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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

**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, April 8, 2014**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, APRIL 8, 2014, 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 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**

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:

03/03/2014  
03/04/2014

**PROCLAMATIONS/CEREMONIAL ITEMS**

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

ITEM-30: Fair Housing Month.

**PRESENTED BY COUNCIL PRESIDENT GLORIA:**

Proclaiming April 2014, to be "Fair Housing Month" in the City of San Diego.

ITEM-31: Sergeant Rick Schnell Day.

**PRESENTED BY COUNCIL PRESIDENT GLORIA AND  
COUNCILMEMBER EMERALD:**

Proclaiming April 8, 2014, to be "Sergeant Rick Schnell 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: Rady Children's Hospital - San Diego Day.

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

Proclaiming March 31, 2014, to be "Rady Children's Hospital - San Diego Day" in the City of San Diego.

ITEM-33: Race for Autism Day.

**COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:**

Proclaiming March 22, 2014, to be "Race for Autism Day" in the City of San Diego.

ITEM-34: Camille Medina Day.

**COUNCILMEMBER ZAPF'S RECOMMENDATION:**

Proclaiming March 26, 2014, to be "Camille Medina 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

RESOLUTIONS:

- \* ITEM-100: First Amendment to Agreement with Harris & Associates for As-Needed Civil Engineering Services. (Citywide.)

**ITEM DESCRIPTION:**

This action is to amend the Agreement with Harris & Associates to increase the amount of compensation by \$500,000 to a total of \$2,500,000. The Agreement provides for the consultant to provide as-needed civil engineering design services for the City.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-37)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the First Amendment to Agreement with Harris & Associates for As-Needed Civil Engineering Services, which will increase the amount of compensation by \$500,000 for a total amount not to exceed \$2,500,000, in accordance with the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an additional amount not to exceed \$500,000 for the purpose of funding the above Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, 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;

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

Subitem-B: (R-2014-588)

Determining that the First Amendment to Agreement with Harris & Associates for As-Needed Civil Engineering Services is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies).

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This amendment will increase the maximum contract amount from \$2,000,000 to \$2,500,000. Funding for tasks will be from the CIP projects requiring these services.

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

This item was heard by the Infrastructure Committee on March 5, 2014, and forwarded to the full Council for consideration.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Sherman, to forward staff recommendation on Items 1, 2, 3, 4, and 5 to City Council.

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

Heinrichs/LoMedico

Primary Contact\Phone: Darren Greenhalgh\619-533-3616

Secondary Contact\Phone: Jim Shamloufard\619-533-3160

City Attorney Contact: Mercer, Mark M.

\* ITEM-101: Palm Avenue Roadway Improvements - First Amendment to the Consultant Agreement with GHD, Inc. (Otay Mesa/Nestor Community Area. District 8.)

**ITEM DESCRIPTION:**

Executing the First Amendment to the Consultant Agreement with GHD, Inc., formerly Winzler & Kelly for the Palm Avenue Roadway Improvements is required to finalize the design and provide construction support services.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-566)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Consultant Agreement with GHD, Inc., formerly Winzler & Kelly, for additional professional engineering services, related to the Palm Avenue Roadway Improvements Project, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$142,360 from CIP S-00913, Palm Avenue Improvements from Fund 400169, TransNet, solely and exclusively, to provide funds for the above Agreement contingent upon the Chief Financial Officer certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The First Amendment to the Consultant Agreement with GHD, Inc., is not to exceed \$142,360. Funding is available for this First Amendment from Fund 400169, TransNet, for the purpose of executing this Amendment to the Original Agreement, contingent upon the Chief Financial Officer furnishing a certificate that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Upon Council approval, this First Amendment will increase the total Agreement amount to \$457,578 with GHD, Inc.

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

- This item was heard at the Infrastructure Committee meeting on March 5, 2014, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Sherman, to forward staff recommendation on Items 1, 2, 3, 4, and 5 to City Council.

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

- This project is included in the Council approved CIP budget.
- Council Resolution R-306045, dated August 6, 2010, authorizing the Consultant Agreement with Winzler & Kelly for Engineering Design Services Related to the Palm Avenue Roadway Improvements.
- Council Resolution R-301960, dated October 17, 2006, authorizing the Application and Expenditure of State Grant Funds for City Projects.
- Council Resolution R-304838, dated May 4, 2009, authorizing the Amendment to the Consultant Agreement with Kimley-Horn and Associates for the Palm Avenue Roadway Improvements Traffic Study.

Nagelvoort/Heinrichs

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

Secondary Contact\Phone: Brad Johnson\619-533-5120, MS 908A

City Attorney Contact: Kohut, Ryan P.

- \* ITEM-102: Amend an existing Design Services Agreement with Kimley-Horn and Associates, Inc., for Montgomery Field (MYF) Rehabilitation of Runway 5/23 and Taxiway G. (Kearny Mesa Community Area. District 6.)

**ITEM DESCRIPTION:**

Amend an existing Design Services Agreement with Kimley-Horn and Associates, Inc., for Montgomery Field (MYF) Rehabilitation of Runway 5/23 and Taxiway G. The Amendment will expand the Scope of services to bring the project in compliance with current engineering and construction standards and Federal Aviation Administration (FAA) requirements.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

**Subitem-A: (R-2014-437 Cor. Copy) (Rev. 4/7/14)**

Authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with Kimley-Horn and Associates for additional design consulting services for the Project in an amount not to exceed \$242,478 for a total contract amount of \$657,478, under the terms set forth in the First Amendment to the Agreement in CIP A-AA.00001, Annual Allocation-Montgomery Field (B-00910 MYF from CIP No. A-AA.002, Annual Allocation-Montgomery Field Rehabilitation of Runway 5/23 and Taxiway G;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$242,478 from CIP No. A-AA.00001, Annual Allocation-Montgomery Field (B-00910 MYF Rehabilitation of Runway 5/23 and Taxiway G), Fund 700030, for design consulting services for the Project, under the terms set forth in the First Amendment to the Agreement, solely and exclusively, for the purpose of providing funds for the Project, provided that the Chief Financial Officer first furnishes a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**Subitem-B: (R-2014-564 Cor. Copy) (Rev. 4/7/14)**

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301(c)-15304 and that exceptions to the exemptions do not apply;

Determining that an exception to the exemptions 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 total estimated cost of the design of Montgomery Field Rehabilitation of Runway 5/23 is \$651,478; \$409,000 for the Original Consultant Agreement with Kimley-Horn and Associates and \$242,478 for the First Amendment. A \$100,000 has been previously allocated from CIP A-AA.00001, Montgomery Field Annual Allocation, and the balance will be grant funded.

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

- The Original Agreement was approved via City Council Resolution RR-306012 on July 19, 2010.

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

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Sherman, to forward staff recommendation on Items 1, 2, 3, 4, and 5 to City Council.

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

Nagelvoort/Heinrichs

Primary Contact\Phone: Mark Nassar\619-533-6600, MS 908A

Secondary Contact\Phone: Jihad Sleiman\619-533-7532, MS 908A

City Attorney Contact: DeLara, Jr. Pedro

\* ITEM-103: Adding and Transferring Appropriations into Fleet Services Electrical and Facility Improvements CIP Project.

**ITEM DESCRIPTION:**

This action adds the Fleet Services Electrical and Facility Improvements project to the Capital Improvements Program, transfers \$713,000 from the Fitting Facility Expansion Project to the Fleet Services Electrical and Facility Improvements Project and closes the Fitting Facility Expansion Project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-538)

Authorizing the Chief Financial Officer, in accordance with the Annual Appropriation Ordinance, to amend the Fiscal Year 2014 Capital Improvement Program budget to add CIP L-14002, Fleet Services Electrical and Facility Improvements;

Authorizing the Chief Financial Officer to transfer the amount of \$713,000 within Fund No. 400676, Fleet Services CIP Fund, from CIP S-10042, Fitting Facility Expansion, to CIP L-14002, Fleet Services Electrical and Facility Improvements;

Authorizing the Chief Financial Officer to reduce the Fiscal Year 2014 Capital Improvement Program budget by de-appropriating an amount not to exceed \$270,000 in Fund No. 400676, Fleet Services CIP Fund, CIP S-10042, Fitting Facility Expansion, for the purpose of closing the project;

Authorizing the Chief Financial Officer to cancel and close CIP S-10042, Fitting Facility Expansion.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will authorize the transfer of \$713,000 from S-10042, Fitting Facility Expansion, to L-14002, Fleet Services Electrical and Facility Improvements, and transfer the remaining funds in S-10042, Fitting Facility Expansion, to fund balance. The fund balance is available in the CIP budget.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard by the Infrastructure Committee 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 forward staff recommendation on Items 1, 2, 3, 4, and 5 to City Council.

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

Nagelvoort/Heinrichs

Primary Contact\Phone: John Clements\619-527-6020  
Secondary Contact\Phone: Mike Frattali\619-236-6579  
City Attorney Contact: Zeleny, Thomas C.

- \* ITEM-104: De-appropriation of the Fourth Avenue and Quince Street and Fourth Avenue/Fifth Avenue and Nutmeg Street Projects from the 2014 CIP Budget. (Uptown Community Area. District 3.)

**ITEM DESCRIPTION:**

This action authorizes the cancellation of both Fourth Avenue and Quince Street, and Fourth Avenue/Fifth Avenue & Nutmeg Street projects funded by SANDAG's Smart Growth Incentive Program (SGIP). The projects will be incorporated into SANDAG's Uptown Regional Corridor project. In addition, this action increases the budget for Park Boulevard and Essex Street project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-563)

Authorizing the Chief Financial Officer to reduce the Fiscal Year 2014 Capital Improvement Program budget by de-appropriating an amount not to exceed \$647,901.92 in Fund 600002, Grant 1000310-2010, of which \$140,860.68 is from CIP S-11055, Fourth Avenue and Quince Street, and \$507,041.24 is from CIP S-11056, Fourth Avenue/Fifth Avenue & Nutmeg Street, for the purpose of cancelling and closing the projects;

Authorizing the Chief Financial Officer to transfer appropriations of \$30,000 from CIP S-11056, Fourth Avenue/Fifth Avenue & Nutmeg Street, to CIP S-11054, Park Boulevard and Essex Street within Fund 400169, TransNet, for project completion;

Authorizing the Chief Financial Officer to reduce the Fiscal Year 2014 Capital Improvement Program budget by de-appropriating and returning to fund balance an amount not to exceed \$164,623.37 in Fund 400169, TransNet, of which \$15,869.71 is in CIP S-11055, Fourth Avenue and Quince Street, and \$148,753.66 is in CIP S-11056, Fourth Avenue/Fifth Avenue & Nutmeg Street, for the purpose of cancelling and closing the projects.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will authorize the de-appropriation of remaining grant funds not to exceed an amount of \$647,901.92 and TransNet funds in an amount not exceed \$164,623.37 from CIP S-11055, Fourth Avenue and Quince Street and CIP S-11056, Fourth Avenue/Fifth Avenue & Nutmeg Street. In addition, this action will authorize the transfer of funds from S-11056, Fourth Avenue/Fifth Avenue & Nutmeg Street to CIP S-11054, Park Boulevard and Essex Street within Fund 400169, TransNet. 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:**

- Resolution R-304633, dated February 12, 2009, authorized the City to apply for five grant applications.
  
- Resolution R-306488, dated December 14, 2010, authorized to accept, appropriate, and expend the funds.
  
- Item was heard at the Smart Growth and Land Use Committee on January 15, 2014. Staff was directed to perform additional community outreach and the item was trailed to February 12, 2014. Community outreach has been performed. Staff discussed the proposed action with the Bankers Hill Residents Group Steering Committee on January 22, 2014, and the Uptown Community Planning Committee on February 4, 2014. Community planning groups have expressed their support for these projects.
  
- The item was heard at the Smart Growth and Land Use Committee again on February 12, 2014, and forwarded to the full Council with a recommendation to approve.

Sturdevan/LoMedico

Primary Contact\Phone: Hasan Yousef\619-533-3012  
Secondary Contact\Phone: Julio Fuentes\619-533-3092  
City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-105: Community Projects, Programs and Services Funding Allocation to the Mission Hills Business Improvement District for City fees associated with the Mission Hills Entryway Monuments and decorative lighting. (Mission Hills Community Area. District 3.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 3, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Mission Hills Business Improvement District in an amount not to exceed \$13,500 for City fees associated with the Mission Hills Entryway Monuments and decorative lighting.

**COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-584)

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 Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with the Mission Hills Business Improvement District in an amount not to exceed \$13,500 for the project described herein, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$13,500 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1103110003, 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:**

\$13,500 in Council Community Projects, Programs, and Services Funding from Fund 100000, Cost Center No. 1103110003, will be used for City fees associated with the Mission Hills Entryway Monuments and decorative lighting.

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

Fox

Primary Contact\Phone: Courtney Thomson\Jamie Fox\619-236-6633

City Attorney Contact: Bradley, Catherine M.

- \* ITEM-106: Prohibiting Parking of Vehicles for Sale on portions of Marmil Way and University Avenue. (City Heights and Southeastern San Diego Community Areas. Districts 4 and 9.) (Rev. 4/4/14)

**ITEM DESCRIPTION:**

A resolution authorizing the prohibition of vehicles for sale on Marmil Way between Marmil Avenue and Tonawanda Drive in the community of Southeastern San Diego, and on University Avenue between 38th Street and Marlborough Avenue in the community of City Heights.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-559)

Authorizing the prohibition of parking vehicles for sale on Marmil Way between Marmil Avenue and Tonawanda Drive, and on University Avenue between 38th Street and Marlborough Avenue;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$921 from the General Fund, Fund 100000, 2116 Transportation and Storm Water Department Operating Budget for the installation signs prohibiting the parking of vehicles for sale on Marmil Way between Marmil Avenue and Tonawanda Drive, and on University Avenue between 38th Street and Marlborough Avenue, contingent upon the Chief Financial Officer furnishing one or more certificates certifying the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2014-562)

Declaring the installation of signs prohibiting the parking of vehicles for sale is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301;

Declaring that the Council of the City of San Diego has determined that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The additional signs required to establish these new no parking zones will be installed by the City of San Diego Street Division at a cost of \$921. Funds are available in Street Division's operating budget for the installation of these signs.

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

Ordinance passed by Council in June 2009.

Sturdevan/Heinrichs

Primary Contact\Phone: Gary Pence\619-533-3184

Secondary Contact\Phone: Linda Marabian\619-533-3082

City Attorney Contact: Gerrity, Ryan P.

\* ITEM-107: Settlement of personal injury claim of Christopher Cervantes, Risk Management File No. 5644.

**ITEM DESCRIPTION**

This a complaint for personal injuries suffered by Plaintiff as the result of a detention and arrest. The proposed settlement would resolve all claims brought by Christopher Cervantes.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-571)

Authorizing the Mayor, or his designee, to pay the sum of \$105,000 to be paid from the Public Liability Fund No. 720045, 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, arising from the personal injury claim of Christopher Cervantes, San Diego Superior Court Case No. 37-2012-00100839-CU-CR-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$105,000 from the Public Liability Fund No. 720045, contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Comptroller to issue a check in the amount of \$105,000 made payable to Lynn & O'Brien, LLP.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$105,000 will be paid from the Public Liability Fund No. 720045.

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

The item was considered in Closed Session on February 25, 2014.

Bamberg

Primary Contact\City Attorney\Phone: Kathy J. Steinman\619-533-5800

Secondary Contact\Phone: Laura Arehart\619-533-5800

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

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

ITEM-330: Amend the Long-Term Disability Plan Document definition of eligible employee under Articles IV and V.

**ITEM DESCRIPTION:**

Amend the Long-Term Disability Plan Document definition of eligible employee under Articles IV and V.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-450)

Approving the Amendment to the Self-Funded Long-Term Disability Income Plan (LTD Plan).

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action does not require additional funding. Funding for the LTD plan is already included in the approved FY 2014 Budget.

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

None. Direct docketing requested.

Bych/Lewis

Primary Contact\Phone: Nancy Stadille\619-236-6575  
City Attorney Contact: Story Parks, Roxanne

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

ITEM-331: Proposed City Participation in the Home Energy Renovation Opportunity (HERO) and Figtree Residential Property Assessed Clean Energy (PACE) Programs.

**ITEM DESCRIPTION:**

“Property Assessed Clean Energy” (PACE) programs allow property owners to finance energy and water conservation projects through a special tax assessment on their property. There are four major providers of PACE programs: Ygrene, HERO, CaliforniaFirst and Figtree, of which CaliforniaFIRST and Figtree are authorized to provide commercial PACE in San Diego. Figtree is also authorized to offer limited residential PACE. As directed at the February 5, 2014, Environment Committee, this item requests Council authorization for the City to participate in the HERO and Figtree residential PACE programs. If adopted, the programs would be available for all residential property owners in the City.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-585)

A Resolution of the Council of the City of San Diego consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program, to finance a distributed generation renewable energy sources, energy and water efficiency improvements and electric vehicle charging infrastructure and approving the amendment to a certain Joint Powers Agreement related thereto.

Subitem-B: (R-2014-589)

A Resolution of the Council of the City of San Diego authorizing the California Enterprise Development Authority to expand participation in the Figtree Pace Program of all eligible property owners within the City of San Diego.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Some minimal staff time, which will be absorbed by existing staff, will be required for all work related to joining and monitoring these programs. All costs related to energy efficiency, water conservation, and/or renewable energy projects will be borne by the property owner.

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

- At the February 5, 2014, meeting of the Environment Committee, staff were directed to prepare all necessary authorizations allowing the City to enter into Agreements with the HERO, Figtree and Ygrene PACE programs for residential property owners with non-conforming loans.
- At the March 26, 2014, Environment Committee meeting, the February 5, 2014, wording of the approved Committee action was corrected to allow “all residential property, not just those with non-conforming loans” to participate in the program.
- This item is only asking approval for HERO and Figtree, Ygrene will be brought back to City Council as a separate action.

Gonaver/LoMedico

Primary Contact\Phone: Anita Pyle\858-492-6004, MS 1103A

Secondary Contact\Phone: Dave Weil\858-492-6001, MS 1103A

City Attorney Contact: Will, Brant C.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

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

ITEM-332: Report from Huron Consulting Group on Efficiency Improvements.

**ITEM DESCRIPTION:**

Receive an information-only report from Huron Consulting Group on its recommendations for four (Procurement and Contracting, Fleet Services, Real Estate Assets, and Open Date) of the five tasks it conducted under a consulting contract to improve government efficiency. The Competitive Initiatives Analysis Report will be heard at a future City Council meeting.

**STAFF'S RECOMMENDATION:**

Informational item only, no action requested.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

It is expected that the implementation of the recommended efficiencies found in these reports will have a positive operational and fiscal impact to the City.

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

Sturak

Primary Contact\Phone: Barbara Lamb\619-236-7789, MS 8A

Secondary Contact\Phone: Jeff Sturak\619-235-5580, MS 9A

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT