office, or have held elective government office.”
- 4) Clarify that a Commission’s restriction against seeking public office applies to elective office in the City of San Diego.

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2018-13)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 4 of the San Diego Municipal Code by amending Sections 26.0404 and 26.0406, relating to the Appointment and Qualification of Members of the Ethics Commission.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Rules Committee meeting on June 7, 2017.

ACTION: Motion by Councilmember Kersey, second by Councilmember Cate, to approve staff recommendations with the following amendments: 1) Reducing the required number of attorneys on the Commission from four to three. 2) Changing the provision that all Commissioners from be required to have, to recommend to have "some demonstrated familiarity and experience with campaign finance laws, government ethics and lobbying laws conflict of interest regulations." 3) Strike the reference to the five year waiting period for candidates or former candidates' staffers.

VOTE: 5-0; Cole-yea, Kersey-yea, Bry-yea, Ward-yea, Cate-yea.

Tetlow

Primary Contact\Phone: Barrett Tetlow\619-236-6677

City Attorney Contact: Spivak, Sharon B.

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 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 Comment is taken toward the end of the Monday afternoon Council session.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: **Notice** of Pending Final Map Approval - 3550 Bayside Walk.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "3550 Bayside Walk" (T.M. No. 350428, PTS No. 544354) located at the northeast corner of Bayside Lane and Nahant Court, in the RS zone, within the Mission Beach Planned District, Council District 2, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

ITEM-251: **Notice** of Pending Final Map Approval - Las Palmas.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Las Palmas" (T.M. No. 405345, PTS No. 558621) located on Alverson Road north of San Ysidro Boulevard in the RM-1-1 zone, within the San Ysidro Community Plan Area Council District 8, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

ITEM-252: Notice of Pending Final Map Approval - Parkview Terrace.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "Parkview Terrace" (Resolution No. 4790-3 PC and Tentative Map No. 1406752/PTS No. 401680) located at the West side of Landscape Drive, North of Parkside Avenue, and South of Manos Drive. The property is legally described as Lot 485 of Bay Terraces Unit No. 3, in the City of San Diego, County of San Diego, State of California, according to Map No. 6624, filed in the office of the San Diego County on April 15, 1970, excepting that portion conveyed to the City of San Diego per deed document recorded April 27, 1979 as Instrument No. 79-172906 of Official Records, in the RS-1-7 zone of the Skyline-Paradise Hills Community Plan area, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Land Surveyor to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Land Surveyor was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Fred LePage (619) 446-5434.

ITEM-253: **Notice** of Pending Final Map Approval - River View Village.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "River View Village" (Resolution No. R-300950 and Tentative Map No. 7685/PTS No. 3938) located at the Northerly terminus of Wembley Street, South of Mission Gorge Road, West of Princess View Drive, and North of Fontaine Street, and legally described as Lots 3, 4 and 5 of the Subdivision of Lots 61, 62, and the Easterly Portion of Lot 63 of the Rancho Mission of San Diego, according to Map No. 1550, in the Navajo Community Plan Area, in the AR-1-2 (Agricultural-Residential) zone which is proposed to be rezoned to the RX-1-1 (Single-Family Residential) zone, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Land Surveyor to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Land Surveyor was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Fred LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT