

[Click here to open printable agenda](#)

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Todd Gloria • Third District**

## COUNCIL PRESIDENT PRO TEM

**Sherri Lightner • First District**

## COUNCILMEMBERS

**Vacant • 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, March 25, 2014**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, MARCH 25, 2014, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

-----

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 public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.**

**OTHER LEGISLATIVE MEETINGS** (Rev. 3/24/14)

A Special Meeting of the **PUBLIC FACILITIES FINANCING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information please contact Brant Will at (619) 236-6220. Internet access to the agenda is available at: <http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/pffa.shtml>

**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:

02/24/2014

02/25/2014

**PROCLAMATIONS/CEREMONIAL ITEMS**

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

ITEM-30: Multiple Myeloma Awareness Day.

**PRESENTED BY COUNCIL PRESIDENT GLORIA, COUNCIL PRESIDENT PRO TEM LIGHTNER, AND COUNCILMEMBER KERSEY:**

Proclaiming March 25, 2014, to be "Multiple Myeloma Awareness Day" in the City of San Diego.

ITEM-31: Team Top Gun Day.

**PRESENTED BY COUNCILMEMBER SHERMAN:**

Proclaiming March 25, 2014, to be "Team Top Gun Day" in the City of San Diego.

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

ITEM-32: Maria Pankau Day.

**COUNCILMEMBER ZAPF'S RECOMMENDATION:**

Proclaiming March 15, 2014, to be "Maria Pankau 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: Update to the Otay Mesa Community Plan and Associated Documents. (Otay Mesa Community Plan Area. District 8.)

**ITEM DESCRIPTION:**

The City of San Diego commenced an update to the Otay Mesa Community Plan in 2001. The plan is a comprehensive update to the adopted plan and addresses substantial land use changes, both locally and regionally that have occurred over the past 30 years, including the loss of designated industrial and residential land resulting from adoption of the Multiple Species Conservation Program (MSCP) in 1997. The update is guided by the policy direction in the General Plan and reflects new citywide policies and programs from the General Plan Included as part of the plan update is a revised community plan, new zoning regulations, an update to the public facilities financing plan and a Programmatic Environmental Impact Report.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinances which were introduced on 3/11/2014, Item S501, Subitems C and D. (Council voted 7-0. Councilmember Cole not present. District 2-vacant):

Subitem-A: (O-2014-87)

Amending Chapter 13, Article 1, Division 5 of the San Diego Municipal Code by amending Section 131.0531; amending Chapter 13, Article 1, Division 6 by amending Sections 131.0602, 131.0622, 131.0623, 131.0631, 131.0643, and 131.0665 and adding Section 131.0606; amending Chapter 13, Article 2, Division 14 by amending Section 132.1402, retitling Diagram 132-14A from College Area Community Plan Implementation Overlay Zone to Clairemont Mesa Community Plan Implementation Overlay Zone, deleting Diagram 132-14B titled College Area Community Plan Implementation Overlay Zone, and adding a new Diagram 132-14B titled Otay Mesa Community Plan Implementation Overlay Zone; amending Chapter 14, Article 2, Division 5 by amending Section 142.0530; amending Chapter 15, Article 17, Division 1 by repealing Sections 1517.0101, 1517.0102, 1517.0103, and 1517.0104; amending Chapter 15, Article 17, Division 2 by repealing Sections 1517.0201, 1517.0202, 1517.0203, 1517.0204, and 1517.0205; amending Chapter 15, Article 17, Division 3 by repealing Sections 1517.0301, 1517.0302, 1517.0303, 1517.0304, 1517.0305, and 1517.0306; amending Chapter 15, Article 17, Division 4 by repealing Sections 1517.0401, 1517.0402, 1517.0403, and 1517.0404, relating to the Otay Mesa Community Plan Update and making corrections to the Community Plan Implementation Overlay Zone Diagrams.

Subitem-B: (O-2014-88)

Changing 5,051 acres located at Otay Mesa, within the Otay Mesa Community Plan Area, in the City of San Diego, California, from the Otay Mesa Development District Industrial and Commercial Subdistricts into the OC, AR-1-1, CC-2-3, IH-1-1, IL-2-1, IL-3-1, IP-1-1, IP-3-1, and IBT-1-1, and repealing Ordinance Nos. O-16290 adopted October 1, 1984, O-17984 adopted September 13, 1993, O-19216 adopted September 29, 2003, and O-20086 adopted September 28, 2011, of Ordinances of the City of San Diego insofar as the same conflict herewith.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-100: State Route 56 Freeway Expansion Project: Cooperative Agreement between Caltrans and City of San Diego for the development of Project Initiation Document. (Carmel Valley, Torrey Highlands, and Rancho Peñasquitos Community Areas. Districts 1, 5, and 6.)

**ITEM DESCRIPTION:**

Authorize the appropriation and expenditure of Torrey Highlands Facilities Benefit Assessment (FBA) and Black Mountain Ranch Development funds for the Cooperative Agreement between Caltrans and the City of San Diego for a Project Study Report and Project Delivery Support for the expansion of State Route 56.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-458)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Cooperative Agreement with Caltrans, for the development of Project Initiation Document and associated Project Study Report-Project Delivery for the SR-56 Freeway Expansion from 4 to 6 lanes, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP RD-14000, SR-56 Expansion;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$125,060 from Fund 400246, BMR Development, SR-56, to provide funds for the above SR-56 Project 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;

Authorizing the expenditure of an amount not to exceed \$450,000 from CIP RD-14000, SR-56 Expansion, Fund 400094, Torrey Highlands FBA, for the State Route 56 Expansion from four (4) to six (6) lanes, solely and exclusively, for the purpose of providing funds for the SR Expansion Project, provided that the Chief Financial Officer first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funds for the Agreement with Caltrans to provide a (PSR-PDS) PID for the expansion of SR-56 are available from CIP RD-14000 in the amount of \$450,000, Torrey Highlands FBA, Fund No. 400094, and \$125,060 from the Black Mountain Ranch Development, Fund No. 400246.

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

This item was heard at the Smart Growth and Land Use Committee meeting on February 12, 2014, and forwarded to the full City Council with a recommendation to approve.

**ACTION:** Motion by Councilmember Lightner, second by Councilmember Cole, to approve.

**VOTE:** 3-0-1; Zapf-yea, Cole-yea, Lightner-yea, Sherman-absent.

Sturdevan/Heinrichs

Primary Contact\Phone: Linda Marabian\619-533-3082, MS 608

Secondary Contact\Phone: Gary Chui\619-533-3770, MS 608

City Attorney Contact: Gerrity, Ryan P.

\* ITEM-101: Authorize Hawthorne Machinery Contract for Heavy-Duty Landfill Machinery.

**ITEM DESCRIPTION:**

The Agreement with Hawthorne Machinery Company for the lease and maintenance of heavy duty landfill equipment for daily operations at the Miramar Landfill and Greenery is being recommended for award. Total expenditures for the five-year term (FY14 through FY19) are estimated at \$3,900,000.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-526)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Hawthorne Machinery Company for the lease of heavy duty landfill equipment with full maintenance, for a term of five years, in accordance with Request for Bid No. 10037446-13-N and Hawthorne's Bid in response thereto, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$3,900,000 over the five-year term of the Agreement from Refuse Disposal Fund No. 700039, solely and exclusively, to provide funds for the above Agreement, contingent upon City Council approval of the Annual Appropriations Ordinance for the applicable fiscal years and provided that the City Comptroller first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury.

**STAFF SUPPORTING INFORMATION:****FISCAL CONSIDERATIONS:**

The total value of this Agreement is not anticipated to exceed \$3,900,000 over its five-year term. The FY14 anticipated expenditures are not expected to exceed \$260,000. The total anticipated expenditures over the five-year period beginning FY14 and ending FY19, for the lease of each piece of heavy-duty landfill equipment with full maintenance, are shown below:

**Cost FY14 – FY18**

Two (2) Caterpillar 972K Heavy-Duty Loaders	\$931,172
One (1) Caterpillar 972K Heavy-Duty Loader	\$485,270
One (1) Caterpillar 980K Heavy-Duty Loader with Scraper Box	\$645,888
One (1) Caterpillar 160M2 AWD Heavy-Duty Motor Grader	\$551,158
One (1) Caterpillar 740B Articulated Dump Truck	\$607,476
One (1) Caterpillar 735B Water Wagon	\$679,036
<b>TOTAL</b>	<b>\$3,900,000</b>

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

This item was heard at the Committee on Environment meeting on March 5, 2014, and forwarded to the full Council with a recommendation to approve.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Sherman, to approve the requested action.

**VOTE:** 3-0-1; Alvarez-yea, Sherman-yea, Zapf-absent, Emerald-yea.

Gonaver/Heinrichs

Primary Contact\Phone: Rebecca Hays\858-492-5033  
 Secondary Contact\Phone: Kenneth Prue\858-492-5085  
 City Attorney Contact: Lowenberg, Grace C.

\* ITEM-102: Seventh Extension to Miramar Recycling Center Service Contract with Allan Company.

**ITEM DESCRIPTION:**

Seventh Extension to Miramar Recycling Center Service Contract with Allan Company. The proposed Seventh Extension to the Agreement would exercise the option to extend the term of the Agreement through December 31, 2018.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-487)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Seventh Extension to the Agreement with Allan Company for the operation of the Miramar Landfill Recycling Center, retroactive to January 1, 2014, under the terms and conditions set forth in the Seventh Extension to Miramar Recycling Center Service Contract.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The revenue structure of this Agreement will remain the same as amended under the previously approved Sixth Extension, which provided for annual adjustments to the monthly rent payment to the City to be calculated based upon changes to the Consumer Price Index (CPI), along with annual revenue sharing payments. Current monthly rent is \$13,771, which increased by 1.0 percent from CY 2013. This will provide rent revenue of \$164,514 for FY 2014.

The annual revenue sharing payment provides for the City to receive one (1) percent of the total gross revenues from the sales of all recyclable materials accepted at the Center. The scrap value payment received in FY 2013 was \$53,733 and FY 2014 will be approximately \$55,161.

The total combined revenue for FY 2013 was \$216,171 and the estimated total for FY 2014 is \$219,675.

With approval of the Seventh Extension, the annual revenue sharing will continue per the Agreement for FY 2014, FY 2015, and FY 2016. Based upon recent recycling markets and tonnage at the facility, the revenue sharing is estimated to be approximately \$55,000 annually.

In the event the proposed Seventh Extension or future extensions are not approved by the Council, that effectively serves as three year notice of termination. With this notice of termination, there would be no revenue sharing for the last three years of the Agreement. Therefore, the City would only receive monthly rent payments during that time.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The current Agreement with Allan Company was approved by the City Council on December 10, 2001 (Resolution R-295859).
  - First Extension was approved March 29, 2004 (R-299012).
  - Second Extension was approved February 7, 2005 (R-300109).
  - Third Extension was approved December 6, 2006 (R-302128).
  - Fourth Extension was approved on February 19, 2008 (R-303399).
  - Fifth Extension was approved on December 17, 2009 (R-305477).
  - Sixth Extension was approved on May 29, 2012 (R-307438).
- This item was heard at the Environment Committee meeting on March 5, 2014, and forwarded to the full Council with a recommendation to approve.

ACTION: Motion by Councilmember Emerald, second by Councilmember Sherman, to approve the requested action.

VOTE: 3-0-1; Alvarez-yea, Sherman-yea, Zapf-absent, Emerald-yea.

Gonaver/Heinrichs

Primary Contact\Phone: Rebecca Hays\858-492-5033

Secondary Contact\Phone: Ken Prue\858-492-8058

City Attorney Contact: Lowenberg, Grace C.

- \* ITEM-103: Creating and funding Mission Trails Regional Park (MTRP) Equestrian and Multi-Use Staging Area Administration Building and Shade Structure Capital Improvement Project. (Tierrasanta Community Area. District 7.)

**ITEM DESCRIPTION:**

This action is to establish the Mission Trails Regional Park (MTRP) Equestrian and Multi-Use Staging Area Administration Building and Shade Structure project within the Capital Improvement Project budget. In addition, the action adds \$500,000 of funding into this project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-552)

Authorizing the Chief Financial Officer to add CIP S-14016 “Mission Trails Regional Park (MTRP) Equestrian and Multi-Use Staging Area Administration Building and Shade Structure Capital Improvement Project” to the Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the Capital Improvements Budget in CIP No. S-14016 “MTRP Equestrian and Multi-Use Staging Area Administration Building and Shade Structure Capital Improvement Project,” and to appropriate and expend \$500,000 from Fund No. 200403, Mission Trails Regional Park Fund, for the purpose of providing engineering services;

Declaring that at project closing from CIP No. S-14016 “MTRP Equestrian and Multi-Use Staging Area Administration Building and Shade Structure Capital Improvement Project,” the City Auditor and City Comptroller, upon advice from the administering department, is authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The funding of \$500,000 is for the finalization of the conceptual plan and development of construction drawings for both the administration building and the shade structure.

Approximately \$2.4 million of additional funding will be required for construction. This amount will be revised upon completion of the construction drawings. Future funding sources include Mission Trails Regional Park (MTRP) Fund No. 200403, and the Sycamore Estate Funds administered by the MTRP Foundation, a 501(c)(3). These two funds can only be used for improvements within MTRP. Other funding sources include the Regional Park Improvement Fund No. 200391, and State Grants.

This facility will require an on-going operational budget for non-personnel expenses. The project's final design has not been approved, therefore, the current cost estimate of \$38,000 is based upon the Park and Recreation Department's current operating cost for similar facilities. Operational costs for the project will be revised as the project is refined.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on March 5, 2014.

**ACTION:** Motion by Councilmember Sherman, second by Councilmember Emerald, to forward staff recommendation to City Council.

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

Fulton/Villa

Primary Contact\Phone: Jeff Harkness\619-533-6595, MS 413

Secondary Contact\Phone: Robin Shifflet\619-533-4524, MS 413

City Attorney Contact: Lintvedt, Inga B.

- \* ITEM-104: Acceptance of Grant from the Foreclosure Crisis Recovery Fund Administered by the California Attorney General to Fund a Prosecutor in the Office of the City Attorney, Community Justice Division.

**ITEM DESCRIPTION:**

This action is to authorize the application for and acceptance of a grant in the amount of \$66,144 from the Foreclosure Crisis Recovery Fund Administered by the California Attorney General. The grant will fund a prosecutor position half-time, for one year, in the Office of the City Attorney, Community Justice Division to prosecute cases involving loan modification and foreclosure consultant businesses that advance fees in violation of the law.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-481)

Authorizing the City Attorney, or his designee, to apply for, accept and take all necessary actions to secure funding up to \$66,144 awarded by the State of California Department of Justice, Office of the Attorney General to the San Diego City Attorney's Office, to hire a prosecutor half-time for one year to prosecute cases involving loan modification and foreclosure consultant businesses that take advance fees, on the terms and conditions outlined in the Application for Grant from the Foreclosure Crisis Recovery Fund (2013 Cycle);

Authorizing the City Attorney, or his designee, to submit all documents, negotiate and execute all agreements necessary, including any amendments, to comply with the grant requirements, and carry out and administer all obligations, responsibilities and duties under the grant;

Authorizing the Chief Financial Officer to appropriate and expend up to \$66,144 from Fund No. 600001 (Grant Fund - State) from grant funds secured for the purpose described above.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The grant would fund up to \$66,144 to hire a prosecutor, half-time for one year. It is expected that \$22,000 will be expended during Fiscal Year 2014 and \$44,144 during Fiscal Year 2015, with funding from Grant Fund-State No. 600001.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Lanzafame/Bamberg

Primary Contact\Phone: Tere Helminski\619-236-6506

Secondary Contact\Phone: Kathryn Turner\619-533-5602

City Attorney Contact: Bradley, Catherine M.

- \* ITEM-105: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-475)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

- \* ITEM-106: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-527)

Declaring a continued state of emergency due to severe shortage of affordable housing in the City of San Diego, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-296982 shall continue to have full force and effect.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

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

ITEM-330: Consideration of Nominees for Appointments to the International Affairs Board.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-522)

Council confirmation of the following appointments by the Council of the City of San Diego, in compliance with San Diego Charter Section 43(c), to serve as members of the International Affairs Board, for terms expiring as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Bruce Abrams (Bankers Hill, District 3) (Filling the vacancy in the seat previously held by Elizabeth Robles)	March 1, 2015
Roberto Alcantar (Nestor, District 8) (Filling the seat previously held by Patricia Reeve, who is termed out)	March 1, 2016
John Galt (University City, District 1) (Filling the vacancy in the seat previously held by David Felsen)	March 1, 2015
Mark Leo (Paradise Hills, District 4) (Filling the seat previously held by Gloria Cazares)	March 1, 2015
Rebecca Morales (La Jolla, District 1) (Filling the seat previously held by Emiliano Aragon)	March 1, 2015
Patricia Waller (San Carlos, District 7) (Filling the vacancy in the seat previously held by Feraidoon Raafat)	March 1, 2015

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

ITEM-331: Consideration of a Nominee for Appointment to the Commission on Gang Prevention and Intervention.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-517)

Council confirmation of the following appointment by the Council of the City of San Diego, in compliance with San Diego Charter Section 43(c), to serve as a member of the Commission on Gang Prevention and Intervention, for a term expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Gary Lynn (San Carlos, District 7) (Filling the seat previously held by Fred Sotelo, who is termed out)	District 2 Representative	July 1, 2015

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

ITEM-332: Consideration of a Nominee for Appointment to the Consolidated Plan Advisory Board.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-521)

Council confirmation of the following appointment by the Council of the City of San Diego, in compliance with San Diego Charter Section 43(c), to serve as a member of the Consolidated Plan Advisory Board, for a term expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Valerie Brown (Rancho Bernardo, District 5) (Filling the vacancy in the seat previously held by Sam Duran)	District 5	July 1, 2015

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

ITEM-333: Consideration of a Nominee for Appointment to the Small Business Advisory Board.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-520)

Council confirmation of the following appointment by the Council of the City of San Diego, in compliance with Charter Section 43(c), to serve as a member of the Small Business Advisory Board, for a term expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Warren Simon (Hillcrest, District 3) (Filling the seat previously held by Patrick Edward)	Representative of Business Improvement District Council	July 1, 2015

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

ITEM-334: Considerations of Nominees for Reappointments to the Wetlands Advisory Board.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-514 Cor. Copy) (Rev. 3/19/14)

Council confirmation of the following reappointments by the Council of the City of San Diego, in compliance with Charter Section 43(c), to serve as members of the Wetlands Advisory Board, for the terms expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Theresa Tally (Hillcrest, District 3) (Reappointment)	General Member	July 1, 2015
Jayne Janda-Timba (Oceanside) (Reappointment)	General Member	July 1, 2015
Michael Beck (Crest) (Reappointment)	Environmental Organization Representative	July 1, 2016

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that Jayne Janda-Timba and Michael Beck are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13 are hereby declared.

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

ITEM-335: Consideration of Nominees for Appointments and Reappointments to the Airports Advisory Committee.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-516 Cor. Copy) (Rev. 3/19/14)

Council confirmation of the following appointments and reappointments by the Council of the City of San Diego, in compliance with San Diego Charter Section 43(c), to serve as members of the Airports Advisory Committee, for the terms expiring as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
David Scott Ryan (Escondido) (Filling the vacancy in the seat previously held by Kevin O'Donnell)	Special Expertise	February 28, 2015
Tom Ricotta (Alpine) (Filling the seat previously held by David Scott Ryan)	Brown Field Aviation Lessees	February 28, 2015
Jackie Ander (Serra Mesa, District 7) (Reappointment)	Serra Mesa Representative	February 28, 2015
Lisa Golden (Otay Mesa, District 8) (Reappointment)	Otay Mesa Representative	February 28, 2015

Declaring that if, after being confirmed to the Committee, a Committee Member loses his/her affiliation with his/her designated community group, or a Committee Member is no longer representative of an airport user group, or a Committee Member no longer possesses the special aviation expertise that caused him/her to be confirmed as a Committee Member, the Committee Member's membership will be revoked and a new Committee nominee will be appointed by the Mayor and subsequently presented to the Council for approval;

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointments, it is determined that David Scott Ryan and Tom Ricotta are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13 are hereby declared.

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

ITEM-336: Contract with Able Patrol and Guard for Security Guard Services at Various City Sites (Bid No. 10028480-13-Q). (Citywide.)

**ITEM DESCRIPTION:**

This action is to approve the Security Guard Services contract with Able Patrol and Guard. The Scope of Services includes providing security guard services to various City Departments, facilities and sites.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-446)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, that certain contract, with Locator Services, Inc., dba Able Patrol & Guard (Able Patrol) for the provision of security guard services at various City sites as set forth therein for a term of one year, with four (4) one-year options to renew at the sole discretion of the City;

Authorizing the Chief Financial Officer to expend up to \$1,971,965 for the first year (FY14) of the contract (\$1,355,568 from Fund No. 100000; \$141,552 from Fund No. 200308; \$214,464 from Fund No. 700036; and \$280,380 from Fund No. 200300) for the provision of security guard services pursuant to the contract with Able Patrol;

Declaring that contingent upon the adoption of the FY15, FY16, FY17, and FY18 Appropriation Ordinances, and contingent upon certification by the City Comptroller that funds have been appropriated and are available for this purpose, and contingent upon the exercise by the City of the relevant option, the Chief Financial Officer is hereby authorized to expend the following amounts for the provision of security guard services pursuant to the contract with Able Patrol: up to \$2,003,516 for Year 2 (FY15); \$2,035,572 for Year 3 (FY16); \$2,068,142 for Year 4 (FY17); and \$2,101,232 for Year 5 (FY18); all from Fund Numbers 100000, 200308, 700036, and 200300, for a total not to exceed amount of \$10,180,426 for the contract.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The initial contract amount is for a not to exceed amount of \$1,971,965 for one (1) year from the date of award. The cost for the four (4) one (1)-year options increases by 1.6 percent annually for a five-year total of \$10.2 million, as outlined in the contract. Various funding sources will be used for the following departments and facilities: Library, City Administration Building, 20th and B Street Operations Yard, Park and Recreation, Rose Canyon Operations Yard, City Operations Building, and City Concourse.

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

This item was presented at the Budget Committee meeting on February 26, 2014.

**ACTION:** Motion by Council President Pro Tem Lightner, second by Council President Gloria, to forward to full City Council without a recommendation. Committee Members directed staff to include the contract's Equal Opportunity Plan in the Workforce Report as well as documentation regarding compliance with the Equal Benefits Ordinance and Living Wage Ordinance when the item comes forward to full City Council. Committee Members also requested that staff relate to have Able Patrol and Guard present when the item comes forward to full City Council.

**VOTE:** 4-0-1; Gloria-yea, Alvarez-yea, Lightner-yea, Faulconer-absent, Kersey-yea.

The requested documentation regarding compliance with the Equal Benefits Ordinance and Living Wage Ordinance has been included with this item.

Barrow/Villa

Primary Contact\Phone: Deborah Barrow\619-236-5843

Secondary Contact\Phone: Misty Jones\619-236-5873

City Attorney Contact: Gleeson, Carrie L.

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

ITEM-337: Lifeguard Division Five-Year Needs Assessment. (Citywide.)

**ITEM DESCRIPTION:**

This action is requesting Council to accept the Lifeguard Division Five-Year Needs Assessment Report which was developed to address staffing, equipment, facility and support needs for emergency and administrative operations.

**STAFF'S RECOMMENDATION:**

Accept the report.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The estimated cost per fiscal year is:

Year 1 - \$1,776,152

Year 2 - \$1,087,185

Year 3 - \$808,887

Year 4 - \$279,167

Year 5 - \$1,333,333

Total estimate for all five years - \$5,284,724.

The total for each year listed above includes vessel replacement costs as outlined in item 6 of the report. Several of the goals and facility needs listed above do not have an estimated cost included. These items need further fiscal evaluation and/or negotiation with Teamsters Local 911.

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

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on February 26, 2014.

**ACTION:** Motion by Councilmember Zapf, second by Councilmember Kersey, to approve and forward to the full Council.

**VOTE:** 3-0-1; Zapf-yea, Cole-yea, Kersey-yea; Emerald-absent.

Mainar/Chadwick

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

Secondary Contact\Phone: Rick Wurts\619-221-8832, MS 32A

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT