

CITY OF SAN DIEGO COUNCIL DOCKET



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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

Monday, July 10, 2017

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, JULY 10, 2017, 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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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 based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON AUDIT:

ITEM-150: Performance Audit of the City's Management of Its Advisory Boards. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Accept the City Auditor's Performance Audit of the City's Management of Its Advisory Boards.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented at the Audit Committee meeting on June 14, 2017.

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

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

Luna

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

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

ITEM-151: Performance Audit of City Gas and Electric Utility Billing. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Accept the City Auditor's Performance Audit of City Gas and Electric Utility Billing.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented at the Audit Committee meeting on April 12, 2017.

ACTION: Motion by Committee Member Sherman, second by Committee Member Hebrank, to accept the report with the condition that staff return to the Audit Committee in six months for a follow up on the recommendations, and forward the report to the City Council.

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

Luna

Primary Contact\Phone: Nick Ketter\619-533-3014

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

ITEM-152: Performance Audit of the Special Event Permit Application Process. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Accept the City Auditor's Performance Audit of the Special Event Permit Application Process.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented at the Audit Committee meeting on May 17, 2017.

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

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

Luna

Primary Contact\Phone: Shawnee Pickney\619-533-3035

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

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON INFRASTRUCTURE, RESOLUTIONS:

ITEM-153: Award a Construction Contract to Steve P. Rados Inc., and award a Construction Management Services Contract to Black and Veatch Corporation for Pump Station 2 - Power Reliability and Surge Protection. (Peninsula Community Area. District 2.)

ITEM DESCRIPTION:

Council authorization is requested to award a Construction Contract to Steve P. Rados, Inc., in the amount of \$56,228,000 and a Construction Management Services Contract to Black and Veatch Corporation in the amount of \$3,749,869 for Pump Station 2 - Power Reliability and Surge Protection. This Project proposes to install four (4) emergency power backup generators, a new 6,766 square foot building along with ADA upgrades in compliance with American Disabilities Act guidelines, a new 3,024 square foot covered backup fuel/oil storage area, mechanical, electrical, and fiber optics systems, replacement of landscaping, fencing, and all site restoration necessary for a complete and functional facility.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2017-682)

Authorizing the Mayor, or his designee, to establish Contract funding phases and award a phase funded Contract to Steve P. Rados, Inc., for the construction of Pump Station 2 - Power Reliability and Surge Protection in an amount not-to-exceed \$56,228,000, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend funds under the established Contract funding phases in an amount not-to-exceed \$56,228,000, of which \$10,000,000 is for the first phase, and \$46,228,000 for all subsequent phases from CIP S-00312, Pump Station 2 - Power Reliability and Surge Protection, Fund 700009, Metro Sewer CIP, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established Contract funding phases are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2017-683)

Authorizing the Mayor, or his designee, to establish Contract funding phases and award a phase funded Contract to Black & Veatch Corporation for the Construction Management Services for Pump Station 2 - Power Reliability & Surge Protection in an amount not-to-exceed \$3,749,869, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend funds under the established Contract funding phases in an amount not-to-exceed \$3,749,869, of which \$1,000,000 is for the first phase, and \$2,749,869 for all subsequent phases from CIP S-00312, Pump Station 2 - Power Reliability and Surge Protection, Fund 700009, Metro Sewer CIP, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established Contract funding phases are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total estimated cost of the construction Contract is \$56,228,000, of which \$10,000,000 is for the first phase for construction Contract, and an amount of \$46,228,000 is for all previously approved with no subsequent phases for construction Contract (sub-item 1). Funding is available in CIP S-00312, Pump Station 2 - Power Reliability and Surge, Fund 700009, Metro Sewer CIP.

The total cost of the Construction Management Services Contract is \$3,749,869 (sub-item 2), of which \$1,000,000 is for first phase and \$2,749,869 is for all previously approved with no subsequent phases for Construction Management Services. Funding is available in CIP S-00312, Pump Station 2 - Power Reliability & Surge, Fund 700009, Metro Sewer CIP.

The total Project cost has increased from \$51,400,000 to \$72,100,800 due to added scope elements and are part of this Contract award.

Staff has worked through Debt Management Department to obtain Council approval on April 4, 2017, for the Clean Water State Revolving Fund loan (SRF) application (Ordinance No. 20808) for the construction of Pump Station 2 - Power Reliability and Surge Protection Project. The loan, if approved by the State Water Resources Control Board, would be utilized to finance portions of the Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On May 30, 2012, Council (R-307458) executed an Agreement with Lee and Ro, Inc., in the amount of \$1,750,000.

This item was presented to the Metro Wastewater Joint Powers Authority (JPA) -Technical Advisory Committee (TAC) on November 19, 2014, and to Metro Wastewater (JPA) - Commission on December 4, 2014.

The First amendment to Agreement was approved by City Ordinance (00-20477), on April 20, 2015.

This item was presented to Metro Wastewater (JPA) - (TAC) on March 15, 2017, and to Metro Wastewater (JPA) - Commission on April 6, 2017, and a unanimous vote of approval was received in both cases.

This item was heard at the Infrastructure Committee meeting on June 29, 2017.

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

VOTE: 4-0; Kersey-yea, Ward-yea, Zapf-yea, Gomez-yea.

Gibson/Gomez

Primary Contact\Phone: Mark Nassar\619-533-6600, MS 908A

Secondary Contact\Phone: Debbie Van Martin\619-533-6651, MS 908A

City Attorney Contact: Leone, Christine M.

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 Comment is taken toward the end of the Monday afternoon Council session.

PUBLIC NOTICES:

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

ITEM-250: **Notice** of Pending Final Map Approval - University Town Center- Residential Tower.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "University Towne Center-Residential Tower " The Project site is located south of La Jolla Village Drive, west of Towne Center Drive, East of Genesee Avenue, and North of Nobel Drive, and legally described as portion of Lot 4 of Parcel Map 6481 all in the City of San Diego, County of San Diego, State of California, in the University Community Plan Area, in the CR-1-1 and RS-1-14 zones, Community Plan Implementation Overlay Area "A" Zone, Airport Environs Overlay Zone and Airport Influence Area Zones (Vesting Tentative Map No. 293788), located in City Council District 1. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Land Surveyor to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Land Surveyor was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Fred LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT