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CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Todd Gloria • Third District

COUNCIL PRESIDENT PRO TEM

Sherri Lightner • First District

COUNCILMEMBERS

Kevin Faulconer • Second District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Lorie Zapf • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

Marti Emerald • Ninth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building

Tuesday, February 25, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, FEBRUARY 25, 2014, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7564. Internet access to the agenda is available at:

<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

01/14/2014

01/15/2014

PROCLAMATIONS/CEREMONIAL ITEMS

NOTE: The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: Engineers Week.

PRESENTED BY COUNCIL PRESIDENT PRO TEM LIGHTNER:

Proclaiming February 16, 2014, through February 22, 2014, to be "Engineers Week" in the City of San Diego.

ITEM-31: Maurice Luque Day.

PRESENTED BY COUNCIL PRESIDENT GLORIA:

Proclaiming February 24, 2014, to be "Maurice Luque Day" in the City of San Diego.

ITEM-32: HNTB Corporation Day.

PRESENTED BY COUNCIL PRESIDENT GLORIA AND COUNCILMEMBER KERSEY:

Proclaiming February 25, 2014, to be "HNTB Corporation Day" in the City of San Diego.

ITEM-33: Black History Month.

PRESENTED BY COUNCILMEMBER COLE:

Proclaiming the month of February, as "Black History Month" in the City of San Diego.

ITEM-34: Andrew Jones Day.

PRESENTED BY COUNCILMEMBER KERSEY:

Proclaiming February 25, 2014, to be "Andrew Jones Day" in the City of San Diego.

NOTE: The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-35: National Wear Red Day.

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Proclaiming February 7, 2014, to be "National Wear Red Day" in the City of San Diego.

ITEM-36: Kathleen S. Hasenauer Day.

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Proclaiming February 20, 2014, to be "Kathleen S. Hasenauer Day" in the City of San Diego.

ITEM-37: Little Saigon San Diego Foundation Lunar New Year Tet Festival Day.

COUNCIL PRESIDENT GLORIA'S, COUNCILMEMBER COLE, AND COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Proclaiming February 1, 2014, to be "Little Saigon San Diego Foundation Lunar New Year Tet Festival Day" in the City of San Diego.

ITEM-38: Sergio C. Garcia Day.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Proclaiming February 9, 2014, to be "Sergio C. Garcia Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6, of the San Diego Municipal Code, comments are limited to three minutes per speaker, and three minutes per subject regardless of the number of people requesting to speak on that subject

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING
WITH THE READING AND ADOPTION:

- * ITEM-50: Second Amendment to Agreement with Rick Engineering Company for the design of State Route 163/Clairemont Mesa Boulevard Interchange - Phase 2. (Kearny Mesa Community Area. District 7.)

ITEM DESCRIPTION:

These actions will authorize the execution of the Second Amendment to Agreement with Rick Engineering Company for the out of scope design work for the State Route 163/Clairemont Mesa Boulevard Interchange - Phase 2 Project, in an amount not to exceed \$107,060. The project proposes interchange improvements and provides for future traffic volumes that will optimize the traffic flow at this interchange.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/28/2014, Item 53. (Council voted 8-0. Councilmember Kersey not present):

(O-2014-73)

Authorizing the Council President, or his designee, in his capacity under Charter Section 265(i), to execute, for and on behalf of the City, the Second Amendment to the Agreement with Rick Engineering Company, for the purpose of completing the second phase of the State Route 163 and Clairemont Mesa Boulevard Interchange, under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$107,060 from CIP S-00905, State Route 163 and Clairemont Mesa Boulevard Interchange, Fund 400169, TransNet, for the purpose of providing funds for the above-referenced Project;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-100: Community Projects, Program and Services Funding Allocation for the Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL).

ITEM DESCRIPTION:

Approval of the funding allocations from Council Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with STAR/PAL for an amount not to exceed \$32,500 for their organization's operational expenses. (Rev. 2/25/14)

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-469 Cor. Copy 2) (Rev. 2/25/14)

Declaring that the allocation described herein is made for a public purpose;

Waiving that portion of Council Policy 100-06, which provides: "Funding for Community Projects, Programs and Services may be provided to City Departments, Public Agencies, and to Non-Profit community organizations, for one-time community, social, environmental, cultural or recreational needs which serve a lawful public purpose;"

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or his designee, to execute, for and on behalf of the City, an Agreement with Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL), in an amount not to exceed \$32,500 for the project described herein, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$32,500 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows:

Cost Center 1101110001 for \$5,000
Cost Center 1102110002 for \$5,000
Cost Center 1103110003 for \$5,000
Cost Center 1104110004 for \$2,500
Cost Center 1105110005 for \$2,500
Cost Center 1106110006 for \$5,000
Cost Center 1107110007 for \$2,500
Cost Center 1108110008 for \$2,500
Cost Center 1109110009 for \$2,500

to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury. (Rev. 2/25/14)

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$32,500 in Community Projects, Program and Services Funding Allocation for the Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL). (Rev. 2/25/14)

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Lightner

Primary Contact\Phone: Mel Millstein\619-533-6559, MS 10A
Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A
City Attorney Contact: Bradley, Catherine M.

- * ITEM-101: Excusing Council President Todd Gloria from the December 10, 2013, meeting, due to his participation in a Settlement Conference for the Shipyard Cleanup Litigation.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-453)

Excusing Council President Todd Gloria from attending the regularly scheduled City Council meeting of December 10, 2013, due to the Council President's participation in a Settlement Conference regarding shipyard clean-up litigation.

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

- * ITEM-102: Community Projects, Programs and Services Funding Allocation to The San Diego River Park Foundation for the Volunteer Water Monitoring Watch Team.

ITEM DESCRIPTION:

Approval of the Funding Allocation from Council District 6, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The San Diego River Park Foundation for an amount not to exceed \$5,000, for Volunteer Water Monitoring Watch Team.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-345)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;"

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or his designee, to execute, for and on behalf of the City, an Agreement with the San Diego River Park Foundation in an amount not to exceed \$5,000 for the project described herein, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1106110006, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2014-346)

Determining that the Project is categorically exempt from California Environmental Quality Act, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15304, and that an exception to the exemption does not apply;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Council Community Projects Programs and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for Volunteer Water Monitoring Watch Team.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-7053
City Attorney Contact: Bradley, Catherine M.

- * ITEM-103: Grant Funding for the Linda Vista and City Heights Skate Parks: Housing Related Parks Grant Round Three - Modification to the Previously Approved Grant Application to Increase the Award Amount and Project Scope; and authorization to accept a Tony Hawk Foundation Grant. (Linda Vista and City Heights Community Areas. Districts 7 and 9.) (Rev. 2/19/14)

ITEM DESCRIPTION:

Authorization to accept, appropriate, and expend additional grant funds and modify the project scope of the City of San Diego's 2013 Housing-Related Parks Grant (Round Three) Application, administered by the California Department of Housing and Community Development (HCD); and authorization to accept, appropriate, and expend additional grant funds from the Tony Hawk Foundation. (Rev. 2/19/14)

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-466) (Rev. 2/19/14)

Declaring that the City shall be subject to the terms and conditions specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. The City hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by California Department of Housing and Community Development (HCD) and in accordance with the NOFA and Program Guidelines and Application Package;

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or his designee, to make a revised application to the California Department of Housing and Community Development, and to take all necessary actions to secure funding for an amount not to exceed \$6,000,000 in State Housing-Related Parks Round Three Funds for the purpose of park and recreation improvements in the Linda Vista and City Heights communities;

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not to exceed \$6,000,000 of Housing-Related Parks Round Three grant funds, if the grant funding is secured and upon receipt of a fully executed grant agreements;

Authorizing the Chief Financial Officer to establish a special interest-bearing account, if required.

Subitem-B: (R-2014-499)

Authorizing the Mayor, or his designee, to make application to the Tony Hawk Foundation and to take all necessary actions to secure up to \$80,000 in grant funds for the Linda Vista Skate Park Project and the City Heights Skate Park Project;

Authorizing the Chief Financial Officer to accept, appropriate and expend an amount not to exceed \$80,000 grant funds from the Tony Hawk Foundation, if the grant funding is secured and upon receipt of a fully-executed grant agreement;

Authorizing the Chief Financial Officer to establish a special interest bearing account, if required. (Rev. 2/19/14)

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No matching funds required. Upon approval of the design of the Linda Vista Skate Park and City Heights Skate Park, staff will provide the estimated annual operational and maintenance costs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On November 5, 2013, the City Council approved Council Resolution R-308528, authorizing the City's 2013 Housing-Related Parks (Round Three) grant application.

Fulton/Villa

Primary Contact\Phone: Brian Schoenfisch\619-533-6457, MS 413
City Attorney Contact: Thomas, Shannon M.

- * ITEM-104: Excusing Council President Todd Gloria from attending the following Council Meetings: November 5, 2013, 10 a.m. session; January 14, 2014, 10 a.m. session; and January 27, 2014.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-454 Cor. Copy)

Excusing Council President Todd Gloria from attending the following regularly scheduled City Council meetings: the 10 a.m. session of November 5, 2013; the 10 a.m. session of January 14, 2014; and the meeting of January 27, 2014, due to the Council President's additional responsibilities under Charter Section 265(i) while there is a vacancy in the Office of the Mayor.

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

- * ITEM-105: Excusing Councilmember Mark Kersey from attending the January 29, 2014, Budget and Government Efficiency Committee meeting and Public Safety and Livable Neighborhoods Committee meeting, due to a family emergency.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-456)

Excusing Councilmember Mark Kersey from attending the January 29, 2014, Budget and Government Efficiency Committee meeting, and the Public Safety and Livable Neighborhoods Committee meeting, due to a family emergency.

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

- * ITEM-106: Excusing Councilmember Mark Kersey from attending the February 4, 2014, City Council meeting, due to a family emergency.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-457)

Excusing Councilmember Mark Kersey from attending the February 4, 2014, City Council meeting, due to a family emergency.

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

- * ITEM-107: Excusing Councilmember Mark Kersey from attending the January 27, 2014, and January 28, 2014, City Council meetings, due to a family emergency.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-455)

Excusing Councilmember Mark Kersey from attending the regularly scheduled City Council meetings of January 27, 2014, and January 28, 2014, due to a family emergency.

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

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

NOTE: This item may be taken in the morning session if time permits.

ITEM-330: INFORMATION - Consideration of Proposed Ballot Measure to Amend City Charter Related to Section 215: Publicity of Records, Section 216: Copies of Records, and Section 216.1: Access to Government Information for Consideration on the June 3, 2014 Ballot. (Citywide.)

(Continued from the meeting of February 10, 2014, Item S409, at the request of Council President Pro Tem Lightner, for further review.)

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Request that the City Council direct the City Attorney to draft an ordinance for Council consideration at the February 24, 2014, Council meeting placing on the June 3, 2014, Municipal Special Election ballot a measure to amend the City Charter related to Section 215: Publicity of Records, Section 216: Copies of Records, and Section 216.1: Access to Government Information for Consideration. The proposed amendments to the City Charter relate to expanding public access to city related information.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The most recent estimates from the Registrar of Voters regarding ballot measures on the June 3, 2014, ballot are as follows:

- 5 pages: \$157,000 - \$200,000
- 10 pages: \$180,000 - \$230,000
- 15 pages: \$200,000 - \$250,000

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on January 15, 2014.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Emerald, to move Councilmember Alvarez's proposal amending City Charter Section 215: Publicity of Records, City Charter Section 216: Copies of Records, and City Charter Section 216.1: Access to Government Information to the City Council for consideration, after additional collaboration between the City Attorney and Californians Aware to address legal issues and potential unintended consequences in the draft proposal, taking into account comments made by the Committee on January 15, 2014, with Councilmember Alvarez's office to provide staff support. The Committee also requested that a complete legal analysis be completed by the Office of the City Attorney and a preliminary financial impact analysis be performed by the Office of the Independent Budget Analyst for the City Council's consideration.

VOTE: 5-0; Lightner-yea, Faulconer-yea, Kersey-yea, Emerald-yea, Alvarez-yea.

Smith

Primary Contact\Phone: Kevin Smith\619-236-6688

Secondary Contact\Phone: Dominika Bukalova\619-236-6611

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

NOTE: This item may be taken in the morning session if time permits.

ITEM-331: Council Policy 900-15 - Small Business Enhancement Program (SBEP) Revision.
(Citywide.)

ITEM DESCRIPTION:

To approve revisions to Council Policy 900-15 (Small Business Enhancement Program). The changes incorporate newly adopted management practices and make the Policy consistent with present day programming, which is focused on improving the City's direct service to Business Improvement Districts (BIDs), Micro-districts, and small business.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-426)

Adopting the revisions to Council Policy 900-15;

Instructing the City Clerk to update the Council Policy Manual to include the revised Council Policy 900-15.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding under the current policy is based on 80,000 registered small businesses within the City; however, research indicates that the number has increased to 90,000 in the last five (5) years (since this policy was last renewed). The new policy removes that cap, and instead ties the annual Small Business Enhancement Program (SBEP) budget to the actual number of small business licenses for the previous fiscal year. Based on initial research an approximate one-time increase of \$200,000 in Fiscal Year 2015 is anticipated and is attributed to right-sizing the program. However, the on-going revenue increase is anticipated to be slight and gradual, consistent with small business licensure activity. The additional revenue to SBEP will ensure adequate staffing levels for distribution of information, delivery of direct services, contract administration, and new program creation and oversight.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- City Council established the Small Business Enhancement Program (SBEP) in 1995, and formalized it with the creation of Council Policy 900-15, adopted June 8, 1999, by Resolution R-291758 and then amended the policy by Resolution R-304314 on November 13, 2008.

- Rules and Economic Development Committee heard this item on November 6, 2013. The Committee unanimously approved revisions to SBEP with minor changes that have been implemented along with a clarification by staff to reflect that sufficient support shall be budgeted to implement the policy rather than a set number of staff.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Faulconer, to move staff recommendation, recommending approval of proposed revisions to Council Policy 900-15, Small Business Enhancement Program, to the City Council.

Additionally, the Committee requested the following:

- Amend the proposed policy so that annual funding for "BID Management and Support" be set at 22.5% of the non-personnel amount of the annual program budget.

- Revise Section 2. a.) of the draft policy to state "Proposed uses for the fiscal year shall be provided to the relevant Council Committee (presently the Budget and Finance Committee) as part of the Department's budget presentation each year."

- Request that staff solicit input from the Small Business Advisory Board prior to bringing this proposal to the City Council.

VOTE: 5-0; Lightner-yea, Faulconer-yea, Kersey-yea, Alvarez-yea, Emerald-yea.

Tomlinson/Chadwick

Primary Contact\Phone: Elizabeth Studebaker\619-533-4561, MS 56D

Secondary Contact\Phone: Meredith Dibden-Brown\619-236-6485, MS 56D

City Attorney Contact: Skogen, Daphne Z.

NOTE: This item may be taken in the morning session if time permits.

ITEM-332: Consideration of Nominees to the Parking Advisory Board.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-462 Cor. Copy)

Council confirmation of the following appointments and reappointments by the Council of the City of San Diego, to serve as members of the Parking Advisory Board, for terms expiring as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Jeff Barfield (Clairemont, District 6) (Filling the vacancy in the seat previously held by Landry Watson, who resigned)	Community Planning Committee Representative	December 31, 2015
Tom Brady (La Jolla, District 1) (Filling the vacancy in the seat previously held by Peter Wagener)	La Jolla Community Representative	December 31, 2015
Elizabeth Hannon (North Park, District 3) (Filling the vacancy in the seat previously held by Cindy Lehman, who resigned)	Uptown Parking District Representative	December 31, 2015
Roger Lewis (North Park, District 3) (Reappointment)	Mid-City Community Representative	December 31, 2015
Elyse Lowe (Clairemont, District 6) (Filling the vacancy in the District 8 Representative seat)	District 8 Representative	December 31, 2014

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Sarah Mattinson (Mission Beach, District 2) (Filling the seat previously held by John Cunningham)	District 2 Representative	December 31, 2014
Andrew Todd Phillips (Downtown, District 3) (Reappointment)	Downtown Community Parking District Representative	December 31, 2014
Gary Smith (Downtown, District 3) (Reappointment)	At-Large Representative	December 31, 2014

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-333: Preliminary Items Pursuant to Issuing Multifamily Housing Revenue Bonds for Westminster Manor. (District 3.)

ITEM DESCRIPTION:

That the San Diego City Council and Housing Authority of the City of San Diego take the initial steps to issue Housing Authority of the City of San Diego multifamily housing revenue bonds to fund the acquisition and rehabilitation of Westminster Manor, a 155-unit senior apartment project located in the Park West neighborhood. Final issuance of bonds would require Housing Authority of the City of San Diego approval at a later date.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-463)

Declaring that City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Internal Revenue Code of 1986 (Code), approves the issuance of the not to exceed \$28,500,000 aggregate principal amount of multifamily housing revenue bonds (Bonds) by the Housing Authority of the City of San Diego (Authority), to finance the acquisition and rehabilitation of a senior rental housing project in the City of San Diego (Project);

Declaring that the City does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds;

Declaring that the acquisition and rehabilitation of the Project is categorically exempt from the requirements of the California Environmental Quality Act under Sections 15301 (Existing Facilities) and 15332 (In-Fill Development Projects). Processing under the National Environmental Policy Act is not required as no federal funds are involved in this action.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action will be included in the Housing Commission proposed Fiscal Year 2015 Housing Commission Budget, which is scheduled to be considered by the Housing Authority in June 2014. Approving this action will have no impact on the Fiscal Year 2014 total budget. Please refer to staff report for further information.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item is scheduled to be voted on at the February 14, 2014, Housing Commission meeting.

Davis/Chadwick

Primary Contact\Phone: Ann Kern\619-578-7582

City Attorney Contact: Bartolotta, Bret A.

NOTE: See the Housing Authority Agenda of February 25, 2014, for a companion item.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

The following item will be considered in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-334: FY 2014 College Area Public Facilities Financing Plan. (College Area Community Plan Area. District 9.)

ITEM DESCRIPTION:

Requesting approval of an update to the College Area Public Facilities Financing Plan, which also sets the Development Impact Fees for the community. The Financing Plan is a guide for future development of public facilities within the community and serves to determine the public facility needs over the next approximately 16 years when full community development is anticipated.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-467)

Adoption of a Resolution approving the Fiscal Year 2014 College Area Public Facilities Financing Plan and Development Impact Fee Schedule;

Authorizing the Chief Financial Officer to establish and modify individual Capital Improvement Program project budgets to reflect the FY 2014 College Area Financing Plan, Financing Plan provided funding is available for such action;

Declaring that effective sixty days from the date of final passage of this Resolution, that all development impact fees due under the FY 2014 College Area Financing Plan, shall be those fees in effect at the time building permits are issued, plus automatic annual increases in accordance with San Diego Municipal Code Section 142.0640(b).

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Approving the DIF will continue to provide a partial funding source for the community-serving infrastructure identified in the Financing Plan. Since the DIF cannot be used for demand resulting from existing development, 45 acres of parkland is eligible for DIF funding while 49 acres of parkland is ineligible and other funding sources will need to be identified (Financing Plan Project No. P-1). Additional fees may be imposed on future discretionary projects on a case-by-case basis to fully account for a project's public facilities impacts.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This action was heard by the Infrastructure Committee on February 5, 2014 and the staff recommendation forwarded to the full City Council.

The current College Area Facilities Financing Plan (Financing Plan), Fiscal Year 1994 was adopted by City Council on October 12, 1993, by Resolution No. R-282802.

Fulton/Villa /og

Primary Contact\Phone: Oscar Galvez III\619-533-3685, MS 606F
Secondary Contact\Phone: John Tracanna\619-533-3682, MS 606F
City Attorney Contact: Hilda Mendoza

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-335: Amendment to the Land Development Code and Local Coastal Program for Medical Marijuana Consumer Cooperatives. (Citywide.)

ITEM DESCRIPTION:

This item is an Amendment to the Land Development Code and the Local Coastal Program to add Medical Marijuana Consumer Cooperatives as a new separately regulated land use. The City Council on April 24, 2013, directed the City Attorney and the Mayor's Office to return to the City Council with specific revisions to the 2011 Medical Marijuana Consumer Cooperative ordinance, information related to the "Public Safety" ordinance in Chapter 4 of the Municipal Code, and information related to fees, taxation and other items identified in City Council Resolution R-308124.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2014-90)

Introduction of an Ordinance amending Chapter 11, Article 3, Division 1 of the San Diego Municipal Code by amending Section 113.0103; amending Chapter 12, Article 6, Division 3 by amending Section 126.0303; amending Chapter 13, Article 1, Division 2 by amending Section 131.0222, Table 131-02B; amending Chapter 13, Article 1, Division 3 by amending Section 131.0322, Table 131-03B; amending Chapter 13, Article 1, Division 4 by amending Section 131.0422, Table 131-04B; amending Chapter 13, Article 1, Division 5 by amending Section 131.0522, Table 131-05B; amending Chapter 13, Article 1, Division 6 by amending Section 131.0622, Table 131-06B; amending Chapter 14, Article 1, Division 6 by adding a new Section 141.0614 and renumbering the current Section 141.0614 to 141.0615; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103; amending Chapter 15, Article 2, Division 3 by amending Section 152.0312; amending Chapter 15, Article 3, Division 3 by amending Sections 153.0309 and 153.0310; amending Chapter 15, Article 6, Division 3 by amending Section 156.0308, Table 156-0308-A; amending Chapter 15, Article 14, Division 3 by amending Section 1514.0305, Table 1514-03J; amending Chapter 15, Article 17, Division 3 by amending Sections 1517.0301 and 1517.0302; and amending Chapter 15, Article 19, Appendix A, all related to Medical Marijuana Consumer Cooperatives.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of the medical marijuana consumer cooperatives regulations in the future will be borne by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- October 6, 2009, the City Council voted to establish the Medical Marijuana Task Force (MMTF).
- January 5, 2010, the City Council voted to refer the recommendations of the MMTF to the Land Use & Housing Committee.
- March 24, 2010, the Land Use & Housing Committee directed the City Attorney to prepare an ordinance based on the recommendations of the MMTF as modified by the Committee.
- April 28, 2010, the Public Safety and Neighborhood Services Committee directed the City Attorney to review the MMTF Report and return to the Committee with legal recommendations.
- May 26, 2010, the Public Safety and Neighborhood Services Committee directed the City Attorney to prepare an ordinance based on the recommendations of the MMTF as modified by the Committee.
- September 13, 2010, the City Council voted 6-1 to initiate amendments to the Land Development Code and the City's Local Coastal Program pertaining to medical marijuana consumer cooperatives.
- March 28, 2011, the City Council voted 5-2-1 to amend the Land Development Code to and the City's Local Coastal Program to include regulations for medical marijuana consumer cooperatives.
- September 27, 2011, the City Council voted 7-1 to repeal the Medical Marijuana Consumer Ordinance rather than calling a special election to place the matter on the ballot.
- April 22, 2013, the City Council held an informational hearing to discuss a new Medical Marijuana Consumer Cooperative Ordinance and voted 8-0 to direct the City Attorney to develop a revised 2011 Medical Marijuana Consumer Cooperative Ordinance that includes City Council directed revisions.

Tomlinson\Chadwick\dn

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NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT