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CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Todd Gloria • Third District

COUNCIL PRESIDENT PRO TEM

Sherri Lightner • First District

COUNCILMEMBERS

Edward Harris • Second District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Lorie Zapf • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

Marti Emerald • Ninth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building

Monday, December 8, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, DECEMBER 8, 2014, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. 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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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 based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS:
COMMITTEE ON INFRASTRUCTURE:

ITEM-150: Fiscal Year 2014 State of the Capital Improvements Program (CIP) Report.

ITEM DESCRIPTION:

The report provides an update of the status of the City's Capital Improvements Program (CIP), consistent with the CIP Transparency Policy (Council Policy 000-31), adopted April 2012. This is the fifth State of the CIP Report and covers CIP activity during Fiscal Year 2014. The report provides an overview of the City's CIP, highlighting major projects and programs as well as process improvements, recommendations and accomplishments. The information in this report provides information intended to help facilitate decision making in the upcoming budget cycle. This report also includes the "CIP FY 2015 Construction Award List."

STAFF'S RECOMMENDATION:

This is an informational item only.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- See Council Policy 000-31.
- See State of the CIP Status Report of October 24, 2013, Report No. 13-093.
- See State of the CIP Report of April 4, 2014, Report No. 14-34.
- This item was heard at the Infrastructure Committee meeting on November 12, 2014.

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

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

Nagelvoort/Heinrichs

Primary Contact\Phone: Angela Colton\619-533-4180, MS 908A
Secondary Contact\Phone: Emily Perrone\619-533-5361, MS 908A

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS:
COMMITTEE ON BUDGET AND GOVERNMENT EFFICIENCY:

ITEM-151: Fiscal Year 2015 First Quarter Budget Monitoring Report.

ITEM DESCRIPTION:

The Fiscal Year 2015 First Quarter Budget Monitoring Report (FQ Report), presents projections of year-end revenues, and expenditures for the General Fund and other funds with budgeted personnel. This report includes discussion of year-end revenue and expenditure projections that vary from the Fiscal Year 2015 Budget, by \$500,000, or more. The FQ Report also includes an update regarding the reserves for various City funds, in accordance with the City's Reserve Policy (Council Policy 100-20). The status of the hiring process for current vacancies is also presented in the report.

STAFF'S RECOMMENDATION:

This is an informational item only.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

See attached report.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on November 19, 2014.

ACTION: Motion by Councilmember Kersey, second by Council President Pro Tem Lightner, to accept the report and forward to City Council.

VOTE: 5-0; Gloria-yea, Lightner-yea, Kersey-yea, Zapf-yea, Alvarez-yea.

McCraner/Lewis

Primary Contact\Phone: Alia Khouri\619-533-4082, MS 8A

Secondary Contact\Phone: Tania Serhan\619-236-5556, MS 8A

ITEM-152: Fiscal Year 2016-2020 Five-Year Financial Outlook.

ITEM DESCRIPTION:

This action is a presentation of the City of San Diego Fiscal Year 2016-2020, Five-Year Financial Outlook.

STAFF'S RECOMMENDATION:

This is an informational item only.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The purpose of the Outlook is to give the City Council and public information to facilitate an informed discussion regarding the City's needs; and serve as the guiding document during the development of the FY 2016 Adopted Budget.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on November 19, 2014.

ACTION: Motion by Councilmember Kersey, second by Councilmember Alvarez, to accept the report and forward to City Council, with direction to Financial Management to provide a written response to Committee Member questions prior to Council hearing, and direction to the Independent Budget Analyst to review Financial Management's response.

VOTE: 5-0; Gloria-yea, Lightner-yea, Kersey-yea, Zapf-yea, Alvarez-yea.

Primary Contact\Phone: Tracy McCraner\619-236-6218, MS 8A

Secondary Contact\Phone: Matthew Vespi\619-236-6882, MS 8A

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-200: Consideration of Temporary Rule 4.2 of the Permanent Rules of Council to Select the Council President on or after December 10 or Selection of the Council President Pursuant to Current Rule 4.2. (Citywide.) (Rev. 12/05/14)

ITEM DESCRIPTION:

Per Rule 9 of the Permanent Rules, the City Council may adopt temporary rules superseding any permanent rule for the time period specified. The Council is being requested to approve a resolution to apply a temporary rule, moving the selection of the Council President, to the first Council Meeting held on or after the 10th day of December, superseding Rule 4.2, of the Permanent Rules of Council until an ordinance amending Rule 4.2 is effective.

If Council does not approve temporary rule 4.2 as proposed in sub-item A, the selection of a Council President would have to proceed per Rule 4.2 of the Permanent Rules of Council “at the first regular Council meeting held after 10:00 a.m. the first Monday after the first day of December”. (December 8, 2014) (Rev. 12/05/14)

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

Subitem-A (R-2015-293)

Declaring that the following temporary rule shall apply and supersede Rule 4.2 of the Permanent Rules of Council until an ordinance amending Rule 4.2 is effective:

4.2 Selection of the President

At the first Council meeting held on or after the tenth day of December, the Council shall select a President from one of its members by majority vote of the Council. The President shall serve for a term of one year, commencing on the date set forth above, or until a successor is selected and qualified, whichever is later. The President may serve more than one term.

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

OR

Subitem-B (R-2015-317) (Rev. 12/05/14)

Selecting a Council President to serve a one-year term commencing on December 8, 2014, and until a successor is selected and qualified.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz \619-236-6633, MS 10A
City Attorney Contact: Bradley, Catherine M.

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.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: 2014 City of San Diego Inauguration Ceremony for the Seventieth City Council.

Inauguration for the Seventieth City Council

Meeting Date: Wednesday, December 10, 2014
Meeting Time: 10:00 a.m.
Meeting Location: Golden Hall, Charles C. Dail Concourse

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ITEM-251: **Notice** of Pending Final Map Approval - 5th & Nutmeg.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "5th & Nutmeg" (V.T.M. No. 851727, PTS No. 352266) located at the Southeast corner of Fifth Avenue and Nutmeg Street, in the CV-1 and MR-400 zones, within the Mid-City Communities Planned District Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT