

REVISED

# CITY OF SAN DIEGO COUNCIL AGENDA



## COUNCIL PRESIDENT

Sean Elo-Rivera • Ninth District

## COUNCIL PRESIDENT PRO TEM

Monica Montgomery Steppe • Fourth District

## COUNCILMEMBERS

Joe LaCava • First District  
Jennifer Campbell • Second District  
Stephen Whitburn • Third District  
Marni von Wilpert • Fifth District  
Chris Cate • Sixth District  
Raul A. Campillo • Seventh District  
Vivian Moreno • Eighth District

Charles Modica  
Independent  
Budget Analyst

Mara W. Elliott  
City Attorney

Elizabeth Maland  
City Clerk

City Administration Building  
City Council Chambers- 12th Floor  
202 C Street San Diego, CA 92101

Monday, October 10, 2022

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, OCTOBER 10, 2022, AT 2:00 PM  
CITY ADMINISTRATION BUILDING  
12<sup>TH</sup> FLOOR, 202 "C" STREET SAN DIEGO, CA 92101  
CITY COUNCIL MEETING**

**Effective April 11, 2022, Council Chambers is open for in-person testimony.**

**COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING COUNCIL MEETING ACCESS  
AND PUBLIC COMMENT:**

Until further notice, City Council meetings will be conducted pursuant to the provisions of California Government Code section 54953(e), added by Assembly Bill 361, which allows the City to use teleconferencing and to provide the public an opportunity to address the City Council via a call-in option or an internet-based service option, during a proclaimed state of emergency. Additionally, the Council has approved [Temporary Rules](#) as amended on April 5, 2022 to be used until further notice.

During the State of Emergency related to the COVID-19 pandemic and in the interest of public health and safety, some, if not all, City Councilmembers may be participating in the City Council meetings via a virtual teleconference platform. Members of the public in attendance at the City Council meetings are encouraged to maintain social distancing in Chamber. Additionally, we are continuing to provide alternatives to in-person attendance for participating in City Council meetings.

In lieu of in-person attendance, members of the public may also participate and provide comment via telephone, ZOOM, using the City Clerk webform, or via U.S. Mail of written materials, as follows:

**How To Speak To A Particular Item or during Non-Agenda Public Comment:**

**In Person**

Please fill out a speaker slip located at the entrance to Council Chambers. Indicate the item you wish to speak on as well as other requested information. Then submit it to the Clerk at the box indicated near the speaker's lectern at the front of the room.

**Via Virtual Platform**

When the Clerk introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by dialing \*9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item.

When the Clerk indicates it is your turn to speak, unmute your phone by tapping the Unmute button on your computer, tablet or Smartphone, or dial \*6 on your phone.

Members of the public who wish to provide virtual testimony must enter the virtual queue by raising their hand before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

### **Joining the Webinar and Offering Phone-in Testimony**

The City Council meetings will continue to be held virtually using the Zoom Webinar platform. Members of the public can offer public comment on agenda items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or land line.

**Please click the link below to join the webinar:**

<https://sandiego.zoomgov.com/j/1611703951>

**To join by telephone:** Dial 1-669-254 5252 +

When prompted, input **Webinar ID:** 161 170 3951

**Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public Comment** may be submitted using the [webform](#) indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 12:00 PM the day of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 500 words but may include attachments. Comments received after 12:00 PM the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

**Quasi-Judicial Items.** Organized group presentations for quasi-judicial items will be allowed up to 15 minutes per side to speak either for or against an item for a total of 30 minutes. If more than one group on the same side requests an organized presentation, the 15 minutes will be divided between each group for that side. Please contact the Project Manager as listed as the primary contact on the staff report for that item to indicate your desire to present.

**Written Materials.** Instead of submitting written materials as an attachment to the webform you may submit via U.S. Mail to the City Clerk's attention at 202 C Street, MS2A San Diego, CA 92101. Materials submitted via U.S. Mail must be received one business day prior to the meeting to be distributed to the City Council. Comments received via U.S. Mail on the day of the meeting will be submitted into the written record for the relevant item.

The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Spectrum or Channel 99 for AT&T U-Verse, or [view the meetings online \(link is external\)](#)

### **SENATE BILL 343 (LATE-ARRIVING MATERIALS)**

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, Information Services Counter in the Lobby 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.

### **REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS**

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Requests for translation services to offer public comment may be made by contacting the City Clerk at (619) 533-4000 or email to: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). The City is committed to addressing language translation requests swiftly in order to maximize public participation.

Las solicitudes de servicios de traducción para ofrecer comentarios públicos se deberán hacer poniéndose en contacto con la City Clerk al (619) 533-4000 o por correo electrónico a: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). La ciudad se compromete a responder rápidamente a las solicitudes de traducción de idiomas con el fin de maximizar la participación del público.

Upang kayo ay matulungan na maisalin sa wikang Ingles ang inyong mga puna, mungkahi, o komento para sa Bayan ng San Diego, maaari pong makipag-ugnayan sa City Clerk sa telepono (619-533-4000) o email ([cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov)). Hangad ng Pamahalaang Bayan ng San Diego ang inyong pakikilahok sa usapang pambayan at handa itong magbigay ng agarang tulong na kinakailangan sa pagsasaling-wika ng inyong mga komento.

Cần dịch vụ thông dịch để phát biểu ý kiến trước công chúng, xin hãy liên hệ với City Clerk (Thư Ký Thành Phố) theo số (619) 533-4000 hoặc email đến [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). Thành

phổ cam kết sẽ giải quyết các yêu cầu thông dịch một cách nhanh chóng để gia tăng sự tham dự của công chúng.

يمكن تقديم طلبات خدمات الترجمة لتقديم تعليقات عامة عن طريق الاتصال بكاتب المدينة على (619) 533-4000 أو [mailto: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) تلنزم المدينة بمعالجة طلبات الترجمة اللغوية بسرعة من أجل زيادة المشاركة العامة

パブリックコメントを要求するための翻訳サービス依頼は、市の書記（電話：619-533-4000またはメール：<mailto:cityclerk@sandiego.gov>）に連絡することによって行うことができます。市は、市民の参加を最大化するために、言語翻訳の依頼に対応することに取り組んでいます。

샌디에고 시에 의견을 보내시기 위해 번역 서비스가 필요하시면 시 서기 사무실 (619) 533-4000 또는 <mailto:cityclerk@sandiego.gov>로 연락주시기 바랍니다. 시는 대중의 참여를 극대화하기 위해 언어 번역 요청을 신속하게 처리하려고 최선을 다하고 있습니다.

為了鼓勵更多市民參與 '公眾意見'，市政府設定了快捷的中文翻譯服務。如你有任何關於 '公開意見' 想發表，請致電: (619) 533-4000，或電郵 [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) 我們會為你翻譯。

“ການຮ້ອງຂໍບໍລິການນາຍແປພາສາເພື່ອສະເໜີຄໍາຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິດຕໍ່ຫາ **City Clerk** ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມວຫາ: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). **City** ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ປະຊາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”

**NOTICE:** THE CITY COUNCIL MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY STAFF DO NOT LIMIT ACTIONS THAT THE CITY COUNCIL MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS OF STAFF AS DETERMINATIVE OF THE ACTION THE CITY COUNCIL MAY TAKE ON A PARTICULAR MATTER.

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

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

**REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS**

**INFORMATIONAL ITEMS**

INFORMATIONAL ITEMS

**Item S400: Performance Audit of San Diego Police Department's (SDPD) Use of Body Cameras and Management of Body Camera Videos. (Added 10/6/2022)**

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this proposed action.

Council District(s) Affected: Citywide.

Proposed Actions:

This is an informational item only.

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

Committee Actions Taken:

This item was heard at the Audit Committee meeting on July 27, 2022.

ACTION: Motion by Vice Chair Moreno, second by Committee Member Halpern, to accept the report and forward it to the Public Safety and Livable Neighborhoods Committee and then to the City Council as an informational item.

VOTE: 5-0; Whitburn-yea, Moreno-yea, Halpern-yea, Maffia-yea, Tabshouri-yea.

This Item was also presented to the Public Safety and Livable Neighborhoods Committee on October 6, 2022 as an informational item.

*Office of the City Auditor: Matthew E. Helm, (619) 533-3007*

**ADOPTION AGENDA, DISCUSSION ITEMS**

**ADOPTION AGENDA**

DISCUSSION, ORDINANCES TO BE INTRODUCED:

**Item 200:        **Amendments to Non-Exclusive Solid Waste Collection Franchise Agreements.****

Total Estimated Cost of Proposed Action and Funding Source:

Please see staff report for fiscal considerations.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-59)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute amendments to the Class I and Class II Non-Exclusive Franchise Agreements for Solid Waste Management Services.

**6 votes required pursuant to Charter Section 103.**

Committee Actions Taken:

This item was heard at the Environment Committee meeting on March 17, 2022.

ACTION: Motion by Chair LaCava, second by Committee Member Campillo, to recommend Council approval of staff's recommendation.

VOTE: 4-0; LaCava-yea, von Wilpert-yea, Campbell-yea, Campillo-yea.

*Environmental Services: Ken Prue, (858) 492-5085*

*City Attorney Contact: Nicole M. Denow*



ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 201: Proposed Response to Grand Jury Report: "Smart Streetlights: Wasted Investments".**

Total Estimated Cost of Proposed Action and Funding Source:

None.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2023-150)

Resolution approving the City Council's response to the 2021/2022 San Diego County Grand Jury Report titled "Smart Streetlights Wasted Investments."

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

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on September 7, 2022.

ACTION: Motion by Chair Montgomery Steppe, second by Committee Member von Wilpert, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Montgomery Steppe-yea, von Wilpert-yea, Campillo-yea, Moreno-not present.

*Office of the Independent Budget Analyst: Baku Patel, (619) 236-6443*

*City Attorney Contact: Joan F. Dawson*

**Item 202: New Zero Emission Municipal Building and Operations Policy and Revisions to the Existing Sustainable Building Policy.**

Total Estimated Cost of Proposed Action and Funding Source:

While no funding is tied directly to this action, the policy will likely increase the costs of renovations to municipal facilities and parking lots.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2023-137)

Resolution establishing new Council Policy 900-03 titled Zero Emissions Municipal Buildings and Operations Policy.

Subitem-B: (R-2023-138)

Resolution amending Council Policy 900-14 titled Sustainable Building Policy.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on July 21, 2022.

ACTION: Motion by Chair LaCava, second by Committee Member Campillo, to recommend Council approval of staff's proposed actions with added language to apply Council Policy 900-03 to new leases or lease renewals or re-negotiations signed after December 31, 2023.

VOTE: 4-0; LaCava-yea, von Wilpert-yea, Campbell-yea, Campillo-yea.

*Sustainability and Mobility: Lindsey Hawes, (805) 705-4732*

*City Attorney Contact: Corrine Neuffer*

**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 Rule 2.6.2, non-agenda public is limited to two (2) minutes per speaker. Speakers may not allocate their time to other speakers. Non-Agenda Public Comment is taken toward the end of the Monday afternoon Council Session.

**PUBLIC NOTICES**

None.

**NON-AGENDA ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**