

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Myrtle Cole • Fourth District**

## COUNCIL PRESIDENT PRO TEM

**Mark Kersey • Fifth District**

## COUNCILMEMBERS

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

**Andrea Tevlin**  
**Independent**  
**Budget Analyst**

**Mara Elliott**  
**City Attorney**

**Liz Maland**  
**City Clerk**

**Council Chambers, 12<sup>th</sup> Floor, City Administration Building**

**Monday, March 6, 2017**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, MARCH 6, 2017, AT 2:00 PM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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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.

**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**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**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 based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON AUDIT:

ITEM-150: City Auditor's Performance Audit of the City's Programs Responsible for Improving Pedestrian Safety. (Citywide.)

**TODAY'S ACTION IS:**

Accept the City Auditor's Performance Audit of the City's Programs Responsible for Improving Pedestrian Safety.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The report was presented at the Audit Committee meeting on September 21, 2016.

**ACTION:** Motion by Councilmember Zapf, second by Committee Member Spencer, to accept the report and forward to Council.

**VOTE:** 4-0; Sherman-yea, Zapf-yea, Hebrank-yea, Spencer-yea, Valdivia-not present.

No changes have been made to the report since it was presented to the Committee.

Luna

Primary Contact\Phone: Andy Hanau\619-533-3108

Secondary Contact\Phone: Kyle Elser\619-533-3007

ITEM-151: Accept the City Auditor's Performance Audit of Street Light Repair. (Citywide.)

**TODAY'S ACTION IS:**

Accept the City Auditor's Performance Audit of Street Light Repair.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** N/A

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The report was presented at the Audit Committee meeting on December 7, 2016.

**ACTION:** Motion by Committee Member Hebrank, second by Committee Member Spencer, to accept the report and forward to Council.

**VOTE:** 4-0; Sherman-yea, Hebrank-yea, Spencer-yea, Valdivia-yea, Zapf-not present.

No changes have been made to the report since it was presented to the Committee.

Luna

Primary Contact\Phone: Arlys Erickson\619-533-3041

Secondary Contact\Phone: Nick Ketter\619-533-3014

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON SMART GROWTH AND LAND USE, RESOLUTIONS:

ITEM-152: San Diego Affordable Housing Transit-Oriented Development Fund Market Assessment Approval. (Citywide.)

**ITEM DESCRIPTION:**

Approve the San Diego Affordable Housing Transit-Oriented Development Fund Market Assessment and authorize Forsyth Street Advisors to proceed with fund implementation.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2017-372)

Approving the San Diego Affordable Housing Transit-Oriented Development Fund Market Assessment dated November 17, 2016, and authorizing Forsyth Street Advisors to proceed with fund implementation.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total shared Contract price to create, implement and manage the San Diego Transit-Oriented Development (TOD) Fund is \$200,000, and is shared equally between the Housing Commission and CivicSD. The engagement of outside counsel or other experts as needed shall be subject to Housing Commission contracting and budget procedures. The public investment in the San Diego TOD Fund is anticipated to be \$10 million of Inclusionary funds from the Housing Commission and \$10 million of Low-Mod funds from CivicSD, for a total of \$20 million, and is estimated to be brought forward for final approval in July 2017.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

On November 16, 2016, the CivicSD Board recommended approval of the Market Assessment and to proceed with Phase II fund implementation and on December 2, 2016, the Housing Commission Board recommended approval of the Market Assessment and to proceed with Phase II fund implementation.

This item was heard at the Smart Growth and Land Use Committee meeting on January 25, 2017.

**ACTION:** Motion by Councilmember Cate, second by Councilmember Gomez, to move the item and recommend Council adopt the resolution.

**VOTE:** 4-0; Sherman-yea, Cate-yea, Alvarez-yea, Gomez-yea.

**NOTE:** See the Housing Authority Agenda of March 6, 2017, for a companion item.

Davis/Graham

Primary Contact\Phone: Wendy DeWitt\619-578-7590

City Attorney Contact: Sleger, Nathan

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

ITEM-200: 2017 Appointment of Audit Committee Public Member.

**INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:**

Adopt the following resolution:

(R-2017-392)

Council confirmation of the following public member is appointed to the Audit Committee for a term ending as indicated:

**NAME**

**TERM ENDING**

January 5, 2021

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

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-201: Preliminary Bond Authorization for Hollywood Palms II Apartments. (District 9.)

**ITEM DESCRIPTION:**

Take the initial steps to issue Housing Authority of the City of San Diego Multifamily Housing Revenue Bonds, which are allocated by the State, to fund the acquisition and rehabilitation of Hollywood Palms II Apartments, a 94-unit multifamily affordable housing rental development, located in the City Heights community, which will remain affordable for 55 years.

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-2017-355)

Approving the issuance of Bonds by the Housing Authority of the City of San Diego for Hollywood Palms II Apartments, pursuant to Section 147(f) of the Internal Revenue Code of 1986.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action are included in the Housing Authority-approved Fiscal Year (FY) 2017 Housing Commission Budget. Approving this action will not change the FY 2017 total budget.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$41,250

Estimated Payoff of Principle and Interest on Loan in August 2017 - \$3,101,000

Funding uses approved by this action will be as follows:

City of San Diego Housing Impact Fees, also known as Linkage Fees - \$1,269,240

Federal HOME Investment Partnerships Program - \$1,831,760

Housing Commission Rental Housing Finance Program Administration Costs - \$41,250

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 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 Housing Commission's annual administrative fee, as well as Housing Commission Bond Counsel and Financial Advisor fees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

**NOTE:** See the Housing Authority Agenda of March 6, 2017, for a companion item.

**NOTE:** This is a TEFRA hearing item.

Davis/Graham

Primary Contact\Phone: Ted Miyahara\619-578-7550

City Attorney Contact: Chung, Walter C.

ITEM-202: Preliminary Bond Authorization for Pacific Highlands Ranch Village. (District 1.)

**ITEM DESCRIPTION:**

Take the initial steps to issue Housing Authority of the City of San Diego Multifamily Housing Revenue Bonds, which are allocated by the State, to fund the acquisition and development of Pacific Highlands Ranch Village (PHR Village), a 79-unit multifamily affordable housing rental development, located in the Pacific Highlands Ranch Community, which will remain affordable for 55 years.

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-2017-377)

Approving the issuance of Bonds by the Housing Authority of the City of San Diego for Pacific Highlands Ranch Villa, pursuant to Section 147(f) of the Internal Revenue Code of 1986.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The proposed funding sources and uses approved by this action are included in the Housing Authority-approved Fiscal Year (FY) 2017 San Diego Housing Commission (Housing Commission) Budget. Approving this action will not change the FY 2017 total budget.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$60,000

Funding uses approved by this action will be as follows: Housing Commission Rental Housing Finance Program Administration Costs - \$60,000

Approval of the bond inducement and Tax Equity and 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 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 Housing Commission's annual administrative fee, as well as Housing Commission Bond Counsel and Financial Advisor fees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

**NOTE:** See the Housing Authority Agenda of March 6, 2017, for a companion item.

**NOTE:** This is a TEFRA hearing item.

Davis/Graham

Primary Contact\Phone: Ted Miyahara\619-578-7550

City Attorney Contact: Chung, Walter C.

**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 Comment is taken toward the end of the Monday afternoon Council session.

**NON-DOCKET ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**