

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, 12th Floor, City Administration Building

**Tuesday, May 20, 2014
2:00 P.M.**

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, MAY 20, 2014, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH 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](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.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

NOTE: The public portion of the meeting will begin at 2:00 p.m. The City Council will meet in Closed Session this afternoon from 1:00 p.m. – 2:00 p.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:

04/14/2014
04/15/2014

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Mary Jo Lanzafame Day.

PRESENTED BY COUNCIL PRESIDENT GLORIA:

Proclaiming May 20, 2014, to be "Mary Jo Lanzafame Day" in the City of San Diego.

ITEM-31: National Public Works Week.

PRESENTED BY COUNCIL PRESIDENT GLORIA AND COUNCILMEMBER KERSEY:

Proclaiming May 18, 2014, through May 24, 2014, to be "National Public Works Week" in the City of San Diego.

ITEM-32: Cystic Fibrosis Foundation Day.

PRESENTED BY COUNCILMEMBER KERSEY:

Proclaiming May 20, 2014, to be "Cystic Fibrosis Foundation Day" in the City of San Diego.

ITEM-33: Aging Awareness Day.

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming May 20, 2014, to be "Aging Awareness Day" in the City of San Diego.

ITEM-34: Norwegian Constitution Day.

PRESENTED BY COUNCILMEMBER SHERMAN AND COUNCILMEMBER EMERALD:

Proclaiming May 17, 2014, to be "Norwegian Constitution 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-35: 50th Anniversary of Marie Curie Elementary School.

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Proclaiming April 30, 2014, to be "Marie Curie Elementary School Day" in the City of San Diego.

ITEM-36: Common Ground Theatre Day.

COUNCILMEMBER COLE'S RECOMMENDATION:

Proclaiming May 3, 2014, as "Common Ground Theatre Day" in the City of San Diego.

ITEM-37: San Diego Volunteer Weekend.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Proclaiming April 25, 2014, through April 27, 2014, to be "San Diego Volunteer Weekend" in the City of San Diego.

ITEM-38: Meb Keflezighi Month.

COUNCILMEMBER ALVAREZ'S RECOMMENDATION:

Proclaiming the month of May 2014, to be "Meb Keflezighi Month" in the City of San Diego.

ITEM-39: Drowning Prevention Month.

COUNCILMEMBER EMERALD'S RECOMMENDATION:

Proclaiming the month of May 2014, to be "Drowning Prevention Month" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

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

The Non-Agenda Public Comment will be taken on Monday, May 19, 2014, at 6:00 p.m.

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: Central Tecolote Canyon Mitigation Project: Habitat West, Inc. - Change Order No. 3 No Cost Time Extension. (Clairemont Community Planning Area. District 6.)

ITEM DESCRIPTION:

Approval of Change Order No. 3 to the Agreement with Habitat West, Inc., providing for a no cost time extension of 730 calendar days from the expiration date of the existing contract. The extension will provide for the completion of all five (5) years of maintenance associated with the Central Tecolote Canyon Mitigation Project. Ordinance is needed to authorize the extension as it exceeds five years.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2014-110)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Contract Change Order No. 3 to the aforementioned Agreement with Habitat West, Inc., to extend the contract time by 730 calendar days at no additional cost and allow implementation of Years 4 and 5 of the maintenance and monitoring period.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The Central Tecolote Canyon Mitigation Project was approved by City Council for advertisement and award on June 29, 2010 (Resolution R-305952). The bids for this contract were opened on July 30, 2010. The apparent lowest responsible bidder is Habitat West, Inc., with a bid in the amount of \$905,322. The award of the contract was authorized through a Mayoral Action on December 14, 2010.
- This item was presented to the Committee on Environment on April 23, 2014.

ACTION: Motion by Councilmember Zapf, second by Councilmember Harris, to approve staff's recommendation.

VOTE: 3-0; Alvarez-yea, Zapf-yea, Harris-yea, Emerald-not present.

Sasaki/Heinrichs

Primary Contact\Phone: Keli Balo\858-292-6423, MS 901A

Secondary Contact\Phone: Guann Hwang\858-292-6476, MS 901A

City Attorney Contact: Jung, Jeremy A.

* ITEM-51: An Ordinance amending Chapter 2, Article 4, of the San Diego Municipal Code, all relating to the City Employees' Retirement System.

ITEM DESCRIPTION:

This action is to approve an ordinance amending Chapter 2, Article 4, of the San Diego Municipal Code. The changes relate to the City Employees' Retirement System.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2014-106 Cor. Copy) (Rev. 5/16/14)

Introduction of an Ordinance amending Chapter 2, Article 4, Division 1, of the San Diego Municipal Code, by amending Sections 24.0103 and 24.0104, by amending and renumbering Section 24.0103.1 to Section 24.0103.0001, by retitling and renumbering Section 24.0105.1 to Section 24.0105, by repealing Section 24.0106, by renumbering Section 24.0107 to 24.0106, and Section 24.0108 to 24.0107; amending Chapter 2, Article 4, Division 2, by amending Section 24.0201, and by retitling and amending Sections 24.0205 and 24.0206; amending Chapter 2, Article 4, Division 3, by amending Section 24.0301, and by retitling and amending Sections 24.0305 and 24.0306; amending Chapter 2, Article 4, Division 4, by retitling Division 4, by retitling and amending Sections 24.0401, 24.0402, 24.0402.0001, and 24.0403, by retitling, amending, and renumbering Section 24.0405.0002 to Section 24.0403.0001, Section 24.0405.0003 to Section 24.0403.0002, Section 24.0405.0004 to Section 24.0403.0003, and by adding Section 24.0403.0004; amending Chapter 2, Article 4, Division 14, by amending Sections 24.1401, 24.1402, 24.1403, 24.1404, 24.1405, 24.1406, and 24.1407, and by repealing Section 24.1402.1; amending Chapter 2, Article 4, Division 17, by amending Sections 24.1701 and 24.1702, by repealing Section 24.1703, by amending and renumbering Section 24.1704 to Section 24.1703, by amending, retitling, and renumbering Section 24.1705 to Section 24.1704, Section 24.1706 to Section 24.1705, and Section 24.1707 to Section 24.1706; and by amending Chapter 2, Article 9, Division 1, by amending Section 29.0102, all relating to the City Employees' Retirement System.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

von Kalinowski\Sturak

Primary Contact\Phone: Judy von Kalinowski\619-533-6413

Secondary Contact\Phone: Mike Ismail\619-236-6742

City Attorney Contact: Story Parks, Roxanne

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-100: Approve Fund Transfer and Construction Change Order No. 1 (Final) for Water Group Job 787. (Mid-City areas of City Heights, Kensington-Talmadge, and the Eastern Area. Districts 3 and 9.)

ITEM DESCRIPTION:

Council authorization is requested to approve fund transfers in the amount of \$250,000 from the Miramar Contract A Roof System Redesign (S-13016) to Water Group Job 787 in order to pay for Construction Change Order No. 1 (Final).

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-639)

Authorizing the Mayor, or his designee, to execute Change Order No. 1 (Final), issued in connection with the Contract between the City of San Diego and Ortiz Construction, Inc., in the amount not to exceed \$250,000;

Authorizing the Chief Financial Officer, or his designee, to transfer appropriations in the amount of \$250,000 from CIP S-13016, Miramar Contract A Roof System Redesign, Fund 700010 to the Water Dedicated Reserve for Efficiencies and Savings (DRES), Fund 700010, Water Utility - CIP Funding Source, General Ledger Account 330107 and from the Water Dedicated Reserve for Efficiencies and Savings (DRES) Fund 700010, Water Utility - CIP Funding Source, General Ledger Account 330107 to CIP S-11108 (Sublet CIP S-14020), Water Group 787, Fund 700010;

Authorizing the Chief Financial Officer, or his designee, to expend an additional amount not to exceed \$250,000 from CIP S-11108 (Sublet S-14020) Water Group 787, Fund 700010, Water Utility CIP, for the purpose of Construction Change Order No. 1 (Final) for Water Group Job 787, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2014-642)

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 Change Order cost for Water Group 787 is \$400,367.52. Enterprise funding of \$250,000 is available in WBS S-13016, Miramar Contract A Roof System Redesign, Fund 700010, Water Utility CIP Funding Source, and will be transferred to S-11108 Water Group 787, Fund 700010, Water Utility CIP Funding Source, for this purpose. The remainder of the Change Order will be funded by already appropriated funds in WBS S-11108. No additional funding in Fiscal Year 2014 is anticipated.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The original Bid and Award 1472 was approved by City Council on April 8, 2011, Resolution Number R-306713.
- The subject item was presented to and approved by IROC on February 18, 2014.

Nagelvoort/Heinrichs

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

Secondary Contact\Phone: Carl Spier\619-533-5126, MS 908A

City Attorney Contact: DeLara, Jr., Pedro

* ITEM-101: North Ocean Beach Gateway Phase II Fund Transfer. (Ocean Beach Community Area. District 2.)

ITEM DESCRIPTION:

This action is to increase the budget for S-12041, North Ocean Beach Gateway Phase II, for the Fiscal Year 2014 CIP Budget and authorizes expenditure of \$250,000 (\$100,000 in DIF and \$150,000 Coastal Infrastructure TOT Fund). The project is located at the corner of Sunset Cliffs Boulevard and West Point Loma Boulevard, and provides for an ADA accessible walkway.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-432)

Authorizing the Chief Financial Officer to amend the Fiscal Year 2014 Capital Improvements Program Budget, to increase the Capital Improvements Program Budget in CIP S-12041, North Ocean Beach Gateway Phase II by \$250,000, in accordance with the Annual Appropriation Ordinance;

Authorizing the Chief Financial Officer to appropriate and expend \$100,000 from Fund 400124, Ocean Beach Urban Community, Development Impact Fee (DIF) Fund and \$150,000 from Fund 200212, Coastal Infrastructure TOT Fund, for the purpose of construction of North Ocean Beach Gateway Phase II;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total project estimate for Phase II CIP S-12041, North Ocean Beach Gateway Project, is \$450,000. Funds for this action in the amount of \$250,000 are available from Fund 400124, Development Impact Fee (DIF) Fund for \$100,000 and Fund 200212, Coastal Infrastructure TOT Fund for \$150,000. Additional funding in the amount of \$200,000 was previously allocated to this project by Resolution No. R-307495 and by Resolution No. R-308155.

This transfer is required to fully fund Phase II of the North Ocean Beach Gateway Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- 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.

- The City Council authorized the acceptance of the CDBG Grant by the Resolution No. R-304705 dated March 11, 2009.
- This project has received \$150,000 by Resolution No. R-307495 dated June 2012 (\$50,000 from Fund No. 400124 Development Impact Fee Fund and \$100,000 from CCBG Grant Fund Federal No. 600000) and \$50,000 by Resolution No. R-308155 dated May 2013 (\$50,000 from Fund No. 400124, Development Impact Fee Fund).

Nagelvoort/LoMedico

Primary Contact\Phone: Elif Cetin\619-533-4640

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

City Attorney Contact: Mercer, Mark M.

* ITEM-102: Mission Hills/Hillcrest Branch Library Private Funding. (Mission Hills and Hillcrest Community Areas. District 3.)

ITEM DESCRIPTION:

This action is to authorize the acceptance, deposit, appropriation and expenditure of up to \$10,000,000 in donations into CIP S-13022 Mission Hills/Hillcrest Branch Library Project for library construction and related costs.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-697)

Authorizing the Mayor, or his designee, to negotiate and execute one or more Agreements, for and on behalf of the City, and to accept and deposit up to \$10,000,000 in private donations into Private and Other Contrib-CIP Fund No. 400264, for the construction of Mission Hills/Hillcrest Branch Library and project related costs, contingent upon the execution of the Contribution Agreement and receipt of funds;

Authorizing the Chief Financial Officer to increase the Capital Improvement Program Budget in CIP S-13022, Mission Hills/Hillcrest Branch Library and to appropriate and expend up to \$10,000,000 in donations from Private and Other Contrib-CIP Fund No. 400264, for the purpose of project construction and related costs, and contingent upon the execution of the Contribution Agreement and the City Comptroller demonstrating that the funds are, or will be, on deposit with the City Treasurer;

Declaring that the donor has the option to add to the name of the library in the following manner: Mission Hills/Hillcrest - Harley and Bessie Knox Branch Library;

Declaring that the name designated by the donors is subject to approval by the Library Commission.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total project cost is \$20,250,500. These actions request the appropriation and expenditure of up to \$10,000,000 from Private and Other Contrib-CIP Fund No. 400264, CIP S-13022, Mission Hills/Hillcrest Branch Library, for the purpose of project construction and related costs, contingent upon the execution of the Contribution Agreement and the City Comptroller certifying funds are, or will be, on deposit with the City Treasurer.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On July 26, 1999, the City Council modified the FY 2000 Capital Improvements Program by adding CIP 35-096.0, Mission Hills Branch Library Project (R-291979).
- On March 11, 2013, the City Council amended the Fiscal Year 2013 Budget to appropriate and expend \$2,000,000 in Lease Revenue Bonds Series 2013A from CIP S-13022, Mission Hills/Hillcrest Branch Library, and added CIP S-13022, Mission Hills/Hillcrest Branch Library, to the Capital Improvements Program (R-2013-467).
- On January 27, 2014, the City Council amended the Fiscal Year 2014 Budget to appropriate and expend \$4,000,000 in Lease Revenue Bonds Series 2014 for CIP S-13022, Mission Hills/Hillcrest Branch Library (R-2014-411).

Nagelvoort/Heinrichs

Primary Contact\Phone: Cynthia Meinhardt\619-533-5259, MS 908A
Secondary Contact\Phone: Sepi Amirazizi\619-533-4651, MS 908A
City Attorney Contact: DeLara, Jr., Pedro

* ITEM-103: California Department of Resources Recycling and Recovery (CalRecycle) Used Oil Payment Program Application for FY 2014/2015 - FY 2018/2019.

ITEM DESCRIPTION:

Authorize the City to apply for and receive Used Oil Payment Program (OPP) funds from CalRecycle for Fiscal Year 2014/2015 through Fiscal Year 2018/2019. The OPP provides funding to the City's Household Hazardous Waste Program to establish and maintain used oil and used oil filter collection and recycling services.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-614)

Authorizing the Mayor, or his designee, to submit a Used Oil Payment Program application to CalRecycle for the City of San Diego to receive payments for implementation of its used oil and used oil filter recycling program;

Authorizing and empowering the Mayor, or his designee, to negotiate and execute, for and on behalf of the City, all documents, including but not limited to: applications, agreements, annual reports including expenditure reports, and amendments necessary to secure payments from the CalRecycle Used Oil Payment Program to support the City of San Diego's used oil and used oil filter collection and recycling program for Fiscal Year 2014/2015 through and including Fiscal Year 2018/2019;

Authorizing the Chief Financial Officer to accept awarded CalRecycled Used Oil Payment Program Payments, contingent upon securing the awarded funds and notice of award;

Authorizing the Chief Financial Officer to appropriate and expend the awarded payments from Fund 710001, Cost Center 2115111113, solely and exclusively, for the City of San Diego's used oil and used oil filter collection and recycling program activities in accordance with the CalRecycle Used Oil Payment Program.

Subitem-B: (R-2014-687)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308 and that the exception to the exemption does not apply;

Determining an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

No matching City funds are required for the City's participation in the CalRecycle OPP. The Environmental Services Department is eligible to apply for the OPP funding pursuant to Public Resource Code 48690 and 48691. The OPP funds can only be used for the purpose of establishing and maintaining the City's used oil and used oil filter collection and recycling program. The OPP is non-competitive and the payment awards are calculated on a per capita basis. The City anticipates the annual OPP awards to the City for Fiscal Year 2014/2015 through Fiscal Year 2018/2019 will be in the range of \$300,000 – \$385,000 per Fiscal Year.

The OPP funds augment the City's Household Hazardous Waste services funded by Environmental Services, Public Utilities, and Transportation and Storm Water Departments. Eligible expenditures include: 1) used oil and used oil filter outreach activities; 2) used oil and used oil filter educational materials; and 3) collection and disposal of used oil and used oil filters at one-day collection events, the Miramar Household Hazardous Waste Transfer Facility, and the Miramar Landfill Load Check diversion program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was previously heard and unanimously approved at the June 15, 2010, Council meeting. Resolution R-305895/R-2010-823 Corr. 2 was adopted on June 17, 2010, authorizing the Mayor, or his designee, to submit OPP applications to CalRecycle for the City of San Diego and to receive payments for the implementation of the City's used oil and used oil filter recycling program.

Gonaver/Heinrichs

Primary Contact\Phone: James Chen\858-492-5039, MS 1103A
Secondary Contact\Phone: Joy Newman\858-573-1204, MS 1103A
City Attorney Contact: Guy, Amanda L.

* ITEM-104: California Governor's Office of Emergency Services, Internet Crimes Against Children Grant Program.

ITEM DESCRIPTION:

Authorize the City to apply for a California Governor's Office of Emergency Services Internet Crimes Against Children Program Grant, for the period of July 1, 2013, through June 30, 2014, and accept, appropriate, and expend funds totaling \$100,000. The objective of the grant program is to reduce the incidents of on-line victimization of children to include unwanted exposure to sexual material, unwanted sexual solicitations and on-line harassment. This action will also provide authorization to apply for and expend any additional funding available from this grant program from Fiscal Year 2014 through Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-682)

Authorizing the Mayor, or his representative, for and on behalf of the City, to apply for and accept funding in the initial amount of \$100,000 for the period of July 1, 2013, through June 30, 2014, Fund 600001, provided funding is secured, authorized, and made available by the California Governor's Office of Emergency Services, for the purpose of implementing the Internet Crimes Against Children (ICAC) Grant Program;

Authorizing the Chief Financial Officer to appropriate and expend funding in the initial amount of \$100,000 for the period of July 1, 2013, through June 30, 2014, Fund 600001, provided funding is secured, authorized, and made available by the California Governor's Office of Emergency Services, for the purpose of implementing the ICAC Grant Program;

Authorizing the Mayor, or his representative, for and on behalf of the City, to apply for and accept any additional funding made available through any amendments, extensions, or renewals of the grant for a period of up to five years from July 1, 2013, through June 20, 2018, Fund 600001, provided funding is secured, authorized, and made available by the California Governor's Office of Emergency Services, for the purpose of implementing the ICAC Grant Program;

Authorizing the Chief Financial Officer to appropriate and expend any additional funding made available through any amendments, extensions, or renewals of the grant, for a period of up to five years from July 1, 2013, through June 20, 2018, Fund 600001, provided funding is secured, authorized, and made available by the California Governor's Office of Emergency Services, for the purpose of implementing the ICAC Grant Program;

Authorizing the Chief Financial Officer to establish a special interest-bearing fund for the grants, if required;

Authorizing the Chief of Police to administer and operate this program;

Authorizing the Mayor, or his representative, including the Chief of Police, to certify that the City of San Diego will comply with all applicable statutory or regulatory requirements related to this grant program.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None. All expenses resulting from this action are grant funded. There is no requirement for continued expenditures or services once grant funding is depleted or terminated.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: Not applicable.

Ramirez/LoMedico

Primary Contact\Phone: Allegra Pajot\619-531-2110, MS 715

Secondary Contact\Phone: Marta Sullivan\619-531-2662, MS 715

City Attorney Contact: Folkman, Paige E.

- * ITEM-105: Lease between the City of San Diego and Mental Health Association in San Diego County (MHA) located at 4069 30th Street, San Diego, CA. (Greater North Park Community Area. District 3.)

ITEM DESCRIPTION:

Mental Health Association in San Diego seeks a seven-year lease term with the City. The proposed lease will allow the Lessee to continue their Mental Health Outreach programs and services while remodeling the building according to the requirements in the new lease.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-543)

Authorizing and directing the Mayor, or his designee, to execute that certain "Public Purpose Lease between the City of San Diego and the Mental Health Association," which lease is for the continued operation of the Mental Health Association's mental health outreach programs and services located at 4069 30th Street, San Diego (Premises) and for the performance of certain minor improvement/maintenance activities to the Premises;

Declaring that given the health, social, educational, and other public benefits to be afforded by the Mental Health Association's use and occupancy of the Premises, Council Policy 700-12 is hereby waived to the extent that the City property shall be leased at less than fair market value.

Subitem-B: (R-2014-544)

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 Public Purpose Lease with the Mental Health Association, 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:

The current non-profit administrative rent is \$3,350. This shall be paid annually in advance. On each anniversary of the effective date, the rent shall be adjusted annually, upward only, based on increases in the Consumer Price Index (CPI). The rent revenue will be deposited to the General Fund 100000.

PREVIOUS COUNCILAND/OR COMMITTEE ACTION:

This item was heard by Smart Growth and Land Use (SG&LU) on February 12, 2014.

ACTION: Motion by Councilmember Lightner, second by Councilmember Cole, to approve with questions regarding insurance to be answered by staff at full Council.

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

Staff was asked to be prepared to respond to insurance questions at the time. Insurance information was emailed to the SG&LU Committee.

Barwick/Sturak

Primary Contact\Phone: Charmaine Gillis\619-236-6986, MS 51A

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

City Attorney Contact: Bevier, Debra J.

* ITEM-106: Community Projects, Programs and Services Funding Allocation to Workforce Partnership for the CONNECT2Careers Summer Hiring and Jobs Training Program. (Districts 1, 4, 5, 6, and 7.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 1, 4, 5, 6, and 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the San Diego Workforce Partnership for CONNECT2Careers, a summer youth hiring and jobs training program to help prepare San Diego's teens and young adults with needed skills for in-demand jobs and future careers.

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-690)

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

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with the San Diego Workforce Partnership in an amount not to exceed \$40,000 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 \$40,000 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows:

\$20,000 from Cost Center 1101110001
\$5,000 from Cost Center 1104110004
\$5,000 from Cost Center 1105110005
\$5,000 from Cost Center 1106110006
\$5,000 from Cost Center 1107110007

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:

The \$20,000 in Council District 1 Funds; \$5,000 in Council District 4 Funds; \$5,000 from Council District 5 Funds from Fund No. 100000, Cost Center No. 1105110005; \$5,000 from Council District 6 Funds; and \$5,000 from Council District 7 Funds from Fund No. 100000, Cost Center No. 1107110007.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Lightner

Primary Contact\Phone: Jill Esterbrooks\619-236-6611, MS 10A

Secondary Contact\Phone: Janie Hoover\619-236-6611, MS 10A

City Attorney Contact: Bradley, Catherine M.

* ITEM-107: Community Projects, Programs, and Services Funding Allocation to Rebuild RB for the Peñasquitos Emergency Response Council.

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Rebuild RB for an amount not to exceed \$2,500 for the Peñasquitos Emergency Response Council.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-693)

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 Rebuild RB in an amount not to exceed \$2,500 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 \$2,500 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1105110005, 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:

\$2,500 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for the Peñasquitos Emergency Response Council.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Graham

Primary Contact\Phone: Tiffany Vinson\619-236-6655
Secondary Contact\Phone: Garrett Hager\619-236-6655
City Attorney Contact: Bradley, Catherine M.

* ITEM-108: Community Projects, Programs and services Funding Allocation to Sacra/Profana for Sound Project: S/P's High School Choral Residency Program. (District 6.)

ITEM DESCRIPTION:

Approval of the Funding Allocation from Council District 6, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Sacra/Profana for an amount not to exceed \$800, for S/P's High School Choral Residency Program.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-692)

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," and 3(b) which provides: "A request for funding and subsequent allocation may not be less than \$1500;"

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with SACRA/PROFANA in an amount not to exceed \$800 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 \$800 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1106110006, 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:

\$800 in Council Community Projects Programs and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for S/P's High School Choral Residency Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-6616
City Attorney Contact: Bradley, Catherine M.

* ITEM-109: Community Projects, Programs and Services Funding Allocation to The Theatre Communications Group (TCG) for the TCG National Conference: Crossing Borders. (Districts 6 and 5.)

ITEM DESCRIPTION:

Approval of the Funding Allocation from Council Districts 6 and 5, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The Theatre Communications Group (TCG) for an amount not to exceed \$27,000, for TCG National Conference: Crossing Borders.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-695)

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 Theatre Communications Group (TCG) in an amount not to exceed \$27,000 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 \$27,000 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows:

\$5,000 from Cost Center 1105110005

\$22,000 from Cost Center 1106110006

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:

\$27,000 in City Council Community Projects, Programs, and Services Funding (from the below sources) will be used for TCG's National Conference: Crossing Borders.

CD 5: Fund No. 100000|G/L 512159|Cost Center No. 1105110005: \$5,000

CD 6: Fund No. 100000|G/L 512159|Cost Center No. 1106110006: \$22,000

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-6616

City Attorney Contact: Bradley, Catherine M.

- * ITEM-110: Settlement of all claims arising from *Golden Hill Neighborhood Association v. City of San Diego*, San Diego Superior Court Case Numbers 37-2007-00074201-CU-WM-CTL and 2008-00088429-CU-MC-CTL. (Greater Golden Hill Community Area. District 3.)

ITEM DESCRIPTION:

This action is for the approval of a settlement reached between the City and the Golden Hill Neighborhood Association in the amount of \$300,000. The settlement will conclude two lawsuits filed by the Association against the City in which the Association contested the legality of the City's Greater Golden Hill Maintenance Assessment District (GGHMAD).

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-636 Cor. Copy)

Authorizing the Mayor, or his designee, to pay the sum of \$300,000 from the Public Liability Fund 720045 in settlement of each and every claim for damages, interest, costs, and fees of any type, including but not limited to attorneys fees, against the City, its agents and employees, resulting from the following cases: *Golden Hill Neighborhood Association v. City of San Diego*, San Diego Superior Court Case Number 37-2007-00074201-CU-WM-CTL and *Golden Hill Neighborhood Association v. City of San Diego*, San Diego Superior Court Case No. 2008-00088429-CU-MC-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$300,000 from the Public Liability Fund 720045, 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 with the City Treasurer;

Authorizing the City Comptroller to issue one check in the amount of \$157,389 to Charles R. Khoury, Jr., Attorney at Law; and one check in the amount of \$142,611 to Haskins & Associates, APC.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$300,000 will be paid from the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bamberg

Primary Contact\City Attorney\Phone: Carmen A. Brock\619-236-7726, MS 59

* ITEM-111: Appointment and Reappointments to the Airport Advisory Committee.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-679)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Airports Advisory Committee, for terms expiring as indicated:

<u>NAME</u>	<u>NOMINATED BY</u>	<u>TERM ENDING</u>
Jim Demeaux (Clairemont, District 6) (Filling the vacancy in the seat previously held by Kathy Monsour)	Clairemont Mesa Representative	February 28, 2017
Scott Hasson (Tierrasanta, District 7) (Reappointment)	Tierrasanta Representative	February 28, 2018
Buzz Gibbs (Kearny Mesa, District 6) (Reappointment)	Kearny Mesa Representative	February 28, 2018
Buzz Fink (Coronado) (Reappointment)	Special Expertise	February 28, 2018
Rich Martindell (Pacific Beach, District 2) (Reappointment)	Special Expertise	February 28, 2018

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 Buzz Fink is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board; therefore, a conscious exception to Council Policy 000-13 is hereby declared.

* ITEM-112: Appointment to the San Diego County Regional Airport Authority Board of Directors.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-676)

Council confirmation of the following reappointment by the Mayor of the City of San Diego, to serve as a citizen member of the San Diego Regional Airport Authority, for a term expiring as indicated, pursuant to California Public Utilities Code Sections 170010(a)(1) and 170011(a):

NAME

TERM ENDING

Robert H. Gleason
(Kensington, District 9)
(Reappointment)

January 31, 2017

* ITEM-113: Appointment to the Arts and Culture Commission.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-591)

Council confirmation of the following appointment by the Council of the City of San Diego, to serve as a member of the Commission for Arts and Culture, for a term expiring as indicated:

NAME

TERM ENDING

Janet Poutre
(Clairemont, District 2)
(Filling the vacancy in the seat
previously held by Lynelle Lynch)

August 31, 2014

* ITEM-114: Appointment to the Youth Commission.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-678)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the City of San Diego Youth Commission, for a term ending as indicated:

<u>NAME</u>	<u>NOMINATED BY</u>	<u>TERM ENDING</u>
Anoushka Bose (San Carlos, District 7) (Filling the vacancy in the District 7 seat previously held by Armand Binombe)	District 7	July 1, 2014

- * ITEM-115: Excusing Councilmember Marti Emerald from attending the City Council meetings of Monday, April 28, 2014; Tuesday, April 29, 2014; and the Economic Development and Intergovernmental Relations Committee meeting of Wednesday, April 30, 2014, due to illness.

COUNCILMEMBER EMERALD'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-677)

Excusing Councilmember Marti Emerald from attending the regularly scheduled Council meetings of April 28, 2014, and April 29, 2014; and the regularly scheduled meeting of the Economic Development and Intergovernmental Relations Committee on April 30, 2014, due to illness.

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

- * ITEM-116: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-477)

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-117: 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-2014-529)

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:

ITEM-330: Award Potable Reuse Project - Public Outreach and Education Program to Katz & Associates, Inc. (Citywide.)

ITEM DESCRIPTION:

Council authorization to enter into a two-year Agreement with Katz & Associates, Inc. (prime consultant) to perform public outreach services for the Potable Reuse Project - Public Outreach and Education Program in the amount of \$1,000,000. This work is anticipated to begin in Spring 2014.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-550)

Authorizing the Mayor, or his designee, for and on behalf of the City, to establish contract funding phases and execute a Phase Funded Agreement with Katz & Associates, Inc., to provide professional services for the Potable Reuse Project - Public Outreach and Education Program (Agreement), in an amount not to exceed \$1,000,000, for a duration of two years, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,000,000 for the above Agreement, consisting of \$500,000 from Water Utility Operating Fund No. 700011 and \$500,000 from Metro Sewer Utility Fund No. 700001; contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and funding being provided in the respective budget for the expense; and contingent upon the City Comptroller furnishing one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer; with the funding to be expended as follows:

Fiscal Year 2014 - \$57,957.50 from Water Utility Operating Fund No. 700011 and \$57,957.50 from Metro Sewer Utility Fund No. 700001

Fiscal Year 2015 - \$273,930.00 from Water Utility Operating Fund No. 700011 and \$273,930.00 from Metro Sewer Utility Fund No. 700001

Fiscal Year 2016 - \$168,112.50 from Water Utility Operating Fund No. 700011 and \$168,112.50 from Metro Sewer Utility Fund No. 700001

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total cost of this action is not to exceed \$1,000,000 for the purpose of funding the Public Outreach and Education contract, of which \$500,000 will be from Water Operating Utilities Fund 700011 and \$500,000 will be from Metro Sewer Utilities Fund 700001, to be phase funded, contingent upon adoption of Annual Appropriation Ordinance for applicable fiscal year, and contingent upon City Comptroller furnishing one or more certificates certifying funds necessary for expenditure are, or will be, on deposit with City Treasurer:

FY 2014 = \$115,915;

FY 2015 = \$547,860; and

FY 2016 = \$336,225.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On April 23, 2013, Council accepted (R-308121) the Project Report.
- On July 31, 2013, staff provided a 90-day update to the Natural Resources and Culture Committee.
- This item was presented to the Committee on Environment on March 26, 2014.

ACTION: Motion by Councilmember Emerald, second by Councilmember Zapf, to return the item to staff and request additional information regarding the public relations and promotional strategy included in the contract be provided at the April 23, 2014, Environment Committee meeting.

VOTE: 3-0-1; Alvarez-not present, Sherman-yea, Zapf-yea, Emerald-yea.

- This item was heard at the Environment Committee meeting on April 23, 2014.

ACTION: Motion by Councilmember Zapf, second by Councilmember Harris, to approve staff's recommendation and request that the contract metrics be provided for the City Council.

VOTE: 3-0-1; Alvarez-yea, Zapf-yea, Harris-yea, Emerald-not present.

Sasaki/Heinrichs

Primary Contact\Phone: Marsi Steirer\619-533-4112, MS 906

Secondary Contact\Phone: Alma Rife\619-533-5477, MS 906

City Attorney Contact: Palmucci, Raymond C.

ITEM-331: Declaration of Water Emergency (Drought Response Level 1 - Drought Watch Condition). (Citywide.)

ITEM DESCRIPTION:

Declaration of a Water Emergency, Drought Response Level 1 - Drought Watch Condition, effective July 1, 2014, due to drought conditions in the State of California.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-628)

Declaring that there is a critical need for all San Diegans to use water wisely on an ongoing basis and heighten their conservation efforts now as the state continues to face drought conditions;

Declaring that the Council finds there is a reasonable probability that California is in a statewide drought and that due to drought, there will be a supply shortage and that a consumer demand reduction of up to 10 percent is required in order to ensure that sufficient supplies will be available to meet anticipated demands;

Declaring a Water Emergency Drought Response Level 1 - Drought Watch Condition as set forth in San Diego Municipal Code Section 67.3805, and authorizing the Mayor, or his designee, to take all necessary actions to implement the voluntary water use restrictions, effective July 1, 2014.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Drought Response Level 1 - Drought Watch Condition was previously invoked by the City Council on July 28, 2008, with final passage on August 6, 2008.

- This item was heard at the Environment Committee meeting on March 26, 2014. The item was the Water Conservation Update and it was an Information Only Item. Embedded in the presentation and report was staff recommending that the City go to Level 1 Drought Restrictions. The Committee members present agreed with the recommendation.

ACTION: Motion by Councilmember Zapf, second by Councilmember Harris, to approve staff's recommendation.

VOTE: 3-0; Alvarez-yea, Harris-yea, Zapf-yea, Emerald-not present.

Sasaki/Heinrichs

Primary Contact\Phone: Chris Robbins\619-533-4203, MS 906
Secondary Contact\Phone: Luis Generoso \619-533-5258, MS 906
City Attorney Contact: Palmucci, Raymond C.

ITEM-332: Approval of the Award of Contract No. 10042961-14-H to Burke, Williams & Sorensen, LLP, for Labor Negotiation Services.

ITEM DESCRIPTION:

This item approves the Award of Contract No. 10042961-14-H to Burke, Williams & Sorensen, LLP, for labor negotiation services for a period of two (2) years, with three (3) one (1) year options to renew.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-680)

Approving the Agreement between the City and Burke, Williams & Sorensen, LLP, to provide as needed labor negotiation services, for an initial term of two years, with the option to renew the Agreement for three additional one-year periods, pursuant to the terms and conditions of the Agreement, for a total contract amount not to exceed \$2,000,000;

Directing and authorizing the Mayor, or his designee, to execute the Agreement;

Declaring that the City Council delegates authority to the Mayor to exercise the option to renew, in the Mayor's discretion; this delegation of authority includes the authority to execute any necessary documents related to the option to renew the Agreement;

Declaring that the actions authorized here are contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates stating that funds necessary for the authorized expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend the specified amounts under the Agreement, with the total amount for the Agreement not to exceed \$2,000,000, with the expenditures to be made according to the most current available FTE allocation schedule.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Chief Financial Officer will expend an amount not to exceed \$2.0 million over the five years for as needed labor negotiation services. Funding for this Agreement will be contingent on the adoption of the Annual Appropriation Ordinance for all applicable fiscal years, and the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

Funding for this Agreement will be allocated each Fiscal Year according to the most current available FTE allocation schedule.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- R-308476 - Approving the MOU with the San Diego Police Officers Association regarding terms and conditions of employment for Fiscal Years 2014 through 2018;
- R-308477 - Approving the MOU with the Deputy City Attorneys Association of San Diego, regarding terms and conditions of employment for Fiscal Years 2014 through 2018;
- R-308478 - Approving the MOU with the International Association of Fire Fighters Local 145, San Diego City Fire Fighters, regarding terms and conditions of employment for Fiscal Years 2014 through 2018;
- R-308479 - Approving the MOU with the California Teamsters Local 911, regarding terms and conditions of employment for Fiscal Years 2014 through 2018;
- R-308480 - Approving the MOU with the Local 127, American Federation of State, County and Municipal Employees, AFL-CIO, regarding terms and conditions of employment for Fiscal Years 2014 through 2018;
- R-308481 - Approving the MOU with the San Diego Municipal Employees' Association, regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Sturak

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

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Dawson, Joan F.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-333: FY 2015 Business Improvement District Budgets - Annual Appropriation Process. (Centre City [Downtown, Gaslamp, East Village, Little Italy] College, Greater North Park [North Park, El Cajon Boulevard Gateway], La Jolla, Mid-City [Adams Avenue, El Cajon Boulevard Central, City Heights], Mission Beach, Ocean Beach, Old San Diego [Old Town], Pacific Beach, San Ysidro, Southeastern San Diego [Diamond], Uptown [Hillcrest, Mission Hills] Community Plan Areas. Districts 1, 2, 3, 4, 8 and 9.)

ITEM DESCRIPTION:

Confirming the FY 2015 Budget Reports for each specified Business Improvement District (BID) and levy the annual assessments for those Business Improvement Districts.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-651)

Adoption of a Resolution confirming the Fiscal Year 2015 Budget Reports for the specified Business Improvement Districts in the City of San Diego, as further described in paragraph 2 of this Resolution;

<u>Business Improvement District</u>	<u>Document No.</u>
Adams Avenue	RR-_____
City Heights	RR-_____
College Area	RR-_____
Diamond	RR-_____
Downtown	RR-_____
East Village	RR-_____
El Cajon Boulevard Central	RR-_____

El Cajon Boulevard Gateway	RR-_____
Gaslamp	RR-_____
Hillcrest	RR-_____
La Jolla	RR-_____
Little Italy	RR-_____
Mission Hills	RR-_____
North Park	RR-_____
Ocean Beach	RR-_____
Old Town	RR-_____
Pacific Beach	RR-_____
San Ysidro	RR-_____

The adoption of this Resolution shall constitute the continued levy of assessments for each of the specified Districts during Fiscal Year 2015, for the improvements and activities set forth in the respective Fiscal Year 2015 Budget Reports;

Directing and authorizing the City's Chief Financial Officer or designee to appropriate, transfer, and expend assessment revenues within each District's fund for administration and operation of that District in accordance with the approved Fiscal Year 2015 Budget Reports, including the Fund Balance and Interest Fund Balance from Fiscal Year 2014 at year end and the anticipated District assessments to be collected in Fiscal Year 2015.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The City does not retain any of the assessments for administrative or other purposes but undertakes the associated administration with existing budgeted staff. All of the assessments are remitted to the BID funds and therefore, there is no net fiscal impact to the General Fund.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On May 13, 2013, Council approved the FY2014 Budget Reports and levying of associated assessments for these BIDs: Adams Avenue, City Heights, College Area, Diamond, Downtown, East Village, El Cajon Blvd Central, El Cajon Blvd Gateway, Gaslamp, Hillcrest, La Jolla, Little Italy, Mission Hills, North Park, Ocean Beach, Old Town, Pacific Beach, and San Ysidro (Resolutions R-308143 and R-308144 date of final passage May 24, 2013). This action was also heard at ED&IR on March 12, 2014 and forwarded to the full Council.

Fulton\Villa\am

Primary Contact\Phone: Alicia Martinez-Higgs\619-236-6488, MS 56D

Secondary Contact\Phone: Meredith Dibden Brown\619-236-6485, MS 56D

City Attorney Contact: Adam R. Wander

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT