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CITY OF SAN DIEGO COUNCIL DOCKET



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Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Tuesday, December 15, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, DECEMBER 15, 2015, AT 9:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. 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.

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.

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

OTHER LEGISLATIVE MEETINGS

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

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION AGENDA, CONSENT ITEMS

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

PROCLAMATION/CEREMONIAL ITEMS

SPECIAL ORDERS OF BUSINESS

None.

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 Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

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

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-100: As Needed Environmental Services Consultant Agreement with Dudek - Contract (H156463). (Citywide.)

ITEM DESCRIPTION:

This action is to approve a five (5) year Agreement with Dudek for As-Needed Environmental Consulting Services to support Public Utilities Department, for an amount not to exceed \$5,000,000. The as-needed environmental consultant will be used to provide specialized environmental studying, planning and permitting services.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-156 Cor. Copy)

Authorizing the Mayor, or his designee, to execute an Agreement with Dudek to provide As-Needed Environmental Services, for a minimum of \$1,000 and total amount not to exceed \$5,000,000, with a contract duration of five (5) years;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000,000 in total from the following four Sewer Funds: 700000 (Muni Sewer Revenue), 700001 (Metro Sewer Utility), 700008 (Muni Sewer CIP), 700009 (Metro Sewer CIP); and from the following two Water Funds, 700011 (Water Operating) and 700010 (Water Utility CIP), for the purpose of funding the As-Needed Engineering Consultant Services Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not to exceed amount of this contract is \$5,000,000. Funds are, or will be, available in the following four Sewer Funds: 700000 (Muni Sewer Revenue), 700001 (Metro Sewer Utility), 700008 (Muni Sewer CIP), 700009 (Metro Sewer CIP); and the following two Water Funds: 700011 (Water Utility Operating) and 700010 (Water Utility CIP), contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Funds will be allocated on a task order basis.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Jones-Santos/Gomez

Primary Contact\Phone: Keli Balo\858-292-6423, MS 901

Secondary Contact\Phone: Rania Amen\858-654-4112, MS 901

City Attorney Contact: Leone, Christine M.

* ITEM-101: San Ysidro Branch Library Project Private Funding. (San Ysidro Community Area. District 8.)

ITEM DESCRIPTION:

This action is to authorize the acceptance, deposit, appropriation and expenditure of up to \$1,500,000 in donations into CIP S-00802, San Ysidro Branch Library Project for library construction and related costs. This project replaces the existing 4,089 square foot library that was built in 1924.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-215)

Authorizing the Mayor, or his designee, for and on behalf of the City of San Diego, to execute the Agreement, and to accept up to \$1,500,000 in private donations from the San Diego Public Library Foundation, for CIP S-00802, San Ysidro Branch Library and project related costs, and to deposit the private donations into PRIVATE & OTHERS CONTRIB-CIP Fund No. 400264, or specific CIP Fund established for the project, for the purpose of completion of the San Ysidro Branch Library, contingent upon the execution of the Contribution Agreement and receipt of funds from the donor;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP S-00802, San Ysidro Branch Library and project related costs, and to appropriate and expend up to \$1,500,000 in donations from PRIVATE & OTHERS CONTRIB-CIP Fund No. 400264, or specific CIP Fund established for the project, for the purpose of project construction and related costs, contingent upon the execution of the Contribution Agreement and the Chief Financial Officer furnishing a certificate certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to name the computer lab in the new San Ysidro Branch Library for Lloyd de Llamas for the life of the computer lab, contingent upon the execution of the Contribution Agreement and receipt of funds from the donor;

Authorizing the Mayor, or his designee, to name the homework center in the new San Ysidro Branch Library for Caroline de Llamas for the life of the homework center, contingent upon the execution of the Contribution Agreement and receipt of funds from the donor.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total cost of the San Ysidro Branch Library Project (Project) will be \$12,827,000.

The project will be fully funded contingent upon City Council approval of the recommended allocation of San Ysidro/TJ River Fiscal Year 2017 DIF Funding which will be presented as part of a later Council action brought forward by FM for Mid-Year Adjustments.

These actions request the appropriation and expenditure of up to \$1,500,000 from PRIVATE & OTHERS CONTRIB-CIP Fund No. 400264, CIP S-00802, San Ysidro Branch Library Project, for the purpose of project construction and related costs, contingent upon the execution of the Contribution Agreement and the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

The \$1,500,000 private donation will pay for a portion of the construction costs, which are estimated at \$8,800,000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Jones/Graham

Primary Contact\Phone: Traci Rosete\619-236-5842, MS 17
Secondary Contact\Phone: Bert Salamida\619-236-5893, MS 17
City Attorney Contact: Verdugo, Marco A.

* ITEM-102: Fiscal Year 2016 Neighborhood Reinvestment Program Grant. (Citywide.)

ITEM DESCRIPTION:

This action is to apply for, accept, appropriate, and expend a \$20,000 grant from the Neighborhood Reinvestment Program via the County of San Diego for the Film Industry Impact Study.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-308)

Authorizing the Mayor, or designee, to file a grant application with the County, to execute any necessary Grant Agreement, and to take all other necessary actions to secure an amount not to exceed \$20,000 in Neighborhood Reinvestment Program Grant Funds;

Authorizing the Chief Financial Officer to accept and deposit an amount not to exceed \$20,000 into Fund 600002 (Other), which may be established as a special interest-bearing fund (if necessary), contingent upon receipt of a fully executed Grant Agreement.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No fiscal impact.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Bradford

Primary Contact\Phone: Don Giaquinto\619-236-6902, MS 11A

City Attorney Contact: Malcolm, Katherine Anne

* ITEM-103: Settlement of property damage claim of Madelyn and William Aguilar, Risk Management Claim Nos. 9384 and 10440.

ITEM DESCRIPTION:

This item seeks approval to pay the property damage claim of Madelyn and William Aguilar as a result of flooding, related to a storm water channel, which occurred on March 1, 2014, and again on November 1, 2014.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-296)

Authorizing the sum of \$500,000 to be paid from the Public Liability Fund, Fund 720045, in full and final settlement of each and every claim for damages, interest, costs and fees of any type, including attorney's fees, against the City, its agents and employees, arising from the property damage claim of Madelyn and William Aguilar;

Authorizing the Chief Financial Officer to expend the amount of \$500,000 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue one check in the amount of \$500,000 made payable to Madelyn and William Aguilar.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$500,000 in addition to a prior payment of \$50,000, will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved at Closed Session on November 3, 2015.

Canizal/Lewis

Primary Contact\Phone: James Coldren\619-236-5598, MS 51B

Secondary Contact\City Attorney\Phone: Stacy Plotkin-Wolff\619-236-6486, MS 59

* ITEM-104: Settlement of property damage claim of Dean and Stacy Talbot, Risk Management Claim Nos. 9384 and 10440.

ITEM DESCRIPTION:

This item seeks approval to pay the property damage claim of Dean and Stacy Talbot as a result of flooding, related to a storm water channel, which occurred on March 1, 2014, and again on November 1, 2014.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-297)

Authorizing the sum of \$400,000 to be paid from the Public Liability Fund, Fund 720045, in full and final settlement of each and every claim for damages, interest, costs and fees of any type, including attorney's fees, against the City, its agents and employees, arising from the property damage claim of Dean and Stacy Talbot;

Authorizing the Chief Financial Officer to expend the amount of \$400,000 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue one check in the amount of \$400,000 made payable to Dean and Stacy Talbot.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$400,000, in addition to a prior payment of \$50,000, will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved at Closed Session on November 3, 2015.

Canizal/Lewis

Primary Contact\Phone: James Coldren\619-236-5598, MS 51B

Secondary Contact\City Attorney\Phone: Stacy Plotkin-Wolff\619-236-6486, MS 59

* ITEM-105: Settlement of the personal injury case of Denise Edwards resulting from an alleged dangerous condition of public property.

ITEM DESCRIPTION:

This is a claim for damages suffered by Denise Edwards after she tripped and fell on an allegedly defective sidewalk on October 23, 2013. The proposed settlement would resolve all claims brought by Denise Edwards.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-307)

Authorizing the Mayor, or his designee, to pay the sum of \$180,000 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against City of San Diego, its agents and employees, arising from the Litigation;

Authorizing the Chief Financial Officer to appropriate and expend \$180,000 from the Public Liability Fund, Fund No. 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue a check for \$180,000 made payable to Suppa, Trucchi and Henein LLP Attorney Client Trust account.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement in the total of \$180,000 will be paid from the Public Liability Fund No. 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on October 27, 2015.

Bamberg

Primary Contact\Attorney\Phone: Christina Milligan\619-533-5895, MS 59

Secondary Contact\Phone: Ginger Botha\619-533-6372, MS 59

* ITEM-106: Proclaim the City of San Diego as a United States Coast Guard City - Support the designation by the United States Coast Guard and Congress. (Citywide.)

ITEM DESCRIPTION:

Support the designation - Proclaim the City of San Diego as a United States Coast Guard City.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-305)

Supporting the request for the Commandant of the United States Coast Guard to designate and proclaim the City of San Diego as a Coast Guard City, and to seek a related Congressional designation;

Directing the City Clerk to provide a copy of this resolution to the Sector Commander of the United States Coast Guard, San Diego.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No fiscal impact.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

Pepin/Bradford

Primary Contact\Phone: Don Giaquinto\619-236-6902, MS 11A

City Attorney Contact: Spivak, Sharon B.

* ITEM-107: Declaring the City Council's commitment to Affordable Housing Programs and Services in the City of San Diego, in lieu of continually declaring a State of Emergency pursuant to Government Code Section 8630. (Citywide.)

ITEM DESCRIPTION:

Adopt a resolution declaring the City Council's commitment to affordable housing programs and services in the City of San Diego, in lieu of continually declaring a state of emergency, pursuant to Government Code Section 8630.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-160)

Confirming that the Council hereby declares its continuing commitment to Affordable Housing Programs and Services in the City of San Diego and finds that there is no additional legal benefit to continually declaring a state of emergency, pursuant to Government Code Section 8630;

Terminating the state of emergency previously declared by Resolution Number R-296982, pursuant to California Government Code Section 8630(d).

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The City Council of the City of San Diego adopted Resolution R-296982 on August 6, 2002, declaring a state of emergency due to the severe shortage of affordable housing in the City of San Diego.

The state of emergency has been continually declared every two weeks from and after August 6, 2002, to the present date.

Davis/Graham

Primary Contact\Phone: Scott Marshall\619-578-7550
City Attorney Contact: FitzGerald, Leslie A.

- * ITEM-108: Excusing Councilmember David Alvarez from attending the regularly scheduled Council meeting on November 9, 2015, due to a family matter.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-304)

Excusing Councilmember Alvarez from attending the regularly scheduled Council meeting on November 9, 2015, due to a family matter.

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

- * ITEM-109: Excusing Councilmember David Alvarez from attending the regularly scheduled Council meetings on October 27, 2015, and the Smart Growth and Land Use Committee meeting on October 28, 2015, due to his participation on a U.S. and Canada Border Tour.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-303)

Excusing Councilmember Alvarez from attending the regularly scheduled Council meetings on October 27, 2015, and the Smart Growth and Land Use Committee meeting on October 28, 2015, due to his participation on a U.S. and Canada Border Tour.

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

* ITEM-110: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2016-101)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

* ITEM-111: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2016-106)

Declaring a continued state of emergency to exist due to severe shortage of affordable housing in the City of San Diego, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-296982 shall continue to have full force and effect.

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Larry Blumberg Day.

PRESENTED BY MAYOR FAULCONER AND COUNCILMEMBER KERSEY:

Proclaiming December 15, 2015, to be "Larry Blumberg Day" in the City of San Diego.

ITEM-31: Hmong Heritage Month.

PRESENTED BY MAYOR FAULCONER, COUNCILMEMBER CATE AND COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming December 2015, to be "Hmong Heritage Month" in the City of San Diego.

ITEM-32: Captain Nick Lerma Day.

PRESENTED BY COUNCILMEMBER SHERMAN:

Proclaiming December 15, 2015, to be "Captain Nick Lerma Day" in the City of San Diego and recognizing and thanking Captain Nick Lerma for his unwavering dedication to protecting and serving the citizens of America's Finest City.

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

ITEM-33: San Diego Floral Association Day.

**MAYOR FAULCONER'S AND COUNCILMEMBER GLORIA'S
RECOMMENDATION:**

Proclaiming November 8, 2015, to be "San Diego Floral Association Day" in the City of San Diego in honor of Kate O. Sessions.

ITEM-34: Bishop Roy Dixon Day.

COUNCILMEMBER COLE'S RECOMMENDATION:

Proclaiming December 12, 2015, to be "Bishop Roy Dixon Day" in the City of San Diego.

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

ITEM-35: Youth Empowerment Day.

PRESENTED BY COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming January 9, 2016, to be "Youth Empowerment Day" in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

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

ITEM-330: Climate Action Plan.

ITEM DESCRIPTION:

The Climate Action Plan (CAP) establishes a roadmap for the City of San Diego to achieve the greenhouse gas (GHG) emission targets established by the State of California. The CAP include five strategies for achieving the targets: Energy & Water Efficient Buildings, Clean & Renewable Energy, Bicycling, Walking, Transit & Land Use, Zero Waste, and Climate Resiliency. If adopted, the CAP actions would reduce Citywide GHG emissions by 20% in 2020 and 50% in 2035.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-309)

Adopting the Climate Action Plan;

Authorizing the Mayor, or his designee, to make minor administrative changes to the Climate Action Plan as necessary.

Subitem-B: (R-2016-310 Cor. Copy)

Certifying that the FEIR has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the FEIR reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said FEIR, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Climate Action Plan;

Adopting the Findings made with respect to the Climate Action Plan, which are attached hereto as Exhibit A, pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091;

Adopting the Statement of Overriding Considerations with respect to the Climate Action Plan, which is attached hereto as Exhibit B, pursuant to State CEQA Guidelines Section 15093;

Adopting the Mitigation Monitoring and Reporting Program (MMRP), or alterations to implement the changes to the Climate Action Plan as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit C, pursuant to CEQA Section 21081.6;

Declaring that the FEIR and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Climate Action Plan.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Climate Action Plan implementation will include the adoption of numerous ordinances. Before each ordinance is prepared, the fiscal considerations will be analyzed.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Informational Item at the Environment Committee meeting on October 8, 2014.

This item was heard at the Environment Committee meeting on November 30, 2015, and forwarded the item to the City Council with seven recommendations, as follows:

ACTION: Motion by Councilmember Gloria, second by Council President Pro Tem Emerald, to recommend Council adopt the ordinance and approve the Climate Action Plan with the following changes:

1. Request staff bring forward a CAP implementation plan to City Council by April 1, 2016, that includes identification of funding;
2. Request staff create a consistency checklist in conjunction with the implementation plan to ensure that each community plan update is consistent with the CAP;
3. Staff and City Attorney provide analysis of requests included in Environmental Health Coalition's November 23, 2015, letter prior to City Council consideration of the Climate Action Plan;

4. Request that staff provide the Environment Committee with a commercial benchmarking policy in early 2016;
5. Move Action 2.1, City Council consideration of a Community Choice Aggregation (CCA) or another program that increases the renewable energy supply, from Phase 2 into Phase 1;
6. Request City Attorney's Office coordinate with committee consultant to create a stakeholder working group of the Environment Committee to advise the Committee on the implementation and adaptation of the Climate Action Plan on a quarterly basis;
7. Request that staff specify implementation priorities in Strategy 3 for disadvantaged communities.

A memo will be prepared to address the Committee's recommendations.

VOTE: 4-0; Alvarez-yea, Gloria-yea, Cate-yea, Emerald-yea.

Murphy/Graham

Primary Contact\Phone: Seth Litchney\619-236-6892

Secondary Contact\Phone: Brian Schoenfisch\619-533-6457

City Attorney Contact: Vonblum, Heidi K.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-331: Black Mountain Ranch Subarea Plan Amendment - Removal of Templeton Street, Project No. 417664. (Black Mountain Ranch Community Plan Area. District 5.)

ITEM DESCRIPTION:

The proposed Amendment would remove Templeton Street between Paseo Del Sur and Garretson Street from the Subarea Plan street classification network. The segment of Templeton Street would be a private drive consistent with the Del Sur Town Center Site Development Permit approved on August 21, 2014. The Black Mountain Ranch Subarea Plan contains graphic representations of Templeton Street as a two-lane collector; there are no text references within the Plan. The proposed Amendment removes the street from all affected figures within the Subarea Plan.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-729)

Adoption of a Resolution approving the Amendment to the Black Mountain Ranch Subarea Plan to remove Templeton Street from the street classification network.

Subitem-B: (R-2016-287)

Adoption of a Resolution determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305;

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

Directing the City Clerk to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The City Council initiated an Amendment to the Subarea Plan to evaluate removing Templeton Street from the Subarea Plan. The Initiation was approved on March 24, 2015.

Murphy/Graham/mp

Primary Contact\Phone: Michael Prinz\619-533-5931 MS 413

Secondary Contact\Phone: Tait Galloway\619-533-4550, MS 413

City Attorney Contact: Thomas, Shannon

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-332: The Glen at Scripps Ranch, Project No. 264823. (Scripps Miramar Ranch Community Plan Area. District 5.)

ITEM DESCRIPTION:

The Glen at Scripps Ranch proposes a development of 450 assisted living units and 60 skilled nursing beds on a 53 acre site at 10455 Pomerado Road within the Scripps Miramar Ranch community and requires certification of Environmental Impact Report No. 264823, adopt the Findings and Statement of Overriding Consideration, and adopt the Mitigation Monitoring and Reporting Program; approval of a General Plan and Scripps Miramar Ranch Community Plan Amendment; approval of a Vesting Tentative Map No. 1451662, Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and MHPA Boundary Line Adjustment, with four deviations from the Land Development Code.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2016-280)

Adoption of a Resolution certifying that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council of the City of San Diego in connection with the approval of the Project;

Pursuant to CEQA Section 21081.6, the City Council of the City of San Diego adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council of the City of San Diego in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A;

Pursuant to CEQA Guidelines Section 21081 and CEQA Guidelines Sections 15091 and 15093, the City Council of the City of San Diego adopts the Findings and a Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit B;

The Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

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

Subitem B: (R-2016-281)

Adoption of a Resolution approving General Plan and Scripps Miramar Ranch Community Plan Amendment No. 990531 for The Glen at Scripps Ranch, Project No. 264823;

Adopting the Amendments to the Scripps Miramar Ranch Community Plan, a copy of which is on file in the Office of the City Clerk;

Adopting an Amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

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

Subitem C: (R-2016-282)

Adoption of a Resolution adopting findings with respect to Vesting Tentative Map No. 1451662, which are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Based on the findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 1451662 is granted to Alliant International University and The Glen at Scripps Ranch CCRC, LLC, subject to the attached conditions which are made a part of this Resolution by this reference.

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

Subitem-D: (R-2016-283 Cor. Copy)

Adoption of a Resolution adopting findings with respect to Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618 and Neighborhood Development Permit No. 1451657, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, and Neighborhood Development Permit No. 1451657 to Alliant International University, a California not-for-profit corporation, Owner, and The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution;

Approving the Multi-Habitat Planning Area Boundary Line Adjustment as shown on Vesting Tentative Map No. 1451662.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

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

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None with this action.

Vacchi/Graham/JSF

Primary Contact\Phone: John S. Fisher\619-446-5231, MS 301
Secondary Contact\Phone: Mike Westlake\619-446-5220, MS 501
City Attorney Contact: Thomas, Shannon

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

ITEM-333: Lofts at Normal Heights - Preliminary Bond Items Tax Equity & Fiscal Responsibility Act Public Hearing - Lofts at Normal Heights. (District 3.)

ITEM DESCRIPTION:

Take the initial steps to issue Housing Authority of the City of San Diego multifamily housing revenue bonds/note to fund the development of Lofts at Normal Heights, a 50-unit multifamily affordable housing rental development, located in the Normal Heights Community. That the San Diego City Council (City Council) hold a Tax Equity & Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt multifamily mortgage revenue bonds in an amount up to \$19,000,000 for Lofts at Normal Heights, a 50-unit multifamily affordable housing rental development, located in the Normal Heights Community.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-259 Cor. Copy)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approving the issuance of the Bonds by the Housing Authority of the City of San Diego (Authority);

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

Declaring that the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) as an in-fill development meeting the requirements delineated in Section 15332.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action are included in the Housing Authority-approved Fiscal Year (FY) 2016 San Diego Housing Commission Budget. Approving this action will not change the FY 2016 total budget.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$47,500

Funding uses approved by this action will be as follows:

Rental Housing Finance Program Administration Costs - \$47,500

Approval of the bond inducement and TEFRA resolutions does not commit the Housing Authority to issue bonds. The bonds would not constitute a debt of the City. If bonds are ultimately issued for the development, the bonds will not financially obligate the City, the Housing Authority or the San Diego Housing Commission because security for the repayment of the bonds will be limited to specific private revenue sources of the development. Neither the faith and credit nor the taxing power of the City or the Housing Authority would be pledged to the payment of the bonds. The developer is responsible for the payment of all costs under the financing, including the San Diego Housing Commission's annual administrative fee, as well as San Diego Housing Commission Bond Counsel and Financial Advisor fees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the San Diego Housing Commission Board of Commissioners meeting on November 20, 2015.

Davis/Graham

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

City Attorney Contact: Bartolotta, Bret A.

NOTE: See the Housing Authority Agenda of December 15, 2015, for a companion item.

NOTE: This is a TEFRA hearing item.

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

ITEM-334: Mission Gorge Apartments - Preliminary Bond Items Tax Equity & Fiscal Responsibility Act Public Hearing - Mission Gorge Apartments. (District 7.)

ITEM DESCRIPTION:

Take the initial steps to issue Housing Authority of the City of San Diego multifamily housing revenue bonds to fund the land acquisition and development of Mission Gorge Apartments, a 90-unit multifamily affordable housing development located in the Navajo Community. That the San Diego City Council (City Council) hold a Tax Equity & Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt multifamily mortgage revenue bonds in an amount up to \$24,000,000 for Mission Gorge Apartments, a 90-unit new construction affordable housing development at 7811 Mission Gorge Road in the Navajo Community Planning Area.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-263 Cor. Copy)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approving the issuance of the Bonds by the Housing Authority of the City of San Diego (Authority);

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

Declaring that the proposed Project is covered under the Final Program Environmental Impact Report for the Grantville Redevelopment Project Area, which was certified by the City Council of the City of San Diego on May 3, 2005 and prepared in accordance with the California Environmental Quality Act (CEQA) guidelines. The Planning Department conducted a Consistency Review for the project in accordance with State CEQA Guidelines Section 15162 in November 2014. Additionally, requirements of the adopted Final Mitigation, Monitoring and Reporting Program (MMRP) for the Final EIR will be applied at the time of project review and permitting;

Declaring that should HOME Investment Partnerships Program (HOME) funds constitute a portion of the funding for the Project, a final reservation of HOME funds shall occur only upon satisfactory completion of environmental review and receipt by the City of a release of funds from the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 58 of the National Environmental Policy Act (NEPA). The provision of any HOME funds to the Project will be conditioned on the City's determination to proceed with, modify or cancel the Project based on the results of the subsequent environmental review under NEPA.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action were not budgeted in the San Diego Housing Commission Fiscal Year (FY) 2016 Budget. Approving this action will impact the FY 2016 Budget. An additional \$47,500 in bond issuance fees will be collected upon close of escrow.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$47,500

Funding uses approved by this action will be as follows:

Reserved for future use and will be included in local bond reserve balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Davis/Graham

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

City Attorney Contact: Bartolotta, Bret A.

NOTE: See the Housing Authority Agenda of December 15, 2015, for a companion item.

NOTE: This is a TEFRA hearing item.

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

ITEM-335: Vista La Rosa - Preliminary Bond Items Tax Equity & Fiscal Responsibility Act
Public Hearing - Vista La Rosa. (District 8.)

ITEM DESCRIPTION:

Take the initial steps to issue Housing Authority of the City of San Diego multifamily housing revenue bonds/note to fund the acquisition and the rehabilitation of Vista La Rosa, a 242-unit multifamily affordable housing rental development, located in the Otay Mesa-Nestor Community. That the San Diego City Council (City Council) hold a Tax Equity & Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt multifamily mortgage revenue bonds in an amount up to \$57,000,000 for Vista La Rosa, the acquisition and rehabilitation of a 242-unit multifamily affordable housing rental development, located in the Otay Mesa-Nestor Community.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-264 Cor. Copy)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approving the issuance of the Bonds by the Housing Authority of the City of San Diego (Authority);

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

Determining that the proposed Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(a) of the State CEQA Guidelines because it is an existing facility and the proposed actions do not involve expansion of the existing use. Processing under the National Environmental Policy Act (NEPA) is not required, as there are no Federal Funds involved with this action.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action are included in the Housing Authority-approved Fiscal Year (FY) 2016 San Diego Housing Commission Budget. Approving this action will not change the FY 2016 total budget.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$142,500.

Funding uses approved by this action will be as follows:

Rental Housing Finance Program Administration Costs - \$142,500.

Approval of the bond inducement and Tax Equity & Fiscal Responsibility Act (TEFRA) resolutions does not commit the Housing Authority to issue bonds. The bonds would not constitute a debt of the City. If bonds are ultimately issued for the development, the bonds will not financially obligate the City, the Housing Authority or the San Diego Housing Commission because security for the repayment of the bonds will be limited to specific private revenue sources of the development. Neither the faith and credit nor the taxing power of the City or the Housing Authority would be pledged to the payment of the bonds. The developer is responsible for the payment of all costs under the financing, including the San Diego Housing Commission's annual administrative fee, as well as San Diego Housing Commission Bond Counsel and Financial Advisor fees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the San Diego Housing Commission Board of Commissioners meeting on November 20, 2015.

Davis/Graham

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

City Attorney Contact: Bartolotta, Bret A.

NOTE: See the Housing Authority Agenda of December 15, 2015, for a companion item.

NOTE: This is a TEFRA hearing item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT