

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 3
FOR THE REGULAR MEETING OF
TUESDAY, MAY 20, 2014
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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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.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

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

- * ITEM-S507: Community Projects, Programs and Services Funding Allocation to Common Ground Theatre for the 50th Anniversary Production Showcase. (District 4.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 4, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Common Ground Theatre for an amount not to exceed \$5,000, for the 50th Anniversary Production Showcase.

COUNCILMEMBER COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-722)

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 the statement in Council Policy 100-06 that funds shall not be used for fundraising activities, to the extent it may be applicable;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Common Ground Theatre in an amount not to exceed \$5,000 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 \$5,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1104110004, 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:

\$5,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1104110004, will be used for the 50th Anniversary Production Showcase.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Slack

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Secondary Contact\Phone: Jimmie Slack\619-236-6644

City Attorney Contact: Bradley, Catherine M.

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

* ITEM-S508: Community Projects, Programs, and Services Funding Allocation to Ed Brown Senior Center for Senior Center Programs.

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 Ed Brown Senior Center for an amount not to exceed \$15,000 for Senior Center Programs.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-731)

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 Ed Brown Senior Center in an amount not to exceed \$15,000 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 \$15,000 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:

\$15,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for Senior Center Programs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Graham

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

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

- * ITEM-S509: Arts, Culture and Community Festivals Funding Allocation to Theatre Communications Group (TCG), Inc., for the 2014 TCG National Conference: Crossing Borders. (Districts 3, 6, and 7.)

ITEM DESCRIPTION:

Approval of the Funding Allocation from Council Districts 3, 6, and 7, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Theatre Communications Group (TCG), Inc., for an amount not to exceed \$23,000, for the 2014 TCG National Conference: Crossing Borders.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-716 Cor. Copy)

Declaring that the allocation described herein will assist Theatre Communications Group (TCG), Inc., in producing the Project;

Waiving Section 3(g) of Council Policy 100-23;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with TCG in an amount not to exceed \$23,000 in aggregate, so that TCG may produce the Project in accordance with the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Transient Occupancy Tax Fund No. 200205, Cost Center No. 1414111214, \$13,000 from the Transient Occupancy Tax Fund No. 200205, Cost Center No. 1414111217, and \$5,000 from the Transient Occupancy Tax Fund No. 200205, Cost Center No. 1414111218, to provide funds for the above-referenced Agreement, contingent upon the City Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$23,000 in City Council Community Projects, Programs, and Services Funding (from the below sources) will be used for 2014 TCG National Conference: Crossing Borders.

CD 3: Fund No. 200205, Cost Center No. 1414111214: \$5,000

CD 6: Fund No. 200205, Cost Center No. 1414111217: \$13,000

CD 7: Fund No. 200205, Cost Center No. 1414111218: \$5,000

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-7053

City Attorney Contact: Bartolotta, Bret A.

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

- * ITEM-S510: Community Projects, Programs and Services Funding Allocation to The Rancho Peñasquitos Little League for Baseball Field Enhancement Projects. (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 The Rancho Peñasquitos Little League for an amount not to exceed \$5,000, for Baseball Field Enhancement Projects.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-717)

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 Rancho Peñasquitos Little League in an amount not to exceed \$5,000 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 \$5,000 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.

Subitem-B: (R-2014-718)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 and that an exception to the exemption does not apply;

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Council Community Projects Programs and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for Baseball Field Enhancement Projects.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-7053
City Attorney Contact: Bradley, Catherine M.

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

- * ITEM-S511: Community Projects, Programs and Services Funding Allocation to The San Diego Military Advisory Council for SPAWAR Military Impact Study. (Districts 1, 6, and 7.)

ITEM DESCRIPTION:

Approval of the Funding Allocation from Council Districts 1, 6, and 7, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The San Diego Military Advisory Council for an amount not to exceed \$9,000, for SPAWAR Military Impact Study.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-730)

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 San Diego Military Advisory Council in an amount not to exceed \$9,000 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 \$9,000 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows:

\$1,000 from Cost Center No. 1101110001
\$1,000 from Cost Center No. 1106110006
\$7,000 from Cost Center No. 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:

\$9,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, CD 1: \$1,000, CD 6: \$1,000, CD 7: \$7,000, for San Diego Military Advisory Council's SPAWAR Military Impact Study.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nelson

Primary Contact\Phone: Kenneth Nakayama\619-236-7053

City Attorney Contact: Bradley, Catherine M.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

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

ITEM-S512: Third Amendment to the Agreement with Roesling Nakamura Terada Architects, Inc., for the La Jolla Shores Lifeguard Station, and Transfer of Additional Funds for Job Order Contract (JOC) Task. (La Jolla Community Area. District 1.)

ITEM DESCRIPTION:

This action is to authorize a Third Amendment to the Agreement with Roesling Nakamura Terada Architects, Inc., for the La Jolla Shores Lifeguard Station in the amount of \$7,245. This Amendment will provide for the necessary design support services to accommodate the changes in scope necessary due to the increased size of the rescue vehicle fleet. This action will also transfer \$150,000 in additional funds to implement the enhancements needed to enhance visibility from the main observation tower to be done via a job order contracting task.

STAFF'S RECOMMENDATION:

Introduce the following ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2014-107)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Third Amendment to the Agreement with Roesling Nakamura Terada Architects, Inc., for the Professional Architectural Services in CIP S-00790, La Jolla Shores Lifeguard Station, in an amount not to exceed \$7,245, for the purpose of completing the La Jolla Shores Lifeguard Station, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$7,245 from CIP S-00790, La Jolla Shores Lifeguard Station Project, Fund 400848, Def. Maint. 2012A-Proj., for the purpose of executing this Amendment to the Agreement;

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.

Subitem-B: (R-2014-721)

Authorizing the Chief Financial Officer to transfer appropriations in an amount not to exceed \$150,000 from A-BT.00001, City Facilities, Fund 400848, Def. Maint. 2012A-Proj. to CIP S-00790, La Jolla Shores Lifeguard Station;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP S-00790, La Jolla Shores Lifeguard Station, and to appropriate and expend a total amount not to exceed \$150,000 from Fund 400848, Def. Maint. 2012A-Proj., for the purpose of funding the Job Order Contract (JOC) Task Order, contingent upon the Chief Financial Officer furnishing a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

- The preliminary phase was set at \$146,855; the First Amendment increased the contract by \$75,000; the Second Amendment increased the contract by \$10,000; this Third Amendment will increase the contract by \$7,245 for required modifications to the plans for a total contract amount of \$239,100. Funds are available in CIP S-00790, La Jolla Shores Lifeguard Station, Fund 400848, Def. Maint. 2012A-Proj.
- \$150,000 from Fund 400848, A-BT.0001, City Facility, Def. Maint. 2012A-Proj. is available to be transferred to CIP S-00790, La Jolla Shores Lifeguard Station.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On May 4, 2010, the First Amendment to Agreement with Roesling Nakamura Terada Architects, Inc., for La Jolla Cove Lifeguard Station Project was approved by City Council O-2010-83.

Nagelvoort/Heinrichs

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City Attorney Contact: Mercer, Mark M.