

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



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Charles Modica
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Diana J.S. Fuentes
City Clerk

City Administration Building
City Council Chambers- 12th Floor
202 C Street San Diego, CA 92101

Virtual Participation: <https://sandiego.zoomgov.com/j/1600982353>
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MONDAY, DECEMBER 11, 2023, AT 10:00 AM and 1:00 PM

FURTHER INFORMATION ON HOW TO PARTICIPATE IN THIS MEETING IS FOUND AT THE END OF THE AGENDA

Joining the Webinar and Offering Phone-in Testimony

Members of the public may participate in City Council meetings in person or virtually using the Zoom Webinar platform. Members of the public can offer public comment on agenda items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or land line. **To raise your hand via a phone-in please press *9 and unmute when the Clerk calls on you by pressing *6.** If you are participating via the webinar platform please press the raise your hand icon and the unmute button when prompted.

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LATE-ARRIVING MATERIALS

Pursuant to the Brown Act, California Government Code Section 54957.5(b), 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, Information Services Counter in the Lobby 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 "Late Arriving Materials" 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.

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Requests for translation services to offer public comment may be made by contacting the City Clerk at (619) 533-4000 or email to: cityclerk@sandiego.gov. The City is committed to addressing language translation requests swiftly in order to maximize public participation. [For more information on how to participate and comment on an issue at Council meetings, click this link.](#)

Las solicitudes de servicios de traducción para ofrecer comentarios públicos se deberán hacer poniéndose en contacto con la City Clerk al (619) 533-4000 o por correo electrónico a: cityclerk@sandiego.gov. La ciudad se compromete a responder rápidamente a las solicitudes de traducción de idiomas con el fin de maximizar la participación del público.

[Para obtener más información sobre cómo participar y expresar comentarios sobre un asunto en las juntas del Concejo, haga clic en este enlace.](#)

Upang kayo ay matulungan na maisalin sa wikang Ingles ang inyong mga puna, mungkahi, o komento para sa Bayan ng San Diego, maaari pong makipag-ugnayan sa City Clerk sa telepono (619-533-4000) o email (cityclerk@sandiego.gov). Hangad ng Pamahalaang Bayan ng San Diego ang inyong pakikilahok sa usapang pambayan at handa itong magbigay ng agarang tulong na kinakailangan sa pagsasaling-wika ng inyong mga komento. [Para sa higit pang impormasyon tungkol sa kung paano sumali at magbigay ng komento sa item sa mga pagpupulong ng Konseho, mangyaring i-click ang sumusunod na link.](#)

Cần dịch vụ thông dịch để phát biểu ý kiến trước công chúng, xin hãy liên hệ với City Clerk (Thư Ký Thành Phố) theo số (619) 533-4000 hoặc email đến cityclerk@sandiego.gov. Thành phố cam kết sẽ giải quyết các yêu cầu thông dịch một cách nhanh chóng để gia tăng sự tham dự của công chúng. [Để biết thêm thông tin về cách tham gia và đưa ra ý kiến về một mục tại các cuộc họp của Hội đồng, xin vui lòng nhấp vào liên kết dưới đây.](#)

يمكن تقديم طلبات خدمات الترجمة لتقديم تعليقات عامة عن طريق الاتصال بكاتب المدينة على

تلتزم المدينة بمعالجة أو [mailto: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) (619) 533-4000

طلبات الترجمة اللغوية بسرعة من أجل زيادة المشاركة العامة

[لمزيد من المعلومات حول كيفية المشاركة والتعليق على أي موضوع في اجتماعات المجلس، يرجى الضغط على الرابط التالي](#)

パブリックコメントを要求するための翻訳サービス依頼は、市の書記（電話：619-533-4000またはメール：<mailto:cityclerk@sandiego.gov>）に連絡することによって行うことができます。市は、市民の参加を最大化するために、言語翻訳の依頼に対応することに取り組んでいます。審議会の参加方法や議案への意見提供方法についての詳細は、以下のリンクをクリックしてください。

샌디에고 시에 의견을 보내시기 위해 번역 서비스가 필요하시면 시 서기 사무실 (619) 533-4000 또는 <mailto:cityclerk@sandiego.gov>로 연락주시기 바랍니다. 시는 대중의 참여를 극대화하기 위해 언어 번역 요청을 신속하게 처리하려고 최선을 다하고 있습니다. [시의회 회의에 참여하는 것과 안건 항목에 대해 의견을 제의하는 것에 관한 자세한 정보를 원하시면 다음의 링크를 클릭하십시오.](#)

為了鼓勵更多市民參與 '公眾意見'，市政府設定了快捷的中文翻譯服務。如你有任何關於 '公開意見' 想發表，請致電: (619) 533-4000，或電郵 cityclerk@sandiego.gov 我們會為你翻譯。 [有关如何参加市议会会议并就项目发表意见的更多信息，请点击以下链接。](#)

“ການຮ້ອງຂໍບໍລິການນາຍແປພາສາເພື່ອສະເໜີຄໍາຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິດຕໍ່ຫາ **City Clerk** ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມວຫາ: cityclerk@sandiego.gov. **City** ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ບະຣາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”

[ສໍາລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ](#)

[ສະແດງຄໍາຄິດເຫັນກ່ຽວກັບລາຍການການບະຣາຊົນສະພາ ກະຊວງກົດລະບຽບຕໍ່ໄປນີ້](#)

NOTICE: THE CITY COUNCIL MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY STAFF DO NOT LIMIT ACTIONS THAT THE CITY COUNCIL MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS OF STAFF AS DETERMINATIVE OF THE ACTION THE CITY COUNCIL MAY TAKE ON A PARTICULAR MATTER.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today. A separate agenda is published for it, and is available online and in the Kiosk located in front of the City Administration Building, 202 C Street SD, CA 92101. For more information, please contact the Housing Authority Secretary at (619) 578-7550. Internet access to the agenda is available at:

<https://sdhc.org/governance-legislative-affairs/housing-authority-of-the-city-of-san-diego/meeting/>

MONDAY, DECEMBER 11, 2023 AT 10:00 AM

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON CLOSED SESSION

CLOSED SESSION PUBLIC COMMENT IS TAKEN DURING THE 10 AM MORNING PORTION OF THE AGENDA. THE COUNCIL ADJOURNS INTO CLOSED SESSION AT THE CONCLUSION OF THE CLOSED SESSION PUBLIC COMMENT AND RESUMES THE PUBLIC PORTION OF THE MEETING AT 1 PM.

PLEASE NOTE: Non-Agenda Public Comment will only be taken during the afternoon portion of the agenda at the conclusion of all informational/discussion items.

MONDAY, DECEMBER 11, 2023 AT 1:00 PM

ROLL CALL

NON-AGENDA COMMUNICATIONS FROM MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY CLERK, CITY ATTORNEY

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

Item 600: Modification Five to the Ground Lease Between the City of San Diego and the United States of America for the Miramar Landfill.

This item will be considered in the afternoon session which is scheduled to begin at 1:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this action.

Council District(s) Affected: 6.

Proposed Actions:

(O-2024-47)

Introduction of an Ordinance approving a Fifth Modification to the Ground Lease with the United States Department of the Navy for the Miramar Landfill.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Department of Real Estate and Airport Management: Karen Johnson, (619) 236-6191

City Attorney Contact: Frederick M. Ortlieb

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 601: Updated 2023-2024 State and Federal Legislative Platform.

This item will be considered in the afternoon session which is scheduled to begin at 1:00 p.m.

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-234)

Resolution approving the updated 2023-2024 State and Federal Legislative Platform and related actions.

Committee Actions Taken: N/A

Government Affairs: Adrian Granda, (619) 533-5965

City Attorney Contact: Hilda R. Mendoza

Item 603: Complete Streets Council Policy. (Added 12/6/23)

This item will be considered in the afternoon session which is scheduled to begin at 1:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source:

There are no costs associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-235)

Resolution Establishing Council Policy 900-23 Titled Complete Streets

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on November 8, 2023.

ACTION: Motion by Vice Chair LaCava, second by Chair Lee, to move staff's recommendation and request that staff and City Attorney work with District 1 to make clarifying, non-substantive revisions to the Complete Streets council policy, including reconciling the use of defined terms before

docketing that item to the full Council for consideration, and, adding a requirement that an annual report be made regarding implementing the policy to this Committee and the Mobility Board.

VOTE: 3-0; Lee-yea, LaCava-yea, von Wilpert-yea, Montgomery Steppe-not present.

Sustainability and Mobility: Christine Mercado, (619) 236-6892
City Attorney Contact: Cassandra Mougín

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 602: PRJ-1064927: La Maestra Housing for Hope Project.

This item will be considered in the afternoon session which is scheduled to begin at 1:00 p.m.

Total Estimated Cost of Proposed Action and Funding Source:

None with this action. All costs associated with the processing of this application are recovered through a deposit account funded by the applicant.

Council District(s) Affected: 9.

Proposed Actions:

This action regarding the La Maestra Housing for Hope Project located at 4135 Fairmount Avenue consists of the following sub items:

Subitem-A: (R-2024-208)

Resolution determining that the approval of PRJ-1064927: La Maestra Housing for Hope Project located at 4135 Fairmount Avenue is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332.

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

Subitem-B: (R-2024-218)

Resolution granting conditional use permit no. 3182913 for the La Maestra Housing for Hope Project – PRJ-1064927 located at 4135 Fairmount Avenue.

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

Committee Actions Taken: N/A

Development Services: Xavier Del Valle, (619) 557-7941

City Attorney Contact: Noah Brazier

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 will be taken at the time the item is heard.)

PUBLIC NOTICES

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

Item 650: Ballot Measure Calendar.

SUBMISSION OF BALLOT PROPOSALS FOR THE MARCH 5, 2024 BALLOT

City Council Policy 000-21 establishes a procedure for submittal of ballot proposals, other processes -including citizen initiatives- may come before the City Council for consideration at other times. The Council Policy states that members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, or a public agency **shall submit proposals to the City Clerk**, who shall then transmit them promptly to Committee for review and comment. **Please submit all proposals to cityclerk@sanidiego.gov.** The City Clerk's Office has established the following calendar for the March 5, 2024 election.

<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Monday, July 17, 2023	232	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday, July 26, 2023	223	Initial Committee review Measures that advance from initial review proceed to a second Committee review, where the Committee will decide if they will be presented to the full Council for consideration
Wednesday, September 6, 2023	181	Measures that advance from initial review proceed to a second Committee review, where the Committee will decide if they will be presented to the full Council for consideration

Monday, September 11, 2023	176	First Day Council discusses measures and adopts ordinances by City Attorney to place measures on the ballot
Friday, December 8, 2023	88	Last Day Council discusses measures and adopts ordinances by City Attorney to place measures on the ballot
Monday, December 11, 2023	85	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Wednesday, December 13, 2023	83	Last day to file ballot arguments with City Clerk

Please check posted agendas for additional information.

If you have questions, please contact the Office of the City Clerk at (619) 533-4000 or via e-mail at cityclerk@sandiego.gov

Item 651: Public Notice Examination of Ballot Materials – March 5, 2024 Primary.

PUBLIC NOTICE:

EXAMINATION PERIOD OF ELECTION MATERIALS

Pursuant to San Diego Municipal Code Section 27.0403, candidate statements, the propositions and related ballot materials for said candidate races and propositions, to be submitted to the voters within the City of San Diego at the election of March 5, 2024, will be available for public examination for ten (10) calendar days commencing on the business day following the deadline for filing those ballot materials in the Office of the City Clerk. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the ballot or sample ballot materials be amended or deleted. Please note the following examination periods:

<u>Document</u>	<u>Start date</u>	<u>End date</u>
Candidate Statements of Qualification and Designations of Principal Profession or Occupation	December 8, 2023	December 18, 2023

Ordinances calling election and Ordinances placing measures on the ballot	December 9, 2023	December 19, 2023
City Attorney's impartial analysis, ballot title and summary, and Mayor/IBA/City Auditor's fiscal analysis	December 12, 2023	December 22, 2023
Ballot arguments	December 14, 2023	December 26, 2023
Candidate Statements of Qualification and Designations of Principal Profession or Occupation for District 4 Candidates	December 15, 2023	December 26, 2023

For additional information regarding this matter, please contact the Office of the City Clerk at (619) 533-4000

Item 652: Approval of the Final Map “Goldenridge”.

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 “Lumina III ” (T.M. No. 2368511, PRJ No. 1095487) located on Cactus Road between “Airway Road and Sempre Viva”, in the RM-2-5 zone, within the Otay Mesa 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.

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT

HOW TO SPEAK TO A PARTICULAR ITEM

Members of the public shall be given the opportunity to address the Council. The Council President may reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

Pursuant to the Levine Act (Gov't Code Section 84308), any party to a permit, license, contract (other than competitively bid, labor or personal employment contracts) or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any Council Member. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party or participant and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made.

In-Person Comment on Agenda Items

Each speaker must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In person testimony will conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if they represent an organization or another person.

Each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding them time. These speaker slips should be submitted together at one time to the City Clerk. The Council President may also limit organized group presentations of five or more persons to 15 minutes or less.

Virtual Public Comment on Agenda Items

Members of the public may participate virtually (by telephone or internet streaming) as indicated below. Speakers who wish to provide virtual public comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

Each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes. Speakers participating virtually may not allocate their time to other speakers or have time allocated to them and may not share video or visual aids (i.e. pdf, ppt, docs) during their comment period.

Quasi-Judicial Items. Organized group presentations for quasi-judicial items will be allowed up to 15 minutes per side to speak either for or against an item for a total of 30 minutes. If more than one group on the same side requests an organized presentation, the 15 minutes will be divided between each group for that side. Please contact the Project Manager as listed as the primary contact on the staff report for that item to indicate your desire to present.

Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public Comment may also be submitted using the [webform](#) indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 8:00 AM the day of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 500 words but may include attachments. Comments received after 8:00 AM the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

Written Materials. Instead of submitting written materials as an attachment to the webform you may submit via U.S. Mail to the City Clerk's attention at 202 C Street, MS2A San Diego, CA 92101. Materials submitted via U.S. Mail must be received one business day prior to the meeting to be distributed to the City Council. Comments received via U.S. Mail on the day of the meeting will be submitted into the written record for the relevant item.

The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Spectrum or Channel 99 for AT&T U-Verse, or [view the meetings online \(link is external\)](#)