

# **CITY OF SAN DIEGO COUNCIL DOCKET**



## **COUNCIL PRESIDENT**

**Sherri Lightner • First District**

## **COUNCIL PRESIDENT PRO TEM**

**Marti Emerald • Ninth District**

## **COUNCIL MEMBERS**

**Lorie Zapf • Second District**

**Todd Gloria • Third District**

**Myrtle Cole • Fourth District**

**Mark Kersey • Fifth District**

**Chris Cate • Sixth District**

**Scott Sherman • Seventh District**

**David Alvarez • Eighth District**

**Andrea Tevlin  
Independent  
Budget Analyst**

**Jan Goldsmith  
City Attorney**

**Liz Maland  
City Clerk**

<b>Council Chambers, 12<sup>th</sup> Floor, City Administration Building</b>
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**Tuesday, April 21, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, APRIL 21, 2015, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sanidiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**NOTE:** The City Council will convene for a Special Council meeting at 9:00 a.m., to provide the public with the opportunity to comment on the Closed Session agenda then the Council will adjourn into Closed Session from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk. The public portion of the meeting will begin at 10:00 a.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF COUNCIL MINUTES**

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

03/16/2015

03/17/2015

**PROCLAMATIONS/CEREMONIAL ITEMS**

**NOTE:** The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion

ITEM-30: California Native Plant Week.

**PRESENTED BY COUNCIL PRESIDENT LIGHTNER:**

Proclaiming April 11, through April 19, 2015, to be "California Native Plant Week" in the City of San Diego.

ITEM-31: It Must be in the Water Day: The Story of Four Heisman Trophy Winners from Southeastern San Diego.

**PRESENTED BY COUNCILMEMBER COLE:**

Proclaiming April 21, 2015, to be "It Must be in the Water Day: The Story of Four Heisman Trophy Winners from Southeastern San Diego" in the City of San Diego.

ITEM-32: International Internal Audit Awareness Month.

**PRESENTED BY COUNCILMEMBER SHERMAN:**

Proclaiming the month of May to be "International Internal Audit Awareness Month" in the City of San Diego.

**NOTE:** The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-33: 2015 Filipino Sun Festival.

**MAYOR FAULCONER'S AND COUNCILMEMBER CATE'S RECOMMENDATION:**

Proclaiming April 4, 2015, to be "Filipino Sun Festival Day" in the City of San Diego.

ITEM-34: Stand up for Transportation Day.

**COUNCILMEMBER ZAPF'S, COUNCILMEMBER GLORIA'S, COUNCILMEMBER COLE'S, AND COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:**

Proclaiming April 9, 2015, to be "Stand up for Transportation Day" in the City of San Diego.

ITEM-35: The Second Ecclesiastical Jurisdiction of Southern California Day.

**COUNCILMEMBER COLE'S RECOMMENDATION:**

Proclaiming June 27, 2015, to be "The Second Ecclesiastical Jurisdiction of Southern California Day" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (\*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

- \* ITEM-50: Grant Amendment No. 2 to the Local Government Partnership Contract with San Diego Gas and Electric Company.

**ITEM DESCRIPTION:**

This action is to approve Grant Amendment No. 2 (“Amendment”) to the previous Agreement to jointly Deliver the City of San Diego Partnership 2010-2015 Energy Efficiency Program (the “Agreement”). This Amendment is between the City of San Diego and San Diego Gas & Electric Company (“SDG&E”), and this agreement provides funding of a \$1,068,000 reimbursable grant to the City to be expended from January 1, 2015, to December 31, 2015, in order to support the goals set forth by the California Public Utilities Commission (CPUC) “Energy Efficiency Strategic Plan”. (Rev. 4/16/15)

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2015-90)

Introduction of an Ordinance authorizing the Mayor to execute, for and on behalf of the City, the Second Amendment to the Agreement with San Diego Gas and Electric Company (SDG&E) for the purpose of continuing the City of San Diego Local Government Partnership Energy Efficiency Program for Program Year 2015 under the terms and conditions set forth in the Second Amendment to Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this Project and Agreement;

Authorizing the Chief Financial Officer to accept for Program Year 2015 funds in an additional amount up to \$1,068,000 from the California Public Utilities Commission (CPUC), via SDG&E, under its Local Government Partnership Program with the City, and to appropriate and expend such funds, as determined by the Mayor, or his designee, in accordance with and subject to CPUC Program Guidelines for the following objectives as more specifically set forth in the Amendment:

- a) Design and consult and support for energy efficiency improvements in Municipal facilities and operations.
- b) Codes and Standards Updates.
- c) Community Education and Outreach.
- d) San Diego Regional Energy Partnership Programs.

Authorizing the Mayor, or his designee, subject to CPUC guidelines and the San Diego Municipal Code to take all necessary actions to administer, monitor, and manage the Second Amendment to the Local Government Partnership Agreement with SDG&E and when required, develop, advertise, negotiate, and award contracts with third parties to implement the program components authorized by SDG&E.

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Project implementation is intended to reduce energy consumption at City facilities and in the community. As a result, General Fund expenditures for energy are anticipated to decrease. All administrative and operational costs for the Local Government Partnership (LGP) are reimbursed to the City by the California Public Utilities Commission (CPUC) through the LGP Grant that is administered by San Diego Gas & Electric Company (SDG&E).

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

City Council Meeting - March 15, 2010: Council adopted Resolution R-305672 authorizing the Mayor, or his representative, to enter into an Agreement with San Diego Gas & Electric Company for the management and implementation of the California Public Utilities Commission (CPUC) Local Government Partnership Program through calendar years 2010 to 2012.

City Council Meeting - May 14, 2013: Council adopted Resolution R-308193 authorizing the Mayor, or his designee, to approve and execute the First Amendment to the Agreement to Jointly Deliver the City of San Diego Partnership Energy Efficiency Program. This Amendment extended the 2010 - 2012 Partnership Program through calendar years 2013 and 2014.

Greenhalgh/Chadwick

Primary Contact\Phone: Lorie Cosio-Azar\858-627-3352, MS 1103A

Secondary Contact\Phone: Dave Weil\858-492-6001, MS 1103A

City Attorney Contact: Ortlieb, Frederick M.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- \* ITEM-51: First Amendment to the contract with Lee & Ro for Pump Station 2 Power Reliability & Surge Protection Project. (Peninsula Community Area. District 2.)

**ITEM DESCRIPTION:**

This action is for approval of a First Amendment to the Contract with Lee & Ro Inc., in the amount of \$350,000 for Pump Station 2 Power Reliability and Surge Protection Project. The Amendment will provide for additional design services.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/7/15, Item 52. (Council voted 9-0):

(O-2015-88)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement with Lee & Ro, for an amount not to exceed \$350,000, under the terms and conditions set forth in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$350,000 from CIP 200312, Pump Station 2 Power Reliability and Surge Protection, Fund 700009, Sewer, for the purpose of executing the aforementioned First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer upon advice from the administering department to transfer excess funds, if any, to the appropriate reserves.

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



- \* ITEM-52: Old Otay Mesa Road-Westerly Project - Authorize First Amendment to the Consultant Agreement with Nasland Engineering. (Otay Mesa Community Area. District 8.)

**ITEM DESCRIPTION:**

This Council action will authorize the expenditure of funds for Nasland Engineering to complete the final plans, specifications, and estimates as well as provide for additional Construction Management (CM) necessary for the increase in the scope of services during construction of the Old Otay Mesa Road Improvements Project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/7/15, Item 53. (Council voted 9-0):

(O-2015-80)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement, for a compensation amount not to exceed \$195,280, and under the terms and conditions set forth in the document contingent upon the Chief Financial Officer first certifying the necessary funds are, or will be, on deposit with the City Treasury;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$195,280 from CIP S-00870, Replacement of the Old Otay Mesa Road Improvements Project (\$95,280 from Fund No. 400093, Otay Mesa Facilities Benefit Assessment (FBA) - West and \$100,000 from Fund No. 400169, Transnet) for the purpose of executing the First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates certifying the funds necessary for expenditures are, or will be, on deposit with the City Treasury.

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

- \* ITEM-53: Month-to-month extension to the Industrial Medicine Contracts between the City of San Diego and Sharp Rees Stealy Medical Group and U.S. Healthworks Medical Group.

**ITEM DESCRIPTION:**

This action is to request approval for a month-to-month extension on the current contracts with Sharp Rees Stealy Medical Group (SRSMG) and U.S. Healthworks Medical Group (USHMG) to provide industrial medicine services to City of San Diego employees.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/7/15, Item 54. (Council voted 9-0):

(O-2015-85)

Authorizing and directing the Mayor, or his designee, to enter into a month-to-month contract extension with Sharp Rees-Stealy Medical Group, not to exceed one year or May 20, 2016, to provide industrial medicine services to City employees. This extension of the term of the contract between the City of San Diego and Sharp Rees-Stealy Medical Group for the provision of industrial medicine services;

Authorizing and directing the Mayor, or his designee, to enter into a month-to-month contract extension with U.S. Healthworks Medical Group, not to exceed one year or May 20, 2016, to provide industrial medicine services to City employees. This extension of the term of the contract between the City of San Diego and U.S. Healthworks Medical Group for the provision of industrial medicine services;

Authorizing and directing the Chief Financial Officer to appropriate and expend up to a total of \$500,000 for Fiscal Year 2015 and \$4,500,000 in Fiscal Year 2016 from the Workers' Compensation Fund 720044, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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

\* ITEM-54: Nondiscrimination in Contracting Ordinance Proposed Amendment.

**ITEM DESCRIPTION:**

The purpose of this requested action is to amend the Nondiscrimination in Contracting Ordinance to include “gender identity” and “gender expression” as types of unlawful discrimination.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/7/15, Item 55. (Council voted 9-0):

(O-2015-92)

Amending Chapter 2, Article 2, Division 35 of the San Diego Municipal Code by Amending Sections 22.3501, 22.3502, 22.3504, and 22.3512, to include gender identity and gender expression in the definition of discrimination in the City’s Nondiscrimination in Contracting Ordinance.

\* ITEM-55: 9th Update to the Land Development Code and Local Coastal Program and Related Provisions. (Citywide.)

**ITEM DESCRIPTION:**

The 9th Update is a package of code amendments that are being processed in accordance with the City's Land Development Code work program. There are 57 amendment issues; the bulk of which is regulatory reform. Significant items include amendments to streamline the permit process for various types of development, to implement the City's economic development strategy in support of local industry, and to incorporate efficiencies in the processing of environmental documents and permits for minor improvements to development older than 45 years old (that is not designated a historic resource). The proposal also amends the regulations related to previously conforming development.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinances which were introduced on 4/7/15, Item 334, Subitems A and B. Subitem A was amended by Council action by interlineation at time of Introduction. (Council voted 9-0):

Subitem-A: (O-2015-84 Rev. Copy)

Amending Chapter 5, Article 4, Division 3 of the San Diego Municipal Code by amending Sections 54.0308 and 54.0309; amending Chapter 6, Article 2, Division 12 by amending Section 62.1205; amending Chapter 9, Article 8, Division 4 by amending Section 98.0425; amending Chapter 11, Article 2, Division 1 by amending Sections 112.0102 and 112.0103; amending Chapter 11, Article 2, Division 3 by amending Sections 112.0301 and 112.0309; amending Chapter 11, Article 2, Division 5 by amending Section 112.0504; amending Chapter 11, Article 3, Division 1 by amending Section 113.0103; amending Chapter 11, Article 3, Division 2 by amending Section 113.0234; amending Chapter 12, Article 1, Division 2 by amending Section 121.0203; amending Chapter 12, Article 1, Division 5 by amending Sections 121.0504 and 121.0505; amending Chapter 12, Article 3, Division 1 by amending Section 123.0101; amending Chapter 12, Article 5, Division 1 by amending Section 125.0141; amending Chapter 12, Article 5, Division 4 by amending Section 125.0461; amending Chapter 12, Article 5, Division 10 by amending Section 125.1030; amending Chapter 12, Article 6, Division 1 by amending Sections 126.0108, 126.0110, 126.0111, 126.0112, and 126.0113, and by repealing Section 126.0109; amending Chapter 12, Article 6, Division 5 by amending Section 126.0502; amending Chapter 12, Article 8, Division 2 by amending Section 128.0209; amending Chapter 12, Article 8, Division 3 by amending Sections 128.0306, 128.0310, and 128.0312; amending Chapter 12, Article 9, Division 6 by repealing Sections 129.0642 and 129.0643; amending Chapter 12, Article 9, Division 7

by amending Sections 129.0702, 129.0710, 129.0715, and 129.0720, and by repealing Sections 129.0743 and 129.0744; amending Chapter 12, Article 9, Division 8 by amending Sections 129.0802, 129.0804, and 129.0813, and by repealing Sections 129.0806, 129.0811, 129.0812, and 129.0815; amending Chapter 13, Article 1, Division 1 by amending Section 131.0112; amending Chapter 13, Article 1, Division 2 by amending Sections 131.0202 and 131.0222; amending Chapter 13, Article 1, Division 3 by amending Section 131.0322; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422, 131.0448, and 131.0461; amending Chapter 13, Article 1, Division 5 by amending Sections 131.0522 and 131.0540; amending Chapter 13, Article 1, Division 6 by amending Sections 131.0622 and 131.0623; amending Chapter 14, Article 1, Division 3 by amending Section 141.0302; amending Chapter 14, Article 1, Division 4 by amending Sections 141.0405 and 141.0411; amending Chapter 14, Article 1, Division 5 by amending Section 141.0504, and by adding new Section 141.0507; amending Chapter 14, Article 1, Division 6 by adding new Section 141.0602, by repealing and replacing Section 141.0607, and by amending Section 141.0619; amending Chapter 14, Article 1, Division 10 by amending Section 141.1003; amending Chapter 14, Article 1, Division 11 by amending Section 141.1105; amending Chapter 14, Article 2, Division 3 by amending Sections 142.0305, 142.0310, and 142.0340; amending Chapter 14, Article 2, Division 5 by amending Sections 142.0530 and 142.0560; amending Chapter 14, Article 2, Division 6 by amending Section 142.0670; amending Chapter 14, Article 2, Division 9 by amending Section 142.0910; amending Chapter 14, Article 2, Division 12 by amending Sections 142.1206, 142.1210, 142.1220, 142.1225, and 142.1260, and by adding new Section 142.1208; amending Chapter 14, Article 3, Division 2 by amending Section 143.0212; amending Chapter 14, Article 4, Division 2 by amending Sections 144.0233 and 144.0242; amending Chapter 15, Article 5, Division 2 by amending Section 155.0238; amending Chapter 15, Article 6, Division 3 by amending Section 156.0315; amending Chapter 15, Article 10, Division 3 by amending Sections 1510.0303, 1510.0307, and 1510.0309; amending Chapter 15, Article 13, Division 3 by amending Section 1513.0304; and repealing Chapter 15, Article 17, Divisions 1, 2, 3, and 4, all relating to the 9th Update to the Land Development Code and related provisions.

Subitem-B: (O-2015-89)

Amending Chapter 12, Article 7, Division 1 of the San Diego Municipal Code by amending Sections 127.0102, 127.0103, 127.0104, 127.0105, 127.0106, 127.0108, and 127.0109, and by adding new Section 127.0111, all relating to amendments to previously conforming land uses, proposed as part of the 9th Update to the Land Development Code.

- \* ITEM-56: Amendments to the Land Development Code and the City's Local Coastal Program Pertaining to Small Lot Subdivisions. (Citywide.)

**ITEM DESCRIPTION:**

The project is an ordinance that provides regulations for development of a small lot subdivision, which is a subdivision of multi-family zoned land for construction of single-family homes on small lots.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/7/15, Item 333. (Council voted 9-0):

(O-2015-73)

Amending Chapter 12, Article 6, Division 5 of the San Diego Municipal Code by amending Section 126.0502; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422, 131.0445, 131.0449, 131.0460, and 131.0461; amending Chapter 14, Article 2, Division 4 by amending Sections 142.0402 and 142.0404; amending Chapter 14, Article 2, Division 5 by amending Section 142.0525; amending Chapter 14, Article 3, Division 3 by amending Section 143.0302 and by adding new Section 143.0365; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103, all relating to small lot subdivisions.

\* ITEM-57: Salary Ordinance for Fiscal Year 2016.

**ITEM DESCRIPTION:**

This action is to approve the Annual Salary Ordinance for Fiscal Year 2016, per San Diego Charter Section 290. The Salary Ordinance establishes salaries of all Officers and Employees of the City of San Diego for Fiscal Year 2016, in accordance with San Diego Charter Sections 11.1, 70, 130, and 290.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 4/6/15, Item 200. (Council voted 9-0):

(O-2015-81 Cor. Copy 2)

Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 2016.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

\* ITEM-100: Second Amendment to Agreement with Overland, Pacific & Cutler, Inc.

**ITEM DESCRIPTION:**

This action is to approve a Contract Amendment which will extend the contract term through May 20, 2016. This action is necessary to be consistent with the Court Order in the matter of *De Anza Cove Homeowners Association, Inc., et al. v. City of San Diego, et al.*, Case Number: GIC 821191.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-517)

Authorizing the Mayor, or his designee, to amend the contract with Overland, Pacific & Cutler, Inc., to extend the contract term through May 20, 2016, expand the scope of work to include payment of claims to the residents, and increase the contract amount to \$591,000, consistent with the Amended Judgment dated October 16, 2014, in the matter of *De Anza Cove Homeowners Association, Inc., et al. v. City of San Diego, et al.*, Case Number: GIC 821191;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$591,000 in total payment to Overland, Pacific & Cutler, Inc., from the Public Liability Fund No. 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funding for this action will be borne by the Public Liability Fund No. 720045.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The item was approved in open session on December 15, 2014.

Bamberg

Primary Contact\Phone: Daniel Bamberg\619-236-7729, MS 59

Secondary Contact\Phone: Shelley Carter\619-533-5869, MS 59

City Attorney Contact: Riley, John



- \* ITEM-101: Community Projects, Programs, and Services Funding Allocation to the Museum of Photographic Arts for a capital campaign to fund a museum renovation. (Balboa Park Community Area. District 3.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Museum of Photographic Arts for an amount not to exceed \$5,000 for a capital campaign to fund a museum renovation.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-523)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;"

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and the Museum of Photographic Arts (Agreement) in an amount not to exceed \$5,000 for the project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1103110003, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$5,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1103110003, will be used for reimbursement funds for the renovation project which has already been constructed through a ministerial process.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Fox

Primary Contact\Phone: Molly Chase\619-236-7758

City Attorney Contact: Dugard, Prescilla

- \* ITEM-102: City Council Community Projects, Programs, and Services Funding Allocation to San Diego Human Dignity Foundation for the 2014 U.S. Conference on AIDS.  
(Downtown Community Area. District 3.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the San Diego Human Dignity Foundation for an amount not to exceed \$5,000 for the 2014 U.S. Conference on AIDS.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-504)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;"

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and the San Diego Human Dignity Foundation (Agreement) in an amount not to exceed \$5,000 for the project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1103110003, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$5,000 in City Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1103110003, will be used for the conference.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Fox

Primary Contact\Phone: Molly Chase\619-236-7758

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

\* ITEM-103: Settlement of personal injury claim of John Dewey, Risk Management File No. 8696.

**ITEM DESCRIPTION:**

This a complaint for personal injuries suffered by John Dewey as the result of motor vehicle accident. The proposed settlement would resolve all claims brought by John Dewey.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-516)

Authorizing the Mayor, or his designee, to pay the sum of \$350,000 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the property damage claim of John Dewey v. City of San Diego, San Diego Superior Court Case No. 37-2014-00000105-CU-PO-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$350,000 from the Public Liability Fund No. 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue a check in the amount of \$350,000, made payable to Jassim & Associates Attorney-Client Trust Acct., and John Dewey.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$350,000 will be paid from Public Liability Fund No. 720045.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The item was approved in Closed Session on March 17, 2015.

Bamberg

Primary Contact\City Attorney\Phone: Stacy J. Plotkin-Wolff\619-236-6426

\* ITEM-104: Settlement of personal injury claim of Belinda Martinez, Risk Management File No. 8634.

**ITEM DESCRIPTION:**

This a complaint for personal injuries suffered by Belinda Martinez as the result of bicycle v. motor vehicle accident in the 5100 block of Santa Fe Street, San Diego, California. The proposed settlement would resolve all claims brought by Belinda Martinez.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-518)

Authorizing the Mayor, or his designee, to pay the sum of \$225,000 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury damage claim of *Belinda Martinez v. COSD, et al.*, San Diego Superior Court Case No. 37-2013-00070921-CU-PA-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$225,000 from the Public Liability Fund, Fund No. 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue a check in the amount of \$225,000, made payable to Belinda Martinez and Panish Shea & Boyle LLP.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$225,000 will be paid from Public Liability Fund No. 720045.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The matter was approved in Closed Session on March 24, 2015.

Bamberg

Primary Contact\City Attorney\Phone: Jane M. Boardman\619-533-5899, MS 59

\* ITEM-105: Angle Parking along Oregon Street. (Mid City Community Area. District 3.)

**ITEM DESCRIPTION:**

Authorizing the installation of 90-degree angle parking on the east side of Oregon Street between El Cajon Boulevard and Howard Avenue for an additional 15 spaces; on the east side of Oregon Street between Lincoln Avenue and University Avenue for an additional 19 spaces; on the east side of Oregon Street between Madison Avenue and Monroe Avenue for an additional 15 spaces; and on the east side of Oregon Street between Meade Avenue and El Cajon Boulevard for an additional 18 spaces.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2015-507 Cor. Copy) (Rev. 4/16/15)

Authorizing the installation of angle parking along the east side of Oregon Street between: (a) El Cajon Boulevard and Howard Avenue; (b) Lincoln Avenue and University Avenue; (c) Madison Avenue and Monroe Avenue; and (d) Meade Avenue and El Cajon Boulevard, in accordance with San Diego Municipal Code Section 86.0104 and California Vehicle Code Section 22503;

Authorizing the installation of necessary signs and markings for such angle parking, and the regulations shall become effective upon installation of the signs, in accordance with San Diego Municipal Code Section 86.0104 and California Vehicle Code Section 22503;

Authorizing the expenditure of \$42,020 from Street Division General Fund No. 100000, 211611, Transportation and Storm Water Department Streets Division operating budget, solely and exclusively, to provide funds for the necessary work by City forces relating to installation of angle parking along the east side of Oregon Street between the limits of University Avenue and Madison Avenue.

Subitem-B: (R-2015-508)

Determining that the installation of angle parking along the east side of Oregon Street between the limits of University Avenue and Madison Avenue is categorically exempt from California Environment Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Declaring that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The striping of the 90-degree angle parking spaces along Oregon Street will be installed by the City of San Diego Street Division at a cost of \$42,020. Funds are available in Street Division's Operating Budget.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Moreno/Graham

Primary Contact\Phone: Joseph Jimenez\619-533-4741, MS 56D

Secondary Contact\Phone: Meredith Dibden-Brown\619-236-6485, MS 56D

City Attorney Contact: Malcolm, Katherine Anne



- \* ITEM-106: Appointments and Reappointments to the San Diego County Water Authority Board of Directors.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-531)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as Directors on the San Diego County Water Authority Board of Directors, for the term ending as indicated:

<b><u>NAME</u></b>	<b><u>TERM ENDING</u></b>
Lois Fong-Sakai (Poway) (Filling the remainder of the term in the seat previously held by Barbara Wight, who resigned)	October 27, 2018
Tony Heinrichs Rancho Bernardo, District 5) (Filling the seat previously held by Javier Saunders)	March 5, 2021
Yen Tu (Miramar Ranch, District 5) (Reappointment)	January 30, 2021
Fern Steiner (Bankers Hill, District 3) (Reappointment)	March 5, 2021

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that Lois Fong-Sakai is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board; therefore, a conscious exception to Council Policy 000-13 is hereby declared.

\* ITEM-107: Appointment to Sustainable Energy Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION**

Adopt the following resolution:

(R-2015-527)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the Sustainable Energy Advisory Board, for the term ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Jerry Butkiewicz (Del Cerro, District 7) (Filling the vacancy in the seat previously held by Julie Yunker)	San Diego Gas & Electric Representative	March 1, 2016

\* ITEM-108: Appointments and Reappointments to the San Diego Youth Commission.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-483)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as a member of the City of San Diego Youth Commission, for the term ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Alyssa Chiquete (Encanto, District 4) (Filling the vacancy in the District 4 seat previously held by Korral Taylor)	District 4	July 1, 2016
Elena Crespo (Rancho Bernardo, District 5) (Filling the vacancy in the District 5 seat previously held by Koleka Willis)	District 5	July 1, 2016
Nikita Krishnan (Miramar Ranch, District 5) (Filling the vacancy in the Mayor's seat previously held by Lindsay Morrison)	Mayor	July 1, 2016
Madeline Hill (Point Loma, District 2) (Filling the vacancy in the District 3 seat previously held by Marcella Griffin)	District 3	July 1, 2016

Madeleine Garay (La Jolla, District 1) (Reappointment)	District 1	July 1, 2016
Melinda Wang (Torrey View Estates, District 1) (Reappointment)	District 1	July 1, 2016
Anoushka Bose (San Carlos, District 7) (Reappointment)	District 7	July 1, 2016
Justin Young (Broadway Heights, District 4) (Reappointment)	District 4	July 1, 2016

- \* ITEM-109: Appointment and Reappointments to the San Diego City Employees' Retirement System (SDCERS) Board of Administration.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-530)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the San Diego City Employees' Retirement System Board of Administration, for terms ending as indicated:

<b><u>NAME</u></b>	<b><u>TERM ENDING</u></b>
Valentine S. Hoy (La Jolla, District 1) (Reappointment)	March 31, 2019
William W. Haynor (Rancho Santa Fe) (Reappointment)	March 31, 2019
Carol Broad (La Jolla, District 1) (Filling the vacancy in the seat previously held by Jeannie Posner, who resigned)	March 31, 2017

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that William W. Haynor is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board; therefore, a conscious exception to Council Policy 000-13, is hereby declared.

\* ITEM-110: Reappointments to the Airports Advisory Committee.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-532)

Council confirmation of the following reappointments by the Mayor of the City of San Diego, to serve as members of the Airports Advisory Committee, for terms expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Jackie Ander (Serra Mesa, District 7) (Reappointment)	Serra Mesa Representative	February 28, 2017
Lisa Golden (Otay Mesa, District 8) (Reappointment)	Otay Mesa Representative	February 28, 2017
Chuck McGill (Rancho Bernardo, District 5) (Reappointment)	Montgomery Field Aviation Aviation User Group Representative	February 28, 2019
James Aldrich (La Jolla, District 1) (Reappointment)	Montgomery Field Aviation Lessees Representative	February 28, 2019
David Scott Ryan (Escondido) (Reappointment)	Special Expertise	February 28, 2019
Tom Ricotta (Alpine) (Reappointment)	Brown Field Aviation Lessees Representative	February 28, 2017

Declaring if, after being confirmed to the Committee, a Committee Member loses his/her affiliation with his/her designated community group, or a Committee Member is no longer representative of an airport user group, or a Committee Member no longer possesses the special aviation expertise that caused him/her to be confirmed as a Committee Member, the Committee Member's membership will be revoked and a new Committee nominee will be appointed by the Mayor and subsequently presented to the Council for approval;

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that David Scott Ryan and Tom Ricotta are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13, are hereby declared.

- \* ITEM-111: Appointments and Reappointments to the Citizens' Equal Opportunity Commission.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-533)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the Citizens Equal Opportunity Commission, for the term ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Cynthia Suero-Gabler (South Bay Terraces, District 4) (Filling the seat previously held by Ronald Cho)	Asian Pacific Islander Representative	January 1, 2016
Susan Jester (University City, District 1) (Filling the seat previously held by Stampp Corbin)	LGBT Representative	January 1, 2016
Lan Jefferson (North Park, District 3) (Reappointment)	African-American Representative	January 1, 2017
Dan Ortiz (Redwood Village, District 4) (Reappointment)	Latino Representative	January 1, 2017
Rafael Perez (East Village, District 3) (Reappointment)	At-Large Member	January 1, 2017
Kristine Custodio (Rancho Penasquitos, District 5) (Reappointment)	Filipino Representative	January 1, 2017



Jon Cloud (El Cajon) (Reappointment)	At-Large Member	January 1, 2016
Laura Warner (Point Loma, District 2) (Reappointment)	At-Large Member	January 1, 2016
Monte Jones (Valencia Park, District 4) (Reappointment)	At-Large Member	January 1, 2016
Gregg Torwick (La Mesa) (Reappointment)	Disabled Representative	January 1, 2016

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that Jon Cloud and Gregg Torwick are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13, are hereby declared.

\* ITEM-112: Appointments and Reappointment to the Wetlands Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-529)

Council confirmation of the following appointments and reappointment by the Mayor of the City of San Diego, to serve as members of the Wetlands Advisory Board, for the terms expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Chris Nordby (Allied Gardens, District 7) (Reappointment)	Wetlands Scientist	July 1, 2017
Nicholas Doenges (Point Loma, District 2) (Filling the remainder of the term in the seat previously held by Michael Hansen, who resigned)	Land Use Expert	July 1, 2015
Daniel Smith (Navajo, District 7) (Filling the seat previously held by Cary Lowe)	Land Owner	July 1, 2017
Lisa Lind (North Park, District 3) (Filling the remainder of the term in the seat previously held by H. Lawrence Serra, who resigned)	Land Use Expert	July 1, 2015

ADOPTION AGENDA, DISCUSSION, HEARINGS  
NOTICED HEARINGS:

**This item will be heard at 10:00 a.m. time certain.**

ITEM-330: American Tower Corporation - 5252 Balboa, Project No. 282841. (Clairemont Mesa Community Plan Area. District 6.)

**ITEM DESCRIPTION:**

American Tower Corporation is proposing a multi-carrier design solution for an existing roof top Wireless Communication Facility (WCF) located on a 10-story office building at 5252 Balboa Avenue in the CC-1-3 zone in the Clairemont Mesa Community Plan Area.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-506)

Adoption of a resolution approving Planned Development Permit (PDP) No. 1413165 and Site Development Permit (SDP) No. 1413167 for the American Tower Corporation, 5252 Balboa, Project No. 282841;

Adopting the following findings with respect to PDP No. 1413165 and SDP No. 1413167. The findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting PDP No. 1413165 and SDP No. 1413167 to SFT Bal-Glen, LLC, Owner/American Tower Corporation, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

**NOTE:** This item is not subject to the Mayor's veto.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

None. All costs associated with the processing of this project are paid through a deposit account maintained by the applicant.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

On February 26, 2015, the Planning Commission voted 5-1 to recommend approval of this project.

Vacchi\Graham\kl

Primary Contact\Phone: Karen Lynch\619-446-5351, MS 501

Secondary Contact\Phone: Alex Hempton\619-446-5349, MS 501

City Attorney Contact: Vonblum, Heidi

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

**This item may be taken in the morning session if time permits.**

ITEM-331: Community Oriented Policing Services (COPS) FY 2010 Technology Grant.

**ITEM DESCRIPTION:**

Authorize the Police Department to expend Grant Funds totaling approximately \$60,771 from the Community Oriented Policing Services (COPS) FY 2010 Technology Grant. These funds were used to fund equipment and supplies that will improve the quality and efficiency of the Police Crime Laboratory.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-481 Cor. Copy)

Authorizing the Chief Financial Officer to expend Grant Funding of \$60,770.62 by the Community Oriented Policing Services (COPS) Grant Program for the time period from when the authority of the original Resolution (R-306300) expired until Grant Funds are spent in full;

Authorizing the Chief of Police to administer and operate the COPS Grant Program for the time period from when the authority of the original Resolution (R-306300) expired until Grant Funds are spent in full.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

All expenses resulting from this action are Grant-Funded. There is no requirement for matching funds, and no requirement for continued expenditures or services once Grant Funding is exhausted.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Resolution Number R-306300 was adopted on November 16, 2010, which authorized the Chief Financial Officer to accept, appropriate, and expend \$200,000 for equipment and supplies for the Police Crime Laboratory.

Ramirez/LoMedico

Primary Contact\Phone: Marta Sullivan\619-531-2662, MS 715

Secondary Contact\Phone: Catherine Rivera\619-531-2881, MS 715

City Attorney Contact: Folkman, Paige E.

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-332: Authorization of Flexible Benefit Plan for eligible employees for Fiscal Year 2016.

**ITEM DESCRIPTION:**

This item authorizes the Cafeteria Benefits Plan and Flexible Benefit Credit allotments for eligible employees for Fiscal Year 2016.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-463)

Adopting the Flexible Benefits Plan, which is Attachment A to this Resolution, for all designated eligible employees for Fiscal Year 2016, pursuant to Section 14 of the Fiscal Year 2016 Salary Ordinance;

Declaring that the credits for flexible benefits for eligible employees under the Flexible Benefits Plan for Fiscal Year 2016 are adopted as set forth in Attachment B to this Resolution, and the amounts in Attachment B are the total amount of flexible benefits allotted for each eligible employee;

Authorizing the Mayor to execute Agreements with the appropriate organizations providing the benefits designated in the Flexible Benefits Plan;

Declaring that the funds appropriated for the Flexible Benefits Plan are as set forth in the Annual Appropriation Ordinance.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The City Council held the first reading of the Fiscal Year 2016 Salary Ordinance on April 6, 2015.

von Kalinowski/Villa

Primary Contact\Phone: Joy Freeman\619-236-5599

Secondary Contact\Phone: Judy von Kalinowski\619-533-6413

City Attorney Contact: Story Parks, Roxanne

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-333: Resolution of the City Council to approve an Agreement to amend Article 22 of the Memorandum of Understanding Between the City of San Diego and Local 145, International Association of Fire Fighters, AFL-CIO related to Flexible Benefits.

**ITEM DESCRIPTION:**

This action approves an Agreement to amend Article 22 of the Memorandum of Understanding (MOU) between the City of San Diego and Local 145, International Association of Fire Fighters, AFL-CIO, related to Flexible Benefits. (Rev. 4/15/15)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-551 Corr. Copy) (Rev. 4/16/15)

Approving and ratifying the Agreement between the City and Local 145 to amend Paragraph B of Article 22 of the Memorandum of Understanding (MOU), pursuant to the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

**NOTE: 6 votes required pursuant to Section 11.2 of the City Charter.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

There are no fiscal impacts to the City associated with this change.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Dawson, Joan F.



**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-334: Establishment of employee representation units for Fiscal Year 2016.

**ITEM DESCRIPTION:**

This item approves the assignment of new classifications to specified employee representation units for Fiscal Year 2016. The classifications being added include Helicopter Mechanic and Stadium/Field Manager.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-464)

Declaring that Attachment A to this Resolution sets forth the assignment of employee classifications to employee representation units for Fiscal Year 2016.

**STAFF SUPPORTING INFORMATION**

FISCAL CONSIDERATIONS: None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The City Council held the first reading of the Fiscal Year 2016 Salary Ordinance on April 6, 2015.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-533-6413

Secondary Contact\Phone: Joy Freeman\619-236-5599

City Attorney Contact: Dawson, Joan F.

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-335: Establishment of overtime eligibility for Fiscal Year 2016.

**ITEM DESCRIPTION:**

This item establishes classifications in the Classified Service eligible for overtime for Fiscal Year 2016.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-465)

Approving the job classifications in the City of San Diego's Classified Service that are eligible for premium or regular rate overtime compensation, effective July 1, 2015, through June 30, 2016, which are set forth in Personnel Manual Index Code H-4 (Addendum A: Overtime Compensation), which is Attachment A to this Resolution, pursuant to Section 9.1 of the Fiscal Year 2016 Salary Ordinance.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The Fiscal Year 2016 Salary Ordinance was introduced to City Council on April 6, 2015.

van Kalinowski/Villa

Primary Contact\Phone: Judy van Kalinowski\619-533-6413

Secondary Contact\Phone: Joy Freeman\619-236-5599

City Attorney Contact: Dawson, Joan F.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-336: Street Pavement Repair Program. (Citywide.)

**ITEM DESCRIPTION:**

In January 2015, the Infrastructure Committee requested that Street Division present a report on the condition of City streets in 2015 and the plans to accomplish the Mayor's goal of performing 1,000 miles of street repairs in five years.

**STAFF'S RECOMMENDATION**

Informational item only.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Infrastructure Committee meeting on March 11, 2015.

**ACTION:** Motion by Councilmember Zapf, second by Vice Chair Cole, to accept the report and forward to City Council.

**VOTE:** 3-0; Kersey-yea, Cole-yea, Zapf-yea, Emerald-not present.

Yousef/LoMedico

Primary Contact\Phone: Kristy Reeser\619-527-7504, MS 44

Secondary Contact\Phone: Walter Gefrom\619-527-7509, MS 44

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-337: Capital Improvements Program (CIP) Cash Management Process Improvements.

**ITEM DESCRIPTION:**

This item is to present Capital Improvements Program (CIP) cash management process improvements and is a companion item to a report by Public Works on Process Improvement and Streamlining for Capital Improvements Program (CIP) Delivery (Report No. 15-020). This is an information item and no action will be requested at this time.

**STAFF'S RECOMMENDATION:**

Informational item only.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

These process improvements will ensure that the flow of funding will not be an impediment to project execution.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Infrastructure Committee meeting on March 11, 2015.

**ACTION:** Motion by Councilmember Zapf, second by Vice Chair Cole, to accept the report and forward to City Council.

**VOTE:** 3-0: Kersey-yea, Cole-yea, Zapf-yea, Emerald-not present.

McCraner/Lewis

Primary Contact\Phone: Benjamin Battaglia\619-235-5717, MS 8A

Secondary Contact\Phone: Julio Canizal\619-236-5932, MS 8A

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-338: Process Improvement and Streamlining for Capital Improvement Program (CIP) Delivery. (Citywide.)

**ITEM DESCRIPTION:**

This item is for informational purposes only and is presented to discuss the planned Process Improvement and Streamlining Measures for the Delivery of CIP Projects.

**STAFF'S RECOMMENDATION:**

Informational item only.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Overall CIP cost reductions of approximately \$3 million to \$9 million annually are anticipated.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- On January 21, 2015, the City's first consolidated Multi-Year Capital Planning Report (MYCP) was presented to the City Council's Committee for Infrastructure, which refers to these proposed measures.

- This item was heard at the Infrastructure Committee on March 11, 2015.

**ACTION:** Motion by Councilmember Zapf, second by Vice Chair Cole, to accept the report and forward to City Council.

**VOTE:** 3-0; Kersey-yea, Cole-yea, Zapf-yea, Emerald-not present.

Gibson/LoMedico

Primary Contact\Phone: Richard Leja\619-533-5112, MS 908A

Secondary Contact\Phone: Abi Palaseyed\619-533-4654 MS 908A

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council Action and there is no public testimony.

ITEM-350: Qualcomm Stadium and Petco Park City Suites.

The list of ticket users for the City Suites at Qualcomm Stadium and Petco Park will be posted on the City Clerk's website quarterly. This information will also be available for viewing by the public in the Office of the City Clerk.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT