

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Sean Elo-Rivera • Ninth District

COUNCIL PRESIDENT PRO TEM

Joe LaCava • First District

COUNCILMEMBERS

Jennifer Campbell • Second District

Stephen Whitburn • Third District

Henry L. Foster III • Fourth District

(Rev. 4/8/24)

Marni von Wilpert • Fifth District

Kent Lee • Sixth District

Raul A. Campillo • Seventh District

Vivian Moreno • Eighth District

Charles Modica

Independent

Budget Analyst

Mara W. Elliott

City Attorney

Diana J. S. Fuentes

City Clerk

City Administration Building

City Council Chambers- 12th Floor

202 C Street San Diego, CA 92101

Virtual Participation: <https://sandiego.zoomgov.com/j/1607807743>

To join by telephone: Dial 1-669-254 5252 + input Webinar ID: 160 780 7743

TUESDAY, APRIL 09, 2024, AT 10:00 AM and 2:00 PM

FURTHER INFORMATION ON HOW TO PARTICIPATE IN THIS MEETING IS FOUND AT THE END OF THE AGENDA

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“ການຮ້ອງຂໍບໍລິການນາຍແປພາສາເພື່ອສະເໜີຄໍາຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິດຕໍ່ຫາ City Clerk ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມວຫາ: cityclerk@sandiego.gov. City ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ປະຊາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”
[ສໍາລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ ສະແດງຄໍາຄິດເຫັນກ່ຽວກັບວາຍການການປະຊຸມສະພາ ກະລຸນາກົດລົງຄໍາຕໍ່ໄປນີ້](#)

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.

TUESDAY, APRIL 09, 2024 AT 10:00 AM

ROLL CALL

PLEDGE OF ALLEGIANCE

REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS SCHEDULED DURING THE MORNING MEETING

APPROVAL OF COUNCIL MINUTES

2/26/2024

2/27/2024

3/4/2024 Adjourned

3/5/2024 Adjourned

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED:

Item 50: Sixth Amendment to Cooperative Agreement Contract Between the City of San Diego and Herc Rentals, Inc. for Equipment Rental and Related Products and Services.

Total Estimated Cost of Proposed Action and Funding Source:

This amendment increases the not-to-exceed amount by \$14,000,000 to a total of \$32,325,000, and extends the term of the contract by two years. Expenditure of the funds is contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and sufficient funding being available in each participating department's budget each fiscal year.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2024-86 Cor. Copy)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. Six to the Contract with Herc Rentals Inc., extending the Contract for a two-year option through through October 31, 2025, and increase the not-to-exceed amount to \$32,325,000, in connection with the City's ongoing rental needs.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on March 14, 2024.

ACTION: Motion by Chair Lee, second by Council President Elo-Rivera to recommend Council approval of staff's proposed actions.

VOTE: 2-1; Lee-yea, Elo-Rivera-yea, LaCava-nay, Moreno-not present.

Purchasing & Contracting: Claudia C. Abarca, (619) 236-5921

City Attorney Contact: Mark M. Imada

Item 51: 1st Amendment to the As Needed Agreements with Arcadis U.S., Inc. (H186997), Kleinfelder Construction Services, Inc. (H186998), and WSP USA, Inc. (formerly Louis Berger U.S., Inc.) (H186999).

Total Estimated Cost of Proposed Action and Funding Source:

This amendment does not include funding change nor has any cost impacts.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2024-89)

Introduction of an Ordinance authorizing the Mayor, or designee, to execute Amendment No. 1 to Contract No. H186998 with Kleinfelder Construction Services for as-needed construction management services, extending the Contract an additional 24 months at no additional cost to the City to complete eight remaining task orders.

Subitem-A: 6 votes required pursuant to Charter Section 99.

Subitem-B: (O-2024-90)

Introduction of an Ordinance authorizing the Mayor, or designee, to execute Amendment No. 1 to Contract No. H186999 with WSP USA, Inc. for as-needed construction management services, extending the Contract an additional 10 months at no additional cost to the City to complete seven remaining task orders.

Subitem-B: 6 votes required pursuant to Charter Section 99.

Subitem-C: (O-2024-91)

Introduction of an Ordinance authorizing the Mayor, or designee, to execute Amendment No. 1 to Contract No. H186997 with Arcadis U.S., Inc. for as-needed construction management services, extending the Contract an additional 19 months at no additional cost to the City to complete eight remaining task orders.

Subitem-C: 6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on March 7, 2024.

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

VOTE: 4-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-yea.

Engineering & Capital Projects: Alex Garcia, (858) 627-3287

City Attorney Contact: Dominic Mark Guglielmo

Item 52: Authorization of a Second Amendment to the Toyota Motor Sales and San Diego Toyota Dealers Advertising Association Marketing Agreement.

Total Estimated Cost of Proposed Action and Funding Source:

Authorization of this second amendment to the agreement will result in a total cost of approximately \$517,420 over the remainder of the two-year term of the marketing agreement or spanning Fiscal Year 2024 through Fiscal Year 2026. The cost is approximately \$592.00/month/per vehicle (38 vehicles) covered by San Diego Fire-Rescue usage fees. Fees will come from the General Fund

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2024-88)

Introduction of an Ordinance approving the second amendment to marketing partnership agreement with Toyota Motor Sales U.S.A., Inc., and the San Diego County Toyota Dealers Advertising Association.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Economic Development & Intergovernmental Relations Committee meeting on March 13, 2024.

ACTION: Motion by Committee Member Campbell, second by Chair Lee, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Campillo-yea, Lee-yea, Campbell-yea.

Economic Development: Christina Bibler, (619) 236-6421

City Attorney Contact: Marguerite Middaugh

Item 53: Second Amendment to the As-Needed Engineering Services Agreements with Kleinfelder, Inc. for Contract 3 (H187008) and HDR Engineering, Inc. for Contract 4 (H187009).

Total Estimated Cost of Proposed Action and Funding Source:

Authorization of this second amendment to the two agreements will increase the cost by \$1,210,000 for a total contract amt of \$13,710,000 over the 96-mth term of the Kleinfelder (KLF) agreement and will increase the cost by \$1,880,000 for a total contract amt of \$14,380,000 over the 102-mth term of the HDR agreement. Funds will come from Water Utility Operating and Metro Sewer CIP for the KLF agreement and from Muni Sewer Revenue, Water Utility Operating, Metro Sewer CIP, and Water Utility CIP for the HDR agreement.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2024-97)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 2 to the Contract (No. H187008) with Kleinfelder, Inc., extending the Contract through April 8, 2027, to complete task orders for as-needed engineering services.

Subitem-A: 6 votes required pursuant to Charter Section 99.

Subitem-B: (O-2024-98)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 2 to the Contract (No. 187009) with HDR Engineering, Inc., extending the Contract through October 27, 2027, to complete task orders for as-needed engineering services.

Subitem-B: 6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on March 14, 2024.

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

VOTE: 3-0; LaCava-yea, Campbell-yea, von Wilpert-yea.

Public Utilities: Keli Balo, (858) 292-6423

City Attorney Contact: Melissa Ables

Item 54: This item has been removed.

Item 55: Fifth Amendment to Bentley Systems Contract for Computer-Aided Drafting and Design (CADD) Application Services.

Total Estimated Cost of Proposed Action and Funding Source:

Authorization of this fifth amendment to the agreement will increase the cost by \$1,107,594, for a total contract amount of \$6,234,907. Funding will come from the Muni Sewer Revenue Fund, Metro Sewer Utility Fund, Water Utility Operating Fund, Refuse Disposal Enterprise Fund, Engineering & Capital Projects Fund, and the General Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2024-94)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Fifth Amendment to the Contract with Bentley Systems, Inc. extending the Contract through June 30, 2025, in connection with the Computer Aided Drafting Design application services.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on March 7, 2024.

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

VOTE: 4-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-yea.

Engineering & Capital Projects: Mark Gonzalez, (619) 533-4180

City Attorney Contact: Dana Fairchild

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 56: Extension of the Operating Agreement Between the City of San Diego and Civic San Diego to Provide Successor Agency and Housing Successor Services.

Total Estimated Cost of Proposed Action and Funding Source:

No fiscal impact to the General Fund. Per the Operating Agreement, Civic San Diego must prepare and submit to the City, for approval, an annual Work Plan and Operating Budget. The maximum compensation under this Agreement shall not exceed \$15,000,000 for the additional 5-year term ending August 12, 2029.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 50 (Council voted 8-0, District 4-vacant):

(O-2024-69)

Ordinance authorizing Mayor or his designee to execute the First Amendment to the Operating Agreement between the City of San Diego and Civic San Diego which includes the exercise of the option to extend the term and provides for a second five (5)-year option.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Economic Development & Intergovernmental Relations Committee meeting on February 7, 2024.

ACTION: Motion by Vice Chair Lee, second by Committee Member Campbell, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Campillo-yea, Lee-yea, Campbell-yea.

Economic Development: Christina Bibler, (619) 236-6421

City Attorney Contact: Michael Park

Item 57: Third Amendment to Agreement for Engineering Services, Contract #H105180, with Nasland Engineering for the Project Coastal Rail Trail Project Design and Engineering Services.

Total Estimated Cost of Proposed Action and Funding Source:

This proposed Third Amendment to Agreement to expend an amount not-to-exceed \$407,490, in CIP S-00951, Coastal Rail Trail, Fund 400169, Transnet Extension 70% CAP, for the purpose of executing this amendment to Agreement.

Council District(s) Affected: 1.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 51 (Council voted 8-0, District 4-vacant):

(O-2024-79)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 3 to the Contract with Nasland Engineering, for additional professional services in an amount not-to-exceed \$407,490, and extend the term of the Agreement an additional 48 months, in connection with the Coastal Rail Trail project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on February 21, 2024.

ACTION: Motion by Vice Chair LaCava, second by Committee Member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-not present.

*Engineering & Capital Projects: George Ghossain, (619) 533-4397
City Attorney Contact: Ryan P. Gerrity*

Item 58: Exemption of One Program Coordinator Position for the Office of the Chief Operating Officer from the Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

The position was part of the 2024 adopted budget and as such should have no unforeseen impacts.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 52 (Council voted 8-0, District 4-vacant):

(O-2024-82)

Ordinance authorizing the exemption of a Program Coordinator position in the Office of the Chief Operating Officer from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on February 1, 2024. This position will be responsible for overseeing the City of San Diego's Executive Team administrative functions. This Action is brought under San Diego Charter section 117(a)(17).

Committee Actions Taken: N/A

Office of the Chief Operating Officer: Eric K. Dargan, (619) 533-3628

City Attorney Contact: Miguel Merrell

Item 59: Amendment to Agreement with Dokken Eng for Palm Ave I-805 Project.

Total Estimated Cost of Proposed Action and Funding Source:

This first amendment will increase the consultant contract by \$849,301.00 and will be funded by the Otay Mesa FBA.

Council District(s) Affected: 8.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 53 (Council voted 8-0, District 4-vacant):

(O-2024-78)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Contract with Dokken Engineering, for additional professional services in an amount not-to-exceed \$849,301, and extend the term of the Agreement an additional 24 months, in connection with the Palm Avenue and Interstate 805 Interchange project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on February 21, 2024.

ACTION: Motion by Vice Chair LaCava, second by Committee Member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-not present.

Engineering & Capital Projects: George Ghossain, (619) 533-4397

City Attorney Contact: Ryan P. Gerrity

Item 60: **Second Amendment to Agreement for Engineering Services, Contract #H197062, with Rick Engineering Company for the Design of Streamview Drive Improvements Phase II Project.**

Total Estimated Cost of Proposed Action and Funding Source:

The total cost for this Second Amendment is \$749,640.00, increasing the total contract value to \$2,637,343. Please refer to the Fiscal Considerations section of the Staff Report for fund sources.

Council District(s) Affected: 4, 9.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 54 (Council voted 8-0, District 4-vacant):

(O-2024-80)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 2 to the Contract with Rick Engineering Company, for additional professional services in an amount not-to-exceed \$749,640, and extend the term of the Agreement an additional 12 months, in connection with the Streamview Drive Phase 2 project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on February 21, 2024.

ACTION: Motion by Vice Chair LaCava, second by Committee Member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-not present.

Engineering & Capital Projects: George Ghossain, (619) 533-4379

City Attorney Contact: Ryan P. Gerrity

Item 61: Award Fourth Amendment to the Consultant Agreement (H115417) with Lee and Ro Inc. for Professional Design and Construction Support Services of Pump Station 2 - Power Reliability & Surge Protection Project.

Total Estimated Cost of Proposed Action and Funding Source:

Authorization of this Fourth Amendment to the Agreement with Lee and Ro, Inc., to increase the contract in an amount not-to-exceed \$350,000.00 and to extend the contract time from February 20, 2025 to December 31, 2025. Funds will come from the Capital Improvements Program.

Council District(s) Affected: 2.

Proposed Actions:

Adopt the following Ordinance which was introduced on 3/12/2024, Item 64, Subitem-B (Council voted 8-0, District 4-vacant):

(O-2024-81)

Ordinance authorizing a fourth amendment to the agreement (H115417) with Lee and Ro Inc. for the Pump Station 2 Power Reliability & Surge Protection project and taking related actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on February 21, 2024.

ACTION: Motion by Vice Chair LaCava, second by Committee Member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-not present.

Engineering & Capital Projects: George Ghossain, (619) 533-4397

City Attorney Contact: Adam Wander

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Resolution in Support of Upholding the Prohibitions on New Oil and Gas Wells and Opposing the Referendum on the November 2024 Ballot Which Would Overturn SB 1137 and Urges a Vote to “Keep the Law”.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-425)

Resolution in support of upholding the prohibitions on new oil and gas wells and opposing the referendum which would overturn SB 1137.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on February 15, 2024.

ACTION: Motion by Chair LaCava , second by Vice Chair von Wilpert, to recommend Council approval of staff’s proposed actions.

VOTE: 3-0; LaCava-yea, von Wilpert-yea, Campbell-yea.

Council District 1: Brian Elliott, (619) 510-6874

City Attorney Contact: William Smith

Item 101: Approval of Premises Schedule #3 to Master Energy Services Agreement with Energy Center San Diego LLC to Provide Chilled Water to the Balboa Theater Property Located at 868 Fourth Avenue, in the City of San Diego.

Total Estimated Cost of Proposed Action and Funding Source:

Based on historical and projected data, the costs associated with Premises Schedule #3 for the provision of chilled water services to the Balboa Theatre are estimated to be \$2,600,000 over the initial approximately fifteen (15) year term, approximately \$1,400,000 over the first five-year extension option, and approximately \$1,800,000 over the second five-year extension option.

Council District(s) Affected: 3.

Proposed Actions:

(R-2024-419)

Resolution approving a 15-year premises schedule under a previously approved Master Agreement with Energy Center San Diego LLC to provide chilled water to the Balboa Theatre located at 868 Fourth Avenue in San Diego.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on March 13, 2024.

ACTION: Motion by Chair Campillo, second by Committee member Campbell, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Campillo-yea, Lee-yea, Campbell-yea.

Economic Development: Christina Bibler, (619) 236-6421

City Attorney Contact: Brian Byun

Item 102: Approval of the Elimination of Library Department Juvenile Accounts Referred to Collections and the Creation of a Program to Provide Youth with a One-Time Opportunity to Clear Charges for the Cost of Lost Library Materials.

Total Estimated Cost of Proposed Action and Funding Source:

The City Treasurer would waive approximately \$70,000 in Collections fees associated with these accounts. There is \$175,500 in lost fees associated with these accounts and the Library Department would work with juveniles to bring these accounts back into good standing.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-399)

Resolution authorizing the Library Director to discontinue referrals of juvenile library accounts to City Treasurer Collections and to create a program to provide youth with a one-time opportunity to clear charges for lost library materials, contingent upon funds being made available to the City from the San Diego Public Library Foundation to cover the costs of these charges.

Committee Actions Taken:

This item was heard at the Community and Neighborhood Services Committee meeting on March 21, 2024.

ACTION: Motion by Committee Member Campillo, second by Chair Campbell, to recommend Council approval of staff's proposed actions.

VOTE: 2-0; Campbell-yea, Campillo-yea, von Wilpert-not present.

Library: Misty Jones, (619) 236-5870

City Attorney Contact: Ken So

Item 103: Approval of 5-Year Contract with UBM Enterprises, Inc. for Janitorial Services for the Library System.

Total Estimated Cost of Proposed Action and Funding Source:

The total amount not-to-exceed is \$9,157,069.55 for the five (5) year contractual term which will be coming out of the General Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-341)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with UBM Enterprises, Inc. in an amount not-to-exceed \$9,157,069.55, to provide janitorial services to the City of San Diego Library system.

Committee Actions Taken:

This item was heard at the Community and Neighborhood Services Committee meeting on March 21, 2024.

ACTION: Motion by Committee Member Campillo, second by Chair Campbell, to recommend Council approval of staff's proposed actions.

VOTE: 2-0; Campbell-yea, Campillo-yea, von Wilpert-not present.

Library: Raul Gudino, (619) 236-5889

City Attorney Contact: Ken So

Item 104: Ratification of Contract Spend for Contract Between the City of San Diego and United Site Services of California, Inc. for Full Service Mobile Shower Rental.

Total Estimated Cost of Proposed Action and Funding Source:

The ratification for spend is in the amount of \$4,201,871.30; funding sources include the Homeless Solutions and Strategies Department approved budget and Coronavirus Aid, Relief, and Economic Security (CARES) fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-421)

Resolution ratifying excess spending, including emergency spending, on a contract with United Site Services of California, Inc. in the amount of \$4,201,871.30, for a total of \$7,201,871.30, for full service mobile shower rentals in response to urgent City needs including the COVID-19 response and Operation Shelter to Home.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on March 14, 2024.

ACTION: Motion by Chair Lee, second by Council President Elo-Rivera, to recommend Council approval of staff's proposed actions.

VOTE: 2-1; Lee-yea, Elo-Rivera-yea, LaCava-nay, Moreno-not present.

Purchasing & Contracting: Claudia C. Abarca, (619) 236-5921

City Attorney Contact: Mark M. Imada

Item 105: Authorization to Execute a Cooperative Procurement Contract with Mansfield Oil for the Supply and Delivery of Fuel and Fuel-Related Services.

Total Estimated Cost of Proposed Action and Funding Source:

Total cost of this Cooperative Contract is not-to-exceed \$88M for a term extending through February 10, 2025, with up to three (3) additional one (1) year option extensions. Funding is or will be available from the Fleet Operations Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-452)

Resolution authorizing the Mayor, or his designee, to enter into a cooperative procurement agreement with Mansfield Oil Company of Gainesville, Inc., via a Sourcewell agency agreement, in an amount not-to-exceed \$88,000,000, to provide fuel and fuel-related services to address the City's need throughout the City.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on March 14, 2024.

ACTION: Motion by Council President Elo-Rivera, second by Council President Pro Tem LaCava, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Lee-yea, LaCava-yea, Elo-Rivera-yea, Moreno-not present.

Department of General Services: Oscar Garcia, (619) 236-6037

City Attorney Contact: Mark M. Imada

Item 106: Twenty (20) Year Lease Agreement with The United States of America Federal Aviation Administration (FAA).

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: 2.

Proposed Actions:

Subitem-A: (R-2024-436)

Resolution determining that approval of a twenty-year lease with the Federal Aviation Administration for an approximately 1.956-acre man-made island located in Mission Bay is categorically exempt from the California Environmental Quality Act under CEQA Guidelines Section 15301.

Subitem-B: (R-2024-435)

Resolution authorizing a twenty-year lease with the Federal Aviation Administration for an approximately 1.956-acre man-made island located in Mission Bay; waiving the application of Council Policy 700-10 with respect to the payment of fair market rent; and waiving the application of Council Policy 900-03.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on March 21, 2024.

ACTION: Motion by Council President Pro Tem LaCava, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; LaCava-yea, Whitburn-yea, Lee-yea, Moreno-yea.

Department of Real Estate and Airport Management: Christina Bibler, (619) 236-6421

City Attorney Contact: Brian Byun

Item 107: First Amendment to the Lease at 9444 Balboa Avenue, San Diego, CA 92123, Between Balboa Building Owner LLC and the City of San Diego.

Total Estimated Cost of Proposed Action and Funding Source:

Based on an estimated Commencement date of June 1, 2024, the fiscal impact for Fiscal Year 2024 is estimated to be \$4,902.90 for the first month's rent of the expansion space.

Council District(s) Affected: 6.

Proposed Actions:

Subitem-A: (R-2024-428)

Resolution determining that approval of that certain First Amendment to Office Lease between Balboa Building Owner LLC and the City of San Diego related to office space at 9444 Balboa Avenue is categorically exempt from the California Environmental Quality Act under Title 14 California Code of Regulations section 15301.

Subitem-B: (R-2024-429)

Resolution approving that certain First Amendment to Office Lease between Balboa Building Owner LLC and the City of San Diego related to office space at 9444 Balboa Avenue.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on March 21, 2024.

ACTION: Motion by Council President Pro Tem LaCava, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; LaCava-yea, Whitburn-yea, Lee-yea, Moreno-yea.

Department of Real Estate and Airport Management: Christina Bibler, (619) 236-6421

City Attorney Contact: Julie Gough Inman

Item 108: Third Amendment to the Citywide Security Service Agreement with Invicta Security CA Corporation dba Allstate Security.

Total Estimated Cost of Proposed Action and Funding Source:

This action increases expenditure authority by \$4M to \$32,910,721 total over the contract term; impacts operational funds in the General Fund for the Public Library, Parks & Recreation, Facilities, & Office of the City Treasurer Departments, as well as departments that may require security services related to homelessness initiatives. Department security expenditures will be contingent upon ongoing security needs and available budget will be approved as part of the annual appropriations process.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-422 Cor. Copy)

Resolution authorizing the Mayor, or his designee, to execute the Third Amendment to the Agreement with Invicta Security CA Corporation dba Allstate Security for additional security services in an amount not-to-exceed \$32,910,721 over the full term of the contract, and extend the term of the Agreement an in connection with the security needs of the City.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on March 14, 2024.

ACTION: Motion by Committee Chair Lee, second by Council President Elo-Rivera, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Lee-yea, Elo-Rivera-yea, LaCava-yea, Moreno-not present.

Purchasing & Contracting: Claudia C. Abarca, (619) 236-5921

City Attorney Contact: Mark M. Imada

Item 109: Osuna Segment of Coast to Crest Trail Project - San Dieguito River Park Joint Powers Authority License Agreement

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: 1.

Proposed Actions:

(R-2024-420)

Resolution authorizing execution of a 25-year license agreement, including recurring 10-year options to extend the term, with the San Dieguito River Park Joint Powers Authority for the Osuna Segment of the Coast to Crest Trail in the Fairbanks Ranch Community.

Committee Actions Taken:

This item was heard at Land Use and Housing Committee meeting on March 21, 2024.

ACTION: Motion by Council President Pro Tem LaCava, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; LaCava-yea, Whitburn-yea, Lee-yea, Moreno-yea.

Department of Real Estate and Airport Management: Christina Bibler, (619) 236-6421

City Attorney Contact: Brian Byun

Item 110: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocations from Council District 9 to 3 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$15,000.00. Of those previously budgeted funds, this item allocates \$12,500.00 of Council District 9's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 9.

Proposed Actions:

(R-2024-444)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23,

recommended by Council District 9 to three nonprofit organizations in the aggregate amount of \$12,500.00.

Committee Actions Taken: N/A

Council Administration: Malachi Bielecki, (619) 236-7709

City Attorney Contact: Justin Bargar

Item 111: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocations from Council District 1 to 4 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$27,500.00. Of those previously budgeted funds, this item allocates \$15,000.00 of Council District 1's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 1.

Proposed Actions:

(R-2024-453)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 1 to four nonprofit organizations in the aggregate amount of \$15,000.00.

Committee Actions Taken: N/A

Council Administration: Malachi Bielecki, (619) 236-7709

City Attorney Contact: Justin Bargar

Item 112: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocation(s) from Council District 2 to 5 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$63,000. Of those previously budgeted funds, this item allocates \$24,000 of Council District 2's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 2.

Proposed Actions:

Subitem-A: (R-2024-463)

Resolution determining that the approval of Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 2 to certain nonprofit organizations is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301.

Subitem-B: (R-2024-462)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 2 to five nonprofit organizations in the aggregate amount of \$24,000.00.

Committee Actions Taken: N/A

Council Administration: Abigail Edwards, (619) 236-5918

City Attorney Contact: Justin Bargar

Item 113: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocations from Council District 3 to 8 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$43,000.00. Of those previously budgeted funds, this item allocates \$25,000.00 of Council District 3's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 3.

Proposed Actions:

(R-2024-455)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 3 to eight nonprofit organizations in the aggregate amount of \$25,000.00.

Committee Actions Taken: N/A

Council Administration: Malachi Bielecki, (619) 236-7709

City Attorney Contact: Justin Bargar

Item 114: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocation(s) from Council District 4 to 2 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$24,000. Of those previously budgeted funds, this item allocates \$10,000 of Council District 4's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23

Council District(s) Affected: 4.

Proposed Actions:

(R-2024-446)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 4 to two nonprofit organizations in the aggregate amount of \$10,000.

Committee Actions Taken: N/A

Council Administration: Abigail Edwrads, (619) 236-5918

City Attorney Contact: Justin Bargar

Item 115: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocations from Council District 5 to 5 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$37,000.00. Of those previously budgeted funds, this item allocates \$11,000.00 of Council District 5's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 5.

Proposed Actions:

(R-2024-454)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 5 to five nonprofit organizations in the aggregate amount of \$11,000.00.

Committee Actions Taken: N/A

Council Administration: Malachi Bielecki, (619) 236-7709

City Attorney Contact: Justin Bargar

Item 116: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocation(s) from Council District 6 to 8 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$59,750. Of those previously budgeted funds, this item allocates \$26,500 of Council District 6's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 6.

Proposed Actions:

Subitem-A: (R-2024-461)

Resolution determining that the approval of Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 6 to certain nonprofit organizations is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301.

Subitem-B: (R-2024-460)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 6 to eight nonprofit organizations in the aggregate amount of \$26,500.00.

Committee Actions Taken: N/A

Council Administration: Abigail Edwards, (619) 236-5918

City Attorney Contact: Justin Bargar

Item 117: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocations from Council District 7 to 14 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$117,850.00. Of those previously budgeted funds, this item allocates \$39,850.00 of Council District 7's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 7.

Proposed Actions:

Subitem-A: (R-2024-465)

Resolution determining that the approval of Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 7 to certain nonprofit organizations is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301.

Subitem-B: (R-2024-464)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 7 to 14 nonprofit organizations in the aggregate amount of \$39,850.00.

Committee Actions Taken: N/A

Council Administration: Malachi Bielecki, (619) 236-7709

City Attorney Contact: Justin Bargar

Item 118: FY 2024 Arts, Culture and Community Festivals (ACCF) Funding Allocation(s) from Council District 8 to 9 Nonprofit Organizations.

Total Estimated Cost of Proposed Action and Funding Source:

Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$98,000. Of those previously budgeted funds, this item allocates \$50,000 of Council District 8's ACCF funds to various nonprofit organizations pursuant to Council Policy 100-23.

Council District(s) Affected: 8.

Proposed Actions:

(R-2024-445)

Resolution approving Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funding allocations, pursuant to Council Policy 100-23, recommended by Council District 8 to nine nonprofit organizations in the aggregate amount of \$50,000.00.

Committee Actions Taken: N/A

Council Administration: Abigail Edwards, (619) 236-5918

City Attorney Contact: Justin Bargar

Item 119: Affordable Housing and Sustainable Communities Grant Acceptance and Implementation of Downtown Mobility Plan Improvements.

Total Estimated Cost of Proposed Action and Funding Source:

The total grant award amount is \$6,300,000.00 (State). Please see the Fiscal Considerations section of the Staff Report for allocations.

Council District(s) Affected: 3.

Proposed Actions:

(R-2024-440)

Resolution authorizing the Chief Financial Officer to increase the Fiscal Year 2024 Capital Improvements Project Budget, and to accept, appropriate and expend Affordable Housing and Sustainable Communities Grant Funding in an amount not-to-exceed \$6,300,000 for Downtown Mobility Plan transportation improvements.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on March 7, 2024.

ACTION: Motion by Chair Whitburn, second by Committee member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-yea.

Transportation Department: Everett Hauser, (619) 533-3012

City Attorney Contact: Cassandra Mougín

Item 120: Ready, Set, Grow San Diego IRA Urban and Community Forestry Grant Funding in an Amount of \$10,000,000.

Total Estimated Cost of Proposed Action and Funding Source:

This action is for acceptance of grant funding from the USDA Forest Service Urban and Community Forestry Program in an amount of \$10,000,000. This grant does not require a local match.

Council District(s) Affected: 4, 7, 8, 9.

Proposed Actions:

(R-2024-451)

Resolution authorizing the Mayor, or his designee, to make an application to the U.S. Department of Agriculture Forest Service, and to accept, appropriate, and expend an amount not-to-exceed \$10,000,000 in Inflation Reduction Act Urban and Community Forestry grant funding for the Ready, Set, Grow San Diego project and related actions.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on March 14, 2024.

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

VOTE: 3-0; LaCava-yea, Campbell-yea, von Wilpert-yea.

Transportation Department: Chelsea Klaseus, (858) 541-4325

City Attorney Contact: Dominic Mark Guglielmo

Item 121: Garnet Ave and Logan Ave Series Circuit Conversions HUD EDI CPF Grant Funding in Amounts of \$2,000,000 and \$1,500,000.

Total Estimated Cost of Proposed Action and Funding Source:

HUD Community Project Funding Grant Awards for Garnet Ave Series in an amount of \$2,000,000 and Logan Ave Series in an amount of \$1,500,000 within fund 600000, Grant Fund Federal. These grant awards do not require a local match.

Council District(s) Affected: 2, 8.

Proposed Actions:

(R-2024-443)

Resolution authorizing the Mayor, or designee, to make applications to U.S. Department of Housing and Urban Development and take all necessary actions to secure funding in an amount not-to-exceed \$1,500,000 in Fund CIP A-IH.00002, Street Light Circuit Upgrades (B-24122) to support design and construction for the Logan Ave Series Circuit Conversion project; and

Authorizing the Chief Financial Officer to increase the Fiscal Year 2024 Budget, and to accept, appropriate and expend an amount not-to-exceed \$1,500,000, for the purpose of design and construction for the Logan Ave Series Circuit Conversion project, contingent upon receipt of a fully executed Grant Agreement if the Grant funding is secured; and

Authorizing the Mayor, or designee, to make applications to U.S. Department of Housing and Urban Development and take all necessary actions to secure funding in an amount not-to-exceed \$2,000,000 in CIP A-IH.00002, Street Light Circuit Upgrades (B-24123) to support design and construction for the Garnet Ave Series Circuit Conversion project; and

Authorizing the Chief Financial Officer to increase the Fiscal Year 2024 Budget, and to accept, appropriate and expend an amount not-to-exceed \$2,000,000, for the purpose of design and construction for the Logan Ave Series Circuit Conversion project, contingent upon receipt of a fully executed Grant Agreement if the Grant funding is secured; and

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on March 7, 2024.

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

VOTE: 4-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-yea.

Transportation Department: Patrick Hadley, (619) 527-7504

City Attorney Contact: Dominic Mark Guglielmo

Item 122: Appointment to the Board of Library Commissioners.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

Council District(s) Affected: 3.

Proposed Actions:

(R-2024-414)

Resolution confirming the Mayor's appointment of Dr. Scott Walter to the Board of Library Commissioners for a term ending March 1, 2026.

Committee Actions Taken: N/A

Office of Boards and Commissions: Chida Warren-Darby, (619) 533-3940

City Attorney Contact: Justin Bargar

Item 123: Appointments and Reappointments to the Community Forest Advisory Board.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

Council District(s) Affected: 2, 4, 6, 8.

Proposed Actions:

(R-2024-415)

Resolution confirming the Mayor's appointments of Frank Buncom and Alyssa Way, for terms ending December 31, 2025, and reappointments of Morgan Justice Black and Vicki Young, for terms ending December 31, 2026, to the Community Forest Advisory Board.

Committee Actions Taken: N/A

Office of Boards and Commissions: Chida Warren-Darby, (619) 533-3940

City Attorney Contact: Justin Bargar

Item 124: Appointment to the Planning Commission.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

Council District(s) Affected: 9.

Proposed Actions:

(R-2024-439 Cor. Copy) (Rev.4/3/24)

Resolution confirming the Mayor's appointment of Jimmy Ayala to the Planning Commission for a term ending January 28, 2028.

Committee Actions Taken: N/A

Office of Boards and Commissions: Chida Warren-Darby, (619) 533-3940

City Attorney Contact: Kathy Steinman

**Item S504: Amendment to the 2024 Standing Council Committee Assignments.
(Added 4/5/24)**

Total Estimated Cost of Proposed Action and Funding Source:

There are no costs associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-469)

Resolution confirming amendments to appointments of Councilmembers to standing committees for calendar year 2024.

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

Committee Actions Taken: N/A

Council District 9: Luz Anaya Luna, (619) 236-6699

City Attorney Contact: Heather M. Ferbert

NON-AGENDA COMMUNICATIONS FROM MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY CLERK, CITY ATTORNEY

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)

Item 30: Denim Day 2024.

MAYOR GLORIA, CITY ATTORNEY ELLIOTT, AND COUNCIL PRESIDENT PRO TEM LACAVA'S RECOMMENDATION:

Proclaiming April 24, 2024, to be "Denim Day 2024" in the City of San Diego.

Item 31: San Diego Saves Week 2024.

COUNCIL PRESIDENT ELO-RIVERA'S RECOMMENDATION:

Proclaiming the week of April 8-12, to be "San Diego Saves Week 2024" in the City of San Diego.

Item 32: San Diego Bike Month.

COUNCIL PRESIDENT ELO-RIVERA, COUNCIL PRESIDENT PRO TEM LACAVA, COUNCILMEMBER WHITBURN, AND COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Proclaiming the month of May 2024 to be "San Diego Bike Month" ,in the City of San Diego. (Rev. 4/4/24)

Item 33: Choul Chnam Thmey Moha Sangkran Day.

COUNCIL PRESIDENT ELO-RIVERA AND COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming April 21, 2024, to be "Choul Chnam Thmey Moha Songkran Day" in the City of San Diego.

Item 34: Mt. Soledad National Veterans Memorial 70th Anniversary Day.

COUNCIL PRESIDENT PRO TEM LACAVA'S RECOMMENDATION:

Proclaiming April 18, 2024, to be "Mt. Soledad National Veterans Memorial 70th Anniversary Day" in the City of San Diego.

Item 35: Child Abuse Prevention Month.

COUNCIL PRESIDENT PRO TEM LACAVA'S RECOMMENDATION:

Proclaiming April 2024 to be "Child Abuse Prevention Month" in the City of San Diego.

Item 36: Soapy Joe's Day.

COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming April 18, 2024, to be "Soapy Joe's Day" in the City of San Diego.

Item 37: Week of the Young Child.

COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming the week of April 6 - 12, 2024, to be "Week of the Young Child" in the City of San Diego.

Item 38: Letter Carriers' Stamp Out Hunger® Food Drive Day.

COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming proclaim May 11, 2024, to be "Letter Carriers' Stamp Out Hunger® Food Drive Day" in the City of San Diego.

Item 39: 39th Annual Linda Vista Multi-Cultural Fair & Parade Day.

COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Proclaiming April 27, 2024, to be "39th Annual Linda Vista Multi-Cultural Fair & Parade Day" in the City of San Diego.

Item 40: Janet Kaye Day.

COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Proclaiming April 27, 2024, to be "Janet Kaye Day" in the City of San Diego.

Item S500: Jerry Turner Day. (Added 4/4/24)

COUNCILMEMBER WHITBURN'S RECOMMENDATION:

Proclaiming March 30, 2024, to be "Jerry Turner Day" in the City of San Diego.

Item S501: Arden Pala Day. (Added 4/4/24)

COUNCILMEMBER VON WILPERT'S RECOMMENDATION:

Proclaiming February 23, 2024, as "Arden Pala Day" in the City of San Diego

Item S502: National Public Safety Dispatcher Week. (Added 4/4/24)

COUNCILMEMBER VON WILPERT'S RECOMMENDATION:

Proclaiming April 14-20, 2024, as "National Public Safety Dispatcher Week" in the City of San Diego.

Item S503: 55th Annual Municipal Clerks Week. (Added 4/5/24)

COUNCIL PRESIDENT ELO-RIVERA'S RECOMMENDATION:

Proclaiming the week of May 5 - 11, 2024 to be "55th Annual Municipal Clerks Week" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM CONSENT BY COUNCILMEMBERS

INFORMATION AND ADOPTION AGENDA ITEMS (10AM SESSION)

Item 330: Consummation of Settlement Agreement by Approval of (1) Encroachment Maintenance and Removal Agreement and (2) Easement Agreement Related to Portion of City-Owned Real Property Located at Third Avenue and Olive Street, San Diego, CA (APN 452-718-01) with the Owner of the Adjacent Property at 2765 Second Ave, San Diego, CA 92103 (APN 452-718-02), Jennifer J. Hasso-Najm, Trustee of The Najm Family Trust Dated 05-19-97.

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

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this action.

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2024-423)

Resolution determining that City's approval of (1) an Encroachment Maintenance and Removal Agreement and (2) an Easement Agreement, both related to a portion of City-owned real property located at Third Avenue and Olive Street (APN 452-718-01) with the owner of the adjacent property at 2765 Second Avenue (APN 452-718-02), Jennifer J. Hasso-Najm, Trustee of the Najm Family Trust Dated 05-19-97, is categorically exempt from the California Environmental Quality Act under CEQA Guidelines Sections 15301 and 15305.

Subitem-B: (R-2024-424)

Resolution approving (1) an Encroachment Maintenance and Removal Agreement and (2) an Easement Agreement, both related to a portion of City-owned real property located at Third Avenue and Olive Street (APN 452-718-01) with the owner of the adjacent property at 2765 Second Avenue (APN 452-718-02), Jennifer J. Hasso-Najm, Trustee of the Najm Family Trust Dated 05-19-97.

Committee Actions Taken: N/A

Department of Real Estate and Airport Management: Marc Frederick, (619) 236-6733

City Attorney Contact: Brian Byun

Item 331: Contract Between City of San Diego and Goforth & Marti (dba GM Business Interiors) for Herman Miller System Brand Office Furniture and Related Services.

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

Total Estimated Cost of Proposed Action and Funding Source:

This action seeks expenditure authority not-to-exceed \$12.5 million over the five-year term of the As-Needed agreement. Task orders for these agreements are contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year within each participating City department and 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.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-434)

Resolution authorizing an Agreement with GoForth & Marti (DBA GM Business Interiors) for as-needed modular office furniture and related services, in an amount not-to-exceed \$12.5 million over 5 years and related funding actions.

Committee Actions Taken: N/A

Department of Real Estate and Airport Management: Christina Bibler, (619) 236-6421

City Attorney Contact: Brian Byun

Item 332: Four-Year, Four-Month Retroactive Standard Space Lease with the Federal Aviation Administration for Approximately 7,736 Square Feet of Office Space at Montgomery-Gibbs Executive Airport, Located at 8525 Gibbs Drive, Suite 120, San Diego, CA 92123, and a Waiver of Requirements in Council Policy 700-10 and Council Policy 300-11.

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

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: 7.

Proposed Actions:

Subitem-A: (R-2024-431)

Resolution of the Council of the City of San Diego determining that approving a retroactive four-year, four-month Standard Space Lease with the Federal Aviation Administration for 7,736 square feet of office space located at 8525 Gibbs Drive, Suite 120, is exempt from the California Environmental Quality Act under CEQA Guidelines Section 15301.

Subitem-B: (R-2024-432)

Resolution of the Council of the City of San Diego approving a retroactive four-year, four-month Standard Space Lease with the Federal Aviation Administration for 7,736 square feet of office space located at 8525 Gibbs Drive, Suite 120, and waiving application of Council Policy 700-10 related to security deposits, leasehold improvements, and maintenance costs, and Council Policy 300-11 related to the employment of former City employees.

Committee Actions Taken: N/A

Department of Real Estate and Airport Management: Christina Bibler, (619) 236-6421

City Attorney Contact: William W. Witt

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 2.7.2, Non-Agenda Public Comment is limited to two (2) 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. Additionally, non-agenda public comment during the 10am session may be limited to 30 minutes at the discretion of the Council President for meeting management purposes. If some Non-Agenda Public Comment is trailed, any remaining speakers will be given an opportunity to speak during the 2pm session after Council concludes the Information and Adoption agenda items for the day.

TUESDAY, APRIL 09, 2024 AT 2:00 PM

ROLL CALL

REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS TRAILED FROM MORNING OR ITEMS SCHEDULED FOR AFTERNOON SESSION

INFORMATIONAL ITEMS

Item 333: Transportation Department Pavement Management Plan.

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

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

This item is informational only.

Committee Actions Taken: N/A

Transportation Department: Maggie McCormick, (619) 527-8031

Item 334: Performance Audit of the City's Street Maintenance Program.

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

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

This item is informational only.

Committee Actions Taken:

This item was heard at the Audit Committee meeting on February 14, 2024.

ACTION: Motion by Chair Moreno, second by Vice Chair Whitburn, to approve staff's proposed actions.

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

Office of the City Auditor: Megan Jaffery, (619) 533-3015

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

Item 335: Authorization for the Public Facilities Financing Authority of the City of San Diego Sewer Revenue Bonds.

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

Total Estimated Cost of Proposed Action and Funding Source:

Estimated debt service for the 2024 Sewer Bonds is \$14.2 million in Fiscal Year 2025 and \$17.6 million annually from Fiscal Year 2026 to Fiscal Year 2054, paid from the Sewer Revenue Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2024-92)

Introduction of an Ordinance approving and authorizing the issuance and sale by the Public Facilities Financing Authority of the City of San Diego of one more series of its Sewer Revenue Bonds in the aggregate principal amount not-to-exceed \$300,000,000 to finance additional components to wastewater system and approving other related documents and actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Budget & Government Efficiency Committee meeting on March 14, 2024.

ACTION: Motion by Committee Member LaCava, second by Committee Member Elo-Rivera.

VOTE: 3-0; Lee-yea, Elo Rivera-yea, LaCava-yea, Moreno-not present.

Department of Finance: Jyothi Pantulu, (619) 236-6917

City Attorney Contact: David Powell

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 336: **Appropriation and Expenditure of Water Infrastructure Finance and Innovation Act (WIFIA) Loan and Debt Funded General Fund Capital Improvement Program Funds, and Authorization of Consolidated Budget Adjustments for Stormwater Capital Improvement Program.**

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

Total Estimated Cost of Proposed Action and Funding Source:

This action will authorize the appropriation of \$72,224,841.20 of Water Infrastructure Finance and Innovation Act (WIFIA) funding needed for design and/or construction of Stormwater Capital Improvement Program (CIP) projects. Additionally, this action will authorize the appropriation of \$182,964,935.86 for the WIFIA loan match and previous emergency expenditure.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-437)

Resolution authorizing appropriation and expenditure of Water Infrastructure Finance and Innovation Act (WIFIA) Loan and Debt Funded General Fund Capital Improvement Program Funds, and authorization of consolidated budget adjustments for Stormwater Capital Improvement Program.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on March 7, 2024.

ACTION: Motion by Vice Chair LaCava, second by Chair Whitburn, to recommend Council approval of staff's proposed actions with a staff commitment to bring the following: Breakdown of ACA0001 and exactly what projects are being funded with this action.

VOTE: 4-0; Whitburn-yea, LaCava-yea, Lee-yea, von Wilpert-yea.

Stormwater Department: Sumer Hasenin, (858) 541-4366

City Attorney Contact: William Smith

Item 337: Authorization of the Retention of Hawkins Delafield & Wood LLP as Outside Counsel for Legal Matters Related to the City's Water Utility Fund.

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

Total Estimated Cost of Proposed Action and Funding Source:

Compensation for as-needed services will not exceed \$840,000. The City will pay Hawkins a flat fee out of bond proceeds for work on Bond Transactions upon each successful closing, and negotiated hourly rates of the Water Utility Fund for all other services (i.e., Commercial Paper, Loans or General Matters). No expenses are expected to be paid from this contract in Fiscal Year 2024.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-413)

Resolution authorizing the retention of Hawkins Delafield & Wood LLP as Outside Counsel.

Committee Actions Taken: N/A

Office of the City Attorney: Bret A. Bartolotta, (619) 533-5894

Item 338: Authorization of the Retention of Stradling Yocca Carlson & Rauth LLP as Outside Counsel for Legal Matters Related to the City's General Fund.

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

Total Estimated Cost of Proposed Action and Funding Source:

Total compensation will not exceed \$1.1 million. The City will pay Stradling a flat fee out of bond proceeds for work on Bond Transactions upon each successful closing and negotiated hourly rates out of the General Fund for all other services (i.e., Loans or General Matters). No expenses are expected to be paid under this contract in Fiscal Year 2024.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2024-412)

Resolution authorizing the retention of Stradling Yocca Carlson & Rauth LLP as Outside Counsel.

Committee Actions Taken: N/A

Office of the City Attorney: Bret A. Bartolotta, (619) 533-5894

PUBLIC NOTICES

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

Item 350: Approval of the Final Map "Tierra Alta".

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Tierra Alta" (T.M. No. 98-0792, PRJ No. 1068246) located at 11304 Caminito Rodar, San Diego, CA. in the RS-1-13 and OC-1-1 zone, within the Mira Mesa Community Plan Area, Council District 6, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, 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) This map is a Condominium Project as defined in section 4125 et. seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. City Council Resolution No. R-295656 adopted October 30, 2001, and Substantial Conformance Review No. 1180114 approved August 17, 2015, approve the development of eight (8) residential condominium units: Lot 1 will contain four (4) units and Lot 2 will contain four (4) units.
- (4) 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 Engineer 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 Engineer 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 Greg Jeffries at (619) 446-5132.

NON-AGENDA ITEMS**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES****ADJOURNMENT**

HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:

Members of the public shall be given the opportunity to address the Council. The Council President may reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

Pursuant to the Levine Act (Gov't Code Section 84308), any party to a permit, license, contract (other than competitively bid, labor or personal employment contracts) or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any Council Member. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party or participant and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made.

In-Person Comment on Agenda Items

Each speaker must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In person testimony will conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if they represent an organization or another person.

For meeting management during the Minutes, Proclamations, and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding them time. These speaker slips should be submitted together at one time to the City Clerk. The Council President may also limit organized group presentations of five or more persons to 15 minutes or less.

Virtual Public Comment on Agenda Items

Members of the public may participate virtually (by telephone or internet streaming) as indicated below. Speakers who wish to provide virtual public comment must enter the virtual queue by raising their virtual hands 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.

For meeting management during the Minutes, Proclamations, and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes. Speakers participating virtually may not allocate their time to other speakers and may not share video or visual aids (i.e. pdf, ppt, docs) during their comment period.

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.

Non-Agenda Public Comment

Every agenda for a regular Council meeting shall provide a period on the agenda for members of the public to address the Council on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council. Non-Agenda Public Comment shall be subject to the exercise of the Council President's discretion for a given agenda. In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, 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. A member of the public may only provide one non-agenda comment per agenda.

In-Person Non-Agenda Public Comment

Each speaker who wishes to address the Council must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of in-person testimony. In-person testimony shall conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if representing an organization or another person.

Virtual Non-Agenda Public Comment

Speakers who wish to provide virtual Non-Agenda Public Comment must enter the virtual queue by raising their virtual hands 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. Those participating virtually may not share video or visual aids (i.e. pdf, ppt, docs) during their non-agenda comment period.

Please note: On Tuesdays, Non-Agenda Public Comment is taken during the 10am session, but some Non-Agenda Public Comment may be trailed, at the Council President's discretion for meeting management purposes.

Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public

Comment may also 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 8:00 AM 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 8:00 AM the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

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 \(link is external\)](#)