

CITY OF SAN DIEGO COUNCIL AGENDA



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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/1607807743>
To join by telephone: Dial 1-669-254 5252 + input Webinar ID: 160 780 7743

MONDAY, JUNE 03, 2024, AT 10:00 AM and 2:00 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 (619) 533-4000 أو <mailto:cityclerk@sandiego.gov> تلتزم المدينة بمعالجة 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。如果你有任何關於 '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 ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ປະຊາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”
[ສໍາລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ ສະແດງຄໍາຄິດເຫັນກ່ຽວກັບວາຍການການປະຊຸມສະພາ ກະລຸນາກົດລົງຄໍາຕໍ່ໄປນີ້](#)

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.

MONDAY, JUNE 03, 2024 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 2 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, JUNE 03, 2024 AT 2:00 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, RESOLUTIONS TO BE ADOPTED:

Item 200: Authorization to Award Construction Contract # K-24-2197-DBB-3-A-C with PCL Construction Services, Inc. for the Purpose of Providing Construction Services for the Mira Mesa Community Park Improvements Phase II Project.

This 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:

Construction contract funding in an amount not to exceed \$43,308,127, from CIP L-16002 Mira Mesa Community Pk Improvements, of which \$4,025,750.09 is from Fund 400858, Mira Mesa Development Impact Fee (DIF); \$28,209,910.98 is from Fund 400085 Mira Mesa FBA; \$20,679.46 is from Fund 400261 Mira Mesa Senior Citizen Center; and \$8,435.47 is from Fund 400262 M.M Senior Ctr-Shapell Cont. as well as \$8,504,351 from Fund 400085 Mira Mesa FBA and \$2,539,000.0 is from Fund 400858 DIF.

Council District(s) Affected: 6.

Proposed Actions:

(R-2024-538)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with PCL Construction Services, Inc., in an amount not to exceed \$43,308,127 to provide construction services, related to the Mira Mesa Community Park Improvements Phase II project and related actions.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on April 13, 2023.

ACTION: Motion by Chair Lee, second by Vice Chair LaCava, to recommend Council approval of staff's proposed actions.

VOTE: 3-1; Lee-yea, LaCava-yea, Montgomery Steppe-yea, von Wilpert-nay.

Engineering & Capital Projects: Jason Grani, (619) 533-7525

City Attorney Contact: Dana Fairchild

Item 201: **Initiation of an Emergency CIP for Crystal Pier Improvements to Repair Storm Damage and Reallocation of Regional Park Improvement Funds (RPIF).**

This 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:

\$1,000,000 will be reallocated from the Regional Park Improvement Fund to P24017 Crystal Pier Emergency Project.

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

Proposed Actions:

(R-2024-535)

Resolution authorizing the Chief Financial Officer to reallocate and expend Regional Park Improvement Funds of \$295,000 from CIP L14005, Sunset Cliffs Park Drainage Improvements, and \$705,000 from CIP S13008, Mohnike Adobe and Barn Restoration, to CIP P24017, Crystal Pier Improvements, for emergency improvements to Crystal Pier; to transfer \$161,704 in Fund 200463, Sunset Cliffs Natural Park Fund, to CIP L14005, Sunset Cliffs Park Drainage Improvements, for construction; to add CIP P24017 to the Capital Improvement Program, and for all related matters.

Committee Actions Taken: N/A

Parks & Recreation: Andy Field, (619) 235-1110

City Attorney Contact: Jane M. Boardman

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 202: Appeal of the Historical Designation of the Robert and Clara West Spec House #1 (HRB Site #1512) located at 3441 Cooper Street and Request for Waiver of Specific Deadlines in City Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property".

This 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:

There is no cost to the City associated with this item

Council District(s) Affected: 3.

Proposed Actions:

Appeal of the decision of the Historical Resources Board to designate the Robert and Clara West Spec House #1 (HRB Site #1512) located at 3441 Cooper Street;

Granting or denying the appeal and affirming, reversing, or modifying the action of the Historical Resources Board to designate the Robert and Clara West Spec House #1 located at 3441 Cooper Street;

If the appeal is denied and designation is affirmed, consideration of a waiver of designation and application deadlines in Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property";

Directing the City Attorney to prepare the appropriate Resolution according to Section 40 of the City Charter.

This item is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Planning: Suzanne Segur, (619) 236-6139

City Attorney Contact: Lauren Hendrickson

Item 203: Appeal of the Historical Designation of the Lucile Hamilton/Robert Mosher House (HRB Site #1507) located at 485 San Gorgonio Street and Request for Waiver of Specific Deadlines in City Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property".

This 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:

There is no cost to the City associated with this item.

Council District(s) Affected: 2.

Proposed Actions:

Appeal of the decision of the Historical Resources Board to designate the Lucile Hamilton/Robert Mosher House (HRB Site #1507) located at 485 San Gorgonio Street;

Granting or denying the appeal and affirming, reversing, or modifying the action of the Historical Resources Board to designate the Lucile Hamilton/Robert Mosher House located at 485 San Gorgonio Street;

If the appeal is denied and designation is affirmed, consideration of a waiver of designation and application deadlines in Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property";

Directing the City Attorney to prepare the appropriate Resolution according to Section 40 of the City Charter.

This item is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Planning: Alvin Lin, (619) 446-5163

City Attorney Contact: Lauren Hendrickson

Item 204: Appeal of the Historical Designation of the Robert and Marion Hill House (HRB Site # 1505) located at 3104 Lytton Street and Request of Waiver of Specific Deadlines in City Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property".

This 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:

There is no cost to the City associated with this item.

Council District(s) Affected: 2.

Proposed Actions:

Appeal of the decision of the Historical Resources Board to designate the Robert and Marion Hill House (HRB Site #1505) located at 3104 Lytton Street;

Granting or denying the appeal and affirming, reversing, or modifying the action of the Historical Resources Board to designate the Robert and Marion Hill House located at 3104 Lytton Street;

If the appeal is denied and designation is affirmed, consideration of a waiver of designation and application deadlines in Council Policy 700-46 "Mills Act Agreements for Preservation of Historic Property";

Directing the City Attorney to prepare the appropriate Resolution according to Section 40 of the City Charter.

This item is not subject to the Mayor's veto.

Committee Actions Taken:

Planning: Megan Walker, (619) 687-5927

City Attorney Contact: Lauren Hendrickson

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 250: Submission of Ballot Proposals for the November 5, 2024 Ballot.



**SUBMISSION OF BALLOT PROPOSALS
FOR THE NOVEMBER 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 November 5, 2024 election.

<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday, March 29, 2024	221	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Thursday, April 18, 2024	201	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, June 5, 2024	153	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, June 10, 2024	148	First Day Council discusses measures and adopts ordinances by City Attorney to place measures on the ballot
Friday, August 9, 2024	88	Last Day Council discusses measures and adopts ordinances by City Attorney to place measures on the ballot
Monday, August 12, 2024	85	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Wednesday, August 14, 2024	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 251: Ballot Proposals Forwarded.

PUBLIC NOTICE

Ballot Proposals Forwarded

The following ballot proposals have been referred from the Rules Committee to a second or further hearing for consideration for placement on a future ballot as noted. The Rules Committee will be meeting June 5, 2024 to review these measures referred for an additional hearing.

Proposal	Target Ballot
General Purpose and Use (sales) Tax	November 2024
Amendments to City Charter Regarding Redistricting	November 2024
Dedicated Revenue for Stormwater Infrastructure and Disaster Response	November 2024
Amendments to the City Charter Regarding the Ethics Commission	November 2024
Amendments to City Charter Regarding the Election Process for Members of the Board of Education	November 2024

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT

HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:

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 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.

Non-Agenda Public Comment

Every agenda for a regular Council meeting shall provide a period on the agenda for members of the public to address the Council on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council. Non-Agenda Public Comment shall be subject to the exercise of the Council President's discretion for a given agenda.

In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting. A member of the public may only provide one non-agenda comment per agenda.

If providing comment in person, please submit your speaker slip and any visual aids to the City Clerk. In-person testimony shall conclude before virtual testimony begins.

Speakers who wish to provide virtual Non-Agenda 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. Those participating virtually may not share video or visual aids (i.e. pdf, ppt, docs) during their non-agenda comment period.

Please note: On Mondays, Non-Agenda Public Comment is taken during the 2pm session after all discussion items are complete. On Tuesday's non-agenda public comment is taken during the 10am session.

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 \(link is external\)](#)