

LACAVA'S COLUMN

Legislative Recap

August 11, 2022

It's August, which means the city Council is officially on legislative recess. However, legislative recess is neither a vacation nor a break. It is the time that I review the last 7 months and reflect on constituent needs, budget, and needed legislation and policy updates.

2022 has been a busy time, and I am proud of the work my team and I have accomplished. I take seriously the responsibility of being your councilmember to improve your quality of life and that of the city. With this goal in mind, I led the City Council in:

- Adopting the city's landmark updated Climate Action Plan, committing the city to net zero emissions by 2035 and 100% renewable energy by 2030;
- Advancing a ballot measure for the November 2022 ballot that seeks to reverse a century-old constraint on the city to deliver equitable, right-sized trash services;
- Gaining approval of Build Better San Diego, a citywide policy that will overhaul funding for infrastructure in our neighborhoods to maximize efficiency and better serve the increase in housing we are experiencing.

More details on these initiatives and several others follow.

As we take a break from City Council hearings, Team LaCava continues to respond to constituents; communicate upcoming events and agendas; craft and hone policy; prepare for a busy legislative session in the fall; and assess how to better serve you. I invite you to take advantage of this time. Call, email, or schedule an appointment with us to provide feedback and share your priorities.

While I listen to and work for you year-round, please use legislative recess as another opportunity to become, or continue to be, civically engaged and make positive change in your community.

I look forward to hearing from you.



Contact Team LaCava

Policy Team

Policy Director
Kathleen Ferrier:
kferrier@sandiego.gov

**Environment Committee
Consultant**
Brian Elliott:
bellott@sandiego.gov

Community Reps

**Carmel Valley, Del Mar
Mesa, and Torrey Hills**
Vicky Joes:
vcjoes@sandiego.gov

Del Mar Heights
Krissy Chan:
chank@sandiego.gov

La Jolla
Steve Hadley:
srhadley@sandiego.gov

University City
Krissy Chan:
chank@sandiego.gov



2022 CITYWIDE LEGISLATIVE HIGHLIGHTS

Build Better SD (8/1/2022)

I voted in August to approve [Build Better SD](#), leading Council to adopt a series of policy updates and amendments to the city's Municipal Code to implement a citywide initiative proposed to support San Diego's infrastructure, equity, climate, housing, quality of life, and conservation goals.

Build Better SD revised the Developer Impact Fee (DIF) program to enable the city to allocate these infrastructure dollars when and where they will have greatest impact, while continuing to protect existing funds in their respective community lockboxes, including those of District 1 communities.

The DIF program overhaul was long overdue. The previous program locked funds in individual pots of money per community and highly restricted how they could be used, resulting in a combined total of \$222 million in unspent funds. Build Better SD will provide a transparent conversation with our neighborhoods to deliver infrastructure and city facilities that serve our growing needs.

People's Ordinance Ballot Measure (7/25/2022)

In November, voters will decide whether to amend San Diego Municipal Code Section 66.0127, known as the "People's Ordinance," regarding the collection, transport, transfer, disposal, and recycling of solid waste. I am proud to have collaborated with Council President Elo-Rivera to champion this measure before the City Council and place it on the ballot for San Diego voters to decide. Since 1919, the People's Ordinance has prohibited the city from considering whether to recover costs for refuse collection, impeding responsible governance and the delivery of world-class services.



To successfully meet today's challenges, including our ambitious climate action goals, we must remove the antiquated barriers of the past and modernize our approach to equitable governance. When this ordinance was passed, San Diego had fewer than 75,000 residents, short-term vacation renters didn't force increased and unpaid pickups in beach areas, climate change wasn't even a term,

and what was accepted as public health then would be considered unacceptable today.

The approval of this measure will create balance in how the city recovers costs in providing trash, recycling, and solid waste services for single-family homes, providing parity with the additional costs currently imposed on renters, condominiums, and businesses. It will recover costs from short-term rentals and accessory dwelling units that currently impact city costs but receive service without additional charge, and provide the tools to recycle waste, meet our Climate Action Plan goals, and comply with state law.

This initiative advanced with the support from a broad coalition including the San Diego Regional Chamber of Commerce, League of Women Voters, Climate Action Campaign, SD Organizing Project, ACFSME 127, Municipal Employees Association, and more.

Scooter Regulations (5/24/2022)



I led the effort to ban scooters from operating and parking on city sidewalks, expanding a ban already in place Downtown. This led to the city moving away from an “all-comers” approach to using contracts to limit the number of scooter companies to only four across the city.

This also results in limiting the total number of scooters and only allowing scooters that have the latest technology to prevent parking and operating on the sidewalks. The four contracted operators also agreed to strict enforcement, such as including

technology in their applications to hold riders accountable for dangerous behavior through a system of fines and potential termination of rider privileges.

Sidewalk Vending Ordinance (3/1/2022)

This ordinance, which went into effect on Wednesday, June 22, regulates the time, place, and manner in which an individual may participate in sidewalk vending within the city.

I amended the ordinance to expand District 1’s year-round vendor-free zones to include Coast Boulevard Boardwalk between Jenner Street and Cuvier Street and Scripps Park Boardwalk around the ocean-side of Ellen Scripps Browning Park.

The ordinance is awaiting review by the California Coastal Commission to be fully implemented in our city’s coastal neighborhoods and shoreline parks. The Commission’s review is expected this Fall and will be followed by a subsequent City Council hearing to discuss any recommended changes and finalize approval.

Meanwhile, the city can enforce health and safety related sections of the ordinance prior to the Coastal Commission’s action. Penalties for violating health and safety rules – including selling a prohibited item such as alcohol or firearms or not having a health permit – are in effect.

‘Homes for All of Us’ First Housing Action Package (2/8/2022)

‘Homes for All of Us’ is a citywide policy framework proposed by Mayor Gloria aimed at creating more affordable housing in San Diego. It includes a collection of proposed housing initiatives and updates to the Land Development Code.

I supported this first package of Code updates, brought to the Council through a proposed Housing Action Package, which included incentives for more family and ADA-accessible housing, as well as development on underutilized commercial sites. The package also included Code updates required to implement Senate Bill 9 (SB9) and changes to our accessory dwelling unit regulations.

HIGHLIGHTS

As Chair of the City Council's Environment Committee, I lead our Council in shaping our environmental policies. Here is a curated list of important environmental legislation first evaluated by the Committee and then passed by the full Council in 2022.

Climate Action Plan (8/2/2022)

The 2022 [Climate Action Plan](#) (CAP) established a new goal of net zero greenhouse gas (GHG) emissions by 2035 using more than 200 updated strategies, measures, and actions. The proposed goals include changing how we get around our neighborhoods and across our city, decarbonizing municipal facilities and private buildings, transitioning city vehicles to an all-electric fleet, planting more trees, and more. By February 2023, the city will publish an implementation plan to detail how we will meet our ambitious goals.



While climate change is a matter of global importance, the response to mitigate climate change requires local action and leadership. To ensure that our most vulnerable residents are protected from the impacts of climate change and that we protect our economy and infrastructure, the 2022 CAP prioritizes equity in its implementation and reinforces our standing as a national climate leader.

Seasonal Closure, Point La Jolla & Boomer Beach (5/24/2022)



This May, San Diego City Council unanimously approved my proposal for an annual seasonal closure of Point La Jolla and Boomer Beach. This closure, which was authorized by the California Coastal Commission, will occur annually from May 1 through October 31. It ensures the safety and health of both visitors and sea lions.

This action codified the boundaries and the timing of the closure. For years we have witnessed dangerous behavior by visitors that don't understand sea lions are wild animals that will be quick to defend themselves if they feel their pups are being threatened. The closure comes after a campaign to promote "responsible tourism" and is the culmination of a year-long dialog with a variety of stakeholders. The result is a policy that preserves this unique wildlife experience and the interests of visitors, body surfers, and spear fishers.

Youth v. Oil Resolution (4/15/2022)

On April 20, Youth v. Oil delivered a petition signed by over 1,200 individuals to City Hall demanding California cease drilling and fracking.

Their voice was heard loud and clear.

I introduced a resolution with Councilmember Marni von Wilpert to the Environment Committee supporting the work of Youth v. Oil and urging our California Governor and State legislature to begin the process of justly phasing out oil and gas extraction and transition jobs in oil and gas to a greener economy.

Drilling and fracking poisons our air and water and it is

disproportionately impacting vulnerable communities. Ending this practice is one of many paths forward to create a safe and sustainable California.



UPCOMING COUNCIL ACTIONS

'Homes for All of Us' Second Housing Action Package

Mayor Gloria's [second Housing Action Package](#) was announced on August 3 and expands incentives for the construction of affordable homes. The proposed package would implement Senate Bill 10 (SB10,) a state law that allows construction of more homes near transit, creates anti-displacement measures, and promotes housing opportunities across the city for all levels of affordability.

Public engagement for the package is expected in Fall 2022 and City Council action is expected in Spring 2023.

Community Planning Group Reform

Since the 1970s, Community Planning Groups (CPGs) have had a long, rich history in San Diego. They consist of 500+ volunteers and provide a structured forum for residents, property owners, and business representatives to advise the city on housing projects, community plan updates, and a variety of transportation and infrastructure projects.

San Diego's City Charter serves as the constitution for San Diego and governs how the city operates, including how its advisory boards and commissions are created and maintained. Currently, the Charter requires that advisory boards and commissions be created through an ordinance and that all members be appointed by the mayor and confirmed by City Council. However, CPGs, as governed by Council Policy 600-24, are neither created through an ordinance nor are its members appointed.

The city has a legal responsibility to comply with the Charter. Therefore, Council Policy 600-24 must be updated.

I first introduced my proposed amendments to ensure CPG compliance with the City Charter and encourage transparency and membership diversity to the Community Planners Committee in November 2021 and returned in January 2022. After a City Planning Commission hearing, two Land Use & Housing Committee hearings, and numerous conversations with individual CPGs throughout 2022, I updated my initial proposal making it a better, more sustainable set of reforms. I am grateful for the collaboration on this important update and look forward to presenting to the full City Council on Tuesday, September 13, 2022.

Learn more about my proposed updates at: <https://www.sandiego.gov/citycouncil/cd1/policies-priorities>

Clarifying Beach Fire Regulations

I support safe, legal beach fires. The current Municipal Code language can be confusing making it difficult for beachgoers to be in compliance and for SDPD, Park Rangers, and Lifeguards to provide consistent oversight and enforcement. I am proposing amendments to keep our public beaches safe while preserving the public's access to the unique experience and tradition of beach fires.

My proposed amendments would confine open beach fires to city-provided fire rings and allow portable propane-fueled devices, resolve conflicting language, improve public safety, and provide clarity for beachgoers and public safety officials alike.

The Environment Committee unanimously approved my proposed amendments in May. I anticipate the full City Council will hear the item in September.

Climate Action Plan Implementation

A plan without the ability to implement is just an idea. I collaborated with the mayor and city staff to ensure an implementation plan accompanies our groundbreaking 2022 Climate Action Plan.

The implementation plan will come before Council by February 2023 in time to be included in the Council deliberations for the Fiscal Year 2024 budget.

2022 VOTING RECORD

DATE	ITEM	VOTE	D1 VOTE
2/1/22	Amend the Short-Term Residential Occupancy Implementation Date	Approved 8-1	No
2/8/22	Adopt Homes for All of Us	Approved 8-1	Yes
2/14/22	Approve the New and Adjusted City Rates and Fees	Approved Unanimously	Yes* <i>*LaCava's amendment protected local business, non profits, & volunteers hosting events & programs</i>
2/15/22	Cannabis Production Facilities Tax Reduction	Approved 6-3	No
2/28/22	Consideration of Policy Issues Related to the Implementation of the Commission on Police Practices	Approved Unanimously	Yes
3/1/22	Sidewalk Vending Ordinance	Approved 8-1	Yes* <i>*LaCava secured unanimous support for an amendment adding two "vendor-free" zones in La Jolla's Shoreline Parks</i>
3/15/22	Authorize Stormwater CIP Water Infrastructure Finance and Innovation Act (WIFIA) Loan	Approved 8-0	Yes
4/4/22	Adopt Residential "No Fault" Eviction Moratorium	Approved 5-1	N/A* <i>*LaCava recused himself</i>
4/5/22	Establishing a Privacy Advisory Board	Approved 8-0 <i>(D2 not present)</i>	Yes
4/12/22	Approve Salary Ordinance for Fiscal Year 2023	Approved Unanimously	Yes

4/13/22	Street Vacation and Land Sale in connection with SDSU West	Approved Unanimously	Yes
5/4 - 5/10/22	Proposed FY23 Budget Presentations by each City Department	Informational Only	Informational Only
5/23/22	Allocate Fiscal Year 2023 Park and Recreation Center Funds	Approved Unanimously	Yes
5/23/22	Shortlist 3 Development Teams for City to Conduct Due Diligence and Economic Analysis for the 48.9-acre Midway Site	Approved Unanimously	Yes* <i>*Motion made by LaCava, contributing to a unanimous vote</i>
5/24/22	Approve Scooter Regulations Prohibiting Sidewalk Usage, Stipulating Scooters be Parked in City-Painted Corrals, and Require Operators to Handle Complaints Within One Hour	Approved Unanimously	Yes* <i>*LaCava stipulated approval based on successful sidewalk ban</i>
5/24/22	Approve Seasonal Closure of Point La Jolla	Approved Unanimously	Yes* <i>*A LaCava initiative</i>
6/13/22	Adopt the Fiscal Year 2023 Budget	Approved Unanimously	Yes
6/13/22	Designate an Additional \$83.9M to Expand the City's Capital Improvement Program for Infrastructure Projects	Approved Unanimously	Yes* <i>*Includes additional funding for existing projects & first-time funding for projects in Carmel Valley and PHR</i>
6/14/22	Direct the City's management team for labor relations to engage in collective bargaining related to a proposed measure to amend the Municipal Code regarding collection, transport, and disposal or recycling of refuse, the "People's Ordinance"	Approved 8-1	Yes
6/27/22	Allocate federal CARES Act Funds for a Safe Parking Program at 3 lots operated by Jewish Family Service, including one open 24-hours.	Approved Unanimously	Yes
7/12/22	Proclaim the month of July 2022, to be "Lesbian, Gay, Bisexual, Transgender, Queer Pride Month"	Approved Unanimously	Yes
7/18/22	Consideration of the City's Use, Acquisition, and Funding of Surveillance Technology	Approved Unanimously	Yes
7/19/22	Implementation of 2022 City of San Diego Disparity Study Recommendations	Approved Unanimously	Yes
7/25/22	Add Ballot Measure Amending the People's Ordinance to November 2022 Election	Approved 7-2	Yes* <i>*Council President Elo-Rivera and LaCava championed this measure</i>
7/26/22	Proposed 101 Ash & Civic Center Plaza Settlement Agreement	Approved 6-3	Yes
8/1/22	Build Better SD	Approved 8-1	Yes
8/2/22	2022 Climate Action Plan - Net Zero by 2035	Approved Unanimously	Yes* <i>*This was first reviewed by Environment Committee, which LaCava chairs</i>

