

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 2
FOR THE REGULAR MEETING OF
TUESDAY, DECEMBER 10, 2002**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING
AND ADOPTION:

ITEM-S500: Amending the San Diego Municipal Code Regarding Hotel Regulations.

CITY ATTORNEY'S RECOMMENDATION:

Introduction and adoption of the following emergency ordinance:

(O-2003-93)

Introduction and adoption of an Emergency Ordinance amending the San Diego Municipal Code by amending Chapter 11, Article 3, Division 1, Section 113.0103; by amending Chapter 12, Article 6, Division 5, Section 126.0502; by amending Chapter 14, Article 3, Division 5, by amending Sections 143.0510, 143.0515, 143.0520, and 143.0530; by amending Chapter 14, Article 3, Division 5, by adding and renumbering Sections 143.0550 and 143.0560 to Sections 143.0540 and 143.0550; and by amending Sections 143.0540 and 143.0550; by amending Chapter 14, Article 3, Division 5, by amending and renumbering Sections 143.0570, 143.0580 and 143.0590 to Sections 143.0560, 143.0570 and 143.0580, respectively; and by amending Chapter 14, Article 3, Division 5 by adding Section 143.0590, all relating to Hotel Regulations.

NOTE: 6 votes required pursuant to Section 17 of the City Charter.

SUPPORTING INFORMATION:

The City Attorney is recommending amendments to the existing Single Room Occupancy (SRO) Hotel Regulations to conform to requirements of State law.

Ewell/Devaney

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

ITEM-S501: Three actions related to Transfer of Baggage Building and REA site (Santa Fe Depot) to City and the City's Lease to Museum of Contemporary Art.

(See CCDC Report 02-08. Columbia Subarea of the Centre City Redevelopment Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions in Subitems A and B and introduce the ordinance in Subitem C:

Subitem-A: (R-2003-773)

Certifying that the Council has reviewed and considered information contained in the Master Environmental Impact Report for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and associated plan amendments, and the secondary study with respect to the Third Amendment to the Development Agreement between the Council of the City of San Diego and Catellus Development Corporation for the development of the Museum of Contemporary Art/San Diego, Santa Fe Depot; and making certain findings and determinations regarding Environmental Impacts of the Development.

Subitem-B: (R-2003-774)

Approving Centre City/Coastal Development Permit No. 41-0560.

Subitem-C: (O-2003-98)

Introduction of an Ordinance approving the Third Amendment to Development Agreement between the City of San Diego and Catellus Development Corporation.

NOTE: See the Redevelopment Agency Agenda of 12/10/2002 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-S502: Two actions related to Transfer Agreement and Lease - Museum of Contemporary Art.

(See City Manager Report CMR-02-294. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2003-768)

Authorizing the City Manager to execute a Transfer Agreement.

Subitem-B: (R-2003-764)

Authorizing the City Manager to execute an approximate eighty-eight (88) year lease agreement with the Museum of Contemporary Art, San Diego, a California non-profit public benefit corporation, for cultural purposes as a Contemporary Art Museum, located at the Santa Fe Depot Baggage Building and REA site, San Diego, California, at an annual rent of \$1.00 per year.

NOTE: See the Redevelopment Agency Agenda of 12/10/2002 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-S503: In the Matter of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium between the City of San Diego and the San Diego Chargers (Agreement).

(Mission Valley Community Area. District-6.)

TODAY'S ACTION IS:

Discussion and consideration of the following matters:

Subitem-A:

A status report on the investigation into the impact of the settlement of the Walker v. City of San Diego litigation and the Attendance Guarantee provisions of the Agreement.

CITY MANAGER SUPPORTING INFORMATION:

Following the recent home game against the San Francisco 49ers, the Chargers sent an invoice to the City under the Attendance Guarantee provisions of the Agreement (Section 9(a)) which was characterized as including billings for seats removed as a result of modifications to the Stadium required by the settlement of the Walker litigation. City staff is investigating this matter and the validity of the billing, and will report to the City Council of the status of the investigation.

Subitem-B:

A report to the Mayor and City Council regarding the Triggering Event provisions of the Agreement and other issues the Chargers wish to discuss with the City, and City Council direction regarding those matters.

CITY MANAGER SUPPORTING INFORMATION:

By memoranda dated December 2 and 3, 2002, from the Mayor and Council members Peters and Inzunza, the City Manager and City Attorney were requested to inquire of the Chargers and report back to the City Council on December 10, 2002, about the possibility of delaying the date on which

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

ITEM-S503: (Continued)

Subitem-B: (Continued)

the Chargers could exercise the team's rights under the renegotiation provisions set forth in section 31 of the Agreement, and any other issues the Chargers wish to raise with the City. The City Manager and City Attorney will be reporting to the City Council on the Chargers' reply to the Inquiry and issues the Chargers wish to raise. See memoranda to the City Manager and City Attorney from Mayor and Council members Peters and Inzunza dated December 2 and 3, 2002, and letter to Mayor from Mark Fabiani dated December 3, 2002.