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CITY OF SAN DIEGO COUNCIL DOCKET



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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, July 22, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JULY 22, 2014, AT 2:00 PM (Rev. 7/16/14)
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>. 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:

06/09/2014

06/10/2014

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Elementary Institute of Science Day.

PRESENTED BY COUNCILMEMBER COLE

Proclaiming July 22, 2014, to be "Elementary Institute of Science 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-31: Pacific Beach Branch Library Day.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Proclaiming July 12, 2014, to be "Pacific Beach Branch Library Day" in the City of San Diego.

ITEM-32: Campaign to End Homelessness Day.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Proclaiming July 17, 2014, to be "Campaign to End Homelessness Day" in the City of San Diego.

ITEM-33: Dr. Jon Nachison Day.

MAYOR FAULCONER'S AND COUNCILMEMBER ZAPF'S RECOMMENDATION:

Proclaiming July 19, 2014, to be "Dr. Jon Nachison Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

Done.

ADOPTION AGENDA, CONSENT ITEMS

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

NON-AGENDA PUBLIC COMMENT

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

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

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

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

**ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES TO BE INTRODUCED:**

* ITEM-50: Exemption of two Mayor Rep II positions from the Classified Service as approved by the Civil Service Commission on July 3, 2014.

ITEM DESCRIPTION:

This action is to exempt two Mayor Rep II positions from the Classified Service in the Office of the Mayor. These positions will be responsible for reviewing and recommending changes and /or modifications to City policies.

MAYOR FAULCONER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-6)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Office of the Mayor to exempt from the City's Classified Service two Mayor Representative II positions, in the Office of the Mayor, who will be responsible for reviewing and recommending changes to City policies and programs under the authority of the Mayor;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City two Mayor Representative II positions in the Office of the Mayor, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Bradford

Primary Contact\Phone: Stephen Puetz\619-236-6330
City Attorney Contact: Dawson, Joan F.

* ITEM-51: Request to exempt one Program Manager position in the Risk Management Department from the Classified Service.

ITEM DESCRIPTION:

This action is to exempt one Program Manager position from the classified service in the Risk Management Department. Under the direction of the Risk Management Deputy Director, this position will be responsible for managing Risk Management's centralized information systems and ensure on-going compliance with State and Federal legislation.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-9)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt from the City's Classified Service one Program Manager position in the Department, who will be responsible for administering the Department's centralized information systems, future systems design enhancements, and research and development; recommending policy and procedural changes, and directly managing ongoing compliance with federal and state laws;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Program Manager position in the Department, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Position included in the Fiscal Year 2015 Budget.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Montoya/Lewis

Primary Contact\Phone: Estella Montoya\619-533-6107, MS 51B
City Attorney Contact: Dawson, Joan F.

* ITEM-52: Exemption of a Council Representative I position in Council Administration from the Classified Service, as approved by the Civil Service Commission on July 3, 2014.

ITEM DESCRIPTION:

This action is to exempt one Council Representative I position from the Classified Service in Council Administration. This position will be instrumental in assisting the Council Committee Consultants and administering the Community Projects, Programs and Services Contracts.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-5)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Council President to exempt from the City's Classified Service one Council Representative I position, in the Office of Council District 3, who will be responsible for administering Community Projects, Programs, and Service Contracts as well as providing assistance to Council Committee consultants;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Council Representative I position in the Office of Council District 3, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/ COMMITTEE ACTION: None

Granda

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A
Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A
City Attorney Contact: Dawson, Joan F.

- * ITEM-53: Exemption of a Limited Deputy Director and 2 Program Manager positions in the Public Utilities Department from the Classified Service, as approved by the Civil Service Commission on July 3, 2014.

ITEM DESCRIPTION:

This action is to exempt a Limited Deputy Director and 2 Program Manager positions from Classified Service in the Public Utilities Department. The Engineering and Program Management Limited Deputy Director will be responsible for engineering planning, condition assessment, and CIP management.

The PURE Water Program Manager will be responsible for management, administration, planning and technical work products associated with the PURE Water Program. The Employee Services Program Manager will be responsible for exercising a wide range of administrative and management responsibilities related to records management, departmental policies and procedures, employee services, and strategic initiatives.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-7)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department Director to exempt from the City's Classified Service one Supplemental Deputy Director position and two Program Manager positions in the Public Utilities Department. The Supplemental Deputy Director will be responsible for the same duties as the existing Deputy Director of the Engineering and Program Management Division, including ensuring new facilities and upgrades for municipal water, raw water, reclaimed water, and regional wastewater systems are implemented to meet regulatory standards, planning and condition assessments, engineering, energy efficiency, and capital program management. One Program Manager will be responsible for the management, administration, and planning of the technical work products associated with the Program; policy assessment and development; negotiating with participating agencies; directing the work of professional staff members, on-site consultants, and the multi-disciplinary teams assigned to the Program; selecting and hiring consultants to perform technical tasks; reviewing and schedule and budget; and representing the Department at Council and Council Committee meetings as well as before local, state, and federal regulatory agencies. The second Program Manager will be responsible for reporting to the Deputy Director of the Employee Services and Quality Assurance Division; providing support and advice on administrative policies, procedures, guidelines, and practices to the Department's Senior Executive Team; managing the Department-wide records

management program; managing Public Records Act requests, confidential investigations, and sensitive employee issues; and developing, coordinating, and implementing Department-wide directives, initiatives, policies, and procedures;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Supplemental Deputy Director position and two Program Manager positions in the Public Utilities Department, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Mulvey/Heinrichs

Primary Contact\Phone: Susan LeNier\858-292-6466, MS 901

Secondary Contact\Phone: Gary Vetter\858-614-5776, MS 901

City Attorney Contact: Dawson, Joan F.

- * ITEM-54: Authorization of an Ordinance exempting positions from the Classified Service as recommended by the Civil Service Commission on July 3, 2014, in the Infrastructure/Public Works Department.

ITEM DESCRIPTION:

This item includes the request to exempt five positions from the classified service for the Infrastructure/Public Works Department: one Executive Director, two Assistant Deputy Directors, one Program Manager, and one Principal Planner as recommended by the Civil Service Commission on July 3, 2014, in the Infrastructure/Public Works Department.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-3)

Introduction of an Ordinance receiving and reviewing two Memoranda from Personnel Director Hadi Dehghani, dated July 7, 2014, which document that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt from the City's Classified Service five positions in the Department: one Supplemental Executive Director, two Assistant Deputy Directors, one Program Manager, and one Principal Planner. The Supplemental Executive Director will be responsible for providing required management coverage in the Office responsible for compliance with the Americans with Disabilities Act (ADA), including ensuring Citywide compliance with the ADA and ensuring all City facilities, programs, services, and activities operated or funded by the City are accessible and usable by people with disabilities in accordance with the ADA; developing and implementing policies and procedures; and solving problems and improving the effectiveness of office operations. The Assistant Deputy Directors will be responsible for daily management responsibilities in the Right-of-Way and Field Engineering Divisions, managing an average of more than 500 complex infrastructure projects throughout the City annually. One Assistant Deputy Director, in the Right-of-Way Division, will be responsible for asset management of water and sewer, bridges, storm drains and channels, bike and pedestrian paths, traffic signals, and streetlights; and coordination of water quality improvements and the utility undergrounding program capital projects. The second Assistant Deputy Director, in the Field Engineering Division, will be responsible for overseeing the private development permit projects in the City right-of-way, construction storm water management, and the Department's Materials Testing Laboratory. The Program Manager will be responsible for overseeing and coordinating the City's Enterprise Asset Management (EAM) System and providing information related to assets, which will be used in support of the City's CIP investment strategies decisions. The Principal Planner will be responsible for

planning, coordinating, and implementing various policies within the Department, and overseeing the coordination of the Environmental and Permitting Support section in the Project Implementation Division, which manages the environmental permitting processes for all capital improvement projects in the Engineering and Capital Projects Department;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Supplemental Executive Director position, two Assistant Deputy Director positions, one Program Manager position, and one Principal Planner position in the Department, performing the duties set forth in the July 7, 2014, Memoranda from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Nagelvoort/Heinrichs

Primary Contact\Phone: James Nagelvoort\619-236-5949

Secondary Contact\Phone: Rimah Khouri\619-992-0751

City Attorney Contact: Dawson, Joan F.

- * ITEM-55: Exemption of 3.00 Deputy Director and 2.00 Program Manager positions in the Development Services Department from the Classified Service, as approved by the Civil Service Commission on July 3, 2014.

ITEM DESCRIPTION:

This action is to exempt 3.00 Deputy Director and 2.00 Program Manager positions from the Classified Service in the Development Services Department. Under the direction of the Development Services Director, these positions will be responsible for managing divisions in the department including Engineering, Building Inspection, Administrative/Financial Services, Land Development Review, and Building and Housing.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-4)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department Director to exempt from the City's Classified Service three Deputy Director and two Program Manager positions in the Department. The Deputy Directors will be responsible for managing the Building Inspection, Engineering, and Administrative and Financial Services Divisions within the Department, including developing and implementing policies and procedures, solving problems, and improving the effectiveness of Department operations; facilitating and improving communications within the Department and between City management and other stakeholders. The Program Managers will be responsible for managing the Land Development Review and Building and Housing sections in the Code Enforcement Division in the Department. One Program Manager will be responsible for managing the Land Development Review section, which oversees the enforcement of the Land Development Code and other related City and State codes relating to zoning, land use, and environmentally sensitive lands, as well as reviewing building plans, specifications, and inspections required to determine violation of code requirements. The second Program Manager will be responsible for managing the Building and Housing section, which oversees the enforcement of building, electrical, plumbing, mechanical, and other related City and State codes, and for reviewing building plans;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City three Deputy Director and two Program Manager positions in the Department, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Vacchi/Graham

Primary Contact\Phone: Robert Vacchi\619-236-5423, MS 501

Secondary Contact\Phone: Raquel Torres\619-446-5254, MS 401

City Attorney Contact: Dawson, Joan F.

* ITEM-56: Request to exempt one Program Manager position and one Program Coordinator position in the Real Estate Assets Department from the Classified Service.

ITEM DESCRIPTION:

Authorize the Ordinance exempting one Program Manager position and one Program Coordinator position from the Classified Service in the Real Estate Assets Department (READ), as approved by the Civil Service Commission on July 3, 2014.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-8)

Introduction of an Ordinance receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated July 7, 2014, which documents that, on July 3, 2014, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department Director to exempt from the City's Classified Service one Program Manager position, who will be responsible for advising City management of policy or program impacts as a result of various federal, state, and local environmental and noise regulations and policies; managing and developing airport development projects and ensuring compliance with applicable laws and regulations; managing airport operations and maintenance projects; initiating, managing, and closing Federal Aviation Administration (FAA) planning and construction grants; completing and submitting Airport Capital Improvement Program documents to the FAA and California Department of Transportation, Division of Aeronautics; composing and presenting Department requests to the Council; managing the Airport Noise Abatement Program; acting as the Airport Public Relations Officer; and acting as the liaison with various environmental agencies. The Civil Service Commission also reviewed and favorably commented on a proposal from the Department Director to exempt from the City's Classified Service one Program Coordinator position, who will be responsible for providing safe and successful Stadium and parking lot event management; developing and administering Stadium policies and programs; working with tenants to plan staffing and other services prior to and after events; designing and executing a sales plan for soliciting events; and working with the Stadium Business Manager and administrative staff to reconcile the finances of each event;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City one Program Manager position and one Program Coordinator position in the Real Estate Assets Department, performing the duties set forth in the July 7, 2014, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and City Council.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Geitz/Villa

Primary Contact\Phone: Wayne Reiter\858-573-1436, MS 14

City Attorney Contact: Dawson, Joan F.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-100: Authorization of Certain Advance Payments to Maintain Compliance with California Regional Water Quality Control Board Cleanup and Abatement Order No. R9-2012-0024. (Barrio Logan Community Area. District 8.)

ITEM DESCRIPTION:

This item recommends that the City authorize advance payments, with rights reserved, of up to \$9,000,000 to the San Diego Bay Restoration Trust - North to maintain compliance with California Regional Water Quality Control Board Cleanup and Abatement Order No. R9-2012-0024. It also recommends payment of \$190,046.18 to the State of California for past oversight costs incurred in connection with Cleanup and Abatement Order. The advance payments to the trust are for the remediation of submerged sediments at the BAE Systems shipyard and are in addition to funds approved by Resolution R-308451 in September 2013, for cleanup of sediments in the NASSCO shipyard.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-846)

Declaring that subject to all the restrictions made herewith, the Mayor or his designee, is authorizing and directing to pay, for and on behalf of the City, up to \$9,000,000 from the Public Liability Reserve Contingency Fund 720045 to the San Diego Bay Restoration Trust – North and for the purpose of cooperating and maintaining compliance with the Order through the payment of a share of the remedial work costs in the northern section of the Shipyard Sediment Site, and to pay up to \$190,046.18 from the same fund to the State Water Resources Control Board for oversight costs, contingent on the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds necessary for this expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Mayor, or his designee, to pay a sum not to exceed \$9,000,000 for the advancement of funds to the San Diego Bay Restoration Trust - North to maintain compliance with San Diego Regional Water Quality Board Cleanup and Abatement Order No. R9-2012-0024 for the Shipyard Sediments Site, \$40,046.18 for the payment to the California State Water Resources Control Board (SWRCB) for the past oversight costs in the South shipyard, and \$150,000 for payment to the SWRCB for past oversight costs for the North shipyard, all from the Public Liability Fund 720045;

Authorizing the Chief Financial Officer to transfer \$9,190,046.18 from the Public Liability Reserve-Contingency Fund 720046 to the Public Liability Fund 720045 for the purpose of funding all elements of this action;

Authorizing the Chief Financial Officer to appropriate and expend, subject to an express reservation of rights, an amount not to exceed \$9,000,000 for the advancement of remediation funds to the San Diego Bay Restoration Trust - North from the Public Liability Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to appropriate and expend an additional amount of \$40,046.18 above the \$261,000 previously authorized by Resolution R-308451 for payment of an amount not to exceed a total of \$301,046.18 to the California State Water Resource Control Board for past oversight costs in the South shipyard from the Public Liability Fund 720045, contingent upon Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$150,000 for the payment of the California State Water Resources Control Board for the past oversight costs for the North shipyard from the Public Liability Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding for this action will be borne by the Public Liability Fund 720045. Total amount of the funding requested \$9,190,046.18.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Regional Board's Cleanup and Abatement Order for Shipyard Sediment Site in San Diego Bay discussed in Closed Session on the following dates: October 11, 2005; July 22, 2008; February 23, 2009; July 27, 2009; December 7, 2009; November 8, 2011; June 4, 2013, and May 20, 2014. Council Resolution R-308451 adopted September 24, 2013, for funding a share of cost in the South yard.

Bamberg

Primary\City Attorney Contact\Phone: Frederick M. Ortlieb\619-236-6318

* ITEM-101: Appointments to the Civil Service Commission.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-736)

Council confirmation of the following appointments by the Mayor of the City of San Diego, to serve as members of the San Diego Civil Service Commission, for the terms ending as indicated:

NAME

TERM ENDING

Jeannie Foulkrod
(Rancho Bernardo, District 5)
(Filling the seat previously held
by Kathryn F. Ashworth)

January 9, 2018

Gregory Stein
(Carmel Valley, District 1)
(Filling the seat previously
held by Mattheus Stephens)

January 9, 2019

* ITEM-102: Appointment to the Funds Commission.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-9)

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

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
David Tam (Mira Mesa, District 6) (Filling the vacant seat previously held by Matt Ellis)	Citizen	January 28, 2018

* ITEM-103: Appointment to the Community Forest Advisory Board.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-737)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the Community Forest Advisory Board, for the term ending as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Devon Boutte (Point Loma, District 2) (Filling the vacancy in the seat previously held by Patrick Caughey)	Landscape Artist	December 31, 2016

* ITEM-104: Appointments and Reappointments to the Senior Affairs Advisory Board.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-2)

Council confirmation of the following reappointments and appointments by the Mayor of the City of San Diego, to serve as members of the Senior Affairs Advisory Board, for the terms ending as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Teresa Barker (Hillcrest, District 3) (Filling the seat previously held by Floyd Willis)	Senior Service Delivery Professional/Expert	May 31, 2016
Kathleen Harmon (Encanto, District 4) (Filling the seat previously held by Ruth Cardenas)	At-Large Senior	May 31, 2016
Burton Disner (Carmel Valley, District 1) (Reappointment)	Senior Service Delivery Professional/Expert	May 31, 2016
Erskine Garrette (El Cerrito, District 7) (Reappointment)	At-Large Senior	May 31, 2016
Evie Kosower (City Heights, District 9) (Reappointment)	Senior Service Delivery Professional/Expert	May 31, 2016

* ITEM-105: Consideration of Nominee for Appointment to the Board of Directors of Civic San Diego.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-3)

Council confirmation of the following appointment by the Council of the City of San Diego, to serve as the representative of the City Council on the Board of Directors of Civic San Diego, for a term ending as indicated:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Robert Robinson (Broadway Heights, District 4) (Filling the vacancy in the seat previously held by Vernon Evans)	Council Representative	May 1, 2015

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-330: San Ysidro Land Port of Entry Virginia Avenue Transit Facility. (San Ysidro Community Area. District 8.)

ITEM DESCRIPTION:

This proposed action will authorize the future transfer of the City's interests in and to that certain portion of a City street commonly known as Camino Camiones Way, along with the Camiones Way Transit Facility, totaling 2.5 acres, with a value of \$1.5 million dollars, in exchange for the General Services Administration (GSA) designing and constructing the new Virginia Avenue Transit Facility; authorize the granting of a Permanent Access Easement and Temporary Construction Easement to GSA over the southerly portion of Virginia Avenue; and the approval of an Encroachment Maintenance Agreement for GSA's encroachment into a portion of Virginia Avenue in conjunction with their construction associated with the new San Ysidro Land Port of Entry Transit Facility.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-853)

Authorizing the Mayor, or his designee, to: (i) in the future, transfer the City's interests in and to that certain portion of the City street commonly known as Camino Camiones Way, which includes the Camiones Way Transit Facility, to the General Services Administration (GSA) (as more particularly described and depicted on the attached Exhibit A); (ii) specifically except from the foregoing transfer any existing rights of ingress and egress benefiting adjoining property(ies) and any rights to operate, repair and maintain existing utility facilities thereon; (iii) have City staff work with the GSA to provide all necessary review and approval services required for the design and construction of the Virginia Avenue Transit Facility; (iv) accept as full compensation for the City's interests in Camino Camiones Way and the Camiones Way Transit Facility, the GSA's design and construction of the Virginia Avenue Transit Facility; and (v) pursuant to the terms of the Memorandum of Understanding (MOU), accept title to the Virginia Avenue Transit Facility upon completion of the said transit facility;

Authorizing the Mayor, or his designee, to grant to the GSA a Permanent Access Easement over the southerly portion of Virginia Avenue (as more particularly described in the “form of” deed attached hereto as Exhibit B);

Authorizing the Mayor, or his designee, to grant to the GSA a Temporary Construction Easement (as more particularly described in the “form of” deed attached hereto as Exhibit C);

Authorizing the Mayor, or his designee, to issue an Encroachment Maintenance Agreement (EMA) in favor of the GSA (as more particularly described in the “form of” EMA attached hereto as Exhibit D), as administered through the Development Services Department, for the GSA’s encroachment into a portion of Virginia Avenue in conjunction with the GSA’s construction of the Virginia Avenue Transit Facility.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

CalTrans and General Services Administration (GSA) will each be providing \$4 million dollars for the design and construction of the Transit Facility on Virginia Avenue for a total of \$8 million. The City will not be expending any funds towards the design and construction of this project, however, Development Services and Real Estates Assets Department staff will provide all necessary review and approval services required. The City in partnership with other agencies will be responsible for the maintenance of the transit facility.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Geitz/Villa

Primary Contact\Phone: April McCusker\619-236-6987, MS 51A
Secondary Contact\Phone: Lane MacKenzie\619-236-6050, MS 51A
City Attorney Contact: Bevier, Debra J.

ITEM-331: Fiscal Year 2015 Downtown Property and Business Improvement District (PBID) Annual Report. (Centre City (Downtown) Community Area. District 3.)

ITEM DESCRIPTION:

State law requires that the City Council annually approve a report for the Downtown Property and Business Improvement District (PBID) for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. This action also authorizes the appropriation and expenditure of PBID funds.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-21)

Approving the Fiscal Year 2015 Report submitted for the Downtown Property and Business Improvement District (PBID);

Authorizing the Chief Financial Officer to appropriate and expend Downtown PBID operating funds for Fiscal Year 2015, contingent upon approval of the City's Fiscal Year 2015 Appropriation Ordinance and contingent upon the City Comptroller certifying that the funds necessary for expenditure, are or will be, available;

Authorizing the Chief Financial Officer to appropriate and expend funds from the General Fund and Gas Tax Funds for the purpose of paying for general benefits in the Downtown PBID, contingent upon approval of the City's Fiscal Year 2015 Appropriation Ordinance and contingent upon the City Comptroller certifying that the funds necessary for expenditure, are or will be, available.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The anticipated FY 15 assessments for the Downtown Property and Business Improvement District (PBID) total \$6,051,546. The Proposed FY 15 City's Budget includes City Contributions to the PBID from Gas Tax Funds (Medians): \$18,098. The General Fund impact for City owned parcels totals \$344,656. The City will receive \$130,000 from the Downtown PBID for administrative costs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The City Council approved the modification of the Downtown PBID which included the inclusion of the CMD Zone on September 25, 2013, under Resolution R-307698.
- The City Council approved the Fiscal Year 2014 Downtown PBID Annual Report on July 23, 2013, via Resolution R-308361.

Fulton/Graham

Primary Contact\Phone: Luis Ojeda\619-236-6475, MS 56D
City Attorney Contact: Skogen, Daphne Z.

ITEM-332: Annual Special Tax Levy - Community Facilities Districts No. 1, No. 2, No. 3, and No. 4. (Peninsula, Miramar Ranch North, and Black Mountain Ranch Community Areas. Districts 2 and 5.)

ITEM DESCRIPTION:

Approval of the Fiscal Year 2014-2015 Special Tax Levies for Community Facilities District No. 1 (Miramar Ranch North), Community Facilities District No. 2 (Santaluz) Improvement Area No. 1, No. 3, and No. 4, Community Facilities District No. 3 (Liberty Station), and Community Facilities District No. 4 (Black Mountain Ranch Villages) to provide primarily for the collection of special taxes to pay for annual debt service on outstanding bonds issued for the districts and costs incurred by the City to administer each of the districts.

STAFF'S RECOMMENDATION:

Adopt the following resolutions.

Subitem-A: (R-2015-10)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within CFD No. 1, the special taxes for Fiscal Year 2015 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes, including as reflected in the report entitled "Administration Report, Fiscal Year 2014-2015, Community Facilities District No. 1 (Miramar Ranch North)."

Subitem-B: (R-2015-11)

Declaring that, in accordance with the Act and the Authorizing Documents, there is hereby levied upon the parcels of land within each of Improvement Area No. 1, Improvement Area No. 3, and Improvement Area No. 4 of CFD No. 2, the special taxes for Fiscal Year 2015 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes and reflected in the reports entitled "Administration Report Fiscal Year 2014-2015, Community Facilities District No. 2 (Santaluz) Improvement Area No. 1", "Administration Report Fiscal Year 2014-2015, Community Facilities District No. 2 (Santaluz) Improvement Area No. 3", and "Administration Report Fiscal Year 2014-2015, Community Facilities District No. 2 (Santaluz) Improvement Area No. 4," respectively.

Subitem-C: (R-2015-12)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within each of Improvement Area No. 1 and Improvement Area No. 2 of CFD No. 3, the special taxes for Fiscal Year 2015 at the tax rates set forth in the Rate and Method of

Apportionment of Special Taxes, including as reflected in the report entitled "Administration Report, Fiscal Year 2014-2015, Community Facilities District No. 3 (Liberty Station) Improvement Areas No's. 1 and 2."

Subitem-D: (R-2015-13)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within CFD No. 4, the special taxes for Fiscal Year 2015 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes and reflected in the report entitled "Administration Report, Fiscal Year 2014-2015, Community Facilities District No. 4 (Black Mountain Ranch Villages),"

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Approving the Fiscal Year 2014-2015 special tax levies would authorize the collection of special taxes on the County's property tax roll, pursuant to the RMA of each respective CFD, to pay for: 1) debt service on outstanding bonds; 2) eligible public facilities not financed by the bond issues for districts in which additional authorized facilities exist (CFD No. 4 only, as described above); and 3) costs incurred by the City, the designated consultants, and trustees to administer the CFDs.

The special taxes for the CFDs are designated primarily to make debt service payments on each of the CFD special tax bonds. If this action is not approved, there would not be sufficient funds available to meet the annual debt service obligations related to the CFDs, and the CFDs would not be in compliance with the legal bond covenant to levy sufficient special taxes to meet the debt service on the bonds.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Each year since inception of the CFDs, the special tax levies have been presented to the City Council for approval, in accordance with the Mello-Roos Community Facilities Act of 1982. Special taxes were first levied within each of the CFDs as follows:

CFD No. 1 (Fiscal Year 1993); CFD No. 2 - Improvement Areas No. 1 and No. 3 (Fiscal Year 2002); Improvement Area No. 4 (Fiscal Year 2004); CFD No. 3 (Fiscal Year 2004); and CFD No. 4 (Fiscal Year 2004).

Kommi/Lewis

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Secondary Contact\Phone: Elizabeth Kelly\619-236-6932, MS 7B
City Attorney Contact: Will, Brant C.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT