

REVISED

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Sean Elo-Rivera • Ninth District

COUNCIL PRESIDENT PRO TEM

Monica Montgomery Steppe • Fourth District

COUNCILMEMBERS

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

Charles Modica
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Elizabeth Maland
City Clerk

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

Tuesday, May 24, 2022
AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, MAY 24, 2022, AT 10:00 AM
11AM COUNCIL ADJOURNS INTO CLOSED SESSION
CITY ADMINISTRATION BUILDING
12TH FLOOR, 202 "C" STREET SAN DIEGO, CA 92101
CITY COUNCIL MEETING

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

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

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

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

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

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

In Person

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

Via Virtual Platform

When the Clerk introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand"

button on your computer, tablet, or Smartphone, or by dialing *9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item.

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

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

Joining the Webinar and Offering Phone-in Testimony

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

<https://sandiego.zoomgov.com/j/1614863189>

To join by using iPhone one-tap:

US: +16692545252,,1614863189#

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

When prompted, input **Webinar ID: 161 486 3189 #**

Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public Comment may be submitted using the [webform](#) indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 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.

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

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

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

SENATE BILL 343 (LATE-ARRIVING MATERIALS)

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

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

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

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

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

Ang kahilingan para sa mga serbisyo sa pagsasalin upang mag-alok ng publikong puna ay maaaring magawa sa pamamagitan ng pakikipag-ugnayan sa City Clerk sa (619) 533-4000 o

kaya ay mag-email sa <mailto:cityclerk@sandiego.gov>. Ang lungsod ay nakatuon sa pagtugon ng mabilis sa mga kahilingan sa pagsasalin ng wika upang mai-maximize ang pakikilahok sa publiko.

Cần dịch vụ thông dịch để phát biểu ý kiến trước công chúng, xin hãy liên hệ với City Clerk (Thư Ký Thành Phố) theo số (619) 533-4000 hoặc email đến cityclerk@sandiego.gov. Thành phố cam kết sẽ giải quyết các yêu cầu thông dịch một cách nhanh chóng để gia tăng sự tham dự của công chúng.

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

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

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

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

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

PLEASE NOTE: THE PUBLIC PORTION OF THIS AGENDA, LISTED BELOW INCLUDING NON-AGENDA PUBLIC COMMENT AND CLOSED SESSION PUBLIC COMMENT IS TAKEN DURING THE 10 AM MORNING PORTION OF THE AGENDA. THE COUNCIL ADJOURNS INTO CLOSED SESSION AT APPROXIMATELY 11 AM AND RESUMES THE PUBLIC PORTION OF THE MEETING AT 2 PM.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today VIRTUALLY. A separate agenda is published for it, and is available online and in the Kiosk located in front of the City Administration Building, 202 C Street SD,CA 92101. For more information, please contact the Housing Authority Secretary at (619) 578-7550. Internet access to the agenda is available at:

<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION AGENDA, CONSENT ITEMS

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

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED:

Item 50: Pure Water Program – Amendment No. 1 to the Agreement with CH2M Hill Engineers, Inc. for Engineering Services for the Design of the North City Metropolitan Biosolids Center (MBC) Improvements Project (H176825).

Total Estimated Cost of Proposed Action and Funding Source:

The total amount for Amendment No. 1 is \$1,246,271. Funds in the amount of \$87,239 is available in the Pure Water Program funds and \$1,159,032 is available in the Metro Sewer CIP funds.

Council District(s) Affected: 6.

Proposed Actions:

(O-2022-101)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the contract with CH2M Hill Engineers, Inc., extending the contract an additional five years in an amount not-to-exceed \$1,246,271, for a total contract amount of \$6,297,361, to provide design engineering services in connection with the North City Metropolitan Biosolids Center Improvements project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

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

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

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

Public Utilities: Andrea Demich, (858) 614-5741

City Attorney Contact: Bonny Hsu

Item 51: Exemption of One Program Manager Position in the Compliance Department from the Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

Position is included in Compliance's Fiscal Year 2022 budget (General Fund.)

No additional costs are associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2022-105)

Introduction of an Ordinance authorizing the exemption of one Program Manager position in the City's Compliance Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on December 2, 2021. This Program Manager position will be responsible for overseeing and implementing the City's Privacy and Technology Ordinance Program. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

Compliance Department: Christiana Gauger, (619) 236-7158

City Attorney Contact: Miguel Merrell

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 52: Ordinance of the Council Approving Revisions to the Exhibits for Fiscal Year 2023 Salary Ordinance Related to Special Salary Adjustments (SSAs) for Specified Unrepresented Classifications.

Total Estimated Cost of Proposed Action and Funding Source:

Approval of the Salary Ordinance is required under the City's Charter as part of the annual budget process.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 5/9/2022, Item 600 (Council voted 9-0):

(O-2022-106 Cor. Copy)

Ordinance approving revised exhibits for the Fiscal Year 2023 Salary Ordinance related to special salary adjustments for specified unrepresented classifications.

Committee Actions Taken: N/A

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

City Attorney Contact: Thomas J. Brady

Item 53: Housing Action Package Accessory Dwelling Unit Bonus Program Amendment.

Total Estimated Cost of Proposed Action and Funding Source:

There are no fiscal impacts related to this item.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 4/11/2022, Item 203 (Council voted 9-0):

The Housing Action Package ADU Bonus Program Amendment proposes amendments to San Diego Municipal Code Chapter 14, Article 1, Division 3 related to the Accessory Dwelling Unit Bonus for Affordable ADUs. This item

will amend the ADU Bonus Program to lessen the deeded restriction for very low- and low-income deed restricted units from 15 years to 10 years.

(O-2022-94)

~~Introduction of an~~ Ordinance amending Chapter 14, Article 1, Division 3 of the San Diego Municipal Code by amending Section 141.0302, relating to Residential Use Category – Separately Regulated Uses, Accessory Dwelling Units. (Rev. 5/18/22)

Committee Actions Taken: N/A

Planning: Melissa Garcia, (619) 236-6173

City Attorney Contact: Lauren N. Hendrickson

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Amendment No. 1 to the As-Needed Engineering Services Agreements with Kleinfelder, Inc., for Contract 3 (H187008) and with HDR Engineering, Inc. for Contract 4 (H187009).

Total Estimated Cost of Proposed Action and Funding Source:

These two amendments increase the not-to-exceed amount of the original as-needed agreements by \$2,500,000 each, to a total of \$12,500,000 for each contract over the five-year terms which expire in April 2024.

Expenditure of funds for as-needed services is contingent upon sufficient funding being available in Public Utilities' budget each fiscal year.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-466)

Resolution of the City Council authorizing the First Amendment to the As-Needed Agreement with Kleinfelder (Contract 3 - H187008) for an amount not-to-exceed \$2,500,000 for a total Contract 3 amount of \$12,500,000, over five years; and authorizing the First Amendment to the As-Needed Agreement with HDR (Contract 4 - H187009) for an amount not-to-exceed \$2,500,000, for a total Contract 4 amount of \$12,500,000 over five years.

Committee Actions Taken:

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

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

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

Public Utilities: Surraya Rashid, (858) 654-4112

City Attorney Contact: Ray Palmucci

Item 101: Resolutions Approving Side Letter Agreements to Amend the Memoranda of Understanding Between the City and the San Diego Municipal Employees Association and the American Federation of State, County, and Municipal Employees, AFL-CIO, Local 127 Regarding Temporary "D" Mileage Reimbursement Rates.

Total Estimated Cost of Proposed Action and Funding Source:

Based on the Calendar Year 2021 citywide utilization of "D" mileage by 165 employees, the total additional estimated cost at 12 cents per mile is \$68,051. (General Fund - \$15,703/ Non-General Fund - \$52,348.) The fiscal impact in Fiscal Years 2022 – 2023 will vary depending on actual usage of "D" mileage rates by City employees. Costs will be absorbed by departments.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2022-494)

Resolution approving a Side Letter Agreement between the City of San Diego and the San Diego Municipal Employees Association, to amend Article 38 of the Memorandum of Understanding related to "D" mileage reimbursement rates.

6 votes required pursuant to Charter Section 11.2. (Rev. 5/18/22)

Subitem-B: (R-2022-493)

Resolution approving a Side Letter Agreement between the City of San Diego and the American Federation of State, County, and Municipal Employees, AFL-CIO, Local 127, to amend Article 37 of the Memorandum of Understanding related to "D" mileage reimbursement rates.

6 votes required pursuant to Charter Section 11.2.

Committee Actions Taken: N/A

Human Resources: Jonnabelle Domingo, (619) 846-0495

City Attorney Contact: Miguel Merrell

Item 102: As-Needed Environmental Services Agreements – Contract 5 (H2125823) with Recon Environmental, Inc. and Contract 6 (H2125824) with Helix Environmental Planning, Inc.

Total Estimated Cost of Proposed Action and Funding Source:

The total amount not-to-exceed for the As-Needed Agreement with Recon Environmental, Inc. is \$4,000,000. The minimum required amount is \$1,000.

The total amount not-to-exceed for the As-Needed Agreement with Helix Environmental Planning, Inc. is \$4,000,000. The minimum required amount is \$1,000.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-465)

Resolution of the City Council authorizing the Mayor to sign As-Needed Environmental Services Agreements 5 (H2125823) with RECON and 6 (H2125824) with HELIX in an amount not-to-exceed \$4,000,000, per Agreement, for a term of five years.

Committee Actions Taken:

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

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

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

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

City Attorney Contact: Ray Palmucci

Item 103: Authorization to Enter into a Five-Year Agreement with Palomar Health for Medical Evidentiary Examinations.

Total Estimated Cost of Proposed Action and Funding Source:

This action seeks expenditure authority not-to-exceed \$2,100,000, over five years for medical evidentiary examinations for adults and children. An estimated \$420,000.00 will be utilized in Fiscal Year 2023, \$420,000.00 will be utilized in fiscal year 2024, \$420,000.00 will be utilized in Fiscal Year 2025, \$420,000.00 will be utilized in fiscal year 2026, and \$420,000.00 will be utilized in Fiscal Year 2027. Services will be paid from the Police Department General Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-468)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Palomar Health, in an amount not-to-exceed \$2,100,000, to provide medical evidentiary examinations and other related services.

Committee Actions Taken:

This item was heard at the Public Safety & Livable Neighborhoods Committee meeting on April 27, 2022.

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

VOTE: 4-0; Montgomery Steppe-yea, Moreno-yea, von Wilpert-yea, Campillo-yea.

Police: Carmelin Rivera, (619) 531-2686

City Attorney Contact: Lara Easton

Item 104: Master Administering Agency-State Agreement for State-funded Projects with the California Department of Transportation (Caltrans).

Total Estimated Cost of Proposed Action and Funding Source:

There are no expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-482)

Resolution authorizing the Mayor, or his designee, to execute Master Agreement No. 11-5004S21, Administering Agency-State Agreement for State-funded projects with the California Department of Transportation (Caltrans) for receiving and administering State funds from or through the State of California for designated transportation projects.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on April 27, 2022.

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, Campbell-yea.

Transportation Department: Duncan Hughes, (619) 533-3141

City Attorney Contact: Ryan P. Gerrity

Item 105: Adoption of Employee Representation Units for Fiscal Year 2023.

Total Estimated Cost of Proposed Action and Funding Source:

There is no fiscal impact for this item.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-501)

Resolution approving the classifications as appropriately assigned to employee representation units, for Fiscal Year 2023.

Committee Actions Taken: N/A

Human Resources: Manuel Quintero, (619) 236-6339

City Attorney Contact: Thomas J. Brady

Item 106: Directing Collective Bargaining Related to Proposed Amended Interim Standard Operating Procedures for the Commission on Police Practices.

Total Estimated Cost of Proposed Action and Funding Source:

There are no expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-492)

Resolution of the Council directing the City's management team for labor relations to engage in collective bargaining, as required by the Meyers-Milias-Brown Act, related to the proposed amended interim standard operating procedures of the Commission on Police Practices.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on April 27, 2022.

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

VOTE: 4-0; Montgomery Steppe-yea, Moreno-yea, von Wilpert-yea, Campillo-yea.

Office of the Commission on Police Practices: Sharmaine Moseley, (619) 533-3432

City Attorney Contact: Joan F. Dawson

Item 107: Establishment of Overtime Eligibility.

Total Estimated Cost of Proposed Action and Funding Source:

There is no fiscal impact for this item.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-502)

Resolution approving the job classifications in the City of San Diego that are eligible for overtime compensation for Fiscal Year 2023.

Committee Actions Taken: N/A

Human Resources: Manuel Quintero, (619) 236-6339

City Attorney Contact: Thomas J. Brady

Item 108: Resolution of The Council of The City of San Diego Repealing the Morena Area Banner District and Establishing and Authorizing the New Clairemont Morena Banner District.

Total Estimated Cost of Proposed Action and Funding Source:

No City funds expended for the creation of the Clairemont Morena Banner District. The Clairemont Morena Banner District will be sponsored and funded by Clairemont Town Council Foundation, Inc.

Council District(s) Affected: 2.

Proposed Actions:

Approve the resolution repealing San Diego Resolution R-304948, and establishing the Clairemont Morena Banner District and authorizing Clairemont Town Council Foundation, Inc. to install street banners in the public right-of-way promoting cultural or civic events or activities of general public interest.

Subitem-A: (R-2022-485)

Resolution determining that the approval of the Clairemont Morena Banner District and authorization to install and display banners in the public right-of-way is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

Subitem-B: (R-2022-484)

Resolution repealing the Morena Area Banner District, and establishing the Clairemont Morena Banner District and authorizing the installation and display of banners in the public right-of-way.

Committee Actions Taken: N/A

Council District 2: Makana Rowan, (619) 236-6622

City Attorney Contact: Lindsey Sebastian

Item 109: Resolution Excusing Councilmember Campbell from City Council Meetings from the April 04, 2022 and April 05, 2022 City Council Meetings.

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-469)

Resolution excusing the absence of Councilmember Jennifer Campbell from the Council meetings on April 4, 2022, and April 5, 2022.

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

Committee Actions Taken: N/A

Council District 2: Makana Rowan, (619) 236-6622

City Attorney Contact: Kathy Steinman

Item 110: **Declaring A Continued State of Local Emergency Regarding COVID-19 Virus.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-499)

Resolution extending the local state of emergency due to the COVID-19 pandemic.

Committee Actions Taken: N/A

Office of the Mayor: Javier Gomez, (619) 236-6330

City Attorney Contact: Paige E. Folkman

Item 111: **Declaring a Continued State of Emergency Regarding Raw Sewage, Solid Waste, and Sediment Coming from Tijuana, Mexico.**

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

Council District(s) Affected:

Proposed Actions:

(R-2022-261)

Declaring a Continued State of Emergency regarding Raw Sewage, Solid Waste, and Sediment Coming from Tijuana, Mexico.

Committee Actions Taken: N/A

City Attorney Contact: Noah J. Brazier

Item S504: Resolution Declaring San Diego a Safe City for Reproductive Freedom and Access to Abortion. (Added 5/19/22)

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-504)

Resolution declaring San Diego a safe city for reproductive freedom and access to abortion.

Committee Actions Taken: N/A

Council District 3: Ryan Darsey, (619) 236-6734

City Attorney Contact: Heather Ferbert

Item S505: Approve Funding of \$212,761 for the Compensation Agreement with Civic San Diego Regarding the Imperial Avenue Streetscape Improvement Project. (Added 5/19/22)

Total Estimated Cost of Proposed Action and Funding Source:

In 2018, the City Council authorized up to \$435,000 from the Central Imperial Redevelopment Funds (R-303779). In 2020, due to the dissolution of redevelopment and project delays, an additional \$365,000 was added to the budget. The Project requires \$212,761 of additional funds to reimburse Civic San Diego per the Compensation Agreement. The requested actions appropriate funding from the following sources: Central Imperial Pooled Financing Bonds, Series 2007B.

Council District(s) Affected: 3.

Proposed Actions:

(R-2022-507)

Resolution of the Council of the City of San Diego approving funding for construction of Imperial Avenue Streetscape Improvements.

Committee Actions Taken: N/A

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

City Attorney Contact: Kate Malcolm

Item S506: Recommend Council to Adopt a Resolution Authorizing Teleconferenced Public Meetings Pursuant to Government Code Section 54953. (Added 5/19/22)

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-511)

Resolution reconsidering the circumstances of the State of Emergency related to COVID-19 and making findings to continue teleconferencing public meetings pursuant to the Ralph M. Brown Act.

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

Committee Actions Taken: N/A

Council District 2: Haley Lesser, (619) 236-6699

City Attorney Contact: Heather Ferbert

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)

Item 30: Dr. Deborah Zajchowski Day.

COUNCILMEMBER CAMPBELL'S RECOMMENDATION:

Proclaiming Saturday, June 4, 2022, to be "Dr. Deborah Zajchowski Day" in the City of San Diego.

Item S500: Linda Vista Inc.'s Linda Vista Farmers' Market Day. (Added 5/18/22)

COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Proclaiming June 2, 2022, to be "Love, Linda Vista Inc.'s Linda Vista Farmers' Market Day" in the City of San Diego.

Item S501: Philippine Independence Day. (Added 5/18/22)

COUNCILMEMBER CAMPBELL AND COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming June 12, 2022, to be "Philippine Independence Day" in the City of San Diego.

Item S502: Dr. Pamela T. Luster Day. (Added 5/18/22)

COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming June 10, 2022, as "Dr. Pamela T. Luster Day" in the City of San Diego. (Rev. 5/19/22)

Item S503: Mental Health Awareness Month. (Added 5/19/22)

COUNCIL PRESIDENT ELO-RIVERA, COUNCILMEMBER LACAVA, COUNCILMEMBER CAMPBELL, AND COUNCILMEMBER VON WILPERT'S RECOMMENDATION:

Proclaiming the month of May to be "Mental Health Awareness Month" in the City of San Diego. (Rev. 5/20/22)

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM THE CONSENT AGENDA

PUBLIC COMMENT ON CLOSED SESSION

NON-AGENDA PUBLIC COMMENT

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

Per Rule 2.6.2, non-agenda public 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, during the morning session. Non-agenda public comment at the beginning of the meeting may be limited to 30 minutes, with any remaining speakers given an opportunity to speak after Council concludes the other agenda items for the day.

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

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

Item 330: Amendments to the City's Municipal Code for Shared Mobility Device (SMDs) Regulations.

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:

There are no expenditures associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2022-475)

Resolution determining that the Ordinance amending Chapter 8 of the San Diego Municipal Code relating to the operation of shared mobility device service providers is categorically exempt from CEQA pursuant to sections 15301 and 15306 of the CEQA Guidelines.

Subitem-B: (R-2022-473)

Resolution approving the establishment of fees for shared mobility device providers for inclusion in the Ratebook of City Fees and Charges maintained by the Office of the City Clerk.

Subitem-C: (O-2022-107)

Introduction of an Ordinance amending Chapter 8 of the San Diego Municipal Code by amending sections 83.0301 and 83.0302; by retitling and amending sections 83.0303, 93.0304, 83.0305, 83.0306 and 83.0307; by amending sections 83.0308, 83.0309, 83.0310 and 83.0311; by adding new section 83.0312; and by renumbering, retitling and amending section 83.0312 to 83.0313, and section 83.0313 to 83.0314 relating to the operation of shared mobility device service providers in the City of San Diego.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on April 27, 2022.

Motion by Vice Chair LaCava, second by Councilmember Campbell, to recommend Council approval of staff's proposed actions with the following amendments, pending technical and legal review prior to Council:

- Section 83.0302, Definitions,
 - o INSERT definition for Corral
- Section 83.0305 Provider Requirements (b)(2): identify in writing the number quantity and type of all shared mobility services in the provider's fleet
- Section 83.0305 Provider Requirements (b)(8): employ a user interface that requires users to scan a valid identification at least every three months to demonstrate compliance with the provider's adopted age requirements for operating a shared mobility device – add language to reference California Vehicle Code to define what type of identification can be used.
- Section 83.0308 Geofencing Speed and Operating Restrictions
 - o INSERT (c)(8): on the public walkway on the westerly and northerly side of Ellen Browning Scripps Park, from Ocean Street to Coast Boulevard
- Section 83.0308 Geofencing Speed and Operating Restrictions
 - o INSERT(c)(9): Children's Pool Plaza
- Section 83.0308 Geofencing Speed and Operating Restrictions
 - o INSERT(c)(10): on the public walkway on the westerly side of Coast Boulevard, from Coast Boulevard South to Ocean Street
- Section 83.0310 Staging of Shared Mobility Devices
 - o INSERT (a)(7): on boardwalks and baywalks defined in Section 83.0308(c)
- Section 83.0310 Staging of Shared Mobility Devices
 - o INSERT(a)(8): any area primarily designed for the conveyance of storm water, any area planted with landscaping, or any area primarily consisting of dirt or sand

VOTE: 4-0; von Wilpert-yea, La Cava-yea, Montgomery Steppe-yea, Campbell-yea.

Sustainability and Mobility: Kristy Reeser, (858) 492-6005

City Attorney Contact: Cassandra Mouglin

Item 331: Proposed Seasonal Closure of Point La Jolla and Boomer Beach.

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:

There are no expenditures being authorized with this action.

Council District(s) Affected: 1.

Proposed Actions:

Subitem-A: (O-2022-109)

Introduction of an Ordinance amending Chapter 6, Article 3, Division 1 of the San Diego Municipal Code by adding new Section 63.0102(f) relating to the Use of Point La Jolla and Boomer Beach.

Subitem-B: (R-2022-498)

Resolution adopting the Addendum to the Final Negative Declaration No. 225045 (SCH NO. 2013011059) for the Point La Jolla and Boomer Beach seasonal closure Project.

Committee Actions Taken:

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

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

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

Parks & Recreation: Karen Dennison, (619) 235-1188

City Attorney Contact: Jane M. Boardman

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 332: Approve Project List to be Funded by the Fiscal Year 2023 Road Maintenance and Rehabilitation Account (RMRA) Funds.

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 use of \$32,164,043 from the Road Maintenance & Rehabilitation Fund to fund Slurry Seal Group 2321, Slurry Seal Group 2322, Slurry Seal Group 2323, Slurry Seal Group 2324, Slurry Seal Group 2325, and Slurry Seal Group 2326, contingent upon the adoption of the Fiscal Year 2023 Appropriation Ordinance.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2022-497)

Resolution determining that the approval of the Citywide projects to be funded by Fiscal Year 2023 Road Maintenance and Rehabilitation Account funds are categorically exempt from the California Environmental Quality Act pursuant to Section 15301(c) of the CEQA Guidelines.

Subitem-B: (R-2022-496)

Resolution approving the Citywide project list to be funded by Fiscal Year 2023 Road Maintenance and Rehabilitation Account funds and authorizing the award, execution and funding of Slurry Seal Group contracts 2321, 2322, 2323, 2324, 2325, and 2326.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on April 27, 2022.

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

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

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

City Attorney Contact: Cassandra Mouglin

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 333: Otay 2nd Pipeline Easement Vacation - Project No. 690051.

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:

All processing costs are paid from a deposit account maintained by the applicant. Proceeds to the City for the removal of the City's easements will be deposited into the Capital Outlay Water Revenue Fund.

Council District(s) Affected: Outside of City Limits – City of Chula Vista

(Rev. 5/18/22)

Proposed Actions:

A Public Service Easement Vacation to vacate approximately 16.47-acres of City of San Diego water easements for pipelines that have been abandoned and relocated per the terms contained within the "Participation Agreement for the Design and Construction of Otay 2nd Pipeline Relocation and Related Facilities" approved by the City Council in Ordinance O-20464 (adopted Mar. 11, 2015). The water easements are all within the jurisdiction of the City of Chula Vista, located generally south of La Media Road and E Main Street in the Otay Ranch Community. (Rev. 5/18/22)

Subitem A: (R-2022-487)

Resolution determining that the approval of the Otay 2nd Pipeline Easement Vacation is exempt from the California Environmental Quality Act pursuant to Section 15305 of the CEQA Guidelines.

Subitem A is not subject to the Mayor's veto. (Rev. 5/18/22)

Subitem B: (R-2022-488 Cor. Copy) (Rev. 5/23/22)

Resolution vacating City of San Diego water easements for pipelines that have been abandoned and relocated, located within the jurisdiction of the City of Chula Vista and authorizing the Chief Financial Officer to accept and deposit payment received for the vacation into the Capital Outlay Water Revenue Fund 400004.

Subitem B is not subject to the Mayor's veto.

Committee Actions Taken: N/A

Development Services: Carrie Lindsay, (619) 446-5220

City Attorney Contact: Lauren Hendrickson

Item 334: Tax Equity and Fiscal Responsibility Act Public Hearing – Levant Senior Cottages.

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

Note: For the purposes of this item, a federally mandated Toll-Free number is available for members of the public to offer public comments. The toll-free number is 833-568-8864; Meeting ID 161 486 3189. (Rev 5/20/22)

This toll-free number is in addition to the customary public comment phone number that is available to the public during every item. It does not replace that number. Both of these numbers will be available for the public to utilize during the public comment period for this item.

Total Estimated Cost of Proposed Action and Funding Source:

There are no City funds associated with this action.

Council District(s) Affected: 7.

Proposed Actions:

(R-2022-467)

Resolution approving the issuance of multifamily housing revenue bonds or notes by the Housing Authority Levant Senior Cottages pursuant to section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Colin Miller, (619) 578-7429

City Attorney Contact: Marguerite Middaugh

See the Housing Authority Agenda of May 24, 2022, for a companion item.
This is a TEFRA hearing item.

Item 335: Tax Equity and Fiscal Responsibility Act Resolution – Merge 56 Affordable Apartments.

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

Note: For the purposes of this item, a federally mandated Toll-Free number is available for members of the public to offer public comments. The toll-free number is 833-568-8864; Meeting ID 161 486 3189. (Rev 5/20/22)

This toll-free number is in addition to the customary public comment phone number that is available to the public during every item. It does not replace that number. Both of these numbers will be available for the public to utilize during the public comment period for this item.

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this action.

Council District(s) Affected: 5.

Proposed Actions:

(R-2022-470)

Resolution approving the issuance of multifamily housing revenue bonds or notes by the Housing Authority Merge 56 Affordable Apartments pursuant to section 147(f) of the Internal Revenue Code of 1986.

Committee Actions Taken: N/A

Housing Commission: Colin Miller, (619) 578-7429

City Attorney Contact: Marguerite Middaugh

See the Housing Authority Agenda of May 24, 2022, for a companion item.
This is a TEFRA hearing item.

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: Submission of Ballot Proposals for the November 8, 2022 Ballot.

City Council Policy 000-21 establishes a procedure for submittal of ballot proposals, other processes -including citizen initiatives- may come before the City Council for consideration at other times. The Council Policy states that members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, or a public agency **shall submit proposals to the City Clerk**, who shall then transmit them promptly to Committee for review and comment. **Please submit all proposals to cityclerk@sandiego.gov.**

Therefore, the City Clerk’s Office has established the following calendar for the November 8, 2022 election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Monday	04/04/22	218	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	04/20/22	202	Initial Committee review
Wednesday	06/08/22	153	Measures that advance from initial review proceed to a second Committee review, where the Committee will decide if they will be presented to the full Council for consideration
Thursday - Friday	06/09/22 – 08/12/22	152-88	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	08/12/22	88	Last day for City Clerk to file with Registrar of Voters election material (ordinances and resolutions related to the calling of election and measure(s), if any)

Tuesday	08/16/22	84	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Friday	08/19/22	81	Last day to file ballot arguments with City Clerk

Please check posted agendas for additional information.

If you have questions, please contact the Office of the City Clerk at

cityclerk@sandiego.gov or (619) 533-4000.

Item 351: Council Policy 000-21 Ballot Proposals, November 2022.

**Ballot Propositions Forwarded for
2ND Committee Review**

The following ballot propositions have been referred from the Rules Committee to a second hearing for consideration for placement on a future ballot as noted. The Rules Committee will be meeting June 8, 2022 to review these measures referred for a second hearing.

Proposal	Target Ballot
Amend San Diego Municipal Code Section 66.0127 Regarding Collection, Transport, and Disposal or Recycling of Refuse	November 2022
Amendment to San Diego Municipal Code 132.0505 Coastal Height Limit	November 2022
Allow Childcare Use in City Park Space	November 2022
Ranked Choice Voting	November 2022

**Ballot Propositions Forwarded for
Council Review**

The following measures received earlier consideration and will move directly to City Council for review.

Proposal	Target Ballot
-----------------	----------------------

Safeguard San Diego / Project Labor Ban Repeal	November 2022
Independent Counsel for the City Auditor	November 2022
Amendments to City Charter Regarding City Employee Hiring and Recruitment Practices	November 2022

The City Council is expected to consider measures for the November 2022 ballot at its meetings in June, July, and August 2022.

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT