

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, NOVEMBER 26, 2002 AT 10:00 A.M.
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Noticed Hearings

- ITEM-330: Fine Medical/Sim Bruce Richards Building. Matter of the appeal by Marco Vakili, from the decision of the Historical Resources Board in approving the historical site designation of property located at 3060 Fifth Avenue in the City of San Diego. Uptown Community Plan Area. (Dist.2)
- ITEM-331: Reclaimed Water Business Plan.

Special Hearings

- ITEM-332: Second Public Hearing - Red Light Photo Enforcement Contract with Affiliated Computer Services.

Adoption Agenda, Discussion, Other Legislative Items

- ITEM-333: Installation of Mid-Block Streetlights on Kettner Blvd. from Laurel to Ash Streets .

Adoption Agenda, Discussion, Other Legislative Items

- ITEM-334: Four actions related to Financing & Refinancing of the Centre City Redevelopment Project; Amendment to Parking Structure Operating Agreement; Amendment to Centre City Redevelopment Plan; and Making Certain Findings relating to the Public Parking Facilities. Centre City Redevelopment Project Area. (Dist. 2.)

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, NOVEMBER 26, 2002 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. 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

A Special Joint Meeting of the **CITY COUNCIL/REDEVELOPMENT AGENCY** has also been scheduled this morning. A special docket will be issued regarding this meeting. For more information, please contact the Redevelopment Agency secretary at (619) 533-5432.

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) 578-7540.

ITEM-300: ROLL CALL.

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.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-330: Fine Medical/Sim Bruce Richards Building.

_____ Matter of the appeal by Marco Vakili, from the decision of the Historical Resources Board in approving the historical site designation of property located at 3060 Fifth Avenue in the City of San Diego.

(See City Manager Report CMR-02-270. Uptown Community Plan Area. District-2.)

TODAY'S ACTION IS:

_____ (R-2003-)

A motion either granting or denying the appeal and upholding or overturning the action of the Historical Resources Board.

CITY MANAGER'S RECOMMENDATION:

Deny the appeal and uphold the decision of the Historical Resources Board to designate the fine Medical/Sim Bruce Richards Building as a Historical Resource Site under HRB Criteria.

OTHER RECOMMENDATIONS:

Historical Resources Board voted 8-3 on September 26, 2002 to approve; was opposition.

Ayes: Ulloa, Delawie, Ahern, Cheng, Malone, Marshall, McNeely, Sewell,
Nays: Christenson, Emme, Schwartz

The Uptown Community Planners considered the appeal at their meeting on November 5, 2002. The Uptown Community Planners voted 11-1-0 to recommend that the City Council approve the appeal.

CITY MANAGER SUPPORTING INFORMATION:

This item is before the City Council as an appeal of the Historical Resources Board (HRB) decision of September 26, 2002, to designate the Fine Medical/Sim Bruce Richards Building as a City of San Diego Historical Resource Site. Marco Vakili of Lennar Communities, future developer of the site, submitted the appeal on October 2, 2002. The property is located at 3060 Fifth Avenue in the Uptown Community, Council District 3. The site is developed with a single story office building and a parking lot.

Ewell/Goldberg/TD

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-331: Reclaimed Water Business Plan.

(See City Manager Report CMR-02-162.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2003-527 Cor. Copy)

Authorizing the City Manager, in conjunction with the Public Utilities Advisory Commission, to develop criteria and procedures to enforce the Reclaimed Water Mandatory Reuse Ordinance, San Diego Municipal Code Section 64.0801 et. seq., of Division 8: Water Reclamation and Ocean Monitoring, of Article 4: Sewers;

Authorizing the City Manager to proceed with recommendations to modify the Land Development Code process to allow the reclaimed water to become part of the Land Development Code;

Approving a Commercial Tenant Improvement Plan Review Fee of \$400 for over-the-counter reclaimed water plan checks and a Fee for Service deposit of \$2,400 for projects requiring the plan submittal for review, both effective January 27, 2003.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 7/17/2002, NR&C voted 5 to 0.

- A. Approve the City Manager's recommendations.
- B. Develop procedures/criteria to implement the Mandatory Reuse Ordinance.
- C. Direct the City Manager to review the Water Assurance Plan and report back on how it relates to the Reclaimed Water Business Plan.
- D. Direct the City Manager to review pricing alternatives to encourage conservation.
- E. Direct the City Manager to review the issue of further reducing the reclaimed water rate.
- F. Include landscaping, water conservation, and water quality as part of the Reclaimed Water Business Plan.
- G. Provide Geographic Information System overlay/environmental review on the impacts of Total Dissolved Solids on reclaimed water.

- H. Direct the City Manager to analyze water use patterns at City-owned parks and recommended water conservation measures.
- I. Direct the City Manager to develop and implement a public awareness/outreach campaign, to include the costs of implementing such program.
- J. Direct the City Manager to seek Federal and State funding for reclaimed water projects.
- K. Report back to the Natural Resources and Culture Committee within 90 days.

(Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

The City's strategic reclaimed water objective is to increase the number of customers using reclaimed rather than potable water. This will enable the City to beneficially utilize reclaimed water plant production capacity to the greatest extent possible and provide a reliable alternative water source to non-potable customers. The Reclaimed Water Business Plan builds on previous City Council actions to further this objective.

On July 24, 1989, the City Council adopted Ordinance 0-17327 N.S., known as the Mandatory Reuse Ordinance. This Ordinance authorized the City Manager to make preliminary determinations on the conversion of potable water customers to reclaimed water, condition development projects to use reclaimed water, and require reclaimed water facilities as a condition for approval of building permits. The Mandatory Reuse Ordinance establishes the policy that reclaimed water shall be used within its jurisdiction wherever feasible, and consistent with legal requirements, preservation of the public health, safety and welfare, and the environment.

Other actions to further the beneficial use of reclaimed water included: preparation of the Beneficial Reuse Study (BRS) which identified the most cost-effective use of reclaimed water; development of a long-term capital program based on the findings of the Reclaimed Water Master Plan (an update to the Beneficial Reuse Study); and reduction of reclaimed water rates from \$580/Acre-Foot (AF) or \$1.34/Hundred Cubic Feet (HCF) to \$350/AF or \$0.80/HCF.

The Manager's Report details an on-going strategy, as well as identifies an internal City process to implement the Reclaimed Water Business Plan in a customer friendly and efficient manner. The reclaimed water strategy that the Water Department is pursuing, as detailed in the BRS, is to connect large, single-meter customers to the system in order to develop the most cost effective non-potable reclaimed water distribution system.

Three actions are requested. The first is for the Water Department to work with the Public Utilities Advisory Commission to develop procedures to enforce a provision in the Mandatory Reuse Ordinance requiring existing potable water customers to convert to use reclaimed water. The second action is to modify the Land Development Code (LDC) to include reclaimed water. The LDC has established rules and regulations regarding the use of the land development process to extend water and wastewater facilities within the City of San Diego but does not currently include reclaimed water facilities. The third action will establish plan check fees to recover the

cost of City staff plan review. Staff recommends a Commercial Tenant Improvement Plan Review Fee of \$400 for over-the-counter reclaimed water plan checks and a Fee for Service deposit of \$2,400 for projects requiring plan submittal for review. Similar fees are currently being used for cost recovery on water and wastewater plan reviews. These fees would become effective January 27, 2003.

On July 17, 2002, the Natural Resources and Culture Committee reviewed and gave tentative approval to the Reclaimed Water Business Plan.

A more detailed description of the Reclaimed Water Business Plan can be found in the Manager's Report.

FISCAL IMPACT:

None. Additional costs to implement this action will be reimbursed through building permit plan check fees.

Mendes/Gardner/MS

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARING:

ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

ITEM-332: Second Public Hearing - Red Light Photo Enforcement Contract with Affiliated Computer Services.

CITY MANAGER'S RECOMMENDATION:

Hold the second public hearing and introduce and adopt the following ordinance:

(O-2003-84)

Introduction and adoption of an Ordinance amending Ordinance O-19083 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2002-2003 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-19083, as amended and adopted therein, by amending the Non-Personnel Appropriation in City Wide Program Expenditures, Department (601), in General Fund 100, for the purpose of funding vendor payments for the Red Light Photo Enforcement Program from unbudgeted Red Light Photo Enforcement Program revenues.

NOTE: Today's action is the second public hearing and introduction and

adoption of the ordinance. See Item 200 on the docket of Monday, November 25, 2002 for the first public hearing.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-333: Installation of Mid-Block Streetlights on Kettner Blvd. from Laurel to Ash Streets

(See Centre City Development Corporation Report CCDC-02-05.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-631)

Declaring that the Council finds and determines that the installation of mid-block streetlights on Kettner Boulevard from Laurel and Ash Streets, for which the Agency proposes to for, are of benefit to the Centre City Redevelopment Project Area;

Declaring that the Council finds and determines that the proposed improvements will assist in eliminating one or more blighting conditions inside the Project Area and that no other reasonable means of financing the proposed improvements are available to the community;

Declaring that the Council finds and determines that the Agency's funding of the installation of the Streetlight Improvements in the Project Area is consistent with the Implementation Plan for the Project Area, as adopted and amended by the Agency pursuant to California Health and Safety Code Section 33490.

NOTE: See the Redevelopment Agency Agenda of 11/26/2002 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED, WITH RESOLUTIONS TO BE ADOPTED:

ITEM-334: Four actions related to Financing & Refinancing of the Centre City Redevelopment Project; Amendment to Parking Structure Operating Agreement; Amendment to Centre City Redevelopment Plan; and Making Certain Findings relating to the Public Parking Facilities.

(See CCDC Report dated 11/20/2002. Centre City Redevelopment Project Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the resolutions in Subitems A and B, and introduce the ordinances in Subitems C and D:

Subitem-A: (R-2003-693)

Approving the financing and refinancing of the Centre City Redevelopment Project by the Redevelopment Agency of the City of San Diego.

Subitem-B: (R-2003-692)

Approving the Issuance by the Redevelopment Agency of the City of San Diego of the Centre City Parking Bonds, Series 2003B, and making certain findings concerning the use of the bond proceeds.

Subitem-C: (O-2003-81)

Introduction of an Ordinance authorizing the City Manager to execute an amendment to the Parking Structure Operating Agreement with the Redevelopment Agency of the City of San Diego.

Subitem-D: (O-2003-79)

Introduction of an Ordinance eliminating the time limit on the establishment of loans, advances, and indebtedness for the Centre City Redevelopment Project Area.

NOTE: See the Redevelopment Agency Agenda of 11/26/2002 for a companion item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT