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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**

**Monday, April 28, 2014**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, APRIL 28, 2014, AT 2:00 PM  
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.

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**NON-AGENDA PUBLIC COMMENT**

Non-agenda public comment is taken on Tuesday pursuant to San Diego Municipal Code Section 22.0101, Rule 2.6.

**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 based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS  
COMMITTEE ON AUDIT, RESOLUTIONS:

ITEM-150: Annual Report on Internal Controls.

**ITEM DESCRIPTION:**

Annual Report on Internal Controls that has been prepared for the calendar year 2013, in accordance with Municipal Code §22.0708, Annual Report on Internal Controls.

**CITY COMPTROLLER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-646)

Accepting the Chief Financial Officer's Annual Report on Internal Controls.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A.

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

This report was reviewed by the Audit Committee on April 7, 2014, and forwarded to the full Council.

ACTION: Motion by Schreiner, second by Hebrank, to accept the report.

VOTE: 4-0; Sherman-yea, Schreiner-yea, Valdivia-yea, Hebrank-yea.

Charvel/Chadwick

Primary Contact\Phone: Gerard Lonergan\619-236-6744, MS 6A  
Secondary Contact\Phone: Rolando Charvel\619-236-6869, MS 6A  
City Attorney Contact: Will, Brant C.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS  
COMMITTEE ON PUBLIC SAFETY AND LIVABLE NEIGHBORHOODS, RESOLUTIONS:

ITEM-151: FY 2015-FY 2019 Consolidated Plan and FY 2015 Annual Action Plan for the City of San Diego HUD Entitlement Programs. (Citywide.)

**ITEM DESCRIPTION:**

Approval of the City's FY 2015-FY 2019 Consolidated Plan and FY 2015 Annual Action Plan, authorization to submit the plans to the U.S. Department of Housing and Urban Development (HUD), allocation of certain Emergency Solutions Grant (ESG) and HOME Investment Partnerships Program (HOME) funds, and authorization of the Mayor, or designee, to execute agreements.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-652)

Approving the City's federally required Fiscal Year 2015-2019 Consolidated Plan (Con Plan);

Approving the City's federally required Fiscal Year 2015 Annual Action Plan (Action Plan);

Authorizing City staff in the Planning, Neighborhoods & Economic Development Department to coordinate final revisions to the Con Plan and Action Plan to ensure that approved activities and all public comments received during the public comment period are included in the final Con Plan and Action Plan and the combined plans are submitted in a timely manner to the U.S. Department of Housing and Urban Development (HUD) for its review and approval;

Authorizing the Chief Financial Officer, or designee, to accept Emergency Solutions Grants (ESG) funds from HUD for the City's Fiscal Year 2015 ESG program in the amount of \$920,222;

Authorizing the Chief Financial Officer, or designee, to appropriate and expend up to \$920,222 in Fiscal Year 2015 ESG program funds, contingent upon the Chief Financial Officer certifying that funds are available;

Authorizing the Chief Financial Officer, or designee, to appropriate and expend up to \$88,369.23 in the remaining balance of Fiscal Year 2011 ESG program funds, contingent upon the Chief Financial Officer certifying that funds are available;

Authorizing the Chief Financial Officer, or designee, to accept HOME Investment Partnerships Program (HOME) funds from HUD for the City's Fiscal Year 2015 HOME program in the amount of \$4,386,711;

Authorizing the Chief Financial Officer, or designee, to appropriate and expend up to \$4,386,711 in Fiscal Year 2015 HOME funds, contingent upon the Chief Financial Officer certifying that funds are available;

Authorizing the Mayor, or designee, to negotiate and execute agreements(s), and any and all amendment(s) thereto, with the San Diego Housing Commission (Housing Commission), which set forth the Housing Commission's responsibilities to plan, coordinate, operate, administer and implement programs for the operation of the City's ESG program and authorize the City to reimburse the Housing Commission for eligible ESG expenditures, contingent upon the Chief Financial Officer certifying that funds are available;

Authorizing the Mayor, or designee, to negotiate and execute agreements(s), and any and all amendment(s) thereto, with the Housing Commission, which set forth the Housing Commission's responsibilities to plan, coordinate, operate, administer and implement programs for the operation of the City's HOME Program and authorize the City to reimburse the Housing Commission for eligible HOME expenditures, contingent upon the Chief Financial Officer certifying that funds are available.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

There is no impact to the general fund with this action.

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

- On December 17, 2013, the City Council adopted Resolution No. R-308656, approving the FY 2015-FY 2019 Consolidated Plan goals.

- On March 19, 2014, the Public Safety and Livable Neighborhoods Committee approved the draft Con Plan and Action Plan and forwarded it to the City Council for consideration.

**ACTION:** Motion by Councilmember Cole, second by Councilmember Emerald, to approve and forward to full Council.

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

- On March 24, 2014, the City Council adopted Resolution No. R-308834, approving the FY 2015 CDBG project allocations and awards.

Fulton/Villa

Primary Contact\Phone: Sima Thakkar\619-236-5902, MS 56D

Secondary Contact\Phone: Michele Marano\619-236-6381, MS 56D

City Attorney Contact: Reid, Michael T.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-200: Emergency Medical Services (EMS) Agreement - Second Amendment for One (1) Year Extension with Rural/Metro. (Citywide.)

**ITEM DESCRIPTION:**

This action is to authorize a one year extension of the Emergency Medical Services (EMS) Agreement with Rural/Metro to provide emergency medical and medical transportation services in the City of San Diego. There are no further options to extend beyond June 30, 2015.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-660)

Authorizing the Mayor, or his designee, to enter into and execute, for and on behalf of the City, a Second Amendment to the current Emergency Medical Services (EMS) Agreement with Rural/Metro, under the terms and conditions set forth in the Amendment entitled "Second Amendment to 2011 Emergency Medical Services Agreement."

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS:

The FY 2015 Emergency Medical Services (EMS) Operating Fee is anticipated to be \$10,528,781. The application of \$518,799 in credits listed in Sections 1, 5, and 6, to Rural/Metro (excluding \$83,319 for the offset of adding additional units to ensure Zone 1 Compliance) will reduce the FY 2015 Operating Fee to \$10,009,982. This revenue will be received in Fund 200227, Fire/EMS Transport Fund. A final cost reconciliation will occur at the termination of the contract and it is estimated the City will owe Rural/Metro \$360,000 for the FY 2015 reimbursement credit associated with replacing City Single-Role Paramedics (to be budgeted and paid in FY 2016).

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

The First Amendment was approved by City Council on June 24, 2013.

Mainar/Chadwick

Primary Contact\Phone: Alyssa Ross\619-533-4308  
Secondary Contact\Phone: Criss Brainard\619-533-4306  
City Attorney Contact: Brazier, Noah J.

**CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT**

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

**NOTE:** Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak “in favor” or “in opposition” to the subject.

**Information Item - No Action Required - The City Council shall:**

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

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

ITEM-250: Submission of Ballot Proposals for the November 4, 2014 Ballot.

**SUBMISSION OF BALLOT PROPOSALS  
FOR THE NOVEMBER 4, 2014 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

The City Clerk has established the following administrative guidelines for the November 4, 2014, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	6/03/14	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee.
Wednesday	6/11/14	146	Committee review.
Monday	6/16/14	141	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee.
Monday	6/23/14	134	Council adopts propositions for ballot; directs City Attorney to prepare ordinances.
Monday	7/14/14	113	Council adopts ordinances prepared by City Attorney.
Friday	8/08/14	88	Last day for City Clerk to file with Registrar of Voters all elections material.
Thursday	8/21/14	75	Last day to file ballot arguments with City Clerk.

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

ITEM-251: **Notice** of Pending Final Map Approval - Pacific Highlands Ranch Unit 26.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Pacific Highlands Ranch Unit 26" (V.T.M. No. 8878, PTS No. 326382) located south of State Route 56, east of "Rancho Santa Fe Farms Road", in the RS-1-14 zone, within the Pacific Highlands Ranch Council District 1, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

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

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

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT