

CITY OF SAN DIEGO COUNCIL DOCKET



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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

Tuesday, December 9, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, DECEMBER 9, 2014, AT 10:00 AM
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 10:30 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:30 a.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:

10/20/2014
10/21/2014 - 10:00 AM - Adjourned
10/21/2014 - 2:00 PM
10/27/2014
10/28/2014

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Jo-Ann Carini Day.

PRESENTED BY COUNCILMEMBER HARRIS:

Proclaiming December 9, 2014, to be "Jo-Ann Carini Day" in the City of San Diego.

ITEM-31: Pat Justice Day.

PRESENTED BY COUNCILMEMBER ALVAREZ:

Proclaiming December 9, 2014, to be "Pat Justice Day" in the City of San Diego.

ITEM-32: This item has been pulled from the docket. (Rev. 12/4/14)

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

ITEM-33: Mount Soledad Veterans Celebration Day.

MAYOR FAULCONER'S, COUNCIL PRESIDENT GLORIA'S, COUNCIL PRESIDENT PRO TEM LIGHTNER'S, COUNCILMEMBER HARRIS', AND COUNCILMEMBER EMERALD'S RECOMMENDATION:

Proclaiming November 8, 2014, to be "Mount Soledad Veterans Celebration Day" in the City of San Diego.

ITEM-34: Paradise Hills Branch Library 50th Anniversary Day.

COUNCILMEMBER COLE'S RECOMMENDATION:

Proclaiming December 13, 2014, as the "Paradise Hills Branch Library 50th Anniversary Day" in the City of San Diego.

ITEM-35: United Through Reading Day.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Proclaiming November 15, 2014, to be "United Through Reading Day" in the City of San Diego.

ITEM-36: Greg Miller Day.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Proclaiming November 15, 2014, to be "Greg Miller Day" in the City of San Diego.

NOTE: The following Ceremonial item will be presented in Council Chambers. It will be approved by Unanimous Consent unless pulled for discussion.

ITEM -37: Recognition of Councilmember Ed Harris for his service to the residents of 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: Proposed Revisions to the Municipal Code Regarding the Definition of Cooperative Procurement Contracts and Contracts Not Required to be Competitively Bid. (Citywide.)

ITEM DESCRIPTION:

Purchasing and Contracting is asking for changes to be made to the San Diego Municipal Code, regarding Contracts that are not required to be Competitively Bid in Chapter 2, Article 2, Divisions 30 and 32.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/17/2014, Item 205. (Council voted 8-0. Councilmember Emerald not present):

(O-2015-53)

Amending Chapter 2, Article 2, Division 30, of the San Diego Municipal Code, by amending Section 22.3003, and amending Chapter 2, Article 2, Division 32, of the San Diego Municipal Code by amending Section 22.3208, relating to the definition of a Cooperative Procurement Contract and Contracts not required to be Competitively Bid.

- * ITEM-51: Proposed Revisions to the Municipal Code Relating to the Approval of Contracts for Goods and Services. (Citywide.)

ITEM DESCRIPTION:

Proposed amendments to the San Diego Municipal Code, which would authorize departments to approve service requisitions up to \$25,000; and authorize the Purchasing Agent to contract up to \$3,000,000, without Council approval and over \$3,000,000, if the procurement is approved through the appropriation ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/17/2014, Item 206. (Council voted 8-0. Councilmember Emerald not present):

(O-2015-52 Cor. Copy)

Amending Chapter 2, Article 2, of the San Diego Municipal Code by amending Division 5, Section 22.0505, and by amending Division 32, Sections 22.3203 and 22.3206, all relating to the approval of Contracts for Goods and Services.

- * ITEM-52: Proposed Additions to the Municipal Code Regarding the Approval of Electronic Transactions and Signatures in the Processing of Contracts for Consultants, Goods, Services and Public Works. (Citywide.)

ITEM DESCRIPTION:

Purchasing and Contracting, in conjunction with Public Works Contracting, are requesting the approval of proposed actions to add language in the San Diego Municipal Code, to address Electronic Transactions as they relate to the Competitive Bidding Process.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/17/2014, Item 207. (Council Voted 8-0. Councilmember Emerald not present):

(O-2014-120)

Amending Chapter 2, Article 2, Division 30, of the San Diego Municipal Code by adding Section 22.3020 relating to Electronic Transactions.

- * ITEM-53: Amendments to the San Diego Municipal Code to provide for the newly-created Departments of Performance & Analytics and Communications.

ITEM DESCRIPTION:

This action is to amend the San Diego Municipal Code to reflect the addition of two new City Departments - the Communications Department and the Department of Performance and Analytics. The creation of the new departments was discussed in Report to City Council, No. 13-076, dated October 21, 2013, which was approved by the City Council on October 28, 2013, by Resolution No. R-308540.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/17/2014, Item 201. (Council voted 8-0. Councilmember Emerald not present):

(O-2015-19)

Amending Chapter 2, Article 2, Division 18, of the San Diego Municipal Code by Amending Section 22.1801, adding Chapter 2, Article 2, Division 46, relating to the newly-created Department of Performance and Analytics and adding Chapter 2, Article 2, Division 47, relating to the newly-created Department of Communications.

* ITEM-54: The Marian Catholic Property Project, Project No. 307088. (Otay Mesa-Nestor Community Plan Area. District 8.)

ITEM DESCRIPTION:

Actions are the approval of a General Plan/Otay Mesa-Nestor Community Plan Amendment, Rezone, Vesting Tentative Map, Master Planned Development Permit and Rescission of Conditional Use Permit No. 83-0640 for the construction of 175 detached residential units located at 1002 18th Street.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/17/2014, Item 204, Subitem C. (Council voted 8-0. Councilmember Emerald not present):

Subitem-C: (O-2015-47 Cor. Copy)

Changing 18.0 acres located at 1002 18th Street, within the Otay Mesa-Nestor Community Plan Area, in the City of San Diego, California, from the Single Family Zone of RS-1-7 to the Multi-Family Zone of RM-1-2, and repealing Ordinance No. 8029 adopted December 18, 1958, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

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

* ITEM-55: Third Amendment to the HDR Engineering, Inc., Design Agreement for City Wide Pump Station Upgrades. (Citywide.)

ITEM DESCRIPTION:

City Council authorization of Amendment Number Three (3) to the Agreement with HDR Engineering, Inc., for continued Professional Engineering Services for the City Wide Pump Station Upgrades projects. Specifically, the Amendment will be to complete the construction, start-up, and close-out of Group Numbers II and III, and Stations 84/62.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/2014, Item 52. (Council voted 9-0.):

(O-2015-218)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Third Amendment to the Agreement with HDR Engineering, Inc., for Professional Engineering Services, in an amount not to exceed \$199,152, and under the terms and conditions set forth in the document, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$199,152, for the purpose of the above Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer, in the amounts as follows: \$68,938 from CIP S-00303, PS Upgrades Group I North County, Fund 700008, Sewer, of which \$52,906 is for CIP S-00304, PS Upgrades Group II Citywide and \$16,032 is for CIP S-00305, PS Upgrades Group III Forcemains, and \$130,214 from CIP S-00308, PS 84 Upgrade and PS 62 Abandonment, Fund 700008, Sewer of which \$52,906 is for CIP S-00304, PS Upgrades Group II Citywide and \$16,032 is for CIP S-00305, PS Upgrades Group III Forcemains, and \$130,214 from CIP S-00308, PS 84 Upgrade and PS 62 Abandonment, Fund 700008, Sewer.

NOTE: 6 votes required pursuant to Charter Section 99.

* ITEM-56: City EMS Medical Director Agreement - First Amendment.

ITEM DESCRIPTION:

Request Council Ordinance to extend the Amended City EMS Medical Director Agreement for services of Dr. James Dunford. The current Agreement is set to expire on December 31, 2014, and includes a provision to extend the contractor's services for up to five years. The Fire-Rescue Department is requesting to extend the Agreement for one year, through December 31, 2015, with the option for 4 annual renewals, if the parties agree, through December 31, 2019. In addition, there is a modification to the scope of work.

STAFF'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/2014, Item 53. (Council voted 9-0.):

(O-2015-27)

Authorizing the Mayor, or his designee, to execute an amended Emergency Medical Services Medical Director Agreement with Dunford Medical Consultation, extending that Agreement from January 1, 2015, to December 31, 2015, with four optional one-year extensions;

Authorizing the Chief Financial Officer to appropriate and the City Comptroller to expend the funds for the contract services for the second half of FY 2015, in the amount of \$116,020, and for each subsequent fiscal year as part of the budget process.

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

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

- * ITEM-57: Amendment to the Contract with Rotorcraft Support, Inc. extending the Contract for the provision of maintenance and repair for the two San Diego Fire-Rescue Helicopters. (Citywide.)

ITEM DESCRIPTION:

This action is the First Amendment to Contract No. 4600000114, with Rotorcraft Support, Inc., for helicopter repair and maintenance service, which is currently set to expire on January 28, 2015. The intent of this request is to extend the current contract to June 30, 2016.

STAFF'S RECOMMENDATION:

Introduce the following the ordinance:

(O-2015-58)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute a First Amendment to Contract No. 4600000114, with Rotorcraft Support, Inc., for maintenance and support services that will extend the contract to June 30, 2016.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no additional impact to the general fund for the extension to June 30, 2016. The yearly cost of this contract is part of the Departments anticipated needs and is accounted for in the yearly budget. Currently the annual estimated cost for the helicopter service and maintenance is \$1,100,000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On September 7, 2010, the City Council approved Resolution No. 306094, which authorized the City to enter into a contract with Rotorcraft Support, Inc., for the provision of service and maintenance for the two San Diego Fire-Rescue helicopters.
- On July 28, 2010, Public Safety and Neighborhood Services voted and approved to forward for full Council approval.

- This item was presented at the Public Safety and Livable Neighborhoods Committee meeting on November 13, 2014.

ACTION: Motion by Councilmember Cole, second by Councilmember Emerald, to approve and forward to full City Council.

VOTE: 3-0; Emerald-yea, Cole-yea, Harris-yea, Kersey-not present.

Mainar/Chadwick

Primary Contact\Phone: Brian Fennessy\619-533-4401, MS 604

Secondary Contact\Phone: Doug Nakama\619-533-4307, MS 604

City Attorney Contact: Brazier, Noah J.

* ITEM-58: Transfer of Non-Exclusive Solid Waste Collection Franchise.

ITEM DESCRIPTION:

Adopt an ordinance approving the transfer of the Express Waste and Recycling, Inc. (Express) Non-Exclusive Solid Waste Collection Franchise to EDCO Disposal Corporation.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-56)

Introduction of an Ordinance approving the transfer of the Class I Non-Exclusive Franchise for Solid Waste Management Services from Express Waste & Recycling, Inc., to EDCO Disposal Corporation;

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a consent to the Assignment of the Franchise and the Franchise Agreement, as set forth in the Consent to Assignment of Class I Non-Exclusive Franchise Agreement for Solid Waste Management Services.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There are no anticipated expenses or significant revenue impacts related to this action. This action will authorize the transfer of a franchise from one company to another.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on November 12, 2014, and forwarded to the full Council with a recommendation to approve with the inclusion of an additional clause in the ordinance. That clause has been added as Section 2 of the ordinance.

ACTION: Motion by Councilmember Harris, second by Chair Alvarez, to approve with the additional language added to the requested actions: *"Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Consent to the Assignment of the Franchise and the Franchise Agreement, as set forth in the Consent to Assignment of Class I Non-Exclusive Franchise Agreement for Solid Waste Management Services."*

VOTE: 3-0; Alvarez-yea; Harris-yea; Zapf-yea; Emerald not present.

Greenhalgh/LoMedico

Primary Contact\Phone: Samuel Merrill\858-573-1253

Secondary Contact\Phone: Rochelle Monrow\858-573-1298

City Attorney Contact: Guy, Amanda L.

- * ITEM-59: Reimbursement Agreement with KB Home Coastal Inc., for a portion of Project No(s). T-5.2, Carmel Mountain Road - Northerly Portion (Widening to Four Lanes from Sundance to SR-56 Right-of-Way) and U-3, New 16" Water Mains in Rhodes Crossing. (Torrey Highlands Community Area. District 1.)

ITEM DESCRIPTION:

Requesting approval of the Reimbursement Agreement for the Northern portion of Project No(s) T-5.2 and U-3, Carmel Mountain Road (Widening to Four Lanes from Sundance to SR-56 Right-of-Way) and New 16" Water Main in the Torrey Highlands area. Under the terms of the Reimbursement Agreement, KB Home Coastal Inc., will design and construct a portion of the road and waterline and the City will reimburse KB Home Coastal Inc., for those costs.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-55)

Introduction of an Ordinance authorizing the Mayor to execute, for and on behalf of the City, a Reimbursement Agreement with KB Home Coastal Inc., for the purchase, design, and construction of the northerly portion of Project No(s). T-5.2 and U-3, in the Torrey Highlands Community, under the terms and conditions set forth in the Agreement;

Waiving San Diego Municipal Code Section 22.3202 and Council Policy 300-07, Council Policy 100-10, and Administrative Regulation 25.60, regarding consultant services selection, with respect with the following consultants: (1) Hunsaker & Associates of San Diego Inc., for civil engineering; and (2) Weiland & Associates Inc., for landscape architecture;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$785,760 for the design and construction of a portion of T-5.2 (RD-15002), Carmel Mountain Road (Four Lanes to Subarea Boundary) and \$273,157 for U-3 (RD-15003), New 16" Water Main, from Torrey Highlands Fund No. 400094, consistent with the timing established in the most recently adopted Torrey Highlands Public Facilities Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

KB Home Coastal Inc., will be reimbursed from the Torrey Highlands FBA, Fund 400094 an amount not to exceed \$785,760 for Project T-5.2 (WBS No. RD-15002) and \$273,157 for Project U-3 (WBS No. RD-15003) to provide design and construction of a portion of Projects T-5.2, Carmel Mountain Road (Four Lanes to Subarea Boundary) and U-3, New 16" Water Mains.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On March 30, 2004, (R-299050) City Council granted Vesting Tentative Map No. 7938 (VTM) to Rhodes Crossing.
- The City Council approved the Torrey Highlands Public Facilities Financing Plan (PFFP) on November 27, 2012, by Resolution No. R-307857.
- This item was heard at the Infrastructure Committee meeting on November 12, 2014.

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

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

Tomlinson/Graham

Primary Contact\Phone: Charlette Strong Williams\619-533-3683, MS 606F

Secondary Contact\Phone: John Tracanna\619-533-3682, MS 606F

City Attorney Contact: Lintvedt, Inga B.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Approving a Multiple Award Construction Contract (MACC) Task for the Catalina 12" Cast Iron Main and Catalina Sewer Main Project. (Peninsula Community Area. District 2.)

ITEM DESCRIPTION:

Council authorization is requested to allow the Mayor, or his designee, to execute a contract not to exceed \$20 million, for the design and construction of the Catalina 12" Cast Iron Main and Catalina Sewer Main Project, to one of the five short listed Multiple Award Construction Contracts (MACC), firms to be selected during the MACC process. Council approval is required for MACC projects exceeding \$10 million.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-69)

Authorizing the Mayor, or his designee, for and on behalf of the City, to increase a task order to an amount not to exceed \$20,000,000, for the selected Design-Build Firms for this project;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$20,000,000 to fund task orders to the selected firms for the awarded Design-Build Contracts with three years in duration upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer, first finishing one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funds for the Multiple Award Construction Contract (MACC) Task Order are, or will be, available in CIP S-12008, Catalina 12" Cast Iron Mains, Fund 700010, Water Utility CIP Funding Source and A-JA.00001, Annual Allocation - Sewer Main Replacements (B-13216), Fund 700008, Muni Sewer CIP Funding Source, contingent upon the adoption of the Annual Appropriation Ordinance, for the applicable fiscal year and contingent upon the Chief Financial Officer, furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Funds will be allocated on a task order basis, and the projects will be phase-funded through Fiscal Year 2017.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This action was heard by the Infrastructure Committee meeting on November 19, 2014.

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

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

Nagelvoort/Heinrichs

Primary Contact\Phone: Marnell Gibson\619-533-5213, MS 908A

Secondary Contact\Phone: Luis Schaar\619-533-7492, MS 908A

City Attorney Contact: DeLara, Pedro, Jr.

- * ITEM-101: Authorization to execute a contract with Brenntag Pacific, Inc. (Bid No. 10043586-14-C) for Caustic Soda 50% Solution to treat water and wastewater at all appropriate Public Utilities Department facilities. (Citywide.)

ITEM DESCRIPTION:

This action is for the authorization to execute a contract with Brenntag Pacific, Inc., for the purchase of Caustic Soda 50% Solution for the treatment of water and wastewater at the following Water and Wastewater Treatment Plants: Otay, Alvarado, and Miramar Water Treatment Plants; Point Loma Wastewater Treatment Plant; Metro Biosolids Center, Wastewater Pump Stations, Pump Station 2, and Peñasquitos Pump Station.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-266)

Authorizing the Mayor, or his designee, to execute an Agreement with Brenntag, for the purchase of Caustic Soda 50 percent Solution chemical to treat water at the Water and Wastewater Treatment Plants and Pump Stations, on an as-required basis, in accordance with ITB No. 10043586-14-C, for a maximum amount not to exceed \$9,317,890, with a contract duration of one (1) year and with the options to exercise four (4) one (1)-year extensions;

Authorizing the Chief Financial Officer to expend a cumulative amount not to exceed \$9,317,890 from Water Utility Operating Fund 700011, Metro Sewer Utility Fund 700001, and Muni Sewer Revenue Fund 700000, for the purpose of funding the above Agreement and extension options, with an expenditure amount not to exceed \$1,623,589 for the initial contract year (\$1,441,677 from Fund 700011-Water Utility Operating, \$176,859 from Fund 700001-Metro Sewer Utility, and \$5,053 from Fund 700000-Muni Sewer Revenue), contingent upon the adoption of the Annual Budgets and Annual Appropriation Ordinances for the applicable fiscal years and contingent upon the Chief Financial Officer certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not to exceed amount is \$9,317,890, for the five (5) year contractual term. Funds are, or will be, available in the amount of \$8,091,372, from Water Utility Operating Fund 700011, \$1,192,448, from Metro Sewer Utility Fund 700001, and \$34,070, from Muni Sewer Revenue Fund 700000, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Purchases will be made on an as-required basis.

Estimated expenditures are as follows:

Contract 1st Year:

Fiscal Year 2015

Not to exceed \$1,623,589. (Water = \$1,441,677; Metro = \$176,859; Muni = \$5,053)

Contract Option Years 1 - 4:

Fiscal Years 2016 to 2019

Not to exceed \$7,694,301. (Water = \$6,649,695; Metro = \$1,015,589; Muni = \$29,017)

Total not to exceed Contract: \$9,317,890. (Water = \$8,091,372; Metro = \$1,192,448; Muni = \$34,070)

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on November 12, 2014.

ACTION: Motion by Councilmember Harris, second by Chair Alvarez, to forward to the full City Council with a recommendation to approve.

VOTE: 3-0; Alvarez-yea, Harris-yea, Zapf-yea, Emerald-not present.

Mulvey/Heinrichs

Primary Contact\Phone: Jesus Meda\619-527-3156, MS 43

Secondary Contact\Phone: Cheryl Lester\619-292-6447, MS 903

City Attorney Contact: Jung, Jeremy A.

- * ITEM-102: Agreement with Alcatel-Lucent via the Western States Contracting Alliance (WSCA) Agreement for upgrades to the wireless microwave networks and infrastructure that support Public Safety and regional interoperability communications.

ITEM DESCRIPTION:

This is a request for Council to authorize execution of an Agreement through the Western States Contracting Alliance (WSCA) with Alcatel-Lucent for a total not-to-exceed amount of \$1,500,000. This Agreement replaces end of life switches and routers that support Public Safety Emergency Communication Systems. Alcatel Lucent equipment upgrades are necessary to ensure the wireless microwave networks for Public Safety are interoperable, secure through improved encryption, and will increase user and resource capacity. Alcatel-Lucent equipment will interface with PD and Fire P25/CAD systems, PD and Fire Voice logging recorder systems, and the VoIP 9-1-1 phone system upgrade.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-269)

Authorizing the Mayor, or his designee, for and on behalf of the City, to utilize the Western States Contracting Alliance (WSCA) Agreement procured through the State of Washington, as modified by the terms and conditions of the California Participating Addendum with Alcatel USA Marketing, Inc. (Alcatel), with the term extending through March 31, 2016;

Authorizing the Chief Financial Officer to appropriate and expend funds financed through the EVFP Master Lease Agreement with Banc of America Public Capital Corp. (O-20332) in an amount not to exceed \$1,500,000 for the period running from approval of this Resolution through March 31, 2016, solely and exclusively, to provide funds for the WSCA Agreement, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds for this expenditure are, or will be, on deposit in the City Treasury.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$1,500,000 will be Lease Purchased through the EVFP Master Lease Agreement with Banc of America Public Capital Corporation (O-20332).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- October 17, 2008, Resolution No. R-304213, Council authorized the execution of the Fiscal Year 2008 Homeland Security Grant Program which included the Regional Interoperable Radio Communications Projects.
- May 16, 2011, Resolution No. R-306793, Council authorized an Agreement with Motorola Solutions, Inc., for Public Safety Communication Systems Upgrades.
- December 24, 2013, Ordinance No. O-20332, Council authorized the City to execute a Master Lease Agreement with Banc of America Public Capital Corp., for the purpose of financing the acquisition of essential vehicles and equipment.
- May 29, 2014, Resolution No. R-308933, Council authorized the Mayor to enter into a Fourth Amendment to the City's Agreement with Aviat US, Inc., for the purpose of providing and upgrading the City's wireless microwave communications systems.
- November 19, 2014, this item was heard at the Budget and Government Efficiency Committee.

ACTION: Motion by Councilmember Zapf, second by Councilmember Kersey, to forward staff recommendation to full Council with a recommendation to approve the staff's recommendation.

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

Behnke/LoMedico

Primary Contact\Phone: Denise McAnally\619-525-8650, MS 23

Secondary Contact\Phone: Huw Williams\619-525-8582, MS 23

City Attorney Contact: Lastomirsky, Steven R.

* ITEM-103: Pure Water San Diego Program As-Needed Engineering Technical Services Consultant. (Citywide.)

ITEM DESCRIPTION:

This action is for approval of a 5-year \$30,000,000 Agreement with MWH Americas, Inc., for As-Needed Engineering Technical Services, to support the Public Utilities Department in the implementation of the Pure Water San Diego Program.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-217)

Authorizing the Chief Financial Officer to amend the Fiscal Year 2015 Capital Improvement Program (CIP) Budget by adding CIP A-LA.00001, PURE Water Program;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2015 CIP Budget, in CIP A-LA.00001, PURE Water Program, and to appropriate and expend \$5,000,000, (\$2,500,000 from Fund 700010, Water Utility - CIP Funding Source and \$2,500,000, from Fund 700009, Metro Sewer Utility - CIP Funding Source) for the purpose of funding the PURE Water Program, upon the Chief Financial Officer, furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to execute an Agreement with MWH Americas, Inc., to provide As-Needed Engineering Technical Services for an amount not to exceed \$30,000,000, over a term of five (5) years, in accordance with the terms and conditions set forth in the document, contingent upon the Chief Financial Officer, furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend a cumulative amount not to exceed \$30,000,000 from Water Utility CIP Fund 700010, and Metro Sewer CIP Fund 700009, over five (5) years for the purpose of funding the above Agreement, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and upon the Chief Financial Officer, furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,000 from Water Utility Operating Fund 700011, for the purpose of funding the minimum contract obligations of the above Agreement, contingent upon the Chief Financial Officer, furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2015-216)

Declaring that the Project is statutorily exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15262.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total Contract is not to exceed \$30,000,000, over five (5) years. Funds are or will be available in Water Utility CIP Fund 700010 and Metro Sewer CIP Fund 700009, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer, furnishing one or more certificates, certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Funds will be allocated on a task order basis.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The Recycled Water Study was received by Council under Resolution No. R-307585, on July 17, 2012.
- The City Council adopted Resolution No. R-308906, on April 29, 2014, supporting the Pure Water Program.
- This item was heard at the Environment Committee meeting on November 12, 2014.

ACTION: Motion by Councilmember Zapf, second by Chair Alvarez, and forwarded to the full City Council with a recommendation to approve.

VOTE: 3-0; Alvarez-yea, Harris-yea, Zapf-yea, Emerald-not present.

Sasaki/Heinrichs

Primary Contact\Phone: Ann Sasaki\858-292-6402, MS 901A
Secondary Contact\Phone: Amy Dorman\619-533-5248, MS 906
City Attorney Contact: Jung, Jeremy A.

- * ITEM-104: As-Needed Professional Services Agreement with Lee & Ro, Inc., Related to Review and Oversight of Sweetwater Authority Reynolds Brackish Groundwater Desalination Facility Phase II Expansion.

ITEM DESCRIPTION:

Council approval to award an As-Needed Contract for Professional Engineering Services to provide project management, design review and construction observation services to assist the City in the oversight of the Sweetwater Authority Reynolds Brackish Groundwater Desalination Facility Phase II Expansion (Project). The City has agreed to participate financially in the Project, and in return will receive a proportional share of locally produced groundwater from the Project.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-258 Cor. Copy) (Rev. 12/4/14)

Authorizing the Mayor, or his designee, to award and execute an As-Needed Professional Services Consulting Agreement with Lee & Ro, Inc., for professional engineering services related to the review and oversight of the Lee & Ro, Inc., related to the Sweetwater Authority Reynolds Brackish Groundwater Desalination Facility Phase II Expansion, in an amount not to exceed \$250,000;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$250,000 over (4) four years from Water Utility Operating Fund 700011, solely and exclusively, for the purpose of funding the Agreement with Lee & Ro, Inc., contingent upon approval of the Appropriation Ordinance for the applicable fiscal year, and provided the City Comptroller first furnishes one or more certificates certifying the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total As-Needed Contract is not to exceed \$250,000, over four (4) years. Funds are, or will be, available in Water Utility Operating Fund 700011, contingent upon the adoption of the Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer, furnishing one or more certificates, certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. The contract requires the City to issue a guaranteed minimum of \$1,000, in Projects to the consultant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On August 5, 2013, the City Council authorized the settlement of the City's lawsuit against the Sweetwater Authority. (O-20287).

Mulvey/Heinrichs

Primary Contact\Phone: Gregory Cross\619-533-4235
Secondary Contact\Phone: Marsi Steirer\619-533-4112
City Attorney Contact: Palmucci, Raymond C.

- * ITEM-105: Third Amendment to Enterprise License Agreement with Environmental Science Research Institute (ESRI) Inc., in Support of Geospatial Software.

ITEM DESCRIPTION:

This action is to approve the Third Amendment to the Enterprise License Agreement with Environmental Science Research Institute (ESRI) Inc., in the amount of \$670,834 for the first year of the two-year Amendment. This Amendment will provide for support of Citywide geospatial software.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-268)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Third Amendment to the Agreement between the City of San Diego and Environmental Science Research Institute (ERSI), Inc., for Geographic Information Systems software licensing and maintenance services pursuant to the terms and conditions contained in the Amended Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,245,834 during the term of the Agreement, with no more than \$670,834 to be expended during FY 2015 from Fund 200448-GIS, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds, are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The entirety of this first year cost is budgeted by the Department of Information Technology. The cost of the contract to date, since assignment from San Diego Data Processing Corporation (SDDPC) to the City November 28, 2011, is \$1,100,000. Amendment No. 3 will have a total cost of \$1,245,834 for the two-year term. The first year cost is \$670,834 and is included in the Fiscal Year 2015 Budget.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Approved by the Budget and Government Efficiency Committee on November 19, 2014.

ACTION: Motion by Councilmember Kersey, second by Councilmember Zapf, to forward staff recommendation to Council.

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

Behnke/LoMedico

Primary Contact\Phone: Scott Daeschner\619-533-6417, MS 51SD

Secondary Contact\Phone: Michelle Villa\619-236-6610, MS 51SD

City Attorney Contact: Lastomirsky, Steven R.

- * ITEM-106: Authorize an Amendment to the contract with Luth and Turley Inc., for as-needed remediation and clean-up services from water main breaks and sewer backups. (Citywide.)

ITEM DESCRIPTION:

This action seeks authority to execute an Amendment to revise the contract's fee schedule. The contract not to exceed amount of \$2,500,000 will remain in place. The fee schedule revisions will provide clarification and fee adjustment in light of prevailing wage implementation.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-267)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Second Amendment to the Agreement with Luth & Turley, Inc., for as-needed remediation and clean-up services as a result of damage caused by water main breaks and sewer backups, under the terms and conditions set forth in the Second Amendment to Memorandum of Agreement.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

As previously mentioned, the not to exceed amount of \$2,500,000 approved by Council in June of 2014 (Resolution R-309075) will remain unchanged.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- City Council first approved a contract with Luth and Turley Inc. on November 27, 2012 (Resolution R-307850).
- City Council approved an Amendment to the Luth and Turley Inc., contract on June 23, 2014 (Resolution R-309075).

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

ACTION: Motion by Councilmember Alvarez, second by Council President Pro Tern Lighter, to forward staff recommendation to the full Council.

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

Subsequent to Committee, the attachment titled "Response to Budget_Com Water Main Breaks and Sewer Back Ups claims" was added as additional information.

Bych/LoMedico

Primary Contact\Phone: Claudia Castillo del Muro\619-236-6784

Secondary Contact\Phone: Janice Ellis\619-236-7705

City Attorney Contact: Zeleny, Thomas C.

- * ITEM-107: First Amendment to the Park Acquisition Agreement for Fairbrook Neighborhood Park. (Scripps Miramar Ranch Community Area. District 5.)

ITEM DESCRIPTION:

The First Amendment to the Park Acquisition Reimbursement Agreement for Fairbrook Neighborhood Park will amend the description of the Park Site that will be deeded to the City, and delete the requirement that the Improvement Reimbursement Agreement be deposited into escrow prior to closing.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-280)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of City, the First Amendment to the Park Acquisition Agreement for Fairbrook Neighborhood Park.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

A Park Acquisition Reimbursement Agreement for Fairbrook Neighborhood Park, was approved by City Council on December 5, 2007 (R-303227), for the amount of \$344,000.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- December 5, 2007, by Resolution No. R-303227, authorized the Park Acquisition Reimbursement Agreement for Fairbrook Neighborhood Park, between the City of San Diego, and the San Diego Unified School District (assumed by Ryland Homes).
- This item was heard at the Infrastructure Committee meeting on November 12, 2014.

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

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

Tomlinson/Graham

Primary Contact\Phone: Robin Shifflet\619-533-4524
Secondary Contact\Phone: Craig Hooker\619-446-5041
City Attorney Contact: Mendoza, Hilda R.

- * ITEM-108: Funding for Public Safety Communications Projects: the Police 9-1-1 Call Manager Upgrade and the Enterprise Telephone/Radio Logger Replacement Project.

ITEM DESCRIPTION:

The Police Department is requesting the City Council to approve, two interrelated Public Safety Communications Projects that are necessary to ensure reliable Police and Fire response to emergency and non-emergency calls for service. The projects include: an upgraded 9-1-1 Call Manager for the Police Department, and an upgraded Enterprise Radio/Phone Logging System for Police and Fire-Rescue Communications.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-279)

Authorizing the Chief Financial Officer to appropriate from available fund balance \$204,333, to the Fire and Lifeguard Facilities Fund (200228), Fire-Rescue Department (1912), for the purpose of transferring funds to the General Fund (100000), to support Public Safety IT Infrastructure;

Authorizing the Chief Financial Officer to transfer an amount of \$1,788,001 from the General Fund (100000) to General Fund Contributions to the CIP Fund (400265), as follows: \$1,230,275, from the Police Department (1914), and \$557,726, from the Fire-Rescue Department, (1912);

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with AT&T California, a state-approved vendor, through the State of California, 9-1-1 Emergency Communications Branch, to purchase, install, and maintain an upgraded Customer Premise Equipment/9-1-1 Call Managing System, including equipment for a backup emergency dispatch site for the Police and Fire-Rescue Departments, in an amount not to exceed \$1,685,166, with \$1,230,275, from CIP S-15024, Police 9-1-1 Call Manager, Fund 400265, GF Contributions to the CIP Fund for the purchase and maintenance of equipment, with reimbursement from the State of California in December 2017;

Authorizing the Chief Financial Officer to add CIP S-15024, Police 9-1-1 Call Manager, to the Fiscal Year 2015 Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP S-15024, Police 9-1-1 Call Manager, and to appropriate and expend \$1,230,275, from the GF Contributions, to the CIP Fund (400265), for the purpose of funding the 9-1-1 Call Manager Project;

Authorizing the Chief Financial Officer to add CIP S-15025, Enterprise Radio/Phone Logger to the Fiscal Year 2015 Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP S-15025, Enterprise Radio/Phone Logger, and to appropriate and expend \$1,697,882, as follows: \$1,140,156 from the State Grant Fund (600001), State COPS 2013 Grant (1000046-2013); and, \$557,726, from the GF Contributions to the CIP Fund (400265), for the purpose of funding the Enterprise Radio/Phone Loggers Project.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The costs associated with these projects will be funded by the FY 2015 Police and Fire-Rescue Departments' General Fund Budgets, and State COPS 2013 Grant Funds. Financial Management will be reviewing expenditures in the General Fund for the Police and Fire-Rescue Departments during the Quarterly Budget Monitoring process and requests to increase appropriations for these expenditures may be brought forward at that time.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was approved by the Public Safety and Livable Neighborhoods Committee meeting on November 13, 2014.

ACTION: Motion by Councilmember Cole, second by Councilmember Harris, to approve and forward to full City Council.

VOTE: 3-0; Emerald-yea, Cole-yea, Harris-yea, Kersey-not present.

Subsequent to Public Safety and Livable Neighborhoods Committee, the Sub-Item A, and Sub-Item B, designations were removed and minor modifications were made to clarify the actions related to the Call Manager. These modifications did not result in substantive changes to the actions presented to Public Safety and Livable Neighborhoods Committee.

Ramirez/Chadwick

Primary Contact\Phone: Chris Haley\619-531-2401, MS 704A
City Attorney Contact: Garland, Michelle A.

- * ITEM-109: Reallocation of Transportation Capital Improvement Program Funding.
(Citywide.)

ITEM DESCRIPTION:

The Transportation & Storm Water Department is proposing to reallocate available TransNet funding from various projects and allocate fund balances in both Proposition 42 and Regional Transportation Congestion Improvement Program (RTCIP) funds to provide funding for the construction of high priority projects. In addition, this action will make other needed budgetary transfers.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-270)

Authorizing the Chief Financial Officer to add CIP S-15023, Torrey Pines Road Improvements Phase 2, to the Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the 2015 Capital Improvements Program Budget in an amount not to exceed \$1,700,000 in Fund 400174, TransNet Extension Regional Transportation Congestion Improvement Program (RTCIP), of which \$1,500,000 is for CIP S-15023, Torrey Pines Road Improvements Phase 2 and \$200,000 is for A-IK.00001, New Walkways, for installation of sidewalk on Genesee Avenue, contingent upon the Chief Financial Officer certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to transfer \$900,000 within Fund 400174, TransNet Extension RTCIP, from S-00851, State Route 163 and Friars Road, of which \$500,000 is for A-IK.00001, New Walkways, for installation of sidewalk on Genesee Avenue, and \$400,000 is for A-IL.00002, Traffic Signal Interconnect Projects, for the University Avenue Interconnect;

Authorizing the Chief Financial Officer to appropriate an amount not to exceed \$900,000 in Fund 400135, Mission Valley DIF, to S-00851, State Route 163 and Friars Road, contingent upon the Chief Financial Officer certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to increase the 2015 Capital Improvements Program Budget in an amount not to exceed \$9,316,700 in Fund 200306, Proposition 42 Replacement, of which \$2,444,700 is for CIP A-IH.00002, Street Light Circuit Upgrades; \$600,000 is for A-IH.00001, Installation of City Owned Street Lights; and \$6,272,000 is

for A-ID.00005, Resurfacing of City Streets, contingent upon the Chief Financial Officer certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to reduce the Capital Improvements Program Budget by de-appropriating an amount not to exceed \$37,310.87 in Fund 400250, General Dynamics Community, CIP S-10044, Kearny Mesa Community Sign, for the purpose of closing the project;

Authorizing the Chief Financial Officer to close CIP S-10044, Kearny Mesa Community Sign;

Authorizing the Chief Financial Officer to transfer an amount not to exceed \$345,000 from the General Fund, Fund 100000, Cost Center 2116121111, Transportation & Storm Water Department, to Fund 400265, General Fund Contributions to the CIP;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in CIP A-CA.00001, Drainage Projects, and to appropriate and expend an amount not to exceed \$345,000 from Fund 400265, General Fund Contributions to the CIP, for the purpose of design of the Jamacha Drainage Channel Upgrade Project (sublet B-14078);

Authorizing the Chief Financial Officer to reallocate the budget in various CIP funds in an amount not to exceed \$9,810,692.57 among multiple projects as outlined in Attachment A;

Authorizing the Chief Financial Officer to decrease the 2015 Capital Improvements Program Budget by de-appropriating an amount not to exceed \$565,512.04 in various CIP Funds per Attachment A;

Authorizing the Chief Financial Officer to decrease the 2015 Capital Improvements Program Budget by de-appropriating an amount not to exceed \$2,274,307.26 in grant funding per Attachment B.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action will:

Allocate \$9,316,700 in Fund 200306 Proposition 42 Replacement:

\$6,272,000 Resurfacing of City Streets

\$2,444,700 for Street Light Circuit Upgrades in Pacific Beach, Sunset Cliffs, Talmadge, and Mission Hills/Presidio areas

\$600,000 for Kensington Street Light Circle

Allocate \$2,600,000 in Fund 400174 RTCIP:
\$1,500,000 for Torrey Pines Road Improvements Phase 2
\$700,000 for Genesee Avenue Sidewalk
\$400,000 for University Avenue Interconnect

Allocate \$900,000 in Fund 400135, Mission Valley DIF:
\$900,000 for S-00851, State Route 163 and Friars Road

Allocate \$345,000 in Fund 400265 General Fund Contributions to CIP:
\$345,000 for Jamacha Drainage Channel Upgrade

Re-allocate \$9,094,653.08 in Fund 400169 and Fund 400156 TransNet:
\$7,084,653.08 to Resurfacing of City Streets
\$1,500,000 to Coastal Rail Trail
\$500,000 to Mission Beach Boardwalk
\$10,000 to State Route 56 Bike Interchanges

Re-allocate \$792,361.63 in various funding sources among annual allocations:
\$15,083.54 in Capital Outlay Fund from Utilities Undergrounding to ADA Improvements
\$638,275 in Prop 42 Fund from Guard Rails to Bridge Rehabilitation and Median Installation
\$100,000 in Belmont Traffic Fund from Cooperative Traffic Signals to Median Installation
\$39,003.09 in TransNet Prop A Fund from Street Lights to Traffic Calming

Return \$602,822.91 to fund balance in various funding sources:
\$381.98 in Coastal Infrastructure TOT CIP
\$21,782.30 in RDA Contributions to City Heights
\$359,825.70 in RDA Contributions to San Ysidro
\$15,369.84 in Crossroads Redevelopment CIP
\$150,000 in Belmont Traffic Fund
\$18,152.22 in Lusk General Traffic Improvements
\$37,310.87 in General Dynamics Community

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on November 12, 2014.

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

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

McFadden/Nagelvoort

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608
Secondary Contact\Phone: Wendy Morrow\619-533-3122, MS 608
City Attorney Contact: Gerrity, Ryan P.

- * ITEM-110: Authorization to Transfer and Expend Funds from the Habitat Acquisition Fund (HAF), for East Elliott Acquisitions from willing sellers. (East Elliott and Tierrasanta Community Areas. District 7.)

ITEM DESCRIPTION:

The City is seeking to acquire Multi-Habitat Planning Area (MHPA)/Open Space lands, within the East Elliott area as part of the continued implementation of the Multiple Species Conservation Program (MSCP). East Elliott is a core biological area, deemed essential for continued conservation of San Diego's unique biodiversity. The proposed action would expend \$1,124,771, from Fund 200401, and expend \$164,695.10, from Fund S-01076 - Multiple Species Conservation within Fund 400265. To date, the City has acquired 32 parcels, totaling over 734 acres in the East Elliott area. Additional property is available from willing sellers.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-260)

Authorizing the Chief Financial Officer, or designee, to appropriate and expend an amount not to exceed \$1,124,771, from Fund 200401, (Habitat Acquisition Fund), for the acquisition of property within the Multi-Habitat Planning Area (MHPA) in the East Elliott area for conservation;

Authorizing the Chief Financial Officer, or designee, to transfer appropriations in an amount not to exceed \$164,695.10, from S-00998, Del Mar Mesa Acquisition to S-01076 - Multiple Species Conservation within Fund 400265 GFCIP Contributions, for the acquisition of property within the MHPA in the East Elliott area for conservation;

Authorizing the Chief Financial Officer, or designee, to appropriate and expend an amount not to exceed \$164,695.10, from S-01076 - Multiple Species Conservation within Fund 400265, CIP Contributions from General Fund for the acquisition of property within the MHPA, in the East Elliott area for conservation.

Subitem-B: (R-2015-261)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15313, and that an exception to the exemption does not apply;

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

Directing the City Clerk to file a Notice of Exemption, regarding the Project with the Clerk of the Board of Supervisors, for the County of San Diego.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action will authorize the total acquisition costs not to exceed \$1,289,466.10, of which \$1,124,771, will be from Fund 200401 (Habitat Acquisition Fund), and \$164,695.10, will be from Fund S-01076 - Multiple Species Conservation within Fund 400265. Acquisitions will be based on appraised values.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on November 12, 2014.

ACTION: Motion by Councilmember Harris, second by Chair Alvarez, to approve.

VOTE: 3-0; Alvarez-yea, Harris-yea, Zapf-yea, Emerald-not present.

No changes to the item were requested by the Committee.

Tomlinson/Graham

Primary Contact\Phone: Jeanne Krosch\619-236-7225, MS 56D

Secondary Contact\Phone: Theresa Millette\619-235-5206

City Attorney Contact: Thomas, Shannon M.

* ITEM-111: Transfer of Deferred Capital funds between Capital Improvement Projects.
(Citywide.)

ITEM DESCRIPTION:

This action reallocates Deferred Capital funding to facilitate spending funds in a timely manner.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-299)

Authorizing the Chief Financial Officer to transfer appropriations of \$150,000 from CIP A-ID.00005, Resurfacing of City Streets, to CIP A-BT.00001, City Facilities Improvements within Fund 400848, Deferred Maintenance Revenue 2012A-Project;

Authorizing the Chief Financial Officer to transfer appropriations of \$1,400,000 from CIP S-00787, Fire Station No. 22 - Point Loma, of which \$400,000 is to CIP S-00644, Children's Pool Lifeguard Station, \$100,000 is to CIP S-14018, Home Avenue Fire Station, and \$900,000 is to CIP A-BT.00001 City Facilities Improvements within Fund 400848, Deferred Maintenance Revenue 2012A-Project;

Authorizing the Chief Financial Officer to transfer appropriations of \$270,000 from CIP S-00792, La Jolla Cove Lifeguard Station, of which \$110,000 is to CIP S-00687, Skyline-Paradise Hills Fire Station, and \$160,000 is to CIP S-10119, North Pacific Beach Lifeguard Station within Fund 400848, Deferred Maintenance Revenue 2012A-Project;

Authorizing the Chief Financial Officer to transfer appropriations of \$2,000,000 from CIP S-00802, San Ysidro Branch Library to CIP S-13022, Mission Hills-Hillcrest Library, within Fund 400853, PFFA Lease Revenue RFDG Bonds 2013A-Project;

Authorizing the Chief Financial Officer to amend Resolution 308714 to appropriate and expend up to \$120,000,000 in bond proceeds as follows:

- a. \$600,000 from CIP L-14004 Mission Beach Boardwalk Bulkhead Phased
- b. \$100,000 from CIP S-12005 Midway Street Bluff Repair
- c. \$43,460,000 from A-ID.00005 Resurfacing of City Streets Annual Allocation
- d. \$4,000,000 from CIP S-00787 Fire Station No. 22 - Point (revised from \$2,600,000)
- e. \$2,100,000 from CIP S-00791 South Mission Beach Station
- f. \$2,800,000 from CIP S-00692 Skyline Library
- g. \$0 from CIP S-00792 L.J. Cove Life Guard Station - Construction (Revised from \$250,000)
- h. \$8,200,000 from CIP S-00788 Fire Station No. 05 (Hillcrest)
- i. \$11,200,000 from CIP S-00783 Mid-City Fire Station No. 17

- j. \$2,000,000 from CIP S-13022 Mission Hills/Hillcrest Branch Library (Revised from \$4,000,000)
- k. \$5,000,000 from CIP S-00802 San Ysidro Library (Revised from \$3,000,000)
- l. \$150,000 from CIP S-13005 University Village Tot Lot
- m. \$1,000,000 from CIP S-00800 San Carlos Library
- n. \$1,000,000 from CIP S-14017 FS51 Skyline Hills
- o. \$1,900,000 from CIP S-14018 Home Avenue Fire Station (Revised from \$2,000,000)
- p. \$400,000 from CIP S-11011 Tierrasanta Sports Field Lighting
- q. \$8,830,000 from A-BT.00001 Facilities Annual Allocation (Revised from \$9,880,000)
- r. \$1,000,000 from A-IK.00003 Sidewalks TOTAL
- s. \$4,300,000 from A-BE.00001 ADA Improvements TOTAL
- t. \$294,000 from CIP S-11003 Coolidge Street Storm Drain
- u. \$18,822,255 from A-CA.00001 Storm Drain Annual Allocation
- v. \$2,843,745 from A-CC.00001 Watershed CIP Annual Allocation

Declaring that nothing in this resolution shall constitute an approval of a project or a commitment to proceed with a project.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action has no net impact to the adopted Capital Improvements Program Budget.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- In February 2014, City Council authorized (O-20350) the issuance of the Public Facilities Financing Authority Lease Revenue Bonds of \$120 million for various General Fund Capital Improvements.
- In June 2014, City Council authorized (R-309124) the reallocation of DC2 and DC2A bond funds among CIP Projects.
- This item was heard at the Infrastructure Committee meeting on November 12, 2014.

ACTION: Motion by Councilmember Emerald, second by Councilmember Cole, to forward staff's recommendation to the full City Council for approval.

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: Nevien Antoun\619-533-4852, MS 908A
City Attorney Contact: Will, Brant C.

- * ITEM-112: Ted Williams Parkway Overcrossing at Shoal Creek Drive - Transfer of Funds.
(Carmel Mountain Ranch Community Area. District 5.)

ITEM DESCRIPTION:

This proposed action will transfer \$250,000 in excess funds from West Mission Bay Drive Project into Ted Williams Parkway Overcrossing at Shoal Creek Drive for the additional costs associated with the removal of the subsurface granitic rock.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-225)

Authorizing the Chief Financial Officer to transfer appropriations of an amount not to exceed \$250,000 from CIP S-00871, West Mission Bay Drive over San Diego River into CIP S-00941, Ted Williams Parkway Overcrossing at Shoal Creek Drive, within Fund 400169, Transnet Extension 70% Congestion Relief, to provide for additional construction needs.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The required funds for this action in an amount not to exceed \$250,000 are available in CIP S-00871, West Mission Bay Drive over San Diego River Project, Fund 400169, TransNet Extension 70% Congestion Relief.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Resolution R-307627 dated July 31, 2012, authorizing the approval of plans and specifications, the award and execution of the construction contract, and taking other actions related to the Ted Williams Parkway Overcrossing at Shoal Creek Drive.
- Resolution R-308606 dated December 24, 2013, authorized an additional \$500,000 for the construction of Ted Williams Parkway Overcrossing at Shoal Creek Drive Project.
- This item was heard at the Infrastructure Committee meeting on November 19, 2014.

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

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

Nagelvoort/Heinrichs

Primary Contact\Phone: Marnell Gibson\619-533-5213, MS 908A
Secondary Contact\Phone: Abi Palaseyed\619-533-4654, MS 908A
City Attorney Contact: Gerrity, Ryan P.

- * ITEM-113: Authorize Agreement for Legal Services between the City and Colantuono Highsmith & Whatley, P.C., in an amount not to exceed \$500,000.

ITEM DESCRIPTION

The City Council is being asked to approve a Contract for Legal Services, with the law firm of Colantuono Highsmith & Whatley, P.C., in an amount not to exceed \$500,000, to assist, when requested by the City Attorney, with those law suits filed against the City concerning its special districts, including the City's Downtown Property and Business Improvement District (PBID), its 57 Maintenance Assessment Districts (MADs), and its 18 Business Improvement Districts (BIDs).

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-220)

Authorizing the Mayor, or his designee, to execute the Agreement between the City of San Diego and the Law Firm of Colantuono Highsmith & Whatley, P.C.;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed a total of \$500,000, for the services to be provided by the Law Firm of Colantuono Highsmith & Whatley, P.C., under the terms and conditions of the Agreement from the Public Liability fund.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding for this item in an amount not to exceed \$500,000, is available in the Public Liability Fund 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Worley/Bamberg

Primary Contact\City Attorney\Phone: Carmen Brock\619-236-7726

- * ITEM-114: Additional funding for Orrick, Herrington, Sutcliffe, LLP, related to the validation of the Convention Center Facilities District.

ITEM DESCRIPTION:

This resolution would allow the City of San Diego, to pay Orrick, Herrington, Sutcliffe, LLP, for additional services provided, related to the validation of the Convention Center Facilities District, including appearing before the City Council to discuss the Court of Appeals judgment against the City, and the preparation of a legal memorandum discussing a potential appeal to the California Supreme Court.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-297)

Authorizing the Chief Financial Officer to appropriate and expend up to a total amount of \$42,102.50 for Orrick, Herrington & Sutcliffe LLP, for services rendered related to the Validation Action, contingent upon the City Comptroller first furnishing one or more certificates, certifying that the funds necessary for such expenditures are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Chief Financial Officer would be authorized to expend \$42,102.50, for additional legal services rendered related to the validation of the Convention Center Facilities District.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The City Council authorized filing the Validation Action on May 7, 2012, (R-307414).
- Additional funding was authorized by the Council on November 28, 2012, (R-307851).
- The Council authorized the City Attorney to retain Orrick, Herrington & Sutcliffe LLP, to defend the appeal of the Validation Judgment and approved funding on October 1, 2013, (R-308439).

Nuesca

Primary Contact\City Attorney\Phone: Brant, Will C.\533-5684, MS 59

* ITEM-115: Automated Regional Justice Information System (ARJIS), JPA and User Fees for the Police Department.

ITEM DESCRIPTION:

This item requests Council approval of the Agreement with the Automated Regional Justice Information System (ARJIS), to provide system support, maintenance and access to regional law enforcement applications, and data for the Police Department for July 1, 2014, through June 30, 2019.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-290)

Authorizing the City of San Diego to remain part of the Joint Powers Agency (JPA), for the next five years;

Authorizing the Mayor, or his designee, for and on behalf of the City, to continue to pay the City's share of the total costs for the next five years for continued access and use of ARJIS;

Authorizing the Chief Financial Officer to expend an amount of \$1,700,227 from the adopted Fiscal Year 2015 Police Department operating budget to pay the City's share of the total costs for ARJIS and User Fees;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$1,763,741 in Fiscal Year 2016, from the General Fund (100000) for the purpose of funding the City's share of total costs, contingent upon adoption of the Fiscal Year 2016 Annual Budget Appropriation Ordinance, and upon the Chief Financial Officer certifying that the funds necessary for expenditure, are or will be available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$1,829,893 in Fiscal Year 2017 from the General Fund (100000) for the purpose of funding the City's share of total costs, contingent upon adoption of the Fiscal Year 2017 Annual Budget Appropriation Ordinance, and upon the Chief Financial Officer, certifying that the funds necessary for expenditure are or will be available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$1,898,802 in Fiscal Year 2018 from the General Fund (100000) for the purpose of funding the City's share of total costs, contingent upon adoption of the Fiscal Year 2018 Annual Budget Appropriation Ordinance, and upon the Chief Financial Officer, certifying that the funds necessary for expenditure are or will be available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$1,970,592 in Fiscal Year 2019 from the General Fund (100000) for the purpose of funding the City's share of total costs, contingent upon adoption of the Fiscal Year 2019 Annual Budget Appropriation Ordinance, and upon the Chief Financial Officer, certifying that the funds necessary for expenditure are or will be available.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The adopted FY 2015 Police Department Operating Budget includes \$1,700,227, for the ARJIS, JPA, and User Fees. The ongoing estimated costs provided by ARJIS are:

\$1,763,741 in FY 2016

\$1,829,893 in FY 2017

\$1,898,802 in FY 2018

\$1,970,592 in FY 2019

These recurring annual charges will be proposed in the Police Department's Operating Budget for each corresponding fiscal year. The total cost is estimated to be \$9,163,255 for the time spanning July 1, 2014, to June 30, 2019.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Special Public Safety and Livable Neighborhoods Committee meeting on November 13, 2014.

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

VOTE: 3-0; Emerald-yea, Cole-yea, Harris-yea, Kersey-not present.

Ramirez/Chadwick

Primary Contact\Phone: Brendan Daly\619-525-8477, MS 704A

Secondary Contact\Phone: Chris Haley\619-531-2401, MS 704A

City Attorney Contact: Folkman, Paige E.

* ITEM-116: Adams Avenue One-way Alley Conversion. (Kensington Community Area. District 9.)

ITEM DESCRIPTION:

A resolution to convert two alleys north of Adams Avenue between Marlborough Drive and Edgeware Road to one-way operations in the Community of Kensington-Talmadge.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-248)

Authorizing the conversion of the east-west oriented alley north of Adams Avenue between Edgeware Road and Marlborough Drive to one-way eastbound operation, in accordance with San Diego Municipal Code Section 82.19;

Authorizing the conversion of the north-south oriented alley north of Adams Avenue and south of Alder Drive to a one-way southbound operation;

Authorizing the installation of necessary signs for the conversion to one-way operation on both alleys, and the regulations shall become effective on installation of the signs;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$2,000 from the General Fund, Fund 100000, 2116 Transportation & Storm Water Operating Budget for the installation of one-way signs contingent upon the City Comptroller first certifying that the funds are, or will be on deposit with the City Treasurer.

Subitem-B: (R-2015-251)

Declaring that converting the alleys north of Adams Avenue and south of Alder Drive between Marlborough Drive and Edgeware Road to one-way operation is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The signs required to convert these alleys to one-way will be installed by the City of San Diego Street Division at a cost of \$2,000. Funds are available in Street Division's Operating Budget for the installation of the necessary signs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

Helminski/Heinrichs

Primary Contact\Phone: Gary Pence\619-533-3184, MS 609

Secondary Contact\Phone: Linda Marabian\619-533-3082, MS 608

City Attorney Contact: Gerrity, Ryan P.

- * ITEM-117: Reappointment of Bob Nelson to the San Diego Unified Port District Board of Commissioners.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-278)

Council confirmation reappointing Bob Nelson to the San Diego Unified Port District Board of Commissioners, to serve a four-year term that begins January 3, 2015, and ends January 2, 2019.

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

- * ITEM-118: Appointment to the San Diego County Water Authority Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-281)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the San Diego County Water Authority Board of Directors, for the term ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Jimmy Ayala (Kensington, District 9) (Filling the vacancy in the seat previously held by Vincent Mudd, who resigned)	January 2, 2016

* ITEM-119: Appointment of Virginia Jackson to the Horton Plaza Theatres Foundation Board of Directors.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-277)

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

Virginia Jackson
(Downtown San Diego, District 3)
(Filling the vacancy in the seat
previously held by David Wiener)

June 7, 2017

- * ITEM-120: Community Projects, Program and Services Funding Allocation for the Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL). (Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9.)

ITEM DESCRIPTION:

Approval of the funding allocations from Council Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL) for an amount not to exceed \$28,000 for their organization's operational expenses.

COUNCIL PRESIDENT PRO TEM LIGHTNER'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-276)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;"

Authorizing the Mayor, or his designee, to negotiate and execute for and on behalf of the City, an Agreement with STAR/PAL in an amount not to exceed \$28,000 for the project described herein under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$28,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1101110001 for \$5,000; Cost Center No. 1102110002 for \$5,000; Cost Center No. 1103110003 for \$3,000; Cost Center No. 1104110004 for \$500; Cost Center No. 1105110005 for \$1,500; Cost Center No. 1106110006 for \$5,000; Cost Center No. 1107110007 for \$2,500; Cost Center No. 1108110008 for \$3,000; and Cost Center No. 1109110009 for \$2,500, to provide funds for the above-referenced Agreement, contingent upon the City Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$28,000 in Community Projects, Program and Services Funding Allocation for the Sports Training, Academics, Recreation/Police Athletic League (STAR/PAL) from the following accounts:

\$5,000 from CD1: Fund No. 100000/Cost Center No. 1101110001

\$5,000 from CD2: Fund No. 100000/Cost Center No. 1102110002

\$3,000 from CD3: Fund No. 100000/Cost Center No. 1103110003

\$ 500 from CD4: Fund No. 100000/Cost Center No. 1104110004

\$1,500 from CD5: Fund No. 100000/Cost Center No. 1105110005

\$5,000 from CD6: Fund No. 100000/Cost Center No. 1106110006

\$2,500 from CD7: Fund No. 100000/Cost Center No. 1107110007

\$3,000 from CD8: Fund No. 100000/Cost Center No. 1108110008

\$2,500 from CD9: Fund No. 100000/Cost Center No. 1109110009

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Lightner

Primary Contact\Phone: Mel Millstein\619-236-6611

City Attorney Contact: Dugard, Prescilla

- * ITEM-121: Community Projects, Programs and Services Funding Allocation to the United Portuguese S.E.S. Inc., for its Solar Energy Initiative. (Peninsula Planning Area. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District Two, along with authorization from the City Council, are requested to allow the Mayor, or his designee, to enter into an Agreement with United Portuguese S.E.S. Inc., for an amount not to exceed \$10,000, for installing an array of solar panels and equipment on the roof of the U.P.S.E.S Community Center.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-288)

Declaring that the allocation described herein is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with United Portuguese S.E.S., Inc., in an amount not to exceed \$10,000 for the Enhancement of the Nimitz Greenbelt Parkway (Project) described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2015-289)

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

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, to the United Portuguese S.E.S. Inc., for its Solar Energy Initiative.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Rollin Bush\619-236-6622, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A

City Attorney Contact: Bradley, Catherine M.

- * ITEM-122: Community Projects, Programs and Services Funding Allocation to the Point Loma Association for the Enhancement of the Nimitz Greenbelt Parkway. (Peninsula Planning Area. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with The Point Loma Association for an amount not to exceed \$10,000, for Enhancement of the Nimitz Greenbelt Parkway.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-286)

Declaring that the allocation described herein is made for a public purpose.

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Point Loma Association in an amount not to exceed \$10,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2015-287)

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

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used by the Point Loma Association for the Enhancement of the Nimitz Greenbelt Parkway.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Rollin Bush\619-236-6622, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A

City Attorney Contact: Bradley, Catherine M.

- * ITEM-123: Community Projects, Programs and Services Funding Allocation to Ocean Beach Merchant's Association Inc., for the Ocean Beach Security Program. (Ocean Beach Community Area. District 2.)

ITEM DESCRIPTION:

Approve Council District 2 funding of \$8,000 to Ocean Beach Merchant's Association, Inc., to pay for private bicycle security patrols throughout the community.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolution:

(R-2015-237)

Declaring that the allocation described herein is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Ocean Beach Merchant's Association Inc., in an amount not to exceed \$8,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$8,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION

FISCAL CONSIDERATIONS:

\$8,000 in Council Community Projects, Programs and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for private bicycle security patrols in Ocean Beach.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Chet Barfield\619-236-7057, MS 10A
Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A
City Attorney Contact: Bradley, Catherine M.

- * ITEM-124: Community Projects Programs and Services Funding Allocation to Pacific Beach Town Council for Community Art and Landscaping. (Pacific Beach Community Area. District 2.)

ITEM DESCRIPTION:

Approve Council District Two funding of \$2,000 to Pacific Beach Town Council for costs associated with Community Art and Landscaping Projects in Pacific Beach.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-254)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: “An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;”

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Pacific Beach Town Council in an amount not to exceed \$2,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$2,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2015-255)

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

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$2,000 in Council Community Projects, Programs and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for Community Art and Landscaping Projects in Pacific Beach.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Chet Barfield\619-236-7057, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A

City Attorney Contact: Bradley, Catherine M.

- * ITEM-125: Community Projects, Programs and Services Funding Allocation to Ocean Beach Community Development Corporation for Veterans Plaza Project. (Ocean Beach Community Area. Districts 2 and 9.)

ITEM DESCRIPTION:

Approve Council District Two funding of \$3,500 and Council District Nine funding of \$2,500 to Ocean Beach Community Development Corporation, for costs associated with Veterans Plaza Project in Ocean Beach.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-253)

Declaring that the allocation described herein is made for a public purpose;

Waiving the following provisions in Council Policy 100-06: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased," and "Funds shall not be used for fundraising activities;"

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Ocean Beach Community Development Corporation in an amount not to exceed \$6,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$6,000 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows: \$3,500 from Cost Center No. 1102110002, and \$2,500 from Cost Center No. 1109110009, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2015-256)

Determining that approval of the funding Agreement is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$6,000 in Council Community Project Programs and Services Funding from Fund No. 100000, Cost Center No's. 1102110002 and 1109110009, will be used to reimburse Ocean Beach Community Development Corporation, for costs associated with the Veterans Plaza Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Chet Barfield\619-236-7057, MS 10A

Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A

City Attorney Contact: Bradley, Catherine M.

- * ITEM-126: Community Projects, Programs and Services Funding to San Diego Canoe Kayak Team for the purchase of safety equipment to enhance Community Programs. (Mission Bay Community Area. District 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the San Diego Canoe Kayak Team for an amount not to exceed \$10,000, for the purpose of purchasing equipment which will improve program participant safety and minimize environmental impacts.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolution:

(R-2015-284)

Declaring that the allocation described herein is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with San Diego Canoe Kayak Team in an amount not to exceed \$10,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for the purpose of purchasing safety equipment to enhance community paddling programs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Tarrant Seautelle\619-235-5281, MS 10A
Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A
City Attorney Contact: Bradley, Catherine M.

- * ITEM-127: Community Projects, Programs and Services Funding Allocation to San Diego Council of Divers Inc., for funding of the Rocks, Rips & Reefs (3Rs) Diver Safety Event. (Peninsula Planning Area, Mission Bay, Pacific Beach, and La Jolla Community Areas. Districts 1 and 2.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District Two, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with San Diego Council of Divers Inc., for an amount not to exceed \$10,000 for the funding of the Rocks, Rips & Reefs (3Rs) Diver Safety Event.

COUNCILMEMBER HARRIS' RECOMMENDATION:

Adopt the following resolution:

(R-2015-296)

Declaring that the allocation described herein is made for a public purpose;

Waiving Council Policy 100-06, 3(g), which provides: “An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased;”

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with San Diego Council of Divers, Inc., in an amount not to exceed \$10,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$10,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for the funding of the Rocks, Rips, & Reefs (3Rs) Diver Safety Event.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Bukalova

Primary Contact\Phone: Rollin Bush\619-236-6622, MS 10A
Secondary Contact\Phone: Lori Witzel\619-236-6442, MS 10A
City Attorney Contact: Bradley, Catherine M.

* ITEM-128: Community Projects, Programs and Services Funding Allocation to San Diego County Bicycle Coalition for CicloSDias San Diego. (Districts 2 and 3.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 2 and 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with San Diego County Bicycle Coalition for an amount not to exceed \$15,000 for CicloSDias.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-285)

Declaring that the allocation described herein is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with San Diego County Bicycle Coalition in an amount not to exceed \$15,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$15,000 from the Community Projects, Programs and Services Budget Fund No. 100000, as follows: \$10,000 from Cost Center No. 1102110002, and \$5,000 from Cost Center No. 1103110003, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION

FISCAL CONSIDERATIONS:

\$10,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for CicloSDias.

\$5,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1103110003, will be used for CicloSDias.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Molly Chase\619-236-7758
Secondary Contact\Phone: Lori Witzel\619-236-6442
City Attorney Contact: Bradley, Catherine M.

- * ITEM-129: Community Projects, Programs and Services Funding Allocation to Downtown San Diego Partnership Foundation for lights in C Street trees. (Downtown Community Area. District 3.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Downtown San Diego Partnership Foundation, for an amount not to exceed \$5,000, for the purpose of lights in C Street trees.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-295)

Declaring that the allocation described herein is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Downtown San Diego Partnership Foundation, in an amount not to exceed \$5,000 for the project described herein, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center No. 1103110003, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1103110003, will be used for lights in C Street trees.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Molly Chase\619-236-7758
Secondary Contact\Phone: Lori Witzel\619-236-6442
City Attorney Contact: Bradley, Catherine M.

* ITEM-130: Adopting an Amended Conflict of Interest Code for the Library Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Library Department as part of a required biennial review. The Amendments would add new positions which must be designated and assign and amend applicable disclosure categories.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-98)

Adopting a Conflict of Interest Code for the Library Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Library Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Library Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Library Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Traci Rosete\619-236-5842, MS 17
City Attorney Contact: Spivak, Sharon B.

* ITEM-131: Adopting an Amended Conflict of Interest Code for the Police Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Police Department. The Amendments would revise the title of an existing position, revise duties of a position, delete positions that no longer exist, and add a category for "new positions," as reflected in Appendix A and the disclosure categories in Appendix B.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-108)

Adopting a Conflict of Interest Code for the San Diego Police Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the San Diego Police Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the San Diego Police Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the San Diego Police Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Angie Serafico\619-531-2112, MS 710

City Attorney Contact: Spivak, Sharon B.

* ITEM-132: Adopting an Amended Conflict of Interest Code for the Financial Management Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Financial Management Department as part of a required biennial review. The Amendments would revise the titles of existing positions, update the list of duties of positions, delete a position that was abolished when duties were merged and assumed by other positions, add a category for new positions, and amend a disclosure category.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-93)

Adopting a Conflict of Interest Code for the Financial Management Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Financial Management Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Financial Management Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Financial Management Department becomes effective upon the date of adoption of this resolution.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE: N/A

Nuesca

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

Secondary Contact\Phone: Stacey Henderson\619-236-7315, MS 8A

City Attorney Contact: Spivak, Sharon B.

* ITEM-133: Adopting an Amended Conflict of Interest Code for the Environmental Services Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Environmental Services Department as part of a required biennial review. The Amendments would include new positions which must be designated, revise a disclosure category and revise the titles and duties of existing positions.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-91)

Adopting a Conflict of Interest Code for the Environmental Services Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Environmental Services Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Environmental Services Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Environmental Services Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Alan Pitell\858-573-1274, MS 102A

Secondary Contact\Phone: Kate Claytor\858-627-3304, MS 102A

City Attorney Contact: Spivak, Sharon B.

* ITEM-134: Adopting an Amended Conflict of Interest Code for the Performance and Analytics Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Performance and Analytics Department, revising the code previously titled the "Business Office" Code, as part of a required biennial review. The Amendments would update the department's name, update position titles and duties, update required filing categories, and make stylistic and non-substantive edits.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-106)

Adopting a Conflict of Interest Code for the Performance and Analytics Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Performance and Analytics Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Performance and Analytics Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Performance and Analytics Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Almis Udrys\619-236-5929

Secondary Contact\Phone: Ulysses Panganiban\619-235-5715

City Attorney Contact: Spivak, Sharon B.

* ITEM-135: Adopting an Amended Conflict of Interest Code for the Park and Recreation Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Park and Recreation Department as part of a required biennial review. The Amendments would remove a position previously designated but now more appropriately included in another department's code, add "new position" as a title, and update required filing categories.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-105)

Adopting a Conflict of Interest Code for the Park and Recreation Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Park and Recreation Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Park and Recreation Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements.

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Park and Recreation Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Herman D. Parker\619-236-6643, MS 37C

Secondary Contact\Phone: Rumi Doherty\619-525-8236, MS 37C

City Attorney Contact: Spivak, Sharon B.

- * ITEM-136: Adopting an Amended Conflict of Interest Code for the Office of the Chief Operating Officer and Administration.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Office of the Chief Operating Officer and Administration. The Amendments would include new positions which must be designated, revise disclosure categories, and revise titles of existing positions, as detailed in the appendices of the code.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-104)

Adopting a Conflict of Interest Code for the Office of the Chief Operating Officer and Administration, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of the Chief Operating Officer and Administration;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Office of the Chief Operating Officer and Administration shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Office of the Chief Operating Officer and Administration becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Scott Chadwick\619-236-5587, MS 9A

Secondary Contact\Phone: Ronald Villa\619-236-7795, MS 9A

City Attorney Contact: Spivak, Sharon B.

* ITEM-137: Adopting an Amended Conflict of Interest Code for the Department of Information Technology.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Department of Information Technology as part of a required biennial review. The Amendments would include new positions, remove positions, update filing categories, and update titles.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-97)

Adopting a Conflict of Interest Code for the Department of Information Technology, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Department of Information Technology;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Department of Information Technology shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Department of Information Technology becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: George Brister\619-533-4811, MS 658B

Secondary Contact\Phone: Eric Freeman\619-533-3657 MS 658B

City Attorney Contact: Spivak, Sharon B.

* ITEM-138: Adopting an Amended Conflict of Interest Code for the Office of the Mayor.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Office of the Mayor as part of a required biennial review. The Amendments would include new positions which must be designated, revise and update the titles of existing positions, delete positions that have been abolished and revise a disclosure category.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-99)

Adopting a Conflict of Interest Code for the Office of the Mayor, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of the Mayor;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Office of the Mayor shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Office of the Mayor becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Sara Cavataio\619-236-7174

City Attorney Contact: Spivak, Sharon B.

* ITEM-139: Adopting an Amended Conflict of Interest Code for the Risk Management Department.

ITEM DESCRIPTION:

This item seeks adoption of an amended Conflict of Interest Code for the Risk Management Department as part of a required biennial review. The Amendments would include new positions which had not previously been designated and remove a position that no longer needs to be designated due to a significant change of duties, as reflected in the appendices.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-112)

Adopting a Conflict of Interest Code for the Risk Management Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any Amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Adopting a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Risk Management Department;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Risk Management Department shall file their Statements of Economic Interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any Amendments thereto, which set forth the deadlines for the filing of Initial Statements, Assuming Office Statements, Annual Statements and Leaving Office Statements;

Declaring that the Statements of Economic Interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Risk Management Department becomes effective upon the date of adoption of this resolution.

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

Nuesca

Primary Contact\Phone: Greg Bych\619-236-6651, MS 51B

Secondary Contact\Phone: Estella Montoya\619-236-6107, MS 51B

City Attorney Contact: Spivak, Sharon B.

- * ITEM-140: Automated Regional Justice Information System (ARJIS) Electronic San Diego User Network (eSUN) Access Fees for the Police Department.

ITEM DESCRIPTION:

This item requests Council approval of the Agreement with the Automated Regional Justice Information System (ARJIS) to provide the Police Department access to the San Diego Sheriff's Department's Electronic San Diego Users Network (eSUN). eSUN is comprised of computer applications and technical resources for regional law enforcement information sharing. ARJIS provides pass through billing on behalf of the San Diego Sheriff's Department for access to its eSUN system. The Agreement will be active July 1, 2014, through June 30, 2019.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-291)

Authorizing the Mayor, or his designee, for and on behalf of the City, to continue to pay the Police Department's user count for the next five years for continued access and use of Electronic San Diego Users Network (eSUN);

Authorizing the Chief Financial Officer an amount of \$237,195, from the adopted Fiscal Year 2015 Police Department's Operating Budget and General Fund to pay for access to the eSUN application;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$251,426 in FY 2016, from the General Fund (100000) for the purpose of funding the Police Department's user count for use of eSUN, contingent upon adoption of the Fiscal Year 2016 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$266,511 in Fiscal Year 2017, from the General Fund (100000) for the purpose of funding the Police Department's user count for use of eSUN, contingent upon adoption of the Fiscal Year 2017 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$282,501 in Fiscal Year 2018, from the General Fund (100000) for the purpose of funding the Police Department's user count for use of eSUN, contingent upon adoption of the Fiscal Year 2018 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an estimated amount not to exceed \$299,451 in Fiscal Year 2019, from the General Fund (100000) for the purpose of funding the Police Department's user count for use of eSUN, contingent upon adoption of the Fiscal Year 2019 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The adopted FY 2015 Police Department Operating Budget includes \$219,544 for access to the Electronic San Diego Users Network (eSUN) application. The San Diego Sheriff's Department FY 2015 Notice of Fees indicates an annual cost to the Department of \$237,195. The \$17,651 deficit resulting from an increase in system users will be absorbed in the Police Department's General Fund. The estimated costs for eSUN application access for subsequent Fiscal Years are \$251,426 in FY 2016, \$266,511 in FY 2017, \$282,501 in FY 2018, and \$299,451 in FY 2019. These recurring annual charges will be proposed in the Police Departments Operating Budget for each corresponding Fiscal Year. The total cost is estimated to be \$1,337,084 for the time spanning July 1, 2014, to June 30, 2019.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Special Public Safety and Livable Neighborhoods Committee meeting on November 13, 2014.

ACTION: Motion by Councilmember Cole, second by Councilmember Harris, to approve and forward to full Council with a recommendation to approve the staff's recommendation.

VOTE: 3-0; Emerald-yea, Cole-yea, Harris-yea, Kersey-not present.

Ramirez/Chadwick

Primary Contact\Phone: Brendan Daly\619-525-8477, MS 704A
Secondary Contact\Phone: Chris Haley\619-531-2401, MS 704A
City Attorney Contact: Folkman, Paige E.

- * ITEM-141: FY 2015 Update to Black Mountain Ranch Public Facilities Financing Plan and Facilities Benefit Assessment. (Black Mountain Ranch Community Plan Area. District 5.)

ITEM DESCRIPTION:

Requesting approval of an update to the Black Mountain Ranch Public Facilities Financing Plan which sets Facilities Benefit Assessment (FBA) and Development Impact Fees (DIF) for the community and ensures continued funding for community infrastructure.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-263)

Approving the document titled, "Black Mountain Ranch Public Facilities Financing Plan (PFFP), and Facilities Benefit Assessment (FBA) Fiscal Year 2015" (Financing Plan);

Authorizing the Chief Financial Officer to establish and modify individual Capital Improvement Program project budgets to reflect the Financing Plan provided funding is available for such action.

Subitem-B: (R-2015-262)

Declaring that the foregoing recitals are true and correct and incorporated fully herein by this reference;

Declaring the City Councils intention to designate an area of benefit within Black Mountain Ranch to finance the cost of the public facilities projects identified in the Financing Plan, pursuant to San Diego Municipal Code Section 61.200 et seq., which is incorporated in this Resolution by reference;

Declaring that the City Council shall hold a public hearing to consider the designation of the area of benefit as proposed in this Resolution at 10:00 a.m., or as soon thereafter as the matter may be heard, on January 13, 2015, at the Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California;

Authorizing and directing the City Clerk to give notice of the public hearing described in paragraph 3 of this Resolution by publishing this Resolution in the San Diego Daily Transcript at least two weeks before the date set forth herein and by mailing copies of this Resolution to each owner of property located within the proposed area of benefit at the addresses shown on the last equalized property tax assessment roll, or as otherwise known to the City Clerk, pursuant to San Diego Municipal Code Section 61.2205.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Designation of an Area of Benefit Adoption will continue to provide a funding source for the public facilities identified in the Black Mountain Ranch Public Facilities Financing Plan.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at Infrastructure Committee meeting on November 12, 2014.

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

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

Tomlinson/Graham

Primary Contact\Phone: Angela Abeyta\619-533-3674, MS 606F

Secondary Contact\Phone: John Tracanna\619-533-3682, MS 606F

City Attorney Contact: Thomas, Shannon M.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS: (Revised 12/3/14)

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

ITEM-330: Qualcomm Stadium Janitorial Contract. (Mission Valley Community Area. District 6.)

ITEM DESCRIPTION:

Approve a three (3) year contract with two options to renew for additional one (1) year periods with Aramark Sports and Entertainment Services, LLC, to furnish janitorial services at Qualcomm Stadium.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-292)

Authorizing and directing the Mayor, or his representative, to enter into that certain contract, with Aramark Sports and Entertainment Services, LLC, for the provision of event-related and other certain janitorial services at Qualcomm Stadium. The contract shall be phase-funded, for a period of three (3) years, with two (2) one-year options to renew at the sole discretion of the City. City expenditure on the contract shall not exceed \$6,368,187 over the entire potential five (5) years under the contract;

Authorizing the Chief Financial Officer to expend up to \$6,368,187 on the subject contract and option years, from Fund No. 200115, Qualcomm Stadium Operations Fund; contingent upon the adoption of the FY16, FY17, FY18, and FY19 Appropriation Ordinances, and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditures are, or will be, on deposit with the City Treasurer. The estimated maximum annual costs under the contract are as follows: \$940,704 for FY15; \$1,264,762 for FY16; and \$1,302,705 for FY17; and for the two (2) one-year option years if exercised, \$1,408,875 for FY18 and \$1,451,141 for FY19.

STAFF SUPPORTING INFORMATION

FISCAL CONSIDERATIONS:

Estimated costs for the contract are as follows:

\$ 940,704 FY15

\$1,264,762 FY16

\$1,302,705 FY17

Total three years: \$3,508,170

Costs for the two (2) additional one (1) year options, if exercised, are estimated to be:

\$1,408,875 FY18

\$1,451,141 FY19

Total of two option years: \$2,860,016

The total cost for all five years would not exceed \$6,368,187. Costs would be paid from Qualcomm Stadium Fund 200115.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget and Government Efficiency Committee meeting on October 1, 2014.

ACTION: Motion by Council President Pro Tern Lightner, second by Councilmember Gloria, to recommend approval and forward the item to Council. Additionally, Committee members directed staff to work with the Independent Budget Analyst to clarify concerns related to the contract expenditure amounts.

VOTE: 3-2; Gloria-yea, Lightner-yea, Kersey-yea, Zapf-nay, Alvarez-nay.

Therefore, staff met with the Independent Budget Analyst and revised the assumptions from what was originally presented to the Budget and Government Efficiency Committee. This item now reflects estimated expenses more accurately based on the square footage of what will actually be cleaned. Staff also further refined and defined upcoming events and eliminated the 10% contingency.

Geitz/Villa

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Mike McSweeney\619-641-3126, MS 34

City Attorney Contact: Fonseca, Jeremy M.

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

ITEM-331: Approve an As Needed Service Agreement for the Open Space Brush Management Program. (Includes all planning areas except: Barrio Logan, Centre City, College Area, East Elliott, Kearny Mesa, Mission Bay Park, Mission Beach, Midway-Pacific Highway, Ocean Beach, Otay Mesa, Peninsula, Rancho Encantada, San Ysidro, Tijuana River Valley, and Via de la Valle Community Areas.)

ITEM DESCRIPTION:

Item would approve award and execution of an As-Needed Contract with Aztec Landscaping, Inc., for one year for approximately \$2,501,129 with the option to renew for four additional years (for a total of approximately \$10,991,000) to conduct Brush Management activities on City Open Space Land. (Rev. 12/03/14)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-283 Cor. Copy) (Rev. 12/03/14)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, the Invitation to Bid/Contract (Cover Sheet), Addendum A (ITB No. 10051852-15-A) to Furnish the City of San Diego with Brush Management Services for Open Space Property Managed by the Park and Recreation Department with Aztec Landscaping, Inc. (As-Needed Services Contract), under the terms and conditions set forth in the As-Needed Services Contract for As-Needed Brush Management Services having an initial term of one year, with four options to renew of one year each option, provided that the Chief Financial Officer first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, for a total contract term of five years;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,991,000 over five years (\$1,563,206 in Fiscal Year 2015, and \$1,923,000 in Fiscal Year 2016) from Fund No. 100000, Open Space Brush Management Program for the purpose of funding the As-Needed Services Contract, contingent upon adoption of the Brush Management Budget and the Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not to exceed authorization is \$1,563,206, for Aztec Landscaping, Inc. Funds for FY 2015 have been budgeted in the FY 2015 Operating Budget for an initial as-needed amount of \$1,563,206, and are available in Fund No. 100000, Department No. 1714. (Rev. 12/03/14)

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Field/Graham

Primary Contact\Phone: Laura Ball\619-685-1301, MS 5D

Secondary Contact\Phone: Chris Zirkle\619-685-1323, MS 5D

City Attorney Contact: Mendoza, Hilda R.

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

ITEM-332: Contract with Securitas Security Services USA Inc., for Enhanced Security Guard Services at Critical Infrastructure Facilities of the Public Utilities Department (Bid No. 10040659-14-J). (Citywide.)

ITEM DESCRIPTION:

This action is to approve the Enhanced Security Guard Services contract with Securitas Security Services USA Inc. The scope includes providing Enhanced Security Guard Services to Critical Infrastructure Facilities of the Public Utilities Department.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-239)

Authorizing the Mayor, or his designee, to enter into an Agreement with Securitas Security Services USA Inc., for Enhanced Security Guard Services for the Public Utilities Department for a period of one (1) year, with options to renew for four (4) additional one (1)-year periods, for a maximum cumulative amount not to exceed \$13,719,961.92, in accordance with the terms and conditions of ITB No. 10040659-14-J, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer to expend a cumulative amount not to exceed \$13,719,961.92, over a period of five years, of which \$7,491,055.03 is from Water Utility Operating Fund 700011, \$731,301.16 is from Muni Sewer Revenue Fund 700000, and \$5,497,605.73 is from Metro Sewer Utility Fund 700001, to provide funds for the aforementioned Agreement with Securitas Security Services USA Inc., contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not to exceed amount is \$13,719,961.92 for the five (5) year contractual term.

In the first contract year, the expected expenditure is \$2,482,967.34. Funds are available in the FY 2015 Operating Budget, of which \$1,355,692.17 is from Water Utility Operating Fund 700011, \$132,347.08 is from Muni Sewer Revenue Fund 700000, and \$994,928.09 is from Metro Sewer Utility Fund 700001.

In option years one (1) through four (4), the expected cumulative expenditure amount is \$11,236,994.58, of which \$6,135,362.86 is from Water Utility Operating Fund 700011, \$598,954.08 is from Muni Sewer Revenue Fund 700000, and \$4,502,677.64 is from Metro Sewer Utility Fund 700001, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Sasaki/Nagelvoort

Primary Contact\Phone: Dan Stone\858-292-6309

Secondary Contact\Phone: Bill White\619-527-7634

City Attorney Contact: Jung, Jeremy A.

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-333: City Auditor's Performance Audit of the San Diego Convention Center's Financial Information Systems. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Receive the City Auditor's Performance Audit of the San Diego Convention Center's Financial Information Systems.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The Report was presented to the Audit Committee on June 9, 2014.

ACTION: Motion by Committee Member Schreiner, second by Councilmember Harris, to continue the item to a future meeting to take place after review of the findings by the San Diego Convention Center Corporation's Audit Committee, and invite the San Diego Convention Center Corporation's Independent Auditor and Chief Executive Officer to report on the response of the Corporation's Audit Committee to the findings contained in the Performance Audit.

VOTE: 5-0; Sherman-yea, Harris-yea, Hebrank-yea, Schreiner-yea, Valdivia-yea.

- This item was heard at the Audit Committee meeting on September 15, 2014.

ACTION: Motion by Committee Member Schreiner, second by Committee Member Valdivia, to accept the report and forward it to the City Council.

VOTE: 5-0; Sherman-yea, Harris-yea, Hebrank-yea, Schreiner-yea, Valdivia-yea.
(Rev. 12/4/14)

Luna

Primary Contact\Phone: Steve Gomez\619-533-3022

Secondary Contact\Phone: Kyle Elser \619-533-3007

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

ITEM-334: City Auditor's Performance Audit of the San Diego Fire-Rescue Department's Overtime Costs. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Receive the City Auditor's Performance Audit of the San Diego Fire-Rescue Department's Overtime Costs.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented to the Audit Committee on September 15, 2014.

ACTION: Motion by Committee Member Schreiner, second by Councilmember Harris, to accept the report and forward it to the City Council and to request that the Office of the City Attorney review the history of the cap on annual leave negotiated by the City as part of its Memorandum of Understanding (MOU) with Local 145 and report on whether the City is in compliance with the annual leave caps, the legal implications of non-compliance, and steps that should be taken to regain compliance.

VOTE: 5-0; Sherman-yea, Harris-yea, Hebrank-yea, Schreiner-yea, Valdivia-yea.

Luna

Primary Contact\Phone: Chris Kyle \619-533-3030

Secondary Contact\Phone: Kyle Elser \619-533-3007

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

ITEM-335: Presentation of the 2014 Year-End Council Committee Reports. (Citywide.)

ITEM DESCRIPTION:

Presentation of the 2014 Year-End Council Committee Reports:

- a) Audit Committee
- b) Budget and Government Efficiency Committee
- c) Economic Development and Intergovernmental Relations Committee
- d) Environment Committee
- e) Infrastructure Committee
- f) Public Safety and Livable Neighborhoods Committee
- g) Smart Growth and Land Use Committee

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

This is an informational item only.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The Economic Development and Intergovernmental Relations Committee Year-End Report was docketed at its November 19, 2014, meeting and was approved unanimously and forwarded to the City Council.

ACTION: Motion by Councilmember Emerald, second by Chair Lightner to approve the Consent agenda.

VOTE: 5-0; Lightner-yea, Harris-yea, Kersey-yea, Alvarez-yea, Emerald-yea.

Juardo-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619-236-6633, MS 10A

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-336: Approval of 2015 State and Federal Legislative Platform.

ITEM DESCRIPTION:

This action is for Council approval of the 2015 State and Federal Legislative Platform. The Legislative Platform defines the City's policy guidelines and provides a means to protect and advance the City's interests on priority issues and legislative/regulatory matters on the federal and state levels, and to a degree at the regional and local levels.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-282)

Approving the 2015 State and Federal Legislative Platform as set forth in the November 12, 2014, Report to the City Council, Report No. 14-070.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Economic Development and Intergovernmental Relations Committee on November 19, 2014.

ACTION: Motion by Councilmember Emerald, second by Councilmember Harris, to forward to full City Council with a recommendation for approval.

VOTE: 5-0; Lightner-yea, Harris-yea, Kersey-yea, Alvarez-yea, Emerald-yea.

Bradford/LoMedico

Primary Contact\Phone: Kristin Tillquist\619-236-6300

Secondary Contact\Phone: Alejandra Gavaldon\619-236-6300

City Attorney Contact: Bradley, Catherine M.

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

ITEM-337: Preliminary Items Pursuant to Issuing Multifamily Housing Revenue Bonds for Mission Gorge Apartments. (District 7.) (Rev. 12/8/14)

ITEM DESCRIPTION:

Approval to take the initial steps to issue Housing Authority of the City of San Diego multifamily housing revenue bonds to fund the land acquisition and development of Mission Gorge Apartments, a 90-unit multifamily affordable housing development located in the Navajo Community. (Rev. 12/8/14)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-271)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approving the issuance not to exceed \$19,000,000 aggregate principal amount of the Multifamily Housing Revenue Bonds (Bonds) by the Housing Authority of San Diego (Authority);

Declaring that the City of San Diego does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds;

Declaring that the proposed development activity is covered under the Final Program Environmental Impact Report (Final EIR) for the Grantville Redevelopment Project Area, which was certified by the City Council of the City of San Diego on May 3, 2005, and prepared in accordance with the California Environmental Quality Act (CEQA) guidelines. The Planning Department conducted a Consistency Review for the project in accordance with CEQA Section 15162 in November 2014. Additionally, requirements of the adopted Final Mitigation, Monitoring and Reporting Program (MMRP) for the Final EIR will be applied at the time of project review and permitting;

Declaring that should HOME Investment Partnerships Program (HOME) funds constitute a portion of the funding for the Project, a final reservation of HOME funds shall occur only upon satisfactory completion of environmental review and receipt by the City of a release of funds from the U.S. Department of Housing and Urban Development under 24 CFR Part 58, of the National Environmental Policy Act (NEPA). The provision of any HOME funds to the Project will be conditioned on the City's determination to proceed with, modify or cancel the Project based on the results of the subsequent environmental review under NEPA.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed funding sources and uses approved by this action will be budgeted in the San Diego Housing Commission Fiscal Year (FY) 2016 Budget. Approving this action will have no impact on the FY 2015 Budget. Approving this action will result in the development of 89 affordable housing units and one manager's unit at an average cost to the San Diego Housing Commission of \$106,667 per unit (at a San Diego Housing Commission loan amount of \$9,600,000). Please refer to staff report for further information.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item is scheduled to be heard at the November 21, 2014, San Diego Housing Commission meeting.

Davis/Graham

Primary Contact\Phone: Ann Kern\619-578-7582

City Attorney Contact: Bartolotta, Bret A.

NOTE: See the Housing Authority Agenda of December 9, 2014, for a companion item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT