### REVISED

# CITY OF SAN DIEGO **COUNCIL AGENDA**



### **COUNCIL PRESIDENT** Jennifer Campbell Second District

### **COUNCIL PRESIDENT PRO TEM**

Stephen Whitburn 

Third District

### **COUNCILMEMBERS**

- Joe LaCava First District Monica Montgomery • Fourth District Steppe
  - Chris Cate Sixth District
  - Raul A. Campillo Seventh District
- - Vivian Moreno Eighth District
  - Sean Elo-Rivera 

    Ninth District
    - Mara W. Elliott **City Attorney**

Andrea Tevlin Independent **Budget Analyst** 

Elizabeth Maland

**City Clerk** 

Council Chambers, 12<sup>th</sup> Floor, City Administration Building

Tuesday, April 20, 2021 **AGENDA FOR THE** REGULAR COUNCIL MEETING OF TUESDAY, APRIL 20, 2021, AT 9:00 AM (FOR CLOSED SESSION PUBLIC COMMENT ONLY) AND 11:00 AM

#### 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 <u>California Executive Order 29-20</u>, which suspends certain requirements of the Ralph M. Brown Act and the <u>Temporary Rules of Council</u> as approved on June 9, 2020.

During the current State of Emergency and in the interest of public health and safety, most—and possibly all—of the Council Members will be participating in City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public participating in person at the City Council Meetings. We are providing alternatives to in-person attendance for viewing and participating in the meetings.

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

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

Starting December 30, 2020, the City Council meetings will be held virtually using the Zoom Webinar platform. Members of the public can offer public comment on agendized 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.

## The link to join the Special Meeting Webinar by computer, tablet, or Smartphone is:

https://sandiego.zoomgov.com/j/1601405223

#### To join by using iPhone one-tap:

US: +16692545252,,1601405223# or +16468287666,,1601405223#

#### To join by telephone:

Dial 1-669-254-5252

#### When prompted, input **Webinar ID: 160 140 5223#**

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

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, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial \*6 on your phone.

#### Written Comment through Webform:

**Comment on Agenda Items** may be submitted using the <u>webform</u> indicating the agenda item number for which you wish to submit your comment. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

**Written Materials**. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to <u>cityclerk@sandiego.gov</u> or submit via U.S. Mail 202 C Street, MS2A San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Councilmembers in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the City Council.

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 Time Warner Cable or Channel 99 for AT&T U-Verse, or view the meetings online (link is external)

#### **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 <u>mailto:cityclerk@sandiego.gov</u>. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

<u>Note:</u> The City Council will meet in Closed Session this morning at 9:00 a.m. or shortly thereafter. Public Comment on Closed Session items will occur at the start of the 9:00 a.m. session before Council adjourns into Closed Session. The City Council will reconvene for Open Session at 11:00 a.m. or shortly thereafter. PLEASE NOTE: THE PUBLIC PORTION OF THIS AGENDA, LISTED BELOW AND INCLUDING NON-AGENDA PUBLIC COMMENT, BEGINS AT 11AM OR SHORTLY THEREAFTER. The only public input taken at the start of the 9am session is for Closed Session items only.

ROLL CALL

**INVOCATION** 

PLEDGE OF ALLEGIANCE

#### **NON-AGENDA PUBLIC COMMENT**

#### **APPROVAL OF COUNCIL MINUTES**

03/16/2021 03/23/2021 Adjourned 03/30/2021 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: Approval of the Third Amendment to the Master Services Agreement between the City of San Diego and CGI Technologies and Solutions, Inc.

Total Estimated Cost of Proposed Action and Funding Source:

This action will increase the total not-to-exceed amount available for use under the contract by ~\$21.5M (from \$153,412,872 to \$174,921,973) to be paid from various funds, including IT Fixed Costs, as needed across the organization.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

(0-2021-118)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the Third Amendment to the Master Services Agreement with CGI Technologies and Solutions, Inc., for Application, Development, and Maintenance Services, for the purpose of providing services through the disentanglement term, increasing the not-to-exceed amount of the Agreement by \$21,515,101, from \$153,412,872 to \$174,921,973 and extending the disentanglement term through June 30, 2022.

#### 6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on April 7, 2021.

ACTION: Motion by Vice-Chair Whitburn, second by Councilmember Montgomery Steppe, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Cate-yea, Whitburn-yea, Montgomery Steppe-yea, Campillo-yea.

Department of Information Technology: Jonathan Behnke, (619) 533-3637 City Attorney Contact: Steven Lastomirsky

#### Item S500: Second Amendment to Software License and Maintenance Agreement with Open Counter Enterprises Inc. (Added 4/16/21)

Total Estimated Cost of Proposed Action and Funding Source:

Authorization of this second amendment to the agreement will increase the cost by \$197,250.00, for a total contract amount of \$1,325,800.00 over the 6 year term of the agreement. Funds will come from the General Fund and Planning & Development Revenue Enterprise Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(0-2021-115)

Introduction of an Ordinance of the Council of the City of San Diego authorizing a Second Amendment to a Master Services Agreement between the City of San Diego and Open Counter Enterprises, Inc., and approving related funding.

#### 6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on April 14, 2021.

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

VOTE: 4-0; Campillo-yea, Cate-yea, Moreno-yea, Elo-Rivera-yea.

*Economic Development: Christina Bibler, (619) 236-6421 City Attorney Contact: Kate Malcolm* 

#### ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

#### Item 51: Approval of Contract with CentralSquare Technologies for Next Generation CAD Resource Management and Information Sharing Solution.

#### Total Estimated Cost of Proposed Action and Funding Source:

The total maximum value of this contract is \$2,859,784 over 10years. \$730,325 for FY22 is contingent upon grant award. Annual maintenance for future fiscal years will require general funds, of which the cost will be shared between Member Agencies. City of San Diego cost share for FY23 is approximately \$70,000; totaling an estimated amount of \$716,000 for the duration of the 10-year contract.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 50. (Council voted 9-0):

(O-2021-107)

Ordinance authorizing the Mayor, or his designee, to enter into an Agreement with CentralSquare Technologies to provide a Next Generation Computer Aided Dispatch Resource Management and Information Sharing Solution.

#### 6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

*Fire-Rescue: Colin Stowell, Fire Chief, (619) 533-4301 City Attorney Contact: Laura DePoister* 

#### Item 52: Ordinance to Authorize a First Amendment to the Agreement between the City of San Diego and Streamline Automation Systems.

Total Estimated Cost of Proposed Action and Funding Source:

This contract is for an amount not to exceed \$223,349 from the General Fund over an eighteen (18) month period: May 19, 2021 to November 19, 2022. These costs are budgeted in the San Diego Fire Department's General Fund.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 51. (Council voted 9-0):

(0-2021-108)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No. One to the Contract with Streamline Automation

#### 6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

*Fire-Rescue: John Wood, Assistant Fire Chief, (619) 533-4302 City Attorney Contact: Laura DePoister* 

#### Item 53: Third Amendment to the Office Space Lease at 9370 Chesapeake Drive, San Diego, CA, 92123, between Ruffin-SD LLC and City of San Diego.

Total Estimated Cost of Proposed Action and Funding Source:

This project will be funded by the General Fund (74%) and TSW Utilities and Undergrounding Management (26%). Total cost is \$3,038,018.24 for lease expenses for the five-year renewal period.

Council District(s) Affected: 6.

Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 52. (Council voted 9-0):

(O-2021-99 Cor. Copy)

Ordinance authorizing the Mayor, or his designee, to execute the Third Amendment to Lease with Ruffin-SD, LLC extending the lease through May 31, 2025 for office space located at 9370 Chesapeake Drive, San Diego, California 92123 and related actions.

#### 6 votes requried pursuant to Charter Section 99.

Committee Actions Taken: N/A

Real Estate Assets: Sara Solomon, (619) 533-4523 City Attorney Contact: Marco A. Verdugo

#### Item 54: Municipal Code Amendment for Proposed Park Curfew Implementation.

Total Estimated Cost of Proposed Action and Funding Source:

There is no fiscal impact with this action.

Council District(s) Affected: 2.

Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 53. (Council voted 9-0):

(0-2021-75)

Ordinance Amending Chapter 6, Article 3, Division 1 of the San Diego Municipal Code by Amending Section 63.0120 Relating to Use of Park Areas.

Committee Actions Taken: N/A

*Parks & Recreation: Christina Chadwick, (619) 533-6518 City Attorney Contact: Catherine Morrison* 

#### Item 55: Approval of the Joint Use Agreement between the City and the San Dieguito Union High School District for Pacific Trails Middle School and Canyon Crest Academy.

Total Estimated Cost of Proposed Action and Funding Source:

There are no city Capital Improvement Projects authorized with the approval of this action.

Council District(s) Affected: 1.

Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 60, Subitem B. (Council voted 9-0):

(0-2021-105)

Ordinance authorizing the execution of the Joint Use Agreement for the operation, maintenance, and use of facilities at Pacific Trails Middle School and Canyon Crest Academy with the San Dieguito Union High School District and related actions.

#### 6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

*Parks & Recreation: Shannon Scogggins, (619) 236-6894 City Attorney Contact: Hilda R. Mendoza* 

#### Item 56: Approval of the Joint Use Agreements between the City and SDUSD for Cabrillo Elementary, Farb Middle, Hage Elementary, Pacific Beach Middle, and School of Creative and Performing Arts (SCPA) Schools.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City Capital Improvement Projects authorized with the approval of this action.

Council District(s) Affected: 2, 4, 6, 7.

#### Proposed Actions:

Adopt the following Ordinance which was introduced on 4/6/2021, Item 61, Subitem B. (Council voted 9-0):

(0-2021-104)

Ordinance authorizing the Mayor, or his designee, to enter into five 25-year Joint Use Agreements with the San Diego Unified School District for the construction, operation, maintenance, and use of joint use facilities at Cabrillo Elementary School, Farb Middle School, Hage Elementary School, School of Creative and Performing Arts, and Pacific Beach Middle School, and related actions.

#### 6 votes requried pursuant to Charter section 99.

Committee Actions Taken: N/A

*Parks & Recreation: Shannon Scoggins, (619) 236-6894 City Attorney Contact: Marco A. Verdugo* 

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

#### Item 100: FY 2021 Amendment to the Airports Fund Budget.

Total Estimated Cost of Proposed Action and Funding Source:

The action will increase appropriations in the Airports Enterprise fund by \$1.52M for Fiscal Year 2021, which is supported by utilizing available fund balance.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

(R-2021-395)

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on April 7, 2021.

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

VOTE: 4-0; Cate-yea, Whitburn-yea, Montgomery Steppe-yea, Campillo-yea.

Real Estate Assets: Jorge Rubio, (858) 573-1441 City Attorney Contact: Melissa D. Ables

#### Item S501: Reappointments to the San Diego Convention Center Corporation Board. (Added 4/16/21)

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

<u>Council District(s) Affected:</u> 1, 2.

Proposed Actions:

(R-2021-336)

Resolution confirming the Mayor's reappointments of Carol Kim and Carlos Cota to the San Diego Convention Center Corporation Board with terms expiring December 1, 2023.

Committee Actions Taken: N/A

*Office of Boards and Commissions: Mathew Gordon, (619) 533-4506 City Attorney Contact: Jennifer L. Berry* 

#### Item S502: Cannabis Equity Grants Program for Local Jurisdictions. (Added 4/16/21)

Total Estimated Cost of Proposed Action and Funding Source:

The total funds applied for in this grant are \$75,000.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

(R-2021-399)

Authorizing the City to execute an agreement with the California Governor's Office of Business and Economic Development and to take all necessary steps to receive up to \$75,000 in 2020-2021 Cannabis Equity Grants Program funds to conduct a cannabis equity assessment.

Committee Actions Taken: N/A

Development Services: PJ FitzGerald, (619) 446-5107 City Attorney Contact: Noah Brazier

#### Tuesday, April 20, 2021 Page 13 PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED IN CHAMBERS)

#### Item 30: Endangered Species Day.

#### COUNCILMEMBER LACAVA'S RECOMMENDATION:

Proclaiming May 21, 2021, to be "Endangered Species Day" in the City of San Diego.

#### Item 31: Turkish National Sovereignty and International Children's Day

COUNCILMEMBER LACAVA'S RECOMMENDATION:

Proclaiming April 23, 2021, to be "Turkish National Sovereignty and International Children's Day" in the City of San Diego.

#### Item S503: Joe Musgrove No-Hitter Day. (Added 4/16/21)

MAYOR GLORIA, COUNCIL PRESIDENT CAMPBELL AND COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming April 9th, 2021, to be "Joe Musgrove No-Hitter Day" in the City of San Diego.

#### SPECIAL ORDERS OF BUSINESS

None.

#### **ITEMS PULLED FROM THE CONSENT AGENDA**

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

#### **UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

#### **REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS**

#### **INFORMATIONAL ITEMS**

#### Item 330: Presentation of the Mayor's Fiscal Year 2022 Proposed Budget.

Total Estimated Cost of Proposed Action and Funding Source:

Please refer to the Fiscal Year 2022 Proposed Budget available on the City of San Diego's website.

<u>Council District(s) Affected:</u> Citywide.

Proposed Actions:

This item is informational only.

Committee Actions Taken: N/A

Department of Finance: Rolando Charvel, (619) 533-4535

#### **ADOPTION AGENDA, DISCUSSION ITEMS**

ADOPTION AGENDA DISCUSSION, RESOLUTIONS TO BE ADOPTED:

#### Item S504: FY 2022 Annual Action Plan for HUD Programs, FY 2022 Annual HUD Programs Allocations and associated actions. (Added 4/16/21)

Total Estimated Cost of Proposed Action and Funding Source:

The proposed actions result in no fiscal impact to the City's General Fund, as the funding referenced in these requested actions originates from U.S Housing and Urban Development Department (HUD).

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-396)

Resolution allocating funding from the Fiscal Year 2022 U.S. Department of Housing and Urban Development entitlement grant programs, approving the Fiscal Year 2022 Annual Action Plan and taking related actions.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on April 14, 2021. VOTE: 4-0; Montgomery Steppe-yea, Campillo-yea, Whitburn-yea, von Wilpert-yea.

*Economic Development: Christina Bibler, (619) 236-6421 City Attorney Contact: Marguerite Middaugh* 

#### **ADOPTION AGENDA, DISCUSSION ITEMS**

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

#### Item 331: Appeal of the Historical Designation of the Frederick Thomas House located at 540 Thorn Street (HRB #1381).

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost to the City associated with this item.

Council District(s) Affected: 3.

Proposed Actions:

Deny the appeal and uphold the Historical Resources Board's (HRB) September 24, 2020, historical resource designation of the Frederick Thomas House located at 540 Thorn Street in the Uptown Community Planning Area, or grant the appeal and reverse the designation.

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

Committee Actions Taken: N/A

Development Services: Suzanne Segur, (619) 236-6139 City Attorney Contact: Shannon Eckmeyer

#### Item 332: Regional Transportation Congestion Improvement Program (RTCIP) Fiscal Year 2022 Fee Schedule Adjustment.

Total Estimated Cost of Proposed Action and Funding Source:

Please see Staff Report.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-393)

Resolution adopting a two percent increase to the Regional Transportation Congestion Improvement Program fee schedule for Fiscal Year 2022.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on April 7, 2021.

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

VOTE: 4-0; von Wilpert-yea, LaCava-yea, Montgomery Steppe-yea, Elo-Rivera-yea.

*Planning: Angela Abeyta, (619) 533-3674 City Attorney Contact: Noah Brazier* 

#### **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: Notice of Pending Final Map Approval - 4th Corner Apartments.

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 "4<sup>th</sup> Corner Apartments" (T.M. No. 2412539, PTS No. 671179) located on Fairmount Avenue between "University Avenue and Polk Avenue", in the CUPD-CU-2-3 zone, within the Mid-City: City Heights Community Plan, Council District 9, 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, and any approved alterations thereof and any conditions of approval imposed with said tentative map.

(2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.(3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City 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

Tuesday, April 20, 2021 Page 18 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 Frederick R. LePage (619) 446-5434.

# Item 351: Notice of Pending Final Map Approval - Corallina Final Map PTS 679335.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain final map entitled "6155 Carmel Valley Rd" (V.T.M. No. 1968677, PTS 335613), located at 6155 Carmel Valley Rd in the Zone AR-1-1 and RT-1-2 Zones of the Pacific Highlands Ranch Co1mnunity Planning area Coastal Height Limit, Transit, Beach Parking Impact Overlay Zones within the Pacific Highlands Ranch Co1mnunity Planning area. The project site is legally described as Parcel 2 of Parcel Map No. 21390, (nonappealable), Coastal Height Limit, Transit and Beach Parking Impact Overlay Zones within the La Jolla Community Plan area; filed in the County Recorder of San Diego County, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

(1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.

(2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.

(3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Land Surveyor to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City 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 Frederick R. LePage (619) 446-5434.

#### **REPORT OUT FROM CLOSED SESSION**

#### **ADJOURNMENT IN HONOR OF APPROPRIATE PARTIE**

#### **ADJOURNMENT**