

**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**

**Kent Lee • Sixth District**

**Raul A. Campillo • Seventh District**

**Vivian Moreno • Eighth District**

**Charles Modica  
Independent  
Budget Analyst**

**Mara W. Elliott  
City Attorney**

**Diana J. S. Fuentes  
Interim City Clerk**

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

**Virtual Participation: <https://sandiego.zoomgov.com/j/1601143486>  
To join by telephone: Dial 1-669-254 5252 + input Webinar ID: 160 114 3486**

**TUESDAY, JUNE 27, 2023, AT 10:00 AM and 2:00 PM**

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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](mailto: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. [Để biết thêm thông tin về cách tham gia và đưa ra ý kiến về một mục tại các cuộc họp của Hội đồng, xin vui lòng nhấp vào liên kết dưới đây.](#)

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“ການຮ້ອງຂໍບໍລິການນາຍແປພາສາເພື່ອສະເໜີຄໍາຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິດຕໍ່ຫາ **City Clerk** ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມວຫາ: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). **City** ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ບະຣາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”  
[ສໍາລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ ສະແດງຄໍາຄິດເຫັນກ່ຽວກັບລາຍການການປະຊຸມສະພາ ກະລຸນາກົດລິງຄ໌ຕໍ່ໄປນີ້](#)

**NOTICE:** THE CITY COUNCIL MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY STAFF DO NOT LIMIT ACTIONS THAT THE CITY COUNCIL MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS OF STAFF AS DETERMINATIVE OF THE ACTION THE CITY COUNCIL MAY TAKE ON A PARTICULAR MATTER.

**TUESDAY, JUNE 27, 2023 AT 10:00 AM**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF COUNCIL MINUTES**

5/29/2023 Adjourned

5/30/2023 Adjourned

6/5/2023 Adjourned

**ADOPTION AGENDA, CONSENT ITEMS**

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

**ADOPTION AGENDA**

**CONSENT, ORDINANCES TO BE INTRODUCED:**

**Item 50: Request to Exempt Two Program Coordinator Positions in the Police Department from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

Please see staff report.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-157)

Introduction of an Ordinance authorizing the exemption of two Program Coordinator positions in the City's Police Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on April 7, 2023. The first Program Coordinator position will oversee the Data Analysis Section of the Information Services Division. The second Program Coordinator position will oversee the Investigative Support Section of the Information Services Division. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Police: Silvia Satrom, (619) 531-2109*

*City Attorney Contact: Miguel Merrell*

**Item 51: Request to Exempt One Program Manager Position in the Police Department from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

Please see staff report.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-158)

Introduction of an Ordinance authorizing the exemption of a Program Manager position in the City's Police Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on April 7, 2023. The position will oversee, develop, manage, and execute a communications strategy for the Department related to community engagement and other matters. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Police: Silvia Satrom, (619) 531-2109*

*City Attorney Contact: Miguel Merrell*

**Item 52: Exemption of Assistant Deputy Director Position in the Transportation Department from the Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

The cost of this position is offset by vacancy savings for FY2024.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-197)

Introduction of an Ordinance authorizing the exemption of an Assistant Deputy Director position in the City's Transportation Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This position will be responsible for overseeing the Roadways Section of the Street Division and other related duties. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Transportation Department: Bethany Bezak, (619) 527-3173*

*City Attorney Contact: Miguel Merrell*

**Item 53: Amendments to the Municipal Code to Repeal Inactive Boards.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-180)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 00 of the San Diego Municipal Code by repealing sections 26.09, 26.10, 26.15, 26.17, and 26.33; amending Chapter 2, Article 6 by repealing Division 13, Sections 26.1301, 26.1302, and 26.1303; amending Chapter 2, Article 6 by repealing Division 14, Sections 26.1401, 26.1402, and 26.1403; amending Chapter 2, Article 6 by repealing Division 34, Section 26.3401; amending Chapter 9, Article 8, Division 1 by repealing Section 98.0105; and retitling and amending Chapter 9, Article 8, Division 3 by repealing section 98.0302, relating to repealing inactive advisory boards.

Committee Actions Taken:

This item was heard at the Rules Committee meeting on June 7, 2023.

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

VOTE: 4-0; Elo-Rivera-yea, Montgomery Steppe-yea, LaCava-yea, Lee-yea, Moreno-not present.

*Office of Boards and Commissions: Chida Warren-Darby, (619) 533-3940*  
*City Attorney Contact: Kathy Steinman*

**Item 54:       Exemption of Thirty-Two (32) Positions in the City of San Diego from Classified Service.**

Total Estimated Cost of Proposed Action and Funding Source:

All Thirty-Two (32) are included in the Fiscal Year 2024 Adopted Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2023-181)

Introduction of an Ordinance authorizing the exemption of one Program Coordinator position in the City's Compliance Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-B: (O-2023-182)

Introduction of an Ordinance authorizing the exemption of an Assistant Deputy Director and a Program Coordinator position in the City's Department of Information Technology from the Classified Service, based

on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-C: (O-2023-183)

Introduction of an Ordinance authorizing the exemption of a Program Coordinator position in the City's Department of Real Estate and Airport Management from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-D: (O-2023-184)

Introduction of an Ordinance authorizing the exemption of a Program Coordinator position in the City's Economic Development Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-E: (O-2023-185)

Introduction of an Ordinance authorizing the exemption of a Program Manager position in the City's Engineering and Capital Projects Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-F: (O-2023-186)

Introduction of an Ordinance authorizing the exemption of an Assistant Deputy Director and a 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 June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-G: (O-2023-187)

Introduction of an Ordinance authorizing the exemption of an Assistant Department Director position in the City's General Services Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-H: (O-2023-188)



Introduction of an Ordinance authorizing the exemption of two Program Manager and four Program Coordinator positions in the City's Human Resources Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-I: (O-2023-189)

Introduction of an Ordinance authorizing the exemption of a Deputy Director and a Program Manager position in the City's Parks and Recreation Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-J: (O-2023-190)

Introduction of an Ordinance authorizing the exemption of a Program Coordinator position in the City's Performance and Analytics Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-K: (O-2023-191)

Introduction of an Ordinance authorizing the exemption of a Program Coordinator position in the City's Personnel Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-L: (O-2023-192)

Introduction of an Ordinance authorizing the exemption of an Assistant Police Chief position in the City's Police Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-M: (O-2023-193)

Introduction of an Ordinance authorizing the exemption of two Program Manager and six Program Coordinator positions in the City's Public Utilities Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-N: (O-2023-194)

Introduction of an Ordinance authorizing the exemption of a Program Manager and two Program Coordinator positions in the City's Transportation Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Subitem-O: (O-2023-195)

Introduction of an Ordinance authorizing the exemption of a Program Manager position in the City's Sustainability and Mobility Department from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on June 1, 2023. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

*Department of Finance: Christopher Purcell, (619) 236-6775*  
*City Attorney Contact: Miguel Merrell*

## ADOPTION AGENDA

### CONSENT, ORDINANCES TO BE ADOPTED:

**Item 55:            **Extension of Securities Clearance and Safekeeping Services Contract (US Bank).****

Total Estimated Cost of Proposed Action and Funding Source:

This action is to extend the agreement on a month-to-month basis for up to one year, not to extend beyond July 9, 2024, and increase the not-to-exceed (NTE) amount by \$63,000. This amount is available and budgeted in the City Treasurer's General Fund FY2024 budget.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 6/13/2023, Item 600 (Council voted 9-0):

(O-2023-135)

Ordinance approving Amendment No. 1 to Contract with U.S. Bank for Securities Clearance and Safekeeping Banking Services to Extend Contract by Up to One Year.

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

Committee Actions Taken:

This item was heard at the Budget & Government Efficiency Committee meeting on May 24, 2023.

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

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

*Office of the City Treasurer: Emmanuel Labrinos, (619) 533-6256*

*City Attorney Contact: Bret A. Bartolotta*

**Item 56: Construction Contract Extension (K-18-1739-DBB-3) with NEWest Construction, Inc. for the Construction of the Soledad Pump Station Upgrades.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no fiscal considerations associated with this request as it is only for extension of time.

Council District(s) Affected: 1.

Proposed Actions:

Adopt the following Ordinance which was introduced on 6/13/2023, Item 601 (Council voted 9-0):

(O-2023-175)

Ordinance authorizing the obligations of construction contract K-18-1739-DBB-3 with NEWest Construction Company, Inc. to extend beyond five years until June 8, 2025, to complete construction of CIP A-BJ.00001, Water Pump Station Restoration (B-11072, Soledad Pump Station Upgrades), and related actions.

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

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on May 24, 2023.

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

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

*Engineering & Capital Projects: Elif Cetin, (619) 533-3794*

*City Attorney Contact: Adam Wander*

**Item 57:       Transfer of Non-Exclusive Solid Waste Management Franchises for Waste Management, Inc.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no anticipated expenses or significant revenue impacts related to this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinances which were introduced on 6/13/2023, Item 602, Subitem-A and Subitem-B (Council voted 9-0):

Subitem-A: (O-2023-169)

**Subitem-A: 6 votes required pursuant to Charter Section 103.**

Ordinance Approving the Transfer and Authorizing the Consent to Assignment of Class II Non-Exclusive Solid Waste Management Franchises from Waste Management, Inc., for BDC Special Waste Services to USA Waste of California, Inc., DBA BDC Special Waste Services; from Waste Management of California, Inc., DBA Emerald Waste & Recovery, Inc. to USA Waste of California, Inc., DBA Emerald Waste and Recovery; and from Waste Management, Inc., for Reliable Waste to USA Waste of California, Inc., DBA Reliable Waste.

Subitem-B: (O-2023-170)

Ordinance Authorizing Execution of Amendments to Class II Non-Exclusive Solid Waste Management Franchise Agreements with USA Waste of California, Inc., DBA BDC Special Waste Services, Emerald Waste and Recovery, and Reliable Waste.

**Subitem-B: 6 votes required pursuant to Charter Section 103.**

Committee Actions Taken:

This item was heard at the Environment Committee meeting on May 25, 2023.

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

VOTE: 3-0; LaCava-yea, Campbell-yea, Campillo-yea, von Wilpert-not present.

*Environmental Services: Matthew Cleary, (858) 573-1214*

*City Attorney Contact: Jeanne MacKinnon*

**Item 58: Amendments to the San Diego Municipal Code Related to Unauthorized Camping or Encampments on Public Property.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no costs associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was amended by Council action by interlineation at the time of introduction on 6/13/2023, Item 613, Subitem-B (Council voted 5-4, Councilmember Montgomery Steppe, Councilmember Lee, Councilmember Moreno, Council President Elo-Rivera-nay):

(O-2023-155 Rev.)

Ordinance amending Chapter 5, Article 4, Division 2 of the San Diego Municipal Code by amending Section 54.0212; amending Chapter 6, Article 3, Division 00 by repealing and reserving Section 63.20.11; amending Chapter 6, Article 3, Division 1 by amending Sections 63.0102, 63.0103, 63.0105 and 63.0108; and amending Chapter 6, Article 3 by adding Division 4, Sections 63.0401, 63.0402, 63.0403, 63.0404, 63.0405 and 63.0406, all relating to regulating encampments on public property.

Committee Actions Taken:

Motion by Vice Chair LaCava, second by Committee Member Whitburn, to forward the item to full Council without recommendation:

Request that Council District 3 work with the Mayor's Office and City Attorney's Office to address the questions and concerns that have been raised by Committee Members, and for the item at full Council to include a companion informational item that briefs the council on the following elements:

- comprehensive plan that includes expanding congregate and non-congregate shelter options, dedicated outreach, and consistent enforcement;
- site control and funds for new bridge shelters, safe parking, and/or safe camping to demonstrate there is "availability of shelter";
- status of the Community Action Plan on Homelessness;
- how the City's homelessness work reflects best practices considering the input of the Regional Task Force on the Homelessness;
- detailed plan for how enforcement would transition from current activity to what is contemplated under the draft ordinance;
- revised proposal that includes all city parks;
- written enforcement and operations plan;
- plan that identifies specific sleeping sites; and
- written legal analysis from the City Attorney on the proposed ordinance, including how it is determined which public areas the city can include in the ordinance for enforcement for both when shelter is available and for when shelter is not available.

VOTE: 3-1; Moreno-yea, LaCava-yea, Whitburn-yea, Lee-nay.

*Council District 3: Bridget Naso, (619) 236-6633*

*City Attorney Contact: Heather Ferbert*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

**Item 100: Construction Change Order #2 for the Otay WTP-Basin #1 Concrete Restoration Project with Abhe and Svoboda Construction, Inc.**

Total Estimated Cost of Proposed Action and Funding Source:

Please see staff report.

Council District(s) Affected: 8.

Proposed Actions:

Subitem-A: (R-2023-814)

Resolution determining that execution of Change Order No. 2 for the Otay WTP-Basin #1 Concrete Restoration construction contract between the City of San Diego and Abhe & Svoboda, Inc. (K-22-2054-DBB-3) is categorically exempt from the California Environmental Quality Act under State CEQA Guidelines Sections 15301(b) and 15302(c).

Subitem-B: (R-2023-815 Cor.Copy) (Rev. 6/21/23)

Resolution authorizing the Mayor, or his designee, to execute Change Order No. 2 to the Otay WTP-Basin #1 Concrete Restoration construction contract between the City of San Diego and Abhe & Svoboda, Inc. (K-22-2054-DBB-3) and taking related actions.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on June 8, 2023.

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

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

*Engineering & Capital Projects: Elif Cetin, (619) 533-3794*

*City Attorney Contact: Adam Wander*

**Item S501:**

**Resolution Approving an Agreement with Concentra to Provide Department of Motor Vehicles Medical Examinations, Drug and Alcohol Testing, and Related Medical Services. (Added 6/22/23)**

Total Estimated Cost of Proposed Action and Funding Source:

This action will authorize the expenditures of an amount not-to-exceed \$4,667,470, for a contract term of five years. The services will be provided on an as-needed basis. Amount not-to-exceed \$3,919,781.93, from General Fund; \$203,711.73 from Recycling Fund; \$39,031.13 from Planning & Development Enterprise Fund; \$404,844.14 from Muni Sewer Revenue Fund; and \$100,101 from Fleet Operations Operating Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2023-816)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Concentra, in an amount not-to-exceed \$4,667,470, to provide employment and Department of Motor Vehicle medical examinations, drug and alcohol testing, and related medical services.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on June 21, 2023.

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

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

*Personnel: Douglas Edwards, (619) 236-6155*

*City Attorney Contact: Miguel Merrell*



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

**PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)**

**Item 30: 2023 San Diego Lesbian Gay Bisexual Transgender Queer Pride Month.**

MAYOR GLORIA, COUNCILMEMBER CAMPBELL, COUNCILMEMBER WHITBURN, AND COUNCILMEMBER VON WILPERT'S RECOMMENDATION:

Proclaiming the month of July 2023, to be "2023 San Diego Lesbian Gay Bisexual Transgender Queer Pride Month" in the City of San Diego.

**Item 31: The ICON of Arts and Culture Honoree Viasat Day.**

MAYOR GLORIA AND COUNCILMEMBER WHITBURN'S RECOMMENDATION:

Proclaiming July 8, 2023, to be "The ICON of Arts and Culture Honoree Viasat Day" in the City of San Diego.

**Item 32: World Lacrosse Men's Championship Day.**

COUNCIL PRESIDENT ELO-RIVERA'S RECOMMENDATION:

Proclaiming July 1, 2023, to be "World Lacrosse Men's Championship Day" in the City of San Diego.

**Item 33: Pat Schaelchlin Day.**

COUNCILMEMBER LACAVA'S RECOMMENDATION:

Proclaiming July 7, 2023, to be "Pat Schaelchlin Day" in the City of San Diego.

**Item 34: Dr. Lauren Lek Day.**

COUNCILMEMBER WHITBURN'S RECOMMENDATION:

Proclaiming July 8, 2023, to be "Dr. Lauren Lek Day" in the City of San Diego.

**Item 35: Fieldstone Leadership Network San Diego Day.**

COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming June 29, 2023, to be "Fieldstone Leadership Network San Diego Day" in the City of San Diego.

**Item 36: James Silberrad Brown Day.**

COUNCILMEMBER LEE'S RECOMMENDATION:

Proclaiming June 27, 2023, to be “James Silberrad Brown Day” in the City of San Diego.

**Item 37: Patricia Alvarez de los Cobos Day. (Rev. 6/23/23)**

COUNCILMEMBER MORENO'S RECOMMENDATION:

Proclaiming July 11, 2023, to be “Patricia Alvarez de los Cobos Day” in the City of San Diego.

**Item S500: CIF San Diego Spring 2023 Champions Day. (Added 6/21/23)**

COUNCIL PRESIDENT ELO-RIVERA'S RECOMMENDATION:

Proclaiming June 27, 2023, to be “CIF San Diego Spring 2023 Champions Day” in the City of San Diego.

**Item S503: Kathleen Harmon Day. (Added 6/23/23)**

MAYOR GLORIA AND COUNCIL PRESIDENT PRO TEM MONTGOMERY STEPPE'S RECOMMENDATION:

Proclaiming July 7, 2023, to be “Kathleen Harmon Day” in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ITEMS PULLED FROM CONSENT BY COUNCILMEMBERS**

**INFORMATIONAL AND ADOPTION AGENDA ITEMS (10AM SESSION)**

**ADOPTION AGENDA**

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 330: Authorization to Apply for a \$5,000,000 Grant from the California Arts Council Grant for Villa Montezuma Museum.**

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

Total Estimated Cost of Proposed Action and Funding Source:

\$5,000,000 State grant for Villa Montezuma Museum.

Council District(s) Affected: 8.

Proposed Actions:

(R-2023-725)

Resolution authorizing the Mayor, or his designee, to make an application to the California Arts Council Grant Program and take all necessary actions to secure funding in an amount not-to-exceed \$5,000,000, in Fund 600001 Grant Fund – State for improvements to the interior and exterior of the Villa Montezuma Museum building and improvements to the historic tower (Project); to negotiate and execute an advance payment agreement with Friends of the Villa Montezuma, Inc. (FOVM) in an amount not to exceed \$5,000,000 in Grant Program funds, and to transfer an amount not-to-exceed \$5,000,000, in Grant Program funds to FOVM pursuant to the negotiated advance payment agreement; to authorize the Chief Financial Officer to accept, appropriate, and expend an amount not-to-exceed \$5,000,000, in Grant Program funding for the Project, contingent upon receipt of a fully executed Grant Agreement if the Grant funding is secured; and for all related actions.

Committee Actions Taken: N/A

*Parks & Recreation: Andy Field, (619) 235-1110*

*City Attorney Contact: Jane M. Boardman*

**NON-AGENDA PUBLIC COMMENT**

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

Per Rule 2.7.2, Non-Agenda Public Comment is limited to two (2) minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Additionally, non-agenda public comment during the 10am session may be limited to 30 minutes at the discretion of the Council President for meeting management purposes. If some Non-Agenda Public Comment is trailed, any remaining speakers will be given an opportunity to speak during the 2pm session after Council concludes the Information and Adoption agenda items for the day.

**TUESDAY, JUNE 27, 2023 AT 2:00 PM**

**ROLL CALL**

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

**ADOPTION AGENDA, DISCUSSION ITEMS**

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

**Item 331:       Fiscal Year 2024 Tax Rate Ordinance for the Maintenance of Zoological Exhibits.**

**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:

Funding is appropriated in the Fiscal Year 2024 Adopted Budget for Zoological Exhibits Maintenance in the amount of \$19,490,501.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-174)

Introduction of an Ordinance fixing the rate of taxation to maintain zoological exhibits in Balboa Park for Fiscal Year 2024.

Committee Actions Taken: N/A

*Department of Finance: Vanessa Montenegro, (619) 533-6169*

*City Attorney Contact: Bret A. Bartolotta*

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED AND ADOPTED:

**Item S502: Fiscal Year 2024 Appropriation Ordinance. (Added 6/23/23)**

**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-2023-196)

Introduction and adoption of an Ordinance approving the Budget of the City of San Diego for Fiscal Year 2024 and appropriating all necessary funds to operate the City.

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

Committee Actions Taken:

This item was heard at the Budget and Governmental Efficiency Committee meeting on June 21, 2023.

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

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

*Department of Finance: Benjamin Battaglia, (619) 533-3717*

*City Attorney Contact: Bret A. Bartolotta*

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 332: Fiscal Year 2024 Tax Appropriations Limit (Gann Limit).**

**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 item is to establish a Tax Appropriations Limit (Gann Limit) of \$5,127,592,710 for Fiscal Year 2024.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2023-714)

Resolution approving the establishment of the Fiscal Year 2024 Tax Appropriations Limit (Gann Limit).

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

Committee Actions Taken: N/A

*Department of Finance: Vanessa Montenegro, (619) 533-6169*

*City Attorney Contact: Bret A. Bartolotta*

**Item 333: Biennial Update of the City Debt Policy.**

**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 is no cost associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2023-713)

Resolution adopting the biennial update of the City Debt Policy.

Committee Actions Taken:

This item was heard at the Budget & Government Efficiency Committee meeting on May 24, 2023.

ACTION: Motion by Committee Member LaCava, second by Vice-Chair Vivian Moreno, to recommend Council approval of staff's proposed actions while removing the amendments to section 5.4.

VOTE: 3-1; Montgomery Steppe-yea, Moreno-yea, LaCava-yea, Lee-nay.

*Department of Finance: Richard Eyre, (619) 236-6899*

*City Attorney Contact: Bret A. Bartolotta*

#### ADOPTION AGENDA

#### DISCUSSION, NOTICED HEARINGS:

**Item 334: General Plan Amendment, Community Plan Amendment, and Rezone for Exposition Way, Process Five Decision.**

**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 costs associated with the processing of this project are recovered through a deposit account funded by the applicant.

Council District(s) Affected: 8.

Proposed Actions:

The project includes a General Plan Amendment to re-designate the project site from Commercial Employment, Retail, and Services to Industrial Employment, a Community Plan Amendment to re-designate the site from Community Commercial (Residential Prohibited) to Light Industrial, and a Rezone from the Commercial Neighborhood (CN-1-2) zone to the Industrial Light (IL-2-1) zone. The 2.01-acre site is located at the existing northern terminus of Exposition Way in the Northwest District of the Otay Mesa Community Planning area.

Subitem-A: (R-2023-795)

Resolution adopting Addendum No. 1062231 to the Otay Mesa Community Plan Update Final Program Environmental Impact Report (No. 30330/304032; SCH No. 2004651076).



Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the project.  
(Rev. 6/21/23)

Subitem-B: (R-2023-796)

Resolution adopting an amendment to the General Plan to redesignate a 2.01-acre site from Commercial Employment, Retail, and Services to Industrial Employment and an amendment to the Otay Mesa Community Plan to redesignate the site from Community Commercial (Residential Prohibited) to Light Industrial.

Subitem-C: (O-2023-178)

Introduction of an Ordinance changing 2.01 acres located within the Otay Mesa Community Plan area from the CN-1-2 (Commercial-Neighborhood) zone into the IL-2-1 (Industrial-Light) zone.

Committee Actions Taken: N/A

*Development Services: Oscar Galvez III, (619) 446-5237*

*City Attorney Contact: Lindsey Sebastian*

**Item 335:      Sharp Metropolitan Medical Campus Modernization (SMMC) - Project No. 696413.**

**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 with this action. All costs with the processing of this project are paid from a deposit account maintained by the applicant.

Council District(s) Affected: 7.

Proposed Actions:

Subitem-A: (R-2023-803)

Resolution adopting Addendum No. 696413 to Negative Declaration No. 88-0253 and Mitigated Negative Declarations Nos. 88-1297, 6839 and 116107.

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the project.  
(Rev. 6/21/23)

**Subitem-A: This item is not subject to the Mayor's veto.**

Subitem-B: (R-2023-804)

Resolution making findings for and granting Conditional Use Permit No. 2580874 and Planned Development Permit No. 2581438, amendments to Conditional Use Permit No. 11504 and Planned Development Permit No. 11505, and Conditional Use Permit Nos. 88-0253 And 88-1297, related to the Sharp Metropolitan Medical Complex – Project No. 696413.

**Subitem-B: This item is not subject to the Mayor's veto.**

Subitem-C: (R-2023-809)

Resolution making findings for vacating and vacating a portion of Birmingham Way and Meadow Lark Drive, Right-Of-Way Vacation No. 2605733, related to the Sharp Metropolitan Medical Complex - Project No. 696413.

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

Committee Actions Taken: N/A

*Development Services: Martha Blake, (619) 446-5375*

*City Attorney Contact: Noah Brazier*

**NON-AGENDA ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**

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

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

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

**In-Person Comment on Agenda Items**

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

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

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

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

**Virtual Public Comment on Agenda Items**

Members of the public may participate virtually (by telephone or internet streaming) as indicated below. Speakers who wish to provide virtual public comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

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

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

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

### **Non-Agenda Public Comment**

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

Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting. A member of the public may only provide one non-agenda comment per agenda.

### **In-Person Non-Agenda Public Comment**

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

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

### **Virtual Non-Agenda Public Comment**

Speakers who wish to provide virtual Non-Agenda Public Comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first. Those participating virtually may not share video or visual aids (i.e. pdf, ppt, docs) during their non-agenda comment period.

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

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

**Comment** may also be submitted using the [webform](#) indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 8:00 AM the day of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 500 words but may include attachments. Comments received after 8:00 AM the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

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

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