CITY OF SAN DIEGO
COUNCIL DOCKET

COUNCIL PRESIDENT
Sherri Lightner • First District

COUNCIL PRESIDENT PRO TEM
Marti Emerald • Ninth District

COUNCILMEMBERS
Lorie Zapf • Second District
Todd Gloria • Third District
Myrtle Cole • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District

Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, November 14, 2016

AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, NOVEMBER 14, 2016, 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.

OTHER LEGISLATIVE MEETINGS

The **PUBLIC FACILITIES FINANCING 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 Brant Will at (619) 236-6220. Internet access to the agenda is available at:
http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/pffa.shtml

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.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
COMMITTEE ON INFRASTRUCTURE, RESOLUTIONS:

ITEM-150: Balboa Park Plaza de Panama Project-Cooperation Agreement, Authorizing a Construction Contract, and related funding actions. (Balboa Park Community Area. District 3.)

ITEM DESCRIPTION:

Approve necessary actions to enter into Agreements with Plaza de Panama Committee to accept donations for the previously approved project that will create additional parking, increase open accessible park area, improve traffic circulation, and limit pedestrian/vehicular conflicts. Approved actions will also allow for construction of a new parking structure with a 2.2 acres roof-top park and a bypass bridge and road to divert vehicular traffic away from the pedestrian core of the park.

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2017-244)

Adopting Addendum No. 516820 to the Environmental Impact Report No. 233958 and adopting Mitigation, Monitoring, and Reporting Program for the Plaza De Panama Project - Project No. 516820;

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

Subitem-B: (R-2017-230)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Cooperation Agreement (Agreement) with the Committee, in connection with the Project, under the terms and conditions set forth in the Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase Project scope or City costs and which the Mayor shall deem necessary from time to time in order to carry out the purpose and intent of this Project and Agreement;

Declaring that on behalf of the residents of the City of San Diego, the City Council graciously accepts all contributions to be made from the Committee and others for this Project;

Authorizing the Mayor, or his designee, to negotiate and execute one or more agreements, for and on behalf of the City, to accept private donations for the Project in a cumulative amount estimated to be $30 million, and to deposit said funds in a special revenue fund;

Authorizing the Chief Financial Officer to increase the Capital Improvement Program (CIP) Budget in CIP No. L-17002, Balboa Park Plaza de Panama Project, and to appropriate and expend up to an additional $48 million, of which up to $1 million is from Fund 400000, Capital Outlay-Sales Tax, up to $8 million is from Fund 400002, Capital Outlay-Misc. Revenue, and up to $39 million is from proceeds from the proposed bond issuance, for a total of $49 million (which includes $1 million previously approved by Council in R-310691) on City expenditures for the Project;

Authorizing the Chief Financial Officer to increase the Capital Improvement Program Budget in CIP No. L-17002, Balboa Park Plaza de Panama Project, and to appropriate and expend up to $30 million from donations to the City from the Plaza de Panama Committee and others on City expenditures for the Project;

Authorizing the Mayor, or his designee, to award a construction contract with the lowest responsible and reliable bidder in an amount not to exceed $75 million, for the Project, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-C: (R-2017-223)

Finding and determining that the forgoing recitals are true and correct;

Declaring that this Declaration of Intent is made solely for the purpose of establishing compliance with Section 1.150-2 of the Treasury Regulations, and in accordance therewith the City declares its intention to issue Debt in a principal amount not to exceed $50 million, the proceeds of which will be used to pay for the costs of the Project (and related issuance costs), including the reimbursement to the City for certain capital expenditures relating to the Project made prior to the issuance of the Debt, provided however that this Declaration of Intent does not bind the City to make any expenditure, incur any indebtedness, or proceed with the Project;

Declaring that this Declaration of Intent shall take effect from and after the date of its adoption.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Please see the attached Report to the City Council No. 16-089 (Revised) for more detail.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On July 9, 2012, after an extensive public input process, City Council adopted Amendments to the BPMP and CMPP incorporating the Project (Resolution R-307555). City Council also certified the Environmental Impact Report (Project No. 233958/SCH No. 2011031074; R-307554), approved Site Development Permit No. 837848 (R-307556), and approved the Plaza de Panama Improvement Agreement (Document No. RR-307558).

On August 4, 2016, the Infrastructure Committee voted (4-0-0) to adopt the resolutions to create and fund CIP No. L-17002, Balboa Park Plaza de Panama Project, in the amount of $1 million for the purpose of reviewing and finalizing the project design.

On September 19, 2016, City Council voted (8-1-0) to create and fund CIP No. L-17002, Balboa Park Plaza de Panama Project, in the amount of $1 million for the purpose of reviewing and finalizing the project design.

With the exception of Action No. 1, this item was heard at the Infrastructure Committee meeting on October 27, 2016, and forwarded to the full Council with a recommendation to adopt the resolutions.

Subsequent to the Committee hearing, Action No. 1, which is an action for the full Council, approval of the Addendum to the Environmental Impact Report, was added to this item. Report to Council No. 16-089 has been revised to reflect this additional action.

ACTION: Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council adopt the resolution.

VOTE: 3-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-not present.

Nagelvoort/Gomez

Primary Contact\Phone: Richard Leja\619-533-5112, MS 908A
Secondary Contact\Phone: Kris Shackelford\619-533-4121, MS 908A
City Attorney Contact: Rae, Christina L.

ADOPTION AGENDA, DISCUSSION, HEARINGS
NOTICED HEARINGS:

ITEM-200: Public Facilities Financing Authority of the City of San Diego Lease Revenue Bonds, Series 2017 (Balboa Park Parking Related Public Improvements). (Citywide. While the Project is in District 3, all districts will be served.)

ITEM DESCRIPTION:

Authorize the issuance of Public Facilities Financing Authority of the City of San Diego Lease Revenue Bonds, Series 2017 (Balboa Park Parking Related Public Improvements), the execution of related financing documents, and other necessary actions.

STAFF'S RECOMMENDATION:

Introduce the ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2017-64) (Rev. 11/09/16)

Introduction of an Ordinance approving the forms of and authorizing the execution and delivery of a Site Lease, a Facilities Lease, a Bond Purchase Agreement and a Continuing Disclosure Certificate and authorizing the execution, delivery and performance of an Indenture by the Public Facilities Financing Authority of the City of San Diego, and approving and authorizing the issuance and sale of the Authority's lease revenue bonds (Balboa Park parking related public improvements) in an aggregate principal amount not to exceed $50,000,000 and approving other documents and actions in connection therewith.

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

Subitem-B: (R-2017-204)

Adoption of a Resolution finding, determining, resolving and ordering the above recitals and that each of them are true and correct;

Approving the execution and delivery of the Bonds for the financing of the Project in an amount not to exceed $50,000,000. It is the purpose and intent of this City Council that this Resolution constitute approval of the issuance of obligations by applicable elected representatives at the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code.

This Resolution shall take effect immediately upon its adoption.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Based upon an assumed interest rate (TIC) of 4.25%, the issue size of the Bonds is estimated to be approximately $44.5 million. Annual debt service for a 30-year bond issue amounts to approximately $2.7 million beginning in Fiscal Year 2021. This is approximately $600,000, or 20%, less than projected net parking revenues (which are approximately $3.3 million).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On July 9, 2012, the City Council adopted Resolution R-307554, Certifying EIR - Balboa Park Plaza de Panama; Resolution R-307555, approving the amendments to the Balboa Park Master Plan and the Central Precise Plan; Resolution R-307556, granting Site Development Permit No. 837848; Resolution R-307557, declaring an intention to issue debt solely for the purpose of establishing compliance with Section 1.1.50-2 of the Treasury Regulations; and Resolution R-307558, accepting a contribution from the Plaza de Panama Committee.

On September 18, 2012, the City Council adopted Resolution R-307692, authorizing the budgeting and allocation in the amount of the Spreckels Organ Pavilion Public Parking Garage (Balboa Park) Lease Revenue Bonds, Series 2012C.

On October 2, 2012, the City Council adopted Ordinance O-20205, approving the Site Lease, Facilities Lease, a Bond Purchase Agreement, and authorizing the Indenture by the Public Facilities Financing Authority and the issuance of the Authority's Lease Revenue Bonds.

On September 19, 2016, the City Council adopted Resolution R-310691, establishing Balboa Park Plaza de Panama as a CIP Project (Balboa Park Community Area District 3); thereby reinitiating the Project.

This action was heard by the Infrastructure Committee on October 27, 2016, and forwarded to the full Council with a recommendation to approve.

Kommi\Lewis\lk

NOTE: This is a TEFRA hearing item.

Primary Contact\Phone: Lakshmi Kommi\619-236-6928, MS 7B
Secondary Contact\Phone: Baku Patel\619-533-6491, MS 7B
City Attorney Contact: Will, Brant

ITEM-201: Uptown Community Plan Update. (Uptown Community Plan Area. District 3.)

ITEM DESCRIPTION:

The Uptown Community Plan Update would provide a long-range, comprehensive policy and zoning framework for urban growth and development within the Uptown Community Planning Area and consist of a comprehensive update amending the 1988 Uptown Community Plan and amendment to the General Plan; amendment of the Municipal Code to the repeal Chapter 15, Article 12 and Article 20 related to the Mid-City Communities and West Lewis Street Planned Districts; amendment of Chapter 13, Article 2 of the Municipal Code to amend the boundaries of the Community Plan Implementation Overlay Zone; rezones consistent with the update Community Plan; certification of a Program Environmental Impact Report, and an Impact Fee Study.

STAFF'S RECOMMENDATION

Adopt the resolutions in Subitems A and B; and introduce the ordinances in Subitems C, D, E, and F:

Subitem-A: (R-2017-209)

Adoption of a Resolution certifying that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code Section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Adopting the Findings and a Statement of Overriding Considerations with respect to the Project, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093;

Adopting the Mitigation and Monitoring Reporting Program, or alterations to implement the changes to the Project as required by the City Council, in order to mitigate or avoid significant effects on the environment, a copy of which is attached as Exhibit B hereto and incorporated herein by reference, pursuant to CEQA Section 21081.6;

Declaring that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk at 202 C Street, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project after final passage of the ordinances associated with the Project.

Subitem-B: (R-2017-208)

Adoption of a Resolution adopting an amendment to the Uptown Community Plan and amending the General Plan to effect a comprehensive update to the Uptown Community Plan;

That the Uptown Community Plan incorporates each of the policies of the City of San Diego's Climate Action Plan and General Plan that the City Council has determined are mandatory and fundamental to advancement of the General Plan's goals;

Adopting the Uptown Community Plan, and amends the General Plan, with a copy of said update and new plan being on file in the Office of the City Clerk;

That prior to becoming effective, this Resolution shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination;

That if the SDCRAA finds this Resolution consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport (SDIA), this Resolution shall take effect and be in force as of the date of the finding of consistency by SDCRAA;

That if the SDCRAA determines that this Resolution is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the SDIA, the Resolution shall be submitted to the City Council for reconsideration;

That if the SDCRAA determines that this Resolution is conditionally consistent with the ALUCPs for the SDIA, but that consistency is subject to proposed modifications, the City Council may amend this Resolution to accept the proposed modifications, and this Resolution as amended shall take effect and be in force after its final passage;

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code Section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the SDIA; and the City Council shall hold a second hearing not less than forty-five days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and any final decision to overrule a determination of inconsistency shall require a two-thirds vote;

That if the City Council makes a final decision to overrule a determination of inconsistency, this Resolution shall take effect and be in force on the thirtieth day from and after its final passage.

Subitem-C: (O-2017-69 Cor. Copy) (Rev. 11/10/16)

Introduction of an Ordinance amending Chapter 15, Article 12, Division 1 of the San Diego Municipal Code by repealing Sections 1512.0101, 1512.0102, 1512.0103, and 1512.0110; amending Chapter 15, Article 12, Division 2 by repealing Sections 1512.0201, 1512.0202, 1512.0203, 1512.0204, 1512.0205, and 1512.0206; amending Chapter 15, Article 12, Division 3 by repealing Sections 1512.0301, 1512.0302, 1512.0303, 1512.0304, 1512.0305, 1512.0306, 1512.0307, 1512.0308, 1512.0309, 1512.0310, and 1512.0311; amending Chapter 15, Article 12, Division 4 by repealing Sections 1512.0401, 1512.0402, 1512.0403, 1512.0404, 1512.0405, 1512.0406, 1512.0407, and 1512.0408; and amending Chapter 15, Article 12 by repealing Figure 1, Figure 2, Figure 3, and Figure 4 all relating to Uptown Community Plan Update and the Mid-City Communities Planned District Ordinance.

Subitem-D: (O-2017-66 Cor. Copy) (Rev. 11/10/16)

Introduction of an Ordinance amending Chapter 15, Article 20, Division 1 of the San Diego Municipal Code by repealing Sections 1520.0101, 1520.0102, and 1520.0103; amending Chapter 15, Article 20, Division 2 by repealing Sections 1520.0201, 1520.0202, and 1520.0203; amending Chapter 15, Article 20, Division 3 by repealing Sections 1520.0301, 1520.0302, and 1520.0303; and amending Chapter 15, Article 20, Division 4 by repealing Sections 1520.0401 and 1520.0402 all relating to the Uptown Community Plan Update and the West Lewis Street Planned District Ordinance.

Subitem-E: (O-2017-71)

Introduction of an Ordinance rezoning 1,875 acres located in Uptown, within the Uptown Community Plan Area, in the City of San Diego, California, from the West Lewis Street Planned District Ordinance and the Mid-City Communities Planned District Ordinance to the RM-1-1, RM-2-5, RM-3-7, RM-3-9, RM-4-10, CN 1-1, CN-1-3, CN-1-4, CC-1-3, CC-3-4, CC-3-6, CC-3-8, CC-3-9, OR-1-1 Zones, and repealing Ordinance Nos. 0-19598 and 0-19596, adopted March 27, 2007, of Ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-F: (O-2017-68)

Introduction of 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 all relating to the Uptown Community Plan Update and Community Plan Implementation Overlay Zone.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Impact Fee Studies (IFS) and associated Development Impact Fees (DIF) for the Uptown community will be presented to the City Council for consideration and approval as a separate item. These DIFs when adopted, will be a partial funding source for the public facilities envisioned for the communities and contained within the IFS. Portions of facilities costs not funded by DIF will need to be identified by future City Council actions in conjunction with the adoption of the Capital Improvements Program (CIP) budgets.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
This action was heard by the SG&LU Committee on October 19, 2016, and forwarded to the full Council without a recommendation.

Murphy/Graham/mp

Primary Contact\Phone: Marlon Pangilinan\619-235-5293, MS 143
Secondary Contact\Phone: Tait Galloway\619-533-4550, MS 143
City Attorney Contact: Neuffer, Corrine

ITEM-202: Uptown Impact Fee Study Fiscal Year 2017. (Uptown Community Plan Area. District 3.)

ITEM DESCRIPTION:

Requesting approval of the Impact Fee Study (IFS) and the associated Development Impact Fees (DIF) for the Uptown Community.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-210)

Adoption of a Resolution approving the Uptown Impact Fee Study, Fiscal Year 2017 (Study);

Authorizing the Chief Financial Officer to establish and modify individual Capital Improvement Program project budgets to reflect the Study, provided funding is available for such action;

That the fee schedule contained in the Study is the appropriate and applicable Development Impact Fee (DIF) schedule for all development within the Uptown area;

Effective sixty days from the date of final passage of this Resolution, that all DIFs due under the Study shall be those fees in effect at the time the project's building permits or construction permits are issued, in accordance with San Diego Municipal Code Section 142.0640(b);

That the DIFs due shall automatically increase in accordance with San Diego Municipal Code Section 142.0640(c);

That the Study is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code Section 66025, for imposition of development impact fees;

That this Resolution shall become effective no earlier than the date of final passage of the Resolution by which the City Council approves the Uptown Community Plan Update, which is being considered concurrently with this action.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Approval of the Impact Fee Study and DIF will provide a partial funding source for the community-serving infrastructure that is identified in the study. Additional fees may be imposed on future discretionary projects on a case-by-case basis

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On October 27, 2016, the Infrastructure Committee considered the Uptown Impact Fee Study for FY 2017 and voted unanimously to move the item to the full Council.

Murphy/Graham/fj

Primary Contact\Phone: Frank January\619-533-3699, MS 606F
Secondary Contact\Phone: Scott Mercer\619-533-3676, MS 606F
City Attorney Contact: Halsey, Keely

ITEM-203: High Occupancy Single Dwelling Unit Ordinance Applicable Citywide and Within College Area (aka College Area Community Character Preservation Ordinance), and Increased Code Enforcement Administrative Civil Penalties Ordinance Applicable Citywide. (College Area Community Plan Area/Citywide. District 9/Citywide.)

ITEM DESCRIPTION:

The High Occupancy Single Dwelling Unit Ordinance would amend the Land Development Code (Ch. 13, Art. 1; Ch. 11, Art. 3; and Ch. 14, Art. 2) and the City's Local Coastal Program related to housing to place certain limits on the development of larger single family homes in RS Zones citywide, as well as additional limits on the development of larger single family homes in RS Zones in the College Area Community Plan area. The proposal involves the number of bedroom, the number of off-street parking spaces, and the amount of interior common area allowed. The Increased Code Enforcement Administrative Civil Penalties Ordinance would amend Municipal Code Chapter 1, Article 2 to increase the maximum allowable penalties for enforcement actions carried out by the City of San Diego for all San Diego Municipal Code violations citywide. (Rev. 11/14/2016)

STAFF'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-2017-45)

Introduction of an Ordinance amending Chapter 1, Article 2, Division 8 of the San Diego Municipal Code by amending Section 12.0803, relating to Code Enforcement Administrative Civil Penalties.

Subitem-B: (O-2017-46)

Introduction of an Ordinance amending Chapter 11, Article 3, Division 1 of the San Diego Municipal Code by amending Section 113.0103; amending Chapter 13, Article 1, Division 4 by amending Section 131.0431, retitling and amending Section 131.0447, and by adding new Section 131.0457; and amending Chapter 14, Article 2, Division 5 by amending Sections 142.0510, 142.0520, and 142.0521, all relating to High Occupancy Single Dwelling Units.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: Yet to be determined.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On April 11, 2016, an item regarding, "Consideration of legislation related to nuisance rental housing in the communities adjacent to San Diego State University" went before the Rules Committee for review. At that time a motion was made by Council President Lightner/ second by Council president Pro Tem Emerald to direct the City Attorney and Mayor (Development Services Department) to work with City Council District 9 staff on draft ordinance addressing nuisance-related issues created by super mini-dorms in the College area, and to conduct related legal review and analysis of the proposal and a possible additional interim emergency ordinance; to return to the Rules committee in 90 days. (Lightner, Cole, Cate, and Emerald-Yea; and Kersey-nay).

On September 28, 2016, the Rules Committee reviewed an Ordinance amending the Municipal Code relating to High Occupancy Single Dwelling Units and an Ordinance amending the Municipal Code providing for increased code enforcement administrative Civil Penalties applicable within the College Area and Citywide. There was a motion by Council President Pro Tem Emerald to forward both ordinances to the full Council with recommendation for approval, Second by Cole. (Lightner, Emerald, Cole-yea; and Cate and Kersey-Nay).

Berumen/es

Primary Contact\Phone: Tim Taylor\619-533-4774, MS 10A
Secondary Contact\Phone: Chris Pearson\619-236-6681, MS 10A
City Attorney Contact: Vonblum, Heidi

ITEM-204: House of Pacific Relations - New International Cottages, Project No. 434746. (Balboa Park Community Plan Area. District 3.)

ITEM DESCRIPTION:

Certification of the Mitigated Negative Declaration, adoption of the Mitigation, Monitoring and Reporting Program and adoption of amendments to the General Plan, Balboa Park Master Plan and Central Mesa Precise Plan for the House of Pacific Relations - New International Cottages Project.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-73)

Adoption of a Resolution certifying that the declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), the Declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Adopting said Declaration, the City Council finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, pursuant to CEQA Section 21081.6;

The Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101;

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

NOTE: Subitem A is not subject to the Mayor’s veto.

Subitem-B: (R-2017-74)

Adoption of a Resolution approving the amendments to the Balboa Park Master Plan and Central Mesa Precise Plan;

Adopting an amendment to the General Plan for the City of San Diego to incorporate the above amended plans.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
The cost for design and construction of the new cottages will be borne by the House of Pacific Relations. Upon completion, the cottages will be donated to the City and the City will be responsible for long-term maintenance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
This action was heard by the Smart Growth and Land Use Committee on September 14, 2016, and forwarded to the full Council with a recommendation to adopt the resolutions.

Parker\Graham\cd

Primary Contact\Phone: Charles Daniels\619-533-6597, MS 35
Secondary Contact\Phone: Jim Winter\619-235-5257, MS 35
City Attorney Contact: Lintvedt, Inga

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 - One Paseo.

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 “One Paseo" (Ordinance No. O-20677 and V.T.M. 1579190/PTS No. 451328) located South of Del Mar Heights Road, between El Camino Real and High Bluff Drive with Interstate 5 one quarter mile to the West and State Route 56 approximately one mile to the South, and legally described as Parcels 1 and 2 of Parcel Map No. 15061 and Parcel 2 of Parcel Map No. 19130, all in the City of San Diego, County of San Diego, State of California within the CVPD-MC Zone, the Carmel Valley Community Plan and the Carmel Valley Employment Center Precise Plan. 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-251: **Notice** of Pending Final Map Approval - Castlerock Units 1, 2, 3, and 4.

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 "Castlerock Units 1, 2, 3, and 4" (V.T.M. No. 1004468, PTS No. 397277) located on Mast Boulevard between "State Route 52 freeway and Medina Drive", in the RS-1-8 zone, within the East Elliot Area Council District 7, 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.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT