CITY OF SAN DIEGO
COUNCIL DOCKET

COUNCIL PRESIDENT
Sherri Lightner • First District

COUNCIL PRESIDENT PRO TEM
Marti Emerald • Ninth District

COUNCILMEMBERS
Lorie Zapf • Second District
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, September 20, 2016

AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, SEPTEMBER 20, 2016, 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 public portion of the meeting will begin at 9:00 a.m. for public comment on Closed Session items. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.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/

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed beginning on the next page are considered to be routine, and the environmental documents have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak from prior to the start of the meeting.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-100: Settlement of a Government Claim filed by Eduardo and Patricia Perez regarding their residence located at 6212 Cabaret Street, San Diego, CA 92120, Risk Management File No. iVOS 12282.

ITEM DESCRIPTION:

This is a claim for damages filed by Eduardo and Patricia Perez regarding damage to their residence and property located at 6212 Cabaret Street, San Diego, CA 92120, following the failure of a City storm drain on January 5, 2016. The proposed settlement would resolve all claims brought by Eduardo and Patricia Perez as a result of this incident.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-90)

Authorizing the Mayor, or his designee, to pay the sum of $98,743.08 from the 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 Eduardo and Patricia Perez's claim. The City has advanced $50,000 to claimants;

Authorizing the Chief Financial Officer to appropriate and expend $48,743.08 from the 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 the outstanding balance of $48,743.08 made payable to Eduardo and Patricia Perez.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Settlement amount of $48,743.08 will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
The item was approved in Closed Session on July 12, 2016.

Bamberg

Primary Contact\City Attorney Contact\Phone: David J. Karlin\619-533-5800
Secondary Contact\Phone: Anna Lonergan\619-533-5800

* ITEM-101: Settlement of a Government Claim filed by Rebecca Woolston regarding her residence located at 6230 Cabaret Street, San Diego, CA 92120, Risk Management File No. iVOS 12282. (Rev. 9/16/16)

ITEM DESCRIPTION:

This is a claim for damages filed by Rebecca Woolston regarding damage to her residence and property located at 6230 Cabaret Street, San Diego, CA 92120, following the failure of a City storm drain on January 5, 2016. The proposed settlement would resolve all claims brought by Rebecca Woolston as a result of this incident. (Rev. 9/16/16)

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-41 Cor. Copy) (Rev. 9/16/16)

Authorizing the Mayor, or his designee, to pay the sum of $199,273.77 from the 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 Rebecca Woolston's claim. The City has advanced $42,960.82 to claimant;

Authorizing the Chief Financial Officer to appropriate and expend $156,312.95 from the 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 the outstanding balance of $156,312.95 made payable to Rebecca Woolston.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
Settlement amount of $156,312.95 will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
The item was approved in Closed Session on July 12, 2016.

Bamberg

Primary Contact\City Attorney Contact\Phone: David J. Karlin\619-533-5800
Secondary Contact\Phone: Anna Lonergan\619-533-5800

* ITEM-102: Appointment and Reappointments to the Sustainable Energy Advisory Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-43)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Sustainable Energy Advisory Board, for terms ending as indicated:

NAME	CATEGORY	TERM ENDING
Thomas Brill (Carlsbad) (Filling the seat previously held by Jerry Butkiewicz)	SDG&E Representative	March 1, 2018
Sean Karafin (Mission Hills, District 3) (Reappointment)	At-Large Member	March 1, 2018
Julia Brown (Scripps Ranch, District 5) (Reappointment)	At-Large Member	March 1, 2018
Jason Anderson (Mission Hills, District 3) (Reappointment)	Business Community/ Chamber of Commerce	March 1, 2018
Andrew McKercher (Bay Ho, District 2) (Reappointment)	Labor Organization	March 1, 2018

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that Thomas Brill is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board; therefore, a conscious exception to Council Policy 000-13 is hereby declared.

* ITEM-103: Reappointments to the Accessibility Advisory Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-42)

Council confirmation of the following reappointments by the Mayor of the City of San Diego, to serve as members of the Accessibility Advisory Board, for terms expiring as indicated:

NAME	CATEGORY	TERM ENDING
Elaine Cooluris (Ocean Beach, District 2) (Reappointment)	ADA Expert	June 30, 2018
Michelle Crisci (Midway, District 2) (Reappointment)	At-Large Member	June 30, 2018
Adam Ringler (Vista) (Reappointment)	Tourist-Serving Industry Representative	June 30, 2018
Sandra Miles (Pauma Valley) (Reappointment)	State of California Access Specialist	June 30, 2018
Sharla Hank (Tierrasanta, District 7) (Reappointment)	At-Large Member	June 30, 2018

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Adam Ringler and Sandra Miles are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13 are hereby declared.

* ITEM-104: Nominations for Appointments and Reappointments to the Bicycle Advisory Committee.

COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-98)

Council confirmation of the following appointments and reappointments by the Council of the City of San Diego, to serve as members of the Bicycle Advisory Committee, for terms ending as indicated:

NAME	CATEGORY	TERM ENDING
Joshua Clark Mission Hills (District 3) (Filling the remainder of the term in the seat previously held by Michael Brennan, who resigned)	District 3 Representative	July 1, 2017
Karina Velasquez Chollas View (District 4) (Filling the vacancy in the seat previously held by Monique Lopez, who resigned)	District 4 Representative	July 1, 2018
Nicole Burgess Point Loma (District 2) (Reappointment)	District 2 Representative	July 1, 2018
Samantha Ollinger City Heights (District 9) (Reappointment)	District 8 Representative	July 1, 2018

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

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Joe LaCava Day.

PRESENTED BY COUNCIL PRESIDENT LIGHTNER:

Proclaiming September 20, 2016, to be "Joe LaCava Day" in the City of San Diego.

ITEM-31: Community Planning Group 50th Anniversary Day.

PRESENTED BY MAYOR FAULCONER, COUNCIL PRESIDENT LIGHTNER, AND COUNCILMEMBER ZAPF:

Proclaiming September 20, 2016, to be "Community Planning Group 50th Anniversary Day" in the City of San Diego.

ITEM-32: Sergeant Patrick "Pat" Vinson Day.

PRESENTED BY COUNCILMEMBER GLORIA:

Proclaiming September 20, 2016, to be "Sergeant Patrick 'Pat' Vinson Day" in the City of San Diego.

ITEM-33: Brittney Reese Day.

PRESENTED BY COUNCILMEMBER COLE:

Proclaiming September 20, 2016, to be "Brittney Reese Day" in the City of San Diego.

ITEM-34: Tomasa "Tommie" Camarillo Day.

PRESENTED BY COUNCILMEMBER ALVAREZ:

Proclaiming September 20, 2016, to be "Tomasa 'Tommie' Camarillo Day" in the City of San Diego.

NOTE: The following Proclamation will NOT be presented in Council Chambers. It will be approved by Unanimous Consent unless pulled for discussion.

ITEM-35: KAABOO Days 2016.

COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

Proclaiming September 16-18, 2016, to be "KAABOO Days 2016" 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, HEARINGS
NOTICED HEARINGS:

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

ITEM-330: Fiscal Year 2016 Consolidated Annual Performance and Evaluation Report (CAPER). (Citywide.)

ITEM DESCRIPTION:

The U.S. Department of Housing and Urban Development (HUD) requires local jurisdictions to prepare a Consolidated Annual Performance and Evaluation Report (CAPER) in order to receive federal housing and community development funding for all HUD entitlement grants. The City's Economic Development Department has prepared the FY 2016 CAPER, which summarizes the projects and programs the City implemented during the period of July 1, 2015, through June 30, 2016, using funds from the following federal sources: Community Development Block Grant (CDBG) Program, HOME Investment Partnerships Program (HOME), Emergency Solutions Grants (ESG) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program.

STAFF'S RECOMMENDATION:

This is an information item only. No City Council action is required.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On April 28, 2014, Council approved the FY 2015-2019 Con Plan via Resolution No. R-308904.

On March 24, 2015, Council approved the FY 2016 Action Plan via Resolution No. R-309573.

Caldwell/Graham

Primary Contact\Phone: Michele Marano\619-236-6381, MS 56D
Secondary Contact\Phone: Ulysses Panganiban\619-236-6690, MS 56D

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

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

ITEM-331: Amendment to contract for State Legislative and State Executive Branch Consulting Services and Representation between the City of San Diego and Platinum Advisors, LLC, and authorize a two-year extension of the Agreement and funding.

ITEM DESCRIPTION:

Amendment to contract for State Legislative and State Executive Branch Consulting Services and Representation between the City of San Diego and Platinum Advisors, LLC, and authorize a two-year extension of the Agreement and funding.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-103)

Authorizing the Mayor, or his designee, to execute a First Amendment to the Agreement with Platinum Advisors, LLC, for State Legislative and Executive Branch Consulting Services and Representation in the amount of $312,000, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed $117,000 in Fiscal Year 2017 from Fund No. 100000, General Fund, Cost Center No.1411000013, Office of the Mayor, for the purposes of executing this Agreement; (b) to expend an amount not to exceed $156,000 in Fiscal Year 2018 Fund No. 100000, General Fund Cost Center No. 1411000013, Office of the Mayor, for the purposes of executing the Agreement, contingent upon the adoption of the Fiscal Year 2018 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and (c) to expend an amount not to exceed $39,000 in Fiscal Year 2019 Fund No. 100000, General Fund Cost Center No. 1411000013, Office of the Mayor, for the purposes of executing this Agreement, contingent upon the adoption of the Fiscal Year 2019 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
A monthly retainer of $13,000 over the course of the contact which ends September 30, 2018, for a cumulative amount not to exceed $312,000. Contractor's invoices are charged to the General Fund, and the Non-General Fund portion of the expense will be offset by a transfer of revenue from the Non-General Fund departments.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:
On September 30, 2014, Council approved the contract with Platinum Advisors, LLC, by Resolution No. R-309241.

Hansen

Primary Contact\Phone: Alejandra Gavaldon\619-236-6980
Secondary Contact\Phone: Kristin Tillquist\619-236-6597
City Attorney Contact: Morrison, Catherine C.

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

ITEM-332: Preliminary Bond Authorization for Coronado Terrace and Tax Equity & Fiscal Responsibility Act Public Hearing. (District 8.)

ITEM DESCRIPTION:

Take the initial steps to issue Housing Authority of the City of San Diego Multifamily Housing Revenue Bonds, which are allocated by the State, to fund the acquisition and rehabilitation of Coronado Terrace, a 312-unit multifamily affordable housing rental development, located in the San Ysidro Community, which will remain affordable for 55 years.

That the City Council hold a Tax Equity & Fiscal Responsibility Act (TEFRA) public hearing and adopt a resolution approving the issuance of Multifamily Housing Revenue Bonds in an amount up to $97,000,000 for Coronado Terrace.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2017-104)

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. The Project meets the criteria set forth in CEQA Section 15301(a), which allows for exterior and interior alterations of existing facilities. Processing under the National Environmental Policy Act is not required as there are no federal funds involved with this Project.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:
The proposed funding sources and uses approved by this action are included in the San Diego Housing Commission (Housing Authority)-approved Fiscal Year (FY) 2017 Housing Commission Budget. Approving this action will not change the FY 2017 total budget.

Funding sources approved by this action will be as follows:
Bond Issuance Fees - $242,500

Funding uses approved by this action will be as follows:
Housing Commission Rental Housing Finance Program Administration Costs - $242,500

Approval of the bond inducement and Tax Equity & 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 Housing Commission on February 9, 2001, (HCR01-020) and the Housing Authority on February 13, 2001, approved a $1,400,000 residual receipts loan for Coronado Terrace, which was repaid in full on June 5, 2015.

NOTE: See the Housing Authority Agenda of September 20, 2016, for a companion item.

NOTE: This is a TEFRA hearing item.

Davis/Graham

Primary Contact\Phone: Ted Miyahara\619-578-7550
City Attorney Contact: Chung, Walter C.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT