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CITY OF SAN DIEGO COUNCIL DOCKET



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David Alvarez • Eighth District
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Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, March 10, 2014
2:00 PM AND 6:00 PM
(Adjourned)

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, MARCH 10, 2014, AT 2:00 PM
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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

NON-AGENDA PUBLIC COMMENT

Non-agenda public comment is taken on Tuesday pursuant to San Diego Municipal Code Section 22.0101, Rule 2.6.

**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 based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-200: Presentation of the City of San Diego's June 30, 2013, Actuarial Valuation by Cheiron, the actuarial consultant for the San Diego City Employees' Retirement System (SDCERS).

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

This is an informational item only, no action required by the Council.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Jurado-Sainz

Primary Contact\Phone: Mark Hovey\619-525-3620

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-201: 2014 Salary Setting Commission’s Recommendation.

ITEM DESCRIPTION:

Consider the Salary Setting Commission recommendation that the salary for Fiscal Year 2015 and Fiscal Year 2016 remain at \$75,386 for Councilmembers and \$100,464 for the Mayor and that as long as the City Council votes on its own salary, the Councilmembers and Mayor in office should not benefit or be penalized by that change while they are in office.

PERSONNEL DIRECTOR'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-485 Cor. Copy)

Directing the City Attorney, pursuant to Section 41.1 of the Charter, to incorporate the following amounts in the Annual Salary Ordinance for Fiscal Year 2015, to be effective July 1, 2014, and the Annual Salary Ordinance for Fiscal Year 2016, to be effective July 1, 2015:

	<u>FY 2015</u>	<u>FY 2016</u>
Mayor	\$_____	\$_____
Councilmember	\$_____	\$_____

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Dehghani

Primary Contact\Phone: Hadi Dehghani\619-236-6155

Secondary Contact\Phone: Darren Keenaghan\619-236-7048

City Attorney Contact: Bradley Catherine M.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-202: Appeal of the Historical Designation of the Spreckels Brothers Commercial Company Warehouse located at 372 Fourth Avenue. (Downtown Community Plan Area. District 3.)

ITEM DESCRIPTION:

Matter of the appeal filed by Williams Family Trust/Elizabeth W. Awes Separate Property Trust, owner of the Spreckels Brothers Commercial Company Warehouse, of the decision of the Historical Resources Board to designate the property located at 372 Fourth Avenue, San Diego, California. Upon hearing of such an appeal, the City Council may by Resolution affirm, reverse, or modify the determination of the Board. The City Council shall rely upon the record of the proceedings before the Historical Resources Board and oral and written presentations shall be made to the City Council by proponents and opponents of the building's historic designation.

TODAY'S ACTION IS:

Take the following actions:

Granting or denying the appeal and upholding or overturning the action of the Historical Resources Board in designating the property located at 372 Fourth Avenue as a historical resource;

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

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Tomlinson/Chadwick/ks

Primary Contact\Phone: Kelly Stanco\619-236-6545, MS 413
Secondary Contact\Phone: Cathy Winterrowd\619-235-5217, MS 512
City Attorney Contact: Corrine Neuffer

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak “in favor” or “in opposition” to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

Items are listed under Public Notice 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 3, 2014 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE JUNE 3, 2014 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk’s Office has established the following administrative guidelines for the June 3, 2014, election*:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	1/10/14	144	LAST DATE (10:00 a.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee.
Wednesday	1/15/14	139	Committee review.
Monday	1/27/14	127	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee.
Monday	1/27/14	127	Council adopts propositions for ballot; directs City Attorney to prepare ordinances.
Monday	2/10/14	113	Council adopts ordinances prepared by City Attorney.
Friday	3/7/14	88	Last day for City Clerk to file with Registrar of Voters all elections material.
Thursday	3/20/14	75	Last day to file ballot arguments with City Clerk.

If you have questions, please contact the Office of the City Clerk at (619) 533-4025.

ITEM-251: Arguments Supporting or Opposing Propositions

For propositions approved by the Council for submittal to the qualified voters of the City of San Diego at the Municipal Primary Election to be held on Tuesday, June 3, 2014, the City Clerk has fixed 5:00 p.m. on Thursday, March 20, 2014, as a reasonable date prior to such election after which no arguments for or against City Propositions may be submitted to the Clerk.

Any argument for or against any City proposition 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, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, California, 92101.

ITEM-252: Primary Election Public Exam Period.

January 24, 2014

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 June 3, 2014, will be available for public examination for ten (10) calendar days prior to being submitted for printing in the sample ballot. 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	March 7, 2014	March 16, 2014
Ordinances calling election and Ordinances placing measures on the ballot	March 10, 2014	March 20, 2014
City Attorney's impartial analysis, ballot title and summary, and Mayor/IBA/City Auditor's fiscal analysis	March 18, 2014	March 27, 2014
Ballot arguments	March 21, 2014	March 30, 2014

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

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT