

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Myrtle Cole • Fourth District

COUNCIL PRESIDENT PRO TEM

Mark Kersey • Fifth District

COUNCILMEMBERS

Barbara Bry • First District
Lorie Zapf • Second District
Christopher Ward • Third District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District
Georgette Gómez • Ninth District

Andrea Tevlin
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, December 11, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, DECEMBER 11, 2017, AT 1:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

ALTERNATE FORMATS

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. 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.

SENATE BILL 343 (LATE-ARRIVING MATERIALS)

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**

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, OTHER LEGISLATIVE ITEMS:

Item 200: **Fiscal Year 2018 First Quarter Budget Monitoring Report.**

Total Estimated Cost of Proposed Action and Funding Source: None.

Council District(s) Affected: Citywide.

Proposed Actions:

This is an informational item only.

Committee Actions Taken: N/A

Financial Management: Jose Mendoza, (619) 533-5562

City Attorney Contact:

Item 201: **Fiscal Year 2019-2023 Five Year Financial Outlook.**

Total Estimated Cost of Proposed Action and Funding Source: None.

Council District(s) Affected: Citywide.

Proposed Actions:

This item is for information only.

Committee Actions Taken: N/A

Financial Management: David Onate, (619) 533-4301

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 202: Creation of Utilities Undergrounding Districts for UU598 San Diego Avenue and UU27 Cesar Chavez Parkway.

Total Estimated Cost of Proposed Action and Funding Source:

SDG&E - \$2,753,595

CIP - \$813,075

Council District(s) Affected: 3, 8.

Proposed Actions:

(R-2018-228)

Resolution calling a public hearing on **February 27, 2018**, to determine whether the public health, safety or general welfare requires the formation of Underground Utility Districts in residential blocks UU598 on San Diego Avenue and UU27 on Cesar Chavez Parkway. **(Rev. 12/6/17)**

Committee Actions Taken: N/A

Transportation & Storm Water: **Gene Matter (858) 541-4325 (Rev. 12/6/17)**

City Attorney Contact: **Ryan Gerrity**

Item 203: Allocation of Community Development Block Grant Funds for the Rehabilitation of 1788 Palm Avenue (Super 8 motel) for the Palm Avenue Transitional Housing Project for the San Diego Misdemeanants At-Risk Track (SMART) Program.

Total Estimated Cost of Proposed Action and Funding Source:

This project will be funded with Community Development Block Grant funds. Total project costs: \$6,500,000.

Council District(s) Affected: 8.

Proposed Actions:

(R-2018-233)

Resolution authorizing the expenditure of an amount not-to-exceed \$6,500,000 in Community Development Block Grant funds, for rehabilitation of the real property and improvements located at 1788 Palm Avenue, and authorizing related actions.

Committee Actions Taken: N/A

Economic Development: Stephen Maduli-Williams, (619) 533-6510

City Attorney Contact: Delmar Williams

See Item 204 on today's agenda for related item.

Item S400: Fiscal Year 2018 Capital Improvements Program (CIP) Mid-Year Budget Monitoring Report and CIP Budget Revisions. (Added 12/6/17)

Total Estimated Cost of Proposed Action and Funding Source:

See attachment: Fiscal Year 2018 CIP Mid-Year Budget Monitoring Report.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-242)

A resolution authorizing mid-year amendments to the fiscal year 2018 Capital Improvements Program Budget.

Committee Actions Taken:

This item was heard at the Infrastructure Committee Meeting on December 4, 2017.

ACTION: Motion by Councilmember Gómez, second by Councilmember Zapf, to approved staff recommendations and revisions.

VOTE: 3-0; Kersey-yea, Zapf-yea, Gómez-yea, Ward-recused.

Financial Management: Adam Jones, (619) 533-6385

City Attorney Contact: Brant Will

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 204: Palm Ave Transitional Housing for the Smart Program - Project No. 569136.Total Estimated Cost of Proposed Action and Funding Source:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Council District(s) Affected: 8.Proposed Actions:

Palm Ave Transitional Housing for the Smart House project (Project), proposes to rehabilitate an existing 24,154-square-foot hotel into a transitional housing facility containing 42 rooms (84 beds) with a common kitchen and dining, training facilities and meeting areas, and one manager unit. The project includes interior and exterior work to the existing building, reconfigured and resurfaced parking area, new landscape and other site improvements on a 0.98-acre site. The project site is located at 1788 Palm Avenue in the CC-4-2 zone within the Otay Mesa-Nestor Community Plan area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the First Public Roadway, the Parking Impact Overlay Zone (Coastal Impact Area), and Council District 8. This development is within the Coastal Overlay Zone and the application was filed on August 18, 2017. The project, as proposed, is exempt from the requirement to obtain a Coastal Development Permit pursuant to San Diego Municipal Code Section 126.0704(a).

At the hearing, Council will make a determination under the California Environmental Quality Act (CEQA) about whether the project will have a significant impact on the environment. Staff is recommending that the Council determine that the project is exempt from CEQA under CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, licensing, or minor alteration of existing facilities (public or private) involving negligible or no expansion of use beyond that existing at the time of determination and that the exceptions listed in CEQA Guidelines Section 15300.2 would not apply.

Subitem-A:

(R-2018-217)

Adopt a resolution determining that the granting of a Conditional Use Permit for the Palm Avenue SMART Project is exempt from CEQA pursuant to Guidelines Section 15310.

This subitem is not subject to the Mayor's veto.

Subitem-B:

(R-2018-225 Cor. Copy) (Rev. 12/8/17)

Adopt a resolution granting a Conditional Use Permit for the Palm Avenue SMART project.

This subitem is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Jeffrey A. Peterson, (619) 446-5237

City Attorney Contact: Shannon M. Thomas

See Item 203 on today's agenda for a related item.

Item 205: Tax Equity & Fiscal Responsibility Act Public Hearing - Regency Centre Apartments.

Total Estimated Cost of Proposed Action and Funding Source:

The Housing Authority of the City of San Diego intends to issue up to \$16,000,000 of multifamily housing revenue bonds to finance the acquisition, construction or rehabilitation of a multifamily rental housing project in the City of San Diego described in the attached Notice of Public Hearing.

Council District(s) Affected: 9.

Proposed Actions:

(R-2018-235)

Resolution approving the execution and delivery of a note by the San Diego Housing Authority for Regency Centre pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See the Housing Authority Agenda of December 11, 2017, for a companion item.

This is a TEFRA hearing item.

Item 206: Tax Equity & Fiscal Responsibility Act Public Hearing - Seabreeze Farms & Torrey Highlands.

Total Estimated Cost of Proposed Action and Funding Source:

The Housing Authority of the City of San Diego intends to issue up to \$20,500,000 of multifamily housing revenue bonds to finance the acquisition, construction or rehabilitation of a multifamily rental housing project in the City of San Diego described in the attached Notice of Public Hearing.

Council District(s) Affected: 1, 5.

Proposed Actions:

(R-2018-236)

Resolution approving the execution and delivery of a note by the San Diego Housing Authority for Seabreeze Farms & Torrey Highlands pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See the Housing Authority Agenda of December 11, 2017, for a companion item.

This is a TEFRA hearing item.

Item 207: Tax Equity & Fiscal Responsibility Act Public Hearing – Playa del Sol.

Total Estimated Cost of Proposed Action and Funding Source:

The Housing Authority of the City of San Diego intends to issue up to \$11,500,000 of Multifamily Housing Revenue Bonds, to finance the new construction of a multifamily rental housing project in the city of San Diego described in the Notice of Public Hearing.

Council District(s) Affected: 8.

Proposed Actions:

(R-2018-160 Cor. Copy)

Resolution approving the issuance of bonds by the San Diego Housing Authority for Playa del Sol Apartments pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See the Housing Authority Agenda of December 11, 2017, for a companion item.

This is a TEFRA hearing item.

Item 208: Tax Equity & Fiscal Responsibility Act Public Hearing – Parkside Apartments.

Total Estimated Cost of Proposed Action and Funding Source:

The Housing Authority of the City of San Diego intends to issue up to \$6,000,000 of multifamily housing revenue bonds to finance the acquisition, construction or rehabilitation of a multifamily rental housing project in the City of San Diego described in the attached Notice of Public Hearing.

Council District(s) Affected: 9.

Proposed Actions:

(R-2018-234)

Resolution approving the issuance of a note by the San Diego Housing Authority for Parkside Apartments pursuant to Section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Debbie Ruane, (619) 578-7566

City Attorney Contact: Bret A. Bartolotta

See Housing Authority Agenda of December 11, 2017, for a companion item.

This is a TEFRA hearing item.

Item 209: Marburn Corp TM – Project No. 435483.

Total Estimated Cost of Proposed Action and Funding Source:

None. All costs associated with processing this project are paid through a deposit account funded by the applicant.

Council District(s) Affected: 7.

Proposed Actions:

Easement Vacation, Tentative Map, Site Development Permit, and Planned Development Permit for the subdivision of a vacant parcel containing Environmentally Sensitive Lands into 24 residential lots and five homeowners association lots, and the construction of 24 single dwelling units with a private drive accessing internal lots, landscaping, and other site improvements, with deviations. The 5.99-acre site is located at 5551 1/3 College Avenue, north of Interstate 8 and east of College Avenue, in the RS-1-7 zone within the Navajo Community Plan area. Mitigated Negative Declaration No. 435483 has been prepared for the Project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, all potential impacts identified in the environmental review process.

Subitem-A:

(R-2018-206)

Adopt a Resolution adopting the Mitigated Negative Declaration and adopting the Mitigation, Monitoring, and Reporting Program for the Marburn Corp TM Project.

This subitem is not subject to the Mayor's veto.

Subitem-B:

(R-2018-207)

Adopt a Resolution approving the Site Development Permit and Planned Development Permit for the Marburn Corp TM Project.

This subitem is not subject to the Mayor's veto.

Subitem-C:

(R-2018-205)

Adopt a Resolution approving the Tentative Map with Easement Vacations for the Marburn Corp TM project.

This subitem is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Paul Godwin, (619) 446-5190

City Attorney Contact: Shannon M. Thomas

Item 210: The Village Rezone - Project No. 522479.

Total Estimated Cost of Proposed Action and Funding Source:

All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Council District(s) Affected: 7.

Proposed Actions:

The project proposes a Rezone and Conditional Use Permit to rezone an 18,000 square-foot (0.41-acre) portion of the Village at Mission Valley from RM-2-5 to CN-1-1 and operate an Alcohol Beverage Outlet with a Type 21 ABC License for the sale of alcohol beverages for off-site consumption from an existing accessory commercial market at 6555 Ambrosia Drive. The project site is part of the 77-acre Village at Mission Valley complex within the current RM-2-5 zone of the Tierrasanta Community Plan area.

Subitem-A:

(O-2018-43)

Introduction of an Ordinance approving a rezone changing .41 acres located at 6555 Ambrosia Drive, within the Tierrasanta Community Plan Area, in the City of San Diego, California, from the RM-2-5 zone into the CN-1-1 zone for The Village Mission Valley Project.

This subitem is not subject to the Mayor's veto.

Subitem-B:

(R-2018-158)

Adopt a Resolution granting a Conditional Use Permit for The Village Mission Valley Project.

This subitem is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Morris Dye, (619) 446-5201

City Attorney Contact: Shannon M. Thomas

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 (2) 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 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: Notice of Pending Final Map Approval - Ocean View Village.

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 "Ocean View Village " the map proposes a subdivision of 10.4 acres into three lots with 143 residential condominium units and 64 commercial/industrial condominium units with approved Vesting Tentative Map no. R-314829. The project site is located at 996 Otay Valley Road in the AR-1-1 zone, Airport Influence Area, and Airport Environs Overlay Zone of the Otay Mesa Plan and in the Council District no 8. The project is legally described as the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 29, Township 18 South, Range 1 West, San Bernardino Base Meridian, County of San Diego, and State of California. Specifically, the City Land Surveyor 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 Land Surveyor 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 Land Surveyor 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 251: Notice of Pending Final Map Approval - Lake Atlin.

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 "LAKE ATLIN" (V.T.M. No. 1521740, PTS No. 548088) located in the Navajo community, is designated as Public School-Elementary School use by the Navajo Community Plan Land Use map (Attachment 1). The site is located at 6365 Lake Atlin Avenue in the RS-1-7 zone between Lake Atlin Avenue, Lake Arrowhead Drive, Lake Angela Drive and Lake Ashmere Drive. Described as a portion of lot 69 of Rancho Mission of San Diego in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 600, filed in the Office of the County Recorder of San Diego County, 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.

Item 252: Submission of Ballot Proposals for the June 5, 2018 Ballot.

SUBMISSION OF BALLOT PROPOSALS FOR THE JUNE 5, 2018 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's Office has established the following administrative guidelines for the June 5, 2018 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/2/18	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/10/18	146	Initial Committee review
Monday	1/22/18	134	Council Docket (PUBLIC NOTICE) lists proposals discussed by Committee and referred for a second discussion, and proposals already through Committee twice and referred to Council.
Wednesday	2/7/18	118	2nd Committee Review of proposed ballot measures for which the Rules Committee requested further review and analysis.
Monday	2/12/18 3/6/18	113-91	Council may discuss measures and direct City Attorney to prepare ordinances placing measures on the ballot. Council adopts ordinances prepared by City Attorney
Friday	3/9/18	88	Last day for City Clerk to file with Registrar of Voters election material (Ordinances and resolutions related to the calling of election and any measure(s) if any)
Thursday	3/22/18	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.

11/1/17, pending adoption of 2018 Legislative Calendar

NON-AGENDA ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT