CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT Joe LaCava • First District **COUNCIL PRESIDENT PRO TEM** Kent Lee • Sixth District **COUNCILMEMBERS** Jennifer Campbell • Second District Stephen Whitburn • Third District

- Henry L. Foster III Fourth District
 - - Sean Elo-Rivera Ninth District

- Marni von Wilpert Fifth District
 - Raul A. Campillo Seventh District
 - Vivian Moreno Eighth District

Charles Modica Independent **Budget Analyst**

Heather Ferbert City Attorney

Diana J. S. Fuentes **City Clerk**

City Administration Building City Council Chambers- 12th Floor 202 C Street San Diego, CA 92101 Virtual Participation: https://sandiego.gov/councilmtg To join by telephone: Dial 1-833 568 8864 + input Webinar ID: 160 730 3719

TUESDAY, MARCH 18, 2025, AT 10:00 AM and 2:00 PM

<u>Click Here to Submit a Comment</u>

<u>Click Here to View Comments</u>

FURTHER INFORMATION ON HOW TO PARTICIPATE IN THIS MEETING IS FOUND AT THE END OF THE AGENDA

Joining the Webinar and Offering Phone-in Testimony

Members of the public may participate in City Council meetings in person or virtually using the Zoom Webinar platform. Members of the public can offer public comment on agendized items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or land line. <u>To raise your hand via a phone-in</u> **please press *9 and unmute when the Clerk calls on you by pressing *6.** If you are participating via the webinar platform please press the raise your hand icon and the unmute button when prompted.

Please click the link to join the webinar: https://sandiego.gov/councilmtg

To join by telephone: Dial 1-833 568 8864 When prompted, input **Webinar ID**: 160 730 3719

LATE-ARRIVING MATERIALS

Pursuant to the Brown Act, California Government Code Section 54957.5(b), 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, Information Services Counter in the Lobby 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 "Late Arriving Materials" 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.

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.

Requests for translation services to offer public comment may be made by contacting the City Clerk at (619) 533-4000 or email to: <u>cityclerk@sandiego.gov</u>. The City is committed to addressing language translation requests swiftly in order to maximize public participation. For more information on how to participate and comment on an issue at Council meetings, click this link.

Las solicitudes de servicios de traducción para ofrecer comentarios públicos se deberán hacer poniéndose en contacto con la City Clerk al (619) 533-4000 o por correo electrónico a:cityclerk@sandiego.gov. La ciudad se compromete a responder rápidamente a las solicitudes de traducción de idiomas con el fin de maximizar la participación del público. Para obtener más información sobre cómo participar y expresar comentarios sobre un asunto en las juntas del Concejo, haga clic en este enlace.

Upang kayo ay matulungan na maisalin sa wikang Ingles ang inyong mga puna, mungkahi, o komento para sa Bayan ng San Diego, maaari pong makipag-ugnayan sa City Clerk sa telepono (619-533-4000) o email (cityclerk@sandiego.gov). Hangad ng Pamahalaang Bayan ng San Diego ang inyong pakikilahok sa usapang pambayan at handa itong magbigay ng agarang tulong na kinakailangan sa pagsasaling-wika ng inyong mga komento. Para sa higit pang impormasyon tungkol sa kung paano sumali at magbigay ng komento sa item sa mga pagpupulong ng Konseho, mangyaring i-click ang sumusunod na link.

Cần dịch vụ thông dịch để phát biểu ý kiến trước công chúng, xin hãy liên hệ với City Clerk (Thư Ký Thành Phố) theo số (619) 533-4000 hoặc email đến cityclerk@sandiego.gov. Thành phố cam kết sẽ giải quyết các yêu cầu thông dịch một cách nhanh chóng để gia tăng sự tham dự của công chúng. Để biết thêm thông tin về cách tham gia và đưa ra ý kiến về một mục tại các cuộc họp của Hội đồng, xin vui lòng nhấp vào liên kết dưới đây.

يمكن تقديم طلبات خدمات الترجمة لتقديم تعليقات عامة عن طريق الاتصال بكاتب المدينة على أو 0619) 533-4000 أو 0616) mailto: cityclerk@sandiego.gov طلبات الترجمة اللغوية بسرعة من أجل زيادة المشاركة العامة إمزيد من المعلومات حول كيفية المشاركة والتعليق على أي موضوع في اجتماعات المجلس، يرجى الضغط على الرابط التالي.

パブリックコメントを要求するための翻訳サービス依頼は、市の書記(電話:619-533-4000またはメール:mailto:cityclerk@sandiego.gov)に連絡することによって行うことができます。市は、市民の参加を最大化するために、言語翻訳の依頼に対応することに取り組んでいます。 審議会の参加方法や議案への意見提供方法についての詳細は、以下のリンクをクリックしてください。

샌디에고 시에 의견을 보내시기 위해 번역 서비스가 필요하시면 시 서기 사무실 (619) 533-4000 또는mailto:cityclerk@sandiego.gov로연락주시기바랍니다. 시는 대중의 참여를 극대화하기 위해 언어 번역 요청을 신속하게 처리하려고 최선을 다하고 있습니다. 시의회 회의에 참여하는 것과 안건 항목에 대해 의견을 제의하는 것에 관한 자세한 정보를 원하시면 다음의 링크를 클릭하십시오.

為了鼓勵更多市民參與 '公眾意見', 市政府設定了快捷的中文翻譯服務。如你有任何關於 '公開 意見' 想發表, 請致電: (619) 533-4000, 或電郵 cityclerk@sandiego.gov 我們會為你翻譯。有 关如何参加市议会会议并就项目发表意见的更多信息, 请点击以下链接。

"ການຮ້ອງຂໍບໍລິການນາຍແປພາສາເພື່ອສະເໜີຄຳຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິ ດຕໍ່ຫາ City Clerk ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມລຫາ: cityclerk@sandiego.gov. City ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄຳຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ປະຊາຊົນມີສ່ວນຮ່ວມສູງສຸດ." ສຳລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ ສະແດງຄຳຄິດເຫັນກ່ຽວກັບລາຍການການປະຊຸມສະພາ ກະລຸນາກົດລຶງຄ໌ຕໍ່ໄປນີ້

Tuesday, March 18, 2025 Page 4

NOTICE: THE CITY COUNCIL MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY STAFF DO NOT LIMIT ACTIONS THAT THE CITY COUNCIL MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS OF STAFF AS DETERMINATIVE OF THE ACTION THE CITY COUNCIL MAY TAKE ON A PARTICULAR MATTER.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today. A separate agenda is published for it, and is available online and in the Kiosk located in front of the City Administration Building, 202 C Street SD, CA 92101. For more information, please contact the Housing Authority Secretary at (619) 578-7550. Internet access to the agenda is available at:

https://sdhc.org/governance-legislative-affairs/housing-authority-of-the-city-of-sandiego/meeting/

TUESDAY, MARCH 18, 2025 AT 10:00 AM

<u>Click Here to Submit a</u> <u>Comment</u>

ROLL CALL

LAND ACKNOWLEDGEMENT

PLEDGE OF ALLEGIANCE

REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS SCHEDULED DURING THE MORNING MEETING

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:

<u>Click Here to Submit a</u> <u>Comment</u>

Item 50: Potable Water Emergency Interconnection Agreement with the City of Poway.

Total Estimated Cost of Proposed Action and Funding Source:

This action authorizes a 20-year treated water interconnection agreement with the City of Poway. The total estimated cost for the metering equipment related to this agreement is not-to-exceed \$25,000. The metering equipment will be funded by the Water Fund. The revenue from the water meters base fee related to this agreement will be \$4,778.77 monthly.

Council District(s) Affected: 5.

Proposed Actions:

(0-2025-95)

Introduction of an Ordinance authorizing the Mayor, or his designee, to enter into an Agreement with the City of Poway, in an amount not-to-exceed \$25,000, to provide two potable water interconnections for use during emergency circumstances.

6 votes required pursuant to Charter Section 99

Committee Actions Taken:

This item was heard at the Environment Committee meeting on February 13, 2025.

ACTION: Motion by Committee Member LaCava, second by Vice Chair Campbell, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Elo-Rivera-yea, Campbell-yea, LaCava-yea.

Public Utilities: Laila Nasrawi, (619) 533-5321 City Attorney Contact: Justin Stanek

Item 51: Approval of the Stormwater Joint Use Agreement Between the City and Del Mar Union School District for Pacific Sky Elementary School.

Total Estimated Cost of Proposed Action and Funding Source:

The City contribution is \$185,000.00. Funds are available within the Pacific Highlands Ranch DIF funds.

Council District(s) Affected: 1.

Proposed Actions:

(0-2025-96)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the Stormwater Joint Use Agreement with Del Mar Union School District for Pacific Sky Elementary School and related actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Community and Neighborhood Services Committee meeting on February 19, 2025.

ACTION: Motion by Vice Chair Campillo, second by Committee Member Foster III, to recommend approval of staff's proposed actions.

VOTE: 3-0; Campbell-yea, Foster III-yea, Campillo-yea.

Parks & Recreation: Shannon Scoggins, (619) 236-6894 City Attorney Contact: Catherine Morrison

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

<u>Click Here to Submit a</u> <u>Comment</u>

Item 52: San Diego Municipal Code Amendment to Section 131.0431 Development Regulations Table 131-04D Related to RS-1-2 Zones in the Encanto Neighborhoods and Southeastern San Diego Community Planning Areas and Rescission of City Council's Actions on Item 331 on January 28, 2025, Related to this Item and to the City's ADU Density Bonus Program; Process 5.

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost to the City with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Consideration of rescission of Council's actions on January 28, 2025, introducing ordinance O-2025-67 amending Chapter 13, Article 1, Division 4 of the San Diego Municipal Code by amending Section 131.0431 and requesting City staff return to City Council within 60 days with an action item to remove the City's Accessory Dwelling Unit Density Bonus Program. This action would cure any alleged failure to comply with the state's open meeting laws pursuant to Government Code section 54960.1.

Reintroduction of San Diego Municipal Code and Local Coastal Program amendment to the Development Regulations for Residential Zones Table 131-04D removing Footnote 7 that reduced the minimum lot size for the RS-1-2 zones from 20,000 square feet to 5,000 square feet and applied the development regulations of RS-1-7 zones to subdivisions in the Encanto Neighborhoods and Southeastern San Diego Community Planning Areas.

Adopt the following Ordinance which was introduced on 3/4/2025, Item 330, Subitem-B (Council voted 9-0):

(O-2025-86)

Ordinance amending Chapter 13, Article 1, Division 4 of the San Diego Municipal Code by amending Section 131.0431, relating to Development Regulations Table 131-04D for the RS-1-2 Residential Zone in the Tuesday, March 18, 2025 Page 8 Southeastern San Diego and Encanto Neighborhoods Community Planning Areas.

Committee Actions Taken: N/A

Planning: Liz Saidkhanian, (619) 533-5990 City Attorney Contact: Lauren Hendrickson

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

<u>Click Here to Submit a</u> <u>Comment</u>

Item 100: Accept a 53-acre Land Donation in the East Elliott Area of San Diego (Assessor's Parcel Numbers 366-030-39, 366-030-47, and 366-031-16), from the Mission Trails Regional Park Foundation, Dedicate the Land as Open Space, and Add the Land to the City of San Diego's Multiple Species Conservation Program.

Total Estimated Cost of Proposed Action and Funding Source:

This is a land donation from the Mission Trails Regional Park Foundation. The Properties will be managed by the existing staff of Mission Trails Regional Park Rangers. The expenditures and maintenance obligations, including periodic trash pickup, non-native plant control, and managing access to the area, will be covered within the park's existing operations budget.

Council District(s) Affected: 7.

Proposed Actions:

(R-2025-386)

Resolution authorizing the Mayor to accept the donation of 53 acres of real property in the East Elliott area of San Diego from Mission Trails Regional Park Foundation, Inc.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on February 6, 2025.

Tuesday, March 18, 2025 Page 9 ACTION: Motion by Committee Member Campillo, second by Chair Lee, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Lee-yea, Elo-Rivera-yea, Campillo-yea, Moreno-yea.

Economic Development: Christina Bibler, (619) 236-6421 City Attorney Contact: Julie Gough Inman

Item 101: Acceptance of Transformative Climate Communities Program Grant Funds of \$3.89M for Boston Avenue Linear Park GDP, Barrio Logan, CIP No. P-22005.

Total Estimated Cost of Proposed Action and Funding Source:

\$3,890,000 in grant funds for P22005 Boston Ave Linear Park GDP.

Council District(s) Affected: 8.

Proposed Actions:

(R-2025-448)

Resolution authorizing the Mayor, or designee, to make application to the California Strategic Growth Council's Round 5 of the Transformative Climate Communities Program (Grant Program), as a co-applicant to the San Diego Foundation, and take all necessary actions to secure funding in an amount not-to-exceed \$3,890,000.

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not-to-exceed \$3,890,000 in Grant Program funding from Fund 600001 Grant Fund - State for the Boston Avenue Linear Park project, contingent upon receipt of a fully executed grant agreement if the grant funding is secured; and for all related actions.

Committee Actions Taken:

This item was heard at the Community and Neighborhood Services Committee meeting on February 19, 2025.

ACTION: Motion by Vice Chair Campillo, second by Committee Committee Member Foster III, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Campbell-yea, Foster III-yea, Campillo-yea.

Parks & Recreation: Tom Tomlinson, (619) 533-3187 City Attorney Contact: Alma Robbins

Item 102: Authorize the City to Apply to Internet Crimes Against Children Grant Program and Accept, Appropriate, and Expend Funding.

Total Estimated Cost of Proposed Action and Funding Source:

The application has been submitted and a \$950,000 award has been granted. This is ongoing grant program received by the City from the Internet Crimes Against Children Grant Program. All expenses resulting from this action are grant funded. There is no requirement for continued expenditures or services once grant funding is depleted or terminated.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-433)

Resolution authorizing the Mayor, or his designee to apply for, and accept funding authorized by the California Office of Emergency Services (Cal OES), including any amendments, extensions, renewals, or subsequent award of grant funding for a period of up to five years from FY 2024 through and including FY 2029, Fund 600001, provided funding is secured and made available by Cal OES, for the purpose of implementing the Internet Crimes Against Children (ICAC) grant program.

Authorizing the Chief Financial Officer to accept, appropriate, and expend \$950,000 in initial grant funding authorized by the Cal OES, including any amendments, extensions, renewals, or subsequent award of grant funding for a period of up to five years from FY 2024 through and including FY 2029, Fund 600001, provided funding is secured and made available by Cal OES, for the purpose of implementing the ICAC grant program.

Committee Actions Taken: N/A

Police: Daniel Holguin, (619) 533-5788 City Attorney Contact: Lara Easton

Item 103: Settlement of Lillian Johnson v. City of San Diego, San Diego Superior Court Case No. 37-2023-00026413-CU-PA-CTL, Claim No. 32070.

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$450,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: 9.

Proposed Actions:

(R-2025-378)

Resolution authorizing the settlement of Lillian Johnson v. City of San Diego, San Diego Superior Court Case No. 37-2023-00026413-CU-PA-CTL, related to personal injuries sustained as a result of a car accident between the Plaintiff and a SDPD Officer in the 4900 block of College Avenue in San Diego. Risk Claim No. 32070.

Committee Actions Taken: N/A

Office of the City Attorney: Kelly L. McGeehan, (619) 533-5884

Item 104: Settlement of Guadalupe Isais v. City of San Diego, San Diego Superior Court No. 37-2022-00034246-CU-PA-CTL, Risk No. 29079.

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$200,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: 4.

Proposed Actions:

(R-2025-371)

Resolution authorizing the settlement of Guadalupe Isais v. City of San Diego, San Diego Superior Court Case No. 37-2022-00034246-CU-PA-CTL, related to alleged injuries sustained as a result of a car accident on 54th Street in San Diego. Risk Claim No. 29079.

Committee Actions Taken: N/A

Office of the City Attorney: John P. Pearson, (619) 533-6193

Item 105: Settlement of Charlotte Estrada-Pepper v. City of San Diego, San Diego Superior Court Case No. 37-2024-00002823-CU-PO-CTL, Claim No. 33930.

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$85,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: 4.

Proposed Actions:

(R-2025-390)

Tuesday, March 18, 2025 Page 12 Resolution authorizing the settlement of Estrada-Pepper v. City of San Diego, et al., San Diego Superior Court No. 37-2024-00002823-CU-PO-CTL, related to an unintentional bite by a police service dog. Claim No. 33930.

Committee Actions Taken: N/A

Office of the City Attorney: Stacy J. Plotkin-Wolff, (619) 236-6486

Item 106: Settlement of Kurt Heitmann, et al. v. City of San Diego, et al., San Diego Superior Court Case No. 37-2019-00060502 CU-PO-CTL, Claim No. 21367

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$500,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: 1.

Proposed Actions:

(R-2025-421)

Resolution authorizing the settlement of Kurt Heitmann, et al. v. City of San Diego, et al., San Diego Superior Court Case No. 37-2019-00060502 CU-PO-CTL, related to a response to a 5150 call and a car collision that occurred on August 23, 2018. Claim No. 21367.

Committee Actions Taken: N/A

Office of the City Attorney: Stacy J. Plotkin-Wolff, (619) 236-6486

Item 107: Settlement of Sarjan Patel, et al. v. City of San Diego, San Diego Superior Court Case No. 37-2023-00024205-CU-EI-CTL, Risk File No. 31816.

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$250,000.00 will be paid from Muni Sewer Revenue Fund.

Council District(s) Affected: 2.

Proposed Actions:

(R-2025-376)

Resolution authorizing the settlement of Sarjan Patel, et al. v. City of San Diego, San Diego Superior Court Case No. 37-2023-00024205-CU-EI-CTL,

Committee Actions Taken: N/A

Office of the City Attorney: Chance C. Hawkins, (619) 533-6486

Item 108: Settlement of Patrice Baker, et al. v. City of San Diego, et al., United States District Court Case No. 3:19-cv-1013-JO (DEB), Claim No. 22699.

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$650,000.00 will be paid from the Public Liability Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-368)

Resolution authorizing the settlement of Patrice Baker, et al. v. City of San Diego, et al., United States District Court Case No. 3:19-cv-1013-JO, related to claims that the City violated the federal Fair Housing Act and state Fair Employment and Housing Act. Claim No. 22699.

Committee Actions Taken: N/A

Office of the City Attorney: Jenny K. Goodman, (619) 533-5822

Item 109: Settlement of January 2023 Sanitary Sewer Overflow, Regional Water Quality Control Board Notice of Violation No. R9-2023-0052.

Total Estimated Cost of Proposed Action and Funding Source:

Appropriate and expend the total amount of \$11,419,608 from Metropolitan Sewer Fund.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

(R-2025-447)

Resolution authorizing the settlement agreement with the Regional Water Quality Control Board regarding a sanitary sewer overflow into the San Diego Bay and San Diego River on January 16, 2023 and related actions. Committee Actions Taken: N/A

Public Utilities: Lisa Celaya, (858) 614-4042 City Attorney Contact: Michael D. Johnston

NON-AGENDA COMMUNICATIONS FROM MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY CLERK, CITY ATTORNEY

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)

<u>Click Here to Submit a</u> <u>Comment</u>

Item 30: 2025 City of San Diego Women of Distinction

MAYOR GLORIA, COUNCIL PRESIDENT LA CAVA, COUNCIL PRESIDENT PRO TEM LEE, COUNCILMEMBER CAMPBELL, COUNCILMEMBER WHITBURN, COUNCILMEMBER FOSTER III, COUNCILMEMBER VON WILPERT, COUNCILMEMBER CAMPILLO, COUNCILMEMBER MORENO, AND COUNCILMEMBER ELO-RIVERA'S RECOMMENDATION:

In recognition of March as Women's History Month, the Mayor and the City Council will be recognizing ten inspirational, courageous and strong local women who help make the City of San Diego a better place. The Mayor's office worked with each Councilmember individually for this ceremonial item. In addition to the Mayor's selected city-wide honoree, each individual Councilmember selected and submitted to the Mayor's office one Woman of Distinction honoree who lives, works, or goes to school in their Council District.

Item 31: Women's History Month.

COUNCILMEMBER CAMPBELL, COUNCILMEMBER VON WILPERT, AND COUNCILMEMBER MORENO'S RECOMMENDATION:

Proclaiming March 2025 to be "Women's History Month" in the City of San Diego.

Item 32: Developmental Disabilities Awareness Month.

COUNCILMEMBER CAMPBELL AND COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Tuesday, March 18, 2025 Page 15 Proclaiming March 2025, to be "Developmental Disabilities Awareness Month" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM CONSENT BY COUNCILMEMBERS

NON-AGENDA PUBLIC COMMENT

<u>Click Here to Submit a</u> <u>Comment</u>

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 Rule 2.7.2, Non-Agenda Public Comment is 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. Additionally, non-agenda public comment during the 10am session may be limited to 30 minutes at the discretion of the Council President for meeting management purposes. If some Non-Agenda Public Comment is trailed, any remaining speakers will be given an opportunity to speak during the 2pm session after Council concludes the Information and Adoption agenda items for the day.

Tuesday, March 18, 2025 Page 16

TUESDAY, MARCH 18, 2025 AT 2:00 PM

ROLL CALL

REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS TRAILED FROM MORNING OR ITEMS SCHEDULED FOR AFTERNOON SESSION

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

<u>Click Here to Submit a</u> <u>Comment</u>

Item 330: Appeal of the Environmental Determination for 627 Genter Street Project No. PRJ-1055455.

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

Total Estimated Cost of Proposed Action and Funding Source:

All costs associated with the processing of the application are recovered through a fee paid for by the applicant.

Council District(s) Affected: 1.

Proposed Actions:

Appeal of the Environmental Exemption determination pursuant to California Environmental Quality Act (CEQA) State Guidelines, Section 15301, Existing Facilities, for a Coastal Development Permit and Conditional Use Permit for proposed additions and renovations to an existing education building on an existing religious assembly campus. The site improvements include 1,768 square feet of new additions, 2,340 square feet of interior renovations, a new 502-square-foot roof deck, and replacing existing exterior stairs. The 0.48-acre site is located at 627 Genter Street in the Residential Multiple Unit (RM-1-1) Zone, Coastal Height Limit Overlay Zone, Coastal Overlay (non-appealable) Zone, and the Transit Area Overlay Zone Tuesday, March 18, 2025 Page 17 within the La Jolla Community Plan. The only issue before the City Council is the appeal of the environmental determination, and not the project itself.

According to San Diego Municipal Code Section 112.0520(e) Power to Act on Appeal, the City Council shall consider the appeal and may:

(1) By a majority vote, deny the appeal and approve the environmental determination that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 (Existing Facilities); or

(2) By a majority vote, grant the appeal and set aside the environmental determination in accordance with San Diego Municipal Code Section 112.0520(f);

Directing the City Attorney to prepare the appropriate resolution according to Section 40 of the City Charter;

If the City Council grants the appeal, the City Council shall retain jurisdiction to act on the revised environmental determination and associated project at a subsequent public hearing.

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

Committee Actions Taken: N/A

Development Services: Robin MacCartee, (619) 687-5942 City Attorney Contact: Lindsey Sebastian

NON-AGENDA ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT

Tuesday, March 18, 2025 Page 18 HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:

Members of the public shall be given the opportunity to address the Council. The Council President may reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

Pursuant to the Levine Act (Gov't Code Section 84308), any party to a permit, license, contract (other than competitively bid, labor or personal employment contracts) or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any Council Member. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party or participant and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made.

In-Person Comment on Agenda Items

Each speaker must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In person testimony will conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if they represent an organization or another person.

For meeting management during the Proclamation and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding them time. These speaker slips should be submitted together at one time to the City Clerk. The Council President may also limit organized group presentations of five or more persons to 15 minutes or less.

Virtual Public Comment on Agenda Items

Members of the public may participate virtually (by telephone or internet streaming) as indicated below. Speakers who wish to provide virtual public comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

For meeting management during the Proclamation and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes. Speakers participating virtually may not allocate their time to other speakers and may not share video or visual aids (i.e. pdf, ppt, docs) during their comment period. **Quasi-Judicial Items.** Organized group presentations for quasi-judicial items will be allowed up to 15 minutes per side to speak either for or against an item for a total of 30 minutes. If more than one group on the same side requests an organized presentation, the 15 minutes will be divided between each group for that side. Please contact the Project Manager as listed as the primary contact on the staff report for that item to indicate your desire to present.

Non-Agenda Public Comment

Every agenda for a regular Council meeting shall provide a period on the agenda for members of the public to address the Council on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council. Non-Agenda Public Comment shall be subject to the exercise of the Council President's discretion for a given agenda. In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

<u>Each speaker will be limited to two minutes</u>. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, 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. A member of the public may only provide one non-agenda comment per agenda.

In-Person Non-Agenda Public Comment

Each speaker who wishes to address the Council must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of in-person testimony. In-person testimony shall conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if representing an organization or another person.

Virtual Non-Agenda Public Comment

Speakers who wish to provide virtual Non-Agenda Public Comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first. Those participating virtually may not share video or visual aids (i.e. pdf, ppt, docs) during their non-agenda comment period.

Please note: On Tuesdays, Non-Agenda Public Comment is taken during the 10am session, but some Non-Agenda Public Comment may be trailed, at the Council President's discretion for meeting management purposes.

Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public

Comment may also be submitted using the <u>webform</u> indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 8:00 AM the day of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 500 words but may include attachments. Comments received after 8:00 AM the day of the meeting but before the item is called will be submitted into the written record for the relevant item. **Written Materials**. Instead of submitting written materials as an attachment to the webform you may submit via U.S. Mail to the City Clerk's attention at 202 C Street, MS2A San Diego, CA 92101. Materials submitted via U.S. Mail must be received no later than one business day prior to the meeting to be distributed to the City Council. Comments received via U.S. Mail on the day of the meeting will be submitted into the written record for the relevant item.

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 Spectrum or Channel 99 for AT&T U-Verse, or <u>view the meetings online (link is external)</u>