

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 3  
FOR THE REGULAR MEETING OF  
TUESDAY, FEBRUARY 25, 2014  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

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

- \* ITEM-S502: Application for Sustainable Communities Environmental Justice Planning Grant for Encanto Innovative Incentives Implementation Plan at the Euclid and Market Village, Encanto Community. (District 4)

**ITEM DESCRIPTION:**

Grant fund application for implementation of the Updated Community Plan for the Transit-Oriented Village at Market and Euclid in the Encanto community.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-500)

Approving the filing of an application for grant funds for the Encanto Innovative Incentives Implementation Plan at the Euclid and Market Village (Proposal) in order to become a sustainable community;

Certifying that the Council understands the assurances and certifications to be included in the application;

Certifying that the City will have sufficient funds to develop the Proposal, or will secure the resources to do so;

Certifying that the Proposal will comply with any applicable laws and regulations;

Appointing the Mayor, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limit to applications, agreements, and payment requests, which may be necessary for completion of the Proposal;

Authorizing the Mayor, or designee, to apply, accept, and take all necessary actions to secure up to \$1,000,000 in Sustainable Communities Planning Grant funds awarded by the California Strategic Growth Council for the Proposal;

Authorizing the Chief Financial Officer, to accept up to \$1,000,000 if the grant funding is secured, and to establish a special interest-bearing account, if required;

Authorizing the Chief Financial Officer, to appropriate and expend up to \$1,000,000 in Sustainable Communities Planning Grant funds from Fund 600001 - Grant Fund-State, for the purpose of implementing the Proposal, if the grant funding is secured, contingent upon receipt of a fully executed grant agreement from the California Strategic Growth Council;

Authorizing the Mayor, to engage in any applicable meet and confer and any other legal requirements necessary to bring forward for Council consideration at a later date, a proposed Agreement, or a proposed Amendment to an existing Agreement, between the City and Civic San Diego, authorizing Civic San Diego to provide expert consulting services to the City related to development and implementation of transit-oriented development in Encanto;

Authorizing the Mayor, or designee, to assign the Sustainable Communities Planning Grant funds, if awarded to the City, to Civic San Diego to use consistent with the grant application and grant agreement, but only if the Council in the future approves a Consultant Agreement, or an Amendment to an existing Consultant Agreement, between the City and Civic San Diego, authorizing Civic San Diego to provide expert consulting services to the City related to development and implementation of trans-oriented development in Encanto.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The Sustainable Communities Incentives Program Grant will provide \$500,000 or \$1,000,000 (dependent on whether the County Co-Sponsors) in funding for implementation and readiness for financing the Encanto Community Plan upon adoption. The grant does not require a match because it serves an Environmental Justice community. Grant payments are also made by the State on a reimbursement basis and tax exempt Central Imperial infrastructure bonds, dependent on oversight and approval of the final contract by the State of California Department of Finance (DOF), budgeted in Recognized Obligation Payment Schedule (ROPS) 5 Line #565 approved by DOF in ROPS 13-14B, and proposed ROPS 6 FY's 2014-15 for the required reimbursable expenses.

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

On February 12, 2014, the CivicSD Committees recommended the City Council take all necessary actions to make this grant application. The CivicSD Board is scheduled to take action on February 27, 2014.

Young/Chadwick

Primary Contact\Phone: Nancy Lytle\619-533-7173, MS 51D

City Attorney Contact: Slegers, Nathan

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

\* ITEM-S503: Community Projects, Programs and Services Funding Allocation to LabNexus for its Business Incubator Program. (District 2.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to entire into an Agreement with LabNexus for an amount not to exceed \$7,500 for its Business Incubator Program.

**COUNCILMEMBER FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-509)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: “An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;”

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, an Agreement with LabNexus in an amount not to exceed \$7,500 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer, to expend an amount not to exceed \$7,500 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1102110002, to provide funds for the above-referenced Agreement, 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 in the City Treasury.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$7,500 in Community Projects, Programs and Services Funding from Fund No. 100000, Cost Center No. 1102110002 will be used for LabNexus' Business Incubator Program.

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

Awbrey

Primary Contact\Phone: Thyme Curtis\619-236-7351, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

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

\* ITEM-S504: Settlement of discrimination claim of Irene McCormack Jackson.

**ITEM DESCRIPTION:**

Approval of a settlement of a suit filed by City employee Irene McCormack Jackson.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-510)

Authorizing the sum of \$250,000 to be paid from the Public Liability Fund in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, Robert Filner, their agents and their employees, arising from the Litigation;

Authorizing the City Comptroller shall issue a check in the amount of \$250,000 which shall be made payable to the trust Account of Allred, Maroko & Goldberg for the benefit of Irene McCorack Jackson.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$250,000 will be paid from the Public Liability Fund, Fund No. 720045.

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

This item was approved in Closed Session on January 28, 2014, and approved at that time. There have been no changes since then.

Bamberg/Lanzafame

Primary Contact\City Attorney\Phone: Joe Cordileone\619-533-5854

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

\* ITEM-S505: Community Projects, Programs and Services Funding Allocation to the Ocean Beach Community Development Corporation for Veterans Plaza. (District 2.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council Districts 2, 3, and 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Ocean Beach Community Development Corporation (OBCDC) for an amount not to exceed \$22,500 from Districts 2, District 3 and District 6 Community Projects, Programs and Services (CPPS) funds for the design documents for Veterans Plaza.

**COUNCILMEMBER FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-507)

Declaring that the allocation described herein is made for a public purpose;

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, an Agreement with Ocean Beach Community Development Corporation (OBCDC) in an amount not to exceed \$22,500 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer, to expend an amount not to exceed \$22,500 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1102110002, to provide funds for the above-referenced Agreement, 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 in the City Treasury.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$10,000 from Fund No. 100000, Cost Center No. 1102110002

\$7,500 from Fund No. 100000, Cost Center No. 1106110006

\$5,000 from Fund No. 100000, Cost Center No. 1103110003

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

Awbrey

Primary Contact\Phone: John Ly\619-236-6622

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

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

- \* ITEM-S506: Community Projects, Programs and Services Funding Allocation to Linda Vista Multi-Cultural Fair, Inc. for its 29th Annual Linda Vista Multi-Cultural Fair and Parade. (District 2.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to entire into an Agreement with Linda Vista Multi-Cultural Fair Inc., for an amount not to exceed \$5,000 for its 29th Annual Linda Vista Multi-Cultural Fair and Parade.

**COUNCILMEMBER FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-505)

Declaring the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: “An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;”

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, an Agreement with Linda Vista Multi-Cultural Fair, Inc. in an amount not to exceed \$5,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer, to expend an amount not to exceed \$5,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1102110002, to provide funds for the above-referenced Agreement, 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 in the City Treasury.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$5,000 in Community Projects, Programs and Services Funding from Fund No. 100000, Cost Center No. 1102110002 will be used for Linda Vista Multi-Cultural Fair, Inc.'s 29th Annual Linda Vista Multi-Cultural Fair and Parade.

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

Awbrey

Primary Contact\Phone: Thyme Curtis\619-236-7351, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

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

- \* ITEM-S507: Community Projects, Programs and Services Council District 2 Funding Allocation to The New Children's Museum for its program titled Feast: The Art of Playing with Your Food. (District 2.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The New Children's Museum for an amount not to exceed \$7,500, for its program titled Feast: The Art of Playing with Your Food.

**COUNCILMEMBER FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-508)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;"

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, an Agreement with The New Children's Museum in an amount not to exceed \$7,500 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$7,500 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1102110002, to provide funds for the above-referenced Agreement, 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 in the City Treasury.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$7,500 in Council District 2 Community Programs, Projects, and Services Fund from Fund No. 100000, Cost Center No. 1102110002, for its program titled Feast: The Art of Playing with Your Food.

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

Awbrey

Primary Contact\Phone: Thyme Curtis\619-236-7351, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla