

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
TUESDAY, AUGUST 2, 2016
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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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.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

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

* ITEM-S500: Settlement of a Government Tort claim of Piraj Fozoonmayeh resulting from a failed metal storm drain, Risk Management File No. iVOS 12282.

ITEM DESCRIPTION:

This a claim for damages suffered by Piraj Fozoomayeh as the result of the damage to his property following the failure of a City storm drain on January 5, 2016. The proposed settlement would resolve all claims brought by Piraj Fozoonmayeh.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-16)

Authorizing the Mayor, or his designee, to pay the sum of \$54,044.34 from the Public Liability Fund 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 January 5, 2016, incident that is the subject of Piraj Fozoonmayeh's claim. The City has already advanced \$50,000 to claimants, thus the total outstanding settlement amount is \$54,044.34;

Authorizing the Chief Financial Officer to appropriate and expend \$54,044.34 from the Public Liability Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue a check for \$54,044.34 made payable to Piraj Fozoonmayeh.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on May 24, 2016.

Bamberg

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City Attorney Contact: Karlin, David J.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING
AND ADOPTION 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-S501: Consideration of a Proposed Ballot Measures to Amend and Extend Charter Section 55.2 related to Mission Bay Park and Regional Park Improvement Funds.

ITEM DESCRIPTION:

Request that the City Council adopt the ordinance in Subitem A to place on the November 8, 2016, Municipal Special Election ballot a measure to amend the City Charter related to Charter Section 55.2, related to Mission Bay Park and Regional Park Improvement Funds; and adopt the resolution in Subitem B, directing the preparation of related ballot materials.

TODAY'S ACTIONS ARE:

Introduce and adopt the ordinance; and adopt the resolution:

Subitem-A: (O-2017-19)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego, for their approval or rejection at the Municipal Special Election, consolidated with the California State General Election to be held on November 8, 2016, one measure amending the City Charter by amending Article V, Section 55.2, relating to Mission Bay Park and Regional Parks Improvement Funds.

NOTE: Subitem A is not subject to the Mayor's veto.

Subitem-B: (R-2017-44)

Directing the City Attorney to prepare a ballot title and summary, and an impartial analysis, of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the ballot title and summary, and the impartial analysis, to the Office of the City Clerk, Elections Section, no later than August 22, 2016;

Directing the Independent Budget Analyst, working with the Mayor (or the Mayor's designee) and the City Auditor, to prepare a fiscal impact analysis of the proposed ballot measure for inclusion in the voter pamphlet and to deliver the analysis to the Office of the City Clerk, Elections Section, no later than August 22, 2016;

Authorizing _____ to sign and file a written ballot argument in _____ the ballot measure for inclusion in the voter pamphlet, and to deliver the argument to the Office of the City Clerk, Elections Section, no later than August 25, 2016.

NOTE: Subitem B is not subject to the Mayor's veto.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$4,173,583 is budgeted under Citywide Program Expenditures for the November 2016, election. The final cost will be impacted by the total number of ballot measures approved for the ballot and is unknown at this time.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Hansen

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Secondary Contact\Phone: Marshall Anderson\619-235-5295

City Attorney Contact: Ferbert, Heather M. and Spivak, Sharon B.