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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

**Edward Harris • 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 15, 2014**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, APRIL 15, 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 **SAN DIEGO HOUSING 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 the Housing Authority Secretary at (619) 578-7564. Internet access to the agenda is available at:  
<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

**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 - Special Meeting  
03/10/2014  
03/10/2014 - 6pm Adjourned

**PROCLAMATIONS/CEREMONIAL ITEMS**

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

ITEM-30: Savannah Reed-Plouffe Day.

**PRESENTED BY COUNCILMEMBER KERSEY:**

Proclaiming April 15, 2014, to be "Savannah Reed-Plouffe Day" in the City of San Diego.

ITEM-31: San Diego State University Men's Basketball Day.

**PRESENTED BY MAYOR FAULCONER AND COUNCILMEMBER EMERALD:**

(Rev. 4/9/14)

Proclaiming April 15, 2014, to be "San Diego State University Men's Basketball 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: Indian Music and Dance Festival 2014 Days.

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

Proclaiming April 8, 2014, through April 13, 2014, to be "Indian Music and Dance Festival 2014 Days" in the City of San Diego.

ITEM-33: LPL Financial Day.

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

Proclaiming April 2, 2014, to be "LPL Financial Day" in the City of San Diego.

ITEM-34: Common Ground Theatre 50th Anniversary.

**COUNCILMEMBER COLE'S RECOMMENDATION:**

Proclaiming May 3, 2014, as "Common Ground Theatre 50th Anniversary" 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 TO BE INTRODUCED:

- \* ITEM-50: Authorize a Second Amendment to the 2007 San Diego Regional Storm Water Copermittees Memorandum of Understanding.

**ITEM DESCRIPTION:**

This item will authorize a one-year extension of the 2007 San Diego Regional Storm Water Copermittee's Memorandum of Understanding (2007 MOU) with other Copermittee's from May 8, 2014, until August 31, 2015. The recently adopted Municipal Separate Storm Sewer System (MS4) Permit, San Diego Regional Water Quality Control Board Order No. R9-2013-001 (MS4 Permit) requires the continuation of ongoing programs through the end of Fiscal Year 2015, when the programs are scheduled to end or are replaced by new programs required by the new MS4 Permit. Approval of this extension to the 2007 Copermittee MOU will allow the City to share costs for continuation of these mandated programs, such as water quality monitoring.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2014-94)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute a Second Amendment to the 2007 Memorandum of Understanding (MOU) to extend the term until August 31, 2015, under the terms and conditions set forth in the Second Amendment to 2007 MOU;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,185,004, from Fund 100000-General Fund, 2116-Transportation and Storm Water Department, for cost sharing under the Second Amendment to the 2007 MOU, contingent upon the adoption of the Fiscal Year 2015 Appropriation Ordinance, and contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

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.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Under the provisions of the 2007 Memorandum of Understanding (MOU), the Copermittees propose annual budgets requiring each jurisdiction, including the City, to annually appropriate funds to pay its share. The proposed budget and work plan for FY15 is included as an attachment. The proposed costs will be included in the FY 2015 Transportation and Storm Water Department budget. With the approval of this item, expenditures from the Transportation and Storm Water Department Operating Budget for the purpose of funding this MOU Amendment will be authorized in an amount not to exceed \$1,185,004 in the Fiscal Year 2015, Fund 100000-General Fund, 2116-Transportation and Storm Water Department. Authorization of these expenditures will be contingent on the adoption of the Fiscal Year 2015 Appropriations Ordinance, and/or that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

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

- On January 18, 2008, City Council adopted Ordinance O-19699, authorizing the Mayor to enter into the 2007 MOU.
  
- This item was heard at the Environment Committee meeting on March 26, 2014, and forwarded to Council with a recommendation to approve.

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

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

Sturdevan/Heinrichs

Primary Contact\Phone: David Wells\858-541-4339, MS 1900

Secondary Contact\Phone: Kris McFadden\858-541-4320, MS 1900

City Attorney Contact: Stroud, Heather L.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- \* ITEM-100: Approve Fund Transfer and Change Order 2 for the Harbor Drive Pipelines Project (WBS S-12028). (Peninsula Community Area. District 2.)

**ITEM DESCRIPTION:**

This action will approve the transfer of \$800,000 of Water funding from WBS S-10008 El Monte Pipeline No. 2 to WBS S-12028 Harbor Drive Pipeline Replacement; Approve Change Order 2 specifically authorizing expenditure of Municipal Sewer funds; (Note: Prior to this action, the project consisted of the expenditure of water funds only) and authorize an additional \$300,000 for City Force work and related expenses.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-436)

Authorizing the Chief Financial Officer to transfer appropriations of \$800,000 from CIP S-10008, El Monte Pipeline No. 2, to CIP S-12028, Harbor Drive Pipelines Replacement, within Fund 700010, Water Utility CIP;

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Construction Change Order No. 2, to Burtech Pipeline, Inc., for an amount not to exceed \$269,090;

Authorizing the Chief Financial Officer to expend an additional amount not to exceed \$71,330 from CIP A-JA.00001, Annual Allocation - Sewer Main Replacements (B-13236), Fund 700008, Muni Sewer, for Item 2 of Change Order No. 2, for the construction of Private Sewer Pump Package at 1403 Rosecrans Street, contingent upon the Chief Financial Officer furnishing a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an additional amount not to exceed \$197,760 from CIP A-BO.00001, Annual Allocation - Metro Treatment Plants (B-14075), Fund 700009, Metro Sewer, for Item 1 of Change Order No. 2, for the construction of Harbor Drive Conduit Pipeline project, contingent upon the Chief Financial Officer furnishing a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to expend an additional amount not to exceed \$300,000 from CIP S-12028, Harbor Drive Pipelines Replacement, Fund 700010, Water Utility, for additional City Forces work and related expenses;

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total estimated cost of Construction Change Order No. 2 is \$269,090. Enterprise funding of \$71,330 is available in CIP No. A-JA.00001, Annual Allocation - Sewer Main Replacements, Fund 700008, Muni Sewer, and \$197,760 is available in CIP No. A-BO.00001, Annual Allocation - Metro Treatment Plants, Fund 700009, Metro Sewer, for this purpose. This action also authorizes the transfer of \$800,000 which is available in CIP S-10008, El Monte Pipeline No. 2, to CIP S-12028, Harbor Drive Pipelines Replacement, within Fund 700010, Water. The project costs may be reimbursed with current or future financing. This project will be funded in Fiscal Year 2014. No future funding is anticipated.

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

- Council Resolutions R-307121 and R-307122 dated November 30, 2011, approved the advertisement and award of a construction contract.
  
- This item was heard at the Infrastructure Committee meeting on March 26, 2014, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Vice Chair Cole, to forward staff recommendation on Item 1 to City Council.

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

Nagelvoort/Heinrichs

Primary Contact\Phone: Mark Nassar\619-533-6600

Secondary Contact\Phone: Hossein Azar\619-533-4102

City Attorney Contact: Mercer, Mark M.

- \* ITEM-101: Genesee Avenue/Interstate 5 Overcrossing, CIP S-00839 - Approval of Project Funding and Caltrans Agreements. (University City Community Area. District 1.)

**ITEM DESCRIPTION:**

This action is for approval of project funding and amendment of the Cooperative Agreement (Contribution Only) with Caltrans for construction of the Genesee Avenue/Interstate 5 Overcrossing Project. It also authorizes entering into Utility Agreements with Caltrans for the relocation of potable and reclaim water mains in the Genesee Avenue/Interstate 5 Overcrossing, and the Amendment to Freeway Maintenance Agreement 11-8026 with Caltrans.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-492)

Authorizing the Mayor, or his designee, to execute an Amendment to a Cooperative Agreement (Contribution Only) with Caltrans;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2014 Capital Improvements Program Budget in CIP S-00839, Genesee Avenue - Widen Interstate 5 Overcrossing, and to appropriate and expend \$2,150,073 from Fund 400174, TransNet Extension RTCIP;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2014 Capital Improvements Program Budget in CIP S-00839, Genesee Avenue - Widen Interstate 5 Overcrossing, and to appropriate and expend \$1,365,000 from Fund 400849, North University City DIF;

Authorizing the Chief Financial Officer to transfer appropriations in Fiscal Year 2014 of \$579,000 from CIP A-ID.00003, Five Year CIP Planning, to CIP S-00839, Genesee Avenue - Widen Interstate 5 Overcrossing within Fund 400169, TransNet Extension;

Authorizing the Chief Financial Officer to transfer appropriations in Fiscal Year 2014 of \$601,927 from CIP S-00880, Miramar Road - Interstate 805 Easterly Ramps, to CIP S-00839, Genesee Avenue – Widen Interstate-5 Overcrossing, of which \$500,000 is from Fund 400169, TransNet Extension, and \$101,927 is from Fund 400156, TransNet Prop. A;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2014 Capital Improvements Program Budget and to transfer appropriations in Fiscal Year 2014 of \$304,000 from Fund 200636, Developer Contribution, to CIP S-00839, Genesee Avenue - Widen Interstate 5 Overcrossing;

Authorizing the Chief Financial Officer to expend funds under the established Agreement funding phases in an amount not to exceed \$5,000,000 for the first phase from CIP S-00839-Genesee Avenue - Widen Interstate 5 Overcrossing of which \$2,150,073 is from Fund 400174, TransNet Extension RTCIP; \$1,365,000 is from Fund 400849, North University City DIF; \$579,000 is from Fund 400169, TransNet Extension; \$304,000, Developer Contribution from Fund 200636; \$601,927 is from CIP S-00880, Miramar Road - Interstate 805 Easterly Ramps, of which \$500,000 is from Fund 400169, TransNet Extension; and \$101,927 is from Fund 400156, TransNet Prop. A, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and \$1,000,000 for the second phase from CIP A.KB-00002 - Annual Allocation - Freeway Relocation, Fund 700010, Water Utility, contingent upon the adoption of the Fiscal Year 2015 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established Agreement funding phases are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to close CIP A.ID-00003, Five-Year CIP Planning;

Authorizing the Mayor, or his designee, to amend the Freeway Maintenance Agreement 11-8026 as provided by Exhibit "A;"

Authorizing the Mayor, or his designee, to enter into a Utility Agreement with Caltrans for the relocation and upgrade of the City of San Diego 24" potable water main in the Genesee/ Interstate 5 Overcrossing;

Authorizing the Mayor, or his designee, to enter into a Utility Agreement with Caltrans for the relocation and upgrade of the City of San Diego 10" reclaimed water main in the Genesee/ Interstate 5 Overcrossing.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funding for this action: \$2,150,073 is currently available in Fund 400174, TransNet Extension RTCIP; and \$1,365,000 is currently available in Fund 400849, North University City DIF; and \$579,000 is currently available in CIP A.ID-00003, Five-Year CIP Planning; and \$601,927 is currently available in CIP S-00880, Miramar Road-Interstate 805 Easterly Ramps of which \$500,000 is from Fund 400169, TransNet Extension, and \$101,927 is from Fund 400156, TransNet Prop. A; and \$304,000 is currently available in Fund 200636, FS for I5/Gen Interchange Recon Cond 41; and \$1,000,000 for the second phase will be available from Fund 700010 of which \$800,000 is from CIP B-14097, I-5 and Genesee Bridge Potable Wtr PPL and \$200,000 is from CIP B-14098, I-5 and Genesee Bridge Recycled Wtr PPL, contingent upon the adoption of the Fiscal Year 2015 Appropriation Ordinances for this purpose. The City Comptroller will issue a Comptroller's Certificate for each phase of the agreement.

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

- This action was heard by the Infrastructure Committee on March 26, 2014, and forwarded to the full City Council.

**ACTION:** Motion by Councilmember Emerald, second by Vice Chair Cole, to forward staff recommendation on Item 4 to City Council.

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

- Council approved a Cooperative Agreement (R-298854) with Caltrans for the preparation of the project environmental document.

- Amendments to the Environmental Document Cooperative Agreement with Caltrans were executed by (O-19817) and (R-305607).

- A Cooperative Agreement (R-307083) was approved for the design of the project and a Cooperative Agreement (Contribution Only) (R-307560) was approved to fund construction of the project.

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: Gerrity, Ryan P.

\* ITEM-102: Authorize an Agreement with RBF Consulting for As-Needed Engineering and Consultant Services to support the City's Storm Water Program (H146064).

**ITEM DESCRIPTION:**

This item will authorize a five-year As-Needed Agreement with RBF Consulting to support program-level decisions and project implementation as needed to address both the asset management of the storm water conveyance system and the mitigation of pollutants from urban runoff in the most cost efficient manner. RBF will support the City in complying with multiple storm water regulations including the Municipal Storm Water Permit, Total Maximum Daily Loads (TMDLs), Area of Special Biological Significance (ASBS), Cleanup and Abatement Orders (CAOs), and the provisions set forth in the Programmatic Environmental Impact Report (PEIR) for storm water channel maintenance.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-488)

Authorizing the Mayor, or his designee, to execute an Agreement with RBF Consulting for As-Needed Engineering and Consultant Services to support the City's Storm Water Program (Agreement), for an amount not to exceed \$21,250,000 over five (5) years, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$21,250,000 over five (5) years for services under the Agreement, contingent upon the City Council's approval of the Appropriation Ordinance for the applicable fiscal year, and the Chief Financial Officer demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend \$1,000 from Fund 100000 – General Fund, Transportation and Storm Water Department Operating Budget, for the purpose of executing this Agreement and meeting minimum contract requirements.

Subitem-B: (R-2014-489)

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Expenditures in an amount not to exceed \$21,250,000 from Fiscal Year 2014 through Fiscal Year 2019 Transportation and Storm Water Department Operating Budgets will be authorized. Work under this Agreement will be funded in increments via the annual fiscal year budget. The City's total obligation on this Agreement will be subject to Council approval during the budget approval process for each fiscal year during the five (5)-year period. Some of the services under the Agreement may be funded through specific CIPs or other departments' budgeted funds, to be determined when task orders are requested. Authorization of these expenditures will be contingent on the adoption of the corresponding year's Appropriation Ordinance, and the Chief Financial Officer furnishing one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury. In Fiscal Year 2014, the Storm Water Division anticipates issuing task orders with an estimated value of \$21,250.

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

This action was heard by the Committee on the Environment on March 26, 2014, and forwarded to Council with a recommendation to approve.

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

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

Sturdevan/Heinrichs

Primary Contact\Phone: David Wells\858-541-4339, MS 1900

Secondary Contact\Phone: Kris McFadden\858-541-4320, MS 1900

City Attorney Contact: Stroud, Heather L.

\* ITEM-103: Authorize an Agreement with Tetra Tech, Inc., for As-Needed Engineering and Consulting Services to support the City's Storm Water Programs (H146063).

**ITEM DESCRIPTION:**

This item will authorize a five-year As-Needed Engineering Agreement with Tetra Tech, Inc., to support program-level decisions and project implementation needed to address both the management of the City's storm water conveyance system, and the mitigation of pollutants from urban runoff in the most cost efficient manner. Tetra Tech will support the City in complying with multiple storm water regulations including the Municipal Storm Water Permit, Total Maximum Daily Loads (TMDLs), Area of Special Biological Significance (ASBS), Cleanup and Abatement Orders (CAOs), and the provisions set forth in the Programmatic Environmental Impact Report (PEIR) for storm water channel maintenance.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-497)

Authorizing the Mayor, or his designee, to execute an Agreement with Tetra Tech, Inc., for As-Needed Engineering and Consultant Services to support the City's Storm Water Programs, for an amount not to exceed \$21,250,000 over five (5) years, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$21,250,000 over five (5) years for services under the Agreement, contingent upon the City Council's approval of the Appropriation Ordinance for the applicable fiscal year, and the Chief Financial Officer demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasury;

Authorizing the Chief Financial Officer to expend \$1,000 from Fund 100000 – General Fund, Transportation and Storm Water Department Operating Budget, for the purpose of executing this Agreement and meeting minimum contract requirements.

Subitem-B: (R-2014-496)

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Expenditures in an amount not to exceed \$21.25 million from Fiscal Year 2014 through Fiscal Year 2019 Transportation and Storm Water Department Operating Budgets will be authorized. Work under this Agreement will be funded in increments via the annual fiscal year budget. The City's total obligation on this Agreement will be subject to Council approval during the budget approval process for each fiscal year during the five (5)-year period. Some of the services under the Agreement may be funded through specific CIPs or other departments' budgeted funds, to be determined when task orders are requested. Authorization of these expenditures will be contingent on the adoption of the corresponding year's Appropriation Ordinance, and the Chief Financial Officer furnishing one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury. In Fiscal Year 2014, the Storm Water Division anticipates issuing task orders with an estimated value of \$64,350.

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

This action was heard by the Committee on the Environment on March 26, 2014, and forwarded to Council with a recommendation to approve.

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

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

Sturdevan/Heinrichs

Primary Contact\Phone: David Wells\858-541-4339, MS 1900

Secondary Contact\Phone: Kris McFadden\858-541-4320, MS 1900

City Attorney Contact: Stroud, Heather L.

\* ITEM-104: Production Copier Contract Adjustment.

**ITEM DESCRIPTION:**

This action will increase the Sharp Business Systems convenience and production copier contract authorized expenditure by \$100,000 in FY 2014, FY 2015, and FY 2016, for a new total of \$1,227,000 annually.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-498)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an amendment to the contract with Sharp Business Systems for the rental of convenience and production copiers, in an amount not to exceed an additional \$100,000 per year for Fiscal Years 2014, 2015, and 2016, and under the terms and conditions set forth in the First Amendment;

Authorizing the Chief Financial Officer to expend an additional amount not to exceed \$100,000 in each of Fiscal Years 2014, 2015, and 2016 from Publishing Services Fund No. 720041, solely and exclusively, to provide funds for the above First Amendment, contingent on sufficient funding being provided in the respective fiscal year budgets and the Chief Financial Officer furnishing one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will increase the authorized amount of convenience and production copier contract by \$100,000 per year in Fiscal Year 2014, 2015, and 2016 from \$1,127,000 to \$1,227,000 total. Funds for this request are available in Fund 720041/Publishing Services Fund.

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

- Resolution R-307090, authorizing the execution of a five-year, \$1,127,000 convenience and production copier contract with Sharp Business Systems was passed by the Council on November 9, 2011.

- The Production Copier Contract adjustment item was heard at the Budget Committee meeting on February 26, 2014, and forwarded to the full Council with a recommendation to approve.

**ACTION:** Motion by Council President Pro Tem Lightner, second by Councilmember Alvarez, to recommend approval of staff's recommendation and forward to full City Council.

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

Heinrichs

Primary Contact\Phone: Tony Heinrichs\619-236-6274

Secondary Contact\Phone: Michael Frattali\619-236-6579

City Attorney Contact: Zeleny, Thomas C.

\* ITEM-105: Approve proposed Lease Agreement between the City of San Diego and the United States of America - the Navy. (Camp Morena, outside of City boundaries.)

**ITEM DESCRIPTION:**

This action is to approve a new one-year Lease, with eighteen (18) options to extend the Lease for additional one-year periods, with the United State of America - the Navy ("Navy") for approximately 62.49 acres of City-owned land located at 3080 Buckman Springs Road, Campo, California. The land, known as Camp Morena, is currently leased by the Navy for administrative, berthing, non-live fire training, warehousing, storage, and rally point purposes.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-546)

Authorizing the Mayor, or his designee, to execute that certain Flat Rate Lease between the City of San Diego and the United States of America - the Navy, for administrative, berthing, non-live fire training, warehousing, storage and rally point purposes.

Subitem-B: (R-2014-545)

Declaring that the Council of the City of San Diego, using its independent judgment, has considered the written record and public comment for the City's request to enter into a Flat Rate Lease with the United States of America - the Navy, and has determined that said activity is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, and that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Rent shall be paid annually in arrears. The initial annual rent is \$34,400. Rent is subject to a three percent (3%) increase commencing in the third year of the proposed Lease and every two years thereafter. The rent will be deposited into the Water Utility Operating Fund Number 700011.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This action was heard by the Committee on Smart Growth and Land Use on March 12, 2014, and forwarded to the full City Council with a recommendation to approve.

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

VOTE: 4-0; Zapf-yea, Cole-yea, Lightner-yea, Sherman-yea.

Barwick/Sturak

Primary Contact\Phone: Heide Farst\619-236-6727, MS 51A

Secondary Contact\Phone: Kristi Geitz\619-236-7031, MS 51A

City Attorney Contact: Bevier, Debra J.

\* ITEM-106: Approving the release of 13 (thirteen) monument bonds associated with various subdivision maps located throughout the City of San Diego.

**ITEM DESCRIPTION:**

This is a request to release bonds associated with property monument markers for projects previously approved by the City through Final and Parcel maps. Monuments are used for marking property boundaries and right-of-ways.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-587)

Declaring that the monuments for the following maps have been set to the satisfaction of the City Engineer and payment of the land surveyor or engineer has been confirmed. Development Services is requesting that the City Council authorize the release of the bonds pursuant to Section 66497 of the SMA to the associated depositors listed below:

<u>Deposit</u>	<u>Depositor</u>	<u>Project Name</u>	<u>Map</u> <u>Number</u>	<u>Account</u> <u>Number</u> <u>(Legacy</u> <u>Number)</u>	<u>PTS No.</u>	<u>Work</u> <u>Order</u> <u>Number</u>	<u>Amount</u>
11/4/1999	Pardee Construction Company	2nd Amended Map of Carmel Valley Neighborhood 10 Unit No. 2	15611	25381	127715	23950604	\$17,800
11/8/2010	Quarry Falls LLC	Quarry Falls (Civita) Unit A	15799		201319	24000588	\$12,240
2/21/2008	Pardee Homes	Carmel Valley Neighborhood 10 Unit No. 2A South	15675		133224	950604	\$10,000
5/22/2012	Tierrasanta LLC	Tierrasanta Copperleaf	15870		243704	243704	\$5,000
6/13/2008	Pardee Homes	Peñasquitos West	15695		146743	425102	\$17,000

8/9/2007	Pardee Homes	Dennery Ranch Village 2/3	15592	115096	427040	\$10,000	
3/30/2011	Zephyr La Jolla Investors Inc. Chris Dahrling	Pearl Street Townhomes	15820	160373	23431264	\$2,500	
6/25/2007	San Diego Family Housing LLC	Cabrillo Heights Phase 4PM	20260	135967	5970	421111	\$27,286
4/24/2008	San Diego Family Housing LLC	Cabrillo Heights Phase 2	20258	135967	5124	420748	\$66,272
3/9/2012	Pardee Homes Karen Kosup	Pac Highlands Rch U21&22 FM/PI	15815	103481	426478	\$50,000	
10/5/2011	La Jolla HT LLC	Resub La Jolla Commons FM	15848	140374	23428624	\$5,000	
9/20/2012	Lenmar Homes of California Inc. Sandra Mcdowell Barczewski	Sandy Lane PI/G/FM	15883	282274	24002702	\$5,000	
12/4/2007	Estimated Surety No. Deposit Info.	Chollas Creek Villas FM G PI	15550	84490	425290	\$4,500	

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** None.

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

Vacchi/Villa

Primary Contact\Phone: Donna Trask/619-557-7911, MS 301  
 Secondary Contact\Phone: Greg Hopkins/619-446-5291, MS 501  
 City Attorney Contact: Lintvedt, Inga B.

**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-330: Salary Ordinance for Fiscal Year 2015.

**ITEM DESCRIPTION:**

Salary Ordinance establishing the schedule of compensation for officers and employees of the City of San Diego for Fiscal Year 2015.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2014-99)

Introduction of an Ordinance establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 2015.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Approval of the Salary Ordinance is required under the City's Charter as part of the annual budget process.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** Not applicable.

von Kalinowski/Sturak

Primary Contact\City Attorney\Phone: Roxanne Story Parks\619-533-5850

Secondary Contact\Phone: Judy von Kalinowski\619-236-6313

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

ITEM-331: Centre City Planned District Ordinance, Marina Planned District Ordinance, Gaslamp Quarter Planned District Ordinance and Local Coastal Program Amendment No. 2013-02 - Downtown Community Plan Area - Public Hearing. (Districts 3 and 8.)

**ITEM DESCRIPTION:**

The proposed Amendments to the Centre City Planned District Ordinance (CCPDO), Marina Planned District Ordinance (MPDO), and GaslampQuarter Planned District Ordinance (GQPDO) are intended to simplify land development regulations and increase predictability in their application within the DCP area. The proposed amendments to the CCPDO include numerous modifications to the land use and development standards for downtown including, but not limited to:

- 1) Land Use;
- 2) Permit Process;
- 3) Development Regulations including:
  - a) an increase in the required amount of Pet Open Space; and,
  - b) modifications to the regulations pertaining to Roof-Top Mechanical Screening;
- 4) Separately Regulated Uses including amendments to the provisions related to:
  - a) Live Entertainment;
  - b) On and Off-Premise Alcohol Sales; and
  - c) Outdoor Activities;
- 5) Parking Regulations establishing downtown as a low-parking demand area for the purposes of calculating the reduced parking demand requirements for affordable housing; and
- 6) Clean-up and Mapping to enhance organization and clarify language in the CCPDO. In addition, minor revisions to the MPDO and GQPDO are being proposed to change references from Centre City Development Corporation (CCDC) to Civic San Diego (“CivicSD”).

**STAFF'S RECOMMENDATION:**

Introduce the following ordinances:

Subitem-A: (O-2014-95)

Introduction of an Ordinance amending Chapter 15, Article 7, Division 1, of the San Diego Municipal Code, by amending Sections 157.0103 and 157.0104; by amending Chapter 15, Article 7, Division 2, by amending Sections 157.0201, 157.0202, 157.0203, 157.0204 and 157.0205; by amending Chapter 15, Article 7, Division 3, by amending Section 157.0305; by amending Chapter 15, Article 7, Division 4, by amending Sections 157.0401 and 157.0402, all relating to the Gaslamp Quarter Planned District.

Subitem-B: (O-2014-96)

Introduction of an Ordinance amending Chapter 15, Article 11, Division 2, of the San Diego Municipal Code, by amending Sections 1511.0201, 1511.0202, 1511.0203, and 1511.0204; by amending Chapter 15, Article 11, Division 3, by amending Section 1511.0302; by amending Chapter 15, Article 11, Division 4, by amending Sections 1511.0401 and 1511.0404, all relating to the Marina Planned District.

Subitem-C: (O-2014-98 Cor. Copy) (Rev. 4/11/14)

Introduction of an Ordinance amending Chapter 15, Article 6, Division 3, of the San Diego Municipal Code, by amending Sections 156.0302, 156.0303, 156.0304, 156.0305, 156.0306, 156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0313, 156.0314, 156.0315, and Figures B, C, and D, all relating to the Centre City Planned District Ordinance.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: None.

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

- This item was heard at the Land Use and Housing Committee meeting on October 23, 2013.

ACTION: Motion by Council President Pro Tem Lightner, second by Councilmember Cole, to  
A) Approve the proposed changes to the Center City Planned District Ordinance, including the 16.9 oz bottle size; and  
B) to add the amendments passed by the Land Use and Housing Committee on May 19, 2010.

VOTE: 4-0; Zapf-yea, Lightner-yea, Cole-yea, Alvarez-yea.

- Planning Commission: On September 26, 2013, the Planning Commission voted 5-1, with one abstention, to recommend that the Council introduces and adopts an ordinance amending the CCPDO as recommended by staff. The Planning Commission also recommended including the provisions for Brewery Tasting Rooms as recommended by the Code Monitoring Team (CMT), DCPC, and the CivicSD Board with the exception that the minimum container size be 22 ounces and apply to all three brewery related land uses, and that the hours of off-site sales be limited to 11:30 a.m. to 10:00 p.m. rather than the current standard of 10:00 a.m. to 10:00 p.m.

- Code Monitoring Team: On September 11, 2013, the Code Monitoring Team (CMT) voted 9-0 with two abstentions to support the proposed amendments with elimination of the words “exhibits superior architectural design” from the findings for approval of a Planned Development Permit. The CMT also voted 10-0 with one abstention to recommend the establishment of an additional land use category, such as “Brewery Tasting Room,” which would accommodate the Stone Brewing Company (“Stone”) retail store business model. The CMT recommended that the outlets be required to obtain a CUP (Stone had requested lowering the review process to a Neighborhood Use Permit [NUP]). The CMT also voted 8-2 with one abstention to recommend that the outlets be allowed to sell their product in containers of 500 ml or larger (approximately 16.9 ounces).

Phillips/Chadwick

Primary Contact\Phone: Lucy Contreras\619-533-7132, MS 51D  
City Attorney Contact: Guy, Amanda L.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

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

ITEM-332: Fourth Implementation Agreement to the Disposition and Development Agreement with Vietnam Veterans of San Diego for the Veterans Village Phase V Project, North Bay. (Midway/Pacific Highway Corridor Community Area. District 2.)

**ITEM DESCRIPTION:**

This action is to approve a Fourth Implementation Agreement to a Disposition and Development Agreement with Vietnam Veterans of San Diego (i.e., VVSD) which will allow the City to loan up to \$1,746,601, from North Bay Redevelopment Project Area 2010 Housing Set-Aside Tax Allocation Bonds, for construction of Veterans Village Phase V Project which will provide 20 transitional beds and services and complete the build-out of the master plan for the campus.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-594)

Approving the Fourth Implementation Agreement, including all attachments and exhibits thereto;

Approving the Basic Concept Drawings for the Veterans Village Phase V Project;

Authorizing the Mayor, or designee, to execute the Fourth Implementation Agreement, including all attachments and exhibits thereto requiring the City's signature;

Authorizing the City's Chief Financial Officer, or designee, to appropriate and expend up to \$1,746,601 pursuant to the Fourth Implementation Agreement from the North Bay Redevelopment Project Area allocation of 2010 Housing Set Aside Tax Allocation Bond Proceeds, contingent on certification by the City Comptroller that funds are available in the City Treasury for this purpose;

Authorizing the Mayor, or designee, to take all actions necessary and appropriate to carry out and implement the purposes set forth in this Resolution.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total Project costs are \$3,941,447. The proposed gap financing for the Project provided by the City of San Diego is \$1,746,601, which is slightly below the original amount requested of \$1,800,000. North Bay Redevelopment Project Area allocation of the 2010 Housing Set-Aside Tax Allocation Bonds will be used to finance the City's Residual Receipts Loan. The City is proposing to provide a Residual Receipts Loan (Loan) in the amount of \$1,746,601 for the construction of the improvements. The term of the Loan is for sixty-five (65) years with a zero percent simple interest rate. Residual receipts generated on the Project will be split as follows: (i) 50% to VVSD, (ii) the remaining 50% will be prorated between the City and the Housing Commission.

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

- On September 2, 2003, the City Council certified that the Negative Declaration was in compliance with the National Environmental Policy Act and the California Environmental Quality Act and approved CUP No. 6194.
  
- On May 5, 2009, the Redevelopment Agency and the City Council approved the Second Implementation Agreement to the Disposition and Development Agreement.
  
- On November 30, 2010, the Redevelopment Agency and the City Council approved the Third Implementation Agreement to the Disposition and Development Agreement.
  
- On May 14, 2013 the City Council approved the Affordable Housing Master Plan.

Fulton/Villa

Primary Contact\Phone: Tracy Reed\619-236-6543, MS 56D

Secondary Contact\Phone: James Davies\619-236-6540, MS 56D

City Attorney Contact: Wander, Adam

**NOTE:** See the Housing Authority Agenda of April 15, 2014, for a companion item.

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-333: Presentation of the Mayor's Fiscal Year 2015 Proposed Budget. (Citywide.)

**ITEM DESCRIPTION:**

In accordance with Charter Section 265(b)(14), the Mayor is required to propose a budget to the Council and to make that budget available to the public no later than April 15, 2014. This is an informational presentation of the Mayor's Fiscal Year 2015 Proposed Budget.

**STAFF'S RECOMMENDATION:**

Informational item only.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Kumits/Chadwick

Primary Contact\Phone: Tracy McCraner\619-236-6218

Secondary Contact\Phone: Julio Canizal\619-236-5932

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT