

**CITY OF SAN DIEGO
OFFICE OF THE CITY CLERK
MEMORANDUM
(619) 533-4000**

DATE: January 3, 2012
TO: Lea Fields-Bernard, Rules Committee Consultant
FROM: Elizabeth Maland, City Clerk
SUBJECT: Ballot Proposal for Rules Committee Review

Attached is a ballot proposal regarding increasing San Diego's Transient Occupancy Tax, filed with my office today for placement on an upcoming Rules Committee meeting agenda pursuant to Council Policy (CP) 000-21. The proponents are Katheryn Rhodes and Conrad Hartsell, MD.

Through CP 000-21, a proposal receives Rules Committee review and comment, and may be forwarded to the Council for consideration and possible placement on the ballot.

My office will keep a copy of the ballot proposal and re-submit it to you after the January 6, 2012, deadline for proposed ballot measures submitted under CP 000-21 for the June, 2012 primary election.



Elizabeth Maland
City Clerk

Attachment

cc: Diana JuradoSainz, Legislative Coordinator

Jenkins, Denise

Subject: FW: Submittal of Ballot Lanugage for a 5 percent increase in TOT for Regional infrastructure, roads, and park land, with an advisory vote for a privately finance NFL Chargers Stadium and Convention Center Phase III Expansion.
Attachments: 20120605_Ballot_Lanugage_5%_TOT_Public_Infrastructure_Roads_Parks.pdf

-----Original Message-----

From: rhodes@laplayaheritage.com [<mailto:rhodes@laplayaheritage.com>]
Sent: Tuesday, January 03, 2012 11:21 AM
To: CLK City Clerk; Sanders, Jerry; Faulconer, Council Member Kevin; Goldsmith, Jan; SDAT City Attorney; DeMaio, Councilmember Carl; DeMaio, Carl; Lightner, Councilmember Sherri; Alvarez, Council Member David; Emerald, Councilmember Marti; Councilmember Todd Gloria; Young, Anthony; Zapf, Council Member Lorie; Awbrey, Matt; Rhodes@laplayaheritage.com; Harris, Cynthia; Ector, Drew; Knowles, Travis; Monroig, Felipe; taaron@sandiego.gov; Tevlin, Andrea; Slack, Jimmie; rhodes@laplayaheritage.com; Hill, Stephen; iba@sandiego.gov; Ison, Pamela; Pepin, Brian
Subject: Submittal of Ballot Lanugage for a 5 percent increase in TOT for Regional infrastructure, roads, and park land, with an advisory vote for a privately finance NFL Chargers Stadium and Convention Center Phase III Expansion.

Hello City of San Diego and City Clerk Elizabeth Maland:

Attached please find our private citizen submittal of Ballot Lanugage in the June 5, 2012 election for a 5 percent (5%) increase in TOT for Regional infrastructure, roads, and park land, with an advisory vote for a privately finance NFL Chargers Stadium and Convention Center Phase III Expansion.

Regards,

Katheryn Rhodes and Conrad Hartsell MD
619-523-4350

RECEIVED
CITY CLERK'S OFFICE
11 JAN -3 AM 11:56
SAN DIEGO, CALIF.

January 3, 2012

City Clerk Elizabeth Maland, cityclerk@sandiego.gov
 City of San Diego
 202 C Street, San Diego, California 92101

RECEIVED
 CITY CLERK'S OFFICE
 11 JAN -3 AM 11:56
 SAN DIEGO, CALIF.

Subject: Proposed Ballot Language for a June 5, 2012 Ballot Initiative to increase the City of San Diego's Transient Occupancy Tax Five (5%) percent for sole use on Regional Public Infrastructure, Roads, and Public Park Lands.

Dear City of San Diego:

The following is our proposed ballot language for consideration in the June 5, 2012 election to ask voters to increase the City of San Diego's Transient Occupancy Tax Five (5%) percent for sole use on public infrastructure, roads, and public park lands only.

"Shall the City increase the Transient Occupancy Tax (TOT) paid by hotel and motel visitors by 5.0%, and shall these additional TOT funds be put into a trust and earmarked to fund regional public Capitol infrastructure, road repairs, parks, coastal projects, and full Reclamation of our public tidelands; including an advisory approval for a desalination plant and cistern that would serve as a waterproof bathtub structural foundation for a privately-funded, multi-purpose NFL Stadium and Contiguous Convention Center Phase III Expansion on State of California public tidelands in San Diego Bay; and shall public audits be conducted of the uses of these funds?"

The San Diego Convention Center Taskforce estimated that each one (1 %) increase in the TOT rate would create approximately \$14.7 million in new revenue for the City of San Diego. Therefore a five (5 %) increase to the City of San Diego TOT would provide San Diegans with an annual \$73.5 million for use on public infrastructure, roadway, and parks. A specific percentage of the TOT (maybe 1%) would be allocated to deferred maintenance on our regional public parks.

As part of the Advisory approval, the first public infrastructure project would include a CEQA analysis for a multi-purpose NFL Stadium and contiguous Convention Center space on our public Waterfront. The public would pay for the structural foundation for a full reclamation of our tidelands, a desalination plant, and use of Embarcadero Marina Parks at Football Tailgate areas on Sunday, and any mitigation required. If the multi-purpose NFL Stadium and Contiguous Convention Center Expansion does not get the private funding required to build the structure without taxpayer subsidizes, then the full 5 percent increase in the TOT would go to other public infrastructure, roads, and park projects like deferred maintenance at Balboa Park, San Diego River, San Dieguito River, Otay Valley Regional Park, beaches, bays, etc. Taxpayers want to see tangible physical results of higher taxes to improve the City of San Diego's quality of life.

<http://www.bizjournals.com/dayton/news/2011/12/08/nfl-tv-rights-may-top-24-billion.html>
 The NFL just signed a \$24 BILLION contract for their television football rights from 2013 to 2021. Just like at Farmers Field in Los Angeles; AEG, the NFL, the Chargers, and Farmers Insurance would pay for the actual translucent structure. If the Billionaires cannot pay for the structure by constant use, then the project would not be built. The site on the waterfront is 15 acres in size. Just like Farmers Field in Los Angeles. Therefore the great LA design can be moved to our iconic Waterfront. <http://farmersfield.com/> The privately funded structure would be marketed directly to the NFL owners and players to include an NFL Experience on site, while lobbying the NFL to declare the City of San Diego as their West Coast Headquarters. San Diego would be marketed as a Sports Tourism and Eco-Tourism destination in conjunction with Petco Park.

Full Tidelands Reclamation of public tidelands would create valuable waterfront subterranean space for parking, urban storm water capture, industrial uses, and Port operations. Full Reclamation of our Tidelands down to formation material would get rid of the Seismic Hazard of Liquefaction, and help clean San Diego Bay. Currently, the Port's clean up plans include moving toxic contaminated soils from the Shipyard sediment location in east San Diego Bay to the old Convair Lagoon near the Coast Guard Headquarters on North Harbor Drive.

Our wording has Taxpayers paying for the infrastructure, mitigation, and foundation. And just like LA; private funding of the actual stadium building, and all costs overruns would be the responsibility of the developer. All without raising taxes on locals, and without the use of Redevelopment Agency Tax Increment and existing General Fund revenues sources like the current 10.5% TOT rate.

San Diego could have everything she wants with a carefully worded ballot language to raised taxes on visitors only. San Diego should not be scared of allowing the public a vote on keeping the Chargers in San Diego. All financial risks would be shifted to private corporations such as the NFL, Chargers, AEG, and Farmers Insurance. San Diego can give the NFL, the same multi-purpose world class Stadium and Convention Center Phase III Expansion project as Farmers Field, but on our beautiful waterfront in San Diego instead of downtown Los Angeles. Instead of public ownership of an NFL Team, there would be public ownership of a multi-purpose NFL Stadium and Event Center, which would also serve as Contiguous Convention Center Phase III Expansion.

See Pages 10 to 12 linked for the 15-acre waterfront location contiguous to the existing Convention Center Phase II Expansion, on portions of what now is parking lot, park land, 5th Avenue Landing Marina, and navigable waters of San Diego Bay, east of the United States Bulkhead line.

www.tinyurl.com/20111225 An example of a waterproof structural foundation is the World Trade Center which was built on the Hudson River. http://en.wikipedia.org/wiki/The_Bathtub

As far as we know, the only bathtub structural foundation on public tidelands in San Diego was constructed for the original Convention Center and 2 levels of underground parking in 1985. Due to bad engineering planning the original Convention Center leaked and requires constant pumping to keep dry. The leaks may be due to the active fault identified by Caltrans that runs through the original convention center's subterranean parking structure.

http://www.sdcountry.ca.gov/reusable_components/images/dgs/Documents/CAC_Waterfront_Powerpoint1.pdf

The County of San Diego will be constructing a waterproof bathtub structural foundation to serve as underground parking structure on a 3-acre portion of the County's planned Waterfront Park, south of the County Administration Center (CAC). Approximately 250 stalls on one- or two-levels of underground parking will be constructed between Harbor Drive and Pacific Highway at an estimated cost of \$18.5 million. Costs associated with the County's 3 acre project on the Waterfront should provide financial estimates for basing the costs for a new 15 acre waterproof bathtub structural foundation.

The Chargers current plan for a new stadium includes selling the publically owned Mission Valley Qualcomm Stadium and Midway Sports Arena sites to pay for construction of a stand-alone stadium in the East Village of downtown San Diego, which would serve as additional non-contiguous Convention Center space. With our plan a new waterfront site for a multi-purpose event center would be analyzed northwest of the TAMT, and would not interfere with the Working Waterfront or Port operations.

Regards,

Katheryn Rhodes and Conrad Hartsell MD
371 San Fernando Street, San Diego, California 92106
rhodes@laplayaheritage.com, 619-523-4350