AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 21, 2022, AT 10:00 AM
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 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.

[https://sandiego.zoomgov.com/j/1614863189](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](https://sandiego.zoomgov.com/j/1614863189) 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.

Upang matulungan kayo, bilang miyembro ng publiko, na maisalin sa wikang Inggles ang inyong mga puna o mungkahi sa City Council (Sanggunian ng Bayan), mangyaring makipag-ugnayan lamang sa City Clerk (Kalihim ng Bayan) gamit ang telepono (619-533-4000) o email (cityclerk@sandiego.gov). Hangad ng City (Pamahalaan ng Bayan) na lubusin ang pakikilahok
ng publiko sa mga usaping pambayan, at handa ito na magbigay ng agarang tulong na kinakailangan ninyo sa pagsasaling-wika.

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.

Việc cung cấp dịch vụ dịch ngôn ngữ để người dân phát biểu ý kiến trước công chúng có thể giúp tăng thêm sự tham gia của công chúng.

Friday, June 21, 2022
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为了鼓励更多市民参与 '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。

“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。”

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

5/17/2022

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

Total Estimated Cost of Proposed Action and Funding Source: This position is included in the Fiscal Year 2023 Proposed Budget.

Council District(s) Affected: Citywide.

Proposed Actions: (O-2022-117)

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 February 3, 2022. This Program Manager position will be responsible for overseeing and administering the City's Office of Labor Standards and Enforcement, and other related duties. 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 INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

Item 60: **Tecolote Canyon Trunk Sewer Improvement, Tecolote Canyon Golf Course Water Connection and Sewer Group 836 - Authorization to Award Construction Contract.**

Total Estimated Cost of Proposed Action and Funding Source:
The total phase-funded construction contract not-to-exceed amount is $51,000,000.00, of which $48,000,000 will be from the Muni Sewer CIP, Tecolote Canyon Trunk Sewer Improvement Fund; $2,000,000 from Water Utility CIP, Main Replacements; and $1,000,000 from the Muni Sewer CIP, Sewer Main Replacements.

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

Proposed Actions:

Subitem-A: (R-2022-554)
Resolution authorizing the Mayor, or his designee, to advertise, award, and execute a contract for the Tecolote Canyon Trunk Sewer Improvement, Tecolote Canyon Golf Course Water Connection, and Sewer Group 836 project.

Subitem-B: (O-2022-119)
Introduction of an Ordinance authorizing the Mayor, or his designee, to execute change orders necessary to fulfill the purpose of the construction contract for the Tecolote Trunk Sewer Improvement, Tecolote Canyon Golf Course Water Connection, and Sewer Group 836 project in an amount not-to-exceed $1,000,000, per change order, contingent upon funds being available in the project budgets.
Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on May 25, 2022.

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

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

Engineering & Capital Projects: Luis Schaar, (858) 627-3220
City Attorney Contact: Adam Wander

ADOPTION AGENDA
CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Resolution Approving Side Letter Agreement to Amend the Memorandum of Understanding Between the City and the American Federation of State, County, and Municipal Employees, AFL-CIO, Local 127 Regarding Special Wage Adjustments.

Total Estimated Cost of Proposed Action and Funding Source: Please see the Fiscal Considerations section of the Staff Report.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-556)

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 14 of the Memorandum of Understanding related to special wage adjustments.

6 votes required pursuant to Charter Section 11.2.

Committee Actions Taken: N/A

Human Resources: Dianne Mitra, (619) 533-6539
City Attorney Contact: Miguel Merrell
Item 101: Resolution Approving Side Letter Agreement to Amend the Memorandum of Understanding Between the City and the San Diego Municipal Employees Association Regarding Special Salary Adjustments.

Total Estimated Cost of Proposed Action and Funding Source: Please see the Fiscal Considerations section of the Staff Report.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-555)

Resolution approving a Side Letter Agreement between the City of San Diego and the San Diego Municipal Employees Association, to amend Article 21 of the Memorandum of Understanding related to special salary adjustments.

6 votes required pursuant to Charter Section 11.2.

Committee Actions Taken: N/A

Human Resources: Dianne Mitra, (619) 533-6539
City Attorney Contact: Miguel Merrell

Item 102: Witch Creek Fire Street Improvement; Fiscal Year 2022 Priority Legislative Budget Projects (PLBP) Grant.

Total Estimated Cost of Proposed Action and Funding Source:

2007 Witch Creek Fire Grant is part of Senate Bill-170 Budget Act of 2021. This action will authorize application to add additional Grant funds to the Street Resurfacing and Reconstruction Annual Allocation. The grant has no expiration date and does not require a grant match.

Council District(s) Affected: 5.

Proposed Actions:

(R-2022-546)

Resolution authorizing the Mayor, or his designee, to make applications to the California Department of Transportation (Caltrans) and take all necessary actions to secure funding in an amount not-to-exceed $2,500,000, for CIP AID00005 Street Resurfacing and Reconstruction (B-22155 Witch Creek Fire Street Improvements), for the Witch Creek Fire Street Improvements project; Authorizing the Chief Financial Officer to increase
the Capital Improvement Budget in CIP AID00005 Street Resurfacing and Reconstruction (B-22155 Witch Creek Fire Street Improvements), and to accept, appropriate and expend an amount not-to-exceed $2,500,000, for the purpose of preliminary engineering, design, construction and construction administration, contingent upon receipt of a fully executed Grant Agreement if the Grant funding is secured.

**Committee Actions Taken:** N/A

*Transportation Department: Patrick Hadley, (619) 527-7504
City Attorney Contact: Ryan P. Gerrity*

**Item 103:** **Amended Conflict of Interest Code for the Engineering and Capital Projects Department.**

**Total Estimated Cost of Proposed Action and Funding Source:**
There is no cost associated with this action.

**Council District(s) Affected:** Citywide.

**Proposed Actions:**

(R-2022-553)

Resolution adopting an amended Conflict of Interest Code for the Engineering and Capital Projects Department.

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

**Committee Actions Taken:** N/A

*Engineering & Capital Projects: Mark Gonzalez, (619) 533-4180
City Attorney Contact: Hilda R. Mendoza*

**Item S502:** **Second Amendment to Agreement with Liebert Cassidy Whitmore to Provide Continued As-Needed Legal Services as Panel Outside Counsel.** *(Added 6/16/22)*

**Total Estimated Cost of Proposed Action and Funding Source:**
The proposed Second Amendment to the legal services agreement is for an increase of $600,000, for a total contract amount not-to-exceed $1,100,000. Funding will come from the Public Liability Fund.

**Council District(s) Affected:** Citywide.
Proposed Actions:

(R-2022-398)

Resolution authorizing the Mayor, or his designee, to execute the Second Amendment to the Agreement with Liebert Cassidy Whitmore for continued as-needed legal services, in an amount not-to-exceed $1,100,000.

Committee Actions Taken: N/A

Office of the City Attorney: Jim McNeill, (619) 533-5860
City Attorney Contact: Ken So

Item S503: Appointment and Reappointments to the Accessibility Advisory Board.
(Added 6/16/22)

Total Estimated Cost of Proposed Action and Funding Source:
There are no City expenditures being authorized with this action.

Council District(s) Affected: 2, 4, 5.

Proposed Actions:

(R-2022-561)

Resolution confirming the Mayor's appointment of Jacqueline Jackson and reappointments of Wayne Landon and Patricia Sieglen-Perry to the Accessibility Advisory Board for terms ending June 30, 2023.

Committee Actions Taken: N/A

Office of Boards and Commissions: Chida Warren-Darby, (619) 533-3940
City Attorney Contact: Kathy Steinman
PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)

Item 30: La Jolla United Methodist Church Nursery School Day.

COUNCILMEMBER LACAVA’S RECOMMENDATION:

Proclaiming June 14, 2022, to be “La Jolla United Methodist Church Nursery School Day” in the City of San Diego.

Item 31: Zachary Patterson Day.

COUNCILMEMBER LACAVA’S RECOMMENDATION:

Proclaiming June 30, 2022, to be “Zachary Patterson Day” in the City of San Diego.
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
INFORMATIONAL ITEMS


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: None.

Council District(s) Affected: Citywide.

Proposed Actions: This item is informational only.

Committee Actions Taken: N/A

Council District 4: Max Ellorin, (619) 236-6644
City Attorney Contact:
ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 331: This item has been removed from the agenda.

Item S500: Establishing Franchise Compliance Review Committee. (Added 6/15/22)

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 item.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2022-571)

Resolution creating a Charter section 43(b) temporary committee named the Franchise Compliance Review Committee.

Committee Actions Taken: N/A

Office of the Mayor: Chida Warren-Darby, (619) 533-3940
City Attorney Contact: Kathy Steinman

Item S501: Non-Profit Agreement with Downtown San Diego Partnership for the Family Reunification Program. (Added 6/15/22)

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:
Authorize the Mayor, or his designee, to enter into a non-profit agreement consisting of $500,000 in Homeless Housing, Assistance, and Prevention Round 3 grant funds and $450,000 in General Funds, for a total of $950,000.

Council District(s) Affected: 3.
Proposed Actions:

(R-2022-560)

Resolution authorizing a non-profit agreement with Downtown San Diego Partnership for the Family Reunification Program.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhood Committee meeting on June 8, 2022.

ACTION: Motion by Committee Member von Wilpert, second by Committee Member Campillo, to recommend Council approval of staff's proposed actions and direct staff to provide a detailed budget report of the program when the item comes to City Council.

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

Homelessness Strategies: Hafsa Kaka, (213) 725-1120
City Attorney Contact: Heather Ferbert
NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT