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# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Todd Gloria • Third District**

## COUNCIL PRESIDENT PRO TEM

**Sherri Lightner • First District**

## COUNCILMEMBERS

**Kevin Faulconer • Second District**

**Myrtle Cole • Fourth District**

**Mark Kersey • Fifth District**

**Lorie Zapf • Sixth District**

**Scott Sherman • Seventh District**

**David Alvarez • Eighth District**

**Marti Emerald • Ninth District**

**Andrea Tevlin  
Independent  
Budget Analyst**

**Jan Goldsmith  
City Attorney**

**Liz Maland  
City Clerk**

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

**Tuesday, October 15, 2013**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, OCTOBER 15, 2013, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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

**NOTE: The City Council will convene for a Special Council Meeting at 9:00 a.m. to provide the public with an opportunity to comment on the Closed Session Agenda, then the Council will adjourn into Closed Session from 9:00 a.m. to 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk. The public portion of the meeting will begin at 10:00 a.m.**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF COUNCIL MINUTES**

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

08/28/2013 - Special Meeting  
09/02/2013 - Adjourned  
09/03/2013 - Adjourned

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: The National Management Association City of San Diego Chapter Awards Presentation.

**PRESENTED BY COUNCIL PRESIDENT GLORIA  
AND COUNCILMEMBER ZAPF:** (Rev. 10/10/13)

The National Management Association City of San Diego Chapter will be honoring five nominees in various departments of the City for outstanding customer service. The recipients have been nominated by their supervisor or fellow employees.

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

ITEM-31: Paul and Susan Rosenberg Day.

**PRESENTED BY COUNCILMEMBER SHERMAN:**

Proclaiming October 15, 2013, to be "Paul and Susan Rosenberg Day" in the City of San Diego.

**NOTE:** The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-32: 5th Annual La Jolla Art & Wine Festival Days.

**COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:**

Proclaiming October 12, and 13, 2013, to be "5th Annual La Jolla Art & Wine Festival Days" in the City of San Diego.

ITEM-33: National Plug In Day.

**COUNCILMEMBER FAULCONER'S AND COUNCILMEMBER KERSEY'S  
RECOMMENDATION:**

Proclaiming September 28, 2013, to be "National Plug In Day" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (\*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

**NON-AGENDA PUBLIC COMMENT**

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

Per Section 22.0101, Rule 2.6, of the San Diego Municipal Code, comments are limited to three minutes per speaker, and three minutes per subject regardless of the number of people requesting to speak on that subject.

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

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

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING**  
**WITH THE READING AND ADOPTION:**

- \* ITEM-50: Exemption of a Program Manager position in the San Diego Fire-Rescue Department from the classified service, as approved by the Civil Service Commission on August 1, 2013.

**ITEM DESCRIPTION:**

This Program Manager will provide oversight of the City's regional Public Access Defibrillation (PAD) Program also known as "San Diego Project Heartbeat" (SDPHB).

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 10/1/2013, Item 50. (Council voted 6-0. Council President Gloria, Councilmember Kersey, and Councilmember Zapf not present):

(O-2014-40)

Declaring that the Council has received and reviewed a Memorandum from Personnel Director Hadi Dehghani, dated August 6, 2013, which documents that, on August 1, 2013, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Fire-Rescue Department Fire Chief to exempt from the City's Classified Service a Program Manager in the Fire-Rescue Department, who will be responsible for overseeing the City's Public Access Defibrillation Program, acting as this program's public liaison, and directing the program's marketing efforts;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City a Program Manager in the Fire-Rescue Department, performing the duties set forth in the June 13, 2013, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

- \* ITEM-60: Agreement with Trussell Technologies, Inc., for Water Treatment Research Consulting Services, Amendment No. 1. (Citywide.)

**ITEM DESCRIPTION:**

Introduce an Ordinance authorizing the execution of an Amendment to the Agreement with Trussell Technologies, Inc., for consulting services for water treatment research services that will extend the contract by 19 months, from a five (5)-year duration to a six (6)-year and seven (7)-month duration, and allow for additional funding of \$735,000 for a new total not to exceed amount of \$3,735,000. Expenditure limit previously authorized by the City Council was \$3 million. Staff has identified task orders to be issued by December 10, 2013, on the existing contract totaling \$2,629,658. Additional task orders after December 10, 2013, are estimated to cost \$1,105,000, increasing the total contract amount to \$3,735,000.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2014-45)

Introduction of an Ordinance authorizing the Council President, in his capacity under San Diego Charter Section 265(i), or his designee, to execute, for and on behalf of the City, an Amendment to the Agreement with Trussell Technologies, Inc., for as-needed water treatment research services, under the terms and conditions set forth in the First Amendment to Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,035,000 for the purpose of funding the above First Amendment, to be expended as follows: \$517,500 from Water Operating Utility Fund No. 700011 and \$517,500 from Metro Sewer Utility Fund No. 700001, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds for this expenditure are, or will be, on deposit in the City Treasury.

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

Subitem-B: (R-2014-195)

Declaring that the Project is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Execution of this Amendment will allow for additional funding of \$735,000, for a new amount not to exceed \$3,735,000. To date, four (4) task orders have been authorized under this Agreement totaling \$2,324,658. The additional amount of \$735,000 will be funded equally through the Water Operating Utility Fund 700011 and the Metro Sewer Utility Fund 700001. The amount that will be reimbursed through grants is approximately \$2.7 million; the City's cost after these reimbursements will be approximately \$1.1 million.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- On November 13, 2008, Council authorized the City Manager to execute the Original Agreement with Trussell Technologies (R-304315).
  
- This item was presented to the Natural Resources and Culture Committee on September 25, 2013, and forwarded to the full Council with a recommendation to approve.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Zapf, to approve staff recommendations.

**VOTE:** 4-0; Alvarez-yea, Sherman-yea, Zapf-yea, Emerald-yea.

Sasaki/Chadwick

Primary Contact\Phone: Anthony Van\619-533-6681, MS 906  
Secondary Contact\Phone: Marsi Steirer\619-533-4112, MS 906  
City Attorney Contact: Palmucci, Raymond C.

- \* ITEM-61: Palm Avenue Interstate 805 Interchange Project - Second Amendment to Agreement with Simon Wong Engineering, Inc., for an Extension of Time. (Otay Mesa, and Otay Mesa - Nestor Community Areas. District 8.)

**ITEM DESCRIPTION:**

This action will authorize the Second Amendment to Agreement with Simon Wong Engineering, Inc., for an extension of time for the Palm Avenue Interstate 805 Interchange Project.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2014-33)

Introduction of an Ordinance authorizing and directing the Council President, or his designee, in his capacity under Charter Section 265(i), to execute, for and on behalf of the City, the Second Amendment to an Agreement with Simon Wong Engineering, Inc., for the purposes of providing additional time for extensive reviews and coordination of the Palm Avenue Interstate 805 Interchange Project (Project) at no additional cost to the City, under the terms and conditions set forth in the Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Council President shall deem necessary from time to time in order to carry out the purposes and intent of this Project and Agreement;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

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

Subitem-B: (R-2014-128)

Declaring that the Palm Avenue Interstate 805 Interchange Project is statutorily exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The Second Amendment with Simon Wong Engineering, Inc., would extend the expiration of the Original Agreement from August 31, 2013, to May 31, 2018. If approved, this extension would provide additional time for extensive reviews and coordination with key stakeholders, per the terms of the contract, at no additional cost to City.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Resolution No. R-303158, on November 13, 2007, approved Agreement with Simon Wong Engineering, Inc.
- Ordinance No. O-19902, on November 13, 2009, approved First Amendment to Agreement with Simon Wong Engineering, Inc.
- This item was heard and approved at the Infrastructure Committee meeting on September 26, 2013, and forwarded to the full City Council.

ACTION: Motion by Councilmember Emerald, second by Vice-Chair Cole, to forward staff recommendations to City Council.

VOTE: 4-0; Cole-yea, Sherman-yea, Kersey-yea, Emerald-yea.

Heinrichs/Chadwick

Primary Contact\Phone: Marnell Gibson\619-533-5213, MS 908A  
Secondary Contact\Phone: Abi Palaseyed\619-533-4654, MS 908A  
City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-62: California Department of Public Health Safe Drinking Water State Revolving Fund Loan Application for the Alvarado 2nd Extension Pipeline and Morena Boulevard Cast Iron Replacement Project. (Citywide. Council District 2.)

**ITEM DESCRIPTION:**

Council authorization to apply for, accept, appropriate and expend funds from the California Department of Public Health (CDPH) Safe Drinking Water State Revolving Fund (SDWSRF) for the Alvarado Second Extension Pipeline and Morena Boulevard Cast Iron Replacement Project; and take related actions.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2014-35)

Introduction of an Ordinance authorizing the Council President, in his capacity under San Diego Charter Section 265(i), or his designee, to execute, for and on behalf of the City, a Safe Drinking Water State Revolving Fund Loan (SDWSRF), Funding Agreement, Amendments, Reimbursement Claims, Final Release Form, and any other necessary documents, and to take related actions to secure funding for the Alvarado Second Extension Pipeline and the Morena Boulevard Cast Iron Replacement (Project No. 3710020-068);

Authorizing the Council President, in his capacity under San Diego Charter Section 265(i), or his designee, to dedicate revenues from the City's Water Fund Rates, charges, and assessments on parity with all other parity obligations of the Water Enterprise Fund in an amount sufficient to repay the SDWSRF loan for the Project, with this dedication to remain in full force and effect under such Funding Agreements are fully discharged, unless modification or change of such dedication is approved by the State of California, Department of Public Health. If for any reason said sources of revenue prove insufficient to satisfy the debt service of the SDWSRF loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain the Project;

Authorizing the City Engineer, or other registered engineer designated by the Council President, to execute the Budget and Expenditure Summary, Claim Reimbursement, and Certificate of Project Completion forms;

Authorizing the City Engineer, or other registered engineer designated by the Council President, to certify that the Project is complete and ready for final inspection;

Authorizing the Chief Financial Officer to apply for, accept, appropriate and expend an amount not to exceed \$64,000,000 in State Revolving Fund Loan funds for reimbursement to the Water Fund, contingent on the City Comptroller certifying that the funds are available and contingent on the loan being secured and contingent on the adoption of the applicable Annual Appropriation Ordinance and funding being provided in the applicable fiscal year budget;

Authorizing repayment of the \$64,000,000 SRF Loan over twenty years at the rate of 1.7875 percent interest.

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

Subitem-B: (R-2014-135)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 and that an exception to the exemption does not apply;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply;

Directing the City Clerk to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The Funding Agreement, when issued for the Alvarado Second Extension Pipeline and Morena Boulevard Cast Iron Replacement Project, will provide a \$64,000,000 loan to be repaid over 20 years at a 1.7875 percent interest rate. Semiannual principal and interest payments will begin after project completion. The total project costs for planning and construction of the Alvarado Second Extension Pipeline and Morena Boulevard Cast Iron Replacement Project (Project No. 3710020-068) will be funded in its entirety by the California Department of Public Health Safe Drinking Water State Revolving Fund Loan Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Natural Resources and Culture Committee meeting on September 25, 2013, and forwarded to the full City Council with a recommendation to approve.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Zapf, to approve staff recommendation.

**VOTE:** 4-0; Alvarez-yea, Sherman-yea, Emerald-yea, Zapf-yea.

Sasaki/Chadwick

Primary Contact\Phone: Wilson Kennedy\858-614-4070

Secondary Contact\Phone: Terrell Breaux\858-292-6469

City Attorney Contact: Palmucci, Raymond C.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-100: El Camino Real - Half-Mile to Via de la Valle - Authorize First Amendment to the Consultant Agreement with RBF Consulting. (Sub Area II, Future Urbanizing Area, and Fairbanks Ranch Country Club. District 1.)

**ITEM DESCRIPTION:**

The El Camino Real - Half-Mile to Via de La Valle Project proposes to modify the segment of El Camino Real between Via de la Valle and San Dieguito Road. This action would authorize the First Amendment to the Consultant Agreement with RBF Consulting to complete the Environmental Assessment.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-154)

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or his designee, to execute the First Amendment to the Agreement with RBF Consulting for additional environmental services for the El Camino Real - Half-Mile to Via de la Valle Project in an additional amount not to exceed a total contract amount of \$258,297, provided that the City Comptroller first furnishes a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend \$258,297 from CIP S-00856, El Camino Real - Half-Mile to Via de la Valle, of which \$206,637 is from Fund 600000, Grant Fund 1000130-1999, and \$51,660 is from Fund 400169, TransNet for the purpose of funding the Project;

Authorizing the City Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The First Amendment to the Consultant Agreement with RBF Consulting is not to exceed \$258,297. Funding is available for this First Amendment of which \$206,637 is from Fund 600000, Grant Fund 1000130-1999, and \$51,660 is from Fund 400169, TransNet, for the purpose of executing this Amendment to the Original Agreement, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

If Council approved, this First Amendment will increase the total Agreement amount to \$651,752 with RBF consulting.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- This item was heard at the Infrastructure Committee meeting on September 26, 2013, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Vice-Chair Cole, to forward staff recommendations to City Council.

**VOTE:** 4-0; Cole-yea, Sherman-yea, Kersey-yea, Emerald-yea.

- Council Resolution R-306817, dated June 2, 2011, authorized acceptance, appropriation, and expenditure of \$2,560,000 of Regional Surface Transportation Program Funds and authorized expenditure of \$393,455 for the execution of the Original Consultant Agreement with RBF Consulting.

- Council Ordinance O-20015, dated January 18, 2011, authorized acceptance, appropriation and expenditure of \$1,428,000 of Federal Grant Funds and authorized expenditures of \$197,130 for the execution of a First Amendment to the Agreement with Rick Engineering, Inc., and \$70,000 for the execution of a First Amendment to the Agreement with Recon, Inc.

- Council Resolution R- 305004, dated July 2, 2009, authorized the execution of a Fund Exchange Agreement between the City and the County of San Diego for the exchange of the City's Federal Regional Surface Transportation Program (RSTP) funds in the amount of \$157,000 for TransNet funds from the County of San Diego.

- Council Resolution R-303294, dated January 18, 2008, authorized the expenditure of \$200,000 for the execution of the Original Consultant Contract with Recon Environmental.

- Council Resolution R-299773, dated October 11, 2004, authorized acceptance, appropriation and expenditure of \$1,700,000 of Highway Bridge Rehabilitation and Replacement Funds and \$500,000 for private contributions from Black Mountain Ranch, LLC.

- Council Ordinance O-19234, dated November 8, 2004, authorized the expenditure of \$275,394 for the execution of the Second Contract Amendment with Earth Tech.
- Council Resolution R-295346, dated August 6, 2001, authorized the expenditure of \$450,684 for the execution of the First Contract Amendment with Earth Tech.
- Council Resolution R-289908, dated March 31, 1998, authorized the expenditure of \$411,817 for the execution of the Original Consultant Contract with Earth Tech.

Nagelvoort/Chadwick

Primary Contact\Phone: Marnell Gibson \619-533-5213, MS 908A  
Secondary Contact\Phone: Brad Johnson \619-533-5120, MS 908A  
City Attorney Contact: Gerrity, Ryan P.

\* ITEM-101: As-Needed Consultant Agreement with Dudek to provide watershed and resource protection consulting services.

**ITEM DESCRIPTION:**

This action is for approval of a five year As-Needed Consulting Agreement with Dudek for environmental services, not to exceed \$1,000,000. The Public Utilities Department, Long Range Planning and Water Resources Division manages over 42,000 acres of rural land surrounding reservoirs, locations associated with source water protection, and water conveyance systems. The Division requires the services of an as-needed environmental consultant to support various projects on these rural lands related to watersheds, reservoirs, groundwater, and resource protection.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2013-465 Cor. Copy)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an As-Needed Consultant Agreement (Agreement) with Dudek, for environmental services, in connection with various City projects, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$1,000,000 from Fund 700011 (Water Utility Operating Fund), solely and exclusively, to provide funds for the above Agreement, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds for this expenditure are, or will be, on deposit in the City Treasury.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Total cost of this As-Needed Environmental Services Agreement is not to exceed \$1 million over a five-year duration. It is anticipated that funding will be made available from Fund 700011, Water Utility Operating Fund, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. For the purpose of executing this Agreement and meeting minimum contract requirements, the City Comptroller will certify \$1,000 from Fund 700011, Water Utility Operating Fund in Fiscal Year 2013.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Natural Resources and Culture Committee meeting on September 25, 2013, and forwarded to the full Council with a recommendation to approve.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Zapf, to approve staff recommendation.

**VOTE:** 4-0; Alvarez-yea, Sherman-yea, Zapf-yea, Emerald-yea.

Sasaki/Chadwick

Primary Contact\Phone: Jeff Pasek\619-533-7599

Secondary Contact\Phone: Nicole McGinnis\619-533-4101

City Attorney Contact: Palmucci, Raymond C.

\* ITEM-102: First Amendment to the As-Needed Community Outreach Services Agreement H115327. (Citywide.)

**ITEM DESCRIPTION:**

The purpose of this item is to extend the term and the Maximum Contract Amount of the As-Needed Community Outreach Services Agreement from two to four years and from \$240,000 to \$490,000 (an additional \$250,000). This Agreement with Collaborative Services provides community outreach services regarding construction projects and their construction impacts.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-106)

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or his designee, to execute, for and on behalf of the City, the First Amendment to the Agreement with Collaborative Services for as-needed community outreach community services, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$250,000, solely and exclusively, to provide funds for the above Agreement, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds for this expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2014-127)

Declaring that the As-Needed Community Outreach Services Agreement H115327 is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

There is no funding requirement for this Amendment action. The original contract required a minimum guarantee of \$1,000 which has been committed and paid to the consultant, Collaborative Services. Funding will be provided for task orders as they are executed. Auditors will certify funds are available prior to awarding a task order.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: .

- The Original Contract was processed as a Mayor's action (PA2625) due to the amount of \$240,000. The Amendment now requires Council action due to the amount of \$490,000.

- This action was heard at the Infrastructure Committee meeting on September 26, 2013, and forwarded to the full City Council.

ACTION: Motion by Councilmember Emerald, second by Vice-Chair Cole, to forward staff recommendations to City Council.

VOTE: 4-0; Cole-yea, Sherman-yea, Kersey-yea, Emerald-yea.

Nagelvoort/Chadwick

Primary Contact\Phone: Darren Greenhalgh\619-533-3616, MS 612  
Secondary Contact\Phone: Racquel Vasquez\619-533-3196, MS 612  
City Attorney Contact: Gerrity, Ryan P.

\* ITEM-103: Amendment No. 2 to the Water/Wastewater Cost of Service Contract with Black & Veatch Management Consulting. (Citywide.)

**ITEM DESCRIPTION:**

The Public Utilities Department is seeking the award of Amendment No. 2 to the existing four-year contract (May 2012 – May 2016) for the Water and Wastewater Cost of Service Studies (COSS) with Black and Veatch Corp. (“B&V”) for an additional amount not to exceed \$559,430, which includes exercising the option year for a five-year contract duration to May 2017, bringing the total contract amount to \$942,710.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-208)

Authorizing the Council President in his capacity under Charter Section 265(i), or his designee, to execute, for and on behalf of the City, Amendment No. 2 to the Contract with Black & Veatch, in an amount not to exceed \$559,430, on the terms and conditions set forth in the Document;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$559,430, of which \$329,715 is from the Water Operating Fund 700011, and \$229,715 is from the Wastewater Operating Fund 700000, solely and exclusively, to provide funds for the above Amendment No. 2, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total cost of the Amendment to the Agreement with B&V is for an amount not-to-exceed \$559,430, comprised of \$329,715 from the Water Operating Fund 700011, and \$229,715 from the Wastewater Operating Fund 700000, for professional services related to the completion of the identified scope of services.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Amendment No. 1 to this Contract was approved by the Committee on September 19, 2012; and approved by Council, on consent on October 16, 2012.

- This item was heard at the Natural Resources and Culture Committee meeting on September 25, 2013, and forwarded to the full Council with a recommendation to approve.

ACTION: Motion by Councilmember Sherman, second by Councilmember Emerald, to approve staff recommendation.

VOTE: 4-0; Alvarez-yea, Sherman-yea, Emerald-yea, Zapf-yea.

Sasaki/Chadwick

Primary Contact\Phone: David Stallman\858-614-5745, MS 901  
Secondary Contact\Phone: Jeanne Cole\858-292-6313, MS 901A  
City Attorney Contact: Jung, Jeremy A.

- \* ITEM-104: Construction Funding for Five Points Neighborhood Pedestrian Improvements. (Uptown and Midway-Pacific Highway Community Areas. Districts 2 and 3.)

**ITEM DESCRIPTION:**

Authorizing the transfer of funding to provide for the construction of the Five Points Neighborhood Pedestrian Improvements Project which will modify traffic signage and signals to allow for safe pedestrian crossing at the intersections of Hancock and Washington Streets and San Diego Avenue and Washington Street.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-153)

Authorizing the Chief Financial Officer to transfer an amount not to exceed \$114,396 from S-00703, Washington Street Improvements Phase II to CIP S-00988, Five Points Neighborhood Pedestrian Improvements, of which \$112,751 is from Fund 400169, TransNet Extension 70% Congestion Relief, and \$1,645 is from Fund 400156, TransNet Prop. A;

Authorizing the expenditure of an amount not to exceed \$114,396 from S-00703, Washington Street Improvements Phase II to CIP S-00988, solely and exclusively, for the purpose of providing funds for Five Points Neighborhood Pedestrian Improvements, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to transfer funds of an amount not to exceed \$210,604 from CIP S-00865, Aldine Drive and Fairmount Drive Slope Restoration, to CIP S-00988, Five Points Neighborhood Pedestrian Improvements, within Fund 400169, TransNet Extension 70% Congestion relief, solely and exclusively, for the purpose of providing funds for the Project, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-2014-159)

Declaring that the construction of the Five Points Neighborhood Pedestrian Improvements Project is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301(c);

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total estimated project cost is \$475,000. This action will transfer remaining budget from the Washington Street project and reallocate excess TransNet funding from the Aldine Drive and Fairmount Drive Slope Restoration project to the Five Points Pedestrian Improvements Project in the amount of \$325,000. The transfer will provide for the construction and engineering needs of the Five Points Pedestrian Improvements Project. Federal grant funding allocated for the Aldine Drive and Fairmount Drive Slope Restoration project has been fully received, and as a result, TransNet funding which was initially allocated to this project has become available for reallocation to other eligible projects. This transfer of TransNet Extension funding will be included in a future amendment to the Regional Transportation Improvement Plan (RTIP).

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- This item was heard at the Infrastructure Committee on September 26, 2013, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Vice-Chair Cole, to forward staff recommendations to City Council.

**VOTE:** 4-0; Cole-yea, Sherman-yea, Kersey-yea, Emerald-yea.

- City Council Resolution R-307042, dated October 18, 2011, authorized the appropriation of North Bay Redevelopment Project Area Tax Increment funding for the Washington Street Improvements Phase II project and the Five Points Neighborhood Pedestrian Improvements Project.

- On May 13, 2008, the Agency and the City Council approved \$150,000 for the Five Points Pedestrian Improvements Project (CIP 64-005.0/S-00988).

- On May 10, 2005, the Agency and the City Council approved \$40,000 for the Washington and India Streets Median Project (CIP 39-216.3/S-00704).

Sturdevan/Chadwick

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: Wendy Morrow\619-533-3122, MS 608

City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-105: Accepting the Relinquishment of the Median on Balboa Avenue just East of Interstate 805 for the purpose of the future installation of the Kearny Mesa Community Signs. (Kearny Mesa Community Area. District 6.)

**ITEM DESCRIPTION:**

This action is to accept relinquishment of the northern half of the median on Balboa Avenue just east of Interstate 805 (I-805) from the State of California. This is required so that a community sign desired by the Kearny Mesa Community can be installed in the median on Balboa Avenue.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-119)

Agreeing to accept maintenance, control and ownership, including all the State's current obligations, rights, title and interest in the described segment of roadway area upon recordation of the California Transportation Commission's Resolution of Relinquishment in the County Recorder's Office and to therefore operate, maintain, and be liable for said roadway area at no additional cost to the State;

Waiving the State's obligation to provide ninety (90) days prior notice of the State's "Intention to Relinquish" as set forth in Section 73 of the Streets and Highways Code because this relinquishment is at the request of the City;

Agreeing there shall be no California Transportation Commission allocation of funds for a betterment or improvement of requested relinquishment areas;

Agreeing that the State reserves the right to enter relinquished collateral facilities, including sidewalks and other areas adjacent to the traveled way, to modify or add signage, drainage, and other improvements necessary for State Highway operations, at no additional cost to the State.

Agreeing to allow the State access to operate, maintain, add, remove, or modify the State's facilities, if any, retained in those collateral facilities.

Subitem-B: (R-2014-116)

Declaring that the relinquishment of the median on Balboa Avenue just east of Interstate 805 and the installation of two community signs are categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply;

Directing the City Clerk to file a Notice of Exemption regarding the project with the Clerk of the Board of Supervisors for the County of San Diego.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The State of California is relinquishing the northern half of the median at no cost to the City of San Diego. Public Works Department will establish an Internal Order which will allow Transportation Stormwater Department personnel to perform maintenance which may be required for the new community signs. This Internal Order will allow TSWD staff to bill their hours for maintenance which will be monitored on a yearly basis by PW-ECP staff and charges will be transferred to Fund 400633 (SR209/274 Coop Stat Fund). The anticipated charges for maintenance should not exceed \$1,000 annually.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- This item was heard at the Infrastructure Committee meeting on September 26, 2013, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Vice-Chair Cole, to forward staff recommendations to City Council.

**VOTE:** 4-0; Cole-yea, Sherman-yea, Kersey-yea, Emerald-yea.

- Resolution No. R-294888, adopted May 22, 2001, accept the ownership of Route 274 (Balboa Avenue) from I-5 to I-15 from Caltrans.

Nagelvoort/Chadwick

Primary Contact\Phone: Marnell Gibson\619-533-5213, MS 908A  
Secondary Contact\Phone: Brad Johnson\619-533-5120, MS 908A  
City Attorney Contact: Gerrity, Ryan P.

\* ITEM-106: Urban Search and Rescue - Mobex Drill 2013. (Citywide.)

**ITEM DESCRIPTION:**

The San Diego Fire Rescue Department is requesting to participate in the Urban Search and Rescue training drill (MOBEX) and request to be reimbursed by the California Fire and Rescue Training Authority Joint Powers Authority (JPA) for up to \$100,000 for costs incurred. As San Diego Fire Rescue is responsible as California Task Force 8 they are required to participate in the MOBEX training drill every four years.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-184)

Authorizing and directing the Council President in his capacity under San Diego City Charter Section 265(i), or his designee, to apply for and accept up to \$100,000 in project funds authorized by the California Fire and Rescue Training Authority for the 2013 Mobilization Exercise for Urban Search and Rescue California Task Force 8 on November 5, through November 7, 2013;

Authorizing the Chief Financial Officer, or his designee, to appropriate and expend an amount not to exceed \$100,000 from the General Fund to pay for the execution and completion of the 2013 Mobilization Exercise for Urban Search and Rescue California Task Force 8.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The cost of this training drill will not exceed \$100,000. The full amount will be reimbursed by the California Fire and Rescue Training Authority Joint Powers Authority (JPA) in the form of revenue with a net zero result to the General Fund. Reimbursement packets will be submitted to the JPA within 30 calendar days of the completion of the drill, and reimbursements will be received within 30 days of that submission date.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Resolution No. R-305940, Urban Search and Rescue - Mobex Drill 2010.
- This item was heard at the Public Safety and Neighborhood Services Committee meeting on September 18, 2013, and forwarded to the full Council with a recommendation to approve.

ACTION: Motion by Councilmember Kersey, second by Councilmember Zapf, to approve.

VOTE: 4-0; Emerald-yea, Zapf-yea, Kersey-yea; Cole-yea.

Mainar/Chadwick

Primary Contact\Phone: Brian Fennessey\619-533-4401, MS 604

City Attorney Contact: Brazier, Noah J.

- \* ITEM-107: Replacement of the West Mission Bay Drive Bridge over San Diego River Project - Obtain Federal Grant Funds. (Mission Bay Park, Midway-Pacific Highway Corridor, and Peninsula Community Areas. District 2.)

**ITEM DESCRIPTION:**

These actions will authorize the City of San Diego to obtain Federal Grant Funds for the Replacement of the West Mission Bay Drive Bridge over San Diego River Project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-197)

Authorizing and directing the Council President, in his capacity under Charter Section 265(i), or designee, to make an application to Caltrans and to take all necessary actions to secure grant funds for an amount not to exceed \$132,795 in Grant Fund 600001 State, Federal Award Grant Fund No. 1000174-2006, for CIP S-00871, Replacement of the West Mission Bay Drive Bridge over San Diego River Project;

Authorizing the Chief Financial Officer, to accept, appropriate, and expend an amount not to exceed \$132,795, contingent upon receipt of the grant funding, and provided that the Chief Financial Officer first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to establish a separate interest-bearing account and to deposit grant funds received in such account;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

These actions will increase the project federal grant funds in an amount not to exceed \$132,795. The required local funds for this action in an amount not to exceed \$17,205 is available in CIP S-00871, Replacement of the West Mission Bay Drive Bridge over San Diego River Project, Fund 400169, TransNet Extension.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Resolution No. R-293189 dated May 30, 2000, Acceptance of Grant Funds and execution of a Consultant Agreement for the Project.
- Resolution No. R-301872 dated September 19, 2006, Acceptance of grant funds for the Project.
- Ordinance O-20119 dated January 23, 2012, Acceptance of Grant Funds and execution of a Third Amendment to Consultant Agreement for the Project.

Nagelvoort/Chadwick

Primary Contact\Contact: Marnell Gibson\619-533-5213, MS 908A

Secondary Contact\Phone: Abi Palaseyed\619-533-4654, MS 908A

City Attorney Contact: Kohut, Ryan P.

\* ITEM-108: Revise the 2013 Legislative Calendar.

**ITEM DESCRIPTION:**

Due to the adjournment of the November 19, 2013, Council Meeting, the Council is being requested to revise the Legislative Calendar to include the required 6th night meeting on Monday, October 28, 2013, and change the rest of the Monday and Tuesday time schedule to conform to that time schedule.

**COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-190)

Amending the 2013 Legislative Calendar to include a 6:00 p.m. meeting on Monday, October 28, 2013; to remove the 10:00 a.m. Council meeting previously scheduled for Tuesday, October 29, 2013; and to reschedule the Closed Session meeting from 9:00 a.m. to 1:00 p.m. on Tuesday, October 29, 2013, as reflected in the revised 2013 Legislative Calendar.

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

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The 2013 Legislative Calendar was previously revised on December 17, 2012, to include meetings of the Committee on Infrastructure in place of the previously scheduled meetings of the Committee on Economic Development and Strategy, for the period of January 1, 2013, through December 31, 2013, as reflected in the revised 2013 Legislative Calendar.

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619-533-3920, MS 10A

\* ITEM-109: Settlement of personal injury claim of Jasmine Navarro, a minor, Risk Management File No. 1749.

**ITEM DESCRIPTION:**

This is a complaint for personal injury by Jasmine Navarro, a minor. The proposed settlement would resolve all claims brought by Jasmine Navarro, a minor.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-60)

Authorizing the Mayor, or his designee, to pay the sum of \$425,000 from the Water Utility Operating Fund No. 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, and Darron Singleton arising from the personal injury claim of Jasmine Navarro, a minor, San Diego Superior Court Case No. 37-2010-00103338-CU-PA-CTL;

Authorizing the Chief Financial Officer to expend \$425,000 from the Water Utility Operating Fund No. 700011, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue checks in the amounts of \$181,322.28 made payable to the Law Offices of Jacob Emrani; and \$243,677.72 made payable to Jasmine Navarro and her parent Nelly Navarro.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement of \$425,000 will be paid from the Water Utility Operating Fund 700011.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The item was approved in Closed Session on July 29, 2013.

Jones

Primary Contact\City Attorney\Phone: Bonny Hsu\619-533-6371

- \* ITEM-110: Excusing Council President Gloria from attending the September 24, 2013, afternoon session; September 30, 2013, and October 1, 2013, Council Meetings; and the October 2, 2013, Budget and Finance Committee Meeting.

**COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-189)

Excusing Council President Todd Gloria from attending the City Council afternoon meeting of Tuesday, September 24, 2013; the City Council meetings of September 30, 2013, and October 1, 2013; and the Budget and Finance Committee Meeting of October 2, 2013; due to the Council President's additional responsibilities under Charter Section 265(i) while there is a vacancy in the Office of the Mayor.

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

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

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

ITEM-330: FY 2014 Update to Mira Mesa Public Facilities Financing Plan & Facilities Benefit Assessment. (Mira Mesa Community Plan Area. District 6.)

**ITEM DESCRIPTION:**

Requesting approval of an update to the Mira Mesa Public Facilities Financing Plan for FY 2014, which sets Facilities Benefit Assessment (FBA) and Development Impact Fees (DIF) for the community and provides continued funding for community infrastructure.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem A: (R-2014-70 Cor. Copy)

Adoption of a Resolution by the Council of the City of San Diego, as follows:

1. The forgoing recitals are true and correct and incorporated fully herein by this reference.
2. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code Section 66000 et seq., for imposition of the facilities benefit assessment fees. Specifically, it is determined and found that this documentation:
  - a. Identifies the purpose of the DIF, which is to ensure that each new development project pays its proportionate share of funding needed for the community public facilities projects necessary to serve new development;
  - b. Identifies the use to which the DIF is to be put, which includes but is not limited to, the funding of public facilities projects to serve the community at full community development as identified in the Mira Mesa Community Plan and the City of San Diego General Plan. A list of the public facilities projects is shown in the Financing Plan;

c. Demonstrates how there is a reasonable relationship between the DIFs use and the type of development project on which the DIF is imposed, which includes the following: The DIF will be used to provide for a proportionate fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of the development permitted in accordance with the DIF schedule in effect at the time a building permit is issued. Credit will be give for any existing development;

d. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed, which includes the following:

(i) Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system, which require various street and bridge projects, traffic signal interconnect systems, and medians.

(ii) Park and Recreation Projects: Residential development utilizes the community's parks, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iii) Library Projects: Residential development utilizes the community libraries, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iv) Fire/Rescue Projects: Residential and non-residential development will be served by community fire/rescue facilities, and additional facilities are necessary based on the projected population at full community development, General Plan standards, and established emergency response times.

3. The designation of the area of benefit as identified in the Financing Plan is ordered.

4. The establishment of the facilities benefit assessment against each parcel within the area of benefit as identified in the Financing Plan is ordered and is effective sixty days from the date of final passage of this resolution.

5. The Mayor is authorized and directed to prepare a map of the boundaries of the area of benefit based on this Resolution and to file the map with the City Clerk in accordance with the provisions of San Diego Municipal Code Section 61.2209(a).

6. The City Clerk is authorized and directed to record the map of the boundaries of the area of benefit in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code Section 61.2209(a).

7. The City Clerk is authorized and directed to execute and record a Notice of Assessment in the Office of the County Recorder of the County of San Diego in accordance with the provisions of San Diego Municipal Code Section 61.2209(b).

8. The Chief Financial Officer is authorized and directed to transfer, appropriate and expend the subject facilities benefit assessment funds as necessary to ensure timely payment of all Mira Mesa public facilities projects identified in the Financing Plan.

Subitem B: (R-2014-71 Cor. Copy)

Adoption of a Resolution by the Council of the City of San Diego, as follows:

1. That the assessment fee schedule contained in the Financing Plan is the appropriate and applicable DIF for all development within the Mira Mesa area that has either never been assessed under the Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment as prescribed by the City Council.

2. Effective sixty days from the date of final passage of this resolution, that all DIFs due under Financing Plan, shall be those fees in effect at the time building permits are issued.

3. That the DIFs due shall not increase in accordance with San Diego Municipal Code Section 142.0640(b), but shall automatically increase annually in accordance with the Financing Plan, until a new DIF is adopted.

4. That the Financing Plan is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code Section 66000 et seq., for imposition of development impact fees. Specifically, it is determined and found that this documentation:

a. Identifies the purpose of the DIF, which is to ensure that each new development project pays its proportionate share of funding needed for the community public facilities projects necessary to serve new development;

b. Identifies the use to which the DIF is to be put, which includes but is not limited to, the funding of public facilities projects to serve the community at full community development as identified in the Mira Mesa Community Plan and the City of San Diego General Plan. A list of the public facilities projects is shown in the Financing Plan;

c. Demonstrates how there is a reasonable relationship between the DIFs use and the type of development project on which the DIF is imposed, which includes the following: The DIF will be used to provide for a proportionate fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of the development permitted in accordance with the DIF schedule in effect at the time a building permit is issued. Credit will be given for any existing development.

d. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed, which includes the following:

(i) Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system, which require various street and bridge projects, traffic signal interconnect systems, and medians.

(ii) Park and Recreation Projects: Residential development utilizes the community's parks, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iii) Library Projects: Residential development utilizes the community libraries, and improvements are necessary based on the projected population at full community development and General standards.

(iv) Fire/Rescue Projects: Residential and non-residential development will be served by community fire/rescue facilities, and additional facilities are necessary based on the projected population at full community development, General Plan standards, and established emergency response times.

5. That the Chief Financial Officer is directed to establish an interest bearing fund for the Mira Mesa Development Impact Fee.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Designation of an Area of Benefit Adoption and FBA/DIF will continue to provide a funding source for the public facilities identified in the Mira Mesa Public Facilities Financing Plan.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was unanimously approved by the City Council's Infrastructure Committee on July 31, 2013.

Tomlinson/Chadwick/aa

Primary Contact\Phone: Angela Abyeta\619-533-3674, MS 606F

Secondary Contact\Phone: John Tracanna\619-533-3682, MS 606F

City Attorney Contact: Heidi K. Vonblum

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

**NOTE:** This item may be taken in the morning session if time permits.

ITEM-331: Sale of City-owned Vacant Land at Del Mar Heights Road and Mercado Drive, Del Mar, CA 92014. (Torrey Pines Community Area. District 1.)

**ITEM DESCRIPTION:**

Sale of approximately 5,141 square feet of vacant City-owned land at Del Mar Heights Road and Mercado Drive, Del Mar, CA 92014 (Assessor's Parcel Number 300-361-83), to New Pointe Investment Group, LLC for \$500,000.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-180)

Authorizing the Council President, in his capacity under Charter Section 265(i), or his designee, to execute and deliver a Purchase and Sale Agreement and all other necessary instruments to effect and complete the transaction to sell the Property to New Pointe Investment Group, LLC for \$500,000;

Authorizing the Council President, in his capacity under Charter Section 265(i), or his designee, to pay real estate brokerage participation and brokerage fees to Realty Executives in the amount of six percent (6%) of the sale price;

Authorizing the Chief Financial Officer to accept and deposit the proceeds from the sale of the Property, net of costs related to the sale, into the Capital Outlay Fund 400002.

Subitem-B: (R-2014-181)

Determining that the sale of City-owned real property located at Del Mar Heights Road and Mercado Drive in San Diego, California, identified as Assessor's Parcel Number 300-361-83, is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15312, and that an exception to the exemption does not apply under CEQA Guidelines Section 15300.2.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The proceeds of the sale of the Property, net of costs related to its sale and 6% brokerage commission, will be deposited into the Capital Outlay Fund 400002, as per City Charter Article VII. The City would be relieved of future expenses due to maintenance of the property, including debris and trash removal.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Council Resolution No. R-304571, dated January 23, 2009, provided a one year authorization to sell the property and pay a brokerage commission. If the property was not sold after one year, additional review and direction from Council was required.

Barwick/Chadwick

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Jim Barwick\619-236-6145, MS 51A

City Attorney Contact: Vacchi, Robert A.

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

ITEM-332: Balboa Park Alcazar Parking Lot Improvements. (Balboa Park Community Area. District 3.)

**ITEM DESCRIPTION:**

This action is to establish and fund a new Capital Improvement Project. The project will provide additional accessible parking spaces in the Alcazar Parking Lot in Balboa Park.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-187)

Authorizing the Chief Financial Officer to transfer an amount not to exceed \$150,000 from the General Fund, Fund No. 100000, Department No. 1714, Park and Recreation Department, to Fund No. 400265, General Fund Contributions to the CIP;

Authorizing the Chief Financial Officer to increase the FY 2014 Capital Improvements Program Budget in CIP No. S-14013, Balboa Park Alcazar Parking Lot Improvements by an amount not to exceed \$150,000;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$150,000 from Fund No. 400265, General Fund Contributions to the CIP, in CIP No. S-14013;

Authorizing the City Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

Subitem-B: (R-2014-188)

Determining that the Balboa Park Alcazar Parking Lot Project (Project) is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15301, 15302, and 15331, and that an exception to the exemption does not apply;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply;

Directing the City Clerk to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funding is available in the amount of \$150,000 in Fund No. 100000, Park and Recreation Department - Developed Regional Parks Division Operating Budget.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

As a part of the Fiscal Year 2014 Budget, the City Council allocated an additional \$300,000 for the Balboa Park Traffic Management Plan Improvements to the Department's Operating Budget. This action will convert a portion of this allocation into a capital improvement project for the purpose of constructing accessibility improvements in Alcazar Parking Lot.

LoMedico/Chadwick

Primary Contact\Phone: Jim Winter\619-235-5257, MS 35

Secondary Contact\Phone: Charles Daniels\619-533-6597, MS 35

City Attorney Contact: Thomas, Shannon M.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION:

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

ITEM-333: Update to the Barrio Logan Community Plan/Local Coastal Program and Associated Documents. (Barrio Logan Community Plan Area. District 8.)

**ITEM DESCRIPTION:**

The City of San Diego embarked on an update to the 1978 Barrio Logan Community Plan and Local Coastal Program in 2008. The update is needed in order to bring the outdated community plan goals and policies into conformance with the City's 2008 General Plan. The plan update also has served to address significant environmental justice and collocation issues while ensuring that maritime-oriented businesses remain viable to support the Port Tidelands and operations at Naval Station San Diego. Included as part of the plan update is a revised community plan and local coastal program, new zoning regulations, a new public facilities financing plan as well as a Programmatic Environmental Impact Report.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinances which were introduced on 9/17/2013, Item 333, Subitems C, D, and E. (Council voted 5-4. Councilmembers Faulconer, Kersey, Zapf, and Sherman voted nay):

Subitem-A: (O-2014-31)

Designating Chicano Park as a Regional Park.

Subitem-B: (O-2014-29 Rev. Cor. Copy)

Amending Chapter 12, Article 6, Division 7, of the San Diego Municipal Code, by amending Section 126.0704; by amending Chapter 13, Article 1, Division 4, by amending Sections 131.0405, 131.0422, 131.0423, 131.0431, 131.0449, and deleting Section 131.0451; by amending Chapter 13, Article 1, Division 5, by amending Sections 131.0502, 131.0503, 131.0504, 131.0505, 131.0507, 131.0522, 131.0531, 131.0540, and 131.0546; by amending Chapter 13, Article 2, Division 4, by amending Sections 132.0402 and 132.0403, and by adding a new Section 132.0404; by amending Chapter 14, Article 2, Division 5, by amending Section 142.0530, and by deleting Chapter 15, Article 2, Division 1, Division 2, Division 3, and Division 4, all relating to the Barrio Logan Community Plan Update.

Subitem-C: (O-2014-30)

Changing 999.61 acres located in Barrio Logan, within the Barrio Logan Community Plan Area, in the City of San Diego, California, from the Barrio Logan Planned District Ordinance Chapter 15, Article 2, Divisions 1 through 4 Zones into the City of San Diego Land Development Code Chapter 13 Residential, Commercial and Industrial Zones, as defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 4, 5 and 6, and repealing Ordinance No. O-19592, Effective April 26, 2007, insofar as the same conflicts herewith.

ADOPTION AGENDA, DISCUSSION, HEARINGS  
NOTICED HEARINGS:

**The following item will be considered in the morning session which is scheduled to begin at 10:00 a.m. (Rev. 10/10/13)**

ITEM-334: Combining Carmel Mountain Ranch & Sabre Springs Planning Groups. (Carmel Mountain Ranch Plan Area. District 5.)

**ITEM DESCRIPTION:**

Request City Council approval of a resolution to remove recognition of the Sabre Springs Planning Group and the Carmel Mountain Ranch Community Committee, to recognize the Carmel Mountain Ranch/Sabre Springs Community Committee as a community planning group, and approving the Carmel Mountain Ranch/Sabre Springs Community Committee Bylaws.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-194)

Adoption of a Resolution declaring that the Sabre Springs Planning Group shall no longer be recognized as a community planning group; and

Declaring that the Carmel Mountain Ranch Community Committee shall no longer be recognized as a community planning group; and

Declaring that the Carmel Mountain Ranch/Sabre Springs Community Committee shall be recognized as a community planning group, replacing the Sabre Springs Planning Group and the Carmel Mountain Ranch Community Committee; and

Approving the Carmel Mountain Ranch/Sabre Springs Community Committee Bylaws, a copy of which is on file in the Office of the City Clerk.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Tomlinson/Chadwick /tk

Primary Contact\Phone: Tony Kempton\619-236-6861, MS 413

Secondary Contact\Phone: Lara Gates\619-236-6006 MS 413

City Attorney Contact: Heidi K. Vonblum

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
ORDINANCES TO BE INTRODUCED:

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

ITEM-335: An Ordinance Amending the Permanent Rules of Council Relating to Council Committees, Communication Requests to Council, and Related Municipal Code Sections Impacted by Committee Name Changes. (Citywide.)

**ITEM DESCRIPTION:**

Requesting that the City Council adopt:

- 1) An Ordinance amending Chapter 2, Article 2, Division 1, Section 22.0101, of the San Diego Municipal Code, relating to procedure for Council meetings and changes to the City Council Standing and Special Committees; and
- 2) Additional amendments to the Municipal Code due to Committee name changes.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2014-47)

Introduction of an Ordinance amending the San Diego Municipal Code, by amending Chapter 2, Article 2, Division 1, Section 22.0101, Division 22, Section 22.2203; and Division 30, Section 22.3004; by amending Chapter 2, Article 6, Division 00, Sections 26.04 and 26.16; Division 16, Section 26.1605; Division 19, Section 26.1903; Division 20, Section 26.2003; and Division 21, Section 26.2113; by amending Chapter 3, Article 3, Division 45, Section 33.4519; by amending Chapter 6, Article 3, Division 2, Section 63.0201; and by amending Chapter 8, Article 5, Division 00, Section 85.06; all relating to procedure for Council meetings and changes to the City Council Standing and Special Committees;

This Ordinance makes changes to Chapter 2, Article 2, Division 1, Section 22.0101 of the San Diego Municipal Code, which contains the Permanent Rules of the Council (Rules). The primary purpose of this ordinance is to amend Rule 6 to change the names and responsibilities of the Council Standing Committees to ensure that the committees continue to reflect the City Council's top policy priorities and are administered to reflect best practices. The changes to the Standing Committees make it necessary to also amend Rule 9 and Rule 10 of Section 22.0101, and various other sections in the San Diego Municipal Code to reflect the new names and responsibilities. The ordinance also removes the language in Section 22.0101, Rule 2.7, relating to communication requests to the Council and non-agenda comment because the Brown Act and other provisions in the Rules already provide for such communications and comments.

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

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: None.

**PREVIOUS COUNCIL COUNCIL AND/OR COMMITTEE ACTION:**

Please see the Executive Summary.

Bukalova

Primary Contact\Phone: Dominika Bukalova\619-533-5906

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-350: **Notice** of Pending Final Map Approval - 4104 Voltaire Street.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "4104 Voltaire Street" (V.T.M. No. 341372, PTS No. 236207) R-301263 zone, within the Peninsula Council District 2, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Gregory P. Hopkins (619) 446-5291.

ITEM-351: Qualcomm Stadium and Petco Park City Suites.

The list of ticket users for the City Suites at Qualcomm Stadium and Petco Park will be posted on the City Clerk's website quarterly. This information will also be available for viewing by the public in the Office of the City Clerk.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT