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CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Sherri Lightner • First District

COUNCILMEMBERS

Lorie Zapf • Second District
Todd Gloria • Third District
Myrtle Cole • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District
Marti Emerald • Ninth District

Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, December 15, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, DECEMBER 15, 2014, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON AUDIT:

ITEM-150: City Auditor's Performance Audit of the City of San Diego's Community Facilities Districts. (Citywide.)

CITY AUDITOR'S RECOMMENDATION:

Receive the City Auditor's Performance Audit of the City of San Diego's Community Facilities Districts.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented at the Audit Committee meeting on May 12, 2014.

ACTION: Motion by Committee Member Schreiner, second by Councilmember Harris, to accept the report and forward to Council, but not including the Auditor's recommendation to reconcile City data with County data for parcels in CFDs 1, 2, and 3, and with a recommendation that the City send notices to properties in CFDs 1, 2, and 3, advising property owners of the appeals process.

Although this recommendation is still included in the Audit Report, and because the City Auditor does not make changes to reports after they are issued, the City Auditor has dropped this recommendation from the recommendation follow-up process, and Debt Management has sent notices to properties in CFDs 1, 2, and 3, as directed by the Audit Committee.

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

No changes have been made to the report since it was presented to the Committee.

Luna

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

Secondary Contact\Phone: Danielle Knighten\619-533-3032

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON ECONOMIC DEVELOPMENT AND INTERGOVERNMENTAL
RELATIONS, ORDINANCE TO BE INTRODUCED:

ITEM-151: Amendments to the Permanent Rules of Council: Rule 1.3: Place, Rule 2.2: Order of Business, and Rule 2.6.2: Non-Agenda Public Comment. (Citywide.)

ITEM DESCRIPTION:

Approve the proposed amendments to the Permanent Rules of Council which would allow the legislative body, per the Brown Act, to adopt regulations to assist in processing comments from the public in a fair and equitable way with the interest of the public in mind.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-57)

Introduction of an Ordinance amending Chapter 2, Article 2, Division 1, of the San Diego Municipal Code, by Amending Section 22.0101, relating to the Permanent Rules of the Council.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

It is currently estimated to cost at least \$4,000 - \$18,000 a year to hold night meetings. This estimate varies depending on several factors, including what item is being docketed and whether the item is controversial and if the meeting is being held on site in Council Chambers or off-site in the community.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was taken to the Economic Development and Intergovernmental Relations Committee meeting on November 19, 2014. The Committee requested that Non-Agenda Public Comment be taken after Proclamations and Ceremonial items in the order of Business for Tuesday Council Meetings. Furthermore, the Committee requested language regarding a speakers inability to cede time other speakers for purposes of Non-Agenda Public Comment be added for clarification of the current practice. These Amendments have been incorporated within the report and strike-out of the proposed ordinance.

ACTION: Motion by Councilmember Kersey, second by Councilmember Alvarez, to forward to full Council with a recommendation to approve, with the following changes:

- Under Rule 2.2, "Order of Business," change the order on Tuesday at 10:00 a.m. to take the Proclamations/Ceremonial Items before Non-Agenda Public Comment.
- Include language to clarify that ceding of time to another individual is not permitted during Non-Agenda Public Comment.

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

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619-236-6633
Secondary Contact\Phone: Elizabeth Maland\619-236-4000
City Attorney Contact: Bradley, Catherine M.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON BUDGET AND GOVERNMENT EFFICIENCY, RESOLUTION:

ITEM-152: Revision to City of San Diego Budget Policies. (Citywide)

ITEM DESCRIPTION:

The City of San Diego Budget Policies establish guidelines for budgetary decision making and set standards for sound budgetary practices and fiscal performance. The requested Amendments update the Budget Policies to reflect the highest standards of Fiscal Management and the City's budgetary goals.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-298)

Amending and superseding Council Policy 000-02, in its entirety, entitled "Budget Policies";

Instructing the City Clerk to update the Council Policy Manual to include the Amended Council Policy 000-02.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

These Budget Policies will guide the development and monitoring the City's Operating and Capital Budgets, to ensure the City maintains a sound financial position and adequate public funding for City services.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The most current Revision of the Budget Policy was approved by City Council on November 1, 2010 (Resolution No. R-306219).

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

ACTION: Motion by Councilmember Kersey, second by Council President Pro Tem Lightner, to forward staff recommendation to City Council, with direction to keep references to Charter 39 reports consistent with the City Charter's monthly reporting requirement.

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

The Budget and Governmental Efficiency Committee's recommendation has been incorporated into the final draft of the Budget Policies.

Canizal/Lewis

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City Attorney Contact: Will, Brant C.

NON-AGENDA PUBLIC COMMENT

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

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

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

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

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

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

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

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT