

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Jennifer Campbell • Second District

COUNCIL PRESIDENT PRO TEM

Stephen Whitburn • Third District

COUNCILMEMBERS

Joe LaCava • First District
Monica Montgomery Steppe • Fourth District
Marni von Wilpert • Fifth District
Chris Cate • Sixth District
Raul A. Campillo • Seventh District
Vivian Moreno • Eighth District
Sean Elo-Rivera • Ninth District

**Andrea Tevlin
Independent
Budget Analyst**

**Mara W. Elliott
City Attorney**

**Elizabeth Maland
City Clerk**

Virtual Meeting

Monday, September 20, 2021

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, SEPTEMBER 20, 2021, AT 2:00 PM
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](#), as extended by [California Executive Order N-08-21](#), which suspends certain requirements of the Ralph M. Brown Act and the [Temporary Rules of Council](#) as amended on August 3, 2021.

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, ZOOM, using the City Clerk webform, or via U.S. Mail of written materials, as follows:

Joining the Webinar and Offering Phone-in Testimony

The City Council meetings will be held 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.

The link to join the Meeting Webinar by computer, tablet, or Smartphone is:

<https://sandiego.zoomgov.com/j/1601405223>

To join by using iPhone one-tap:

US: +16692545252,,1601405223#

To join by telephone:

Dial 1-669-254 5252 +

When prompted, input **Webinar ID: 160 140 5223#**

How To Speak To A Particular Item or during Non-Agenda Public Comment:

When the Clerk introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the “Raise Your Hand” button on your computer, tablet, or Smartphone, or by dialing *9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item.

When the Clerk indicates it is your turn to speak, unmute your phone by tapping the Unmute button on your computer, tablet or Smartphone, or dial *6 on your phone.

Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public Comment may 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 12:00 PM 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 12:00 PM 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 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.

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.

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.

Ang kahilingan para sa mga serbisyo sa pagsasalin upang mag-alok ng publikong puna ay maaaring magawa sa pamamagitan ng pakikipag-ugnayan sa City Clerk sa (619) 533-4000 o kaya ay mag-email sa <mailto:cityclerk@sandiego.gov>. Ang lungsod ay nakatuon sa pagtugon ng mabilis sa mga kahilingan sa pagsasalin ng wika upang mai-maximize ang pakikilahok sa publiko.

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.

يمكن تقديم طلبات خدمات الترجمة لتقديم تعليقات عامة عن طريق الاتصال بكاتب المدينة على (619) 533-4000 أو [mailto: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) نلتزم المدينة بمعالجة طلبات الترجمة اللغوية بسرعة من أجل زيادة المشاركة العامة

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。

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.

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。

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

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 200: Revisions to City Council Policy 100-03, Transient Occupancy Tax.

Total Estimated Cost of Proposed Action and Funding Source:

There are no expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-35)

Resolution amending Council Policy No. 100-03, "Transient Occupancy Tax."

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 28, 2021.

ACTION: Motion by Vice Chair Cate, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Campillo-yea, Cate-yea, Moreno-yea, Elo-Rivera-yea.

Commission for Arts and Culture: Jonathon Glus, (619) 236-6798

City Attorney Contact: Jon D. Dwyer

Item S400: Second Amendment to Contract between the City of San Diego and Meyers Nave to Provide Continued Legal Services as Outside Panel Counsel. (Added 9/17/21)

Total Estimated Cost of Proposed Action and Funding Source:

The proposed Second Amendment to the Contract is in an amount not to exceed \$850,000, and the legal services will be provided from funding sources already appropriated by the City Council, including the budget of the Public Liability Fund and the approved budgets of various City departments. No funding is requested as part of this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-82)

Resolution approving and authorizing the Mayor or designee to execute the Second Amendment to the Contract with Meyers Nave to provide continued legal services as outside panel counsel; and authorizing the Chief Financial Officer to expend an amount not to exceed \$850,000 for purposes of funding the Second Amendment to the Contract, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year in which the funds will be expended and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

Committee Actions Taken: N/A

Office of the City Attorney: Jim McNeill, (619) 533-5860

City Attorney Contact: Joan F. Dawson

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 201: Informational Item Regarding the FY 2021 Consolidated Annual Performance and Evaluation Report (CAPER) for HUD Programs.

Total Estimated Cost of Proposed Action and Funding Source:

This item is information only.

Council District(s) Affected: Citywide.

Proposed Actions:

This item is information only.

Committee Actions Taken: N/A

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

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 Temporary Rule 2.6.2, , non-agenda public is limited to two (2) minutes per speaker. Speakers may not allocate their time to other speakers. Non-Agenda Public Comment is taken toward the end of the Monday afternoon Council session.

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 June 7, 2022 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.

Therefore, the City Clerk’s Office has established the following calendar for the June 7, 2022 election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Monday	10/18/21	232	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	10/27/21	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
Monday - Friday	January- March 2022	157-88	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	03/11/22	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	3/15/22	84	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Friday	3/18/22	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 (619) 533-4000 or via e-mail at cityclerk@sandiego.gov

Item 251: Notice of Pending Final Map Approval – Laretta Lofts.

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 "Laretta Lofts, " (T.M. No. 2458079 PTS No. 684201) located on Laretta Street between "Azusa Street and Benicia Street", in the RM-3-7 zone within the Linda Vista Community Plan area, 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