

CITY OF SAN DIEGO COUNCIL DOCKET



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Andrea Tevlin
Independent
Budget Analyst

Mara Elliott
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building
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Monday, February 27, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, FEBRUARY 27, 2017, AT 1:00 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.

NOTE: The City Council will meet in Closed Session this morning from 11:00 a.m. - 12:00 p.m. (Public Comment on Closed Session items will be taken at 11:00 a.m. in the Closed Session room.) Copies of the Closed Session agenda are available in the Office of the City Clerk.

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: Year of Solidarity.

PRESENTED BY COUNCILMEMBER GOMEZ:

Proclaiming 2017, to be the "Year of Solidarity" in the City of San Diego;

Declaring that the City of San Diego stands in solidarity with all people without regard to their race, gender, national origin, religion, citizenship, sexual orientation or any other protected characteristic.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON PUBLIC SAFETY AND LIVABLE NEIGHBORHOODS:

ITEM-150: Report from San Diego State University regarding Independent Research of San Diego Police Department's Vehicle Stop Data Cards. (Citywide.)

TODAY'S ACTION IS:

Accepting the report of San Diego State University regarding Independent Research of San Diego Police Department's Vehicle Stop Data Cards.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the special meeting of the Public Safety and Livable Neighborhoods Committee on November 30, 2016.

ACTION: Motion by Councilmember Cole to forward the report to the City Council for consideration in February next year with a request to the San Diego Police Department to undertake the following actions and come prepared with an update and recommendation to Council regarding the following:

1. The Department should commit to implementing AB 953 once the final regulations are released early next year.
2. The Department should identify what the potential costs for any newly required systems, so the Council can take this into consideration at the mid-year budget and FY 18 budget discussions.
3. The Department should identify how they will incorporate finding from the report into on-going trainings and academies, specifically as it relates to racial profiling, field interviews, and consensual searches.
4. The Department should provide Council with an update and timeline regarding departmental policies that create intimidating interactions such as calling multiple vehicles to a traffic stop.
5. Request the Department to come up with a proposal, including a timeline, for a policy to address the researcher's recommendations to address how traffic enforcement is done so it is not "highly individualized" as this allows for bias.
6. Request the Mayor's office and the Chief include in their report to Council all the actions they will be taking to implement the recommendations in the San Diego State University Researcher's report.

VOTE: 4-0; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea.

Slack

Primary Contact\Phone: Marisa Berumen\619-533-5906

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-200: Acceptance of Coastal Commission Amendments to the City's 10th Update Ordinance. (Coastal Overlay Zone.)

ITEM DESCRIPTION:

A request to amend sections of the Land Development Code previously adopted by the 10th Update to the Land Development Code (Ordinance O-20634) with respect to utilization of a development permit for capital improvement projects (10th Update Issue #7) and encroachments into the right-of-way (10th Update Issue #8). City acceptance of the California Coastal Commission's "suggested modifications" (pursuant to Coastal Commission action on September 8, 2016) is necessary in order for the 10th Update ordinance to become effective in the Coastal Overlay Zone.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2017-99)

Introduction of an Ordinance amending Chapter 12, Article 6, Division 1 of the San Diego Municipal Code by amending Section 126.0108 and amending Chapter 12, Article 9, Division 7 by amending Section 129.0710 all relating to accepting the California Coastal Commission's suggested modifications required for certification of the utilization requirement of development permits for capital improvement program projects and encroachments in the public right-of-way as part of the 10th Update to the Land Development Code.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of the proposed amendments will be covered by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On February 10, 2016, the City Council Committee on Smart Growth & Land Use voted 4-0 to recommend approval of the 10th Update and on April 5, 2016, the City Council voted 9-0 to adopt the 10th Update Ordinance.

Murphy/Graham/dn

Primary Contact\Phone: Dan Normandin\619-446-5388, MS 413
City Attorney Contact: Neuffer, Corrine

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 Map Approval - Heritage Bluffs II.

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 "Heritage Bluffs II" (V.T.M. No. 1193244, PTS No. 416489) located generally south of Bernardo Center Drive/Carmel Valley Road, west of Interstate 15, in the RS-1-14 and RX-1-1 zones, within the Black Mountain Ranch Community Plan area, Council District 5, 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