

DATE ISSUED: January 7, 2008

REPORT NO.: RTC-09-004

ATTENTION: Council President and City Council  
Docket of January 13, 2009

SUBJECT: Formation of a Project Area Committee ("PAC") for the San Ysidro  
Redevelopment Project and Approval of the Procedure for Formation and  
Election of said PAC.

REQUESTED ACTION:

- 1) That the City Council call upon the residents, businesses and community organizations in the San Ysidro Redevelopment Project Area to form a Project Area Committee ("PAC").
- 2) That the City Council adopt the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area.
- 3) That the City Council authorize and direct the Redevelopment Agency of the City of San Diego to implement the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area in the manner and within the times required by law.

STAFF RECOMMENDATION TO THE CITY COUNCIL:

- 1) Call upon the residents, businesses and community organizations in the San Ysidro Redevelopment Project Area to form a Project Area Committee ("PAC").
- 2) Adopt the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area.
- 3) Authorize and direct the Redevelopment Agency of the City of San Diego to implement the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area in the manner and within the times required by law.

SUMMARY:

The proposed actions would allow for the formation of a Project Area Committee ("PAC") for the San Ysidro Redevelopment Project Area. On April 16, 1996, the San Ysidro Redevelopment Project Area ("Project Area") was formed by the City Council to reverse blighting conditions, redevelop a vital business district, attract new investment opportunities, and encourage continued tourism on both sides of the international border. The Project Area encompasses approximately 766 acres, and is located along the world's busiest International Border, where Interstates 5 and 805 merge. A map of San Ysidro is herein included as Attachment 1.

The San Ysidro Redevelopment Plan ("Plan"), adopted on April 16, 1996, provided the Agency with the authority to acquire property by eminent domain for 12 years from the date of Plan adoption, which expired on April 16, 2008. As such, Agency staff has initiated the process of preparing a Plan Amendment to extend the Agency's eminent domain authority within the Project Area for an additional 12 years. Pursuant to California Community Redevelopment Law

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("CCRL"), the formation of a PAC is required whereby a redevelopment plan amendment to extend eminent domain authority is proposed for a project area that includes a substantial number of low and/or moderate income persons. Such is the case within the San Ysidro Project Area. It is proposed that a PAC be formed to provide advisory assistance to the Agency Board regarding the extension of eminent domain authority for another 12 years in San Ysidro.

A former San Ysidro PAC was originally formed prior to Project Area formation in 1996. The PAC was dissolved after three years of Plan adoption. The CCRL requires the existence of a PAC during the preparation of a redevelopment plan and for a minimum of three years following adoption. Thereafter, PACs are subject to one year extensions by the approval of the legislative body. Since the PAC's dissolution, Agency staff has sought recommendations concerning redevelopment matters from the San Ysidro Community Planning Group ("SYCPG").

The primary role of a PAC is to provide input to redevelopment agencies on policy matters that deal with the planning and provision of residential facilities or replacement housing for those that may be displaced by project implementation activities. A PAC also provides input on Plan Amendments, and other policy matters that affect residents within a project area. Prior to forming a PAC, CCRL requires that the City Council adopt procedures to guide the PAC formation and election process. The proposed "Procedure for Formation and Election of a Project Area Committee for the San Ysidro Redevelopment Project Area" ("PAC Procedure") is herein included as Attachment 2.

The CCRL requires that residential owner-occupants, residential tenants, business owners, and representatives of existing community organizations within the Project Area be represented. After conferring with the SYCPG, it is recommended that the San Ysidro PAC consist of eleven (11) members to be selected according to the following categories:

- |    |   |            |
|----|---|------------|
| 1. | <b>Residential Owner-Occupants</b> At-Large elected by residential owner-occupants who live in the Project Area | 3 members  |
| 2. | <b>Residential Tenants</b> At-Large elected by residential tenants who live in the Project Area                 | 2 members  |
| 3. | <b>Businesses Owners</b> elected by business owners in the Project Area   | 3 members  |
| 4. | <b>Community Organizations</b>  |            |
|    | San Ysidro Community Planning Group (appointed)   | 1 member   |
|    | Existing Community Organizations  | 2 members  |
|    | Total   | 11 members |

The PAC Procedure calls for the selection of PAC representatives through an election process. The CCRL also requires that a notice publicizing the opportunity to serve on the PAC and of all meetings, hearings, or plebiscites conducted by, or on behalf of the Agency or City relative to the formation and selection of a PAC be mailed by first-class mail to all residents, businesses, and

community organizations, including religious institutions and other nonprofit organizations, within the Project Area. The CCRL also requires that a notice be published in a newspaper of general circulation and of all meetings, hearings, or plebiscites conducted by, or on behalf of the Agency or City relative to the formation and selection of a PAC.

Prior to the PAC election, the Agency shall conduct at least one informational meeting to inform the public about PAC responsibilities and the election process and to have interested parties complete an application form indicating their willingness to serve on the PAC. The following are the required steps for a typical PAC election.

1. Publish notice of City Council public hearing adopting PAC procedures (requires a 10 day public notice in a general circulation newspaper);
2. City Council public hearing to consider adopting PAC procedures;
3. Publish and mail notice of PAC informational and election meeting (at least 30 days prior to election, and include a 10 day publication notice);
4. A PAC informational meeting shall take place 30 days prior to a PAC election;
5. PAC candidates applications are due not less than 10 days after PAC informational meeting;
6. Election (30 days after PAC informational meeting); and
7. City Council meeting to determine validity and certify PAC election (within 30 days of election).

If the proposed PAC Procedures are approved, the PAC informational meeting shall take place in late January or early February 2009. The PAC election shall take place in late February or early March 2009.

#### ENVIRONMENTAL IMPACT:

The proposed action to form a PAC is not a project as defined by CEQA Section 15378 and therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c)(3). A final Environmental Impact Report ("EIR") for the San Ysidro Redevelopment Plan was certified in 1996.

#### FISCAL CONSIDERATIONS:

There is no direct fiscal impact with this action. If approved, Agency staff shall be designated as the PAC's staff. It is estimated that the Agency will spend approximately \$50,000 for PAC administration over the next three years. This cost includes the initial legal costs to form the PAC and to notice elections.

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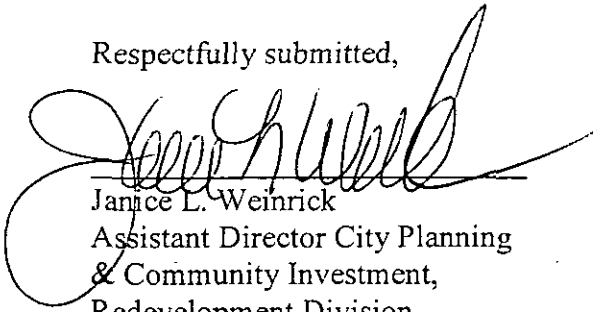
PREVIOUS AGENCY and/or COUNCIL ACTION:

On April 16, 1996, Council approved the San Ysidro Redevelopment Project Area.

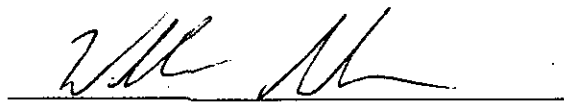
COMMUNITY PARTICIPATION & PUBLIC OUTREACH EFFORTS:

On September 16, 2008, the San Ysidro Community Planning Group unanimously recommended (10-0) to proceed with formation of a PAC to facilitate a Redevelopment Plan Amendment process for extending the Agency's eminent domain authority for another 12 years.

Respectfully submitted,



Janice L. Weinrick  
Assistant Director City Planning  
& Community Investment,  
Redevelopment Division



William R. Anderson  
Deputy Chief Operating Officer  
Executive Director of City Planning  
and Development

- Attachments: 1. Map of San Ysidro Redevelopment Project Area  
2: Procedure for Formation and Election of a Project Area Committee ("PAC Procedures")

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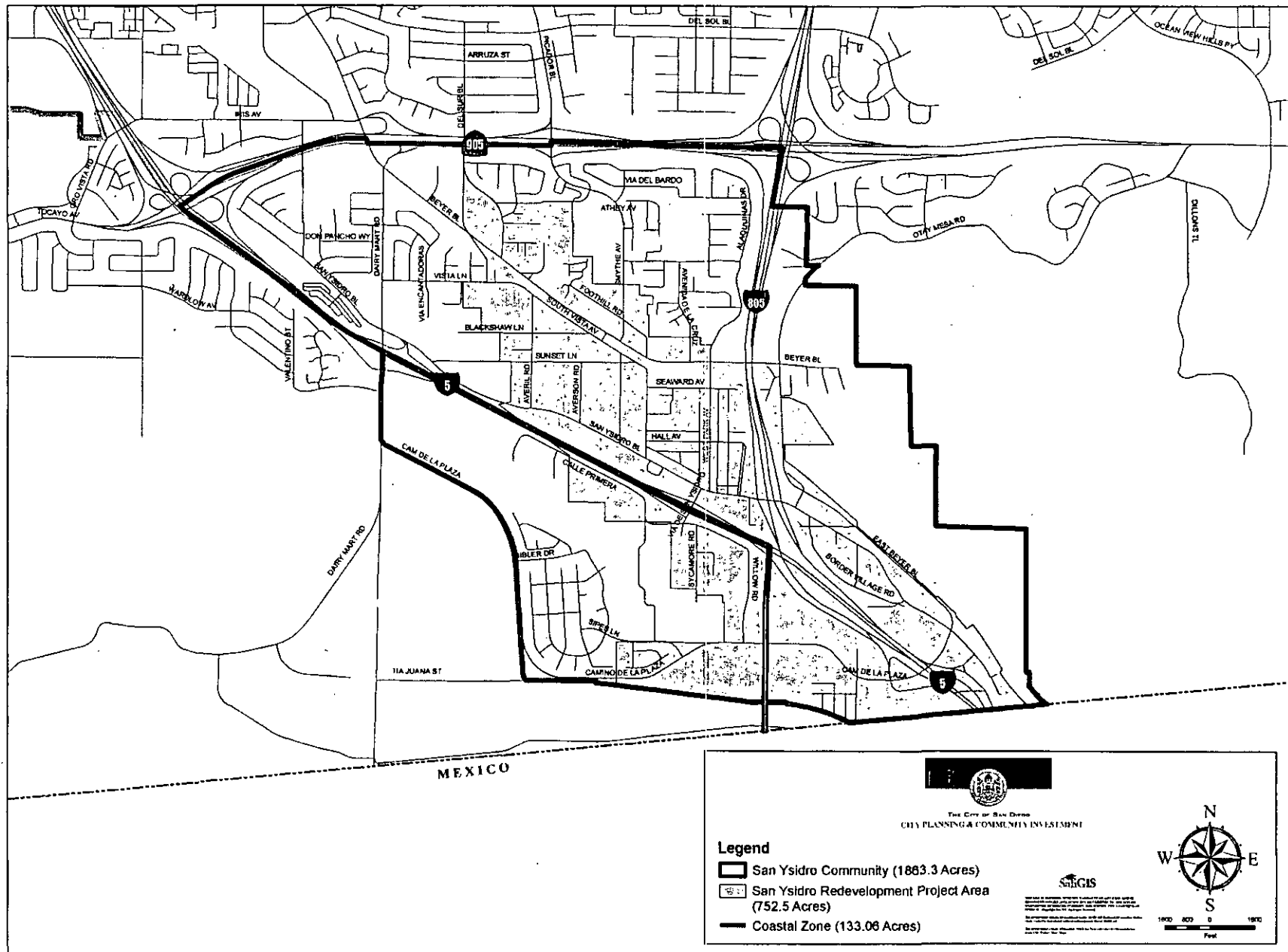
ATTACHMENT 1


Map of San Ysidro Redevelopment Project Area

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

# SAN YSIDRO REDEVELOPMENT PROJECT AREA


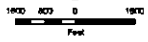
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 The City of San Diego  
 CITY PLANNING & COMMUNITY INVESTMENT

**Legend**

-  San Ysidro Community (1863.3 Acres)
-  San Ysidro Redevelopment Project Area (752.5 Acres)
-  Coastal Zone (133.06 Acres)

  
  
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ATTACHMENT 2

Procedure for Formation and Election of a Project Area Committee ("PAC Procedures")

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**Redevelopment Agency of the City of San Diego****PROCEDURE FOR FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE  
FOR THE SAN YSIDRO REDEVELOPMENT PROJECT AREA****I. [100] GENERAL****A. [101] Purpose**

The purpose of this document is to set forth a procedure, as required by Sections 33385 and 33385.3 of the Community Redevelopment Law (California Health and Safety Code 33000 *et seq.*, herein referred to as the "CRL"), for formation of a project area committee ("PAC") in connection with the adoption of the proposed First Amendment ("First Amendment") to the Redevelopment Plan ("Plan") for the San Ysidro Redevelopment Project Area ("Project" or "Project Area"). A substantial number of low- and moderate-income persons or families reside within the Project Area and the proposed First Amendment grants authority to the Redevelopment Agency of the City of San Diego ("Agency") to acquire by eminent domain property on which persons reside. In accordance with CRL Sections 33385 and 33385.3, the City Council of the City of San Diego ("City") desires to establish a procedure for formation of the PAC and a community-wide procedure for election of PAC members and other matters related to the electoral process within the Project Area. The procedure established herein shall be used to govern formation and election of the PAC within the Project Area. A map identifying the "Project Area" is attached hereto as Exhibit "1" and is referred to herein as the "Project Area."

**B. [102] Authority**

This Procedure for Formation and Election of the Project Area Committee for the San Ysidro Redevelopment Project Area ("Procedure") was approved and adopted by resolution of the City Council of the City of San Diego.

**II. [200] DEFINITIONS****A. [201] Agency**

"Agency" means the Redevelopment Agency of the City of San Diego and any officers, employees, contractors, and agents, including those City departments that may be assigned the duties and responsibilities for implementing this Procedure.

**B. [202] Business**

"Business" means any lawful activity, whether or not carried on for profit, which is conducted within the Project Area for (i) the purchase, sale, lease, or rental of tangible or intangible personal property (a "Retail Business"); (ii) the manufacture, processing or



marketing of products, commodities or any other personal property (a "Manufacturing Business"); or (iii) the sale of services to the public (a "Service Business"). Business also includes any property owner that is a Person who owns the real property in the Project Area, who does not use the real property for their primary residence. Such real property includes residential non-owner occupied property, industrial property, retail property, and other commercial property.

**C. [203] City**

"City" means the City of San Diego, California, a municipal corporation.

**D. [204] City Council**

"City Council" means the City Council of the City of San Diego, exercising powers as the legislative body under the CRL.

**E. [205] Community Organization**

"Community Organization" means both:

"Existing Community Organizations" are any nonprofit association, school district, or business improvement association organized for educational, commerce, entrepreneurial, scientific, religious, literary or other purposes, which conducts its regularly scheduled meetings within the boundaries of the Project Area or uses an address located within the Project Area for its office or headquarters; and

"Community Planning Group" is the San Ysidro Community Planning Group, an organization recognized by the City Council that provides community planning and land use recommendations to the Planning Commission and City Council for the Project Area.

**F. [206] Person**

"Person" means, but is not limited to, an individual, household, family, proprietorship, partnership, business trust, joint venture, syndicate, corporation, or association.

**G. [207] Project Area**

"Project Area" means the San Ysidro Redevelopment Project Area shown on the Project Area Map attached hereto as Exhibit "1".

**H. [208] Project Area Committee**

"Project Area Committee" or "PAC" means the committee formed and selected in accordance with Section 33385 *et seq.*, of the CRL and the procedure set forth herein.

**I. [209] Resident**

"Resident" means a Residential Owner-Occupant or Residential Tenant.

**J. [210] Residential Owner-Occupant**

"Residential Owner-Occupant" means a person who owns all or a substantial fee interest in a dwelling unit in the Project Area and occupies such dwelling unit as the person's permanent residence and usual place of abode.

**K. [211] Residential Tenant**

"Residential Tenant" means a person who occupies a dwelling unit in the Project Area by right under a lease, rental agreement, or other arrangement with the owner of the dwelling unit, and has occupied such dwelling unit as a permanent residence and usual place of abode for not less than twenty-nine (29) days prior to the time for submittal of a completed PAC application as described in Section 702 herein. Family members that reside with residential owner-occupants but own no fee interest in the residential dwelling are considered residential tenants.

**III. [300] PUBLICIZING THE OPPORTUNITY TO SERVE ON THE PAC**

The Agency shall publicize the opportunity to serve on the PAC. The Agency may take any or all of the following actions to publicize the opportunity to serve on the PAC (except for the mailed notice described in Section 304, which the Agency shall be required to provide):

**A. [301] Posting Notice**

The Agency may post notice of the opportunity to serve on the PAC in conspicuous locations throughout the Project Area. Such notices may also be posted in the following locations: (1) Office of the City Clerk; (2) foyer of the City Administration Building; and (3) public buildings in the Project Area.

**B. [302] Display Advertisement**

The Agency may place notice of the opportunity to serve on the PAC in a display advertisement in a newspaper of general circulation within the City.

**C. [303] Public Announcement**

The Agency may make an announcement to the general public at any of its regular meetings held prior to any public meetings, hearings or plebiscites required by this Procedure, announcing the opportunity to serve on the PAC.

**D. [304] Published and Mailed Notice**

The Agency shall publicize the opportunity to serve on the PAC by mailing written notice of the opportunity to serve to all Residents, Businesses, and Community Organizations in the Project Area. This notice shall be mailed by first-class mail at least thirty (30) days prior to the formation of the PAC. The Agency may include notice of the opportunity to serve on the PAC in any published and/or mailed notice which Agency gives in accordance with the CRL and this Procedure to notice any meeting, hearing, or plebiscite relative to the formation and selection of the PAC.

**E. [305] Other Mechanisms to Publicize Opportunity to Serve on PAC**

The Agency may produce radio advertisements, distribute flyers, or undertake such other action as it deems necessary or advisable to further publicize the opportunity to serve on the PAC.

**F. [306] Foreign Languages**

The Agency may, if it determines it is necessary or advisable to effectively carry out the purpose of this Procedure, translate any of the notices or announcements required by this Procedure into another language; provided, however, that the Agency shall translate all of the notices or announcements required by this Procedure into the Spanish language.

**IV. [400] PUBLIC MEETINGS****A. [401] Meetings**

The Agency staff shall conduct at least one public informational meeting to explain the establishment and functions of the PAC, and the opportunity to serve on the PAC and shall conduct a meeting to elect members of the PAC. At the informational meeting, the Agency shall distribute and make available to each attendee: (i) a copy of Article 6.5 of the CRL (Sections 33385-33388); (ii) a copy of Sections 33347.5 and 33366 of the CRL; (iii) a copy of this Procedure; (iv) applications for PAC membership (a copy of the application shall be made available on request in the Spanish language); (v) copies of the Redevelopment Plan; and (vi) any other materials the Agency determines would be useful.

The number of copies to be made available at the meeting shall be sufficient to meet the estimated number of attendees anticipated. Additional copies of the materials shall be available to the public at a place or places designated by the Agency.

The Agency may limit the number of documents to be distributed to any one person or entity to one (1) set to avoid excessive and unnecessary costs. Any person or entity may request additional copies of the documents at a reasonable duplication cost.

**B. [402] PAC Election Meeting**

After the Agency conducts the public information meeting to explain the establishment and functions of the PAC as required in Section 401 of this Procedure, the Agency shall hold such other meeting or meetings as may be necessary to complete the formation and selection of the PAC. The purpose of such meeting or meetings shall be to hold an election for the PAC membership seats in accordance with the requirements of this Procedure.

**C. [403] Presentation of PAC to City Council**

The Agency shall present the results of the PAC Election to the City Council at a regular meeting of the City Council following the PAC Election, which date shall be announced at the PAC Election meeting. The City Council shall adopt a finding that all the relevant portions of this Procedure regarding the election were followed and shall determine the validity of any properly filed challenges to the PAC Election within the time required by law and as set forth in Section 709 of this Procedure.

**V. [500] NOTICE OF MEETINGS, HEARINGS, AND PLEBISCITES**

The Agency shall publish notice of all meetings, hearings, or plebiscites conducted by the Agency or the City Council, or on behalf of the City Council or Agency, relative to the formation and selection of the PAC, and the opportunity to serve on the PAC in the same manner as specified in Subdivision (a) of Section 65090 of the Government Code.

**A. [501] Publication of Notice**

The Agency shall publish notice of each meeting, hearing, or plebiscite relative to the formation and selection of the PAC at least one time in a newspaper of general circulation in the City at least ten (10) days prior to the date for each meeting, hearing, or plebiscite.

In lieu of publishing separate notice for each meeting, hearing or plebiscite, the Agency may publish combined notices setting forth all or some of the dates, times and locations of such meetings, hearings and plebiscites.

**B. [502] Notice by Mail**

The Agency shall mail written notice to all Residents, Businesses, and Existing Community Organizations in the Project Area of all meetings, hearings, or plebiscites conducted by, or on behalf of, the Agency or the City Council relative to the formation and selection of the PAC (following the approval of this Procedure). This mailed notice requirement shall only apply if mailing addresses of all Residents, Businesses, Existing Community Organizations, or of all occupants, are obtainable by the Agency at a reasonable cost. The notice shall be mailed by first-class mail, but may be addressed to "occupant." In lieu of providing separate notice for each meeting, hearing, or plebiscite, the Agency may

provide a single notice pursuant to this Section 502 stating all dates, times, and locations of any meetings, hearings, and plebiscites relative to the formation and selection of the PAC.

If the Agency has acted in good faith to comply with the notice requirements of this Section 502, the failure of the Agency to provide the required notice to Residents, Businesses, or Existing Community Organizations unknown to the Agency or whose addresses could not be obtained at a reasonable cost, shall not, in and of itself, invalidate the formation or actions of the PAC.

**C. [503] Other Forms of Notice**

In addition to the notice required by Sections 501 and 502, the Agency may post notices, distribute flyers, purchase radio or newspaper display advertisements or undertake such other actions as it deems necessary or desirable to further inform Residents, Businesses, and Existing Community Organizations of the formation of the PAC.

**VI. [600] COMPOSITION OF PAC MEMBERSHIP**

**A. [601] Categories**

The PAC shall have eleven (11) members selected according to the following categories and numbers:

- 1. Residential Owner-Occupants At-Large elected by residential owner-occupants who live in the Project Area 3
  - 2. Residential Tenants At-Large elected by residential tenants who live in the Project Area 2
  - 3. Businesses Owners elected by business owners in the Project Area 3
  - 4. Community Organizations
    - San Ysidro Community Planning Group (appointed) 1
    - Existing Community Organizations that exist and operate in the Project Area 2
- 11

Any person eligible to be a candidate in more than one membership category must choose one of the membership categories. Proof of eligibility must be provided for the category chosen (except for the Community Planning Group category).

**B. [602] Community Organization/Appointment of Representative**

The Community Planning Group shall appoint one its members to serve on the PAC. The Existing Community Organizations seats shall be filled by election and entities seeking to run for the "Existing Community Organization" seats shall appoint one of its members to submit a PAC Application, pursuant to Section 702 below, on behalf of the Existing Community Organization.

**C. [603] Vacancies in Membership Categories**

Should there be an insufficient number of candidates elected to each category of the PAC, such seats may remain vacant until qualified candidates apply and a subsequent election is held. The existence of vacancies shall not prevent the PAC from carrying out its duties as required by the CRL.

**VII. [700] ELECTION PROCEDURE**

**A. [701] Eligibility Requirements for PAC Membership & Voters**

Upon submittal of a PAC Application, candidates for PAC membership must present evidence that they are eighteen (18) years of age or older. Candidates are advised that the Fair Political Practices Commission requires **PAC Members to complete Statements of Economic Interest which disclose certain personal financial information** concerning such PAC member. Candidates may only run for one category of PAC membership and must present a valid California identification card, drivers license, military identification, or similar identification and the following evidence as eligibility for the applicable category:

1. Residential Owner-Occupant: Recorded grant deed, property tax bill, mortgage payment contract, mortgage payment book, water utility bill, any other documents or materials that the Agency may deem acceptable.
2. Residential Tenant: Executed rental agreement, rent receipt, utility (other than water) bill, any other documents or materials that the Agency may deem acceptable.
3. Business owner: Business license issued by State of California or City, property tax bill, water utility bill, proof of ownership of real property which is not used for primary residency in the Project Area. Eligibility documentation must be current and must indicate the correct name of the individual and the qualifying address of his or her business. No more than one stockholder or officer of a corporation may be registered as a voter or candidate on behalf of that corporation. Owners of multiple businesses and properties within the Project Area shall cast one ballot only.
4. Existing Community Organization: Each of the following: (i) proof of existence of the organization as of at least six months prior to the time of the PAC informational meeting, (ii) proof of existence and operation within the Project Area, such as

articles of incorporation, bylaws or business license, and (iii) a resolution of the board of directors of such organization authorizing a representative to act on its behalf.

Eligibility requirements for candidates are the same as for voters.

**B. [702] PAC Applications**

A candidate for PAC membership (except the Community Planning Group category) must submit a completed PAC Application to the Agency office, no later than the time set by the Agency, which shall be no less than ten (10) days after the public meeting to explain the PAC formation as provided in Section 401 of this Procedure. A copy of the "PAC Application" is attached hereto as Exhibit "2" and incorporated herein by this reference. All PAC Applications submitted shall be available to the general public for review beginning on the business day following submittal. All PAC Applications shall be available at the election meeting described in Section 401 above, and at the Agency office prior to such meeting. The Redevelopment Agency is located at 1200 Third Avenue, Suite 1400, San Diego, CA.

**C. [703] Voter Registration**

Anyone desiring to vote at the PAC Election must complete a "Certification of Eligibility to Vote" form and provide satisfactory evidence to the Agency staff that he or she is (1) at least eighteen (18) years of age or older and (2) is a Residential Owner-Occupant, Residential Tenant, Business owner, or is the authorized representative (as evidenced by a letter) of a Business or Existing Community Organization within the Project Area. Proof of eligibility must comply with the requirements of Section 701 of this Procedure. Any person eligible to be a candidate or vote in more than one membership category must choose one of the membership categories. Only one individual may vote on behalf of any Business or Existing Community Organization. Each eligible Residential Owner-Occupant and Residential Tenant may vote. The Community Planning Group shall not be eligible to vote at the PAC Election.

**D. [704] Voting Categories**

Each voter may cast a ballot for representatives of that voter's PAC membership category and for the category of Existing Community Organization. For example, voters who have qualified to vote as "Residential Owner-Occupants At Large" shall be entitled to vote for representatives of the "Residential Owner-Occupant At Large" category and for the Existing Community Organization category only. Voters who have qualified to vote as representatives of Existing Community Organizations are entitled to vote for that category only.

**E. [705] Candidate Speeches**

All candidates for each PAC membership category (except the Community Planning Group category) shall be given an opportunity to make a speech prior to the election. A time limit of three (3) minutes is established for each speech. If a candidate is unable to

attend the election meeting, the candidate may designate a representative to make his/her speech. Reasonable rules of order (in the event of dispute, Robert's Rules of Order Newly Revised are to be used) will be applied, considering the number of candidates running in the PAC Election.

**F. [706] Campaigning Restrictions**

No campaigning shall take place within 100 feet of the polling place the day of the PAC elections.

**G. [707] Balloting**

Ballots shall be provided to registered voters for each PAC membership category (except the Community Planning Group category). Voting shall be conducted by secret ballot. The Agency shall appoint authorized election assistants to collect and tally the ballots. The Agency shall ensure secrecy of the ballot by requiring each ballot to be folded and passed to an authorized election assistant. No absentee or proxy voting is allowed. The election assistants shall tally the ballots at the PAC Election meeting. The public shall be invited to observe. A representative from the City Clerk's office shall be present when the ballots are tallied to provide official verification of the results of the PAC Election.

**H. [708] Results/Runoffs**

The Agency staff shall announce the winners of each membership category as soon as reasonably possible after balloting is completed and the election is officially closed. The candidates with the highest number of votes in each membership category shall be elected. In the event of a tie vote, a runoff will become necessary. The Agency will schedule and notice the time and place of the runoff election as soon as reasonably possible to bring final election results before the City Council for ratification in a timely manner. The Agency shall publicize the holding of the runoff election by mailing, first class, a notice of the runoff election to registered voters of the PAC election, by posting advance notice of the runoff election in the meeting notice book of the City Administration Building or in public buildings in the Project Area, and any other means the Agency deems appropriate.

At the PAC Election meeting, Agency staff shall announce that the election results and ballots shall be maintained by the Agency for presentation to the City Council.

**I. [709] Challenges/Validity**

Any challenge to the PAC Election or to the electoral procedures followed in connection with the PAC Election shall be filed with the City Council within fifteen (15) calendar days following the PAC Election or runoff election. Any challenge must be directed to the propriety of the election or runoff election process, and not to the results (except in so far as the election or runoff election process affected the results). The City Council shall review



disputed elections by considering all challenges so filed and will determine the validity of those challenges within thirty (30) days following the PAC Election.

**VIII. [800] GENERAL PROVISIONS**

**A. [801] Implementation**

The Agency is authorized to formulate and take all actions necessary or appropriate to implement this Procedure consistent with the Procedure and CRL.

**B. [802] Agency Costs**

The Agency may charge fees to persons purchasing or leasing property from the Agency in the Project Area and to persons participating in redevelopment of the Project Area under an owner participation agreement to defray any cost to the Agency or the City Council of complying with this Procedure.

**C. [803] Compensation of PAC Members**

The members of the PAC shall serve without compensation.

**D. [804] Term**

The PAC shall remain in effect for three (3) years after the adoption of the First Amendment to the Plan. Upon conclusion of that three-year period, the PAC term shall only be extended on an annual basis pursuant to a City Council Resolution that authorizes a one-year extension and includes the method to be used for subsequent PAC elections.

**E. [805] Amendment of Procedure**

The procedure established herein may be amended from time to time by Resolution of the City Council.

Attachments:

Exhibit 1 – Project Area Map

Exhibit 2 – PAC Application Form

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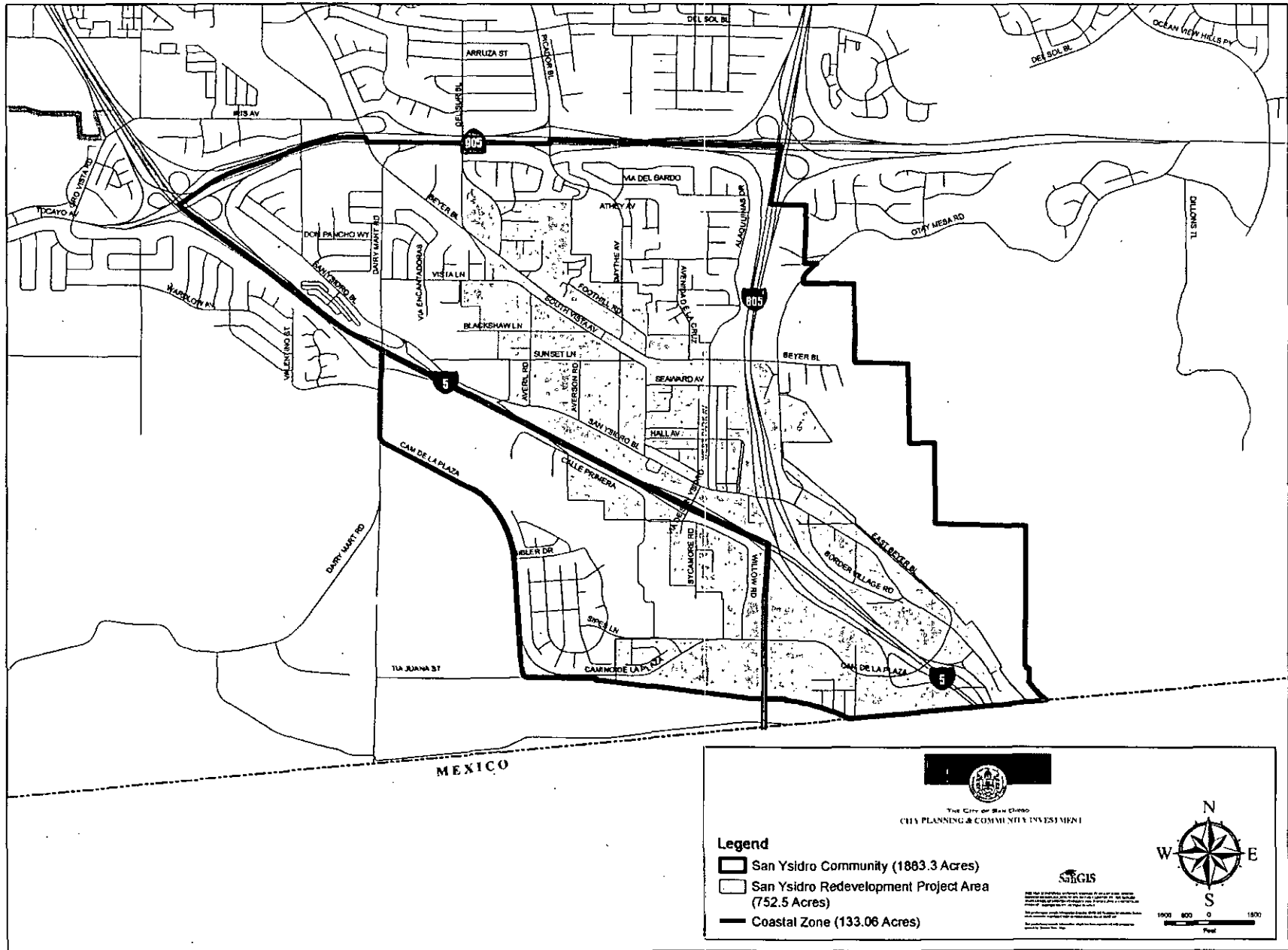
EXHIBIT 1


Project Area Map

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# SAN YSIDRO REDEVELOPMENT PROJECT AREA

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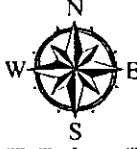





The City of San Diego  
CITY PLANNING & COMMUNITY INVESTMENT

**Legend**

- San Ysidro Community (1883.3 Acres)
- San Ysidro Redevelopment Project Area (752.5 Acres)
- Coastal Zone (133.06 Acres)

SanGIS

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EXHIBIT 2

PAC Application Form

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PROJECT AREA COMMITTEE APPLICATION  
SAN YSIDRO REDEVELOPMENT PROJECT AREA

STATEMENT OF INTEREST AND QUALIFICATIONS

This information will be made available to voters before the election.  
(Please print and check the appropriate boxes)

To the City Council of the City of San Diego:

I, \_\_\_\_\_  
(Name: PLEASE PRINT)

would like to volunteer to run for election to the San Ysidro Redevelopment Project Area Committee (PAC) at the election meeting to be held on \_\_\_\_\_, 200\_\_. I would like to be elected for the following category and certify that I am eligible:

[CHOOSE ONE ONLY]

1.  **Residential Owner-Occupant:** I am a Residential Owner-Occupant because I own and reside in residential property located at the following address:

\_\_\_\_\_

2.  **Residential Tenant:** I am a Residential Tenant because I rent a dwelling unit and have occupied the dwelling unit as my permanent residence and usual place of abode for not less than twenty-nine (29) days. I reside at the following address \_\_\_\_\_

\_\_\_\_\_

3.  **Business owner:** I am a Business owner, or authorized representative of such Business, or own real property, which is not my residence. The name and address of the Business is:

\_\_\_\_\_

4.  **Existing Community Organization:** I am a member of an Existing Community Organization for a school district , a church group , a neighborhood organization , a business improvement association , or other nonprofit association , which conducts its regularly scheduled meetings within and uses an address located within the Project Area. I have an official letter or resolution from the organization, on their letterhead, authorizing me to represent them. The name, address, and description of this community organization is:

\_\_\_\_\_

The reasons I would like to serve on the Project Area Committee are as follows (include prior experience in community affairs and/or other qualifications to serve on the Project Area Committee, and attach additional sheet, if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



000817	REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO	1. CERTIFICATE NUMBER (for auditor's use on) <span style="float: right;">336</span>  3. DATE <span style="float: right;">01/13</span> December 31, 2008
TO: <b>CITY ATTORNEY</b>	2. FROM: (ORIGINATING DEPARTMENT) <b>CITY PLANNING &amp; COMMUNITY INVESTMENT/ REDEVELOPMENT DIVISION</b>	

4. SUBJECT: Formation of a Project Area Committee ("PAC") for the San Ysidro Redevelopment Project and Approval of the Procedure for Formation and Election of said PAC.

5. Primary Contact (Name, Phone & Mail Sta.) Sam Johnson, 236-6265, 56D	6. Secondary Contact (Name, Phone & Mail Sta.) Xavier Del Valle, 236-6260, 56D	7. Check BOX if REPORT TO COUNCIL IS ATTACHED <input checked="" type="checkbox"/>
--	---	---

8. COMPLETE FOR ACCOUNTING PURPOSES				
FUND	N/A			9. ADDITIONAL INFORMATION/ESTIMATED COST:  Fiscal Impact: None
DEPT.	N/A			
ORGANIZATION	N/A			
OBJECT ACCOUNT	N/A			
JOB ORDER	N/A			
C.I.P. NUMBER	N/A			
AMOUNT	N/A			

10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED
1	Redevelopment Finance	Scott Mercer	12/19/08	5	Comptroller	Rolando Charvel	12/24/08
2	Assistant Director, CP&CI, Redevelopment	Janice L. Weidrick	2/4/09	6	City Attorney	Kendall Berkeley	12/24/08
3	Deputy Chief Operating Officer, Executive Director of City Planning and Development	William Anderson	12/23/08	7	Originating Department	Sam Johnson	12/24/08
4	EAS	Anne Jarque	12/29/08				
				8	Docket Coord:	Council Liaison: [Signature]	12/29/08
					COUNCIL PRESIDENT	<input type="checkbox"/> Spob <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO _____ COUNCIL DATE: 1/13/09	

11. PREPARATION OF:     RESOLUTION(S)     ORDINANCE(S)     AGREEMENT(S)     DEED(S)

- 1) That the City Council call upon the residents, businesses and community organizations in the San Ysidro Redevelopment Project Area to form a Project Area Committee ("PAC").
- 2) That the City Council adopt the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area.
- 3) That the City Council authorize and direct the Redevelopment Agency of the City of San Diego to implement the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area in the manner and within the times required by law.

DOCKET OF: January 13, 2009

11a. STAFF RECOMMENDATIONS:  
Approve the Resolutions.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

**COUNCIL DISTRICT(S):** 8  
**Community Planning Area(s):** San Ysidro  
**Environmental Impact:** This activity is not a project as defined by CEQA Section 15378 and therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c)(3).  
**Housing Impact:** None  
**Other Issues:** None  
**City Clerk Instruction:** Please send copies of the resolution(s) to Jeannette Santos, MS 56D and Project Manager, MS 56D

000819

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: January 7, 2008

REPORT NO.: RTC -

ATTENTION: Honorable Council President and Members of the City Council  
Docket of January 13, 2009

ORIGINATING DEPARTMENT: City Planning & Community Investment,  
Redevelopment Division

SUBJECT: Formation of a Project Area Committee ("PAC") for the San Ysidro  
Redevelopment Project and Approval of the Procedure for Formation and  
Election of said PAC.

COUNCIL DISTRICT(S): 8

STAFF CONTACT: Sam Johnson, Project Manager, (619) 236-6265

REQUESTED ACTION:

- 1) That the City Council call upon the residents, businesses and community organizations in the San Ysidro Redevelopment Project Area to form a Project Area Committee ("PAC").
- 2) That the City Council adopt the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area.
- 3) That the City Council authorize and direct the Redevelopment Agency of the City of San Diego to implement the Procedure for Formation and Election of a PAC for the San Ysidro Redevelopment Project Area in the manner and within the times required by law.

STAFF RECOMMENDATION:

That the City Council approve the resolutions.

EXECUTIVE SUMMARY:

The proposed actions would allow for the formation of a Project Area Committee ("PAC") for the San Ysidro Redevelopment Project Area. On April 16, 1996, the San Ysidro Redevelopment Project Area ("Project Area") was formed by the City Council to reverse blighting conditions, redevelop a vital business district, attract new investment opportunities, and encourage continued tourism on both sides of the international border. The Project Area encompasses approximately 766 acres, and is located along the world's busiest International Border, where Interstates 5 and 805 merge. A map of San Ysidro is herein included as Attachment 1.

The San Ysidro Redevelopment Plan ("Plan"), adopted on April 16, 1996, provided the Agency with the authority to acquire property by eminent domain for 12 years from the date of Plan adoption, which expired on April 16, 2008. As such, Agency staff has initiated the process of preparing a Plan Amendment to extend the Agency's eminent domain authority within the Project Area for an additional 12 years.

Pursuant to California Community Redevelopment Law ("CCRL"), the formation of a PAC is required whenever a redevelopment project area includes a substantial number of low and/or moderate income persons and the proposed redevelopment plan will provide the Agency with authority to acquire land by eminent domain. Since a substantial number of low and/or moderate



000820

income persons reside within the Project Area and the proposed Plan will extend the Agency's authority to acquire property by eminent domain for an additional 12 years, the CCRL requires that a PAC within the Project Area must be formed.

A San Ysidro PAC was originally formed when the Project Area was adopted in 1996. However, the PAC was dissolved after three years as it was determined that a PAC was no longer needed to meet the goals and objectives of the Plan. The CCRL requires the use of PACs during preparation of a redevelopment plan and for 3 years after the adoption of a redevelopment plan. Thereafter, PACs are subject to one year extensions by the approval of the legislative body. Since the PAC's dissolution, Agency staff has sought recommendations concerning redevelopment matters from the San Ysidro Community Planning Group ("SYCPG").

The primary role of PACs is to provide input to redevelopment agencies on policy matters that deal with the planning and provision of residential facilities or replacement housing for those that may be displaced by project implementation activities. PACs also provide input on Plan Amendments, and other policy matters that affect residents within a project area. Prior to forming a PAC, the CCRL requires that the City Council adopt procedures to guide the formation and election process. The "Procedure for Formation and Election of a Project Area Committee for the San Ysidro Redevelopment Project Area" ("PAC Procedure") is herein included as Attachment 2.

ENVIRONMENTAL IMPACT:

The proposed action to form a PAC is not a project as defined by CEQA Section 15378 and therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c)(3). A final Environmental Impact Report (EIR) for the San Ysidro Redevelopment Plan was certified in 1996.

FISCAL CONSIDERATIONS:

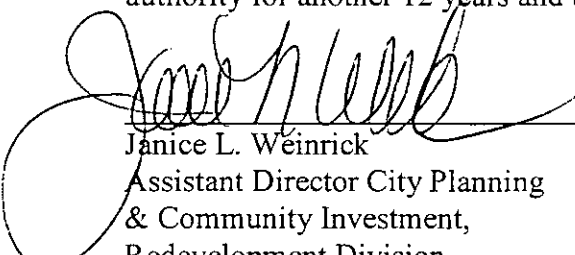
There is no direct fiscal impact with this action. If approved, Agency staff shall be designated as the PAC's staff. It is estimated that the Agency will spend approximately \$50,000 for PAC administration over the next 3 years. This cost includes the initial legal costs to form the PAC and to notice elections.

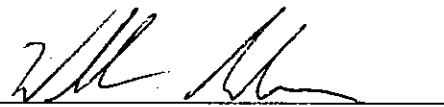
PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On April 16, 1996, Council approved the San Ysidro Redevelopment Project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On September 16, 2008, the San Ysidro Community Planning Group unanimously recommended (10-0) to proceed with the Plan Amendment effort for extending the Agency's eminent domain authority for another 12 years and to form a PAC.

  
Janice L. Weinrick  
Assistant Director City Planning  
& Community Investment,  
Redevelopment Division

  
William R. Anderson  
Deputy Chief Operating Officer  
Executive Director of City Planning  
and Development

RESOLUTION NUMBER R- \_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CALLING FOR THE FORMATION OF A PROJECT AREA COMMITTEE AND ADOPTING THE PROCEDURE FOR FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE FOR THE SAN YSIDRO REDEVELOPMENT PROJECT AREA.

RECEIVED  
09 JAN 13 AM 8:19  
CITY CLERKS OFFICE  
SAN DIEGO, CA

WHEREAS, on April 16, 1996, the Council for the City of San Diego [City Council] formed the San Ysidro Redevelopment Project Area [Project Area] and adopted the Redevelopment Plan [Redevelopment Plan] for the San Ysidro Redevelopment Project; and

WHEREAS, the Redevelopment Plan provided the Agency with the authority to acquire property by eminent domain for 12 years from the date of Plan adoption, which said authority expired on April 16, 2008; and

WHEREAS, the Agency will propose to the City Council, under a separate action, a Redevelopment Plan Amendment for the purpose of extending the Agency's eminent domain authority within the Project Area for an additional 12 years; and

WHEREAS, the Community Redevelopment Law at Section 33385.3 of the California Health and Safety requires the formation of a project area committee for the Project Area since a project area committee does not currently exist for the Project Area and because the proposed Redevelopment Plan Amendment provides the Agency with authority to acquire land by eminent domain; and

WHEREAS, the Community Redevelopment Law at Section 33385 of the California Health and Safety Code requires the City Council to call upon the residents, businesses and existing community organizations in the Project Area to form a project area committee [Project

Area Committee] and to adopt, by Resolution, a procedure pursuant to Section 33385 for the formation of the Project Area Committee (including the electoral process); and

WHEREAS, in accordance with Sections 33385 and 33385.3 of the California Health and Safety Code, the City Council desires to call upon the residents, businesses and existing community organizations in the Project Area to form a Project Area Committee and to adopt, by this Resolution, the "Procedure for Formation and Election of a Project Area Committee for the San Ysidro Redevelopment Project Area" [Formation and Election Procedure], attached hereto as Exhibit "A"; and

WHEREAS, a duly noticed public hearing has been held regarding the Formation and Election Procedure; and

WHEREAS, the City Council has duly considered the proposed Formation and Election Procedure and determines that the Formation and Election Procedure is in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law and requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:


1. That the City Council calls upon the residents, businesses and existing community organizations in the San Ysidro Redevelopment Project Area Project Area to form a project area committee [Project Area Committee].

2. That the City Council adopts the "Procedure for Formation and Election of a Project Area Committee for the San Ysidro Redevelopment Project Area" ("Formation and Election Procedure"), attached hereto as Exhibit "A" and incorporated herein by reference, which shall be placed on file in the office of the City Clerk as Document No. D- \_\_\_\_\_.

3. That the City Council authorizes and directs the Redevelopment Agency of the City of San Diego [Agency], by and through its staff, consultants and members, to implement the Formation and Election Procedure for the Project Area in the manner and within the times required by law.

4. That the City Council finds and determines that this activity is not a "project" as defined by Section 15378 of the State California Environmental Quality Act [CEQA] Guidelines and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Kendall D. Berkey  
Deputy City Attorney

KDB:nda  
10/29/08  
01/12/09Cor.Copy  
Or.Dept:Redev.Agency  
R-2009-544  
MMS#6965

(R-2009-544)  
(COR.COPY)

EXHIBIT "A"

PROCEDURE FOR FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE  
FOR THE  
SAN YSIDRO REDEVELOPMENT PROJECT AREA

**Redevelopment Agency of the City of San Diego**

**PROCEDURE FOR FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE  
FOR THE SAN YSIDRO REDEVELOPMENT PROJECT AREA**

**I. [100] GENERAL**

**A. [101] Purpose**

The purpose of this document is to set forth a procedure, as required by Sections 33385 and 33385.3 of the Community Redevelopment Law (California Health and Safety Code 33000 *et seq.*, herein referred to as the "CRL"), for formation of a project area committee ("PAC") in connection with the adoption of the proposed First Amendment ("First Amendment") to the Redevelopment Plan ("Plan") for the San Ysidro Redevelopment Project Area ("Project" or "Project Area"). A substantial number of low- and moderate-income persons or families reside within the Project Area and the proposed First Amendment grants authority to the Redevelopment Agency of the City of San Diego ("Agency") to acquire by eminent domain property on which persons reside. In accordance with CRL Sections 33385 and 33385.3, the City Council of the City of San Diego ("City") desires to establish a procedure for formation of the PAC and a community-wide procedure for election of PAC members and other matters related to the electoral process within the Project Area. The procedure established herein shall be used to govern formation and election of the PAC within the Project Area. A map identifying the "Project Area" is attached hereto as Exhibit "1" and is referred to herein as the "Project Area."

**B. [102] Authority**

This Procedure for Formation and Election of the Project Area Committee for the San Ysidro Redevelopment Project Area ("Procedure") was approved and adopted by resolution of the City Council of the City of San Diego.

**II. [200] DEFINITIONS**

**A. [201] Agency**

"Agency" means the Redevelopment Agency of the City of San Diego and any officers, employees, contractors, and agents, including those City departments that may be assigned the duties and responsibilities for implementing this Procedure.

**B. [202] Business**

"Business" means any lawful activity, whether or not carried on for profit, which is conducted within the Project Area for (i) the purchase, sale, lease, or rental of tangible or intangible personal property (a "Retail Business"); (ii) the manufacture, processing or

marketing of products, commodities or any other personal property (a "Manufacturing Business"); or (iii) the sale of services to the public (a "Service Business"). Business also includes any property owner that is a Person who owns the real property in the Project Area, who does not use the real property for their primary residence. Such real property includes residential non-owner occupied property, industrial property, retail property, and other commercial property.

**C. [203] City**

"City" means the City of San Diego, California, a municipal corporation.

**D. [204] City Council**

"City Council" means the City Council of the City of San Diego, exercising powers as the legislative body under the CRL.

**E. [205] Community Organization**

"Community Organization" means both:

"Existing Community Organizations" are any nonprofit association, school district, or business improvement association organized for educational, commerce, entrepreneurial, scientific, religious, literary or other purposes, which conducts its regularly scheduled meetings within the boundaries of the Project Area or uses an address located within the Project Area for its office or headquarters; and

"Community Planning Group" is the San Ysidro Community Planning Group, an organization recognized by the City Council that provides community planning and land use recommendations to the Planning Commission and City Council for the Project Area.

**F. [206] Person**

"Person" means, but is not limited to, an individual, household, family, proprietorship, partnership, business trust, joint venture, syndicate, corporation, or association.

**G. [207] Project Area**

"Project Area" means the San Ysidro Redevelopment Project Area shown on the Project Area Map attached hereto as Exhibit "1".

**H. [208] Project Area Committee**

"Project Area Committee" or "PAC" means the committee formed and selected in accordance with Section 33385 *et seq.*, of the CRL and the procedure set forth herein.

**I. [209] Resident**

"Resident" means a Residential Owner-Occupant or Residential Tenant.

**J. [210] Residential Owner-Occupant**

"Residential Owner-Occupant" means a person who owns all or a substantial fee interest in a dwelling unit in the Project Area and occupies such dwelling unit as the person's permanent residence and usual place of abode.

**K. [211] Residential Tenant**

"Residential Tenant" means a person who occupies a dwelling unit in the Project Area by right under a lease, rental agreement, or other arrangement with the owner of the dwelling unit, and has occupied such dwelling unit as a permanent residence and usual place of abode for not less than twenty-nine (29) days prior to the time for submittal of a completed PAC application as described in Section 702 herein. Family members that reside with residential owner-occupants but own no fee interest in the residential dwelling are considered residential tenants.

**III. [300] PUBLICIZING THE OPPORTUNITY TO SERVE ON THE PAC**

The Agency shall publicize the opportunity to serve on the PAC. The Agency may take any or all of the following actions to publicize the opportunity to serve on the PAC (except for the mailed notice described in Section 304, which the Agency shall be required to provide):

**A. [301] Posting Notice**

The Agency may post notice of the opportunity to serve on the PAC in conspicuous locations throughout the Project Area. Such notices may also be posted in the following locations: (1) Office of the City Clerk; (2) foyer of the City Administration Building; and (3) public buildings in the Project Area.

**B. [302] Display Advertisement**

The Agency may place notice of the opportunity to serve on the PAC in a display advertisement in a newspaper of general circulation within the City.

**C. [303] Public Announcement**

The Agency may make an announcement to the general public at any of its regular meetings held prior to any public meetings, hearings or plebiscites required by this Procedure, announcing the opportunity to serve on the PAC.



**D. [304] Published and Mailed Notice**

The Agency shall publicize the opportunity to serve on the PAC by mailing written notice of the opportunity to serve to all Residents, Businesses, and Community Organizations in the Project Area. This notice shall be mailed by first-class mail at least thirty (30) days prior to the formation of the PAC. The Agency may include notice of the opportunity to serve on the PAC in any published and/or mailed notice which Agency gives in accordance with the CRL and this Procedure to notice any meeting, hearing, or plebiscite relative to the formation and selection of the PAC.

**E. [305] Other Mechanisms to Publicize Opportunity to Serve on PAC**

The Agency may produce radio advertisements, distribute flyers, or undertake such other action as it deems necessary or advisable to further publicize the opportunity to serve on the PAC.

**F. [306] Foreign Languages**

The Agency may, if it determines it is necessary or advisable to effectively carry out the purpose of this Procedure, translate any of the notices or announcements required by this Procedure into another language; provided, however, that the Agency shall translate all of the notices or announcements required by this Procedure into the Spanish language.

**IV. [400] PUBLIC MEETINGS**

**A. [401] Meetings**

The Agency staff shall conduct at least one public informational meeting to explain the establishment and functions of the PAC, and the opportunity to serve on the PAC and shall conduct a meeting to elect members of the PAC. At the informational meeting, the Agency shall distribute and make available to each attendee: (i) a copy of Article 6.5 of the CRL (Sections 33385-33388); (ii) a copy of Sections 33347.5 and 33366 of the CRL; (iii) a copy of this Procedure; (iv) applications for PAC membership (a copy of the application shall be made available on request in the Spanish language); (v) copies of the Redevelopment Plan; and (vi) any other materials the Agency determines would be useful.

The number of copies to be made available at the meeting shall be sufficient to meet the estimated number of attendees anticipated. Additional copies of the materials shall be available to the public at a place or places designated by the Agency.

The Agency may limit the number of documents to be distributed to any one person or entity to one (1) set to avoid excessive and unnecessary costs. Any person or entity may request additional copies of the documents at a reasonable duplication cost.

**B. [402] PAC Election Meeting**

After the Agency conducts the public information meeting to explain the establishment and functions of the PAC as required in Section 401 of this Procedure, the Agency shall hold such other meeting or meetings as may be necessary to complete the formation and selection of the PAC. The purpose of such meeting or meetings shall be to hold an election for the PAC membership seats in accordance with the requirements of this Procedure.

**C. [403] Presentation of PAC to City Council**

The Agency shall present the results of the PAC Election to the City Council at a regular meeting of the City Council following the PAC Election, which date shall be announced at the PAC Election meeting. The City Council shall adopt a finding that all the relevant portions of this Procedure regarding the election were followed and shall determine the validity of any properly filed challenges to the PAC Election within the time required by law and as set forth in Section 709 of this Procedure.

**V. [500] NOTICE OF MEETINGS, HEARINGS, AND PLEBISCITES**

The Agency shall publish notice of all meetings, hearings, or plebiscites conducted by the Agency or the City Council, or on behalf of the City Council or Agency, relative to the formation and selection of the PAC, and the opportunity to serve on the PAC in the same manner as specified in Subdivision (a) of Section 65090 of the Government Code.

**A. [501] Publication of Notice**

The Agency shall publish notice of each meeting, hearing, or plebiscite relative to the formation and selection of the PAC at least one time in a newspaper of general circulation in the City at least ten (10) days prior to the date for each meeting, hearing, or plebiscite.

In lieu of publishing separate notice for each meeting, hearing or plebiscite, the Agency may publish combined notices setting forth all or some of the dates, times and locations of such meetings, hearings and plebiscites.

**B. [502] Notice by Mail**

The Agency shall mail written notice to all Residents, Businesses, and Existing Community Organizations in the Project Area of all meetings, hearings, or plebiscites conducted by, or on behalf of, the Agency or the City Council relative to the formation and selection of the PAC (following the approval of this Procedure). This mailed notice requirement shall only apply if mailing addresses of all Residents, Businesses, Existing Community Organizations, or of all occupants, are obtainable by the Agency at a reasonable cost. The notice shall be mailed by first-class mail, but may be addressed to "occupant." In lieu of providing separate notice for each meeting, hearing, or plebiscite, the Agency may

provide a single notice pursuant to this Section 502 stating all dates, times, and locations of any meetings, hearings, and plebiscites relative to the formation and selection of the PAC.

If the Agency has acted in good faith to comply with the notice requirements of this Section 502, the failure of the Agency to provide the required notice to Residents, Businesses, or Existing Community Organizations unknown to the Agency or whose addresses could not be obtained at a reasonable cost, shall not, in and of itself, invalidate the formation or actions of the PAC.

**C. [503] Other Forms of Notice**

In addition to the notice required by Sections 501 and 502, the Agency may post notices, distribute flyers, purchase radio or newspaper display advertisements or undertake such other actions as it deems necessary or desirable to further inform Residents, Businesses, and Existing Community Organizations of the formation of the PAC.

**VI. [600] COMPOSITION OF PAC MEMBERSHIP**

**A. [601] Categories**

The PAC shall have eleven (11) members selected according to the following categories and numbers:

- |    |  |          |
|----|--|----------|
| 1. | Residential Owner-Occupants At-Large elected by residential owner-occupants who live in the Project Area | 3        |
| 2. | Residential Tenants At-Large elected by residential tenants who live in the Project Area                 | 2        |
| 3. | Businesses Owners elected by business owners in the Project Area   | 3        |
| 4. | Community Organizations  |          |
|    | San Ysidro Community Planning Group (appointed)  | 1        |
|    | Existing Community Organizations that exist and operate in the Project Area                              | <u>2</u> |
|    |  | 11       |

Any person eligible to be a candidate in more than one membership category must choose one of the membership categories. Proof of eligibility must be provided for the category chosen (except for the Community Planning Group category).

**B. [602] Community Organization/Appointment of Representative**

The Community Planning Group shall appoint one its members to serve on the PAC. The Existing Community Organizations seats shall be filled by election and entities seeking to run for the "Existing Community Organization" seats shall appoint one of its members to submit a PAC Application, pursuant to Section 702 below, on behalf of the Existing Community Organization.

**C. [603] Vacancies in Membership Categories**

Should there be an insufficient number of candidates elected to each category of the PAC, such seats may remain vacant until qualified candidates apply and a subsequent election is held. The existence of vacancies shall not prevent the PAC from carrying out its duties as required by the CRL.

**VII. [700] ELECTION PROCEDURE**

**A. [701] Eligibility Requirements for PAC Membership & Voters**

Upon submittal of a PAC Application, candidates for PAC membership must present evidence that they are eighteen (18) years of age or older. Candidates are advised that the Fair Political Practices Commission requires **PAC Members to complete Statements of Economic Interest which disclose certain personal financial information** concerning such PAC member. Candidates may only run for one category of PAC membership and must present a valid California identification card, drivers license, military identification, or similar identification and the following evidence as eligibility for the applicable category:

1. Residential Owner-Occupant: Recorded grant deed, property tax bill, mortgage payment contract, mortgage payment book, water utility bill, any other documents or materials that the Agency may deem acceptable.

2. Residential Tenant: Executed rental agreement, rent receipt, utility (other than water) bill, any other documents or materials that the Agency may deem acceptable.

3. Business owner: Business license issued by State of California or City, property tax bill, water utility bill, proof of ownership of real property which is not used for primary residency in the Project Area. Eligibility documentation must be current and must indicate the correct name of the individual and the qualifying address of his or her business. No more than one stockholder or officer of a corporation may be registered as a voter or candidate on behalf of that corporation. Owners of multiple businesses and properties within the Project Area shall cast one ballot only.

4. Existing Community Organization: Each of the following: (i) proof of existence of the organization as of at least six months prior to the time of the PAC informational meeting, (ii) proof of existence and operation within the Project Area, such as

articles of incorporation, bylaws or business license, and (iii) a resolution of the board of directors of such organization authorizing a representative to act on its behalf.

Eligibility requirements for candidates are the same as for voters.

**B. [702] PAC Applications**

A candidate for PAC membership (except the Community Planning Group category) must submit a completed PAC Application to the Agency office, no later than the time set by the Agency, which shall be no less than ten (10) days after the public meeting to explain the PAC formation as provided in Section 401 of this Procedure. A copy of the "PAC Application" is attached hereto as Exhibit "2" and incorporated herein by this reference. All PAC Applications submitted shall be available to the general public for review beginning on the business day following submittal. All PAC Applications shall be available at the election meeting described in Section 401 above, and at the Agency office prior to such meeting. The Redevelopment Agency is located at 1200 Third Avenue, Suite 1400, San Diego, CA.

**C. [703] Voter Registration**

Anyone desiring to vote at the PAC Election must complete a "Certification of Eligibility to Vote" form and provide satisfactory evidence to the Agency staff that he or she is (1) at least eighteen (18) years of age or older and (2) is a Residential Owner-Occupant, Residential Tenant, Business owner, or is the authorized representative (as evidenced by a letter) of a Business or Existing Community Organization within the Project Area. Proof of eligibility must comply with the requirements of Section 701 of this Procedure. Any person eligible to be a candidate or vote in more than one membership category must choose one of the membership categories. Only one individual may vote on behalf of any Business or Existing Community Organization. Each eligible Residential Owner-Occupant and Residential Tenant may vote. The Community Planning Group shall not be eligible to vote at the PAC Election.

**D. [704] Voting Categories**

Each voter may cast a ballot for representatives of that voter's PAC membership category and for the category of Existing Community Organization. For example, voters who have qualified to vote as "Residential Owner-Occupants At Large" shall be entitled to vote for representatives of the "Residential Owner-Occupant At Large" category and for the Existing Community Organization category only. Voters who have qualified to vote as representatives of Existing Community Organizations are entitled to vote for that category only.

**E. [705] Candidate Speeches**

All candidates for each PAC membership category (except the Community Planning Group category) shall be given an opportunity to make a speech prior to the election. A time limit of three (3) minutes is established for each speech. If a candidate is unable to

attend the election meeting, the candidate may designate a representative to make his/her speech. Reasonable rules of order (in the event of dispute, Robert's Rules of Order Newly Revised are to be used) will be applied, considering the number of candidates running in the PAC Election.

**F. [706] Campaigning Restrictions**

No campaigning shall take place within 100 feet of the polling place the day of the PAC elections.

**G. [707] Balloting**

Ballots shall be provided to registered voters for each PAC membership category (except the Community Planning Group category). Voting shall be conducted by secret ballot. The Agency shall appoint authorized election assistants to collect and tally the ballots. The Agency shall ensure secrecy of the ballot by requiring each ballot to be folded and passed to an authorized election assistant. No absentee or proxy voting is allowed. The election assistants shall tally the ballots at the PAC Election meeting. The public shall be invited to observe. A representative from the City Clerk's office shall be present when the ballots are tallied to provide official verification of the results of the PAC Election.

**H. [708] Results/Runoffs**

The Agency staff shall announce the winners of each membership category as soon as reasonably possible after balloting is completed and the election is officially closed. The candidates with the highest number of votes in each membership category shall be elected. In the event of a tie vote, a runoff will become necessary. The Agency will schedule and notice the time and place of the runoff election as soon as reasonably possible to bring final election results before the City Council for ratification in a timely manner. The Agency shall publicize the holding of the runoff election by mailing, first class, a notice of the runoff election to registered voters of the PAC election, by posting advance notice of the runoff election in the meeting notice book of the City Administration Building or in public buildings in the Project Area, and any other means the Agency deems appropriate.

At the PAC Election meeting, Agency staff shall announce that the election results and ballots shall be maintained by the Agency for presentation to the City Council.

**I. [709] Challenges/Validity**

Any challenge to the PAC Election or to the electoral procedures followed in connection with the PAC Election shall be filed with the City Council within fifteen (15) calendar days following the PAC Election or runoff election. Any challenge must be directed to the propriety of the election or runoff election process, and not to the results (except in so far as the election or runoff election process affected the results). The City Council shall review

disputed elections by considering all challenges so filed and will determine the validity of those challenges within thirty (30) days following the PAC Election.

## **VIII. [800] GENERAL PROVISIONS**

### **A. [801] Implementation**

The Agency is authorized to formulate and take all actions necessary or appropriate to implement this Procedure consistent with the Procedure and CRL.

### **B. [802] Agency Costs**

The Agency may charge fees to persons purchasing or leasing property from the Agency in the Project Area and to persons participating in redevelopment of the Project Area under an owner participation agreement to defray any cost to the Agency or the City Council of complying with this Procedure.

### **C. [803] Compensation of PAC Members**

The members of the PAC shall serve without compensation.

### **D. [804] Term**

The PAC shall remain in effect for three (3) years after the adoption of the First Amendment to the Plan. Upon conclusion of that three-year period, the PAC term shall only be extended on an annual basis pursuant to a City Council Resolution that authorizes a one-year extension and includes the method to be used for subsequent PAC elections.

### **E. [805] Amendment of Procedure**

The procedure established herein may be amended from time to time by Resolution of the City Council.

#### **Attachments:**

Exhibit 1 – Project Area Map

Exhibit 2 – PAC Application Form

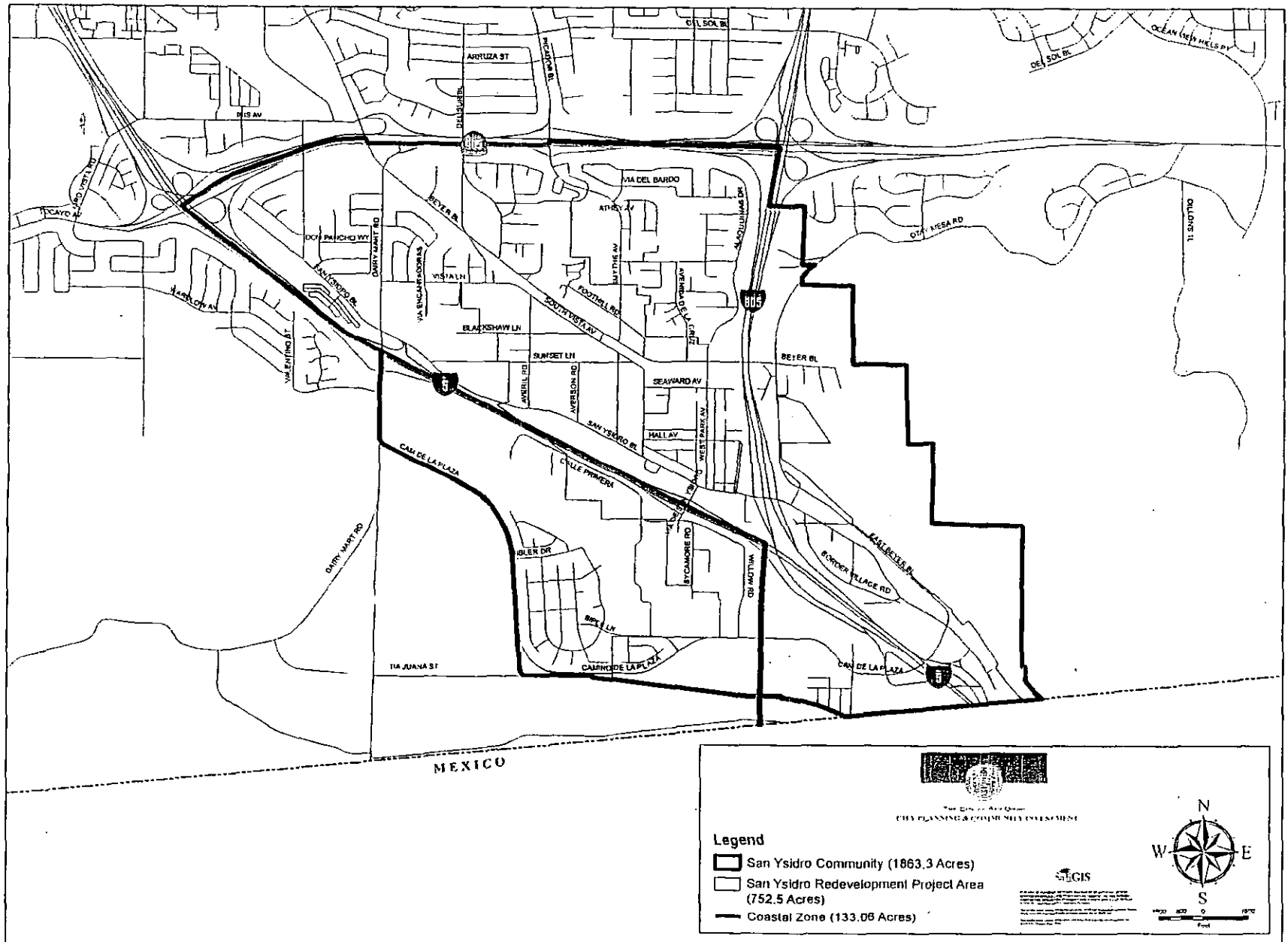
EXHIBIT 1


Project Area Map

[behind this page]








# SAN YSIDRO REDEVELOPMENT PROJECT AREA



  
 The City of San Diego  
 CITY PLANNING & COMMUNITY DEVELOPMENT

**Legend**

-  San Ysidro Redevelopment Project Area (752.5 Acres)
-  San Ysidro Community (1863.3 Acres)
-  Coastal Zone (133.06 Acres)

  
  
 0 500 1000 Feet

Map prepared by City Planning & Community Development, City of San Diego, 1992. All rights reserved. No part of this map may be reproduced without the written permission of the City of San Diego.

EXHIBIT 2

PAC Application Form

[behind this page]

PROJECT AREA COMMITTEE APPLICATION  
SAN YSIDRO REDEVELOPMENT PROJECT AREA

STATEMENT OF INTEREST AND QUALIFICATIONS

*This information will be made available to voters before the election.  
(Please print and check the appropriate boxes)*

To the City Council of the City of San Diego:

I, \_\_\_\_\_

(Name: PLEASE PRINT)

would like to volunteer to run for election to the San Ysidro Redevelopment Project Area Committee (PAC) at the election meeting to be held on \_\_\_\_\_, 200\_\_. I would like to be elected for the following category and certify that I am eligible:

[CHOOSE ONE ONLY]

1.  **Residential Owner-Occupant:** I am a Residential Owner-Occupant because I own and reside in residential property located at the following address:

\_\_\_\_\_

2.  **Residential Tenant:** I am a Residential Tenant because I rent a dwelling unit and have occupied the dwelling unit as my permanent residence and usual place of abode for not less than twenty-nine (29) days. I reside at the following address \_\_\_\_\_

\_\_\_\_\_

3.  **Business owner:** I am a Business owner, or authorized representative of such Business, or own real property, which is not my residence. The name and address of the Business is:

\_\_\_\_\_

4.  **Existing Community Organization:** I am a member of an Existing Community Organization for a school district , a church group , a neighborhood organization , a business improvement association , or other nonprofit association , which conducts its regularly scheduled meetings within and uses an address located within the Project Area. I have an official letter or resolution from the organization, on their letterhead, authorizing me to represent them. The name, address, and description of this community organization is:

\_\_\_\_\_

The reasons I would like to serve on the Project Area Committee are as follows (include prior experience in community affairs and/or other qualifications to serve on the Project Area Committee, and attach additional sheet, if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I acknowledge that if elected as a PAC member, I will be required to complete a Statement of Economic Interest which discloses certain personal financial information concerning any financial interests I have in the Project Area (and my family and spouse, if applicable). I possess all the necessary qualifications to serve as a representative on the Project Area Committee and will participate in the regular PAC meetings. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

\_\_\_\_\_  
Date and Place

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Residence Address

\_\_\_\_\_  
Qualifying Address (Address of Residence/Business/Existing Community Organization, whichever is applicable)

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Daytime Telephone Number

\_\_\_\_\_  
Evening Telephone Number

To be eligible for Project Area Committee membership, this completed application must be returned to and received **no later than 5:00 p.m. on \_\_\_\_\_ day \_\_\_\_\_ 200\_\_** at the Agency office or \_\_\_\_\_. The Redevelopment Agency is located at 1200 Third Avenue, Suite 1400, San Diego, CA and the \_\_\_\_\_ is located at \_\_\_\_\_. Any applications received after that time will be put on file for consideration for future Project Area Committee vacancies.

**FOR OFFICIAL USE ONLY**

Circle the documents below which were used to verify voter eligibility.

- Calif Driver's License,  Calif Identification Card,  Military Identification,  Voter Registration, or  Other Official Documents \_\_\_\_\_, and one of the following:
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Rental Agreement       | <input type="checkbox"/> Utility Bill     | <input type="checkbox"/> Rent Receipt                            |
| <input type="checkbox"/> Reso/Ltr from Business | <input type="checkbox"/> Grant Deed       | <input type="checkbox"/> Reso of Existing Community Organization |
| <input type="checkbox"/> Property Tax Bill      | <input type="checkbox"/> Business License | <input type="checkbox"/> Other: _____                            |

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_