

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Georgette Gómez • Ninth District

COUNCIL PRESIDENT PRO TEM

Barbara Bry • First District

COUNCILMEMBERS

Jennifer Campbell • Second District
Christopher Ward • Third District
Monica Montgomery • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
Vivian Moreno • Eighth District

Andrea Tevlin
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Elizabeth Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Tuesday, July 14, 2020

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JULY 14, 2020, AT 9:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING COUNCIL MEETING ACCESS AND PUBLIC COMMENT:

Until further notice, City Council meetings will be conducted pursuant to the provisions of [California Executive Order 29-20](#), which suspends certain requirements of the Ralph M. Brown Act and the [Temporary Rules of Council](#) as approved on April 7, 2020.

During the current State of Emergency and in the interest of public health and safety, most—and possibly all—of the Council Members will be participating in City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public participating in person at the City Council Meetings. We are providing alternatives to in-person attendance for viewing and participating in the meetings.

In lieu of in-person attendance, members of the public may participate and provide comment via telephone, using the City Clerk webform, email submission or via U.S. Mail of written materials, as follows:

Phone in Testimony

When the Clerk introduces either the item you would like to comment on or the comment period for, Non-Agenda Public Comment or Closed Session Public Comment, follow the instructions within the [“Public Comment Instructions”](#) by dialing the number below to be placed in the queue.

1. DIAL 619-541-6310
2. Enter the Access Code: 877861 then press '#’.

Written Comment through Webform:

Comment on Agenda Items may be submitted using the [webform](#) indicating the agenda item number for which you wish to submit your comment. Comments

received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment may be submitted using the [webform](#), checking the appropriate box. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

Closed Session Public Comment may be submitted using the City Clerk [webform](#), checking the appropriate box. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Written Materials. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to cityclerk@sandiego.gov or submit via U.S. Mail 202 C Street, MS2A San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Councilmembers in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the City Council.

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 Time Warner Cable or Channel 99 for AT&T, or [view the meetings online \(link is external\)](#)

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.

Note: The City Council will meet in Closed Session this morning at 9:00 a.m. or shortly thereafter. Public Comment on Closed Session items will occur at the start of the 9:00 a.m. session before Council adjourns into Closed Session. The City Council will reconvene for Open Session at 11:00 a.m. or shortly thereafter.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT FROM CLOSED SESSION (Rev. 7/8/20)

NON-AGENDA PUBLIC COMMENT

APPROVAL OF COUNCIL MINUTES

06/08/2020

06/09/2020

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED:

Item 50: Exemption of Ten (10) Positions in the City of San Diego from the Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

Of the 10 positions, 6 positions were approved in the Fiscal Year 2021 Adopted Budget. The estimated cost for the 4 supplemental positions is anticipated to be \$629,100 (\$471,825 in Police and \$157,275 in the Department of Finance) and will be funded through anticipated savings in the respective departments.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2020-139)

Introduction of an Ordinance authorizing the exemption of ten managerial positions from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on May 7, 2020, and June 4, 2020. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

Department of Finance: Sally Rubi, (619) 236-7024

City Attorney Contact: Miguel Merrell

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 51: Reimbursement Agreement and Park Development Agreement between the City of San Diego and Pardee Homes for Project No. P-2 McGonigle Canyon Neighborhood Park in the Pacific Highlands Ranch Community.

Total Estimated Cost of Proposed Action and Funding Source:

This project will be funded by FBA Fees Collected in Pacific Highlands Ranch. Total estimated cost is \$7,993,629.

Council District(s) Affected: 1.

Proposed Actions:

Adopt the following ordinance which was introduced on 6/30/2020, Item 50. (Council voted 9-0):

(O-2020-125)

Ordinance of the Council of the City of San Diego authorizing a reimbursement and park development agreement for Project No. P-2, McGonigle Canyon Neighborhood Park in the Pacific Highlands Ranch Community.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Planning: Gaetano Martedi, (619) 533-3678

City Attorney Contact: Kate Malcolm

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Approval of Permanent Local Housing Allocation Grant Five-Year Plan.

Total Estimated Cost of Proposed Action and Funding Source:

This action is for submittal of a Permanent Local Housing Allocation (PLHA) Notice of Funding Availability (NOFA) application. If the City's PLHA application is successful and the City is awarded funds by California Department of Housing and Community Development, the \$34,741,098 will be used to support unmet homeless housing needs. There is no match requirement or cost to the City associated with these funds.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-636)

Resolution approving the City of San Diego's application for a Grant from the State of California's Permanent Local Housing Allocation Program in an amount not-to-exceed \$34,741,098.

Committee Actions Taken: N/A

Economic Development: Christina Bibler, (619) 236-6421

City Attorney Contact: Marguerite Middaugh

Item 101: Final Construction Change Order 003 for Cardinal Storm Drain Emergency Replacement Project (B19090) to Modify the Contract with Flatiron West, Inc.

Total Estimated Cost of Proposed Action and Funding Source:

This change order increases the not-to-exceed amount of the original emergency sole source agreement by \$2,099,784.20 to a total of \$5,099,784.20. Funding for the additional \$2,099,784.20 will be available in the Capital Outlay Fund for this purpose.

Council District(s) Affected: 7.

Proposed Actions:

(R-2021-3)

Resolution authorizing the Mayor, or his designee, to execute Change Order 0003 to the Agreement with Flatiron West for expanded scope of work and costs on the Cardinal Storm Drain Emergency Replacement Project (B-19090), in an amount not-to-exceed \$2,099,784.20

Committee Actions Taken: N/A

Public Works: Elif Cetin, (619) 533-3794

City Attorney Contact: Ryan P. Gerrity

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM THE CONSENT AGENDA

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED AND ADOPTED WITH RESOLUTIONS TO BE ADOPTED:

Item 330: Consideration of a Proposed Ballot Measure to Amend the San Diego Municipal Code to Establish Public Financing of Municipal Elections, Titled the San Diego Clean Elections Ordinance.

Total Estimated Cost of Proposed Action and Funding Source:

Please note that there is an initial total budgeted amount of \$3,767,747 within FY 2021 Citywide Elections Expenditures to cover election costs. Final election costs will be calculated based on the total number of participating jurisdictions, the number of items placed on the ballot, and other COVID-19 related matters on how the elections are conducted and may differ from the information included here.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2021-2)

Introduction and adoption of an Ordinance Submitting to the Qualified Voters of the City of San Diego, for their Approval or Rejection at the Municipal Special Election, consolidated with the California State General Election to be held on November 3, 2020, One Measure Amending Chapter 2, Article 7 of the San Diego Municipal Code by Adding Division 33, by Adding Sections 27.3301 through 27.3318; Amending Chapter 2, Article 7, Division 2, by Amending Section 27.0220; and Amending Chapter 2, Article 7, Division 6, by Amending Section 27.0625 and Section 27.0634, All Relating to Establishing Public Financing of Candidates for Municipal Elections.

Subitem-B: (R-2021-4) (Rev. 7/9/20)

Resolution directing the City Attorney to prepare a ballot title and summary and an impartial analysis; directing the Mayor, Independent Budget Analyst and City Auditor to prepare a fiscal impact analysis; and assigning ballot arguments; all regarding a Measure, to be Submitted to the Qualified Voters of the City of San Diego, for their Approval or Rejection at the Municipal Special Election, consolidated with the California State General Election to be held on November 3, 2020, Amending Chapter 2, Article 7 of the San Diego Municipal Code by Adding Division 33, by Adding Sections 27.3301 through 27.3318; Amending Chapter 2, Article 7, Division 2, by Amending Section 27.0220; and Amending Chapter 2, Article 7, Division 6, by Amending Section 27.0625 and Section 27.0634, All Relating to Establishing Public Financing of Candidates for Municipal Elections.

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

Committee Actions Taken:

This item was heard at the Rules Committee meeting on June 10, 2020.

ACTION: Motion by Councilmember Gómez, second by Vice Chair Bry, to direct the City Attorney's office to incorporate the feedback received from Committee and work with appropriate City staff to follow up on needed policy information and finalize the language and forward this item to the full City Council for consideration to be submitted to voters on the November 2020 Municipal Special Election ballot.

VOTE: 4-1; Gómez-yea, Bry-yea, Ward-yea, Montgomery-yea, Kersey-nay.

Council District 9: Ruth Martin, (619) 533-3982

City Attorney Contact: Sharon Spivak

Item S500:

Consideration of a Proposed Ballot Measure to Amend the City Charter by Amending Article VI, Section 66; and by Amending Article XVI, Sections 300, 301 and 302; Regarding Vacancy in Office, Removal for Cause, and Succession to Office for Members of the San Diego Unified School District Board of Education. (Added 7/8/20)

Total Estimated Cost of Proposed Action and Funding Source:

Please note that the financial information associated with this item reflects the initial budgeted amount of \$3,767,747 within FY 2021 Citywide Elections Expenditures. Final election costs will be calculated based on the total number of participating jurisdictions, the number of items placed on the ballot, and other COVID-19 related matters on how the elections are conducted and may differ from the information included here.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2021-1 **Cor. Copy**) (Rev. 7/9/20)

Introduce and adopt an Ordinance Submitting to the Qualified Voters of the San Diego Unified School District, for their Approval or Rejection at the Municipal Special Election, Consolidated with the California State General Election to Be Held on November 3, 2020, One Measure amending the City Charter By amending Article VI, Section 66; and by amending Article XVI, Sections 300, 301 and 302; Regarding Vacancy in Office, Removal for Cause, and Succession to Office for Members of the San Diego Unified School District Board of Education.

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

Subitem-B: (R-2021-9)

Resolution directing the City Attorney to Prepare a Ballot Title and Summary and an Impartial Analysis; Directing the Mayor, Independent Budget Analyst and City Auditor to Prepare a Fiscal Impact Analysis; and Assigning Ballot Arguments; All Regarding a Measure Amending the City Charter by amending Article VI, Section 66; and by amending Article XVI, Sections 300, 301 and 302; Regarding Vacancy in Office, Removal for Cause, and Succession to Office for Members of the San Diego Unified School District Board of Education, to be Submitted to the Qualified Voters of the San Diego Unified School District at the Municipal Special Election to Be Held on November 3, 2020.

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

Committee Actions Taken:

This item was heard at the Rules Committee meeting on March 11, 2020.

ACTION: Motion by Councilmember Kersey, Second by Councilmember Ward, to send the ballot measure proposal to the full City Council pending legal review of other school board ballot measures, with the understanding that based on the legal review of other ballot measures, this proposal may need to return to Rules Committee for further consideration.

VOTE: 5-0; Gómez-yea, Bry-yea, Ward-yea, Montgomery-yea, Kersey-yea.

Council District 6 and 8: Allen Young, (619) 533-6460

City Attorney Contact: Sharon B. Spivak

Item S501:

Citywide Interim Urgency Ordinance to Allow Temporary Outdoor Business Operations, Temporary Signs, and Fee Waivers and Assessments for Special Event Permits for the Closure of Public Streets, and to Authorize \$300,000 in Citywide Funding to Support Permit Applications and Outreach for Temporary Outdoor Business Operations. (Added 7/8/20)

Total Estimated Cost of Proposed Action and Funding Source:

This action authorizes the Chief Financial Officer to expend an amount not to exceed \$300,000 from General Fund Citywide Expenditures. This not-to-exceed amount will support local businesses by reimbursing the DSD

Enterprise Fund for permitting temporary Sidewalk Cafés and Pedestrian Plaza permits, and fund outreach efforts to assist businesses citywide.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2021-13)

Resolution determining that the approval of emergency ordinance pursuant to Charter Section 295 and the urgency ordinance provisions in California Government Code Section 65858 regarding temporary outdoor business operations is statutorily exempt from the California Environmental Quality Act.

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

Subitem-B: (O-2021-5 Cor. Copy) (Rev. 7/10/20)

Introduce and adopt an emergency ordinance pursuant to Charter Section 295 and the urgency ordinance provisions in California Government Code Section 65858 enacting a temporary amendment to San Diego Municipal Code Chapter 2, Article 2, Division 40, Section 22.4022; Chapter 12, Article 3, Division 4, Section 123.0403; Chapter 12, Article 6, Division 2, Section 126.0203; Chapter 12, Article 9, Division 2, Section 129.0203; Chapter 12, Article 9, Division 7, Section 129.0703; Chapter 13, Article 1, Division 5, Section 131.0520; Chapter 13, Article 1, Division 6, Section 131.0620; Chapter 14, Article 1, Division 4, Section 141.0421; Chapter 14, Article 1, Division 6, Section 141.0621; Chapter 14, Article 2, Division 5, Section 142.0510; Chapter 14, Article 2, Division 12, Sections 142.1205 and 142.1255; and Chapter 15, Article 7, Division 3, Section 157.0305, all relating to supporting businesses due to the state of emergency resulting from the novel coronavirus, covid-19, by allowing them to expand certain business operations.

8 votes required pursuant to California Government Code Section 65858.

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

Subitem-C: (R-2021-12)

Resolution authorizing up to \$300,000 from General Fund Citywide Program expenditures to support permit applications and outreach for temporary outdoor business operations.

Committee Actions Taken: N/A

Development Services: Chris Larson, (619) 446-5368

City Attorney Contact: Noah Brazier

Item S502: Consideration of a Proposed Ballot Measure for the November 3, 2020 Municipal Special Election Concerning the Issuance of General Obligation Bonds to Finance the Construction of Affordable and Permanent Supportive Housing. (Added 7/10/20)

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

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2021-3)

Introduce and adopt an Ordinance of the City of San Diego Submitting for Approval by a Two-Thirds Vote of the Qualified Voters of the City of San Diego, at the Municipal Special Election Consolidated with the Statewide General Election to be Held on November 3, 2020, One Ballot Measure Authorizing a \$900 Million General Obligation Bond Issuance for Affordable and Supportive Housing, and Fixing the Maximum Rate of Interest Thereon.

6 votes per California Constitution, Article XVI, Section 18(a); Charter Section 99.

Subitem-B: (R-2021-11)

Resolution directing the City Attorney to Prepare a Ballot Title and Summary and an Impartial Analysis; Directing the Mayor, Independent Budget Analyst and City Auditor to Prepare a Fiscal Impact Analysis; and Assigning Ballot Arguments; All Regarding a Ballot Measure, Submitted for Approval by a Two-Thirds Vote of the Qualified Voters of the City of San Diego, at the Municipal Special Election Consolidated with the Statewide General Election to be Held on November 3, 2020, Authorizing a \$900 Million General Obligation Bond Issuance for Affordable and Supportive Housing, and Fixing the Maximum Rate of Interest Thereon.

Subitem B not subject to the Mayor's veto.

Committee Actions Taken:

This item was heard at the Rules Committee meeting on March 11, 2020.

ACTION: Motion by Councilmember Ward, second by Councilmember Montgomery, to direct the City Attorney's Office to conduct all necessary

legal analysis and draft general obligation bond measure language, considering the input received from Committee members and the general public.

VOTE: 4-1; Gómez-yea, Bry-yea, Ward-yea, Montgomery-yea, Kersey-nay.

Council District 3: Molly Chase, (619) 236-6633

City Attorney Contact: Bret A. Bartolotta, Sharon B. Spivak

Item S503: Consideration of a Proposed Ballot Measure to Amend the San Diego Municipal Code Article 2 Division 44 to Amend the City's Contracting Policies. (Added 7/10/20)

Total Estimated Cost of Proposed Action and Funding Source:

Please note that there is an initial total budgeted amount of \$3,767,747 within FY 2021 Citywide Elections Expenditures to cover election costs. Final election costs will be calculated based on the total number of participating jurisdictions, the number of items placed on the ballot, and other COVID-19 related matters on how the elections are conducted and may differ from the information included here.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2021-4)

Introduce and adopt an Ordinance Submitting to the Qualified Voters of the City of San Diego for their Approval or Rejection at the Municipal Special Election, Consolidated with the California State General Election to Be Held on November 3, 2020, one measure to amend San Diego Municipal Section 22.4401 through 22.4406 that would allow updates to the City's Contracting for Funding Eligibility.

Subitem-B: (R-2021-16)

Resolution directing the City Attorney to Prepare a Ballot Title and Summary and an Impartial Analysis; Directing the Mayor, Independent Budget Analyst and City Auditor to Prepare a Fiscal Impact Analysis; and Assigning Ballot Arguments; All Regarding a Measure Amending the City Municipal Code Sections 22.4401 through 22.406 that would allow updates to the City's Contracting for Funding Eligibility to be Submitted to the Qualified Voters of the City of San Diego at the Municipal Special Election to Be Held on November 3, 2020.

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

Committee Actions Taken:

This item was heard at the Rules Committee meeting on June 10, 2020.

ACTION: Motion by Councilmember Ward, second by Chair Gómez, to direct his Council staff to work with Council District 4 staff and the City Attorney's office to work on any substantive changes to the language of the ballot measure and forward the item to the full City Council for consideration to be submitted to voters on the November 2020 Municipal Special Election ballot.

VOTE: 3-2; Gómez-yea, Ward-yea, Montgomery-yea, Bry-nay, Kersey-nay.

Council District 3: Lucas O'Connor, (619) 236-6633

City Attorney Contact: Mark Mercer

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 331: Fiscal Year 2021 Maintenance Assessment Districts Annual Reports for Economic Development Department.

Total Estimated Cost of Proposed Action and Funding Source:

The Proposed Fiscal Year 2021 assessments for Economic Development MADs under this action item total \$3,710,279. The Proposed Fiscal Year 2021 budget includes estimated City contributions of \$18,462 from the Gas Tax Fund (Medians). The Proposed Fiscal Year 2021 Budget for City-Owned parcels is budgeted within the Citywide Program in the amount of \$117,465. The City total of administrative costs will be \$29,528 from the MAD districts.

Council District(s) Affected: 1, 2, 3, 8, 9.

Proposed Actions:

(R-2020-632)

Resolution approving the Annual Report submitted in connection with Self-Managed MADs for Fiscal Year 2021 and related funding actions.

Committee Actions Taken: N/A

Economic Development: Luis Ojeda, (619) 236-6475

City Attorney Contact: Daphne Skogen

Item 332: Fiscal Year 2021 Property and Business Improvement Districts.

Total Estimated Cost of Proposed Action and Funding Source:

The proposed PBID budgets for Fiscal Year 2021 are expected to total \$10,292,149.22. The general benefit contribution of \$706,776.76 for Downtown PBID and \$11,321.14 for North Park PBID are the assessments totals on City parcels. Additionally, an allocation from the Gas Tax Fund for median maintenance of \$24,029 for Downtown PBID and \$4,650 for North Park PBID are proposed for Fiscal Year 2021.

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2020-634)

Resolution approving the Annual Report submitted in connection with the Downtown PBID for Fiscal Year 2021 and related funding actions.

Subitem-B: (R-2020-635)

Resolution approving the Annual Report submitted in connection with the North Park PBID for Fiscal Year 2021 and related funding actions.

Committee Actions Taken: N/A

Economic Development: Luis Ojeda, (619) 236-6475

City Attorney Contact: Daphne Skogen

Item 333: Approve Fiscal Year 2021 Annual Reports for Parks and Recreation Department Maintenance Assessment Districts.

Total Estimated Cost of Proposed Action and Funding Source:

Proposed action will result in combined assessment revenue of approximately \$16,112,959 from property owners. Revenue to be deposited into 55 Special Revenue funds, respectively.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-633)

Resolution approving the Annual Report submitted in connection with City-Managed MADs for Fiscal Year 2021 and related funding actions.

Committee Actions Taken: N/A

Parks & Recreation: Gina Dulay, (619) 685-1307
City Attorney Contact: Daphne Skogen

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 334: Citywide Interim Urgency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, development, grading, and public right-of-way permits for a total period of one year due to the local declaration of a State of Emergency resulting from the Novel Coronavirus, COVID-19.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2020-631)

Resolution determining the Approval of an Urgency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, Development, Grading, and Public Right-of-Way Permits is Statutorily Exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15269(c) and 15359.

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

Subitem-B: (O-2020-137)

Introduce and adopt an Interim Urgency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, Development, Grading and Public Right-of-Way Permits due to the State of Emergency Resulting from the Novel Coronavirus, COVID-19.

8 votes required pursuant to Charter Section 65858.

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

Committee Actions Taken: N/A

Development Services: Chris Larson, (619) 446-5368

City Attorney Contact: Heather Ferbert

Item 335: 12th Update (Phase Three) to the Land Development Code and Local Coastal Program.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

The 12th Update (Phase Three) to the Land Development Code of the San Diego Municipal Code relating to Cannabis Outlets (CO) and Cannabis Production Facilities (CPF). The amendments include language clarifying the separation requirements between COs and CPFs and residential zones and provides a process for amending current Conditional Use Permits.

(O-2020-89)

Introduction of an Ordinance Amending Chapter 12, Article 6, Division 3 by Amending Section 126.0303; Amending Chapter 14, Article 1, Division 5 by Amending Section 141.0504; Amending Chapter 14, Article 1, Division 10 by Amending Section 141.1004, relating to Cannabis Outlets and Cannabis Production Facilities in the 12th Update (Phase Three) of the Land Development Code.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on January 23, 2020.

ACTION: Motion by Councilmember Sherman, second by Councilmember Campbell, to forward to Council without recommendation.

VOTE: 4-0; Ward-yea, Campbell-yea, Kersey-yea, Sherman-yea.

Planning: Renee Mezo, (619) 236-6033

City Attorney Contact: Corrine Neuffer

Item 336: Assignment, Assumption and Amendment to Loan Documents and Ground Lease between the City and CCBA Senior LP.

Total Estimated Cost of Proposed Action and Funding Source:

Approval of the recommended actions will result in CCBA's payment to the City in the amount of \$410,891 of accrued interest on the City's loan, for

deposit into the Low and Moderate Income Housing Asset Fund (LMIHAF) Fund.

Council District(s) Affected: 3.

Proposed Actions:

(R-2020-637)

Resolution of making certain findings and determinations, and approving the assignment, assumption, and amendment of loan documents and the ground lease relating to the senior citizen affordable housing project known as CCBA Senior Gardens.

Committee Actions Taken: N/A

Economic Development: Christina Bibler, (619) 236-6421

City Attorney Contact: Adam Wander

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 350: Submission of Ballot Proposals for the November 3, 2020 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@sandiego.gov**

EARLY SUBMISSION IS ENCOURAGED

Therefore, the City Clerk's Office has established the following calendar for the November 3, 2020 election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	05/01/20	186	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot

proposals to City Clerk for review by Committee

Wednesday	05/13/20	174	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
Monday – Friday	June – August 2020	155-94	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	08/7/20	88	Last day for City Clerk to file with Registrar of Voters election material (ordinances and resolutions related to the calling of election and measure(s), if any)
Tuesday	08/11/20	84	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Friday	08/14/20	81	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

cityclerk@sandiego.gov or (619) 533-4000.

Item 351: Ballot Measures Forwarded for Council Considerations.

The following ballot measure has been referred from the June 10, 2020 Rules Committee Meeting, for consideration for placement on the November 3, 2020 ballot:

- Amendment to San Diego Municipal Code 132.0505 Coastal Height Limit
- SD Clean Elections Ordinance
- “Top- Four” Ranked Choice Voting
- Request for Independent Legal Counsel for the Office of the City Auditor
- Updating City Contracting rules to protect state funding for San Diego

The following ballot measures had been referred from previous Rules Committee Meetings, for consideration for placement on the November 3, 2020 ballot:

- Amendments of City Charter Article VI Section 66, Board of Education Election Process
- Amendment of City Charter Article XVI to include board members of SDUSD
- Amendment to San Diego City Charter, Article V, Section 40, City Attorney. Establishment of an independent Commission on Police Practices
- Homelessness Affordable and Housing Bond

The following ballot measures had been referred from a previous City Council Meeting held on April 21, 2020, for consideration for placement on the November 3, 2020 ballot:

- Charter Amendment: City's framework of Legal Counsel

The Council may discuss measures and adopt ordinances prepared by City Attorney to place measures on the ballot at Council meetings between July 6, 2020 through August 7, 2020.

Item 352: Examination of Ballot Materials.

July 1, 2020

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 November 3, 2020, 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	July 29, 2020	August 8, 2020
Ordinances calling election and Ordinances placing measures on the ballot	August 10, 2020	August 20, 2020

City Attorney's impartial analysis, ballot title and summary, and Mayor/IBA/City Auditor's fiscal analysis	August 12, 2020	August 22, 2020
Ballot arguments	August 17, 2020	August 27, 2020

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

Item 353: Arguments Supporting or Opposing Measures.

For measures approved by the Council for submittal to the qualified voters of the City of San Diego at the Municipal General Election to be held on Tuesday, November 3, 2020, the City Clerk has fixed **5:00 p.m. on Friday, August 14, 2020**, as a reasonable date prior to such election after which no arguments for or against City Measures may be submitted to the Clerk.

Any argument for or against any City measure shall not exceed 300 words in length and may be filed by the Council, or any member or members of the Council authorized by the Council, or the bona fide sponsors or proponents of the measure, or any bona fide association of citizens or individual voter, or any combination of voters and associations.

All arguments must be accompanied by a statement signed by each author that the argument is true and correct to the best of his/her knowledge and belief. (Forms for this statement are available in the Office of the City Clerk or at <http://www.sandiego.gov/city-clerk/forms/pdf/argumentsigform.pdf>.)

[San Diego Municipal Code section 27.0512](#) provides the priority for selection if more than one argument is submitted for, or against, any measure.

An argument shall not be accepted unless accompanied by the name or names of the person or persons submitting it, or if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers. No more than five signatures shall appear with any argument submitted. In case any argument is signed by more than five persons, the signatures of the first five shall be printed.

Arguments may be changed or withdrawn by their proponents until and including the date fixed by the City Clerk.

Arguments shall be submitted to the City Clerk at the Office of the City Clerk, City Administration Building, 202 C Street, San Diego, California, 92101. Please call 619-533-4000 for further assistance.

Item 354: We All Count! Fill Out the 2020 Census Today.

Have you taken the 2020 Census yet?

Census data is used to determine the allocation of more than **\$800 billion dollars annually in federal funding** for social services, schools, infrastructure, and many more vital services. Now is the time to get involved and be counted. The last day to fill out the Census until an enumerator is sent to assist you is **May 1, 2020**. You can fill out the questionnaire online, over the phone or questionnaire. To fill out the 2020 CENSUS Questionnaire online, visit <https://my2020census.gov/>

For more information about what the San Diego region is doing to encourage Census participation, visit <https://www.countme2020.org/>

Item 355: Notice of Pending Final Map Approval - Balboa Heights.

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 "Balboa Heights" (T.M. No. 1457891, PTS No. 624909) located at 3503-3517 Indiana Street south of Cypress Avenue and north of Myrtle Avenue, in the MR-1000 Zone of the Mid-City Community Planned District within the Greater North Park Community Plan, Council District 3, 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

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT