

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Myrtle Cole • Fourth District

COUNCIL PRESIDENT PRO TEM

Mark Kersey • Fifth District

COUNCIL MEMBERS

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Lorie Zapf • Second District
Christopher Ward • Third District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District
Georgette Gomez • Ninth District

Andrea Tevlin
Independent
Budget Analyst

Mara Elliott
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building
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Tuesday, April 11, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, APRIL 11, 2017, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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@sandiego.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 meet in Closed Session this morning from 11:00 a.m. - 12:00 p.m. (Public Comment on Closed Session items will be taken during the 10:00 a.m. Council session.) Copies of the Closed Session agenda are available in the Office of the City Clerk.

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed beginning on the next page are considered to be routine, and the environmental documents 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 from prior to the start of the meeting.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Authorization to Execute Construction Contract Change Order No. 2 with Ortiz Corporation to replace existing 6" AC water main as part of Sewer and Water Group 767A. (Normal Heights Community Area. District 3.)

ITEM DESCRIPTION:

This action is to approve the execution of Construction Contract Change Order No. 2 with Ortiz Corporate for the construction of Sewer and Water Group 767A Project. This action will add funds to replace-in-place 7,200 LF of existing asbestos concrete (AC) water main pipe.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-467)

Authorizing the Mayor, or his designee, to execute Change Order No. 2, issued in connection with the Contract between the City of San Diego and Ortiz Corporation to increase the Contract price to an amount not to exceed \$2,239,074.44, and an extension of 210 working days for a total of 452 working days;

Authorizing the Chief Financial Officer to expend an additional amount not to exceed \$2,239,074.44 from CIP A-KB.00003, Main Replacements (B-17049, Sewer and Water Group 767A (W), Fund 700010, Water Utility CIP for construction of the Project.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total construction amount is \$7,478,023.60 of which \$455,000 was previously authorized via Change Order No. 1 for Sewer and Water Group 767A(S). This Change Order No. 2 is for the construction of Sewer and Water Group 767A (W) in the amount not to exceed \$2,239,074.44 from CIP A-KB.00003, Main Replacements (B-17049, Sewer and Water Group 767A (W)), Fund 700010, Water Utility CIP.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Previous actions were under Mayoral authority.

This item was heard at the Infrastructure Committee meeting on March 22, 2017.

ACTION: Motion by Vice Chair Ward, second by Councilmember Gomez, to recommend Council adopt the resolution.

VOTE: 3-0; Kersey-yea, Ward-yea, Gomez-yea, Zapf-not present.

Gibson/Gomez

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

Secondary Contact\Phone: Nabil Batta\619-533-4145, MS 908A

City Attorney Contact: De Lara Jr., Pedro

- * ITEM-101: As-Needed Traffic Control Design Services Agreement with Nasland Engineering. (Citywide.)

ITEM DESCRIPTION:

Award a contract for As-Needed Traffic Control Design Services Agreement to Nasland Engineering for an amount not to exceed \$1,000,000 and a maximum duration of five years.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-465)

Authorizing and empowering the Mayor, or his designee, to execute, for and on behalf of the City, the Consultant Agreement with Nasland Engineering for as-needed traffic control design services for a minimum amount of at least \$1,000 and a cumulative not to exceed amount of \$1,000,000, under the terms and conditions set forth in the document;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$1,000,000 over five years for the purpose of funding the above Agreement, contingent upon the adoption of the Annual Appropriation Ordinance for each applicable fiscal year, and further contingent upon the furnishing of one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer is to appropriate and expend an amount not to exceed \$1,000 from CIP No. A-ID.00001, Utilities Undergrounding Program, Fund 200218, Underground Surcharge – CIP, for the purpose of the minimum contract requirement.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The City agrees to issue a task order(s) with the minimum aggregate value of \$1,000 to Nasland Engineering. Funding for the minimum contract amount of \$1,000 is available in Fund 200218, Underground Surcharge - CIP, WBS No. A-ID.00001, Utilities Undergrounding Program, which has been identified as a placeholder for the minimum guaranteed amount. The \$1,000 encumbrance will be released upon the issuance of a task or tasks totaling \$1,000. Funding for future tasks will be provided by the CIP Projects requiring these services. The maximum contract amount shall not exceed \$1,000,000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on March 22, 2017.

ACTION: Motion by Vice-Chair Ward, second by Councilmember Gomez, to adopt the resolutions and approve the Agreement.

VOTE: 3-0; Kersey-yea, Ward-yea, Gomez-yea, Zapf-not present.

Gibson/Gomez

Primary Contact\Phone: Kris Shackelford\619-533-4121

Secondary Contact\Phone: Jim Shamloufard\619-533-3160

City Attorney Contact: Jung, Jeremy A.

- * ITEM-102: As-Needed Traffic Control Design Services Agreement with Kimley-Horn and Associates, Inc. (Citywide.)

ITEM DESCRIPTION:

Award a contract for As-Needed Traffic Control Design Services Agreement to Kimley-Horn and Associates, Inc., for an amount not to exceed \$1,000,000 and a maximum duration of five years.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-464)

Authorizing and empowering the Mayor, or his designee, to execute, for and on behalf of the City, the Consultant Agreement with Kimley-Horn and Associates, Inc., for as-needed traffic control design services for a minimum amount of at least \$1,000 and a cumulative not to exceed amount of \$1,000,000, under the terms and conditions set forth in the document;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$1,000,000 over five years for the purpose of funding the above Agreement, contingent upon the adoption of the Annual Appropriation Ordinance for each applicable fiscal year, and further contingent upon the furnishing of one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$1,000 from CIP No. A-ID.00001, Utilities Undergrounding Program, Fund 200218, Underground Surcharge – CIP, for the purpose of the minimum contract requirement.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The City agrees to issue a task order(s) with the minimum aggregate value of \$1,000 to Kimley-Horn and Associates, Inc. Funding for the minimum contract amount of \$1,000 is available in Fund 200218, Underground Surcharge - CIP, WBS No. A-ID.00001, Utilities Undergrounding Program, which has been identified as a placeholder for the minimum guaranteed amount. The \$1,000 encumbrance will be released upon the issuance of a task or tasks totaling \$1,000. Funding for future tasks will be provided by the CIP Projects requiring these services. The maximum contract amount shall not exceed \$1,000,000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on March 22, 2017.

ACTION: Motion by Vice-Chair Ward, second by Councilmember Gomez, to adopt the resolutions and approve the Agreement.

VOTE: 3-0; Kersey-yea, Ward-yea, Gomez-yea, Zapf-not present.

Gibson/Gomez

Primary Contact\Phone: Kris Shackelford\619-533-4121

Secondary Contact\Phone: Jim Shamloufard\619-533-3160

City Attorney Contact: Jung, Jeremy A.

- * ITEM-103: Modify Resolution No. R-310589 to authorize payment from any City departments' funds to issue Task Orders with MRW & Associates, LLC, for Energy Consultant Services. (Citywide.)

ITEM DESCRIPTION

This item is to request Council action to modify Resolution No. R-310589 to authorize payments from any City departments' funds to issue Task Orders that benefit that particular department. The Task Order may not exceed \$5,000,000 over 5 years from the Appropriated Funds of any City Department for the purpose of executing Task Orders under the MRW & Associates, LLC, Agreement.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-410)

Amending San Diego Resolution R-310589 to further authorize any other City Departmental Funds, in addition to the Environmental Services Department, Energy Conversation Program Fund No. 200224, to fund Task Orders under the Agreement with MRW & Associates, LLC, for Energy Consulting Services and approved by that Resolution, and to provide that Task Orders may be issued for the benefit of and funded by any City Department requiring services under that Agreement;

Authorizing the Mayor, or his designee, to authorize funding payments from appropriated funds of any City Department for the purpose of issuing Task Orders for the benefit of the funding City Department which requires services under the Agreement with MRW & Associates, LLC, as previously authorized by San Diego Resolution R-310589 for Energy Consultant Services;

Authorizing the Chief Financial Officer to expend that amount not to exceed \$5,000,000 over five years, from the appropriated funds of any City Department, for the expenditures authorized by San Diego Resolution R-310589, for the purpose of executing Task Orders under the MRW & Associates, LLC, Agreement which are requested by and which benefit the funding City Department, contingent upon written identification of the City Fund, upon Council approval of the Annual Appropriation Ordinance for the applicable fiscal year, and upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The maximum contract amount shall not exceed \$5,000,000 over 5 years. Funding for future tasks will be identified and paid by the department requiring these services.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Authorization for the MRW & Associates, LLC, Contract (Contract No. 10069820-16-A) was heard at the Environment Committee meeting on June 22, 2016.

Resolution No. R-310589 that authorizes the MRW & Associates, LLC, Contract was passed on July 12, 2016, by Council Action.

This item was heard at the Environment Committee meeting on March 16, 2017.

ACTION: Motion by Councilmember Cate, second by Councilmember Sherman, to recommend Council adopt the resolution.

VOTE: 3-0; Alvarez-yea, Cate-yea, Sherman-yea, Ward-not present.

Sierra/Gomez

Primary Contact\Phone: Aaron Lu\858-573-1291

Secondary Contact\Phone: Jack Clark\858-492-6001

City Attorney Contact: Ortlieb, Frederick M.

- * ITEM-104: Community Projects, Programs, and Services Funding Allocation to STAR/PAL for the Youth Safety and Empowerment Project. (Throughout San Diego; special focus on underserved communities in City Heights and Southeastern San Diego. All Districts.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 1, 2, 6, and 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with STAR/PAL for an amount not to exceed \$14,500, for the Youth Safety and Empowerment Project.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-470 Cor. Copy)

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";

Waiving Council Policy 100-06, Section 8, which provides: "Community Projects, Programs, and Services funding should be considered a one-time resource, and planned uses should be one-time in nature, to avoid service interruptions or employee impacts if funding is discontinued";

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2017 City Council Allocations Agreement between the City of San Diego and STAR/PAL (Agreement) in an amount not to exceed \$14,500 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 \$14,500 as follows:

\$2,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002, CD 2
\$5,000 from Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1101110001, CD 1
\$2,500 from Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, CD 6
\$5,000 from Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1107110007, CD 7,

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:

\$14,500 in Community Projects, Programs, and Services Funding from the following fund/costs centers:

CD2 100000 OTHR-00000000-GG 1102110002 512059 \$2,000
CD1 100000 OTHR-00000000-GG 1101110001 512059 \$5,000
CD6 100000 OTHR-00000000-GG 1106110006 512059 \$2,500
CD7 100000 OTHR-00000000-GG 1107110007 512059 \$5,000,

for the purpose of funding the Youth Safety and Empowerment Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-105: Community Projects, Programs, and Services Funding Allocation to I Love A Clean San Diego for the 32nd Annual Coastal Cleanup Day. (Mira Mesa, Torrey Pines, La Jolla, Del Mar Heights, Pacific Beach, Mission Beach, Mission Bay, Ocean Beach, Point Loma, San Diego Bay, Park West, Mission Hills, Normal Heights, North Park, Hillcrest, City Heights, Logan Heights, Chollas View, Tierrasanta, Mission Valley, Serra Mesa, Linda Vista, Clairemont, and San Carlos Community Areas.) (All Districts.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 1, 2, 5, 6, 7, and 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with I Love A Clean San Diego for an amount not to exceed \$10,000, for the 32nd Annual Coastal Cleanup Day.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-472)

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 2017 City Council Allocations Agreement between the City of San Diego and the I Love A Clean San Diego (Agreement) in an amount not to exceed \$10,000 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 \$2,000 from Council District 1: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1101110001; \$1,500 from Council District 2: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002; \$2,500 from Council District 5: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1105110005; \$1,000 from Council District 6: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006; \$1,500 from Council District 7: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1107110007; and \$1,500 from Council District 8: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1108110008, for a total of \$10,000, all 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:

\$10,000 in Community Projects, Programs, and Services Funding from the following fund/costs centers:

\$2,000 from CD 1: Fund No. 100000/Cost Center No. 1101110001

\$1,500 from CD 2: Fund No. 100000/Cost Center No. 1102110002

\$2,500 from CD 5: Fund No. 100000/Cost Center No. 1105110005

\$1,000 from CD 6: Fund No. 100000/Cost Center No. 1106110006

\$1,500 from CD 7: Fund No. 100000/Cost Center No. 1107110007

\$1,500 from CD 8: Fund No. 100000/Cost Center No. 1108110008,

for the purpose of funding the 32nd Annual Coastal Cleanup Day.

PREVIOUS COUNCIL AND COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-106: Community Projects, Programs, and Services Funding Allocation to I Love A Clean San Diego for Ocean Beach and Mission Beach Community Cleanups. (Ocean Beach and Mission Beach Community Areas. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with I Love A Clean San Diego for an amount not to exceed \$6,000, for Ocean Beach and Mission Beach Community Cleanups.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-471)

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 2017 City Council Allocations Agreement between the City of San Diego and the I Love A Clean San Diego (Agreement) in an amount not to exceed \$6,000 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 \$6,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002, CD 2, 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:

\$6,000 in Community Projects, Programs, and Services Funding from the following fund/costs center:

CD 2 Fund No. 100000, Cost Center No. 1102110002,

for the purpose of funding Ocean Beach and Mission Beach Community Cleanups.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-107: Community Projects, Programs, and Services Funding Allocation to I Love A Clean San Diego for the Pacific Beach Community Cleanup. (Pacific Beach Community Area. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with I Love A Clean San Diego for an amount not to exceed \$2,000, for the Pacific Beach Community Cleanup.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-473)

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 2017 City Council Allocations Agreement between the City of San Diego and the I Love A Clean San Diego (Agreement) in an amount not to exceed \$2,000 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 \$2,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002, CD 2, 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:

\$2,000 in Community Projects, Programs, and Services Funding from the following fund/costs center:

CD 2 Fund No. 100000, Cost Center No. 1102110002 (\$2,000),

for the purpose of funding the Pacific Beach Community Cleanup.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-108: Community Projects, Programs, and Services Funding Allocation to Words Alive for Books for Read Aloud Program. (All Districts.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Words Alive for an amount not to exceed \$4,167, for books for the Read Aloud Program.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-466)

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

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2017 City Council Allocations Agreement between the City of San Diego and the Words Alive for Books (Agreement) in an amount not to exceed \$4,167 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 \$4,167 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No.1102110002 CD 2, 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:

\$4,167 in Community Projects, Programs, and Services Funding from the following fund/costs center:

\$4,167 from CD 2 Fund No. 100000, Cost Center No. 1102110002,

for the purpose of funding the books for the Read Aloud Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-109: Community Projects, Programs, and Services Funding Allocation to The Friends of Tecolote Canyon for Environmental and Cultural Education. (Linda Vista and Clairemont Community Areas. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The Friends of Tecolote Canyon for an amount not to exceed \$3,270, for environmental and cultural education.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-463)

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

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2017 City Council Allocations Agreement between the City of San Diego and the Friends of Tecolote Canyon (Agreement) in an amount not to exceed \$3,270 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 \$3,270 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002, 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:

\$3,270 in Community Projects, Programs, and Services Funding from the following fund/costs center:

CD 2 Fund No. 100000, Cost Center No. 1102110002 (\$3,270),

for the purpose of funding environmental and cultural education.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-110: Community Projects, Programs, and Services Funding Allocation to the San Diego California Prosperity Foundation for the California Board of Equalization Connecting Women to Power Business Conference; (Small business owners and women within City of San Diego.) (Districts 2, 4, 5, 6, 7, and 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 2, 4, 5, 6, 7, and 9, 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 County Prosperity Foundation for an amount not to exceed \$12,000, for the California Board of Equalization Connecting Women to Power Business Conference.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-474)

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 2017 City Council Allocations Agreement between the City of San Diego and the San Diego California Prosperity Foundation (Agreement) in an amount not to exceed \$12,000 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 \$1,000 from Council District 2: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002; \$2,500 from Council District 4: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1104110004; \$2,500 from Council District 5: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1105110005; \$2,500 from Council District 6: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006; \$3,000 from Council District 7: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1107110007; and \$500 from Council District 9: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1109110009, for a total of \$12,000, all 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:

\$12,000 in Community Projects, Programs, and Services Funding from the following fund/costs centers:

\$1,000 from CD 2: Fund No. 100000/Cost Center No. 1102110002

\$2,500 from CD 4: Fund No. 100000/Cost Center No. 1104110004

\$2,500 from CD 5: Fund No. 100000/Cost Center No. 1105110005

\$2,500 from CD 6: Fund No. 100000/Cost Center No. 1106110006

\$3,000 from CD 7: Fund No. 100000/Cost Center No. 1107110007

\$500 from CD 9: Fund No. 100000/Cost Center No. 1109110009,

for the purpose of funding the California Board of Equalization Connecting Women to Power Business Conference.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Tetlow

Primary Contact\Phone: Barrett Tetlow\619-236-6677, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- * ITEM-111: Adopting a Records Disposition Schedule (RDS) for the Office of the Chief Operating Officer (COO), Assistant Chief Operating Officer (ACOO) and Deputy Chief Operating Officers (DCOOs).

ITEM DESCRIPTION:

Adopt the Resolution and new Records Disposition Schedule as submitted.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-477 Cor. Copy) (Rev. 4/6/17)

Approving the Records Disposition Schedule for the Office of the Chief Operating Officer, Assistant Chief Operating Officer, and Deputy Chief Operating Officers.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A

Secondary Contact\Phone: Sheila Beale\619-235-5247, MS 2A

City Attorney Contact: William, Monica (Rev. 4/6/17)

* ITEM-112: Adopting a Records Disposition Schedule (RDS) for the Transportation and Storm Water/Storm Water Division.

ITEM DESCRIPTION:

Adopt the Resolution and new Records Disposition Schedule (RDS) as submitted.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-445)

Approving the Records Disposition Schedule (RDS) for Transportation and Storm Water.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A

Secondary Contact\Phone: Sheila Beale\619-235-5247, MS 2A

City Attorney Contact: Willan, Monica

* ITEM-113: Adopting a Records Disposition Schedule (RDS) for the Corporate Partnerships and Development Department.

ITEM DESCRIPTION:

Adopt the Resolution and new Records Disposition Schedule (RDS) as submitted.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-444)

Approving the Records Disposition Schedule (RDS) for the Corporate Partnerships and Development Department.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A

Secondary Contact\Phone: Sheila Beale\619-235-5247, MS 2A

City Attorney Contact: Willan, Monica

* ITEM-114: Adopting a Records Disposition Schedule (RDS) for the Human Resources Department.

ITEM DESCRIPTION:

Adopt the Resolution and new Records Disposition Schedule as submitted.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-448)

Approving the Records Disposition Schedule for Human Resources Department.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080

Secondary Contact\Phone: Sheila Beale\619-235-5247

City Attorney Contact: Willan, Monica

- * ITEM-115: Settlement of Fourteenth Amendment claim of Plaintiff, Carlos McManus, Sr., Risk Management File No. 11055.

ITEM DESCRIPTION:

This is a complaint for violation of Plaintiff's Fourteenth Amendment right to familial association suffered by Carlos McManus, Sr. as the result of his child being placed in protective custody. The proposed settlement would resolve all claims brought by Carlos McManus, Sr. as well as attorneys' fees.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-408)

Authorizing the sum on \$72,500 to be paid 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 the City, its agents and employees, arising from the Litigation;

Authorizing the Chief Financial Officer to appropriate and expend \$72,500 the Public Liability Fund 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 \$72,500 made payable to Law Office of Shawn A. McMillan, IOLTA Account.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$72,500 will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on February 14, 2017.

Karlin

Primary\City Attorney Contact\Phone: Hannah Girer-Rosenkrantz\619-533-5854

- * ITEM-116: Settlement of Personal Injury Claims of Luis Lobaton, Diego Lobaton, Hedy Julca and B.C., a minor, Risk Management File No. 10624.

ITEM DESCRIPTION:

This is a complaint for personal injuries suffered by Plaintiffs Luis Lobaton, Diego Lobaton, Hedy Julca and B.C., a minor, as the result of a detention and arrest. The proposed settlement would resolve all claims brought by Plaintiffs Luis Lobaton, Diego Lobaton, Hedy Julca and B.C., a minor, excluding attorneys' fees and costs which will be determined later by Court order.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-479 Cor. Copy)

Authorizing the sum of \$150,000 to be paid from the Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs and fees of any type, excluding attorneys' fees and litigation costs, which will be determined later by the Court, against the City, its agents and employees, arising from the Litigation;

Authorizing the Chief Financial Officer to appropriate and expend \$150,000 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 \$150,000 made payable to Randall B. Hamud, Attorney at Law, in trust for Luis Lobaton, Diego Lobaton, Hedy Julca and Bruce Chourp.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$150,000 will be paid from the Public Liability Fund, Fund No.720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on January 24, 2017.

Karlin

Primary\City Attorney Contact\Phone: Kathy Steinman\619-533-6458
Secondary Contact\Phone: Laura Arehart\619-533-5900

* ITEM-117: Honorary Street Name: Recognition of Kathleen Harmon on Welling Way pursuant to San Diego Municipal Code (SDMC) Section 125.1130. (District 4.)

ITEM DESCRIPTION:

Council authorization is requested to recognize Kathleen Harmon with an honorary street title on the 300 block of Welling Way, between Madrone and La Sena Avenue located in the Skyline-Paradise Hills Community.

COUNCIL PRESIDENT COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-468)

Designating the block of Welling Way, between Madrone Avenue and La Sena Avenue, as Kathleen Harmon Street.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Council Policy 200-10 states that funding for the installation of honorary street title signs shall be the responsibility of the sponsoring Councilmember. The Councilmember shall identify, obtain, and make such funds available to the Mayor, or designee. Funding for this honorary street title sign will be paid for by Council District 4.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On February 14, 2017, the Skyline-Paradise Hills Community Planning Group voted 9-0 in favor of honoring Kathleen Harmon with an honorary street on the block of her home on Welling Way.

Mojabi

Primary Contact\Phone: Mathew Gordon\619-236-6644
City Attorney Contact: Jung, Jeremy A.

* ITEM-118: Appointments and reappointments to the International Affairs Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-469)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the International Affairs Board, for terms expiring as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Mary Abad (Carmel Valley, District 1) (Filling the seat previously held by Rebecca Morales)	March 1, 2019
Matthew Miller (North Park, District 3) (Filling the seat previously held by Patricia Waller)	March 1, 2019
Oscar Urteaga (San Carlos, District 7) (Filling the vacancy in the seat previously held by Roberto Alcantar, who resigned)	March 1, 2018
Jordan Marks (Rolando, District 9) (Reappointment)	March 1, 2019
Bruce Abrams (Bankers Hill, District 3) (Reappointment)	March 1, 2019
Mark Leo (Paradise Hills, District 4) (Reappointment)	March 1, 2019

* ITEM-119: Appointments to the Planning Commission.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-422)

Council confirmation of the following appointments by the Mayor of the City of San Diego, to serve as members of the Planning Commission, for terms ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Vicki Granowitz (North Park, District 3) (Filling the seat previously held by Theresa Quiroz)	January 28, 2021
Dennis Otsuji (Scripps Ranch, District 5) (Filling the seat previously held by Anthony Wagner)	January 28, 2021

* ITEM-120: Appointments to the San Diego Housing Commission Board of Directors.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-421)

Council confirmation of the following appointments by the Mayor of the City of San Diego, to serve as members of the San Diego Housing Commission, for terms expiring as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Stefanie Benvenuto (Pacific Beach, District 2) (Filling the seat previously held by Gary Gramling)	General member	January 2, 2021
Tim Walsh (Kensington, District 9) (Filling the seat previously held by Roberta Spoon)	General member	January 2, 2021

* ITEM-121: Appointments to the Commission for Arts and Culture.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-428)

Council confirmation the following appointments by the Mayor of the City of San Diego, to serve as members of the Commission for Arts and Culture, for terms expiring as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Tyler Hewes (Santee) (Filling the seat previously held by Jon Bailey)	Mayoral Representative	August 31, 2018
Benjamin Meza (San Ysidro, District 8) (Filling the seat previously held by Macedonio Arteaga, who resigned)	District 8 Representative	August 31, 2017

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that Tyler Hewes 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.

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Coast Guard Sector San Diego 80th Anniversary Day.

**PRESENTED BY MAYOR FAULCONER, COUNCILMEMBER BRY, AND
COUNCILMEMBER ZAPF:**

Proclaiming April 11, 2017, to be "Coast Guard Sector San Diego 80th Anniversary Day" in the City of San Diego.

ITEM-31: Helen Plutner Day.

PRESENTED BY COUNCIL PRESIDENT PRO TEM KERSEY:

Proclaiming April 3, 2017, to be "Helen Plutner Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

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, 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-330: Annual Report on Internal Financial Control 2016.

ITEM DESCRIPTION:

To present the Annual Report on Internal Control 2016, prepared in accordance with City of San Diego Municipal Code (SDMC) Section 22.0706 as an informational item.

CITY COMPTROLLER'S RECOMMENDATION:

Informational item only.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No fiscal impact.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Audit Committee meeting on March 15, 2017, as an informational item only.

ACTION: Motion by Committee Member Valdivia, second by Committee Member Spencer, to accept the report and forward it to City Council.

VOTE: 3-0; Sherman-yea, Spencer-yea, Valdivia-yea, Gomez-not present, Hebrank-not present.

Mayen/Lewis

Primary Contact\Phone: Rolando Charvel\619-236-6869, 6A

Secondary Contact\Phone: Sarah Mayen\619-236-6852, 6A

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

ITEM-331: City Auditor's Performance Audit of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Accept the City Auditor's Performance Audit of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented to the Audit Committee meeting on December 7, 2016.

ACTION: Motion by Committee Member Hebrank, second by Committee Member Valdivia, to accept the report and forward to Council with an updated response from the Development Services Department.

VOTE: 4-0; Sherman-yea, Hebrank-yea, Spencer-yea, Valdivia-yea, Zapf-not present.

No changes have been made to the report since it was presented to the Committee, and an updated response from Development Services Department has been provided.

Luna

Primary Contact\Phone: Andy Hanau\619-533-3108

Secondary Contact\Phone: Kyle Elser\619-533-3007

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

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-332: San Diego Municipal Code Updates Pertaining to Measures K and L on November 8, 2016 Ballot. (All Districts.)

ITEM DESCRIPTION:

Introduce the ordinance containing San Diego Municipal Code (SDMC) amendments to Chapter 2, Article 7, Division 1: Elections - General, Chapter 2, Article 7, Division 5: Ballots for Measures, Chapter 2, Article 7, Division 10: Initiative and Chapter 2, Article 7, Division 11 Referendum.

CITY CLERK'S RECOMMENDATION:

Introduce the following ordinance:

(O-2017-125)

Introduction of an Ordinance amending Chapter 2, Article 7, Division 1 of the San Diego Municipal Code by amending Section 27.0103 and retitling and amending Section 27.0108; amending Chapter 2, Article 7, Division 5 by amending Section 27.0502; amending Chapter 2, Article 7, Division 10 by retitling and amending Section 27.1037 and amending Section 27.1050; and amending Chapter 2, Article 7, Division 11 by retitling and amending Section 27.1133, all relating to Candidate and Ballot Measure Elections. (Rev. 4/5/17)

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A

Secondary Contact\Phone: Denise Jenkins\619-533-4060, MS 2A

City Attorney Contact: Spivak, Sharon B. (Rev. 4/5/17)

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

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

ITEM-333: Council Policy on Naming of City Assets.

ITEM DESCRIPTION:

This item is to authorize the new Council Policy on Naming of City Assets.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-450)

Approving and adopting Council Policy No. ____ titled "Naming of City Assets";

Declaring that the City Clerk is instructed to update the Council Policy Manual to reflect the addition of this Council Policy.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on March 8, 2017.

Minor modifications were made subsequent to Budget and Government Efficiency Committee meeting on March 8, 2017.

The red-line changes reflected in the Revised Naming Policy dated 3/21/17, are clarifying only and not substantive.

ACTION: Motion by Councilmember Sherman, second by Councilmember Gomez, to recommend Council adopt the resolution.

VOTE: 4-0; Bry-yea, Sherman- ye, Cate-yea, Gomez-yea.

Collura/LoMedico

Primary Contact\Phone: Natasha Collura\619-533-3822, MS 610

City Attorney Contact: Morrison, Catherine C.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

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

ITEM-334: Pacific Highlands Ranch Units 8 and 9. (Pacific Highlands Ranch Subarea Community Plan Area. District 1.)

ITEM DESCRIPTION:

Approval of all actions necessary for the construction of 515 single-family dwelling units (451 previously approved and 64 additional units) comprised of 547 parcels to include 515 residential lots, two Multiple Habitat Planning Area (MHPA) open space lots, four water quality basin lots, 23 home owners association lots, one recreation center lot, and two private driveway lots.

STAFF'S RECOMMENDATION:

Adopt the following resolutions in subitems A, C, and D; and introduce the ordinance in subitem B:

Subitem-A: (R 2017-438)

Adoption of a Resolution adopting the findings with respect to the Project in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the findings reflect the independent judgment of the City of San Diego as Lead Agency, and that the information contained in the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area, the subsequent Findings for Pacific Highlands Ranch Units 5 – 11 Project LDR No. 41-0185 / SCH No. 97111077, and the Initial Study for this Project, has been reviewed and considered by the Council;

The Project will have no additional significant effect on the environment that was not identified in the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area or the subsequent Findings for Pacific Highlands Ranch Units 5 – 11 Project LDR No. 41-0185 / SCH No. 97111077, no new or additional mitigation measures or alternatives may be required, and the Project is within the scope of the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area and the subsequent Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Units 5 – 11 Project LDR No. 41-0185 / SCH No. 97111077; and

No substantial changes have occurred with respect to the circumstances under which the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Units 5 – 11 Project LDR No. 41-0185 / SCH No. 97111077 was certified and no new information, which was not known and could not have been known at the time that the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Units 5 – 11 Project LDR No. 41-0185 / SCH No. 97111077 was certified, has become available. Adopting the project-specific Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Council in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto as Exhibit A, pursuant to State CEQA Guidelines Section 15177(d);

Adopting the project-specific Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Council in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto as Exhibit A, pursuant to State CEQA Guidelines Section 15177(d);

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the project after final passage of the Ordinance associated with the project.

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

Subitem-B: (O-2017-119)

Introduction of an Ordinance changing 254 acres located at the northwest corner of Pacific Highlands Ranch and Carmel Valley Road, within the Pacific Highlands Ranch Subarea Plan Area, in the City of San Diego, California, from the OC, RS-1-11, and RS-1-13 Zones into the RS-1-11, RS-1-12, RS-1-13 and RS-1-14 Zones, as defined by San Diego Municipal Code Chapter 13, Article 1, Division 4; and repealing Ordinance No. O-18580 (new series), adopted September 8, 1998, insofar as the same conflict therewith.

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

Subitem-C: (R-2017-439)

Adoption of a Resolution adopting the findings with respect to Planned Development Permit No. 1817515 and Site Development Permit No. 1817510, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Planned Development Permit No. 1817515 and Site Development Permit No. 1817510 to PARDEE HOMES, A CALIFORNIA CORPORATION (PARDEE), Owner/Permittee under the terms and conditions set forth in the attached permit which is made a part of this Resolution, contingent upon final passage of Ordinance rezoning portions of the site.

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

Subitem-D: (R-2017-440)

Adoption of a Resolution adopting the findings with respect to Vesting Tentative Map No. 1817512, Public Right-of-Way Vacation No. 1864091 and Easement Vacation No. 1864786;

Approving and granting Vesting Tentative Map No. 1817512, Public Right of Way Vacation No. 1864091, and Easement Vacation No. 1864786 to PARDEE HOMES, contingent upon final passage of the Ordinance rezoning the site, and subject to the attached conditions based on the Findings hereinbefore adopted by the City Council, which are made a part of this Resolution by this reference.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None with this action. All cost associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None with this action.

Vacchi/Graham/wz

Primary Contact\Phone: William Zounes\619-687-5942, MS 501

Secondary Contact\Phone: Jeff Peterson\619-446-6237, MS 501

City Attorney Contact: Lintvedt, Inga

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**RESOLUTIONS: (Rev. 4/7/17)**

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

ITEM-335: FY 2018 Business Improvement District Budgets - Annual Appropriation Process. (Centre City (Downtown, Gaslamp, East Village, Little Italy), College, North Park (North Park, El Cajon Blvd Gateway), La Jolla, Mid-City (Adams Ave, El Cajon Blvd Central, City Heights), Mission Beach, Ocean Beach, Old San Diego (Old Town), Pac. Beach, San Ysidro, Southeastern SD (Diamond), and Uptown (Hillcrest, Mission Hills) Community Plan Areas. Districts 1, 2, 3, 4, 8, and 9.)

ITEM DESCRIPTION:

Pursuant to the annually required process, Council will appoint the Business Improvement District (BID) Advisory Boards, approve the FY2018 BID Budget Reports and declare intent to levy and collect assessments for FY2018 and provide notice for the required public hearing. At the second Council meeting, Council shall conduct the public hearing, and may: authorize the levy and collection of assessments for FY2018; authorize the Chief Financial Officer or designee to appropriate, expend and transfer BID funds.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-454)

Adoption of a Resolution appointing the Fiscal Year 2018 advisory boards for specified Parking and Business Improvement Areas;

Appointing each of the following organizations as the advisory board for the District identified next to the name of each organization below for Fiscal Year 2018, commencing on July 1, 2017, and continuing through and including June 30, 2018:

Association**Business Improvement District**

Adams Avenue Business
Association, Inc.

Adams Avenue

City Heights Business Association

City Heights

College Area Economic
Development Corporation

College Area

Diamond Business Association, dba
Southeastern Diamond Business District

Diamond

Downtown San Diego Partnership, Inc.	Downtown
East Village Association, Inc.	East Village
El Cajon Boulevard Business Improvement Association	El Cajon
El Cajon Boulevard Business Improvement Association	El Cajon Boulevard
Gaslamp Quarter Association, Inc.	Gaslamp Quarter
Hillcrest Business Improvement Association, Inc.	Hillcrest
La Jolla Village Merchants Association	La Jolla
Little Italy Association	Little Italy
Mission Hills Business Improvement District	Mission Hills
North Park Organization of Businesses, Inc.	North Park
Ocean Beach Merchant's Association, Inc.	Ocean Beach
Old Town San Diego Chamber of Commerce	Old Town
The Pacific Beach Community Development Corporation dba Discover Pacific Beach	Pacific Beach
San Ysidro Improvement Corporation	San Ysidro

Subitem-B: (R-2017-455)

Adoption of a Resolution approving the Fiscal Year 2018 budget reports for specified Parking and Business Improvement Areas;

Approving the Fiscal Year 2018 Budget Report for each District, including a description of the specific District, the boundaries of the District and any benefit zones within the District, the proposed assessments to be levied upon businesses within the District, and the improvements and activities to be undertaken within the District during Fiscal Year 2018, is on file and available for review at the Office of the City Clerk with reference to the following document numbers:

<u>Business Improvement District</u>	<u>Document No.</u>
Adams Avenue	RR-_____
City Heights	RR-_____
College Area	RR-_____
Diamond	RR-_____
Downtown	RR-_____
East Village	RR-_____
El Cajon	RR-_____
El Cajon Boulevard	RR-_____
Gaslamp Quarter	RR-_____
Hillcrest	RR-_____
La Jolla	RR-_____
Little Italy	RR-_____
Mission Hills	RR-_____
North Park	RR-_____
Ocean Beach	RR-_____
Old Town	RR-_____

Pacific Beach

RR-_____

San Ysidro

RR-_____

Subitem-C: (R-2017-456)

Adoption of a Resolution declaring the Council's intent to continue to levy and collect assessments from businesses located within each of the described Districts during the time period commencing on July 1, 2017, and continuing through and including June 30, 2018 (Fiscal Year 2018);

The proposed improvements and activities authorized by the Ordinance (including any amendment(s)) establishing each District are as follows:

District**Improvements and Activities Authorized by Ordinance**

Adams Avenue Acquisition, construction, or maintenance of parking facilities, landscaping and other street right-of-way Improvements; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operations.

City Heights Acquisition, construction, or maintenance of parking facilities; promotion of public events; furnishing of music; promotion of business activities; and administration/operations.

College Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Diamond Decoration of public areas; promotion of public events; and furnishing of music; promotion of retail trade; and administration/operation.

Downtown Acquisition, construction, or maintenance of parking facilities; decoration of public areas; promotion of public events; and furnishing of music; promotion of business activities; and administration/operation.

East Village Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

El Cajon Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

El Cajon Blvd Acquisition, construction or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Gaslamp Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Hillcrest Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

La Jolla Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Little Italy Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Mission Hills Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

North Park Acquisition, construction, or maintenance of parking facilities; decoration of any public; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Old Town Acquisition, construction or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

Pacific Beach Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

San Ysidro Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.

There are no substantial changes proposed to be made to the improvements or activities authorized within any District, the boundaries of any District or any benefit zone within any District, the classification of businesses within any District, or the method or basis of levying any assessment within any District;

The full and detailed Fiscal Year 2018 annual report from the respective advisory board for each District, including a description of the specified District, a full and detailed description of the improvements and activities to be provided by the District in Fiscal Year 2018, the boundaries of the District and any benefit zones within the District, and the proposed assessments to be levied upon the businesses within the District for Fiscal Year 2018, is on file and available for review at the Office of the City Clerk with reference to following document numbers:

<u>Business Improvement District</u>	<u>Document No.</u>
Adams Avenue	RR-_____
City Heights	RR-_____
College Area	RR-_____
Diamond	RR-_____
Downtown	RR-_____
East Village	RR-_____
El Cajon	RR-_____
El Cajon Boulevard	RR-_____
Gaslamp Quarter	RR-_____
Hillcrest	RR-_____
La Jolla	RR-_____
Little Italy	RR-_____
Mission Hills	RR-_____
North Park	RR-_____
Ocean Beach	RR-_____
Old Town	RR-_____
Pacific Beach	RR-_____
San Ysidro	RR-_____

On May 16, 2017, at 2:00 p.m. Pacific Time, or as soon thereafter as the matter may be heard, the Council will conduct a public hearing (Public Hearing) in the Council Chambers of the City Administration Building, located at 202 "C" Street, 12th Floor, San Diego, California, as required by California Streets and Highways Code Section 36534(a)(6), and receive public testimony and evidence regarding the levy of the proposed assessment in each 1989 Act District for Fiscal Year 2018;

At the Public Hearing, written or oral protests may be made regarding the proposed Fiscal Year 2018 assessments within each 1989 Act District. The form and manner of such protests shall comply with California Streets and Highways Code Sections 36524 and 36525;

Directing the City Clerk to give notice of the Public Hearing by causing publication of this Resolution once in a newspaper of general circulation in the City of San Diego not less than seven days before the Public Hearing, in accordance with California Streets and Highways Code Section 36534(b).

Item 335, Subitem D has been removed from today's docket. (Rev. 4/7/17)

Item 335, Subitem D has been removed from today's docket. (Rev. 4/7/17)

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The City does not retain any of the assessments and undertakes the associated administration with existing budgeted staff. All of the assessments are remitted to the BID funds and therefore, there is no net fiscal impact to the General Fund. Please see the included City Attorney memo from April 2014, regarding risks associated with the levy of assessments and Prop 26.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard by the ED&IR committee on March 9, 2017, and forwarded to the full Council with a recommendation to adopt the Resolution. On May 27, 2016, Council approved the FY2017 Budget Reports and levy of assessments for these BIDs: Adams Avenue, City Heights, College Area, Diamond, Downtown, East Village, El Cajon Blvd Central, El Cajon Blvd Gateway, Gaslamp, Hillcrest, La Jolla, Little Italy, Mission Hills, North Park, Ocean Beach, Old Town, Pacific Beach, and San Ysidro (Resolution- R-310479).

Caldwell/Graham/cv

Primary Contact\Phone: Christina Vincent\619-236-6493, MS 56D

Secondary Contact\Phone: Daichi Pantaleon\619-236-6607, MS 56D

City Attorney Contact: Williams, Delmar

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

ITEM-336: North Park Zoning Correction and Land Development Code Amendments related to Parking Regulations. (Citywide.)

ITEM DESCRIPTION:

This item is a zoning correction to the North Park Community Planning Area to implement the Residential - Very High (55-73 du/acre) community plan land use designation, consistent with the North Park Community Plan. Areas designated Residential - Very High (55-73 du/acre) would be rezoned from the RM-3-8 Zone to the RM-3-9 Zone. In addition, this item includes an amendment to the Land Development Code Parking Regulations to include previously omitted parking ratios for the CN-1-4 and CN-1-5 Zones.

STAFF'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-2017-122)

Introduction of an Ordinance changing 131.7 Acres located within the North Park Community Plan Area, in the City of San Diego, California, from the RM-3-8 Zone to the RM-3-9 Zone, and repealing Ordinance No. O-20753, adopted December 1, 2016, of the ordinances of the City Of San Diego in so far as the same conflicts herewith.

Subitem-B: (O-2017-121)

Introduction of an Ordinance amending Chapter 14, Article 2, Division 5 of the San Diego Municipal Code by amending Section 142.0530, relating to Parking Regulations in the Commercial Neighborhood Zones.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no fiscal impact associated with the requested action.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On March 15, 2017, the Smart Growth and Land Use Committee of the City Council of the City of San Diego voted unanimously to forward the item to Council without a recommendation.

Murphy/Graham/eo

Primary Contact\Phone: Elizabeth Ocampo Vivero\619-236-6301, MS 413

Secondary Contact\Phone: Tait Galloway\619-533-4550, MS 413

City Attorney Contact: Neuffer, Corrine

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT