

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Myrtle Cole • Fourth District

COUNCIL PRESIDENT PRO TEM

Mark Kersey • Fifth District

COUNCILMEMBERS

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

Andrea Tevlin
Independent
Budget Analyst

Mara Elliott
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Tuesday, June 6, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 6, 2017, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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

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

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

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/>

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:

04/17/2017
04/18/2017
04/24/2017
04/25/2017
05/01/2017 - Adjourned
05/02/2017 - Adjourned
05/08/2017 - Adjourned
05/09/2017 - Adjourned

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed 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: Request to exempt Two Positions from the Classified Service in the Park and Recreation Department, Golf Operations Division.

ITEM DESCRIPTION:

Authorization to exempt two Program Managers within Park and Recreation Department's Golf Operations Division from classified service.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2017-136)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated April 11, 2017, which documents that, on April 6, 2017, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt two Program Manager positions from the Classified Service, which will oversee all aspects of the development and agronomic management of the City's three golf courses, located at Balboa Park, Mission Bay Park, and Torrey Pines;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the City Council exempts from the Classified Service and declares to be in the Unclassified Service of the City two Program Manager positions, performing the duties set forth in the April 11, 2017, memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council, and in this Ordinance.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No additional personnel costs incurred by the Departments in Fiscal Year 2017. Future costs funded by the Golf Enterprise Fund (700043).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Field/Graham

Primary Contact\Phone: Scott Bentley\858-552-1786, MS 36T

Secondary Contact\Phone: Shelly Stowell\858-581-7867, MS 36B

City Attorney Contact: Dawson, Joan F.

* ITEM-51: Authorize the opening and maintenance of a highway pursuant to Charter Section 55, and a conveyance of an easement to the State of California for the Interstate 8 Safety Improvement Project, on a portion of dedicated park land located in the Mission Valley Preserve and Sefton Field. (Mission Valley Community Area. District 7.)

ITEM DESCRIPTION:

A California Department of Transportation (Caltrans) Project to modify and improve safety on the existing westbound side of Interstate 8 (I-8); requires Caltrans to acquire a permanent highway easement from the City of San Diego on dedicated park property by means of an ordinance.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2017-140)

Introduction of an Ordinance finding that the public interest demands the opening and maintenance of a highway, over, through and across that certain portion of the Dedicated Parkland, in order to complete the westbound expansion of Interstate 8 by the California Department of Transportation's I-8 Safety Improvement Project; that certain portion of the Dedicated Parkland is more particularly described in the documents entitled "Easement Deed Highway" and "Easement Deed," including legal descriptions.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

For the easement rights granted, the City will receive the appraised value of \$29,130 which will be deposited into the Capital Outlay Fund 400002.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on May 17, 2017.

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

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

Thompson/Villa

Primary Contact\Phone: Brenda Chilvers\619-236-6062
Secondary Contact\Phone: April McCusker\619-236-6987
City Attorney Contact: Mendoza, Hilda R.

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

- * ITEM-52: Municipal Code Amendment to remove the former Dedicated Reserve from Efficiency Savings (DRES) Fund from Independent Rates Oversight Committee (IROC) oversight responsibilities. (Citywide.)

ITEM DESCRIPTION:

This action will amend the Municipal Code to remove Independent Rates Oversight Committee's (IROC's) responsibility to oversee the Dedicated Reserve from Efficiency Savings (DRES) Fund. The DRES Fund no longer exists.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/23/2017, Item 50. (Council voted 8-0. Councilmember Zapf not present):

(O-2016-156)

Amending Chapter 2, Article 6, Division 20 of the San Diego Municipal Code by amending Section 26.2003 related to the duties and functions of the Independent Rates Oversight Committee.

- * ITEM-53: Approve an Ordinance to Extend the Existing Agreement with Northrop Grumman Systems Corporation for more than Five Years for Computer Aided Dispatch System (CAD) Maintenance. (All Districts.)

ITEM DESCRIPTION:

The Police Department is requesting City Council to authorize an extension of the original Agreement beyond five years with Northrop Grumman Systems Corporation who provides software maintenance for products used in the San Diego Police Department's complex electronic Computer Aided Dispatch (CAD) system.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/23/2017, Item 51. (Council voted 8-0. Councilmember Zapf not present):

(O-2017-135)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement with Northrop Grumman Systems Corporation, under the terms and conditions set forth in the document;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$63,691 from Fund 100000, General Fund, for the purpose of executing this First Amendment to the Agreement with Northrop Grumman Systems Corporation, contingent upon the Chief Financial Officer furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, available.

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

* ITEM-54: First Amendment to the Agreement with Tetra Tech BAS for Engineering and Permitting for Compliance and Capacity at the Miramar Landfill. (All Districts.)

ITEM DESCRIPTION:

This action approves the First Amendment to the Agreement with Tetra Tech BAS for engineering and permitting consultant services related to extending the life of the Miramar Landfill. The Amendment adds funding in the amount of \$20,000, and extends the Amendment term through November 14, 2021, in order to complete the scope of services.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/23/2017, Item 60, Subitem A. (Council voted 8-0. Councilmember Zapf not present):

(O-2017-133)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement with Tetra Tech BAS for engineering and permitting consultant services related to compliance and capacity at the Miramar Landfill, to add funding in an amount not to exceed \$20,000 and to extend the term of the Agreement through November 14, 2021, for the purpose of completing the Scope of Services, under the terms and conditions set forth in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$20,000 from Refuse Disposal Fund No. 700039, solely and exclusively to provide funds for the First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates demonstrating that funds are, or will be, on deposit with the City Treasurer.

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

- * ITEM-55: First Amendment to the Agreement with URS Corporation for Environmental Consulting and Permitting for Compliance and Capacity at the Miramar Landfill. (All Districts.)

ITEM DESCRIPTION:

This action is to approve the First Amendment to the Agreement with URS Corporation for environmental consulting and permitting services related to extending the life of the Miramar Landfill. The amendment adds funding in an amount not to exceed \$103,000, and extends the Agreement term through November 14, 2021, in order to complete the Scope of Services.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/23/2017, Item 61, Subitem A. (Council voted 8-0. Councilmember Zapf not present):

(O-2017-134)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement with URS Corporation for environmental and permitting consultant services related to extending the life of the Miramar Landfill, to add funding in an amount not to exceed \$103,000 and to extend the term of the Agreement through November 14, 2021, for the purpose of completing the Scope of Services, under the terms and conditions set forth in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$103,000 from Refuse Disposal Fund No. 700039, solely and exclusively, to provide funds for the First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates demonstrating that funds are, or will be, on deposit with the City Treasurer.

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

* ITEM-56: San Diego Municipal Code Updates Pertaining to Electronic Publishing of Ballot Materials. (All Districts.)

ITEM DESCRIPTION:

Introduce the Ordinance, which contains amendments to the San Diego Municipal Code to allow the City's elections official the possibility of electronically publishing the full text of any measure other than a Charter Amendment, which exceeds 50 pages in length.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/23/2017, Item 330. (Council voted 7-2. Councilmember Alvarez and Councilmember Gomez voted nay):

(O-2017-138)

Amending Chapter 2, Article 7, Division 1 of the San Diego Municipal Code by amending Section 27.0103; and amending Chapter 2, Article 7, Division 5 by amending Sections 27.0505 and 27.0506 and adding new Sections 27.0516 and 27.0517, relating to ballot materials and ballot measure elections.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Council approval of a Lease Rider and Estoppel Agreement, between the City of San Diego, HDP Broadway, LP, and the California Tax Credit Allocation Committee, regarding the City-owned land commonly known as “San Diego Square”, located at 910 C Street. (Downtown Community Area. District 3.)

ITEM DESCRIPTION:

Requesting authorization to execute that certain Lease Rider and Estoppel Agreement between the City of San Diego, HDP Broadway, LP, and the California Tax Credit Allocation Committee. The Lease Rider and Estoppel Agreement will amend the existing Ground Lease between the City of San Diego and HDP Broadway, LP, concerning City-owned land located at 910 C Street, San Diego, California 92101, commonly known as “San Diego Square”.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-603)

Authorizing and directing the Mayor, or his designee, to execute that certain Lease Rider and Estoppel Agreement between the City of San Diego, HDP Broadway, LP, and the California Tax Credit Allocation Committee.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A - Rent will continue to be deposited into the Low-Income Housing Lease Revenue Fund 200398.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The Ground Lease between City and Housing Development Partners of San Diego was approved by Resolution RR-308190 on May 16, 2013.

The First Amendment to the Ground Lease between City and Housing Development Partners of San Diego, authorizing a one year extension of time to satisfy pre-commencement conditions, was approved by Resolution RR-308899 on April 30, 2014.

The Second Amendment to the Ground Lease between City and Housing Development Partners of San Diego, authorizing several amendments including certain assurances for a lender to provide financing, including a 75% maximum amount limit on certain rents due to City, was approved by Resolution RR-309323 on November 18, 2014.

This item was heard at the Smart Growth and Land Use Committee meeting on May 17, 2017.

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

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

Thompson/Villa

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Cybele Thompson\619-236-6145, MS 51A

City Attorney Contact: Bevier, Debra J.

- * ITEM-101: Second Amendment to the Citywide Cooperative Agreement with Hertz Equipment Rental Company (HERC) for the Rental of Various Large Equipment. (All Districts.)

ITEM DESCRIPTION:

Approval of this item would authorize execution of the second amendment to the current Citywide Hertz Equipment Rental Contract (HERC) for the rental of various light to heavy equipment. Approving this Agreement would increase the expenditure authority, exercise the next option year, and recognize vendor name change from Hertz Equipment Rental Company to HERC to ensure departments can carry out their critical missions.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-482)

Authorizing the Mayor, or his designee, to execute the Second Amendment to the Agreement to increase the expenditure authority on the current Citywide Hertz Equipment Rental Contract (HERC) for the rental of various light to heavy equipment from \$3,000,000 to \$11,000,000 for the remaining duration of the Contract (last option year expires March 31, 2019), exercise the next option year, and recognizes vendor name change from Hertz Equipment Rental Company to HERC;

Authorizing the Chief Financial Officer to expend an amount not to exceed amount of \$11,000,000 from various funds, contingent on the approval of the annual Appropriation Ordinance, the approval of the corresponding Fiscal Year Adopted Budget, and the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Purchasing and Contracting (P&C) is requesting an increase in the expenditure authority from \$3,000,000 to \$11,000,000 for the remaining term of the Contract. By increasing the expenditure authority, the City Council is not obligating City funding. Departments may only spend what is approved and available in their operating budgets.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on May 24, 2017, and forwarded to the full Council with a recommendation to approve.

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

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

Peralta/Villa

Primary Contact\Phone: Brent Krohn\619-236-6044, MS 56P

Secondary Contact\Phone: Matthew Helm\619-236-6104, MS 56P

City Attorney Contact: Leone, Christine M.

- * ITEM-102: Community Projects, Programs, and Services Funding to the Point Loma Association for Chatsworth/Voltaire Median Improvement and Cost For Work Site Up-Keep. (Peninsula Community Area. District 2.)

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 with the Point Loma Association for an amount not to exceed \$5,000 for Chatsworth/Voltaire Median Improvement and Cost For Work Site Up-Keep.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-613)

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

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

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2017 City Council Allocations Agreement between the City of San Diego and the Point Loma Association (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. 1102110002, CD 2, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2017-614)

Determining that the approval of an Agreement between the City of San Diego and the Point Loma Association for the Chatsworth/Voltaire Median Improvement, is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA guidelines.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Council Community Projects, Programs, and Services Funding:

Fund No.100000/Cost Center No. 1102110002,

will be used for Chatsworth/Voltaire Median Improvement and Cost For Work Site Up-Keep.

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-103: As-needed outside counsel retention Agreement for State Revolving Fund Loan Applications. (Citywide.)

ITEM DESCRIPTION:

The State Water Resources Control Board requires an outside counsel opinion letter as part of City applications for State Revolving Fund loans for various SRF water, wastewater and sewer and other projects. This action authorizes the Public Utilities Department to retain, contract with, and expend money for the law firm of Nixon Peabody to provide such opinion letters on an as-needed basis for continuing City SRF Loan Applications for FY-2017 through FY-2021.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-441)

Authorizing the Mayor, or designee, to enter into an Agreement with Nixon Peabody LLP, to provide the San Diego Public Utilities Department with as-needed outside counsel opinion letters supporting the issuance of State Revolving Fund (SRF) loan applications in an amount not to exceed \$250,000, for an Agreement 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 \$250,000 in total, for the purposes of the Agreement, from the Water Utility Operating Fund 700011, the Metro Sewer Utility Fund 700001, and the Muni Sewer Revenue Fund 700000, over the term of the Agreement, for the purpose of retaining Nixon Peabody LLP, as outside counsel for SRF loan opinions, 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 the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total amount not to exceed for this As-needed Agreement is \$250,000. Funds are, or will be, available in the Water Utility Operating Fund 700011, the Metro Sewer Utility Fund 700001, and the Muni Sewer Revenue Fund 700000, 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 the funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Opinion letters will be invoiced at \$4,000 per opinion letter. Funds will be allocated at that time.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nuesca

Primary\City Attorney Contact\Phone: Ray Palmucci\619-236-7725, MS 59

Secondary Contact\Phone: Mary Nuesca\619-533-5830, MS 59

* ITEM-104: Waiver of Conflict of Interest under California Rules of Professional Conduct, Rule 3-310(E). (All Districts.)

ITEM DESCRIPTION:

After full consideration of the waiver requests received in consultation with the City Attorney, authorize the Mayor to execute waivers of conflict of interest on behalf of the City.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-617 Cor. Copy) (Rev. 5/31/17)

Declaring that the waiver of potential conflicts of interest requested by Procopio and KBB are given;

Authorizing the Mayor, or his designee, to execute the requested waivers on behalf of the City;

Authorizing the Mayor, or his designee, to waive conflicts of interest pursuant to CRPC Rule 3-310 in consultation with the City Attorney if they determine that the matter poses minimal risk to the City and the conflicted attorney, by virtue of his or her representation of the City, obtained little confidential information that is material to the matter.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nuesca

Primary\City Attorney Contact\Phone: Prescilla Dugard\619-533-5993

Secondary Contact\Phone: Catherine Morrison\619-533-5588

* ITEM-105: City Clerk Administrative Guidelines. Update by adding Sections 406 and 407 relating to Electronic Publication of ballot materials. (All Districts.)

ITEM DESCRIPTION:

Approve resolution to add Sections 406 and 407 to the City Clerk Administrative Guidelines.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-601)

Amending the City of San Diego City Clerk Administrative Guidelines related to Municipal Elections.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A
Secondary Contact\Phone: Denise Jenkins\619-522-4060, MS 2A
City Attorney Contact: Spivak, Sharon B.

* ITEM-106: Appointment to the Civil Service Commission.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-497)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the City of San Diego's Civil Service Commission, for the term ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Jacquelyn Atkinson (Downtown, District 3) (Filling the seat previously held by Kathryn Ashworth)	January 9, 2018

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: FIRST FTC World Championship Robotics 4216 - Rise of Hephaestus Day.

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming June 6, 2017, to be "FIRST FTC World Championship Robotics 4216 - Rise of Hephaestus Day" in the City of San Diego.

ITEM-31: Walls of Excellence Day.

PRESENTED BY COUNCIL PRESIDENT COLE:

Proclaiming June 6, 2017, to be "Walls of Excellence Day" in the City of San Diego.

ITEM-32: Philippine Independence Week.

PRESENTED BY COUNCIL PRESIDENT COLE AND COUNCILMEMBER CATE:

Proclaiming June 5-12, 2017, to be "Philippine Independence Week" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

NON-AGENDA PUBLIC COMMENT

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

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

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

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

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

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

ITEM-330: Informational - Submission of City Clerk Certificate of Sufficiency for an Initiative Petition pertaining to San Diego River Park, Soccer City and Qualcomm Stadium Redevelopment Specific Plan.

CITY CLERK'S RECOMMENDATION:

Informational Item Only.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\858-533-4080, MS 2A

Secondary Contact\Phone: Denise Jenkins\858-533-4060, MS 2A

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

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

ITEM-331: Angle Parking Municipal Code Amendment. (All Districts.)

ITEM DESCRIPTION:

The action is to approve an ordinance that will amend the San Diego Municipal Code to authorize the Mayor, or designee, to install, remove, or modify angle parking zones on City streets without a Resolution provided that certain criteria are met. In addition, staff is requesting Council to approve a resolution to adopt Angle Parking Standards.

STAFF'S RECOMMENDATION:

Introduce the ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2017-139)

Introduction of an Ordinance amending Chapter 8, Article 6, Division 1 of the San Diego Municipal Code by amending Section 86.0104 relating to angle parking.

Subitem-B: (R-2017-605)

Adopting the Angle Parking Standards;

Declaring that this Resolution shall be effective upon the effective date of Ordinance No. O-2017-139.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The striping of the angle parking spaces will continue to be installed by the Transportation and Storm Water Department, Street Division using funds that are available in Street Division's Operating Budget. Or if, the Project segment is located within a Community Parking District area, funds from the Community Parking District Approved Budget will be used. Contractors may also install angle parking (after the Mayor's approval) as part of a development processed through Development Services Department at no cost to the City.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on January 25, 2017. The Committee recommended to move item forward to full Council and directed staff to incorporate an alternative outreach method via petition. Staff incorporated language to the Municipal Code and Angle Parking Standards accordingly to include the recommended alternative outreach method.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Cate, to recommend Council introduce the ordinance and adopt the resolution, and direct staff to incorporate the City Attorney's final language.

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

Caldwell/Graham

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

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

City Attorney Contact: Gerrity, Ryan P.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

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

ITEM-332: Expanded Use of Low Income Lease Revenue Funds for HOUSING FIRST - SAN DIEGO, the San Diego Housing Commission's Homelessness Action Plan. (Citywide.)

ITEM DESCRIPTION:

Recommend that the Housing Authority of the City of San Diego (Housing Authority) and the San Diego City Council approve the use of funds from the sale of the Hotel Metro and the Grant from the City of San Diego resulting from the Ground Lease on San Diego Square Apartments to serve all homeless subpopulations, including Veterans, through the San Diego Housing Commission's expanded HOUSING FIRST - SAN DIEGO landlord engagement program.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-599)

Authorizing the expanded use of funds from the sale of the Hotel Metro and the Ground Lease of San Diego Square Senior Apartments for the purposes referenced in Report No. HAR17-014, including, without limitation, any funds within Low Income Lease Revenue Funds 200398 and 10540 and specifically granting such authority pursuant to the provisions of City Council Resolution Nos. R-224179 and R-218880.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed FY 2018 funding approved by this action is included in the San Diego Housing Commission's proposed FY 2018 Housing Authority-Approved Budget. Please refer to staff report for further information.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On March 1, 2016, the Housing Authority of the City of San Diego (Housing Authority) and City Council approved Resolutions HA-1681 and R-310284, respectively, which authorized the use of funds from the sale of Hotel Metro and the Ground Lease of San Diego Square Senior Apartments for the purposes referenced within Housing Authority Report HAR16-006.

NOTE: See the Housing Authority Agenda of June 6, 2017, for a companion item.

Davis/Graham

Primary Contact\Phone: Jeff Davis\619-578-7606

City Attorney Contact: Halsey, Keely M.

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

ITEM-333: Development Impact Fees Annual Report - Fiscal Year 2016. (Citywide.)

ITEM DESCRIPTION

Adopt a resolution accepting the Development Impact Fees Annual Report - Fiscal Year 2016 and make findings related to unexpended balances as required in California Government Code Section 66001.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-564)

Reviewing and accepting the Development Impact Fees FY 2016 Annual Report, with attachments;

Finding, with respect to funds reflected in the Development Impact Fees FY 2016 Annual Report, or attachments thereto, as having been collected over five years before July 1, 2016, and as stated on Pages 4-5 and Attachment 2 of the Development Impact Fees FY 2016 Annual Report, that the documentation: (1) Identifies the purpose to which the fee is to be put; (2) Demonstrates a reasonable relationship between the fee and the purpose to which the fee is to be put; (3) Identifies sources and amounts of funding anticipated to complete financing of incomplete improvements; and (4) Identifies the approximate dates on which such funding is expected to be deposited into the appropriate fund;

Incorporating and adopting the findings set forth on Pages 4-5 and Attachment 2 of the Development Impact Fees FY 2016 Annual Report, entitled "Summary of Government Code Section 66001(d)" and "Findings for Funds Collected Over Five Years Ago," respectively.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on April 26, 2017.

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

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

Murphy

Primary Contact\Phone: Scott Mercer\619-533-3676, MS 606F

Secondary Contact\Phone: Marco Camacho\619-235-5216, MS 606F

City Attorney Contact: Lintvedt, Inga B.

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

ITEM-334: Proposed Fiscal Year 2018 Affordable Housing Fund Annual Plan. (Citywide.)

ITEM DESCRIPTION:

That the San Diego City Council approve the proposed Fiscal Year 2018 Affordable Housing Fund Annual Plan as presented in this report.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-590)

Approving the proposed FY 2018 Affordable Housing Fund (AHF) Annual Plan Program activity allocation of \$74,024,502 in anticipated funds and the proposed Model Programs;

Authorizing the President and Chief Executive Officer (President & CEO) of the San Diego Housing Commission, or designee, to reallocate funds among the proposed Model Programs included in the FY 2018 AHF Annual Plan in response to market demands and opportunities.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action are included in the proposed FY 2018 San Diego Housing Commission Budget. Approving this action will not change the FY 2018 Total Budget, but will allocate funding sources among uses as shown in the following table: Please refer to staff report for further review.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The San Diego City Council has adopted an AHF Annual Plan each year in accordance with the Municipal Code.

This was heard at the Smart Growth and Land Use Committee meeting on May 17, 2017.

Attachment 1 has been revised to include additional information.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Gomez, to move the item to full Council with expansion of detail for the portion of Attachment 1 of the staff report to provide a breakdown of projected FY18 new funding by fee collections and loan repayments. (Rev. 6/1/17)

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

Davis/Graham

Primary Contact\Phone: Debbie Ruane\619-578-7550

City Attorney Contact: Halsey, Keely M.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

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

ITEM-335: BioLegend ROW Vacation. (Mira Mesa Community Plan Area. District 6.)

ITEM DESCRIPTION:

Approval of the Terman Court Public Right-of-Way Vacation, including a 10-foot-wide sewer easement vacation and 24-foot-wide water easement vacation, on a 7.388-acre site located at 8928-8959 Terman Court.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-560) (Rev. 6/1/17)

Adoption of a Resolution determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 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;

Directing the City Clerk to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

NOTE: This subitem is not subject to the Mayor's veto. (Rev. 6/1/17)

Subitem-B: (R-2017-557) (Rev. 6/1/17)

Adoption of a Resolution vacating Right-of-Way Vacation No. 1727973, in connection with Easement Vacation No. 1727974, as more particularly described in the legal description marked as Exhibit "A1" and shown on Drawing No. 39490-1-B, marked as Exhibit "B1," which are by this reference incorporated herein and made a part hereof, and subject to the conditions which are made a part of this Resolution;

That the City of San Diego reserves and excepts from Right-of-Way No. 1727973, the Irrevocable Offer of Dedication to the City of San Diego for the purposes of public street improvements, as more particularly described in the legal description marked Exhibit "A2" and shown on Drawing No. 39764-B, marked Exhibit "B2;"

Directing the 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.

NOTE: This subitem is not subject to the Mayor's veto. (Rev. 6/1/17)

Subitem-C: (R-2017-558) (Rev. 6/1/17)

Adoption of a Resolution vacating easement Vacation No. 1727974, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 39490-1-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, and subject to the condition(s) which are made a part of this Resolution;

Directing the 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.

NOTE: This subitem is not subject to the Mayor's veto. (Rev. 6/1/17)

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

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

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Vacchi/Graham/fm

Primary Contact\Phone: Francisco Mendoza\619-446-5433, MS 301

Secondary Contact\Phone: Morris Dye\619-446-5201, MS 501

City Attorney Contact: Thomas, Shannon

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT