

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Georgette Gómez • Ninth District

COUNCIL PRESIDENT PRO TEM

Barbara Bry • First District

COUNCILMEMBERS

Jennifer Campbell • Second District
Christopher Ward • Third District
Monica Montgomery • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
Vivian Moreno • Eighth District

**Andrea Tevlin
Independent
Budget Analyst**

**Mara W. Elliott
City Attorney**

**Elizabeth Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building

Tuesday, June 30, 2020

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 30, 2020, AT 9:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING COUNCIL MEETING ACCESS AND PUBLIC COMMENT:

Until further notice, City Council meetings will be conducted pursuant to the provisions of [California Executive Order 29-20](#), which suspends certain requirements of the Ralph M. Brown Act and the [Temporary Rules of Council](#) as approved on April 7, 2020.

During the current State of Emergency and in the interest of public health and safety, most—and possibly all—of the Council Members will be participating in City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public participating in person at the City Council Meetings. We are providing alternatives to in-person attendance for viewing and participating in the meetings.

In lieu of in-person attendance, members of the public may participate and provide comment via telephone, using the City Clerk webform, email submission or via U.S. Mail of written materials, as follows:

Phone in Testimony

When the Clerk introduces either the item you would like to comment on or the comment period for, Non-Agenda Public Comment or Closed Session Public Comment, follow the instructions within the "[Public Comment Instructions](#)" by dialing the number below to be placed in the queue.

1. DIAL 619-541-6310
2. Enter the Access Code: 877861 then press `#`.

Written Comment through Webform:

Comment on Agenda Items may be submitted using the [webform](#) indicating the agenda item number for which you wish to submit your comment. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment may be submitted using the [webform](#), checking the appropriate box. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

Closed Session Public Comment may be submitted using the City Clerk [webform](#), checking the appropriate box. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Written Materials. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to cityclerk@sandiego.gov or submit via U.S. Mail 202 C Street, MS2A San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Councilmembers in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the City Council.

The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Time Warner Cable or Channel 99 for AT&T, or [view the meetings online \(link is external\)](#)

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Note: The City Council will meet in Closed Session this morning at 9:00 a.m. or shortly thereafter. Public Comment on Closed Session items will occur at the start of the 9:00 a.m. session before Council adjourns into Closed Session. The City Council will reconvene for Open Session at 11:00 a.m. or shortly thereafter.

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) 578-7550. Internet access to the agenda is available at: <http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

NON-AGENDA PUBLIC COMMENT

APPROVAL OF COUNCIL MINUTES

5/29/20 Special

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED:

Item 50: Reimbursement Agreement and Park Development Agreement between the City of San Diego and Pardee Homes for Project No. P-2 McGonigle Canyon Neighborhood Park in the Pacific Highlands Ranch Community.

Total Estimated Cost of Proposed Action and Funding Source:

This project will be funded by FBA Fees Collected in Pacific Highlands Ranch. Total estimated cost is \$7,993,629.

Council District(s) Affected: 1.

Proposed Actions:

(O-2020-125)

Introduction of an Ordinance of the Council of the City of San Diego authorizing a reimbursement and park development agreement for Project No. P-2, McGonigle Canyon Neighborhood Park in the Pacific Highlands Ranch Community.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Planning: Gaetano Martedi, (619) 533-3678

City Attorney Contact: Kate Malcolm

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED AND ADOPTED:

Item 51: Fiscal Year 2021 Tax Rate Ordinance for the Maintenance of Zoological Exhibits.

Total Estimated Cost of Proposed Action and Funding Source:

Funding is appropriated in the Fiscal Year 2021 Adopted Budget for Zoological Exhibits Maintenance in the amount of \$15,647,842.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2020-119)

Introduce and adopt an Ordinance fixing the rate of taxation to maintain zoological exhibits in Balboa Park for Fiscal Year 2021.

Committee Actions Taken: N/A

Department of Finance: Vanessa Montenegro, (619) 533-6169

City Attorney Contact: Bret A. Bartolotta

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 52: Actions Related to the Approval of the Purchase and Sale Agreement for the City's Sale to SDSU of Approximately 135.12 Acres of the SDCCU Stadium Site in Mission Valley Located at 9449 Friars Road, San Diego, CA 92108.

Total Estimated Cost of Proposed Action and Funding Source:

The proposed transaction will implicate fiscal considerations for the City, through its General Fund and its Water Utility Fund. The base purchase price for the stadium site is \$86,200,000, which generally will be deposited into the Capital Outlay Fund.

Council District(s) Affected: 7.

Proposed Actions:

Adopt the following ordinances which were introduced on 6/17/2020, Item 600, Subitem D and E. (Council voted 8-1, Councilmember Sherman-nay):

Subitem-A: (O-2020-124)

Ordinance authorizing the sale of an approximately 135.12-acre portion of the real property located at 9449 Friars Road in Mission Valley, commonly known as the SDCCU stadium site, and approving various related actions.

Subitem-A above requires 6 votes pursuant to Charter Section 99.

Subitem-B: (O-2020-123)

Ordinance approving the SDSU Mission Valley Affordable Housing Implementation and Monitoring Procedures, finding that the requirements under the City's Inclusionary Affordable Housing Regulations are not applicable to the development of affordable housing units on the SDCCU stadium site in Mission Valley, and otherwise confirming the Council's intention to approve a variance from, or a waiver of, such requirements.

Subitem-B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

*Real Estate Assets: Cybele Thompson, (619) 236-6145
City Attorney Contact: Kevin Reisch*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Development Impact Fees Annual Report.

Total Estimated Cost of Proposed Action and Funding Source:

There are no expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-582)

Resolution accepting the Development Impact Fee Fiscal Year 2019 Annual Report and making findings related to unexpended balances as required by California Government Code Section 66001.

Committee Actions Taken: N/A

Public Facilities Planning: Scott Mercer, (619) 533-3676
City Attorney Contact: Adam Wander

Item 101: Extension of Residential and Commercial Eviction Moratorium Due to the Declared State of Emergency from COVID-19.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-612)

Resolution extending the Ordinance enacting a temporary moratorium on evictions due to non-payment of rent for residential and commercial tenants as a result of the State of Emergency related to the novel Coronavirus, COVID-19, until September 30, 2020.

Committee Actions Taken: N/A

Council District 9: Lara Gates, (619) 236-6699
City Attorney Contact: Heather Ferbert

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED IN CHAMBERS)

Item 30: Bob Penner Day.

COUNCILMEMBER MORENO'S RECOMMENDATION:

Proclaiming July 7, 2020, to be "Bob Penner Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM THE CONSENT AGENDA

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED AND ADOPTED:

Item 330: Fiscal Year 2021 Appropriation Ordinance.

Total Estimated Cost of Proposed Action and Funding Source:

The Fiscal Year 2021 Appropriation Ordinance appropriates the Fiscal Year 2021 Adopted Budget. Please see the attachments for more information.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2020-127)

Introduce and adopt an ordinance approving the Budget of the City of San Diego for Fiscal Year 2021 and appropriating all necessary funds to operate the City.

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

Committee Actions Taken: N/A

*Department of Finance: Nicole Chalfant, (619) 533-4031
City Attorney Contact: Bret A. Bartolotta*

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 331: Contract with Deloitte Consulting, LLP, for Get It Done System and Salesforce Platform Application Development, Maintenance, and Support.

Total Estimated Cost of Proposed Action and Funding Source:

This contract consists of three components: 1) Support & Maintenance, 2) Expansion Team, and 3) Discretionary Projects.

1. Support & Maintenance costs are funded by benefitting departments by the Department of IT: \$602,212.

2. The Expansion Team would be funded by the Performance & Analytics Department, depending on available annual budget: \$397,388.

3. Discretionary Projects are funded by separate purchase orders (POs) issued on a per project basis. Cost varies.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-600)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Deloitte Consulting, LLP in an amount not-to-exceed \$20,480,337, to provide application development, maintenance, and support services, related to the Get It Done system and Salesforce platform.

Committee Actions Taken: N/A

Performance & Analytics: Alex Hempton, (619) 236-6898
City Attorney Contact: Eric Pooch

Item 332: Fiscal Year 2021 Tax Appropriations Limit (Gann Limit).

Total Estimated Cost of Proposed Action and Funding Source:

This item is to establish a Tax Appropriations Limit (Gann Limit) of \$3,783,765,671 (or \$3.78 billion) for Fiscal Year 2021.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-595)

Resolution approving the establishment of the Fiscal Year 2021 Tax Appropriations Limit (Gann Limit).

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

Committee Actions Taken: N/A

Department of Finance: Vanessa Montenegro, (619) 533-6169
City Attorney Contact: Bret A. Bartolotta

Item S500: Authorization to Expend \$15,100,000 in CARES Act Federal Funding to Establish a COVID-19 Emergency Rental Assistance Program in the City of San Diego; Execute a Memorandum of Understanding between the City of San Diego and the San Diego Housing Commission for the Administration and Oversight of the Program; Amend the San Diego Housing Commission's Fiscal Year 2021 Budget in the Amount of \$15,100,000; and Transfer of Funds to the San Diego Housing Commission for the Program. (Added 6/25/20)

Total Estimated Cost of Proposed Action and Funding Source:

\$15,100,000 in CARES Act Federal Funding.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-628)

Resolution of the City Council establishing an emergency COVID-19 Rental Assistance Program, and authorizing execution of a memorandum of understanding with the San Diego Housing Commission, and authorizing expenditures for administration of the Program

Committee Actions Taken: N/A

*Council District 3: Kathleen Ferrier, (619) 236-6633
City Attorney Contact: Adam Wander*

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 333: Fiscal Year 2020 Mission Valley Impact Fee Study.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: 7.

Proposed Actions:

(R-2020-358)

Resolution approving the Fiscal Year 2020 Mission Valley Impact Fee Study and the Development Impact Fee schedule for properties within Mission Valley, and authorizing the Chief Financial Officer to establish and modify individual Capital Improvement Program project budgets to reflect the study.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on February 19, 2020.

ACTION: Motion by Councilmember Cate, second by Vice Chair Ward, to recommend Council approval of staff's proposed action.

VOTE: 4-0; Kersey-yea, Ward-yea, Cate-yea, Moreno-yea.

*Planning/Environmental Analysis: Oscar Galvez III, (619) 533-3683
City Attorney Contact: Adam Wander*

Item 334: North Park Gateway, LLC (Woolworth Building) Disposition and Development Agreement.

Total Estimated Cost of Proposed Action and Funding Source:

Authorize the Chief Financial Officer to encumber and expend an amount not to exceed \$100,000 from Fund Acct. 400672 and to receive and distribute net sales proceeds from the sale of the site to the Affected Taxing Entities.

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2020-609)

Resolution of the Council of the City of San Diego determining that the rehabilitation of the Woolworth Building (North Park Gateway Project) in the North Park Redevelopment Project Area is categorically exempt from the California Environmental Quality Act pursuant to Guideline Section 15332.

Subitem-B: (R-2020-610)

Resolution of the Council of the City of San Diego approving a disposition and development agreement related to the North Park Gateway Project in the North Park Redevelopment Project Area and related actions.

Committee Actions Taken: N/A

*Economic Development: Christina Bibler, (619) 236-6421
City Attorney Contact: Kate Malcolm*

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 350: Submission of Ballot Proposals for the November 3, 2020 Ballot.

City Council Policy 000-21 establishes a procedure for submittal of ballot proposals, other processes -including citizen initiatives- may come before the City Council for consideration at other times. The Council Policy states that members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, or a public agency **shall submit proposals to the City Clerk**, who shall then transmit them promptly to Committee for review and comment. **Please submit all proposals to cityclerk@sandiego.gov**

EARLY SUBMISSION IS ENCOURAGED

Therefore, the City Clerk’s Office has established the following calendar for the November 3, 2020 election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	05/01/20	186	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	05/13/20	174	Initial Committee review Measures that advance from initial review proceed to a second Committee review, where the Committee will decide if they will be presented to the full Council for consideration
Monday – Friday	June – August 2020	155-94	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	08/7/20	88	Last day for City Clerk to file with Registrar of Voters election material (ordinances and resolutions related to the calling of election and measure(s), if any)
Tuesday	08/11/20	84	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Friday	08/14/20	81	Last day to file ballot arguments with City Clerk

Please check posted agendas for additional information.

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

Item 351: REDISTRICTING COMMISSION May 1, 2020 – June 30, 2020.

The nomination period for appointment to the Redistricting Commission of the City of San Diego shall be May 1, 2020 through June 30, 2020. Interested applicants and individuals or organizations desiring to nominate persons for appointment to the Redistricting Commission may obtain information and forms starting May 1, 2020 at www.sandiego.gov/city-clerk or by calling the Office of the City Clerk at 619-533-4000. To be considered, applications shall be returned to the office of the City Clerk by close of business, 5:00 p.m. on June 30, 2020.

Due to [Executive Order 2020-1](#) issued as part of the current Public Health Emergency, all applications must be sent via U.S. mail and postmarked by the due date to the attention of the:

**City Clerk
202 C Street, MS2A
San Diego, CA 92101.**

Please contact the City Clerk at cityclerk@sandiego.gov or 619-533-4000 if you need a reasonable modification to this requirement, to allow an applicant or nominee to work out a physical drop-off to a member of the City Clerk's staff before the deadline.

Item 352: Ballot Measures Forwarded for Council Considerations.

The following ballot measure has been referred from the June 10, 2020 Rules Committee Meeting, for consideration for placement on the November 3, 2020 ballot:

- Amendment to San Diego Municipal Code 132.0505 Coastal Height Limit
- SD Clean Elections Ordinance
- "Top- Four" Ranked Choice Voting
- Request for Independent Legal Counsel for the Office of the City Auditor
- Updating City Contracting rules to protect state funding for San Diego

The following ballot measures had been referred from previous Rules Committee Meetings, for consideration for placement on the November 3, 2020 ballot:

- Amendments of City Charter Article VI Section 66, Board of Education Election Process

- Amendment of City Charter Article XVI to include board members of SDUSD
- Amendment to San Diego City Charter, Article V, Section 40, City Attorney. Establishment of an independent Commission on Police Practices
- Homelessness Affordable and Housing Bond

The following ballot measures had been referred from a previous City Council Meeting held on April 21, 2020, for consideration for placement on the November 3, 2020 ballot:

- Charter Amendment: City's framework of Legal Counsel

The Council may discuss measures and adopt ordinances prepared by City Attorney to place measures on the ballot at Council meetings between July 6, 2020 through August 7, 2020.

Item 353: We All Count! Fill Out the 2020 Census Today.

Have you taken the 2020 Census yet?

Census data is used to determine the allocation of more than **\$800 billion dollars annually in federal funding** for social services, schools, infrastructure, and many more vital services. Now is the time to get involved and be counted. The last day to fill out the Census until an enumerator is sent to assist you is **May 1, 2020**. You can fill out the questionnaire online, over the phone or questionnaire. To fill out the 2020 CENSUS Questionnaire online, visit <https://my2020census.gov/>

For more information about what the San Diego region is doing to encourage Census participation, visit <https://www.countme2020.org/>

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT