

# 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, July 1, 2014**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, JULY 1, 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.

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 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. (Rev. 6/26/14)**

**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:

05/19/2014

05/20/2014

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Deborah Barrow Day.

**PRESENTED BY MAYOR FAULCONER, COUNCIL PRESIDENT GLORIA, AND COUNCILMEMBER COLE:**

Proclaiming July 1, 2014, to be "Deborah Barrow Day" in the City of San Diego.

ITEM-31: Jim Hearn Day.

**PRESENTED BY COUNCILMEMBER KERSEY:**

Proclaiming July 1, 2014, to be "Jim Hearn Day" in the City of San Diego.

ITEM-32: Asking Saves Kids Month.

**PRESENTED BY COUNCILMEMBER EMERALD:**

Proclaiming July 2014, to be "Asking Saves Kids Month" in the City of San Diego and recognizing the importance of children's safety when they visit a friend, neighbor, or family member's home.

**NOTE:** The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-33: 26th Annual University City Celebration Day.

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

Proclaiming July 4, 2014, to be "26th Annual University City Celebration Day" in the City of San Diego.

ITEM-34: David Chase Day.

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

Proclaiming June 8, 2014, to be "David Chase Day" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (\*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6, of the San Diego Municipal Code, comments are limited to three minutes per speaker, and three minutes per subject regardless of the number of people requesting to speak on that subject

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING**  
**WITH THE READING AND ADOPTION:**

- \* ITEM-50: Canyon View Upland Mitigation Project: Habitat West, Inc. – Change Order No. 2 No Cost Time Extension. (Rancho Peñasquitos Community Planning Area. District 6.)

**ITEM DESCRIPTION:**

Approval of Change Order No. 2 to the Agreement with Habitat West, Inc., providing for a no cost time extension of 1,195 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 Canyon View Upland Mitigation Project. Ordinance is needed to authorize the extension as it exceeds five years.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/17/2014, Item 50. (Council voted 8-0. Councilmember Alvarez not present):

(O-2014-112)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Contract Change Order No. 2 to the aforementioned Agreement with Habitat West, providing for a no cost time extension of 1,195 calendar days from the expiration date of the existing contract.

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

\* ITEM-51: Amendments to the Neighborhood Parking Protection Ordinance.

**ITEM DESCRIPTION:**

This action proposes language and numbering modifications to the existing Neighborhood Parking Protection Ordinance so the City may proceed with the new parking regulations.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/17/2014, Item 336. (Council voted 9-0):

(O-2014-114 Cor. Copy)

Amending Chapter 8, Article 6, Division 1, of the San Diego Municipal Code, by amending Sections 86.0102, 86.0139, 86.0142 and 86.0143, all relating to parking of oversized, non-motorized, and recreational vehicles and general parking regulations.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- \* ITEM-100: Contribution Agreement with the San Diego Association of Governments (SANDAG) for the construction of the Mira Mesa Community Transit Center. (Mira Mesa Community Area. District 6.)

**ITEM DESCRIPTION:**

This action constitutes the City's contribution of \$692,000 of funds from the Mira Mesa Public Facilities Financing Plan to the San Diego Association of Governments (SANDAG) for the construction of the Mira Mesa Community Transit Center.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-810)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with the San Diego Association of Governments (SANDAG) for contribution towards the Mira Mesa Community Transit Center, under the terms and conditions set forth in the Contribution Agreement (Contract No. 5004402);

Authorizing the Chief Financial Officer to expend an amount not to exceed \$692,000 from Fund No. 400085, Mira Mesa-FBA, CIP S-00847, Mira Mesa Community Transit Center, solely and exclusively, to provide funds for the above Contribution Agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action authorizes the expenditure of \$692,000 in support of the construction of the Mira Mesa Community Transit Center. The revenue is from Mira Mesa Facilities Benefit Assessment (FBA) funds collected for this purpose. There is sufficient funding in the fund and project to support this action.

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

This item was heard at the Infrastructure Committee meeting on May 14, 2014, and forwarded to the full City Council.

**ACTION:** Motion by Emerald, second by Sherman, to forward staff's recommendation to City Council.

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

Sturdevan/Heinrichs

Primary Contact\Phone: Stephen Clinker\619-533-3611, MS 609  
Secondary Contact\Phone: Linda Marabian\619-533-3082, MS 609  
City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-101: San Diego Fire-Rescue, Lifeguard Division Report: Sinking of decommissioned Canadian Destroyer off the coast of Mission Beach. (Pacific Beach Community Area. District 2.)

**ITEM DESCRIPTION:**

This action is to allow for an additional ship, the HMCS Annapolis, to be added to the San Diego Underwater Recreation Area (SDURA) upon its sinking off the coast of Mission Beach.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-542 Cor. Copy)

Authorizing the Mayor, or his designee, to take all necessary and appropriate steps to allow the sinking of the decommissioned Canadian Destroyer, the HMCS Annapolis, in the San Diego Underwater Recreation Area upon certification to the City that this project has received all applicable environmental and project approvals required.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The City estimates an expense of \$2,400.72 for safety personnel associated with the sinking of the ship. The personnel cost will come from the respective departments operating budget. As the San Diego Underwater Recreation Area (SDURA) attracts divers from around the world, there will be an ongoing positive impact as a result of tourism. There are no other costs for the City associated with this action.

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

- Natural Resources Culture Committee (July 29, 1998), City Council (December 7, 1999).
- This item was heard and approved at the Public Safety and Livable Neighborhoods Committee meeting on February 26, 2014.

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

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

Mainar/Chadwick

Primary Contact\Phone: Brian Fennessy\619-531-4401, MS 604  
Secondary Contact\Phone: Rick Wurts\619-221-4483, MS 32A  
City Attorney Contact: Brazier, Noah J.

\* ITEM-102: Settlement of *Cathy Lexin, et al. v. City of San Diego*, San Diego Superior Court Case No. 37-2011-00100142-CU-MC-CTL.

**ITEM DESCRIPTION:**

This is a complaint for indemnification of attorney's fees and costs, including pre-judgment interest and collection fees, sustained by Plaintiffs as a result of being charged in January 2006, with violations of federal fraud and conspiracy statutes. The proposed settlement would resolve all claims brought by Cathy Lexin, Ronald Saathoff, and Terri A. Webster.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-796)

Authorizing the Mayor, or his designee, to pay the sum of \$1,182,138.36 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the indemnification claims in *Lexin, et al. v. City of San Diego*, San Diego Superior Court Case No. 37-2011-00100142-CU-MC-CTL;

Authorizing the Chief Financial Officer to appropriate and expend the sum of \$1,182,138.36 from the Public Liability Fund No. 720045, 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;

Authorizing the City Comptroller to issue a check in the amount of \$549,231.45, made payable to the Gibson, Dunn & Crutcher LLP Trust Account for Cathy Lexin;

Authorizing the City Comptroller to issue a check in the amount of \$205,320.55, made payable to the Coughlan, Semmer, Fitch & Pott, LLP State Bar of California Attorney Client Trust Account for Ronald Saathoff;

Authorizing the City Comptroller to issue a check in the amount of \$427,586.36, made payable to the Frank T. Vecchione Client Trust Account for Terri A. Webster.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$1,182,138.36 will be paid from the Public Liability Fund No. 720045.

**PREVIOUS COUNCILAND/OR COMMITTEE ACTION:**

The item was considered in Closed Session on April 29, 2014.

Bamberg/Nuesca

Primary Contact\City Attorney\Phone: David J. Karlin, Deputy City Attorney\619-533-5816

\* ITEM-103: Nomination for Appointment to the Horton Plaza Theatres Foundation.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2014-816)

Council confirmation of the following appointment by the Council, to serve as a member of the Board of Directors of the Horton Plaza Theatres Foundation, for a term ending as indicated:

**NAME**

**TERM ENDING**

Susan Diekman  
(Bankers Hill, District 3)  
(Filling vacancy in the seat previously  
held by Thomas Muehlbauer)

June 7, 2017

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

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

**This item is being presented to the Council in its capacity as the board of the local redevelopment successor agency, officially known as "the City of San Diego, solely in its capacity as the designated successor agency of the Redevelopment Agency of the City of San Diego, a former public body, corporate and politic" (Successor Agency).**

ITEM-330: Fire Station No. 2 (Bayside) (southeast corner of Pacific Highway and Cedar Street) - Little Italy Neighborhood of the Downtown Community Plan Area. (District 3.)

**ITEM DESCRIPTION:**

Professional Services Agreements for construction administration and a construction manager for the Fire Station No. 2 Bayside Project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-827)

Authorizing the City's Chief Financial Officer (CFO) to appropriate and expend an amount not to exceed \$406,684 for the payment of Rob Wellington Quigley Architects FAIA (RWQ) related to construction administration and record document services for the Project from funds identified in Line Item 297 of the applicable Recognized Obligation Payment Schedule (ROPS) of the Successor Agency;

Approving the Professional Services Agreement with RWQ for construction administration and record document services for the Project in an amount not to exceed \$406,684;

Authorizing the CFO to appropriate and expend an amount not to exceed \$400,000 for construction management and inspection services for the Project from funds identified in Line Item 589 of the applicable ROPS of the Successor Agency;

Authorizing CivicSD, on behalf of the Successor Agency, to select (through a qualifications-based selection process), negotiate and enter into an Agreement with a consultant for construction management and inspection services for the Project in an amount not to exceed \$400,000.

**STAFF SUPPORTING INFORMATION:****FISCAL CONSIDERATIONS:**

As of the beginning of Recognized Obligation Payment Schedule (ROPS) 14-15A, funding in the amount of \$419,811 is currently available for the Rob Wellington Quigley Architects FAIA (RWQ) services in Line Item No. 297, and \$400,000 is available for the Construction Manager services in Line Item No. 589, to be disbursed over the course of the construction with approval required for each ROPS period.

Although the opening of the new fire station is a few years in the future, CivicSD staff has worked with the City's Fire-Rescue Department ("Fire-Rescue") to anticipate staffing, operation and maintenance costs. The Project would be designed to accommodate two four-person crews, a two-person paramedic ambulance, one battalion chief and one ride-along. Upon completion of the Project in Fiscal Year 2016, it is proposed that the Project be opened with an existing single-engine company, Engine 201, which would be relocated from Fire Station No. 1 to take advantage of the anticipated response time gains from the Project's location west of the railroad tracks. Another existing single-engine company, Engine 1, would continue to provide service out of Fire Station No. 1.

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

Phillips/Graham

Primary Contact\Phone: Gretchen Sorenson\619-533-7113, MS 51D  
City Attorney Contact: Reid, Michael T.

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

ITEM-331: California Energy Commission - Alternative and Renewable Fund and Vehicle Technology Program: Electric Vehicle Infrastructure - Grant Application. (Citywide.)

**ITEM DESCRIPTION:**

The City of San Diego submitted a grant application on February 2, 2014, with the California Energy Commission (CEC) for the installation of 41 electric charging stations. On April 4th, the CEC notified the City that its application was selected for a proposed award of \$499,755. This action is to apply for, accept, appropriate and expend the grant funding. Additionally, the City will enter into an Operation and Maintenance Agreement with the CEC for the charging stations for a duration not to exceed five (5) years.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2014-781)

Authorizing the Mayor, or his designee, to submit a grant application to the California Energy Commission (CEC);

Authorizing the Mayor, or his designee, to execute an Agreement resulting from a grant award from the CEC to the City of San Diego (CEC Grant Agreement);

Authorizing the Mayor, or his representative, to take all reasonably necessary actions to satisfy the obligations described in the CEC Grant Agreement;

Authorizing the Chief Financial Officer to accept \$499,755 from the CEC for electric vehicle infrastructure consistent with the CEC Grant Application (PON 13-606);

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$499,755 contingent upon receipt of the fully executed CEC Grant Agreement;

Authorizing the Chief Financial Officer to establish a special interest bearing account for the CEC Grant, if required;

Authorizing the Mayor, or his designee, to enter into a Contract and a Lease with Op Connect, LLC, at sites to be determined by City staff consistent with the City's obligations under the CEC Grant Agreement;

Authorizing the Mayor, or his designee, to enter into a contract with Saturn Electric, Inc., to install EV infrastructure consistent with the City's obligations as described in the CEC Grant Agreement.

Subitem-B: (R-2014-825)

Declaring that the Project is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15303(d); 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 City will receive \$499,755 in CEC Electric Vehicle Charging Infrastructure under the Alternative and Renewable Fuel and Vehicle Technology Program grant funding. Matching funds of \$443,774 for the grant includes the City's in-kind match of \$225,001 for staff grant administration and use of land for the charging stations. The remaining matching fund balance of \$218,773 will be provided by the subcontractors and SDG&E and includes in-kind service, materials and equipment. Finally, the CEC reserves the right to rescind funding at any time.

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

On June 25, 2013, City Council approved an Amendment to ECOtality's Agreement to increase the number of electric vehicle charging stations from 114 (the 117 charging electric stations stated in previous staff report was erroneous) to up to 162 per Resolution R-308298.

Tomlinson/Graham

Primary Contact\Phone: Jacques Chirazi\619-236-6326, MS 56D  
Secondary Contact\Phone: Lydia Moreno\619-236-6320, MS 54D  
City Attorney Contact: Elliott, Mara W.

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-332: California Department of Public Health Safe Drinking Water State Revolving Fund Loan Application for the University Avenue Pipeline Replacement Project - Request for increase \$3.4 million. (Citywide. District 3.)

**ITEM DESCRIPTION:**

Council authorization to submit an application to, accept, appropriate, and expend funds from the California Department of Public Health (CDPH) - Safe Drinking Water State Revolving Fund (SDWSRF) for the University Avenue Pipeline Replacement Project, Project No. 3710020-066; and take related actions. The requested loan is for 20 years at 2.085% interest.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2014-128)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City of San Diego, a \$18,700,000 Safe Drinking Water State Revolving Fund (SDWSRF) Loan, Funding Agreement, Amendments, Reimbursement Claims, Final Release Form, and to take related actions in connection with the University Avenue Pipeline Replacement Project;

Authorizing the Mayor, or his designee, to dedicate revenues from the City's Water Fund rates, charges, financing proceeds and assessments on parity with all other parity obligations of the Water Enterprise Fund in an amount sufficient to repay the SDWSRF Loan for the Project, and this dedication shall remain in full force and effect until such Funding Agreements are fully discharged unless modification or change of such dedication is approved by the State of California Department of Public Health, and if for any reason said sources of revenue prove insufficient to satisfy the debt service of the SDWSRF Loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain this Project;

Authorizing the City Engineer or other registered engineer designated by the Mayor, to execute the Budget and Expenditure Summary, Claim Reimbursement, and Certificate of Project Completion forms;

Authorizing the City Engineer or other registered engineer designated by the Mayor, to certify that the Project is complete and ready for final inspection;

Authorizing the Chief Financial Officer to apply for, accept, and expend an amount up to \$18,700,000 in State Revolving Fund loan funds for reimbursement to the Water Fund, contingent on the City Comptroller certifying that funds are available and contingent upon the loan being secured;

Authorizing the \$18,700,000 SDWSRF loan to be repaid over twenty years at a rate of 2.085 percent interest.

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The final Funding Agreement, when issued for the University Avenue Pipeline Replacement Project, will provide a total loan of \$18.7 million to be repaid over 20 years at a current interest rate of 2.085%. This will consist of this \$3.4 million action and the \$15.3 million that was approved with Ordinance Number O-20207. Semiannual principal and interest payments will begin after project completion. In accordance with State Revolving Fund loan policies, this Project, S-11021, will be budgeted in a timely manner. The total Project costs for planning and construction of the University Avenue Pipeline Replacement Project (Project No. 3710020-066) will be reimbursed in its entirety by the SDWSRF Loan Program. The CDPH interest rate changes annually and is based upon one-half of the most recent State General Obligation Bonds.

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

Ordinance Number O-20207 for \$15,300,000 was passed in October 2012.

Crane/Heinrichs

Primary Contact\Phone: Wilson Kennedy\858-614-4070, MS 901

Secondary Contact\Phone: Terrell Breaux\858-292-6469, MS 901

City Attorney Contact: Palmucci, Raymond C.

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-333: Revision to City of San Diego Reserve Policy No. 100-20.

**ITEM DESCRIPTION:**

Revision to City of San Diego Reserve Policy No. 100-20 - Water Enterprise Fund Reserve Policy, Sewer Enterprise Fund Reserve Policy, Refuse Disposal & Recycling Enterprise Fund Reserve Policies, Development Services Enterprise Fund Reserve Policy, and adding the Golf Course Enterprise Fund Reserve Policy. Amending the General Fund Reserve Policy to include a discussion of "Excess Equity."

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-835)

Revising Council Policy 100-20 entitled "Reserve Policy" as set forth in the Council Policy;

Instructing the City Clerk to update the Council Policy Manual to include revised Council Policy 100-20.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The recommended revisions to the Enterprise Fund Reserve Policies ensure the fiscal stability and financial viability of the City's business activities. The recommended revisions change the methodology upon which the reserve target is based, which may result in minor adjustments to the current balances to better protect our financial condition and protect against unanticipated events.

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

- Council approved the Reserve Policy as Ordinance No. O-19679 on November 20, 2007, and approved revisions as Resolution No. R-303941 on July 29, 2008.

- The most current revision to the Enterprise Fund Reserves was approved by City Council on December 15, 2011 (Resolution No. R-307154).

- Council approved the General Fund Reserve Policy amendments on February 10, 2014, by R-308740, including the Public Liability, Workers' Compensation and Long-Term Disability reserves.

- This item was heard at the Budget and Government Efficiency Committee meeting on May 22, 2014.

**ACTION:** Motion by Councilmember Kersey, second by Council President Pro Tem Lightner, to forward the item to full City Council without a recommendation and direct staff to: Revise the General Fund Reserve Policy to require the Mayor to identify the amount of excess equity as part of the Quarterly Budget Monitoring Reports; and bring forward clarification on the replenishment language and consider additional explanatory language on the Enterprise Fund Reserve Policies. Additionally, Committee Members directed the Mayor's Office to come back with the recommended amendments to the Municipal Code as quickly as possible.

**VOTE:** 4-0; Gloria-yea, Lightner-yea, Kersey-yea, Zapf-yea, Alvarez-not present.

Kumits/Lewis

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

Secondary Contact\Phone: Irina Kumits\619-235-5714

City Attorney Contact: Will, Brant C.

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

ITEM-334: Proposed Response to Grand Jury Report “Emergency Response Times: Does Your ZIP Code Dictate Your Chance of Survival?” (Citywide.)

**ITEM DESCRIPTION:**

1. Approve and adopt the Proposed City Council Response to the 2013/2014 San Diego County Grand Jury Report entitled “Emergency Response Times: Does Your ZIP Code Dictate Your Chance of Survival?” (which was filed April 29, 2014) as prepared by the Independent Budget Analyst.
2. Authorize and direct the City Council President, on behalf of the City Council, to execute and deliver the response to the Presiding Judge of the Superior Court by July 28, 2014.

**INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:**

Adopt the following resolution:

(R-2014-837)

Approving and adopting the Independent Budget Analyst (IBA) Report Number 14-22 dated June 10, 2014, as its Joint Response with the Mayor to the 2013/2014 San Diego County Grand Jury Report titled "Emergency Response Times: Does Your Zip Code Dictate Your Chance for Survival?;"

Authorizing and directing the Council President, on behalf of the San Diego City Council, to execute and deliver the above described response to the Presiding Judge of the San Diego Superior Court no later than July 28, 2014.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

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

This item was presented at the Public Safety and Livable Neighborhoods Committee meeting on June 18, 2014. The Committee voted unanimously to accept the report and move the item forward to the full City Council. There were no changes to this item.

**ACTION:** Motion by Councilmember Kersey, second by Councilmember Harris, to accept the report and forward to Council.

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

Kawar

Primary Contact\Phone: Chris Olsen\619-236-6446

Secondary Contact\Phone: Lisa Byrne\619-236-5917

City Attorney Contact: Brazier, Noah J.

**NON-DOCKET ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**