

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, August 02, 2022

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, AUGUST 02, 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 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.

Upang kayo ay matulungan na maisalin sa wikang Ingles ang inyong mga puna, mungkahi, o komento para sa Bayan ng San Diego, maaari pong makipag-ugnayan sa City Clerk sa telepono (619-533-4000) o email (cityclerk@sandiego.gov). Hangad ng Pamahalaang Bayan

ng San Diego ang inyong pakikilahok sa usapang pambayan at handa itong magbigay ng agarang tulong na kinakailangan sa pagsasaling-wika ng inyong mga komento.

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
تلتزم المدينة بمعالجة [mailto: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) أو (619) 533-4000
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** ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ບະຣາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”

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.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

06/27/2022 Special

06/28/2022

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 Office of the City Attorney From the Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

This position is included in the Fiscal Year 2023 Adopted Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-12)

Introduction of an Ordinance authorizing the exemption of one Program Manager position in the Office of the City Attorney from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on July 7, 2022. This Program Manager position will develop policies to support and expand the Criminal Division's Conservatorship and Treatment Unit using legislated options to include court ordered conservatorships. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

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

City Attorney Contact: Miguel Merrell

Item 51: Exemption of One Program Coordinator Position in the Office of Child and Youth Success From the Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

This position is included in the FY 2023 Proposed Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-16)

Introduction of an Ordinance authorizing the exemption of one Program Coordinator position in the City's Office of Child and Youth Success from the Classified Service, based on advisory review and favorable comment by the Civil Service Commission on July 7, 2022. This Program Coordinator position will be responsible for organizing, supporting, and facilitating childcare services throughout the City of San Diego. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

Office of Child and Youth Success: Andrea O'Hara, (858) 232-6579

City Attorney Contact: Miguel Merrell

Item 52: Third Amendment to Vendor Agreement No. 4500023939 Between the City of San Diego and Ventiv Technology Inc.

Total Estimated Cost of Proposed Action and Funding Source:

The Third Amendment will allow the City to purchase up to an additional 30 user software licenses at a one-time cost of \$5,000.00 per license with an annual fee of \$1,125.00 per license with a 3% annual increase per period beginning with option year two for an increase of \$291,197.41 for the five-year period, funded by the Risk Management Administration Fund. This increases the total not-to-exceed amount for the Agreement to \$1,356,561.49 over the five-year term of the Agreement.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-15)

Introduction of an Ordinance Authorizing execution of the Third Amendment to Vendor Agreement No. 4500023939 between the City of San Diego and Ventiv Technology, Inc.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on July 13, 2022.

ACTION: Motion by Vice Chair Elo-Rivera, second by Chair Cate, to recommend Council approval of staff's proposed actions.

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

Risk Management: David Heller, (619) 236-6754

City Attorney Contact: Joan F. Dawson

Item 53: Extension of the Lexis Nexis Contract and Approval of Amendment No. 3.

Total Estimated Cost of Proposed Action and Funding Source:

This action is to extend the existing contract with Lexis Nexis for one year, through December 31, 2023 and increase the not-to-exceed (NTE) amount by \$100,000.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2023-2)

Introduction of an Ordinance authorizing Amendment No. 3 to an Agreement for Services with LexisNexis Risk Solutions FI, Inc.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on July 13, 2022.

ACTION: Motion by Vice Chair Elo-Rivera, second by Chair Cate, to recommend Council approval of staff's proposed actions.

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

Office of the City Treasurer: Jonathan Carey, (619) 533-3610

City Attorney Contact: Bret A. Bartolotta

Item 54: First Amendment to the Consulting Agreement With Miki Iwasaki for the Children's Park Public Art Project (H176928).

Total Estimated Cost of Proposed Action and Funding Source:

Amendment is no cost; funding source for the project is Developer Impact Fees.

Council District(s) Affected: 3.

Proposed Actions:

(O-2023-7)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Agreement with Miki Iwasaki, extending the Agreement through March 31, 2023, in connection with the Children's Park Public Art project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 13, 2022.

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

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

Commission for Arts and Culture: Christine E. Jones, (619) 236-6661

City Attorney Contact: Jon D. Dwyer

Item 55: First Amendment to the Consulting Agreement with Janelle Iglesias for the Pacific Highlands Ranch Branch Library Public Art Project (H187020).

Total Estimated Cost of Proposed Action and Funding Source:

This amendment will extend the contract duration only and does not have associated fiscal impacts.

Council District(s) Affected: 1.

Proposed Actions:

(O-2023-8)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Agreement with Janelle Iglesias, extending the Agreement through December 31, 2024, in connection with the Pacific Highlands Ranch Branch Library Project.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 13, 2022.

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

VOTE: 4-0; Campillo-yea, Cate-yea, Campbell-yea, Montgomery Stepp-yea.
Commission for Arts and Culture: Christine E. Jones, (619) 236-6661
City Attorney Contact: Jon D. Dwyer

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 56: **Consideration of an Ordinance Regulating the City's Use, Acquisition, and Funding of Surveillance Technology.**

Total Estimated Cost of Proposed Action and Funding Source:

Cost has not yet been determined.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/18/2022, Item 200 (Council voted 9-0):

(O-2021-69 Rev. Copy)

Ordinance amending Chapter 5 of the San Diego Municipal Code by adding new Article 11, Division 1, Sections 511.0101 through 511.0110, to create regulations relating to the City's use, acquisition, and funding of surveillance technology.

Committee Actions Taken: N/A

Council District 4: Tiffany Harrison, (619) 236-6644
City Attorney Contact: Joan F. Dawson

Item 57: **Authorization to Execute a One-Year Agreement with Assetworks, INC. for a Fleet Management Information System.**

Total Estimated Cost of Proposed Action and Funding Source:

The total not-to-exceed amount of \$230,000, will be paid from the Fleet Operations Operating fund.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/19/2022, Item S502 (Council voted 9-0):

(O-2023-1)

Ordinance authorizing the Mayor, or his designee, to execute a Sole Source Agreement with Assetworks, Inc., in an amount not-to-exceed \$230,000, to provide software maintenance, support, and hosting of the City's FleetFocus Fleet Management Information System, for a term extending through June 30, 2023.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Department of General Services: David Onate, (619) 218-5372

City Attorney Contact: Markecia Simmons

Item 58: Implementation of 2020 City of San Diego Disparity Study Recommendations.

Total Estimated Cost of Proposed Action and Funding Source:

Funding for the bonding assistance and technical assistance programs was requested in the Fiscal Year 2023 budget. Additional funding may be requested for subsequent years once a contract has been awarded.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/19/2022, Item 331 (Council voted 9-0):

(O-2023-3 Cor. Copy)

Ordinance amending Chapter 2, Article 2, Division 30, Chapter 2, Article 2, Division 31, and Chapter 2, Article 2, Division 36 of the San Diego Municipal Code by amending Sections 22.3003, 22.3107, 22.3604, 22.3609, 22.3610, 22.3611, 22.3612, 22.3613, 22.3614, and 22.3615 to expand the Small and Local Business Program for public works contracts;

Chapter 2, Article 2, Division 32 of the San Diego Municipal Code by amending Section 22.3207, to increase the consultant contract value

requiring City Council approval from \$250,000 to \$500,000 and to align the value with the Small and Local Business Program contract levels;

Chapter 2, Article 2, Division 32 and Chapter 2, Article 2, Division 36 of the San Diego Municipal Code amending Sections 22.3202, 22.3203, 22.3601, 22.3602, 22.3603, 22.3605, 22.3616, 22.3617, 23.3618, 23.3619, 23.3620, 23.3621, and 22.3622 to expand the Small and Local Business Program to include contracts for consultants, goods, and services, creating a sheltered competition program, subcontracting goals, and bid preferences;

Chapter 2, Article 2, Division 36 of the San Diego Municipal Code by removing Section 22.3606 and amending Section 22.3608, to eliminate administrative details and procedures for the Small and Local Business Program from the Municipal Code.

Committee Actions Taken: N/A

Purchasing & Contracting: Claudia C. Abarca, (619) 236-5921
City Attorney Contact: Eric S. Pooch

Item 59: Exemption of Two Program Manager Positions and One Council Representative Position in the Council Administration Department and Exemption of Forty-Five Council Representative 1 Positions for the Nine City Council Offices from Classified Service.

Total Estimated Cost of Proposed Action and Funding Source:

These positions were included in the Fiscal Year 2023 Adopted Budget.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/19/2022, Item S501 (Council voted 9-0):

(O-2023-10)

Ordinance authorizing the exemption of two Program Manager positions and forty-six Council Representative I positions from the Classified Service requested by the City's Council Administration Office, based on advisory review and favorable comment by the Civil Service Commission on July 7, 2022. This Action is brought under San Diego Charter Section 117(a)(17).

Committee Actions Taken: N/A

Council Administration: Mary Ann Wallace, (619) 236-6442

City Attorney Contact: Miguel Merrell

Item 60: Execute a Reimbursement Agreement Between the Otay Water District and the City of San Diego, and Request Authorization to Award a Construction Contract in an Amount Not-to-Exceed \$44,000,000.00, and an Eight-Year Period for La Media Road Improvements Project.

Total Estimated Cost of Proposed Action and Funding Source:

This item is to execute a Reimbursement Agreement Between the Otay Water District and The City of San Diego, and Request Authorization to Award a Construction Contract in an amount not-to-exceed \$44,000,000.00, and an eight-year period for La Media Road Improvements Project, to be funded from the Capital Improvements Program.

Council District(s) Affected: 8.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/19/2022, Item 60, Subitem B (Council voted 9-0):

(O-2022-154)

Ordinance authorizing the award of an eight-year contract to the lowest responsible and reliable bidder for the La Media Road Improvement Project, for an amount not to exceed \$44,000,000, and related actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Engineering & Capital Projects: Luis Schaar, (858) 627-3220

City Attorney Contact: Ryan P. Gerrity

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Authorization to Enter Into a Joint Use Agreement With San Diego Gas & Electric Company for Use of a Portion of Public Right of Way Known as Eastgate Mall.

Total Estimated Cost of Proposed Action and Funding Source:

No current impact, but future impact possible.

Council District(s) Affected: 1.

Proposed Actions:

(R-2022-218)

Resolution authorizing the Mayor, or his designee, to enter into a Joint Use Agreement with San Diego Gas & Electric Company, for the relocation of a gas line into the public right-of-way within a portion of Eastgate Mall.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on December 9, 2021.

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

VOTE: 4-0; Whitburn-yea, Elo Rivera-yea, LaCava-yea, Moreno-yea.

Department of Real Estate and Airport Management: Barry Slotten, (619) 236-6724

City Attorney Contact: Marco A. Verdugo

Item 101: Amendment to Resolution R-310839 Authorizing and Establishing the Miramar Road Banner District.

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

Council District(s) Affected: 6.

Proposed Actions:

(R-2023-53)

Resolution approving an Amendment to Resolution R-310839 to identify Mira Mesa Town Council as the sponsoring organization for the Miramar Road Banner District.

Committee Actions Taken: N/A

Council District 6: Anthony George, (619) 236-6616

City Attorney Contact: Daphne Z. Skogen

Item 102: Proposed Third Amendment to Lease Between Neighborhood House Association and the City of San Diego - 808 West Cedar Street – Little Italy Neighborhood of the Downtown Community Plan Area.

Total Estimated Cost of Proposed Action and Funding Source:

The proposed Third Amendment to the Lease is anticipated to generate approximately \$217,965.96 in additional gross revenue to the Low and Moderate Income Housing Asset Fund (LMIHAF).

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2023-41)

Resolution of the Council of the City of San Diego determining that approval of the Third Amendment to the Lease with the Neighborhood House Association for property located at 808 West Cedar Street, San Diego, California, is categorically exempt from the California Environmental Quality Act under CEQA Guidelines section 15301.

Subitem-B: (R-2023-5)

Resolution of the Council of the City of San Diego approving the Third Amendment to the Lease with the Neighborhood House Association, with regard to the property located at 808 West Cedar Street, San Diego, California.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 13, 2022.

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

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

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

City Attorney Contact: William W. Witt

Item 103: Authorization to Approve Two Easement and Maintenance Agreements With San Diego Unified Port District for Portion of the Bayshore Bikeway.

Total Estimated Cost of Proposed Action and Funding Source:

Transportation Department does not anticipate having to increase the Street Division budget to accommodate future maintenance of the improvements.

Council District(s) Affected: 8.

Proposed Actions:

Subitem-A: (2023-50)

Resolution determining that authorizing the acceptance of the grant of two easements from San Diego Unified Port District and approving two 66-year Easement and Maintenance Agreements between the City of San Diego and San Diego Unified Port District for the City's operation, maintenance, repair, replacement, and inspection of a portion of the Bayshore Bikeway in Barrio Logan is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines sections 15301, 15302, and 15304.

Subitem-B: (R-2023-51)

Resolution authorizing the acceptance of the grant of two easements from San Diego Unified Port District and approving two 66-year Easement and Maintenance Agreements between the City of San Diego and San Diego Unified Port District for the City's operation, maintenance, repair, replacement, and inspection of a portion of the Bayshore Bikeway in Barrio Logan.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on July 14, 2022.

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

VOTE: 4-0; Moreno-yea, LaCava-yea, Whitburn-yea, Cate-yea.

Department of Real Estate and Airport Management: Ken Anderssohn, (619) 236-6049

City Attorney Contact: Julie Gough Inman

Item 104: Resolution Approving an Extension to the Temporary Exception to Article 19, Section F of the Memorandum of Understanding Between the City and San Diego City Firefighters, I.A.F.F., Local 145, Regarding Out-of-Class Assignments for the Fire Engineer Classification.

Total Estimated Cost of Proposed Action and Funding Source:

This action is anticipated to be cost neutral as the Fire-Rescue Department would not be required to mandatory employees on overtime into the Fire Engineer classification at premium overtime rate, but instead could utilize the OCA for a regular duty assignment.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2023-49)

Resolution approving a Side Letter Agreement between the City of San Diego and the San Diego City Firefighters, I.A.F.F., Local 145, for a temporary exception to Article 19 of the Memorandum of Understanding regarding out-of-class assignments for the Fire Engineer classification.

6 votes required pursuant to Charter Section 11.2.

Committee Actions Taken: N/A

Human Resources: Curt Glaser, (619) 533-4413

City Attorney Contact: Miguel Merrell

Item 105: Consent of Transfer of Rights and Agreement With Metropolitan Airpark, LLC, (MAP) and San Diego Airpark, LLC, Relating to a Total of 331 Acres of City-Owned Real Property at Brown Field Municipal Airport and the First Amendments to 59 Flat Rate Parcel Ground Lease and Right of Entry License Agreements With San Diego Airpark, LLC, Which Correspond to 207.56 Acres of the Property.

Total Estimated Cost of Proposed Action and Funding Source:

Please see the Staff Report for Fiscal Considerations.

Council District(s) Affected: 8.

Proposed Actions:

(R-2022-604)

Resolution of the Council of the City of San Diego approving a Consent of Transfer of Rights and Agreement with Metropolitan Airpark, LLC and San Diego Airpark, LLC relating to a total of 331 acres of City-owned real property at Brown Field Municipal Airport, and First Amendments to 59 Flat Rate Parcel Ground Lease and Right of Entry License Agreements with San Diego Airpark, LLC relating to approximately 207.56 acres of the property.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on July 14, 2022.

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

VOTE: 4-0; Moreno-yea, LaCava-yea, Whitburn-yea, Cate-yea.

Department of Real Estate and Airport Management: Jorge Rubio, (858) 573-1441

City Attorney Contact: William W. Witt

Item 106: **Proposed Second Amendment to Lease Between Neighborhood House Association and the City of San Diego - 475 West Broadway – Columbia Neighborhood of the Downtown Community Plan Area.**

Total Estimated Cost of Proposed Action and Funding Source:

The proposed Second Amendment to the Lease at 475 West Broadway is anticipated to generate approximately \$137,315.08 in additional gross revenue to the Low and Moderate Income Housing Asset Fund (LMIHAF).

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2023-40)

Resolution of the Council of the City of San Diego determining that approval of the Second Amendment to the Lease with the Neighborhood House Association for property located at 475 West Broadway, San Diego, California, is categorically exempt from the California Environmental Quality Act under CEQA Guidelines section 15301.

Subitem-B: (R-2023-4)

Resolution of the Council of the City of San Diego approving the Second Amendment to the Lease with the Neighborhood House Association, with regard to the property located at 475 West Broadway, San Diego, California.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 13, 2022.

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

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

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

City Attorney Contact: William W. Witt

Item 107: Authorization to Approve and Grant a Public Utility Easement to SDG&E on City Owned Property at NTC/Liberty Station.

Total Estimated Cost of Proposed Action and Funding Source:

By approving this proposed action, Council is authorizing the Mayor to grant and easement to SDG&E, without direct monetary consideration, to facilitate redevelopment and continued operation of the Hotel Site.

Council District(s) Affected: 2.

Proposed Actions:

(R-2023-52)

Resolution authorizing conveyance of an easement to SDG&E within the real property located at the former San Diego Naval Training Center (or commonly known as Liberty Station) for utility purposes, findings of public benefit and related actions.

Committee Actions Taken:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on July 13, 2022.

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

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

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

City Attorney Contact: Daphne Z. Skogen

Item 108: Appointment of the City's Management Team for the Purposes of Meeting and Conferring With the City's Recognized Employee Organizations.

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-2023-48)

Resolution designating the City of San Diego's management team for labor negotiations with the City's recognized employee organizations, in accordance with the Meyers-Milias-Brown Act, San Diego Charter, and Council Policy 300-06.

Committee Actions Taken: N/A

Human Resources: Dianne Mitra, (619) 533-6539

City Attorney Contact: Miguel Merrell

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)

Item 30: Survivors of Torture, International Day.

MAYOR GLORIA AND COUNCIL PRESIDENT ELO-RIVERA'S
RECOMMENDATION:

Proclaiming August 2, 2022 to be, "Survivors of Torture, International Day" in the City of San Diego.

Item 31: American Muslim Appreciation and Awareness Month.

COUNCIL PRESIDENT ELO-RIVERA, COUNCILMEMBER CATE, AND
COUNCILMEMBER CAMPILLO'S RECOMMENDATION:

Proclaiming the month of August 2022 to be, "American Muslim Appreciation and Awareness Month" in the City of San Diego.

Item 32: Dr. Sammy Totah Day.

COUNCIL PRESIDENT ELO-RIVERA'S RECOMMENDATION:

Proclaiming August 18, 2022 to be, "Dr. Sammy Totah 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

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 330: 2022 Climate Action Plan – Net Zero by 2035.

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 City expenditures being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2023-34 Cor. Copy)

Resolution authorizing the Mayor, or his designee, to adopt the City of San Diego's 2022 Climate Action Plan.

Subitem-B: (R-2023-36)

Resolution authorizing the Mayor, or his designee, to adopt the Addendum to Final Program Environmental Impact Report No. 416603, SCH No. 2015021053 for the Climate Action Plan Update and adopting the Mitigation, Monitoring, and Reporting Program.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on June 30, 2022.

ACTION: Motion by Chair LaCava, second by Committee Member Campbell, to recommend Council approval of staff's recommendation with the following amendments:

Add the following language to Measure 3.1: "Implement the City's San Diego River Park Master Plan to increase mobility through enhancement of the river trail.

Add the following language to Measure 5.1: "Partner with the San Diego River Conservancy and other agencies to identify sequestration opportunities through restoration projects.

Amend the following section in Measure 3.1: "Implement the City's Bicycle Master Plan and community plan bicycle networks with an emphasis on separated bikeways a Class IV First approach.

Add the following language to Measure 3.1: "Implement Assembly Bill 43 to reduce speed limits in select corridors.

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

Sustainability and Mobility: Moriah Saldaña, (909) 953-9233

City Attorney Contact: Nicole M. Denow

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 331: Climate Action Plan Update Package Municipal Code, Land Development Manual, and Local Coastal Program Amendments (CAP Consistency 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:

Costs associated with implementation of the CAP Consistency Regulations would be recoverable to the Development Services Department, as the CAP Consistency Regulations would become a part of the existing project review process.

Council District(s) Affected: Citywide.

Proposed Actions:

This action requests approval of the Planning Department's Climate Action Plan Update Package. The Climate Action Plan Update Package proposes amendments to the San Diego Municipal Code, the Local Coastal Program, and the Land Development Manual, and approval of an Urban Tree Canopy Fee.

Subitem-A: (R-2023-29)

Resolution approving the Urban Tree Canopy Fee.

Subitem-B: (R-2023-31)

Resolution Amending Land Development Manual, Appendix A, California Environmental Quality Act Significance Thresholds to Amend the Greenhouse Gas Emissions Threshold.

Subitem-C: (O-2023-4)

Introduction of an Ordinance amending Chapter 12, Article 6, Division 4 of the San Diego Municipal Code by amending Sections 126.0402 and 126.0404; amending Chapter 12, Article 9, Division 7 by amending Section 129.0710; amending Chapter 14, Article 3, Division 3 by amending Section 143.0302; amending Chapter 14, Article 3, Division 10 by amending Section 143.1025; amending Chapter 14, Article 3 by adding new Division 14, Sections 143.1401, 143.1403, 143.1405, 143.1410, and 143.1415, all relating to Climate Action Plan Consistency Regulations.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on June 30, 2022.

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

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

Planning/Environmental Analysis: Rebecca Malone, (619) 446-5371

City Attorney Contact: Lindsey Sebastian

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
Council Review**

The following measures have been forwarded to the 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
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

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

Item 352: Arguments Supporting or Opposing Measures.

For measures approved by the Council for submittal to the qualified voters of the City of San Diego at the Municipal General Election to be held on Tuesday, November 8, 2022, the City Clerk has fixed **5:00 p.m. on Friday, August 19, 2022**, as a reasonable date prior to such election after which no arguments for or against City Measures may be submitted to the Clerk.

Any argument for or against any City measure shall not exceed 300 words in length and may be filed by the Council, or any member or members of the Council authorized by the Council, or the bona fide sponsors or proponents of the measure, or any bona fide association of citizens or individual voter, or any combination of voters and associations.

All arguments must be accompanied by a statement signed by each author that the argument is true and correct to the best of his/her knowledge and belief. (Forms for this statement are available in the Office of the City Clerk or at <http://www.sandiego.gov/city-clerk/forms/pdf/argumentsigform.pdf>.)

San Diego Municipal Code section 27.0512 provides the priority for selection if more than one argument is submitted for, or against, any measure.

An argument shall not be accepted unless accompanied by the name or names of the person or persons submitting it, or if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers. No more than five signatures shall appear with any argument submitted. In case any argument is signed by more than five persons, the signatures of the first five shall be printed.

Arguments may be changed or withdrawn by their proponents until and including the date fixed by the City Clerk.

Arguments shall be submitted to the City Clerk at the Office of the City Clerk, City Administration Building, 202 C Street, San Diego, California, 92101. Please call 619-533-4000 for further assistance.

Item 353: Examination of Ballot Materials.

Pursuant to San Diego Municipal Code Section 27.0403, candidate statements, the propositions and related ballot materials for said candidate races and propositions, to be submitted to the voters within the City of San Diego at the election of November 8, 2022, will be available for public examination for ten (10) calendar days commencing on the business day following the deadline for filing those ballot materials in the Office of the City Clerk. During the examination period, any voter registered in the City may seek a writ of mandate or an

injunction requiring any or all of the ballot or sample ballot materials be amended or deleted. Please note the following examination periods:

<u>Document</u>	<u>Start date</u>	<u>End date</u>
Candidate Statements of Qualification and Designations of Principal Profession or Occupation	August 2, 2022	August 12, 2022
Ordinances calling election and Ordinances placing measures on the ballot	August 12, 2022	August 22, 2022
City Attorney's impartial analysis, ballot title and summary, and Mayor/IBA/City Auditor's fiscal analysis	August 16, 2022	August 26, 2022
Ballot arguments	August 19, 2022	August 29, 2022

For additional information regarding this matter, please contact the Office of the City Clerk at (619) 533-4000.

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT