

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, NOVEMBER 18, 2003 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

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.

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

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.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Other Legislative Item

ITEM-330: Two actions related to ~~De Anza Mobile Home Park~~ Harbor Resort and the Mission Bay Golf Course. Mission Bay Community Area. (Dist. 6)
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

Noticed Hearings

ITEM-331: Two actions related to Del Mar Mesa – FY 2004 Public Facilities Financing Plan and Facilities Benefit Assessment. Del Mar Mesa Community Area. (Dist. 1)
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 10/01/2003, LU&H voted 4 to 0 to approve with staff to work on Mr. Metcalf's letter.

ITEM-332: Two actions related to Serra Mesa Public Facilities Financing Plan, FY 2004. Serra Mesa Community Area. (Dist. 6)
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 10/1/2003, LU&H voted 5 to 0 to approve the Fiscal Year 2004 Public Facilities Financing Plan and Facilities Benefit Assessment.

ITEM-333: Joint Use Cooperative Agreement Between the City of San Diego and the San Diego Unified School District for Joint Use of the Skyline Hills Branch Library. (Dist. 4)
CITY MANAGER'S RECOMMENDATION: Introduce the ordinance.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEM

RESOLUTIONS:

ITEM-330: Two actions related to De Anza ~~Mobile Home Park~~ Harbor Resort and the Mission Bay Golf Course.

(See City Manager Report CMR-03-229. Mission Bay Community Area. District 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2004-528)

Making findings relating to the Discontinuance of Non-Transient Residential Use at De Anza Point; authorizing the City Auditor and Comptroller to appropriate \$2,000,000 from the San Diego Housing Commission to implement the transition plan; and related actions.

Subitem-B: (R-2004-532)

Authorizing the City Manager to charge and collect fees at the Mission Bay Golf Course pursuant to the fee schedule attached to the City Manager's Report CMR-03-229, and to expend funds for the operation of the Mission Bay Golf Course.

NOTE: See the Housing Authority Agenda of November 18, 2003 for a companion item.

ADOPTION AGENDA, HEARINGS

NOTICE HEARINGS:

ITEM-331: Two actions related to Del Mar Mesa – FY 2004 Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report CMR-03-196 Rev.; Del Mar Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2004; and letter from Paul Metcalf dated 9/18/2003. Del Mar Mesa Community Area. District-1.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2004-366)

Designating an area of benefit in Del Mar Mesa and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering of proposed Public Facilities Project in the matter of Del Mar Mesa Facilities Benefit Assessment Area.

Subitem-B: (R-2004-367)

Declaring that the assessment fee schedule contained in the Del Mar Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2004, as adopted and approved on October 20, 2003, by Resolution No. R-298498, (R-2004-364), is declared to be appropriate and applicable development impact fee schedule [DIF] for all properties within the Del Mar Mesa Community that have either never been assessed under the Del Mar Mesa Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council;

ADOPTION AGENDA, HEARINGS (Continued)

NOTICE HEARINGS: (Continued)

ITEM-331: (Continued)

Subitem-B: (Continued)

Declaring that the Docket Supporting Information (City Manager Report CMR-03-196 Rev.) and the text contained in the Del Mar Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2004, a copy of which is on file in the office of the City Clerk as Document No. RR-298498 (R-2004-364), are incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to California Government Code sections 66001(a) and 66001(b) for imposition of DIF's. Specifically, it is determined and found that this documentation:

1. Identifies the purpose of the DIF;
2. Identifies the use to which the DIF is to be put;
3. Demonstrates how there is a reasonable relationship between the DIF's use and the type of development project on which the DIF is imposed; and
4. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 10/01/2003, LU&H voted 4 to 0, to approve with staff to work on Mr. Metcalf's letter. (Councilmembers Peters, Zucchet, Lewis and Frye voted yea. Councilmember Atkins not present).

ADOPTION AGENDA, HEARINGS (Continued)

NOTICE HEARINGS: (Continued)

ITEM-332: Two actions related to Serra Mesa Public Facilities Financing Plan, FY 2004.

(See City Manager Report CMR-03-195 and Serra Mesa Public Facilities Financing Plan FY 2004. Serra Mesa Community Area. District-6.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2004-136)

Approving the document titled "Serra Mesa Public Facilities Financing Plan, Fiscal Year 2004," dated July 2003.

Subitem-B: (R-2004-137)

Rescinding the existing Development Impact Fees for the Serra Mesa community and establishing new Development Impact Fees for all property within the Serra Mesa community.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 10/1/2003, LU&H voted 5 to 0 to approve the Fiscal Year 2004 Public Facilities Financing Plan and Facilities Benefit Assessment. (Councilmembers Zucchet, Atkins, Lewis, Frye, and Peters voted yea.)

ADOPTION AGENDA, HEARINGS (Continued)

NOTICE HEARINGS: (Continued)

ITEM-333: Joint Use Cooperative Agreement Between the City of San Diego and the San Diego Unified School District for Joint Use of the Skyline Hills Branch Library.

(District-4)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2004-56)

Introduction of an Ordinance authorizing the City Manager, or his designee, the Library Director, to execute a Joint Use Cooperative Agreement for joint use of the Skyline Hills Branch Library with the San Diego Unified School District of San Diego County, California, in support of the City's application for a California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Proposition 14) Grant.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

Staff will be submitting an application for a Proposition 14 State Bond grant application for the Skyline Hills Branch Library in the third round of applications due January 16, 2004. This project will move forward as "first priority" project if a joint use agreement is in place.

As specified in the Education Code, Section 19994(a)(1), "first priority for new public libraries shall be given to joint use projects in which the agency that operates the library and one or more school district(s) have a cooperative agreement."

The School Agreement for the Skyline Hills Branch Library must be attached to the grant application. In this agreement, the Library and School District staff will work collaboratively and cooperatively on aligning the curriculum with the library's collection, providing an independent learning/homework center environment, youth empowerment projects through volunteer and internships opportunities, shared technology in evaluating electronic resources and a "technoculture" project to explore ways joint programming for students can be developed through electronic means. There is no intent on the part of the Library or District to add additional staff or funding to these projects.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICE HEARINGS: (Continued)

ITEM-333: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The City Attorney states that because the City will be obligated to an agreement longer than 5 years, this item should be approved by ordinance pursuant to Charter Section 99. The Ordinance would authorize the City Manager (or his designee) to enter into a Joint Use Cooperative Agreement with the San Diego Unified School District should any grant be awarded. The agreement would be null and void if there is no grant award. The City has a current joint use agreement in place with the San Diego Unified School District for the Logan Heights Branch Library, which has received a Proposition 14 grant award.

Staff, therefore, recommends that this Ordinance be approved and the Manager directs the Library Director as his designee to enter into Joint Use Cooperative Agreement with the San Diego Unified School District.

FISCAL IMPACT:

There may be some minimal costs associated with replacing textbooks that may become lost.

Herring/Tatar/ES

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT