

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 2
MONDAY, OCTOBER 20, 2014, AT 2:00 PM
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, DISCUSSION, OTHER LEGISLATIVE ITEMS

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

ITEM-S401: Submission of City Clerk Certification of Sufficiency for Referendary Petition - Ordinance O-20390.

CITY CLERK'S RECOMMENDATION:

Informational Item Only - Submit before Council the City Clerk Certificate of Sufficiency.

SUPPORTING INFORMATION:

Blank petition on file at the City Clerk's Office.

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

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

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

ITEM-S402: Action by Council on Referendary Petition to Repeal or Place on Ballot: Ordinance O-20390. (An Ordinance relating to earned sick leave and minimum wage to be provided to employees working in the City of San Diego).

TODAY'S ACTIONS ARE:

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

Subitem-A: (O-2015-49)

Introduction of an Ordinance granting a referendary petition against Ordinance No. O-20390 and repealing Ordinance No. O-20390 relating to San Diego Municipal Code amendments associated with earned sick leave and minimum wage.

OR

Subitem-B: (R-2015-203)

Declaring its intention to submit to the electorate of the City of San Diego, at a special election, the referendary petition against Ordinance No. O-20390;

Directing the City Attorney to prepare an ordinance calling a special election to place the matter on the ballot.

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

SUPPORTING INFORMATION:

Blank petition on file at the City Clerk's Office.

Per Section 27.1133 of the San Diego Municipal Code, a special election for a referended legislative act shall be consolidated with the next City-wide Primary or City-wide General Election at which the matter can be placed on the ballot; or at a separate special election called prior to that time for the purpose of voting on the matter. The next City-wide Primary Election is expected to be held in June 2016.

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

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City Attorney Contact: Spivak, Sharon B.

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

ITEM-S403: Authorizing a nine (9) months extension to existing Car Share Pilot Program Agreement with car2go. (Point Loma, Ocean Beach, Pacific Beach, Mission Beach, Bay Park, Morena, Midway, Downtown, Little Italy, Old Town, Middletown, North Park, Hillcrest, Mission Hills and Mission Valley Community Areas. Districts 2, 3, and 7.)

ITEM DESCRIPTION:

This action is to extend the existing Car Share Pilot Program Operator Agreement between the City of San Diego and car2go for a period not-to-exceed nine (9) months. This extension will allow for the City's Corporate Sponsorship Program to complete the open and competitive process to identify a permanent car sharing provider.

STAFF'S RECOMMENDATION:

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

Subitem-A: (O-2015-45)

Introduction of an Ordinance, authorizing the Mayor, or designee, on the City's behalf, to execute the Amendment in substantially the same form included as Attachment E to the Executive Summary accompanying this ordinance, and on such other terms and conditions deemed by the Mayor, or designee, to be in the best interests of the City, subject to the approval of the City Attorney;

Declaring that the Pilot Program shall continue until July 24, 2015, or the date upon which the City effectuates a permanent car share program, whichever is sooner;

Declaring that the Pilot Program is a non-exclusive car sharing program and any public or private company or organization that wishes to participate in the Pilot Program may do so pursuant to a separate Agreement with the City under substantially the same terms and conditions of the Extension Agreement;

Declaring that the requirement of San Diego Municipal Code Section 86.0123(c), that the operator of a vehicle immediately deposit money into a parking meter or otherwise immediately purchase time using an approved method of payment shall not apply to any vehicle, or operator of the vehicle, available for rent pursuant to the terms of the Pilot Program and an Agreement with the City as described in Section 3 of this ordinance;

Declaring that the restriction contained in San Diego Municipal Code Section 86.0126, that prohibits a person from allowing a vehicle to remain parked in any parking meter zone when the meter, receipt, card, or electronic device shows the parking time has expired shall not apply to any vehicle, or operator of the vehicle, available for rent pursuant to the terms of the Pilot Program and an Agreement with the City as described in Section 3 of this ordinance.

Subitem-B: (R-2015-213)

Declaring that the actions of the City Council extending of the Pilot Program for nine months, exempting the Pilot Program from certain sections of the San Diego Municipal Code, and approving the Amendment to the Extension Agreement are not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(2), as they would not result in any direct or indirect physical change in the environment; however, even assuming that these actions are subject to CEQA, they are categorically exempt from CEQA pursuant to CEQA Guidelines 15301 and 15306, and no exception to the exemptions as set forth in CEQA Guidelines 15300.2 has been determined to apply.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action before the City Council does not have a net fiscal impact. Consistent with San Diego City Council Policy 100-05, it is the intent of the City to incur no expense associated with its involvement in this program. All of the costs associated (e.g. parking stall reconfigurations, parking metered revenues, etc.) with this program are to be covered by the operator. However, some administrative costs may be subsidized by the City initially. Operator fees will be adjusted after one (1) year in order for the program to be fully cost recoverable.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On September 28, 2011, Resolution R-307015 established the City of San Diego's All-Electric Vehicle Car Share Pilot Program.

Moreno/Graham

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