

# San Diego Documenters

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## Community & Neighborhood Services Committee

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Agency: San Diego City Council

Date: July 25, 2024

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### Summary

In the July 25, 2024 meeting of the San Diego City Council Community and Neighborhood Services Committee, the committee unanimously approved joint-use agreements between the City of San Diego and six San Diego Unified schools and unanimously approved requirements for the construction of all-gender restrooms on all new and newly renovated City facilities and to require signage to indicate that these facilities are for anyone's use, regardless of sex or gender. The longest and most vigorous public comment period was during agenda item 3, which was an informational update on the Short-Term Residential Occupancy (STRO) Program. Members of the public spoke on both sides of the issue, Councilmember and chair of the committee Jennifer Campbell advocated for the policy, and Councilmembers Marni von Wilpert and Raul Campillo asked the staff who presented the update questions about the effectiveness of enforcement.

### Here's what you need to know

- San Diego will become more accessible and inclusive to members of the LGBTQ+ community, people with special needs, and families with young children with the approval of a proposition that requires new city facilities, such as libraries, parks, beaches, and rec centers to have all-gender restrooms. See the staff report [here](#).
- There is still work to be done to resolve issues with the [Short-Term Residential](#)

[Occupancy Program](#). This was the most hotly debated item in public comment, with many saying there are major loopholes that need to be resolved, such as property owners holding STRO licenses under multiple names. However, the city and several members of the public described the program as an overall success. See the staff report [here](#).

- The City of San Diego renewed Joint Use Agreements with six San Diego Unified schools to maintain outdoor facilities such as grass lawns. See staff report [here](#).

### **Immediate Actions**

- Agenda item 1 concerning Joint Use Agreements between the City of San Diego and several San Diego Unified Schools was passed 4-0.
- Agenda item 2, a policy proposed by Chair Jennifer Campbell, will require the construction of all-gender restrooms at all new and newly renovated public city facilities to improve accessibility for San Diegans, including LGBTQ+ San Diegans, and parents of young children. Agenda item 2 was passed 4-0.

### **Accessibility Issues**

- I attended the meeting virtually. The only issue was that the live stream started after the meeting was called to order.

### **Follow-Up Questions**

- N/A

## **Notes**

### **Meeting Call to Order:**

- The meeting was called to order at 1:00pm by Committee Chair Jennifer Campbell.
- The agenda for this meeting may be viewed by clicking [here](#), while a video and/or audio recording of the meeting may be found by clicking [here](#) (video) and [here](#) (audio), respectively.
  - **All timestamps below were taken from the audio recording.**

### **Commissioners, [Councilmembers](#), or Committee Members in Attendance:**

- *Title, Name, and in attendance or absent.*
- Councilmember **Jennifer Campbell**, Chair
- Councilmember **Raul Campillo**
- Councilmember **Marni Von Wilpert**, Vice-Chair
- Councilmember **Henry Foster**

**Staff Present:**

- [Manuel Reyes](#) - Policy Advisor and Community Representative
- [Matt Wood](#) - Short Term Residential Occupancy Program Manager with the Office of the City Treasurer
- Norma Medina - S Tier Program Manager with the Building and Land Use Enforcement Team

**Non-Agenda Public Comments re Previous Meeting (1 minute per speaker):**

- Allegedly Audra: Said that the recording of minutes should more accurately and specifically reflect what individuals say during public comment
- Lori Saldaña (retired legislator): Reiterated that minutes are essential and that they should be accurate. She discussed two items that she commented on last month. 1) She criticized the council because the police chief's [retirement](#) ceremony was closed to public comment & said this was a violation of state law. 2) She commented that the more we convert permanent housing to short-term housing, "the more homelessness we see in our communities." (5:30)
- Blair Beakman: Commented that City had restricted public comment a year previously and thanked the Council for developing a more accessible public comment process.

Committee approved minutes 4-0

**Non-Agenda Public Comments (2 minutes per speaker):**

- Perita Javier and Cesar Javier: Perita read a kind of spoken word comment that discussed diabetes and trauma, fear of getting respiratory disease, and their "war for survival." She requested that the pottery and kiln operation in her neighborhood be made to cease operation. Cesar said "We belong to the have-nots" (12:50). Described a "toxic-emitting industrial mixer" in his neighborhood and mentioned municipal code 11 (14:19)
- Michelle Schroder and Christopher Schroder: Clairemont residents - commented on proposed ADU project for Shoshone Ave. that will include 12 units. Requesting review of pending ADU. Believes it's permitted outside the scope of state ADU regulations and may be violating municipal codes, including fire safety violations, slope violations. Jenn Campbell has been out to site. Christopher expanded on Michelle's comments, including saying SB-9 has allowed developers to create large housing projects in residential communities (18:40)
- Joy Senyata: (18:58) Commented that student homelessness is at a 7 year high. Claimed over 8% of SD Unified students (9,680 students) are homeless. 69% of

students at one unnamed middle school consider themselves homeless. Commented that she hopes Child and Youth Strategic Plan 2024-2026 will help.

- Allegedly Audra: (21:09) Commented that she is covering the border. She commented that some migrants coming across the US-Mexico border are dangerous and suggested that migration poses a danger to the nation, local communities, and children from local communities.
- Lori Saldaña: Commented on climate resiliency and climate action plan. Commented that climate resiliency must be incorporated into residential construction (25:15)
- David Milroy: Commented on senior communities where seniors are exposed to violent and drug-related situations and called on council to pay attention to needs of senior community (26:50)
- Blair Beakman: (28:00) Suggested that Zoom be kept as method of communication for community meetings. Thanked President Biden for stepping down from re-election bid
- Cathleen Libet: (29:45) Commented on City's support of several green industries including marijuana, solar, etc and suggested that the City look more closely into how green these industries actually are
- Unnamed participant: 31:30 : Suggested that the City should make all public places smoke and vape free
- Peggy Walker: Commented on delay of item 4 from last council meeting (could not find what this was in reference to). Suggested that the public must have direct access to voice its concerns. Stated that virtual comment makes commenting on public meetings accessible for more San Diegans. (35:00)
- Madison: (35:14) A mother of three. She commented on hemp products, especially marijuana, and the danger they pose to children's safety.
- Megan Stuart: (36:53) Has an education in public health and experience as a social worker. Commented on the dangers of marijuana use, specifically by teenagers. Requested council consider measures to regulate use of marijuana products by youth
- Judy String: Commented on agenda item in the Rules Committee for Deloit LLC (could not verify what meeting she was referring to) (40:02)
- Becky Raff: (40:10) Commented that she was glad to be able to comment virtually. Commented on danger of high-potency marijuana with high concentrations of THC, and flavored marijuana concentrates and the impact they have on young people's mental health.

**Agenda Item #:** 1 Approval of the [Joint Use Agreements](#) between the City and San Diego Unified School District for Angier Elementary, Barnard Elementary, Ericson

## Elementary, Wegeforth Elementary, Whitman Elementary, and Zamorano Elementary Schools

- Presentation: (42:32)
  - Reading of agenda item. No additional presentation.
- Public comments:
  - Cesar Javier: Substitute teacher, chemistry substitute. Commented on the importance of clean air.
  - Joy Senyata: Commented on joint-use agreement for Zamorano elementary. Commented that she believes joint-use agreement is used in good faith.
  - Allegedly Audra: Commented that the joint-use is good for schools, but should be aware of pesticides being used on grass lawns and that children will be able to use space when needed (public comment concluded on 47:30)
- Commission, Council, or Committee comments:
  - Von Wilpert: Moved adoption of Consent Agenda Item 1
  - Seconded by Campillo
- Commission, Council, or Committee action:
  - Agenda passes 4-0

## **Agenda Item #:** 2 All-Gender Restroom Requirements for City Facilities

- Presentation:
  - Start 49:00 Manuel Reyes presented background
  - All-gender restrooms combat anti-LGTBQ laws that make LGBTQ+ community feel unsafe and unwelcomed
  - There has been a recent increase in LGBTQ hate incidents in San Diego
    - Described California laws that adopt all-gender restroom policies
  - All-gender restrooms make public restrooms safer and more accessible
    - For LGBTQ+ community
    - Accommodates parents with children and people with special needs
    - Decreases waiting time for restrooms because people can use whatever all-gender bathroom is available
  - Showed example of all-gender restrooms in two locations
  - Noted that San Diego has the opportunity to follow in the footsteps of West Hollywood and Santa Monica to enact a policy requiring all-gender restrooms and become the first big city in California and the United States to do so. (50:55)
  - **Reyes provided several reasons why all-gender restrooms are safer. May want to include them here**
  - **Action requested is different than written here. Needs revision** Requested the adoption of requirements that all new and significantly renovated City

facilities provide all-gender restroom options

- Public comments:
  - Cesar Javier: Voiced support for policy (55:00)
  - Carina: Speaking on behalf of [LGBTQ community center](#). Commented that the center supports the adoption of this policy
  - Joy Senata: Commented on approval of this policy
  - Allegedly Audra: Suggested that restrooms be single-stall (Chair Campbell clarified that they will be)
  - Lori Saldaña: (59:58) Commented that this is a great idea but we still don't have enough public restrooms. Paying \$30,000/month for permanent bathrooms which poses a fiscal but also health costs (because restrooms are not used and not maintained). She called it a band-aid solution
  - Lauren Casares: Founder of [Loma LGBTQ+ Alumni and Allies Coalition](#). Commented that she supports the proposal for all-gender restroom policy and addressed arguments against it (1:03)
  - **Missing commenter**
  - Blair Beakman: Supported Saldaña's request for more public bathrooms
  - End of comments 1:04:40
- Commission, Council, or Committee comments:
  - Campbell: Brought initiative forward. Praised efforts of staff in work for this policy, as a councilmember and member of LGBTQ+ community. Praised having all-gender restrooms as a good solution for everyone. Clarified that all-gender bathrooms will be individual stalls. Commented that the city is committed to ensuring that all have safe access to facilities (1:08:45). **Motion is more complex (as noted above in the presentation). Needs to be written up.**
  - Von Wilpert: Noted that Trans Family Support Services was present at meeting. Seconded the motion.
- Commission, Council, or Committee action:
  - Campbell moved approval of motion
  - Seconded by von Wilpert
  - Approved 4-0, unanimous

### **Agenda Item #: 3 Short-Term Residential Occupancy (STRO) Program Update**

- Presentation:
  - [Presentation](#) by Matt Wood, STRO manager from the office of the City Treasurer and Norma Medina (1:10:18)
  - This was an informational item
  - Number of tier 4 licenses allowed has increased

- Outlined collaboration between several city departments which regulate various aspects of the STRO program
- Collected total revenue of \$7.5 million in fees from July 1, 2022 to June 30, 2024
- Total Transient Occupancy Tax (TOT) revenue generated from July 1, 2022 to June 30, 2024 is \$153 million (this number includes taxes collected from hotels and motels)
- The total cost of program as of June 30, 2024 is \$6.5 million
- Outlined process for compliance and enforcement of non-compliance
  - Hosting platform generates a monthly report that tracks valid and active licenses and checks that they are at the correct address
  - The enforcement system uses third party software (Avenu Insights) to monitor for cases of host non-compliance
- Norma Medina of Building and Land Use Enforcement, noted that (BLUE) STRO enforcement team works nights and weekends
- Said that STR industry has responded favorably to enforcement
- Said that host compliance enforcement efforts are working
- Have logged about 7,000 non-compliant listings
- Described top 3 non-compliance complaints from citizens
- Described number of complaints closed and still open (majority of complaints are closed)
- Highest concentration of complaints are in Districts 2, 3 and 1
- Violations are \$1000 per day per violation
- Presentations concluded 1:23:00
- Public comments:
  - 32 speakers
  - Mike Lovitt-Collier: Says the STRO system is “badly broken and needs repair.” Commented on Tier 3 operating near his home. Commented that 8 person staff is not enough to field all complaints and cases of non-compliance and wonders why we continue to allow the conversion of housing to hotels (1:23:21)
  - Carol Schlafe: Pacific Beach resident. Commented on issue with neighbor's STRO
  - David: Commented that implementation of STRO policy is deeply flawed and has taken 6,000 housing units off market. Ocean beach resident. Commented that there are too many Ocean Beach STROs. Suggested further restrictions for where STROs can be.
  - Cesar Javier: Commented on toxicity
  - Jake Goldberg (ceded time by 5 individuals) (1:28:34): Works with STRO

working group. Described shortcomings of STRO policy, including the “Mills loophole” allowing owners to obtain licenses using other individuals’ names. that the platform does not ask for identity of host and system allows illegal listings. Described apartment hotels. Showed example of property owners with same phone numbers who have more than one host license for STRO

- Kevin Hastings: (1:34:00) Says we are basically evicting residents for people who want to be hoteliers. Suggested that licenses be vetted
- Cathy Einis: Mission Beach resident who reported multiple non-compliance cases and claimed they were not resolved. Suggested that city is not enforcing STRO non-compliance
- Aaron Beard: Owner of Vacation Rentals by Aaron. Suggested engaging management community to solve STRO issues
- William Butler: Commented on positive economic transformation of Belmont Park area. Commented that taking away the revenue of STROs would have a negative impact on community
- Joy Senyata: Commented that we need revenue from TOTs and suggested we need collaboration between all members of community and all parties
- Allegedly Audra: Commented that both sides have valid points
- Lori Saldaña: San Diego is a "tourist plantation." Why do we (the public) have to enforce the rules of the city's STRO policy? The fine of \$1,000 is totally inadequate, a “slap on the wrist.” (1:43:44) Says this hearing is meaningless because it’s informational when they should take action. Commented that council will not answer questions
- Paul Becker: Manages short term rentals. Says rentals have not yet hit their cap because owners can’t make enough money.
- Jeff McGurn: Commented on his support of STRO policy
- Peggy Hamplinger: Is host of a small STR in Bay Park and relies on the income. A complaint was filed against her and she described the financial burden and shame she felt when being accused of being in non-compliance
- Larry Web: (1:51:26) Mission Beach resident with two STRs and two long term rentals. Suggested that STR policy has been successful but suggested that city work with City Attorney to stop "ghost" hosts from holding STR licenses. Suggested that STRs should be capped per property
- Kristy Ryan: (1:53:45) Said she and her neighbors were evicted due to [Mills loophole](#) and the entire building turned into short-term rentals.
- Brooke: Asked council to leave STR policy as it is, but continue to enforce non-compliance
- Franz Aliphondo: San Diego resident and Air BnB owner who Air Bnbs room in his residence.

- Commission, Council, or Committee comments:
  - Missed council comments
- Commission, Council, or Committee action:
  - Informational item, no action taken by council

**Adjournment:**

- **Reached time limit at 3:00 pm and left meeting.**

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If you believe anything in these notes is inaccurate, please email us at [documenters@inewssource.org](mailto:documenters@inewssource.org) with "Correction Request" in the subject line.