

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Sherri Lightner • First District

COUNCIL PRESIDENT PRO TEM

Marti Emerald • Ninth District

COUNCILMEMBERS

Lorie Zapf • Second District

Todd Gloria • Third District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Chris Cate • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building

Monday, December 7, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, DECEMBER 7, 2015, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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.

PROCLAMATIONS/CEREMONIAL ITEMS

NOTE: The following Proclamations will be heard at this meeting provided the City Council suspends the Permanent Rules in accordance with Rule 2.12. The suspension would allow for the item to be heard on Monday instead of Tuesday.

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

ITEM-20: Zara Marselian Day.

PRESENTED BY COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming December 8, 2015, to be “Zara Marselian Day” in the City of San Diego.

ITEM-21: National Flu Vaccination Week.

PRESENTED BY COUNCILMEMBER KERSEY:

Proclaiming December 6-12, 2015, to be "National Flu Vaccination Week" in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON CHARTER REVIEW:

ITEM-150: Consideration of Recommendations from the Charter Review Committee Regarding Potential Ballot Measures Related to the City Charter. (Citywide.)

ITEM DESCRIPTION:

Receive and consider the recommendations of the Charter Review Committee within Sub-Items A and B and direct the City Attorney to prepare the ballot language and the necessary ordinances in order to place the measures on the June 7, 2016, ballot. Additionally, request legal review of the sections recommended for repeal by the Charter Review Committee and return to the Council by February 1, 2016. (Rev. 12/4/15)

TODAY'S ACTION IS:

Sub-item A:

Directing the City Attorney to prepare the ballot language and the necessary ordinances for Article VII: Finance Sections dealing with the budgeting process, taxation, bonding and financial operations (including Charter Sections 39: Chief Financial Officer, 69: Fiscal Year and Manager's Estimate, 71: Preparation and Passage of Annual Appropriation ordinance, 72: Appropriation Accounts, 75: Annual Tax Levy, 76: Limit of Tax Levy, 76.1: Special Taxes, 77: Capital Outlay Fund, 80: Money Required to be in Treasury, 82: Examination and investigation of claims by the Auditor and Comptroller, 84: Payment of Claims Against the City, 86: Disposition of Public Moneys, 90: Contracting Bonded Indebtedness, 90.1: Waterworks, 91: General Reserve Fund) in order to place the measure on the June 7, 2016, ballot.

Sub-item B:

Directing the City Attorney to prepare the ballot language and the necessary ordinances in order to rewrite the Charter in gender neutral language and amend Charter section 226 as court ordered in order to place the measure on the June 7, 2016, ballot.

Sub-Item C:

Requesting that the City Attorney complete legal review of the effects of repealing the following Charter sections recommended for repeal by the Charter Review Committee: 26.1: Public Services Required, 64: Support of Education and Cultural Institutions, 71A: Reappropriations at beginning of fiscal year for salaries and maintenance and support expenses, 76: Limit of Tax Levy, 76.1: Special Taxes, 77B: Public Transportation, 81: Examination and investigation of claims by auditor and comptroller, 112: Appraisal of City Assets, 114: Bureau of Information and Publicity, 215: Publicity of Records, 216: Copies of Records and Article X: Transfer of Police and Fire Department employees into the Retirement System. (Rev. 12/4/15)

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The cost of placing the proposed measures on the June 2016 ballot is unknown at this time, because the number of measures required is yet to be determined.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

At the February 5, 2015, Charter Review Committee Item 1 regarding Ch Section 77B there was a motion by Councilmember Cate to accept the City Attorney's option to repeal the provision. Second by Councilmember Emerald. (4-0)

At the February 5, 2015, Charter Review Committee Item 1 regarding Ch Section 114 there was a motion by Councilmember Emerald to repeal Section 114. Second by Councilmember Cate. (4-0)

At the March 5, 2015, Charter Review Committee there was a motion by Councilmember Cate to recommend that the City Attorney modify all sections of the Charter to use gender neutral language. Second by Lightner. (3-0-1) (Emerald absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Emerald to approve the recommended changes to have "Auditor and Comptroller" read "Chief Financial Officer" and "Manager" to read "Mayor throughout Article VII. (3-0-1) (Kersey absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Cate to approve the Mayor's recommendation to change the language within Charter Section 69 to read, "Print a reasonable number of copies of the budget and distribute 15 days before final passage, distributing particularly to the newspapers and all public libraries" The current language states, "The Council shall provide for printing a reasonable number of copies of the estimate thus prepared for examination or distribution to citizens at least 15 days before final passage. Copies shall also be furnished to the newspapers of the City and to each library thereof which is open to the public". Second by Councilmember Emerald (3-0-1) (Kersey absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Emerald to repeal section 71A. Second by Councilmember Cate (3-0-1) (Kersey absent)

At the April 16, 2015 Charter Review Committee there was a motion by Councilmember Emerald to approve the CFO's recommendation to remove the requirement that a department notify the Chief Financial Officer by letter when a project is completed. Second by Councilmember Cate (3-0-1)(Kersey absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Emerald to approve the CFO's recommendation to restore unexpended restricted funds to the fund from which they were appropriated instead of transferring them to the general fund. Second by Councilmember Cate (3-0-1)(Kersey absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Cate to approve the City Attorney's recommendation to simplify charter section 75: Annual Tax Levy to state that any legally authorized taxes shall be levied not later than July of each fiscal year and transmitted to the tax collector. Second by Lightner (3-0-1) (Kersey absent)

At the April 16, 2015, Charter Review Committee there was a motion by Councilmember Emerald to approve the CFO's recommendation and repeal Section 112: Appraisal of City Assets. Second by Councilmember Cate (3-0-1)(Kersey absent)

At the May 14, 2015, Charter Review Committee there was a motion by Councilmember Kersey to accept the Mayor's recommendation regarding Charter Section 78: Assessment and Collection of taxes and retain only the first sentence of the section, and add "or the City of San Diego" to the end of the sentence. Second by Councilmember Cate. (4-0)

At the May 14, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the CFO's recommendation to remove Charter Section 81: Allotments because it is obsolete. Second by Councilmember Kersey. (4-0)

At the May 14, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the CFO's recommendation to combine section 82 and 83 if the City Attorney determines that is legally possible. Second by Councilmember Cate (4-0)

At the May 14, 2015, Charter Review Committee there was a motion by Councilmember Emerald to accept the Mayor's recommendation to remove this section because it is redundant with established practice. Second by Councilmember Cate. (4-0)

At the August 6, 2015, Charter Review Committee meeting there was a motion by Councilmember Cate to repeal Article X-Transfer of Police and Fire Department Employees into the Retirement System. Second by Councilmember Emerald (4-0)

At the August 6, 2015, Charter Review Committee meeting there was a motion by Councilmember Cate to accept the City Attorney's recommendation to repeal section 215: Publicity of Records and section 216: Copies of Records as they are no longer necessary. Second by Councilmember Emerald. (4-0)

At the August 6, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the City Attorney's recommendation to substitute the court ordered language that now appears in italics for the original overruled by the court. Second by Councilmember Emerald, (4-0)

At the October 8, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the recommended language for sections 68, 69, 71, and 72 as presented in "Charter Amendments-Budget, October 8, 2015" except to merge the proposed section 68 into 69, change the word "fiscal" to "calendar" when defining June 30th as the end of the fiscal year in the proposed section 68; change the word "as" to "at" following the words "legal levels" in section 69(k). Second by Councilmember Kersey (3-0-1)(Emerald absent)

At the October 8, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the recommended language for sections 75, 76, 76.1, and 78 as presented in "Charter Amendments-Budget, October 8, 2015" and repeal sections 76, renumber section 76.1 as 76, place functional provisions of section 78 in section 75. Second by Councilmember Kersey (3-0-1) (Emerald absent)

At the October 8, 2015, Charter Review Committee there was a motion by Councilmember Kersey to accept the recommended language for sections 90 and 90.2 as presented in "Charter Amendments-Budget, October 8, 2015" and for section 91.1 as presented in the IBA Report # 15-36. Second by Councilmember Cate. (3-0-1)(Emerald absent)

At the October 8, 2015, Charter Review Committee there was a motion by Councilmember Cate to accept the Motion by Councilmember Cate to accept the recommended language for sections 77,80, and 91 and 91.1 as presented in “Charter Amendments – Budget, October 8, 2015”; for section 39 as presented in “Charter Amendments Prepared by: Comptroller’s Office, August 24, 2015”; for sections 82 and 83 as presented in “Charter Amendments Prepared by: Comptroller’s Office, September 18, 2015”; and for section 86 as presented in the Chief Financial Officer’s “Recommended Revisions to the City Charter, April 2, 1015”; and for section 91.1 as presented in the Independent Budget Analyst’s Report Number 15-36; and refer Ch Section 111 to the City Attorney for legal review.

At the October 8, 2015, Charter Review Committee there was a motion by Councilmember Kersey to accept the recommended language for sections 90, 90.1 and 90.2 as presented in “Charter Amendments – Budget, October 8, 2015”; and for section 91.1 as presented in the Independent Budget Analyst’s Report Number 15-36.Second by Councilmember Cate. (3-0-1) (Emerald absent)

At the November 4, 2015, Charter Review Committee there was a motion by Councilmember Kersey to approve the staff recommended language, but as the League of Voters November 4, 2015, letter suggested, divide the last sentence into three sentences by inserting a period after the words "be subject to reappropriation" and after "works that will not be completed with the year" . Second by Councilmember Cate.

At the November 4, 2015, Charter Review Committee there was a motion by Councilmember Kersey to remove section 26.1: Public Services Required and consider including a list of broad category and timeless essential services in a preamble, pending legal review. Second by Councilmember Cate. (4-0) (Rev. 12/4/15)

Jurado-Sainz

Primary Contact\Phone: Steve Hadley\619-533-5096, MS 10A

Secondary Contact\Phone: Diana Jurado-Sainz\619-533-3920, MS 10A

ITEM-151: Consideration of the Recommendation of the Charter Review Committee Regarding a Potential Ballot Measure Related to the City's Redistricting Laws.

TODAY'S ACTION IS:

Provide direction to staff if it wishes to pursue the potential measure. Direct staff to prepare the ordinance that would place such a measure on the June 2016 ballot.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

March 5, 2015, Charter Review Committee, received direction for changes.

November 4, 2015, Charter Review Committee, make changes to add alternate for Appointing Authority and send to full Council.

ACTION: Motion by Councilmember Cate, second by Councilmember Emerald, to accept the recommended language as amended by Councilmember Kersey to clarify in the Municipal Code what qualifies or disqualifies a former judge for or from service in appointing a Redistricting Commission, and as amended by Chair Lightner to provide for an alternate so three judges vote on Redistricting Commission appointees in lieu of a two-member quorum making the appointments. To use the Municipal Code as much as possible to define and outline the Redistricting process. To forward the amended recommendation to the December 8, 2016, Council meeting.

VOTE: 4-0; Lightner-yea, Cate-yea, Kersey-yea, Emerald-yea.

Maland

Primary Contact\Phone: Elizabeth Maland\619- 533-4080, MS 2A

Secondary Contact\Phone: Bonnie Stone\619- 533-4060, MS 2A

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON BUDGET AND GOVERNMENT EFFICIENCY, RESOLUTIONS:

ITEM-152: Annual Presentation of the City Treasurer's Investment Policy and Delegation of Authority to the City Treasurer to Invest Funds.

ITEM DESCRIPTION:

Pursuant to California Government Code Section 53607 and Section 53646, the City Treasurer must annually request delegation of authority to invest or reinvest the City's funds and present the City Treasurer's Investment Policy to City Council at a public meeting.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2016-288)

Receiving and accepting the City Treasurer's Investment Policy for the Pooled Investment Funds, presented to the Budget and Government Efficiency Committee meeting on November 9, 2015;

Declaring that the City Council delegates authority to invest or to reinvest the City's funds to the City Treasurer, commencing January 1, 2016, and expiring December 31, 2016;

Declaring that the City Treasurer shall make reports to the City Council in accordance with the California Government Code.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no direct impact to the General Fund as a result of the approval of this resolution. Denying approval of this resolution may cause the City to miss opportunities to invest City funds and miss potential market gains from investment.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on November 9, 2015.

ACTION: Motion by Councilmember Cole, second by Councilmember Kersey, to recommend Council adopt the resolution.

VOTE: 5-0; Gloria-yea, Cole-yea, Kersey-yea, Sherman-yea, Alvarez-yea.

Granewich/Lewis

Primary Contact\Phone: Kent Morris\619-533-6253, MS 51V

Secondary Contact\Phone: Thomas Williams\619-533-6256, MS 51V

City Attorney Contact: Dugard, Prescilla

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON CHARTER REVIEW, ORDINANCES TO BE INTRODUCED:

ITEM-153: Amendments to Municipal Code Section Chapter 2, Article 2, Division 1, "The Council". (Citywide.)

ITEM DESCRIPTION:

Approve the proposed Amendments to Chapter 2, Article 2, Division 1, "The Council".

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2016-45 Cor. Copy)

Introduction of an Ordinance amending Chapter 2, Article 2, Division 1, of the San Diego Municipal Code by amending the Table of Contents and amending Sections 22.0101 and 22.0102, all relating to the Rules of Council.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On November 4, 2015, there were three motions made:

First motion was made by Councilmember Kersey, second by Councilmember Cate, to forward the proposal of once a month Monday meetings and Tuesday meetings scheduled from 10:00 a.m. to 6:00 p.m. with 1:00 p.m. Closed Session to the Council with no recommendation.

VOTE: 2-2; Kersey-yea, Cate-yea, Lightner-nay, Emerald-nay.

Second motion was made by Councilmember Kersey, second by Councilmember Emerald, to approve staff recommendations and forward to City Council for approval with direction to modify Rule 4.2: Selection of the Council President to be on the first Monday meeting in December on non-elections years and at the first Council meeting held on or after the tenth day of December on election years.

VOTE: 4-0; Passed unanimously.

Third motion was made by Councilmember Kersey, second by Councilmember Cate, to change:

-Rule 1: Time and Place to have the Tuesday Council meetings start at 10:00 a.m. - 6:00 p.m. with Closed Session at 1:00 p.m.

-Rule 2.2: Order of Business changes proposed by Councilmember Sherman and Councilmember Alvarez in their August 17, 2015, memo be incorporated into the Permanent Rules of Council.

VOTE: 3-1; Lightner-yea, Kersey-yea, Cate-yea, Emerald-nay.

This item was heard at the Charter Review Committee meeting on July 2, 2015. There was a motion made by Councilmember Cate, second by Council President Pro Tem Marti Emerald, requesting that a strike-out with all of the requested changes, additions, and clarifications presented at Committee be brought back for final review by the Committee. (The exact actions can be found in the attached action sheet.) VOTE: 4-0; Passed unanimously.

ACTION: Motion by Councilmember Cate, second by Councilmember Emerald, requesting that the ordinance and strike-out with all of the requested changes, additions, and clarifications considered and summarized below be brought back to the Charter Review Committee for final review within 60 days.

- Rule 2.1 Request to analyze the possibility of having Council meetings be held on Tuesdays from 9:00 a.m. - 6:00 p.m. with Closed Session at 1:00 p.m.
- Rule 2.3 Strike rule from the Permanent Rules of Council.
- Rule 4.5 Add clarification on responsibilities of the Chair Pro Tem to be the same as the Council President in the absence of the Council President and Council President Pro Tem.
- Rule 6.6 Request that the City Attorney's office work with the Director of Legislative Affairs to prepare language for review by the Committee.
- Rule 6.9.1 Change to clarify that in the event of a tie vote the matter shall be forward to Council without Committee recommendation.
- Rule 6.10 Request the Director of Legislative Affairs to work with interested stakeholders to review and clarify the Committees' Areas of Responsibility.
- Rule 6.10.7 Create a Special Issues Committee that would meet on an as needed basis to cover the Areas of Responsibility currently held under the "additional responsibilities of the Committee Chaired by the Council President."
- Rule 7.3 Agree with a strike-out being prepared for any "Corrected Copy" resolutions or ordinances submitted to the Council President.
- Rule 7.3.2 Agree with directing the City Attorney to clarify within the resolution or ordinance if 6 votes are required for an item.
- Rule 7.6 Agree with moving the supplemental deadline to Thursday at 2:00 p.m.
- Rule 8 Requested representatives from the Mayor's Office, City Attorney's Office, and the Council President's Office meet to discuss a process to coordinate the Closed Session agenda per Charter Section 270(d).
- Rule 1.6 Add clarification that the Council majority can call an emergency meeting if the Council President and Mayor are unavailable to call such meeting. Additionally add reference to Municipal Code Section 5.01 regarding Public Emergency Procedures.

- Rule 6.10.5 The Budget and Government Efficiency Committee shall be composed of four members and clarify all Council Committees shall consist of 4 members.
- Rule 2.4.2 Add language "not to exceed 120 days."
- Rule 2.11.1 Change "day" to "meeting."
- Rule 3.4 Add language to read, "as deemed necessary by the Council or as legally required."

VOTE: 4-0; Lightner-yea, Cate-yea, Kersey-yea, Emerald-yea.

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619-533-3920, MS 10A
City Attorney Contact: Dugard, Prescilla

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

ITEM-200: San Diego and Encanto Neighborhoods Community Plan Update, Amendments to the General Plan and Municipal Code, and Environmental Impact Report No. 2014051075, Project No. 386029. (Southeastern San Diego and Encanto Neighborhoods Community Plan Areas. Districts 4, 8, and 9.)

ITEM DESCRIPTION:

This effort will replace the 1987 Southeastern San Diego (SESD) Community Plan with an updated community plan for the Southeastern San Diego community and a new independent community plan for Encanto Neighborhoods and include rezoning, the amendment and adoption of Community Plan Implementation Overlay Zones and the certification of a Program Environmental Impact Report.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 11/16/2015, Item 204, Subitems C and D. (Council voted 9-0):

Subitem-A: (O-2016-31)

Rezoning 6,740 acres located in Southeastern San Diego and Encanto Neighborhoods, within the Southeastern San Diego Community Plan Area, in the City of San Diego, California, from the Southeastern San Diego Planned District and the Mount Hope Planned District Ordinance to the RS-1-1, RS-1-2, RS-1-4, RS-1-6, RS-1-7, RX-1-1, RM-1-1, RM-1-2, RM-2-5, RM-3-7, CN-1-3, CN-1-4, CC-3-4, CC-3-6, CC-2-1, CO-2-1, IL-3-1, OP-1-1, and OC Zones, and repealing Ordinance Nos. O-19599 and O-19593, adopted March 27, 2007, of Ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-B: (O-2016-33)

Amending Chapter 13, Article 2, Division 14 of the San Diego Municipal Code by amending Section 132.1402 and Table 132-14A; amending Chapter 15 by repealing Article 15; and amending Chapter 15, Article 19, Division 1 by amending Section 1519.0102, relating to the Southeastern San Diego and Encanto Neighborhoods Community Plan Updates and updates to the Community Plan Implementation Overlay Zone Diagrams.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-201: Selection of a Council President. (Citywide.)

ITEM DESCRIPTION:

Select a Council President from among the Councilmembers to begin a one-year term commencing on December 7, 2015, and until a successor is selected and qualified.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-286)

Declaring that, after full discussion and deliberation by the Council, Councilmember _____ is hereby selected as Council President to serve a one-year term commencing on December 7, 2015, and until a successor is selected and qualified.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Temporary Rule 4.2 was approved by the Council on Monday, November 16, 2015.

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619- 533-3920, MS 10A
City Attorney Contact: Dugard, Prescilla

This item is being presented to the Council in its capacity as the board of the local redevelopment successor agency, officially known as "the City of San Diego, solely in its capacity as the designated successor agency of the Redevelopment Agency of the City of San Diego, a former public body, corporate and politic" (Successor Agency).

ITEM-202: Successor Agency to the Redevelopment Agency of the City of San Diego, Tax Allocation Refunding Bonds, Series 2016A (Tax Exempt) and 2016B (Taxable) - Preliminary Official Statement Authorization. (Citywide.)

ITEM DESCRIPTION:

Authorize the form of and distribution of the Preliminary Official Statement ("POS") for the Successor Agency to the Redevelopment Agency of the City of San Diego ("Successor Agency"), Tax Allocation Refunding Bonds (the "2016 Bonds") and authorize the execution, delivery and distribution of the Official Statement.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-267)

A Resolution of the Council of the City of San Diego, acting in its capacity as the Governing Board of the Successor Agency to the Redevelopment Agency of the City of San Diego approving the Form of the Preliminary Official Statement for the 2016 Bonds to deem it final under Rule 15c2-12 and authorizing certain related actions.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Based on market conditions the week of November 9, approximately \$237 million in outstanding bonds are expected to be refunded with the issuance of the 2016 Bonds resulting in net present value savings estimated to be 13% of the refunded par amount, which exceeds the 3% threshold set by the City's Debt Policy. This equals cumulative cash flow savings of approximately \$70 million over the remaining 19 year term of the bond issue for an average annual cash flow savings of approximately \$3.7 million in Fiscal Years 2016 - 2034.

Lowering the Successor Agency's debt service will benefit all affected tax sharing entities, including the City, by increasing their residual semiannual Redevelopment Property Tax Trust Fund ("RPTTF") distribution payments made by the County Assessor. The City's share of these residual payments is 17.5%. Based on this percent share, the City's increase in residual payments, as a result of the refunding, equates to approximately \$650,000 annually to the City's General Fund. Other local taxing entities that will benefit from the refunding include local K-12 school districts (residual share is 44%), the County (15%), Community College Districts (6%), and other special districts.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On May 20, 2015, Debt Management presented the proposed Economic Bond Refunding Opportunity to the Budget and Government Efficiency Committee.

On August 17, 2015, the 2016 Bond Refunding was presented to the Oversight Board as an informational item.

On October 9, 2015, Ordinance No. O-20566 was approved by the Successor Agency, authorizing the issuance of the 2016 Bonds and the related financing documents - See Report to City Council Number 15-076.

On October 19, 2015, Resolution No. OB-2015-15 was approved by the Oversight Board, authorizing the issuance of the 2016 Bonds and certain other related actions - See Report to Oversight Board dated October 15, 2015, Item 6.

Kommi/Lewis

Primary Contact\Phone: Lakshmi Kommi\619-236-6928

Secondary Contact\Phone: Robert Davis\619-533-6477

City Attorney Contact: Bartolotta, Bret A.

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 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

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 7, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE JUNE 7, 2016 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, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the June 7, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/5/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/13/16	146	Committee review
Monday	1/25/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday	2/1/16	127	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Monday	2/22/16	106	Council adopts ordinances prepared by City Attorney
Friday	3/11/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/24/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

ITEM-251: Notice of Pending Final Map Approval - Pacific Highlands Ranch Unit 28.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "Pacific Highlands Ranch Unit 28" (Planning Commission No. 4148-PC and V.T.M. 8878/PTS No. 5382) located south of Carmel Valley Road, and east of Rancho Santa Fe Farms Road, legally described as Parcel 2 of Parcel Map No. 12027 and those portions of Section 10, 11 and 15, Township 14 South, Range 3 West, San Bernardino Base and Meridian as described in deed to Pardee Construction Company, a California Corporation, recorded January 7, 1997 as Document No. 1997-0007488, O.R., in the City of San Diego, County of San Diego, State of California, in the Pacific Highlands Ranch Subarea III Plan area, in the RT-1-1, RX-1-1 and RS-1-14 zones, 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 Fred LePage (619) 446-5434.

ITEM-252: **Notice** of Pending Final Map Approval - Rhodes Crossing Unit 7.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "Rhodes Crossing Unit 7" (V.T.M. 7938/PTS No. 3230) located generally on the west and east sides of Carmel Mountain Road both north and south of State Route 56 and west and east of Camino Del Sur in the proximity of the intersections of Camino Del Sur with State Route 56 and Camino Del Sur with Carmel Mountain Road, in the Rancho Peñasquitos Community Plan area and the Torrey Highlands Subarea Plan area, legally described as Lot 7 of Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to map thereof No. 15578, 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 Fred LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT