

CITY OF SAN DIEGO COUNCIL DOCKET



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COUNCIL PRESIDENT PRO TEM

Marti Emerald • Ninth District

COUNCILMEMBERS

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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

Council Chambers, 12th Floor, City Administration Building

Tuesday, May 17, 2016
2:00 P.M.

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, MAY 17, 2016, AT 2:00 PM
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 public portion of the meeting will begin at 1:00 p.m. for public comment on Closed Session items. The City Council will meet in Closed Session this afternoon from 1:00 p.m. – 2:00 p.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7564. Internet access to the agenda is available at:
<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

The **PUBLIC FACILITIES FINANCING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information please contact Brant Will at (619) 236-6220. Internet access to the agenda is available at:
<http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/pffa.shtml>

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:

03/28/2016 - Adjourned
03/29/2016 - Adjourned
04/04/2016 - Adjourned
04/05/2016

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed 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

ORDINANCES TO BE INTRODUCED:

- * ITEM-50: Reimbursement Agreement with Scripps Mesa Developers LLC, for the design and permitting of Project 34-2B in the Scripps Miramar Ranch Community. (Scripps Miramar Ranch Community Area. District 5.)

ITEM DESCRIPTION:

Scripps Mesa Developers, LLC, constructed a raised median on Mira Mesa Boulevard, installed a traffic signal at Mira Mesa Boulevard and Hibert Street, and constructed intersection improvements at Scripps Ranch Boulevard and Erma Road. This Reimbursement Agreement provides for reimbursement of Facilities Benefit Assessment (FBA) funds and other Developer Contributions to Scripps Mesa Developers for the design and permitting of these improvements.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-71 Cor. Copy)

Introduction of an Ordinance authorizing the Mayor to execute, for and on behalf of City, a Reimbursement Agreement with Scripps Mesa Developers, LLC, for the design and permitting of Project No. 34-2B, in the Scripps Miramar Ranch Community, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to add CIP No. RD-16003 (Mira Mesa Boulevard Median/Erma Road Improvements), to the Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP No. RD-16003, and to appropriate and expend an amount not to exceed

\$392,713 for the design and permitting of Project No. 34-2B, including \$154,375 from Fund No. 400086 (Scripps Miramar Ranch FBA), \$160,000 from Fund No. 200636 (Developer Monetary Condition Fund), and \$78,338 from Fund No. 400264 (Private and Others Contribution - CIP), consistent with the timing established in the most recently adopted Scripps Miramar Ranch Public Facilities Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Scripps Mesa Developers will be reimbursed an amount up to \$392,713 from RD-16003, Mira Mesa Boulevard Median/Erma Road Improvements. Reimbursement will be made from the Scripps Miramar Ranch FBA Fund 400086 in the amount of \$154,375, \$78,338 from the Private & Other Contributions Fund 400264, and \$160,000 from Developer Contributions - CIP Fund 200636, contingent upon the approval of an update to the Scripps Miramar Ranch Public Facilities Financing Plan. There is no impact to the General Fund with this action.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

A Reimbursement Agreement with this Developer for the construction of these same improvements was approved by Council on March 26, 2013, Resolution R-308052. However, the Developer did not comply with the City's bidding and contracting requirements and the Agreement was never fully executed. With this Agreement, the Developer is seeking reimbursement for design and permitting costs only, not construction.

This item was heard at the Infrastructure Committee meeting on April 13, 2016.

ACTION: Motion by Councilmember Emerald, second by Councilmember Zapf, to recommend council introduce the ordinance.

VOTE: 4-0; Kersey-yea, Cole-yea, Zapf-yea, Emerald-yea.

Murphy/Graham

Primary Contact\Phone: Angela Abeyta\619-533-3674

Secondary Contact\Phone: Tom Tomlinson\619-533-3187

City Attorney Contact: Lintvedt, Inga B.

- * ITEM-51: An ordinance amending the San Diego Municipal Code to repeal the sunset provision and extending the Neighborhood Parking Protection Ordinance (NPPO), also known as the Oversized Vehicle Ordinance (OVO).

ITEM DESCRIPTION:

This item removes the sunset provision of the Neighborhood Parking Protection Ordinance relating to oversized (OVO), non-motorized, and recreational vehicles. This ordinance is scheduled to sunset August 16, 2016. This item also adds clarification language to the ordinance. Instead of reading "any oversized, non-motorized, or recreational vehicle," the language will now read, "any oversized vehicle, non-motorized vehicle, or recreational vehicle." Instead of reading, "any public street, park road, or park parking lot," the language will read, "any public street, park road, or parking lot."

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-111)

Introduction of an Ordinance amending Chapter 8, Article 6, Division 1, of the San Diego Municipal Code by retitling and amending Sections 86.0139 and 86.0140; by amending Section 86.0143; and by repealing Section 86.0144, all relating to parking of oversized vehicles, non-motorized vehicles, and recreational vehicles.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This law was passed by Council in August of 2014.

This item was heard at the Smart Growth and Land Use Committee meeting April 27, 2016.

ACTION: Motion by Councilmember Gloria, second by Councilmember Sherman, to the full Council with a recommendation to introduce the ordinance.

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Ramirez/Chadwick

Primary Contact\Phone: Adam Sharki, Lieutenant\858-552-1704, MS 750

Secondary Contact\City Attorney Contact\Phone: Paige E. Folkman\619-533-5825

* ITEM-52: Proposed Amendments to San Diego Municipal Code Section 26.0703 Relating to the Composition of the Commission for Arts and Culture. (District 9.)

ITEM DESCRIPTION:

This action requests approval to amend San Diego Municipal Code Section 26.0703 relating to the composition of the Commission for Arts and Culture to reduce the Mayor's appointments from seven to six in order to provide nominees from the new Ninth Council District. This Amendment maintains the current size of the Commission while accommodating nominations from the new district.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-46)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 7, of the San Diego Municipal Code by amending Section 26.0703 relating to the Commission for Arts and Culture.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Not applicable to this action.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The Proposed Amendments to San Diego Municipal Code Section 26.0703, relating to the Composition of the Commission for Arts and Culture were reviewed at the Economic Development and Intergovernmental Relations Committee meeting on April 7, 2016.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Cate, to recommend Council introduce the ordinance.

VOTE: Cole-yea, Kersey-yea, Cate-yea, Alvarez-yea.

Springs/Graham

Primary Contact\Phone: Dana Springs\619-236-6808, MS 652

Secondary Contact\Phone: Christine E. Jones\619-236-6661, MS 652

City Attorney Contact: Berry, Jennifer L.

ADOPTION AGENDA, CONSENT ITEMS

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

- * ITEM-53: Proposed Amendments to Chapter 6, Article 6, Division 6, of the San Diego Municipal Code Relating to the Diversion of Construction and Demolition Debris from Landfill Disposal.

ITEM DESCRIPTION:

Amendments to Chapter 6, Article 6, Division 6, of the San Diego Municipal Code to increase the required construction and demolition debris diversion rate from the current 50 percent to 65 percent.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/19/2016, Item 50. (Council voted 8-0. Councilmember Alvarez-not present):

(O-2016-17)

Amending Chapter 6, Article 6, Division 6, of the San Diego Municipal Code by amending Sections 66.0601, 66.0604, and 66.0606, all relating to the diversion of construction and demolition debris from landfill disposal.

* ITEM-54: Request to exempt one Program Manager position and three Program Coordinator positions from the Classified Service.

ITEM DESCRIPTION:

Approve an Ordinance exempting a Program Manager position and three Program Coordinator positions in the Performance & Analytics Department from the Classified Service of the City of San Diego.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/26/2016, Item 50. (Council voted 8-0. Councilmember Emerald-not present):

(O-2016-109)

Receiving and reviewing a memorandum from Personnel Director Hadi Dehghani, dated March 9, 2016, which documents that, on March 3, 2016, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Performance and Analytics Department to exempt one Program Manager position and three Program Coordinator positions from the Classified Service. The Program Manager position will be responsible for overseeing and supporting operational excellence initiative activities and providing leadership and policy direction for projects. Two Program Coordinator positions will be responsible for conducting operational excellence initiatives including implementation of proposals submitted by City employees for process improvements through the San Diego Works initiative, reviewing the policy implications of outstanding San Diego Works proposals, and administering appropriate policies and programs for implementation. One Program Coordinator position will be responsible for developing a Citywide monitoring mechanism and policies for reporting progress on whether departments are meeting targets, as well as establishing an oversight process for how to address targets that are not met, and leading teams of City staff to improve results where necessary;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Program Manager position and three Program Coordinator positions, performing the duties set forth in the March 9, 2016 memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and Council, and in this ordinance.

* ITEM-55: Amendments to the Municipal Code Chapter 5, Article 1, Divisions 1 and 2, pertaining to Public Emergency Procedures.

ITEM DESCRIPTION:

The Office of Homeland Security requests Council adoption of an Ordinance amending Chapter 5, Article 1, Division 1 and Chapter 5, Article 1, Division 2, of the San Diego Municipal Code. This Municipal Code update is requested in response to the 2014 Performance Audit of the Office of Homeland Security. The purpose of this Municipal Code update is to better align with the California Office of Emergency Services recommended best practices and reflect the City's change to Strong Mayor government.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/26/2016, Item 60, Subitem A. (Council voted 8-0. Councilmember Emerald-not present):

(O-2016-107)

Amending Chapter 5, Article 1, Division 1, of the San Diego Municipal Code by amending Sections 51.0101, 51.0102, 51.0103, and 51.0104; repealing Section 51.0105; amending and renumbering Section 51.0106 to 51.0105; amending and renumbering Section 51.0107 to 51.0106; amending and renumbering Section 51.0108 to 51.0107; repealing Section 51.0109; amending and renumbering Section 51.0110 to 51.0108; and repealing Section 51.0111; amending Chapter 5, Article 1, Division 2, by amending Sections 51.0202, 51.0203, and 51.0204 all relating to Public Emergency Procedures and Unfair Pricing Practices.

* ITEM-56: State Water Board Clean Water State Revolving Fund Financing Agreement for the Advanced Metering Infrastructure Project. (Citywide.)

ITEM DESCRIPTION:

Authorization to enter into a Clean Water State Revolving Fund Financing Agreement with the State Water Board to finance the Advanced Metering Infrastructure (AMI) Project in an amount not to exceed \$42,032,242. The AMI Project technology allows water meters to be read electronically rather than through direct visual inspection by field staff.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/25/2016, Item S400, Subitem A. (Council voted 8-0. Council President Pro Tem Emerald-not present):

(O-2016-13 Cor. Copy)

Authorizing the Mayor, or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Clean Water State Revolving Fund (DWSRF); authorizing the Mayor, or designee, to approve claims for reimbursement; authorizing the City Engineer, or designee, to execute a Budget and Expenditure Summary; to sign the Final Release Form and sign the Certification of Project Completion; and pledging and dedicating Net Water Revenues to payment of DWSRF financing for the Advanced Metering Infrastructure Project;

Authorizing the expenditure of an amount not to exceed \$42,032,242 From Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or designee, to apply for, accept, appropriate and expend up to \$42,032,242 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

- * ITEM-57: State Water Board Drinking Water State Revolving Fund Financing Agreements for various Water Fund Projects. (Pacific Beach, Midway - Pacific Highway, Mission Beach, Peninsula; Uptown, Greater North Park; Scripps Miramar Ranch; College Area, and Mid - City: Eastern Area; Non City Community Areas. Districts 2, 3, 5, 9, and Non-City.)

ITEM DESCRIPTION:

Authorization to enter into low interest Drinking Water State Revolving Fund Financing Agreements with the State Water Board to finance the following Projects: Pacific Beach Pipeline South, 69th and Mohawk Pump Station, University Avenue Pipeline Replacement, Morena Reservoir Outlet Tower Upgrade, Lower Otay Outlet Tower, and Miramar Clearwell Improvements. Pacific Beach Pipeline South, 69th and Mohawk Pump Station, University Avenue Pipeline Replacement were previously authorized for financing, however, the State Water Board has since required additional language in the ordinances.

CITY COUNCIL'S RECOMMENDATION:

Adopt the ordinances in Subitems A, B, C, D, E, and F which were introduced on 4/25/2016, Item S401, Subitems A, C, E, G, I, and K. (Council voted 8-0. Council President Pro Tem Emerald not present):

Subitem-A: (O-2016-103 Cor. Copy)

Authorizing the Mayor, or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the City Engineer to approve claims for reimbursement; authorizing the City Engineer, or designee, to execute a Budget and Expenditure Summary; to sign the Final Release Form and to sign the Certification of Project Completion; and pledging and dedicating Net Water Revenues to payment of DWSRF financing for the Miramar Clearwell Improvements Project;

Authorizing the expenditure of an amount not to exceed \$114,000,000 from Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or designee, to apply for, accept, appropriate and expend up to \$114,000,000 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

Subitem-B: (O-2015-116 Cor. Copy 2)

Authorizing the Mayor, or designee, to sign a Financing Agreement, Amendments, and Certification for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the City Engineer, or designee, to approve claims for reimbursement; to execute a Budget and Expenditure Summary; to sign the Final Release Form and to sign the Certification of Project Completion; and pledging and dedicating Net Water Revenues to payment of DWSRF financing for the 69th Street and Mohawk Pump Station Project;

Authorizing the expenditure of an amount not to exceed \$18,800,000 from Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or his designee, to apply for, accept, appropriate and expend up to \$18,800,000 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

Subitem-C: (O-2015-117 Cor. Copy 3)

Authorizing the Mayor or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the City Engineer to approve claims for reimbursement; authorizing the Mayor, or designee, to execute a Budget and Expenditure Summary; to sign the Final Release Form and to sign the Certification of Project Completion; and pledging and dedicating Net Water Revenues to payment of DWSRF financing for the Pacific Beach Pipeline South Project;

Authorizing the expenditure of an amount not to exceed \$38,597,469 from Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or his designee, to apply for, accept, appropriate and expend up to \$38,597,469 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

Subitem-D: (O-2016-104 Cor. Copy)

Amending and authorizing the Mayor, or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the Chief Financial Officer, or designee, to approve claims for reimbursement and to take related actions; and pledging and dedicating Net Water

Revenues to payment of DWSRF financing for the University Avenue Pipeline Replacement Project;

Authorizing the expenditure of an amount not to exceed \$26,000,000 from Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or designee, to apply for, accept, appropriate and expend up to \$26,000,000 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

Subitem-E: (O-2016-101 Cor. Copy)

Authorizing the Mayor, or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the City Engineer to approve claims for reimbursement; authorizing the Mayor, or designee, to execute a Budget and Expenditure Summary; to sign the Final Release Form and to sign the Certification of Project Completion; and pledging and dedicating Net Water Revenues to payment of DWSRF financing for the Lower Otay Outlet Tower Project;

Declaring that the expenditure of an amount not to exceed \$5,505,386 from Water Fund No. 700010;

Authorizing the Chief Financial Officer, or designee, to apply for, accept, appropriate and expend up to \$5,505,386 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

Subitem-F: (O-2016-102 Cor. Copy)

Authorizing the Mayor or designee, to sign a Financing Agreement, Amendments, and Certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the City Engineer to approve claims for reimbursement; authorizing the Mayor, or designee, to execute a Budget and Expenditure Summary; to sign the Final Release Form and to sign the Certification of Project Completion; and pledging and dedicating water revenues to payment of DWSRF financing for Moreno Reservoir Outlet Tower Upgrade Project;

Authorizing the expenditure of an amount not to exceed \$22,200,000 from Water Fund No. 700010, for the purpose of providing funds for the Project;

Authorizing the Chief Financial Officer, or designee, to apply for, accept, appropriate and expend up to \$22,200,000 in DWSRF Funds for reimbursement to the Water Utility Fund for the Project, contingent upon the City Comptroller certifying that the funds are available and contingent upon the financing being secured.

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

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

- * ITEM-60: Establishing a New Tow Away Zone along 5th Avenue between Harbor Drive and Broadway and Amending Municipal Code Section 86.0107. (Downtown Community Area. District 3.)

ITEM DESCRIPTION:

A Resolution to authorize the installation of a tow away zone, effective from 8:00 p.m. to 3:00 a.m. on Friday and Saturday, located along both sides of 5th Avenue between Harbor Drive and Broadway. An Ordinance to authorize the Mayor, or his designee, to amend San Diego Municipal Code Chapter 8, Section 86.0107 to extend existing tow away zone hours between 7:00 a.m. and 7:00 p.m. to the proposed hours of 7:00 a.m. and 3:00 a.m.

STAFF'S RECOMMENDATION:

Introduce the ordinance; and adopt the resolutions:

Subitem-A: (O-2016-87)

Introduction of an Ordinance amending Chapter 8, Article 6, Division 1, of the Municipal Code by amending Section 86.0107 relating to Tow-Away Zones.

Subitem-B: (R-2016-442)

Authorizing the Mayor, or his designee, to establish a tow-away zone on Friday and Saturday between the hours of 8:00 p.m. and 3:00 a.m. on both sides of 5th Avenue between Harbor Drive and Broadway;

Authorizing that the Chief Financial Officer to expend an amount not to exceed \$1,800 from the General Fund, Fund 100000, 211611 Transportation and Storm Water Department Street Division Operating Budget for the installation of a tow-away zone including signs and related markings along both sides of 5th Avenue between Harbor Drive and Broadway, contingent upon the City Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

Declaring that this resolution will take effect on the date that Ordinance O-2016-87 becomes effective.

Subitem-C: (R-2016-627)

Declaring that the creation of a tow-away zone along 5th Avenue between Broadway and Harbor Drive is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The tow away signage along 5th Avenue between Harbor Drive and Broadway will be fabricated and installed by the City of San Diego Street Division at a cost of \$1,800. Funds are available in Street Division's Operating Budget. The Downtown Community Parking District will reimburse Street Division for all costs associated with this project when completed. The Internal Order Number for this Project is 11003576.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on April 6, 2016.

ACTION: Motion by Councilmember Gloria, second by Councilmember Sherman, to introduce the ordinance and adopt the resolution.

VOTE: 4-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-yea.

Caldwell/Graham

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

Secondary Contact\Phone: Elizabeth Studebaker\619-533-4561, MS 56D

City Attorney Contact: Gerrity, Ryan P.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Authorization to award a contract with Vulcan Materials Company (Bid No. 10058074-16-L) to provide a disposal site for excavated materials. (Citywide.)

ITEM DESCRIPTION:

Authorization to award a contract with Vulcan Materials Company (Bid No. 10058074-16-L) to provide a disposal site for excavated materials which consist of any combination of soil, wet soil, rock, dirt, adobe clay, wet adobe clay, concrete with rebar, asphalt, and asphalt with petromat for the Public Utilities Department and Transportation and Storm Water Department.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-438)

Authorizing the Mayor, or his designee, to award a contract with Vulcan Material Company (Bid No. 10058074-16-L) to provide a disposal site, on an as-required basis, for excavated spoil that consists of any combination of soil, wet soil, rock, dirt, adobe clay, wet adobe clay, concrete with rebar, asphalt, and asphalt with petromat, in the amount not to exceed \$9,462,928, for a contract duration of five (5) years, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend a cumulative amount not to exceed \$9,462,928, of which \$7,155,000 is from the Water Utility Operating Fund 700011, \$1,380,000 is from the Muni Sewer Revenue Fund 700000, and \$927,928 is from the Transportation and Storm Water General Fund 100000, over the term of the contract for the purpose of funding the Vulcan Material Company contract, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2016-514)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308, and that an exception to the exemption does not apply;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total amount not to exceed for the five (5) year contract duration is \$9,462,928. Funds are, or will be, available in the amount of \$7,155,000 in the Water Utility Operating Fund 700011, \$1,380,000 in the Muni Sewer Revenue Fund 700000, and \$927,928 in the Transportation and Storm Water General Fund 100000, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Services to be provided on an as-required basis.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on April 14, 2016.

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

VOTE: 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Griffith/Gomez

Primary Contact\Phone: Isam Hireish\619-527-7434, MS 43
Secondary Contact\Phone: Tonia Carnell\619-527-7407, MS 43
City Attorney Contact: Palmucci, Raymond C.

- * ITEM-101: Resolution to increase the City of Inglewood Parking Citation Services contract not-to-exceed amount in Fiscal Year 2016 and 2017 by \$110,000 for each year. (All - The issuance and processing of parking citations is consistent Citywide.)

ITEM DESCRIPTION:

Request approval for a \$110,000 increase in the Fiscal Year 2016 not-to-exceed amount for Agreement No. 12-122 with the City of Inglewood Parking Citations Services bringing the Fiscal Year 2016 not-to-exceed amount to \$1,060,000. This request is contingent upon the City Comptroller first furnishing a certificate certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer. Request authorization for the Chief Financial Officer to expend an amount not to exceed \$1,060,000 in Fiscal Year 2017, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-483)

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,060,000 annually over the remaining term of the contract with the City of Inglewood with funding for each year being contingent upon authorization of the respective fiscal year budget and provided that the Chief Financial Officer certifies in writing that funds are available for this purpose.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This annual increase of \$110,000 to the Agreement will allow the City to continue processing approximately \$26 million in parking citation revenue annually. Authorize the Chief Financial Officer to expend an amount not to exceed \$1,060,000 in FY17, contingent upon the adoption of the FY17 Appropriation Ordinance and contingent upon the City Comptroller first furnishing a certificate certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on April 13,

2016, and approved to be heard at full Council.

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

VOTE: 4-0; Gloria-yea, Cole-yea, Cate-yea, Sherman-yea.

Granewich/Chadwick

Primary Contact\Phone: DeeDeeAlari\619-533-3888

Secondary Contact\Phone: Jonathan Carey\619-533-3610

City Attorney Contact: So, Kenneth R.

* ITEM-102: Authorization to execute a contract with South Bay Fence, Inc., to provide for the installation and repair of fences and safety barriers.

ITEM DESCRIPTION:

Authorize the award of a service contract with South Bay Fence, Incorporated, to provide for the installation and repair of fences and security barriers (Bid No. 100622-16-K) not to exceed \$3,507,500 over a period of five years beginning July 1, 2016, through June 30, 2021.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-591)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a five-year contract with South Bay Fence, Inc., to furnish the City with installation, repair and parts for fences, gates, nets and barriers, under the terms and conditions set forth in the Contract, in an amount not to exceed \$3,507,500 during the term of the Contract;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed \$3,507,500 over the five-year term of the Contract contingent upon the adoption of the Annual Appropriation Ordinance for applicable fiscal years, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION

FISCAL CONSIDERATIONS:

The total amount not to exceed \$3,507,500 for the term of the five (5) year contract. Funding is contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and the requirement of each City Department. Based on historical use, Park and Recreation, Public Utilities, and the Transportation and Stormwater Departments are the primary users (86.5%) of this contract.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on April 20, 2016.

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

VOTE: 4-0; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea.

Field/Graham

Primary Contact\Phone: Shelly Stowell\858-581-7867, MS 36M
Secondary Contact\Phone: Andrew Field\619-235-1110, MS 39
City Attorney Contact: Ferbert, Heather M.

* ITEM-103: Agreement with SANDAG Regarding Sale and Restoration of 21.67 Acres of

Land within the San Dieguito River Valley between El Camino Real and Interstate 5, and Provision of Mitigation Credits to the City. (Del Mar/Torrey Pines, and Carmel Valley Community Areas. District 1.)

ITEM DESCRIPTION:

The San Diego Association of Governments (SANDAG) is pursuing the restoration of land in the San Dieguito River Valley that will convert former agricultural fields to salt water wetlands and enhance and maintain the natural flood control channel for the San Dieguito area. This action will authorize an Agreement between SANDAG and the City for the sale of 21.67 acres of City owned property in the San Dieguito River Valley to SANDAG for habitat restoration. This action will also memorialize SANDAG's commitment to restore up to 20.4 acres of land in the immediate area for the mitigation required for the City's El Camino Real Project.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-640)

Approving the Agreement Regarding Sale of Property, Provision of Mitigation, and Restoration of Land within the San Dieguito River Valley between the San Diego Association of Government and the City of San Diego (Sale Agreement), the terms and conditions of which are fully set forth;

Authorizing the Mayor, or his designee, to execute and deliver the Sale Agreement, and all such other Agreements and instruments required to effect and complete the transactions contemplated by the Sale Agreement authorized by this Resolution;

Authorizing and directing the Chief Financial Officer to accept and deposit the proceeds from the sale of the Property into Capital Outlay Fund No. 400002.

Subitem-B: (R-2016-639)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15325(c), and that an exception to the exemption does not apply;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$1,316,000 from the sale of the Property will be deposited in the Capital Outlay Fund No. 400002.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on April 27, 2016.

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

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Thomson/Villa

Primary Contact\Phone: April McCusker\619-236-6987

Secondary Contact\Phone: Jocker Alejandro\619-236-5548

City Attorney Contact: Ables, Melissa D.

- * ITEM-104: As Needed Environmental Consultant Services Agreement with Ninyo & Moore Related to Site Assessment and Mitigation Activities (H156457). (Citywide.)

ITEM DESCRIPTION:

This action is to authorize an As-Needed Agreement with Ninyo & Moore not-to-exceed \$1,000,000 for five years. The Agreement will provide As-Needed Services related to Site Assessment and Mitigation (SAM) activities related to Unauthorized Release (UR) cases in which the City has been named the responsible party.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-604)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Ninyo & Moore for As-Needed Environmental Engineering Services for site assessment and mitigation activities related to Underground Storage Tank (UST) unauthorized release cases, for a period of five years, in an amount not to exceed \$1,000,000, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,000,000, solely and exclusively, to provide funds for the Agreement, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$6,853.50 from Fund No. 400629, for the purpose of executing the Agreement and meeting minimum contract requirements.

Subitem-B: (R-2016-603)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15330;

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

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Funding for individual task orders will be secured from the specific departments that are responsible for the facilities where the unauthorized release occurred. The remaining UR case has active claims in place with the State Cleanup Fund (Brown Field Airport). For like projects, “seed” funding has previously been secured from the responsible department. Once seed funding has been expended, the TEEM Program submits a claim to the Cleanup Fund for reimbursement of eligible expenses and these funds are then returned to the project to cover costs of subsequent assessment and mitigation phases.

Funding requests to the responsible department will need to be made in instances where the City does not have an active or eligible claim in place with the Cleanup Fund or in instances where residual seed money is insufficient to accomplish mandated assessment or mitigation tasks.

Other than the initial award requested in this action of \$6,853.50, funds are not to be encumbered or expended until such time as specific projects are identified and the City Comptroller certifies that the necessary funds are, or will be, on deposit with the City. It is imperative, however, that the City continues to allocate funds for assessment and mitigation work when requested. Chapter 6.7, Section 25299(d)(1) of the California Health and Safety Codes provides for a civil penalty of up to \$10,000 per day for failure to adhere to corrective action requirements in response to an unauthorized release.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on April 14, 2016.

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

VOTE: 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Sierra/Gomez

Primary Contact\Phone: Craig Fergusson\858-627-3311, MS 1103A

Secondary Contact\Phone: Hamid Fathi\858-573-1292, MS 1103A

City Attorney Contact: Guy, Amanda L.

- * ITEM-105: As-Needed Real Property Appraisal, Acquisition, and Relocation Assistance Agreement with Clark Land Resources, Inc., for the Public Utilities Department (H166608). (Citywide.)

ITEM DESCRIPTION:

This action is for the approval of a five (5) year Agreement with Clark Land Resources, Inc., for As-Needed Real Property Appraisal, Acquisition, and Relocation Assistance to support the Public Utilities Department in an amount not-to-exceed \$3,000,000. The As-Needed Consultant will be used to provide services in the following areas: procure title reports, prepare right-of-way cost estimates, provide and coordinate appraisals, appraisal reviews, acquisition services, residential and business relocation services, final title policies on each parcel purchased, and provide detailed records of all services performed.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-524)

Authorizing the Mayor, or his designee, to execute the As-Needed Real Property Appraisal, Acquisition and Relocation Assistance Agreement with Clark Land Resources, Inc.;

Determining that the As-Needed Real Property Appraisal, Acquisition, and Relocation Assistance Agreement with Clark Land Resources, Inc., is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262;

Declaring that the Agreement shall be for a minimum of \$1,000 and a total amount not to exceed \$3,000,000, with a duration of five (5) years;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$3,000,000 in total from the following Funds: 700001 (Metro Sewer Utility) and 700011 (Water Utility Operating), for the purpose of funding the As-Needed Real Property Appraisal, Acquisition, and Relocation Assistance Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal Year, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2016-528)

Declaring that the Project is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not-to-exceed amount of this contract is \$3,000,000. Funds are, or will be, available in the following Funds: 700001 (Metro Sewer Utility) and 700011 (Water Utility Operating), contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Funds will be allocated on a task order basis.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on April 27, 2016.

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

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Helminski/Gomez

Primary Contact\Phone: Amy Dorman\858-614-5504, MS 901A
Secondary Contact\Phone: Amer Barhoumi\858-292-6364, MS 901A
City Attorney Contact: Leone, Christine M.

- * ITEM-106: Approval of a City of San Diego Consent to Assignment and Agreement and approval of a First Amendment to Percentage Lease of the Fairbanks Ranch Country Club. (Carmel Valley Community Area. District 1.)

ITEM DESCRIPTION:

This action is for approval of a Consent to Assignment and Agreement between Fairbanks Country Club, Inc., and Bay Club Fairbanks Ranch, LLC, for the purchase of its leasehold interest, subject to City approval to enter into a First Amendment of Lease Agreement between the City and Bay Club Fairbanks Ranch, LLC. This action will allow Bay Club Fairbanks Ranch, LLC, to take over operations of the leasehold located at 15150 San Dieguito Road, San Diego, CA.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-632)

Authorizing the Mayor, or his designee, to execute the City of San Diego Consent to Assignment and Agreement between the City of San Diego and Fairbanks Ranch Country Club, Inc., Bay Club Fairbanks Ranch, LLC, and The Bay Clubs Company;

Authorizing the Mayor, or his designee, to execute the First Amendment to Percentage Lease between the City of San Diego and Bay Club Fairbanks Ranch, LLC.

Subitem-B: (R-2016-645)

Adopting an Addendum to Environmental Impact Report No. 81-0401 for the Fairbanks Country Club Lease.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The minimum monthly rent shall be \$62,500 and shall be adjusted every 5 years by 6%. The percentage rents have been adjusted to current market standards and will be paid on a quarterly basis. The Consent to Assignment requires that the outstanding rent of \$634,532.76 to the City be paid in full subject to the rent audit provisions of the lease. The rent revenue will be deposited to the General Fund 100000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on April 27, 2016.

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

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Thompson/Villa

Primary Contact\Phone: Charles Tracy Irvin\619-235-5233

Secondary Contact\Phone: Patti Phillips\619-236-6766

City Attorney Contact: Bevier, Debra J.

* ITEM-107: Retention of Opper & Varco LLP, as Outside Counsel.

ITEM DESCRIPTION:

Approve the As-Needed Agreement between the City of San Diego and Opper & Varco, LLP, for environmental special legal counsel services regarding the former Redevelopment Agency of the City of San Diego's (Former RDA) non-housing assets that have been, or will be, transferred to the City consistent with the Long Range Property Management Plan approved in October 2015.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-567)

Authorizing the retention of Opper & Varco as Outside Counsel for the City on an As-Needed Basis in the Areas of Environmental Law and Hazardous Substances Liability related to non-housing assets of the Former RDA, that have been, or will be, transferred from the Successor Agency to the City, including any legal assistance deemed necessary in connection with the development of any contaminated sites located adjacent to City-owned property;

Approving the Agreement for Legal Services on an As-Needed Basis between the City and Opper & Varco, included as Attachment A to the Executive Summary accompanying this Resolution;

Authorizing and directing the Chief Financial Officer to appropriate, encumber and expend an amount not to exceed \$200,000, commencing in Fiscal Year 2017, from the Successor Agency Property Management Fund, designated as Fund No. 200723, to pay for all services provided by Opper & Varco regarding non-housing matters of the Former RDA that have been, or will be, transferred from the Successor Agency to the City in accordance with the Agreement for Legal Services on an As-Needed Basis between the City and Opper & Varco, 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 in Fiscal Year 2017.

SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

The total cost of the “As-Needed” Agreement with Opper & Varco is \$200,000 and shall be effective beginning in Fiscal Year 2017 and until, but not exceed, June 30, 2020. The costs associated with this Request for Outside Counsel by the City will be borne by the Successor Agency Property Management Fund, Fund No. 200723, including lease revenues and other revenues generated from the properties, once the properties are transferred from the Successor Agency to the City consistent with the Long Range Property Management Plan. A strong basis exists for the Agreement due to Opper & Varco’s institutional knowledge of the Former RDA assets that will allow for continuity and overall costs savings once the assets are transferred to the City.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Pursuant to Resolution No. R-307238, the City Council on May 30, 2012, authorized the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency) to retain Opper & Varco as outside counsel. Pursuant to Resolution No. R- 308674, the City Council on January 2, 2014, authorized the City to retain Opper & Varco as outside counsel regarding the Former RDA’s housing assets.

Bamberg

Primary Contact\City Attorney Contact\Phone: Katherine A. Malcolm\619-533-6430

Secondary Contact\Phone: Kevin Reisch\619-236-7722

* ITEM-108: As-Needed Consultant Agreement with Geosyntec Consultants, Inc., for Disposal Site Water Monitoring Services. (Citywide.)

ITEM DESCRIPTION:

The Environmental Services Department (ESD) is requesting City Council approval of an Agreement, in an amount not to exceed \$1,500,000, with Geosyntec Consultants, Inc. (Geosyntec) to provide As-Needed Services related to groundwater and surface water monitoring at disposal sites, to maintain City of San Diego compliance with applicable regulatory requirements at City disposal sites.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-601)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Geosyntec Consultants, Inc., for As-Needed Environmental Engineering Services related to water monitoring at the City's disposal sites, for a period of five years, in an amount not to exceed \$1,500,000, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,500,000 from Refuse Disposal Fund No. 700039, solely and exclusively, to provide funds for the Agreement, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to appropriate and expend \$1,000 from Refuse Disposal Fund No. 700039, for the purpose of executing the Agreement and meeting minimum contract requirements.

Subitem-B: (R-2016-602)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action will authorize the expenditure of an amount not to exceed \$1,500,000 from the Refuse Disposal Fund No. 700039.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on April 14, 2016.

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

VOTE: 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Sierra/LoMedico

Primary Contact\Phone: Michael D. Thompson\858-492-6151, MS 1103A

Secondary Contact\Phone: Ray Purtee\858-573-1208, MS 1103A

City Attorney Contact: Guy, Amanda L.

- * ITEM-109: Authorize and approve Legal Services Agreement with Gomez Trial Attorneys and Baron & Budd, P.C., for work related to *City of San Diego v. Kemira Chemicals, Inc.*, and any other companies or persons involved in related antitrust activities. (Citywide.)

ITEM DESCRIPTION:

Authorize the execution of the Legal Services Agreement between City of San Diego, Gomez Trial Attorneys and Baron & Budd, P.C., in connection with the claims against Kemira Chemicals, Inc., and any other companies or persons involved in related antitrust activities related to Ferric Chloride and/or Aluminum Sulfate and/or related chemical sales to the City of San Diego.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-638)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the Agreement for Legal Services between the City of San Diego, Gomez Trial Attorneys, and Baron & Budd, P.C., in connection with antitrust and other litigation against Kemira Chemicals, Inc., and any other provider of Ferric Chloride or Aluminum Sulfate to the City of San Diego and any other companies or persons involved in related antitrust activity.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The law firm is being retained on a contingency fee and will be paid out of money that is recovered for the City. The contingency fee is set at 25% of the "Gross Recovery" as defined in the Agreement. The law firm will advance costs and deduct those costs from a net recovery. If there is no net recovery, the City may be obligated to pay its pro rata share of costs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This matter was discussed with the City Council in Closed Session on April 19, 2016.

Bamberg

Primary Contact\City Attorney\Phone: Paul F. Prather\619-533-5815

Secondary Contact\Phone: Jon Taylor\619-235-5958

- * ITEM-110: Ground Lease Agreement - MG Stonewood Garden Apartments located at 3889 Midway Drive, San Diego, California 92110. (Midway/Pacific Highway Community Area. District 2.)

ITEM DESCRIPTION:

Authorize a 40 year Ground Lease with MG Stonewood Garden Apartments, LP, a California Limited Partnership, for the 8.06 acre City owned property located at 3889 Midway Drive, San Diego, California 92110.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-594)

Authorizing and directing the Mayor, or his designee, to execute that certain Percentage Ground Lease with MG Stonewood Garden Apartments L.P., a California Limited Partnership, for 8.06 acres of real property described in the Percentage Ground Lease;

Authorizing the Mayor, or his designee, to execute and deliver all such agreements and all other instruments necessary to effect and complete the transaction contemplated by this Resolution;

Authorizing the Chief Financial Officer to deposit rent revenue and the one-time negotiated amount of \$2,952,000 into General Fund 100000.

Subitem-B: (R-2016-595)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, and that an exception to the exemption does not apply;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

In consideration for this Lease, LESSEE shall pay to the CITY a one-time payment in the amount of \$2,952,000.

The Percentage Rent payable to the City shall be equal to eight and 4/10th percent (8.4%) of all gross income.

The Minimum Monthly Rent for the first five (5) lease year shall be \$22,487.07.

In calendar year 2015, Lessee paid the City \$399,018.13 in Percentage Rent. Ground Lease rents would be deposited into the General Fund 100000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Document No. RR-763729 for the construction and operation of 253 residential apartment units, including 51 reserved for low income housing on August 2, 1978, between the City of San Diego and Gentry & Coles, a General Partnership.

This item was heard at the Smart Growth and Land Use Committee meeting on April 6, 2016.

ACTION: Motion by Councilmember Sherman, second by Councilmember Gloria, to adopt the resolution and authorize the lease.

VOTE: 4-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-yea.

Thompson/Villa

Primary Contact\Phone: Robert E Zolezzi\619-236-6264, MS 51

Secondary Contact\Phone: Patti Phillips\619-236-6766, MS 51

City Attorney Contact: Ferbert, Heather M.

- * ITEM-111: Authorization to purchase land back from the San Diego County Water Authority (SDCWA) and Grant Easement rights to the San Diego County Water Authority upon completion of the San Vicente Emergency Storage Project.

ITEM DESCRIPTION:

Approval of this action will authorize the City of San Diego (“City”) to buy back land originally sold to the San Diego County Water Authority (“SDCWA”) which was necessary for SDCWA’s expansion of the San Vicente Reservoir. As per a May 26, 1998 Agreement between the City and SDCWA, the City is required to purchase back those lands that are no longer necessary for the operation and maintenance of SDCWA facilities upon completion of the expansion Project.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-631)

Authorizing the Mayor, or his designee, to accept and execute the grants for the purchase of approximately 31.601 acres of land from the San Diego County Water Authority as required under the Emergency Storage Project Agreement, authorized by San Diego City Council Ordinance O-18521, adopted on May 26, 1998;

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City of San Diego, the Easement Grant to the San Diego County Water Authority;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$223,669.85 from Water Utility Operating Fund 700011, for the purchase of 31.601 acres of land from the San Diego County Water Authority.

Subitem-B: (R-2016-633)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 and that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The purchase price to be paid for acquiring the land will not exceed \$223,669.85. The funds are available within the existing budget, funding source Water Utility Operating Fund 700011. Allocated funding shall be used for the purpose of land acquisition.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Council Ordinance No. O-18521, adopted on May 26, 1998, authorized the City to enter into an Agreement with San Diego County Water Authority (SDCWA) for the Project. Council Resolution No. R-295747, adopted on November 19, 2001, authorized the May 26, 1998, Agreement between the City and SDCWA for the Project. Council Resolution No. R-308563, adopted on November 21, 2013, authorized the City to execute easement deeds and utility easements necessary for the Project.

This item was heard at the Smart Growth and Land Use Committee meeting on April 27, 2016.

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

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Thompson/Villa

Primary Contact\Phone: Barry Slotten\619-236-6724, MS 51A

Secondary Contact\Phone: April McCusker\619-236-6987, MS 51A

City Attorney Contact: Verdugo, Marco A.

* ITEM-112: CrownAir Holdings, Inc., Forty (40) Year Lease - Montgomery-Gibbs Executive Airport. (Kearny Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Approving this action will allow for the expansion and redevelopment of the leasehold in order to provide a world-class aviation facility that will continue to service general aviation aircraft, attract business and generate economic activity for the region.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-629)

Authorizing and directing the Mayor, or his designee, to execute that certain City of San Diego Flat Rate Lease (Lease) with CrownAir Holdings, Inc., a California Corporation, dba CrownAir Aviation (whose parent is MI Aviation Holdings, LLC), for certain real property at Montgomery-Gibbs Executive Airport, under the terms and conditions set forth in the Lease;

Authorizing the Chief Financial Officer to deposit rent revenue, including the amount of \$624,441 for the deferral of the City's exercise of its reversionary interest in the improvements, into Fund 700033.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The minimum required investment in capital improvements by Lessee is \$3,784,000. Listed below is the rent revenue expected in the first year of the lease.

The \$121,675 increase in revenue is due to the expansion of the leasehold by 3.2 acres along with additional rent received for the deferral of the exercise of City's reversionary interest in all of the improvements existing on the Premises as of May 31, 2016. The Airports Division is forecasting an additional annual increase in rent of approx. \$89,823 when helicopter operations are relocated and an additional 3.79 acres of land are leased to the subject Lessee. The Division will also receive additional revenue of 2% of the value of all consideration payable on a lease or on the full sale price for any buildings or hangars that are leased or sold during the term. This action is also expected to increase Fuel Flowage Fees in future years due to the development of a world-class aviation facility attracting more business to Montgomery-Gibbs Executive Airport. The Airport Enterprise Fund currently receives approximately \$60,000 in Fuel Flowage Fees from this leasehold.

A one-time payment listed below in the amount of \$31,222.05 is the upfront payment towards the

City Improvement Value Reimbursement of \$624,441. This amount is due to the City for the deferral of the exercise of the City’s reversionary interest in all of the improvements existing on the Premises as of May 31, 2016. The remaining amount of \$593,218.95 will be paid to City over the next 25 years with 6% interest in 300 equal payments of \$3,822.12 (including interest). This rent has already been included in the Total Proposed Annual Rent below. These figures are based on a recent appraisal:

Total Proposed Annual Rent	Current Annual Rent	Additional Annual Revenue to Airports	One Time Payment Upon Lease Execution
\$425,065	\$303,390	\$121,675	\$31,222.05

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on April 27, 2016.

ACTION: Motion by Councilmember Sherman, second by Councilmember Gloria, to recommend authorization of lease.

VOTE: 3-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-not present.

Thompson/LoMedico

Primary Contact\Phone: Brandi Mulvey\858-573-1433

Secondary Contact\Phone: Rod Propst\858-573-1441

City Attorney Contact: Mendoza, Hilda R.

- * ITEM-113: Grant application submittal to State of California Coastal Conservancy for the Sunset Cliffs Natural Park Trail and Habitat Restoration Project. (Sunset Cliffs Natural Park Community Area. District 2.)

ITEM DESCRIPTION:

An expedited competitive grant application is being submitted to the Coastal Conservancy for an amount not to exceed \$800,000 in Coastal Conservancy funding for the completion of the construction of the Sunset Cliffs Natural Park Trail and Habitat Restoration Project, located in Sunset Cliffs Natural Park in the adjacent San Diego Communities of Point Loma and Ocean Beach. The Coastal Conservancy requires an approved resolution as part of the grant award process.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-628)

Authorizing the Mayor, or his representative, to make an application to the Conservancy and take all necessary actions to secure grant funding for an amount not to exceed \$800,000 for the completion of the Project;

Approving the award of grant funding from the Conservancy for the Project;

Declaring that the City acknowledges that it has, or will have, sufficient funds to complete the Project and, if any property is acquired as part of the Project to operate and maintain the property, and, if any facilities are constructed as a part of the Project, to operate and maintain the facilities for a reasonable period, not less than the useful life of the facilities;

Agreeing to provide any funds beyond the Conservancy Grant Funds necessary to complete the Project;

Authorizing and directing the Mayor, or his designee, to act as a representative of the City, to negotiate and execute on behalf of the City the Grant Agreement, and all other Agreements and instruments necessary to complete the Project, and to comply with the Conservancy's Grant requirements, including, without limitation, the Grant Agreement;

Agreeing to be bound by all terms and conditions of the Grant Agreement and any other Agreement or instrument as may be required by the Conservancy and as may be necessary to fulfill the terms of the Grant Agreement and to complete the Project;

Authorizing the Chief Financial Officer to accept, appropriate and expend an amount not to exceed \$800,000, if the grant funding is secured;

Authorizing the Chief Financial Officer to increase the Capital Improvement Program Budget in CIP No. S-10091 (Sunset Cliffs Natural Park Hillside Improvements) for an

amount not to exceed \$800,000 for the Project, contingent upon receipt of a fully executed Grant Agreement.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Grant funds are expected to be available by the time the project is scheduled to begin in Summer 2016, with a grant performance period of 2 years. The Coastal Conservancy is a reimbursable Grant Program, which means expenditures would need to be incurred before grant funds are received by the City from the granting agency. The Coastal Conservancy does not require a specific grant match for this project, but is supportive of the project due to the significant amount of funding that the City has put forward in good faith via the Regional Park Improvement Fund. The Conservancy has commented that the City's strong financial commitment to the project is commendable.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: Not applicable.

Parker/Graham

Primary Contact\Phone: Meredith Dawson \619-525-8217, MS 37C

Secondary Contact\Phone: Albert Cuevas\619-533-6518, MS 37C

City Attorney Contact: Mendoza, Hilda R.

* ITEM-114: Coverdell Forensic Science Improvement Grant Program.

ITEM DESCRIPTION:

Authorize the Police Department to apply for, accept, appropriate, and expend \$31,278 in grant funds and any additional funds awarded by the Coverdell Forensic Science Grant Program for a period of five years to fund training for the Department's Crime Laboratory forensic scientist staff.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-576)

Authorizing the Mayor, or his representative, for and on behalf of the City, to apply for and to take all necessary actions to secure funding for an amount of \$31,278, in initial Grant Funds from the Coverdell Forensic Science Improvement Grant Program;

Authorizing the Mayor, or his representative, for and on behalf of the City, to apply for and to take all necessary actions to secure additional Grant Funds from the Coverdell Forensic Science Improvement Grant Program for a period of up to five years, provided the grant and funding is made available;

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount up to \$31,278, in initial Grant Funds authorized by the Coverdell Forensic Science Improvement Grant Program and any Amendments, extensions or renewals of the Grant and Grant Funding for a period of up to five years, provided funding is secured and made available;

Authorizing the Chief Financial Officer to establish a special interest-bearing fund for the Grant, if required;

Declaring that the Chief of Police continue to administer and operate the Coverdell Forensic Science Improvement Grant Program.

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 terminated or depleted.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Resolution R-306277 was adopted on November 16, 2010, which authorized the Mayor to apply for and accept Grant Funds authorized by the Coverdell Forensic Science Improvements Grant Program; and the Chief Financial Officer to appropriate and expend Grant Funds authorized by the Coverdell Forensic Science Improvement Grant Program for a period of up to five years.

Ramirez/Chadwick

Primary Contact\Phone: Jennifer Shen\619-531-2655

Secondary Contact\Phone: Jose Luis Romo\619-531-2739

City Attorney Contact: Folkman, Paige E.

* ITEM-115: Fiscal Year 2016 Neighborhood Reinvestment Program Grant - San Diego Film Program. (Citywide.)

ITEM DESCRIPTION:

This action is to apply for, accept, appropriate, and expend grant funding of \$118,300 and any additional funding awarded through the County of San Diego Fiscal Year 2016 Neighborhood Reinvestment Program to implement Information Technology Configuration, Hardware, and Marketing Support for the San Diego Film Program.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-572)

Authorizing the Mayor, or his designee, to file a grant application to the County, to execute any necessary Grant Agreement, and to take all necessary actions to secure funding for \$118,300 and any additional grant funding awarded under the Program to implement Information Technology Configuration, Hardware, and Marketing Support for the San Diego Film Program;

Authorizing the Chief Financial Officer, or her designee, to accept, appropriate and expend \$118,300 and any additional grant funding awarded under the Program into Fund 600002 (Other), if the grant funding is secured;

Authorizing the Chief Financial Officer, or her designee, to establish a special interest-bearing account for the grant, if required.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No fiscal impact.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

No previous Council or Committee Action.

Wormser/LoMedico

Primary Contact\Phone: Brandy Shimabukuro\619-685-1340, MS 56A

Secondary Contact\Phone: Carolyn Wormser\619-685-1332, MS 56A

City Attorney Contact: So, Kenneth R.

- * ITEM-116: Community Projects, Programs, and Services Funding Allocation to Words Alive for the Read Aloud Program-Spring Book Giveaway. (Title I schools throughout San Diego Districts 1-9).

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from City Council, are requested to allow the Mayor, or his designee, to enter into an Agreement Words Alive for an amount not to exceed \$4,050 for the Read Aloud Program-Spring Book Giveaway.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-577)

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 2016 City Council Allocations Agreement between the City of San Diego and Words Alive (Agreement) in an amount not to exceed \$4,050 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 \$4,050 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1102110002, Council District 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:

\$4,050 in Council Community Projects, Programs and Services Funding from Council District 2: Fund No. 100000, Cost Center No. 1102110002, will be used for the Read Aloud Program-Spring Book Giveaway.

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-117: Community Projects, Programs, and Services Funding Allocation to Friends of Balboa Park for Alcazar Garden Historical Sign. (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 Friends of Balboa Park for an amount not to exceed \$5,500 for Alcazar Garden Historical Sign.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-586)

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 2016 City Council Allocations Agreement between the City of San Diego and the Friends of Balboa Park (Agreement) in an amount not to exceed \$5,500 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 \$5,500 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1103110003, Council District 3, 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:

\$5,500 in City Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1103110003, will be used for Alcazar Garden Historical Sign.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-118: Arts, Culture, and Community Festivals Funding Allocation to the El Cajon Boulevard Business Improvement Association for a promotional video and event furniture. (City Heights, Kensington, Normal Heights, North Park, Talmadge, and University Heights Community Areas. Districts 3 and 9.)

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 El Cajon Boulevard Business Improvement Association for an amount not to exceed \$3,000 for a promotional video and event furniture.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-637)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement between the City of San Diego and the El Cajon Boulevard Business Improvement Association (Agreement) in an amount not to exceed \$3,000 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 \$3,000 from Council District 3: Fund No. 200205, Cost Center No. 1414111214, 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;

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”;

Declaring that the allocation described Project described herein is made to provide access in culture and the arts for residents of, and visitors to, San Diego, and enrich the lives of the people of San Diego and build healthy, vital neighborhoods.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$3,000 in Arts, Culture, and Community Festivals Funding from Fund No. 200205/Cost Center No. 1414111214, will be used for a promotional video and event furniture.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

* ITEM-119: City Council Community Projects, Programs, and Services Funding Allocation to Veterans Memorial Center Inc., for the 2015 Veterans Day Parade. (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 2 and 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Veterans Memorial Center Inc., for an amount not to exceed \$10,000 for the 2015 Veterans Day Parade.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-621)

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 2016 City Council Allocations Agreement between the City of San Diego and the Veterans Memorial Center Inc. (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 \$5,000 from Council District 2: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002 and \$5,000 from Council District 3: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1103110003, 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 Funds/Cost Centers:

CD2: Fund No. 100000, Cost Center No. 1102110002, \$5,000

CD3: Fund No. 100000, Cost Center No. 1103110003, \$5,000,

for the purpose of funding the 2015 Veterans Day Parade.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-120: City Council Community Projects, Programs, and Services Funding Allocation to the Pioneer Hook & Ladder Company for a Roll-up Door Replacement. (Little Italy 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 Pioneer Hook & Ladder Company for an amount not to exceed \$5,000 for a Roll-up Door Replacement.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-610)

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 2016 City Council Allocations Agreement between the City of San Diego and the Pioneer Hook & Ladder Company (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, Council District 3 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 Council District 3 Fund No. 100000, Cost Center No. 1103110003, will be used for a Roll-up Door Replacement.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-121: Arts, Culture, and Community Festivals Funding Allocation to Alternative Healing Network, Inc., for Art Around Adams. (Kensington, Normal Heights, and University Heights Community Areas. Districts 3 and 9.)

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 Alternative Healing Network, Inc., for an amount not to exceed \$2,000 for Art Around Adams.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-618)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement between the City of San Diego and Alternative Healing Network (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 Council District 3: Fund No. 200205, Cost Center No. 1414111214, 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;

Declaring that the allocation described Project described herein is made to provide access in culture and the arts for residents of, and visitors to, San Diego, and enrich the lives of the people of San Diego and build healthy, vital neighborhoods.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$2,000 in Arts, Culture, and Community Festivals Funding from Fund No. 200205/Cost Center No. 1414111214, will be used for Art Around Adams.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-122: Community Projects, Programs, and Services Funding Allocation to Depositing Empowerment Through Outreach and Urban Development (DETOUR) for F.A.N.C.Y. Teen Girls Expo. (Southeastern San Diego Community Area. District 4.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 4, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Depositing Empowerment Through Outreach and Urban Development (DETOUR) for an amount not to exceed \$1,000 for F.A.N.C.Y. Teen Girls Expo.

COUNCILMEMBER COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-569)

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

Waiving Council 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 2016 City Council Allocations Agreement between the City of San Diego and DETOUR (Agreement) in an amount not to exceed \$1,000 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 the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1104110004, 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:

\$1,000 in City Council Community Projects, Programs, and Services Funding from Council District 4 Fund No. 100000, Cost Center No. 1104110004, will be used for F.A.N.C.Y. Teen Girls Expo.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Slack

Primary Contact\Phone: Jimmie Slack\619-236-6644, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-123: City Council Community Projects, Programs, and Services Funding Allocation to the Diamond Business Association, Inc., for Design: Holiday Lights Over I-805 and I-94 Bridges. (Chollas View, Emerald Hills, Encanto, Lincoln Park, Oak Park, Valencia Park, and Webster Community Areas. District 4.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 4, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Diamond Business Association, Inc., for an amount not to exceed \$5,000 for Design: Holiday Lights Over I-805 and I-94 Bridges.

COUNCILMEMBER COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-617)

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 2016 City Council Allocations Agreement between the City of San Diego and the Diamond Business Association, Inc. (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. 1104110004, Council District 4, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1104110004, will be used for Design: Holiday Lights Over I-805 and I-94 Bridges.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Slack

Primary Contact\Phone: Jimmie Slack\619-236-6644, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-124: City Council Community Projects, Programs, and Services Funding Allocation to the Urban League of San Diego County for the Community Assistance Support Team (CAST). (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 4 and 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Urban League of San Diego County for the Community Assistance Support Team (CAST).

COUNCILMEMBER COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-611)

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 2016 City Council Allocations Agreement between the City of San Diego and the Urban League of San Diego County (Agreement) in an amount not to exceed \$8,000 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 Council District 4: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1104110004, Council District 4; and \$3,000 from Council District 8: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1108110008, Council District 8; 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:

\$8,000 in City Council Community Projects, Programs, and Services Funding from:

\$5,000 from CD 4: Fund No. 100000/Cost Center No. 1104110004

\$3,000 from CD 8: Fund No. 100000/Cost Center No. 1108110008

the Community Assistance Support Team (CAST).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Slack

Primary Contact\Phone: Jimmie Slack\619-236-6644, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-125: Arts, Culture, and Community Festivals Funding Allocation to Scripps Ranch Civic Association for Scripps Ranch Community Fair. (Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada Community Areas. District 5.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Scripps Ranch Civic Association for an amount not to exceed \$10,000 for the Scripps Ranch Community Fair.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-581)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, with the Scripps Ranch Civic Association (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 \$10,000 from Council District 5: Fund No. 200205, Cost Center No. 1414111216, 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;

Declaring that the allocation described Project, described herein is made to provide access in culture and the arts for residents of, and visitors to, San Diego, and enrich the lives of the people of San Diego and build healthy, vital neighborhoods.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Arts, Culture, and Community Festivals Funding from Fund No. 200205, Cost Center No. 1414111216, will be used for the Scripps Ranch Community Fair.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bouteller

Primary Contact\Phone: Patrick Bouteller\619-236-6655, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-126: City Council Community Projects, Programs, and Services Funding Allocation to the Support The Enlisted Project, Inc. (STEP) for the STEP and Wounded Warriors Caregivers Program. (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Support The Enlisted Project, Inc. (STEP) for an amount not to exceed \$5,000 for the STEP and Wounded Warriors Caregivers Program.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-579)

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 2016 City Council Allocations Agreement between the City of San Diego and Support The Enlisted Project, Inc. (STEP) (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. 1105110005, Council District 5, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for the Support The Enlisted Project, Inc. (STEP) and Wounded Warriors Caregivers Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bouteller

Primary Contact\Phone: Patrick Bouteller\619-236-6655, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-127: City Council Community Projects, Programs, and Services Funding Allocation to the Rancho Bernardo Business Association for the Save the Lake Campaign in Webb Park. (Rancho Bernardo Community Area. District 5.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Rancho Bernardo Business Association for an amount not to exceed \$10,000 for the Save the Lake Campaign in Webb Park.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-608)

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 2016 City Council Allocations Agreement between the City of San Diego and the Rancho Bernardo Business Association (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 \$10,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1105110005, Council District 5, 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.

Subitem-B: (R-2016-636)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3);

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for the Save the Lake Campaign in Webb Park.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bouteller

Primary Contact\Phone: Patrick Bouteller\619-236-6655, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-128: City Council Community Projects, Programs, and Services Funding Allocation to the Los Rancheros Kiwanis Club Foundation, Inc., for the Rancho Bernardo Community Fields Tot Lot Renovation. (Carmel Mountain, Rancho Bernardo, and Rancho Peñasquitos Community Areas. District 5.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Los Rancheros Kiwanis Club Foundation for an amount not to exceed \$50,000 for the Rancho Bernardo Community Fields Tot Lot Renovation.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-609)

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 2016 City Council Allocations Agreement between the City of San Diego and the Los Rancheros Kiwanis Club Foundation, Inc., (Agreement) in an amount not to exceed \$50,000 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 \$50,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1105110005, Council District 5, 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.

Subitem-B: (2016-615)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 (replacement or reconstruction) and that an exception to the exemption does not apply;

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$50,000 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for the Rancho Bernardo Community Fields Tot Lot Renovation.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bouteller

Primary Contact\Phone: Patrick Bouteller\619-236-6655, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-129: City Council Community Projects, Programs, and Services Funding Allocation to Mira Mesa Instrumental Music Boosters, Inc., for critical capital needs for the Mira Mesa High School Band and Color Guard. (Mira Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Mira Mesa Instrumental Music Boosters, Inc., for an amount not to exceed \$2,500 for critical capital needs for the Mira Mesa High School Band and Color Guard.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-571)

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 2016 City Council Allocations Agreement between the City of San Diego and the Mira Mesa Instrumental Music Boosters, Inc., (Agreement) in an amount not to exceed \$2,500 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 \$2,500 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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:

\$2,500 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for critical capital needs for the Mira Mesa High School Band and Color Guard.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-130: City Council Community Projects, Programs, and Services Funding Allocation to the Mira Mesa Town Council as fiscal agent for Hometown Efforts to Rescue Our Endangered Society (HEROES) for community improvements and assisting seniors and low-income families. (Mira Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Mira Mesa Town Council as fiscal agent for Hometown Efforts to Rescue Our Endangered Society (HEROES) for an amount not to exceed \$3,000 for community improvements and assisting seniors and low-income families.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-587 Cor. Copy)

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 2016 City Council Allocations Agreement between the City of San Diego and the Mira Mesa Town Council (Agreement) in an amount not to exceed \$3,000 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 \$3,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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:

\$3,000 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for community improvements and assisting seniors and low-income families.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry Jennifer L.

- * ITEM-131: Community Projects, Programs, and Services Funding Allocation to the YMCA of San Diego County for the Single Marine and Toby Wells YMCA Community

Service Project. (Clairemont, Kearny Mesa, and Mira Mesa Community Areas.
District 6.)

ITEM DESCRIPTION

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to entire into an Agreement with YMCA of San Diego County for an amount not to exceed \$15,000 for the Single Marine and Toby Wells YMCA Community Service Project.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-589)

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 2016 City Council Allocations Agreement between the City of San Diego and the YMCA of San Diego (Agreement) in an amount not to exceed \$15,000 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 \$15,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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:

\$15,000 in Council District 6 Community Programs, Projects, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, for the Single Marine and Toby Wells YMCA Community Service Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-132: City Council Community Projects, Programs, and Services Funding Allocation to the National Asian American Coalition for the Asian Cultural Festival of San Diego. (Mira Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor ,or his designee, to enter into an Agreement with National Asian American Coalition for an amount not to exceed \$5,000 for the Asian Cultural Festival of San Diego.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-582)

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 2016 City Council Allocations Agreement between the City of San Diego and the National Asian American Coalition (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 1106110006, Council District 6, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for the Asian Cultural Festival of San Diego.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-133: Community Projects, Programs and Services Funding Allocation to the Clairemont Town Council for Community Entrance Sign. (Clairemont Community Area. District 6.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Clairemont Town Council for an amount not to exceed \$15,000 for Community Entrance Sign.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-585)

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 2016 City Council Allocations Agreement between the City of San Diego and the Clairemont Town Council (Agreement) in an amount not to exceed \$15,000 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 \$15,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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.

Subitem-B: (R-2016-600)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 (replacement or reconstruction) and that an exception to the exemption does not apply;

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$15,000 in City Council Community Projects, Programs, and Services Funding from Council District 6: Fund No. 100000, Cost Center No. 1106110006, will be used for Community Entrance Sign.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-134: Community Projects, Programs and Services Funding Allocation to RISE Urban Leadership Institute of San Diego for the RISE Urban Leadership Fellows Program. (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocations from Council Districts 1, 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 RISE Urban Leadership Institute of San Diego for an amount not to exceed \$10,500 for the RISE Urban Leadership Fellows Program.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-502)

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 2016 City Council Allocations Agreement between the City of San Diego and the RISE Urban Leadership Institute of 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 \$3,000 from Council District 1: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1101110001; \$5,000 from Council District 6: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1106110006; \$2,500 from Council District 7: Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1107110007, 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:

\$10,500 in City Council Community Projects, Programs, and Services Funding from:

\$3,000 from CD 1: Fund No. 100000/Cost Center No. 1101110001
\$5,000 from CD 6: Fund No. 100000/Cost Center No. 1106110006
\$2,500 from CD 7: Fund No. 100000/Cost Center No. 1107110007,

will be used for the RISE Urban Leadership Fellows Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-135: Community Projects, Programs, and Services Funding Allocation to the Mira Mesa Town Council for the Marauder Way Street Renaming. (Mira Mesa Community Area. District 6.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Mira Mesa Town Council for an amount not to exceed \$3,900 for the Marauder Way Street Renaming.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-623)

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 2016 City Council Allocations Agreement between the City of San Diego and the Mira Mesa Town Council Inc. (Agreement) in an amount not to exceed \$3,900 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 \$3,900 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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:

\$3,900 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for the Marauder Way Street Renaming.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

* ITEM-136: Arts, Culture, and Community Festivals Funding Allocation to the House of the Philippines for the New Cottage Campaign. (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the House of the Philippines for an amount not to exceed \$5,000, for the New Cottage Campaign.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-620)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement between the City of San Diego and House of Philippines (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 Council District 6: Fund No. 200205, Cost Center No. 1414111217, 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;

Declaring that the allocation described Project described herein is made to provide access in culture and the arts for residents of, and visitors to, San Diego, and enrich the lives of the people of San Diego and build healthy, vital neighborhoods.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Arts, Culture, and Community Festivals Funding from Fund No. 200205, Cost Center No. 1414111217, will be used for the New Cottage Campaign.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-137: Community Projects, Programs, and Services Funding Allocation to the YMCA of San Diego County for the Rancho Family YMCA PQ Certified Farmers Market. (San Pasqual, Rancho Bernardo, Black Mountain Ranch, Torrey Highlands, Sabre Springs, Rancho Peñasquitos, Miramar Ranch North, Scripps Ranch, Rancho Encantada, Mira Mesa, and Sorrento Valley Community Areas. Districts 5 and 6.)

ITEM DESCRIPTION:

Approval of the funding allocations from Council Districts 5 and 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the YMCA of San Diego County for an amount not to exceed \$10,000 for the Rancho Family YMCA PQ Certified Farmers Market.

COUNCILMEMBER CATE'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-619)

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 2016 City Council Allocations Agreement between the City of San Diego and the YMCA of San Diego County (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 \$5,000 from Council District 5: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1105110005; and \$5,000 from Council District 6: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, 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 City Council Community Projects, Programs, and Services Funding from:

\$5,000 from CD5: Fund No. 100000/Cost Center No. 1105110005

\$5,000 from CD6: Fund No. 100000/Cost Center No. 1106110006,

will be used for the Rancho Family YMCA PQ Certified Farmers Market.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-138: Community Projects, Programs, and Services Funding Allocation to Tierrasanta Village of San Diego for Senior Services. (Tierrasanta Community Area. District 7.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Tierrasanta Village of San Diego for an amount not to exceed \$5,000 for Senior Services.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-578)

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

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 2016 City Council Allocations Agreement between the City of San Diego and the Tierrasanta Village of San Diego (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. 1107110007, Council District 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:

\$5,000 in City Council Community Projects, Programs, and Services Funding from Council District 7: Fund No. 100000, Cost Center No. 1107110007, will be used for Senior Services.

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-139: Community Projects, Programs, and Services Funding Allocation to the Empower

Charter School for safety upgrades to facility. (Clairemont, Linda Vista, Mission Valley, and Serra Mesa Community Areas. Districts 6 and 7.)

ITEM DESCRIPTION

Approval of the funding allocation from Council District 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Empower Charter School for an amount not to exceed \$3,500 for safety upgrades to facility.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-588)

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 2016 City Council Allocations Agreement between the City of San Diego and Empower Charter School (Agreement) in an amount not to exceed \$3,500 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 \$3,500 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1107110007, Council District 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:

\$3,500 in City Council Community Projects, Programs, and Services Funding from Council District 7: Fund No. 100000, Cost Center No. 1107110007, will be used for safety upgrades to facility.

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-140: Community Projects, Programs, and Services Funding Allocation to The Vietnamese Federation of San Diego for the San Diego Tet Festival 2016 - Cultural Village. (Clairemont Mesa, Linda Vista, Mira Mesa, and Scripps Ranch Community Areas. Districts 5, 6, and 7.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The Vietnamese Federation of San Diego for an amount not to exceed \$2,500 for the San Diego Tet Festival 2016 - Cultural Village.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-607)

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 2016 City Council Allocations Agreement between the City of San Diego and the Vietnamese Federation of San Diego (Agreement) in an amount not to exceed \$2,500 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 \$2,500 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1107110007, Council District 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:

\$2,500 in City Council Community Projects, Programs, and Services Funding from Council District 7, Fund No. 100000, Cost Center No. 1107110007, will be used for the San Diego Tet Festival 2016 - Cultural Village.

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-141: City Council Community Projects, Programs, and Services Funding Allocation to The League of Extraordinary Scientists and Engineers for the King-Chavez Academy of Excellence Discovery Garden. (Logan Heights Community Area. District 8.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The League of Extraordinary Scientists and Engineers for an amount not to exceed \$1,800 for the King-Chavez Academy of Excellence Discovery Garden.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-570)

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 2016 City Council Allocations Agreement between the City of San Diego and the League of Extraordinary Scientists and Engineers (Agreement) in an amount not to exceed \$1,800 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 \$1,800 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1108110008, Council District 8, 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:

\$1,800 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1108110008, will be used for the King-Chavez Academy of Excellence Discovery Garden.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-142: Arts, Culture, and Community Festivals Funding Allocation to Izcalli, Escuela De La Raza for Teatro IZCALLI 20th Anniversary: Celebration of Chicano Theater. (Citywide.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Izcalli, Escuela De La Raza for an amount not to exceed \$1,500 for Teatro IZCALLI 20th Anniversary: Celebration of Chicano Theater.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-580 Cor. Copy 2)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement between the City of San Diego and Izcalli, Escuela De La Raza (Agreement) in an amount not to exceed \$1,500 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 \$1,500 from Council District 8: Fund No. 200205, Cost Center No. 1414111219, 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;

Waiving Council Policy 100-23, 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";

Declaring that the allocation described Project described herein is made to provide access in culture and the arts for residents of, and visitors to, San Diego, and enrich the lives of the people of San Diego and build healthy, vital neighborhoods.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$1,500 in Arts, Culture, and Community Festivals Funding from Fund No. 200205/Cost Center No. 1414111219, will be used for Teatro IZCALLI 20th Anniversary: Celebration of Chicano Theater.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A

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

City Attorney Contact: Berry, Jennifer L.

- * ITEM-143: City Council Community Projects, Programs, and Services Funding Allocation to Labor's Training and Community Development Alliance dba Employee Rights Center for ERC25. (Barrio Logan, Logan Heights, and City Heights Community Areas. Districts 8 and 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Labor's Training and Community Development Alliance dba Employee Rights Center for an amount not to exceed \$5,000 for ERC25.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-624)

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 2016 City Council Allocations Agreement between the City of San Diego and the Labor's Training and Community Development Alliance (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. 1108110008, Council District 8, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1108110008, will be used for ERC25.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-144: City Council Community Projects, Programs, and Services Funding Allocation to the Pazzaz, Inc., for All American Soapbox Derby. (Sherman Heights Community Area. District 8.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Pazzaz, Inc., for an amount not to exceed \$2,500 for the All American Soapbox Derby.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-626)

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 2016 City Council Allocations Agreement between the City of San Diego and Pazzaz Inc. (Agreement) in an amount not to exceed \$2,500 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 \$2,500 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1108110008, Council District 8, 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:

\$2,500 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1108110008, will be used for the All American Soapbox Derby.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-145: City Council Community Projects, Programs, and Services Funding Allocation to the Sherman Heights Community Center for the Sherman Heights Banner District Program. (Sherman Heights Community Area. District 8.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Sherman Heights Community Center for an amount not to exceed \$5,000 for the Sherman Heights Banner District Program.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-622)

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 2016 City Council Allocations Agreement between the City of San Diego and the Sherman Heights Community Center Corporation (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. 1108110008, Council District 8, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1108110008, will be used for the Sherman Heights Banner District Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-146: City Council Community Projects, Programs, and Services Funding Allocation to Via International Inc., for the Logan Heights Community Garden. (Barrio Logan, Logan Heights, and Sherman Heights Community Areas. District 8.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 8, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Via International Inc., for an amount not to exceed \$5,000 for the Logan Heights Community Garden.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-612)

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 2016 City Council Allocations Agreement between the City of San Diego and Via International Inc. (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. 1108110008, Council District 8, 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 Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1108110008, will be used for the Logan Heights Community Garden.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Schmidt

Primary Contact\Phone: Travis Knowles\619-236-6688, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry Jennifer L.

- * ITEM-147: City Council Community Projects, Programs, and Services Funding Allocation to the City Heights Town Council for operating costs, as well as the fiscal agent for the Ridgeview Neighborhood Association and the Ridgeview Community Garden. (City Heights Community Area. District 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 9, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the City Heights Town Council for an amount not to exceed \$2,000 for operating costs, as the fiscal agent for Ridgeview Neighborhood Association for an amount not to exceed \$700 for the Fall Block Party, and as the fiscal agent for the Ridgeview Community Garden for an amount not to exceed \$1,000 for infrastructure improvements and plant materials.

COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-634)

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 2016 City Council Allocations Agreement between the City of San Diego and City Heights Town Council, Inc. (Agreement) in an amount not to exceed \$1,000 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 the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1109110009, Council District 9, 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.

Subitem-B: (R-2016-625)

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 2016 City Council Allocations Agreement between the City of San Diego and the City Heights Town Council, Inc. (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. 1109110009, Council District 9, 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.

Subitem-C: (R-2016-635)

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 2016 City Council Allocations Agreement between the City of San Diego and the City Heights Town Council, Inc. (Agreement) in an amount not to exceed \$700 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 \$700 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1109110009, Council District 9, 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:

\$3,700 in Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1109110009, will be used for operating costs, the Ridgeview Neighborhood Association Fall Block Party, and the Ridgeview Community Garden infrastructure improvements and plant materials.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Flores

Primary Contact\Phone: Ricardo Flores\619-236-6699, MS 10A
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A
City Attorney Contact: Berry, Jennifer L.

- * ITEM-148: Settlement of an action involving a Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief against the City of San Diego and the San Diego Police Department following a California Public Records Act Request.

ITEM DESCRIPTION:

This is a claim for declaratory and injunctive relief as alleged by First Amendment Coalition following a California Public Records Acts request that it submitted in October 2014. The proposed settlement would resolve all claims brought by First Amendment Coalition.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-551)

Authorizing the sum of \$70,000 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, including attorney fees, against the City, its agents and employees, arising from the Litigation;

Authorizing the Chief Financial Officer to appropriate and expend \$70,000 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 \$70,000 payable to the Law Offices of Kelly Aviles Client Trust Account.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement will be paid from the Public Liability Fund No. 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on February 23, 2016.

Bamberg

Primary Contact\City Attorney Contact\Phone: Christina M. Milligan, 619-235-5895, MS 59

Secondary Contact\Phone: Ginger Botha\619-533-6372, MS 59

* ITEM-149: Settlement of personal injury claim of Joetta Muhlenkamp, Risk Management File No. 9883.

ITEM DESCRIPTION:

This is a complaint for personal injuries suffered by Joetta Muhlenkamp as the result of a trip and fall. The proposed settlement will resolve all claims brought by Joetta Muhlenkamp.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-556 Cor. Copy)

Authorizing the sum of \$155,000 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, including attorney fees, against the City, its agents and employees, arising from the Litigation;

Authorizing the Chief Financial Officer to appropriate and expend the amount of \$155,000 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 Comptroller to issue a check in the amount of \$155,000 made payable to the George Arvanitis Client Trust Account.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$155,000 will be paid from the Public Liability Fund No. 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was approved in Closed Session on April 12, 2016.

Bamberg

Primary Contact\City Attorney Contact\Phone: Catherine L. Turner\619-533-6486

Secondary Contact\Phone: Natasha McBride\619-533-5808

* ITEM-150: Settlement of personal injury claim of Brian Aufmann, Risk Management File No. 8833.

ITEM DESCRIPTION:

This is a complaint for personal injuries suffered by Brian Aufmann as the result of his arrest on October 17, 2012. The proposed settlement would resolve all claims brought by Brian Aufmann.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-560)

Authorizing the Mayor, or his designee, to pay the sum of \$75,000 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 claim of *Brian Aufmann v. San Diego Police Department, et al*, United States District Court Case No. 13cv1613 JLS (PCL);

Authorizing the Chief Financial Officer to appropriate and expend \$75,000 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 \$75,000, made payable to Brian Aufmann.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$75,000 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 April 12, 2016.

Bamberg

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

* ITEM-151: Appointment to the San Diego Regional Airport Authority.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-614)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a Board member of the San Diego County Regional Airport Authority, for a term expiring as indicated:

NAME

TERM ENDING

Councilmember Mark Kersey
(District 5)
(Filling the seat previously held
by Councilmember David Alvarez)

January 31, 2019

* ITEM-152: Resolution Terminating the Continued State of Emergency regarding Anticipated El Niño Weather Conditions. (Citywide.)

ITEM DESCRIPTION:

Terminate the Continued State of Emergency regarding Anticipated El Niño Weather Conditions.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2016-597)

Terminating the continued state of emergency regarding anticipated El Niño weather conditions, pursuant to California Government Code Section 8630(d).

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On October 7, 2015, the Environment Committee unanimously moved to direct the City Attorney to draft a local state of emergency in anticipation of heavy winter storms related to forecasted El Niño weather conditions and that Council request that the Governor also declare a state of emergency.

On November 16, 2015, the City Council unanimously adopted Resolution No. R-310079, proclaiming the existence of a local state of emergency regarding anticipated El Niño weather conditions and requested that the Governor also declare a state of emergency.

The City Council re-affirmed the existence of a local state of emergency regarding anticipated El Niño weather conditions by resolution (final date of passage) on December 2, 2015, December 18, 2015, January 28, 2016, February 18, 2016, March 23, 2016, and April 13, 2016.

Smith

Primary Contact\Phone: Kevin Smith\619-236-6688

Secondary Contact\City Attorney Contact\Phone: Davin A. Widgerow\619-533-5833

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: National Public Works Week.

PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT LIGHTNER:

Proclaiming May 15 - May 21, 2016, to be "National Public Works Week" in the City of San Diego.

ITEM-31: Emergency Medical Services Week.

PRESENTED BY COUNCIL PRESIDENT LIGHTNER AND COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming May 15 - 21, 2016, to be "Emergency Medical Services Week" in the City of San Diego in recognition of the value and accomplishments of our emergency medical services system.

ITEM-32: Foster Care Awareness Month.

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming May 17, 2016, to be "Foster Care 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: American Distilling Institute Day.

MAYOR FAULCONER'S AND COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming April 5, 2016, to be "American Distilling Institute Day" in the City of San Diego.

ITEM-34: Belle Nunley Day.

COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming April 28, 2016, to be "Belle Nunley 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

ITEM-330: City Auditor's Performance Audit of the Street Preservation Ordinance. (Citywide.)

TODAY'S ACTION IS:

Receive the City Auditor's Performance Audit of the Street Preservation Ordinance.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented to the Audit Committee on March 9, 2016.

ACTION: Motion by Hebrank, second by Committee Member Valdivia, to accept the report and forward to Council with direction to the departments to respond to questions raised by Committee Member Valdivia and to return in July with an update.

VOTE: 5-0; Sherman-yea, Zapf-yea, Hebrank-yea, Spencer-yea, Valdivia-yea.

No changes have been made to the report since it was presented to the Committee.

Luna

Primary Contact\Phone: Danielle Knighten\619-533-3032

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

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMSRESOLUTIONS:

ITEM-331: Appropriations of Additional Funding to the Mission Beach Boardwalk Bulkhead Project. (Mission Beach Community Area. District 2.)

ITEM DESCRIPTION:

Council authorization is requested to transfer appropriations in the amount of \$1,100,000 to the Mission Beach Boardwalk Bulkhead Project. As construction activities progressed, many unforeseen changes to the Project accumulated such as historical requirements for concrete scoring, dimensional layouts of the parapet wall to match the original, construction of a sand berm for protection of the Boardwalk and Belmont Park businesses from high tides and surges, temporary lighting of the Boardwalk during construction, filling voids beneath the Boardwalk, and other unforeseen conditions.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-568 Cor. Copy)

Authorizing the Chief Financial Officer to transfer an amount not to exceed \$1,200,000 from CIP A-ID.00005, Resurfacing of City Streets, to CIP S-00726, Mission Beach Boardwalk Bulkhead Project within Fund 400860;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,200,000 from CIP S-00726, Mission Beach Boardwalk Bulkhead, Fund 400860, PFFA Lease Revenue Bond 2015B-Project, contingent upon the Chief Financial Officer providing one or more certificates that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to negotiate and execute change orders to the Project construction contract that are greater than \$500,000 individually, up to the \$1,200,000 CIP Budget increase authorized herein, contingent upon the Chief Financial Officer providing one or more certificates that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action will authorize the total project cost of \$5,532,101.50 of which \$1,100,000 is for this action, \$1,351,213.50 is for engineering, \$2,600,888 is for construction, \$480,000 is for contingencies. The funds for this action, in an amount not to exceed \$1,100,000 are available from CIP A-ID.00005, Resurfacing of City Streets, Fund 400860, PFFA Lease Revenue Bonds 2015B-Projects.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Gibson/Gomez

Primary Contact\Phone: Jamal Batta\619-533-7482, MS 908A

Secondary Contact\Phone: William Meredith\619-533-5418, MS 908A

City Attorney Contact: Jung, Jeremy A.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-332: Vista Terrace Hills - Preliminary Bond Items Tax Equity & Fiscal Responsibility Act Public Hearing - Vista Terrace Hills. (District 8.)

ITEM DESCRIPTION:

Take the initial steps to issue Housing Authority of the City of San Diego (Housing Authority) multifamily housing revenue bonds to fund the acquisition and rehabilitation of Vista Terrace Hills, a 262-unit multifamily affordable housing rental development, located in the San Ysidro Community, which will remain affordable for 55 years.

That the San Diego City Council hold a Tax Equity & Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt multifamily mortgage revenue bonds in an amount up to \$100,000,000 for Vista Terrace Hills.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-533)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approves the issuance of the Bonds by the Housing Authority of the City of San Diego (Authority);

Declaring that the City does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds;

Declaring that the proposed rehabilitation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines because the Project is an existing facility and the proposed actions do not involve expansion of the existing use.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action are included in the Housing Authority of the City of San Diego (Housing Authority)-approved Fiscal Year (FY) 2016 San Diego Housing Commission (Housing Commission) Budget. Approving this action will not change the FY 2016 Total Budget.

Funding sources approved by this action will be as follows:

Bond Issuance Fees - \$250,000

Funding uses approved by this action will be as follows:

Rental Housing Finance Program Administration Costs - \$250,000

Approval of the Bond Inducement and Tax Equity and Fiscal Responsibility Act (TEFRA) resolutions does not commit the Housing Authority to issue bonds. The bonds would not constitute a debt of the City. If bonds are ultimately issued for the development, the bonds will not financially obligate the City, the Housing Authority or the Housing Commission because security for the repayment of the bonds will be limited to specific private revenue sources of the development. Neither the faith and credit nor the taxing power of the City or the Housing Authority would be pledged to the payment of the bonds. The developer is responsible for the payment of all costs under the financing, including the Housing Commission's Annual Administrative fee, as well as Housing Commission Bond Counsel and Financial Advisor fees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The San Diego Housing Commission on November 17, 2000, (HCR00-111) and the Housing Authority on December 12, 2000, (HA Resolution No. 1077) approved a \$1,200,000 residual receipts loan for Vista Terrace Hills, which has been repaid.

On April 8, 2016, the Housing Commission's Board of Commissioners voted 6-0 to approve the staff recommendations in this report with conditions.

Davis/Graham

Primary Contact\Phone: Ann Kern\619-578-7582

City Attorney Contact: Bartolotta, Bret A.

NOTE: See Housing Authority Agenda of May 17, 2016, for a companion item.

NOTE: This is a TEFRA public hearing.

ITEM-333: FY 2017 Business Improvement District Budgets – Annual Appropriation Process. (Centre City [Downtown, Gaslamp, East Village, Little Italy] College, North Park [North Park, El Cajon Boulevard Gateway], La Jolla, Mid-City [Adams Avenue, El Cajon Boulevard Central, City Heights], Mission Beach, Ocean Beach, Old San Diego [Old Town], Pacific Beach, San Ysidro, Southeastern San Diego [Diamond], and Uptown [Hillcrest, Mission Hills] Community Plan Areas. Districts 1, 2, 3, 4, 8, and 9.)

NOTE: First heard at the meeting of April 25, 2016, Item S402.

ITEM DESCRIPTION:

Pursuant to the annually required process, Council will appoint the BID Advisory Boards, approve the FY2017 BID Budget Reports and declare intent to levy and collect Assessments for FY2017 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 FY2017; authorize the CFO to appropriate, expend and transfer BID funds.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-537)

Adoption of a Resolution of the Council of the City of San Diego confirming the Fiscal Year 2017 Budget Reports for and levying Annual Assessments in Specified Parking and Business Improvement Areas;

The Fiscal Year 2017 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 2017, is hereby confirmed, as on file at the Office of the City Clerk with reference to the following document numbers:

Business Improvement District

Document No.

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-_____

The adoption of this Resolution shall constitute the continued levy of assessments on businesses located within each 1989 Act District during Fiscal Year 2017, to finance the improvements and activities set forth in the respective Fiscal Year 2017 Budget Report for each 1989 Act District;

The adoption of this Resolution shall confirm the continued levy of assessments on businesses located within the Downtown District during Fiscal Year 2017, to finance the improvements and activities set forth in the Fiscal Year 2017 Budget Report for the Downtown District;

Authorizing the City’s Chief Financial Officer or designee, to appropriate, transfer, and expend assessment revenues within each District’s fund for administration and operation of that District in accordance with the approved Fiscal Year 2017 Budget Report for that District, including the “Fund Balance” and “Interest Fund Balance” from Fiscal Year 2016 at year end and the anticipated District assessments to be collected in Fiscal Year 2017.

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 at the ED&IR Committee on April 7, 2016, and forwarded on to the full Council with a recommendation to approve. On May 19, 2015, Council approved the FY 2016 Budget Reports and levy of assessments for these BIDs: Adams Avenue, City Heights, College Area, Diamond, Downtown, East Village, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Little Italy, Mission Hills, North Park, Ocean Beach, Old Town, Pacific Beach, and San Ysidro (Resolution R-309750).

Caldwell/Graham/es

Primary Contact\Phone: Elizabeth Studebaker\619-533-4561, MS 56D

Secondary Contact\Phone: Alicia Martinez-Higgs\619-619-236-6488, MS 56D

City Attorney Contact: Williams, Delmar G.

ITEM-334: Camino Maquiladora Street Vacation, Project No. 440659. (Otay Mesa Community Plan Area. District 8.)

ITEM DESCRIPTION:

Public Right-of Way vacation of the cul-de-sac portion of Camino Maquiladora, an unimproved public right-of-way. The segment of Camino Maquiladora to be vacated is east of Continental Street within the Otay Mesa Community Plan Area.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-562)

Adoption of a Resolution vacating Right-of-Way Vacation No. 1668804, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 37783-B, marked as Exhibit "B," which are by this reference herein and made a part hereof, subject to the following which is made a part of this Resolution:

1. Prior to the recordation of the street vacation, Applicant shall record the following maps concurrently; a Parcel Map to consolidate Parcels 3 and 4 of Parcel Map No. 20706 into a single parcel, a second Parcel Map to consolidate Parcels 5, 6, 7 and 10 of Parcel Map No. 20706 into a single parcel, and a third Parcel Map to consolidate Parcels 8 and 9 of Parcel Map No. 20706 into a single parcel;

Directing Development Services Department to record a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder, subject to the above conditions.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None with this action.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On November 21, 2015, the Otay Mesa Planning Group voted 9-0-1 to recommend approval of the proposed street vacation with no additional conditions.

Vacchi\Graham\dj

Primary Contact\Phone: Derrick Johnson\619-446-5477, MS 501
Secondary Contact\Phone: Paul Godwin\619-446-5107, MS 501
City Attorney Contact: Vonblum, Heidi

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT