

# CITY OF SAN DIEGO COUNCIL AGENDA



## COUNCIL PRESIDENT

Myrtle Cole • Fourth District

## COUNCIL PRESIDENT PRO TEM

Barbara Bry • First District

## COUNCILMEMBERS

Lorie Zapf • Second District  
Christopher Ward • Third District  
Mark Kersey • Fifth District  
Chris Cate • Sixth District  
Scott Sherman • Seventh District  
David Alvarez • Eighth District  
Georgette Gómez • Ninth District

Andrea Tevlin  
Independent  
Budget Analyst

Mara W. Elliott  
City Attorney

Elizabeth Maland  
City Clerk

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

Tuesday, May 15, 2018

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, MAY 15, 2018, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

**ALTERNATE FORMATS**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

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

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**NOTE:** The City Council will meet in Closed Session this morning at 11:00 a.m. Public comment on Closed Session items will occur toward the end of the 10:00 a.m. session before Council adjourns into Closed Session. Copies of the Closed Session agenda are available in the Office of the City Clerk.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF COUNCIL MINUTES**

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

03/12/2018

03/13/2018

03/19/2018

03/20/2018

03/26/2018 - Adj.

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed are considered to be routine, and the environmental documents have been considered. Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED:

**Item 50: Request to exempt one Council Representative I position in Council Administration from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

Funds will be absorbed within the Fiscal Year 2018 Council Administration Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2018-106)

Introduction of an Ordinance authorizing the exemption of one Council Representative I position in the Office of the City Council President from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on March 1, 2018. This Council Representative I position will be responsible for ensuring service levels and day-to-day operations are met for each City Council office, and for performing various duties related to grants for City Council community projects, programs, and services. This action is brought under San Diego Charter Section 117(a)(1).

Committee Actions Taken: N/A

*Council Administration: Jimmie Slack, (619) 236-6644*

*City Attorney Contact: Joan F. Dawson*

**Item 51: Exempt two (2) Program Manager and one (1) Program Coordinator Position in the Human Resources Department from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

The two new Program Manager unclassified positions' annual cost, including salaries and fringe benefits, of approximately \$462,000, and the new Program Coordinator position annual cost, including salary and fringe, of approximately \$115,000, for a total of approximately \$577,000 will be funded by the Human Resources Department's General Fund Operating Budget. As a result of promotions, the Department will be using funds from these vacancies to help offset the cost to the General Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2018-109)

Introduction of an Ordinance authorizing the exemption of two Program Manager positions and one Program Coordinator position in the City's Department of Human Resources from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on April 11, 2018. This action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Human Resources: Abby Jarl-Veltz, (619) 236-6314*

*City Attorney Contact: William Gersten*

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

**Item 52: Amendments to the Land Development Code Related to Placemaking.**

Total Estimated Cost of Proposed Action and Funding Source:

In December 2016, City Council adopted the Reinvestment Initiative authorizing use of former Enterprise Zone funds for Placemaking Loans and Activation Grants to encourage new community based projects. These funds are eligible for placemaking projects. Development Services Department costs associated with placemaking projects will be paid for by the applicant.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/17/2018, Item 334. (Council voted 7-0. Councilmember Ward and Councilmember Alvarez not present):

(O-2018-16 Cor. Copy 3)

Amending the San Diego Municipal Code to define a new use category for "placemaking," which is a planning concept that refers to creating spaces that serve the needs of neighborhoods by enhancing streetscapes and allowing creative uses of public right-of-way or private property, particularly of land that is unused or underused, in order to create more vibrant and livable communities. This Ordinance allows placemaking projects as a limited use in designated zones and describes the applicable regulations for placemaking projects proposed in the public right-of-way or on private property. This Ordinance also makes non-substantive changes to conform the formatting to current, standard San Diego Municipal Code conventions and to make the subsections more consistent with one another.

Committee Actions Taken: N/A

*Economic Development: Elizabeth Studebaker, (619) 533-4561*

*City Attorney Contact: Keely M. Halsey*

**Item 53: San Diego Association of Governments (SANDAG) TransNet Commercial Paper Program for the West Mission Bay Drive Bridge Over SD River CIP Project.**

Total Estimated Cost of Proposed Action and Funding Source:

The City will pay its proportionate share of the commercial paper issuance costs, and annual debt service costs which include principal and interest payments, and annual administrative costs from the date the debt is issued until the final principal and interest amounts of the applicable commercial paper are fully repaid.

Council District(s) Affected: 2.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/23/2018, Item 200. (Council voted 9-0):

(O-2018-102)

Authorizing the Mayor, or his designee, to request funding from San Diego Association of Governments (SANDAG) through the TransNet Commercial Paper Program for the West Mission Bay Drive Bridge over the SD River CIP Project, in an amount not-to-exceed \$40 million on an as-needed basis. The ordinance will authorize the Mayor, or his designee, to execute all necessary documents relating to the receipt of commercial paper funds from SANDAG, including a Memorandum of Understanding between SANDAG and the City. Additionally, the ordinance authorizes the Chief Financial Officer to undertake necessary and related fiscal actions related to the use of SANDAG's Commercial Paper Program.

**6 votes required pursuant to Section 99 of the City Charter.**

Committee Actions Taken: N/A

*Transportation & Storm Water: Benjamin Battaglia, (619) 235-5717*

*City Attorney Contact: Ryan P. Gerrity*

**Item 54: Reorganization of the International Affairs Board.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/23/18, Item 201.  
(Council voted 9-0):

(O-2018-98)

Amending San Diego Municipal Code Sections 26.22 and 26.23, relating to the composition, powers, and duties of the International Affairs Board.

Committee Actions Taken: N/A

*Human Relations Comm/International Affairs Board: Joel Day, (619) 847-5449*

*City Attorney Contact: Sharon Spivak*

**Item 55: Request to exempt one (1) Program Manager position in the Environmental Services Department from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

The position is considered unbudgeted and the request for exemption is being made to support urgent operational needs. Salary savings will be used to mitigate the Fiscal Year 2018 personnel costs. It is anticipated for the position to be budgeted in the Fiscal Year 2019 Adopted Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/24/2018, Item 50.  
(Council voted 9-0):

(O-2018-99)

Authorizing the exemption of one Program Manager position in the City's Environmental Services Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on March 1, 2018. This Program Manager position will be responsible for the administration and oversight of the Clean SD Program efforts. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Environmental Services: Mario X. Sierra, (858) 573-1212*

*City Attorney Contact: Joan F. Dawson*



**Item 56: Changes to Municipal Code Section 22.3612, Solicitation of Bids for and Award of Minor Public Works Contracts Valued at \$250,000 and Under.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/24/2018, Item 51. (Council voted 9-0):

(O-2018-96)

Amending Chapter 2, Article 2, Division 36 of the San Diego Municipal Code by amending Section 22.3612, relating to the solicitation and award of Minor Public Works Contracts under \$250,000. The proposed changes would streamline the solicitation and award of Public Works Contracts under \$250,000 that are paid from the City's operation and maintenance budget by awarding these contracts to the contractor offering the best value after seeking competitive price quotations.

Committee Actions Taken: N/A

*Public Works/Contracts: James Nagelvoort, (619) 533-5100*

*City Attorney Contact: Mark M. Mercer*

**Item 57: Amendment No. 1 to the Contract with US Peroxide, LLC, (USP Technologies) to provide the Peroxide Regenerated Iron-Sulfide Control (PRI-SCTM) and Peroxide Regenerated Iron-Chemically Enhanced Primary Treatment (PRI-CEPTTM) Program. Contract No. 4600002659.**

Total Estimated Cost of Proposed Action and Funding Source:

This Project will be funded by the Metro Fund 700001.

Total Cost: \$38.5 million.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/24/2018, Item 52. (Council voted 9-0):

(O-2018-94)

Authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Agreement with U.S. Peroxide, LLC, (USP Technologies), extending the Agreement through 2024, for the purposes of Peroxide Regenerated Iron-Sulfide Treatment in an amount not-to-exceed \$38,700,141.

**6 votes required pursuant to Section 99 of the City Charter.**

Committee Actions Taken: N/A

*Public Utilities: Juan Carlos Guerreiro, (858) 654-4245*

*City Attorney Contact: Christine Leone*

**Item 58: Exempt Companion Units and Junior Units from Development Impact Fees (DIF) and Facility Benefit Assessment (FBA) Fees. Waiver of General Plan Maintenance Fees and Water and Sewer Capacity Fees for Companion Units and Junior Units.**

Total Estimated Cost of Proposed Action and Funding Source:

DIF/FBA vary widely by community. Based on staff calculations waiving of DIF/FBA would reduce funding for public facilities by approximately \$900,000 a year. However, it is important to note that since CUs and JUs were never factored into DIF/FBA calculations the monetary loss per unit is \$275 for the General Plan Maintenance fee. The monetary loss to the General Fund is \$100,000, in order to reimburse the Public Utilities Department.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/30/2018, Item 213, Subitem A. (Council voted 8-0. Councilmember Alvarez not present):

Exempt Companion Units and Junior Units from Development Impact Fees (DIF) and Facility Benefit Assessment (FBA) Fees. Waiver of General Plan Maintenance Fees and Water and Sewer Capacity Fees for Companion Units and Junior Units for the remainder of FY18. Encumber \$100,000 to cover Water and Sewer Capacity Fees associated with Companion Units and Junior Units for the remainder of FY18.

(O-2018-95)

Amending Chapter 14, Article 2, Division 6 of the San Diego Municipal Code by amending Section 142.0640, relating to Development Impact Fees for Companion Units and Junior Units.

Committee Actions Taken: N/A

*Council District 7: Sarah Jarman, (619) 236-6677*

*City Attorney Contact: Corrine Neuffer*

**Item 59: Request to Enter into a Third Amendment to Extend the Current Agreement with SoCo for Citywide Fuel Consumption for Ten (10) months and an Increased Expenditure Authority of \$10.2 million.**

Total Estimated Cost of Proposed Action and Funding Source:

Expenditure authority of up to and not-to-exceed \$10.2 million dollars, as appropriated as part of a department's approved operational budget.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/30/2018, Item 201. (Council voted 8-0. Councilmember Alvarez not present):

(O-2018-104)

Authorizing the Mayor, or his designee, to execute the Third Amendment to the Contract with The SoCo Group, Inc., for various fuels, extending the Contract through April 30, 2019.

**6 votes required pursuant to Section 99 of the City Charter.**

Committee Actions Taken: N/A

*Purchasing & Contracting: Kristina Peralta, (619) 236-6214*

*City Attorney Contact: Eric S. Pooch*

**Item 60: Second Amendment to IT Services Contract for Data Center, Service Desk, and Desktop Services with Atos IT Services and Solutions, Inc., ("Atos") for Contract extension and enhancements.**

Total Estimated Cost of Proposed Action and Funding Source:

Funding for this Contract amendment will come from both General (60.43%) and Non-General (~39.57%) Funds. Current NTE amount of contract: \$56,471,546. Total cost of this action: \$45,293,154. New NTE amount: \$103,768,700.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/30/2018, Item 200. (Council voted 8-0. Councilmember Alvarez not present):

(O-2018-101)

Authorizing the Mayor, or his designee, to execute the Second Amendment to the Master Services Agreement with Atos IT Solutions and Services, Inc., for Data Center, Service Desk and Desktop Services, extending the Agreement through June 30, 2020, with a disentanglement period of up to an additional twenty-four months, increasing the not-to-exceed amount, and otherwise modifying the Agreement pursuant to the terms and conditions in the Second Amendment to the Agreement.

**6 votes required pursuant to Section 99 of the City Charter.**

Committee Actions Taken: N/A

*Department of Information Technology: Jonathan Behnke, (619) 533-3637*

*City Attorney Contact: Steven Lastomirsky*

**Item 61: City of San Diego Animal Services.**

Total Estimated Cost of Proposed Action and Funding Source:

Compensation for the 18-month contract will be up to \$20,405,721, depending upon one-time expenditures. For FY 2019 these costs are expected to be \$10,954,135 in ongoing expenditures from the General Fund and \$1,800,000 in one-time start-up expenditures from the Shelter Campaign Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/30/2018, Item S401, Subitem C. (Council voted 8-0. Councilmember Alvarez not present):

(O-2018-107)

An ordinance amending Chapter 4, Article 4, Division 3 of the San Diego Municipal Code by amending Section 44.0300, relating to Animal Control and Services.

Committee Actions Taken: N/A

*Purchasing & Contracting: Christiana Gauger, (619) 236-5921*

*City Attorney Contact: Christina M. Milligan*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

**Item 100: Agreement with HDR Engineering, Inc., for Recycled Water System Condition Assessment and Optimization Plan (H176932).**

Total Estimated Cost of Proposed Action and Funding Source:

This Project will be funded by the Metro Utility Sewer Fund 700001.  
Total Cost: \$1.75M.

Council District(s) Affected: 1, 5, 6, 8.

Proposed Actions:

Subitem-A: (R-2018-411)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with HDR Engineering, Inc., in an amount not-to-exceed \$1,750,000 and for a duration of three (3) years, for preparation of the Recycled Water System Condition Assessment and Optimization Plan.

Subitem-B: (R-2018-420)

Resolution determining that the Agreement with HDR Engineering, Inc., for preparation of the Recycled Water System Condition Assessment and Optimization Plan is exempt from the California Environmental Quality Act pursuant to Section 15262 of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Public Utilities: Rania Amen, (858) 292-6418*

*City Attorney Contact: Christine Leone*

**Item 101: Agreement with Dudek for As-Needed Cultural Resources Consultant Services for the Utilities Undergrounding Program (H176952).**

Total Estimated Cost of Proposed Action and Funding Source:

Total cost not-to-exceed \$8,000,000 utilizing funding from Fund 200217, Underground Surcharge.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-514)

Resolution authorizing an Agreement with Dudek for as-needed cultural resources consultant services, in an amount not-to-exceed \$8,000,000 over five years and related funding actions.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Transportation & Storm Water: Gene Matter, (858) 541-4325*

*City Attorney Contact: Miguel Merrell*

**Item 102: Regents Road Widening Project - Memorandum of Agreement with AT&T.**

Total Estimated Cost of Proposed Action and Funding Source:

This action will authorize to increase the Capital Improvement Program (CIP) Budget in S-00881, Regents Road Widening-Genesee to Executive, and to accept, appropriate, and expend an amount not-to-exceed \$250,000, Fund 400264, Private and Other Contributions CIP, for the purpose of a Memorandum of Agreement with AT&T.

Council District(s) Affected: 1.

Proposed Actions:

(R-2018-529)

Resolution authorizing the Mayor, or his designee, to enter into a Memorandum of Agreement with AT&T for redesign and additional scope of work on the Regents Road Widening Project, in an amount not-to-exceed \$250,000, and related funding actions.

Committee Actions Taken:

This item was heard at the Infrastructure Committee meeting on April 25, 2018.

ACTION: Motion by Councilmember Ward, second by Councilmember Alvarez, to recommend Council adopt the resolution.

VOTE: 3-0; Alvarez-yea, Zapf-yea, Ward-yea, Kersey-recused.

*Public Works: Akram Bassyouni, (619) 533-3616*

*City Attorney Contact: Ryan P. Gerrity*

**Item 103: Agreement with Rick Engineering Company for As-Needed Engineering Support for the Utilities Undergrounding Program (H176957).**

Total Estimated Cost of Proposed Action and Funding Source:

The Contract amount shall not exceed \$4,000,000, on a task order basis and upon authorization by the department's contract administrator. Funding for future tasks will be from projects requiring these services in the Utilities Undergrounding Program, Fund 200217 Underground Surcharge Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-519)

Resolution authorizing an Agreement with Rick Engineering for as-needed professional engineering services in support of the Utilities Undergrounding Program, in an amount not-to-exceed \$4,000,000 over five years, and related funding actions.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Transportation & Storm Water: Gene Matter, (858) 541-4325*

*City Attorney Contact: Ryan P. Gerrity*

**Item 104: Agreement with AECOM Technical Services, Inc., for As-Needed Engineering Support for the Utilities Undergrounding Program (H176956).**

Total Estimated Cost of Proposed Action and Funding Source:

The Contract amount shall not exceed \$4,000,000 on a task order basis and upon authorization by the department's contract administrator. Funding for future tasks will be from projects requiring these services in the Utilities Undergrounding Program, Fund 200217 Underground Surcharge Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-518)

Resolution authorizing an Agreement with AECOM for as-needed professional engineering services in support of the Utility Undergrounding Program, in an amount not-to-exceed \$4,000,000 over five years, and related funding actions.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Transportation & Storm Water: Gene Matter, (858) 541-4325*

*City Attorney Contact: Ryan P. Gerrity*

**Item 105:      **Amendment No. 1 to the Agreement with AECOM Technical Services, Inc., for the Preparation of a Groundwater Management Plan for the San Diego Formation, Contract No. H156306.****

Total Estimated Cost of Proposed Action and Funding Source:

This Project will be funded by the Water Fund 700011. Total Cost: \$306,894.

Council District(s) Affected: 2, 3, 4, 8, 9.

Proposed Actions:

(R-2018-399)

Resolution authorizing the Mayor to sign Amendment No. 1 to the Agreement with AECOM for the preparation of a SGMA Basin Plan.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Public Utilities: George Adrian, (619) 533-4680*

*City Attorney Contact: Ray Palmucci*



**Item 106: First Amendment to the Agreement with SCS Engineers for As-Needed Consultant Services Related to Greenhouse Gas Regulations for Landfills.**

Total Estimated Cost of Proposed Action and Funding Source:

This Amendment adds funding in the amount of \$500,000 from the Refuse Disposal Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2018-511)

Resolution authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with SCS Engineers for additional as-needed environmental engineering services related to GHG regulations for landfills, in an amount not-to-exceed \$500,000, for the purpose of completing ongoing Consultant tasks during the remaining Agreement term.

Subitem-B: (R-2018-512)

Resolution determining that the First Amendment to the Agreement with SCS Engineers for additional as-needed environmental engineering services related to GHG regulations for landfills is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15306 of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on April 12, 2018.

**ACTION:** Motion by Councilmember Cate, second by Councilmember Gómez, to recommend Council adopt the resolution.

**VOTE:** 4-0; Alvarez-yea, Gómez-yea, Sherman-yea, Cate-yea.

*Environmental Services: Alex Garcia, (858) 573-1275*

*City Attorney Contact: Amanda L. Guy*

**Item 107: First Amendment to the NASPO ValuePoint Agreement between the City of San Diego and Verizon for Cellular Equipment and Services.**

Total Estimated Cost of Proposed Action and Funding Source:

Total cost is not-to-exceed \$2.65 million. It is projected that approximately \$1.93 million of these funds will be expended from General Fund spending, and \$0.72 million from various Non-General Fund departments.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-496)

Resolution authorizing the Mayor, or his designee, to execute the First Amendment to the Authorized User Agreement for the NASPO ValuePoint Cooperative Procurement Agreement with Cellco Partnership dba Verizon Wireless for cellular equipment and services in an amount not-to-exceed \$5,650,000 during the entire term of the Agreement.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on April 18, 2018.

ACTION: Motion by Councilmember Ward, second by Councilmember Cate, to recommend Council adopt the resolution.

VOTE: 4-0; Bry-yea, Ward-yea, Cate-yea, Gómez-yea.

*Department of Information Technology: Jonathan Behnke, (619) 533-3440*

*City Attorney Contact: Steven Lastomirsky*

**Item 108: First Amendment to Lease with Neighborhood House Association for City real property located at Polk Avenue (APN 454-752-16, 17, 18 and 19).**

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

Council District(s) Affected: 9.

Proposed Actions:

Subitem-A: (R-2018-536)

Resolution authorizing execution of a First Amendment to the Nonprofit Lease with Neighborhood House Association, Inc., for the lease of City-owned property located at Polk Avenue (APN 454-752-16, 17, 18, and 19) and related actions.

Subitem-B: (R-2018-535)

Resolution determining that the authorization to execute a First Amendment to the Nonprofit Lease with Neighborhood House Association, Inc., is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Committee Actions Taken:

This item was heard at the Smart Growth and Land Use Committee meeting on April 18, 2018.

ACTION: Motion by Councilmember Sherman, second by Councilmember Zapf, to recommend Council adopt the resolution.

VOTE: 3-0; Gómez-yea, Sherman-yea, Zapf-yea, Alvarez-not present.

*Real Estate Assets: Heide Farst, (619) 236-6727*

*City Attorney Contact: Hilda R. Mendoza*

**Item 109: Proposed Amendments to the Fiscal Year 2018 Parks and Recreation Capital Improvements Program Budget.**

Total Estimated Cost of Proposed Action and Funding Source:

\$50,000 from Fund 400305 to S00760 Waldo Waterman Park;

\$200,000 from Fund 200391 to S15036 Balboa Pk West Mesa Comfort Station Replacement;

\$108,246.73 from Fund 200391 to L16001 Sunset Cliffs Natural Park Hillside Imp Project;

\$691,753.27 from L14005 Sunset Cliffs Park Drainage Improvements (fund 200391) to L16001 Sunset Cliffs Natural Park Hillside Imp Project;

\$150,000 from L14005 Sunset Cliffs Park Drainage Improvements (fund 200391) to B14073 Coastal Access Improvements to Orchard Ave.

Council District(s) Affected: 2, 3, 7.

Proposed Actions:

(R-2018-531)

Resolution authorizing the Chief Financial Officer to reallocate, appropriate, and expend funds in the Fiscal Year 2018 Parks and Recreation Capital Improvement Budget.

Committee Actions Taken:

This item was heard at the Infrastructure Committee meeting on April 25, 2018.

ACTION: Motion by Councilmember Ward, second by Councilmember Zapf, to recommend Council adopt the resolution.

VOTE: 4-0; Kersey-yea, Alvarez- yea, Zapf-yea, Ward-yea.

*Park & Recreation: Andrew Field, (619) 235-1110*

*City Attorney Contact: Heather Ferbert*

**Item 110: Reimbursement Resolution for Water and Wastewater Capital Improvement Project Expenditures.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem A: (R-2018-542)

Resolution authorizing the execution of a Reimbursement Agreement for Wastewater Capital Improvement Project Expenditures.

Subitem B: (R-2018-543)

Resolution authorizing the execution of a Reimbursement Agreement for Water Capital Improvement Project Expenditures.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on April 18, 2018.

ACTION: Motion by Councilmember Cate, second by Councilmember Ward, to recommend Council adopt the resolution.

VOTE: 4-0; Bry-yea, Ward-yea, Cate- yea, Gómez-yea.

*Debt Management: Lakshmi Kommi, (619) 236-6928*

*City Attorney Contact: Bret A. Bartolotta*

**Item 111: Adopting the 2015 update to the San Diego County Multi-Jurisdiction Hazard Mitigation Plan.**

Total Estimated Cost of Proposed Action and Funding Source:

In order to remain eligible for Hazard Mitigation Program Grants, Post Disaster Mitigation Funds, and CDAA funding under AB 2140, the City must adopt the 2015 update to the San Diego County Multi-Jurisdiction Hazard Mitigation Plan.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-537)

Resolution by the Council of the City of San Diego, adopting the 2015 update to the San Diego County Multi-Jurisdiction Hazard Mitigation Plan in order to remain eligible for Hazard Mitigation Program Grants, Post Disaster Mitigation Funds, and California Disaster Assistance Act funding under Assembly Bill 2140.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on April 25, 2018.

ACTION: Motion by Councilmember Bry, second by Councilmember Gómez, to recommend Council adopt the resolution.

VOTE: 4-0; Cate-yea, Bry-yea, Zapf-yea, Gómez-yea.

*Office of Homeland Security: Megan Beall, (619) 533-6764*

*City Attorney Contact: Noah Brazier*

**Item 112: Acceptance of a subcontract to receive a financial award with the Alliance for Sustainable Energy, LLC, Management and Operating Contractor for the National Renewable Energy Laboratory ("NREL").**

Total Estimated Cost of Proposed Action and Funding Source:

The subcontract from Alliance for Sustainable Energy, LLC, in an amount not-to-exceed \$150,033.99 and an amount of \$40,000 for City match for consultant services from Energy Conservation Program Fund No. 200224.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-483)

Authorizing Agreement for NREL funding of solar siting survey.

Committee Actions Taken: N/A

*Environmental Services: Jack Clark, (858) 492-6001*

*City Attorney Contact: Frederick M. Ortlieb*

**Item 113: Resolution approving Side Letter Agreement between the City and The California Teamsters 911 related to payment-in-lieu.**

Total Estimated Cost of Proposed Action and Funding Source: None.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-525)

Resolution approving a Side Letter Agreement between the City and California Teamsters Association Local 911 related to payment-in-lieu.

Committee Actions Taken: N/A

*Human Resources: Darrin Schwabe, (619) 602-2128*

*City Attorney Contact: Thomas J. Brady*

**Item 114: Directing each City Department, Agency, and Board/Commission to conduct their Biennial Review: Conflict of Interest Codes.**

Total Estimated Cost of Proposed Action and Funding Source: None.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-452)

Adopting a resolution Directing City Departments, Boards and Commissions, and Agencies to Conduct a Biennial Review of Conflict of Interest Codes.

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

Committee Actions Taken: N/A

*Office of the City Clerk: Elizabeth Maland, (619) 533-4080*

*City Attorney Contact: Sharon Spivak*

**Item 115: Reappointment to the Horton Plaza Theatres Foundation Board.**

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

Council District(s) Affected: 2.

Proposed Actions:

(R-2018-534)

Resolution reappointing Pamela Hamilton Lester to the Horton Plaza Theaters Foundation for a four year term ending in 2022, pursuant to Council Policy 000-13, "Procedure for Mayor and Council Appointments."

Committee Actions Taken: N/A

*Council President's Office: Erin Demorest, (619) 533-3920*

*City Attorney Contact: Monica Willian*

**Item 116: Honorary Street Name: Recognition of Rev. Dr. Clyde E. Gaines, Sr. on Ocean View Boulevard pursuant to SDMC Section 125.1130 and Council Policy 200-10.**

Total Estimated Cost of Proposed Action and Funding Source:

Council Policy 200-10 states that funding for the installation of honorary street title signs shall be the responsibility of the sponsoring Councilmember. The Councilmember shall identify, obtain, and make such funds available to the Mayor, or designee. Funding for this honorary street title sign will be paid by Council District 8.

Council District(s) Affected: 8.

Proposed Actions:

(R-2018-524)

Resolution to recognize Rev. Dr. Clyde E. Gaines, Sr. with an honorary street title on the 3100 block of Ocean View Boulevard.

Committee Actions Taken: N/A

*Council District 8: Ruth Martin, (619) 236-6688*

*City Attorney Contact: Ryan P. Gerrity*

**Item 117: Honorary Street Name: Recognition of Bishop George D. McKinney on Imperial Avenue pursuant to San Diego Municipal Code Section 125.1130 and Council Policy 200-10.**

Total Estimated Cost of Proposed Action and Funding Source:

Council Policy 200-10 states that funding for the installation of honorary street title signs shall be the responsibility of the sponsoring Councilmember. The Councilmember shall identify, obtain, and make such funds available to the Mayor, or designee. Funding for this honorary street title sign will be paid for by Council District 4.

Council District(s) Affected: 4.

Proposed Actions:

(R-2018-539)

Resolution to designate an Honorary Street Name in recognition of Bishop George D. McKinney on Imperial Avenue between the intersections of Valencia Parkway and Gannet Street.

Committee Actions Taken: N/A

*Council President's Office: Jimmie Slack, (619) 236-6644*

*City Attorney Contact: Ryan P. Gerrity*

**Item 118: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.**

Proposed Actions:

(R-2018-303)

Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

*City Attorney Contact: Thomas C. Zeleny*



PROCLAMATIONS/CEREMONIAL ITEMS (PRESENTED IN CHAMBERS)

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

**Item 30: Norway Week.**

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming May 13-19, 2018 to be "Norway Week" in the City of San Diego.

**Item 31: Infrastructure Week 2018.**

PRESENTED BY COUNCILMEMBER KERSEY:

Proclaiming the week of May 14, 2018, to be "Infrastructure Week 2018" in the City of San Diego.

**Item 32: Asian Pacific American Heritage Month.**

PRESENTED BY COUNCILMEMBER CATE:

Proclaiming May 2018, to be "Asian Pacific American Heritage Month" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ITEMS PULLED FROM THE CONSENT AGENDA**

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two (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. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than fifteen (15) Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to those speakers who did not speak during Non-Agenda Public Comment at the most recent prior Council meeting.

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

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

**REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS**

**ADOPTION AGENDA, DISCUSSION ITEMS**

AGENDA

INFORMATIONAL ITEMS

**Item 330: City of San Diego Parks Master 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

*Planning: Shannon Scoggins, (619) 236-6894*

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

**Item 331: Amend campaign laws to update advertising disclosure rules in light of changes to State Law.**

**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:

(O-2018-114)

Adopting an Ordinance amending Chapter 2, Article 7, Division 29 of the San Diego Municipal Code by amending Sections 27.2903, 27.2925, and 27.2959; retitling and amending Section 27.2970; repealing Sections 27.2971, 27.2972, 27.9273, and 27.2974; retitling and amending Sections 27.2975 and 27.2976; and amending Section 27.2980, relating to the San Diego Municipal Election Campaign Control Ordinance and campaign advertising disclosures.

Committee Actions Taken:

This item was heard at the Rules Committee meeting on April 11, 2018.

**ACTION:** Motion by Councilmember Ward, second by Councilmember Cate, to approve staff's recommendation and forward the item to the full Council for consideration.

**VOTE:** 5-0; Cole-yea, Kersey-yea, Bry-yea, Ward-yea, Cate-yea.

*Ethics Commission: Stacey Fulhorst, (619) 533-3477*

*City Attorney Contact: Sharon Spivak*

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 332: Authorization for the Public Facilities Financing Authority of the City of San Diego General Fund Lease Revenue Commercial Paper Notes Program (the "CP 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:

Closing costs, excluding interest payments will be financed with Commercial Paper Notes. The annual program costs assume monthly issuances of Commercial Paper Notes, and these will be budgeted and paid from the General Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-481 Cor. Copy) (Rev. 5/10/18)

Resolution approving the forms and authorizing the executions of certain legal documents relating to the General Fund-back Lease Revenue Commercial Paper Notes to be issued by the Public Facilities Financing Authority, including the Site Lease, Facilities Lease, Indenture and Issuing and Paying Agency Agreement. The resolution also authorizes the issuance and sale, by the Authority, of one or more series of Lease Revenue Commercial Paper Notes on a taxable or tax-exempt basis, in an aggregate principal amount not-to-exceed \$80,500,000.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on March 14, 2018.

**ACTION:** Motion by Councilmember Gómez, second by Councilmember Cate, to recommend Council authorization for the City of San Diego General Fund Lease Revenue Commercial paper notes program without specific project allocation.

**VOTE:** 4-0; Bry-yea, Ward-yea, Cate-yea, Gómez-yea.

*Debt Management: Lakshmi Kommi, (619) 236-6928*

*City Attorney Contact: Brant Will*

See the Public Facilities Financing Authority Agenda of May 15, 2018, for a companion item.

**Item 333: Authorization for an appropriation to increase the Capital Improvement Budget by \$80 million for expenditure of Commercial Paper proceeds.**

**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:

\$80,000,000 from the Commercial Paper Notes Program.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-533)

Resolution amending the City's Fiscal Year 2018 CIP Budget to appropriate and expend proceeds from the issuance of General Fund-backed Commercial Paper notes by the Public Facilities Financing Authority of the City of San Diego. The projects funded are identified in the resolution.

Committee Actions Taken:

This item was heard at the Infrastructure Committee meeting on April 25, 2018.

**ACTION:** Motion by Vice Chair Alvarez, second by Councilmember Zapf, to recommend Council adopt the resolution with a request for a list of streets to be resurfaced with the appropriation.

**VOTE:** 4-0; Kersey-yea, Alvarez-yea, Zapf-yea, Ward-yea.

*Financial Management: Adam Jones, (619) 533-6385*

*City Attorney Contact: Brant Will*

**Item 334: Resolution Approving Exemption from Council Policy 000-21 (Ballot Measure Proposals) and Resolution Approving Side Letter Agreement between San Diego Police Officers Association and City regarding Industrial Disability Retirement.**

**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:

(See Staff Report for full answer)

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2018-538)

Resolution approving and ratifying a Side Letter Agreement between the City and San Diego Police Officers Association and requesting a waiver of Council Policy 000-21 for consideration of a related ballot measure.

**6 votes required pursuant to Charter Section 11.2.**

Committee Actions Taken: N/A

*Human Resources: Erik Hanson, (619) 236-5599*

*City Attorney Contact: Thomas J. Brady*

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

**Item 335: FY2019 Business Improvement District Budgets – Annual Appropriation Process.**

**(First heard by Council at the meeting of April 17, 2018, Item 330.)**

**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:

Approximately \$1.6 million in new BID assessments will be collected from assessed businesses over the course of the fiscal year and provided to the respective nonprofit business associations (BID associations) for program implementation. Most of the BID funds have balances from the prior year revenue and when those balances are included with the projected assessments then there will be approximately \$1.7 million available to the BID associations for FY2019.

Council District(s) Affected: 1, 2, 3, 4, 8, 9.

Proposed Actions:

Council will conduct a public hearing and receive public testimony and evidence about the levy of fiscal year 2019 business improvement district assessments.

(R-2018-460)

Resolution confirming the Fiscal Year 2019 budget reports for specified parking and business improvement areas; authorizing the continued levy and collection of annual assessments within those areas; and authorizing the execution of a district management agreement with the business or merchants association for each respective area.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on March 22, 2018.

**ACTION:** Motion by Councilmember Bry, second by Chair Ward, to recommend Council adopt the Resolutions.

**VOTE:** 3-0; Ward-yea, Kersey-yea, Bry-yea, Alvarez-not present.

*Economic Development: Elizabeth Studebaker, (619) 533-4561*

*City Attorney Contact: Delmar G. Williams*



**NON-AGENDA ITEMS**

**REPORT OUT FROM CLOSED SESSION**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**