

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Sherri Lightner • First District**

## COUNCIL PRESIDENT PRO TEM

**Marti Emerald • Ninth 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**

**Andrea Tevlin**  
**Independent**  
**Budget Analyst**

**Jan Goldsmith**  
**City Attorney**

**Liz Maland**  
**City Clerk**

**Council Chambers, 12<sup>th</sup> Floor, City Administration Building**

**Monday, March 23, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, MARCH 23, 2015, AT 2:00 PM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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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 BUDGET AND GOVERNMENT EFFICIENCY, RESOLUTIONS:

ITEM-150: Biennial Update of the City Debt Policy. (Citywide.)

**ITEM DESCRIPTION:**

The initial City Debt Policy was adopted in 2007, pursuant to Resolution No. R-303152 and has been reviewed by the City Council annually thereafter. Concurrent with its last update in April 2013, a biennial review cycle was established via Resolution No. R-308090. This update represents the first biennial review by the City Council since April 2013.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2015-466)

Adopting the revisions to the City's Debt Policy.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

None specific to this action.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- On April 22, 2013, (Resolution No. R-308090) the City Council reviewed and accepted the last update of the City of San Diego Debt Policy.
- This item was heard at the Budget and Government Efficiency Committee meeting on February 25, 2015.

**ACTION:** Motion by Councilmember Kersey, second by Councilmember Sherman, to forward to City Council without a recommendation.

**VOTED:** 5-0; Gloria-yea, Cole-yea, Kersey-yea, Sherman-yea, Alvarez-yea.

Kommi/Lewis

Primary Contact\Phone: Lakshmi Kommi\619-236-6928, MS 7B  
Secondary Contact\Phone: Jyothi Pantulu\619-236-6917, MS 7B  
City Attorney Contact: Will, Brant C.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-200: Utility Undergrounding Advisory Committee Report. (Citywide.)

**ITEM DESCRIPTION:**

1. Accept the Utility Undergrounding Advisory Committee's Report.
2. Request the Mayor's staff to work with SDG&E, AT&T, Cox Communications, and Time Warner Cable to implement the recommendations.
3. Request the Mayor's staff to report back in one year on the progress of the implementation.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Informational item only.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

- On October 23, 2013, the Land Use and Housing Committee unanimously recommended the creation of the Underground Utilities Advisory Committee.
- On January 28, 2014, the City Council unanimously approved formation of the Utilities Undergrounding Advisory Committee.

Fox

Primary Contact\Phone: Molly Chase\619-236-7758

ITEM-201: Actuarial Study Related to Tentative Agreement and Successor Memorandum of Understanding (MOU) with the San Diego Police Officers Association.

**ITEM DESCRIPTION:**

This item is an Actuarial Study, pursuant to San Diego Charter Section 70.2, related to the Tentative Agreement and Successor Memorandum of Understanding (MOU) with the San Diego Police Officers Association for Fiscal Years 2016 through 2020.

**STAFF'S RECOMMENDATION:**

Informational item only.

**STAFF SUPPORTING INFORMATION**

**FISCAL CONSIDERATIONS:**

There are no fiscal considerations associated with the actuarial study that must be considered by the City Council. Fiscal considerations related to the Tentative Agreement/Memorandum of Understanding (MOU) are outlined separately in that Council action.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

None.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-202: A Resolution of the City Council to approve the Tentative Agreement for a Successor Memorandum of Understanding (MOU) with the San Diego Police Officers Association (POA) for terms and conditions of employment for Fiscal Years 2016 through 2020.

**ITEM DESCRIPTION:**

This action approves the Tentative Agreement for a Successor Memorandum of Understanding (MOU) with the San Diego Police Officers Association (POA) for terms and conditions of employment for Fiscal Years 2016 through 2020.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-476)

Approving and ratifying the Tentative Agreement between the City and the San Diego Police Officers Association (POA) for Fiscal Years 2016 through 2020, pursuant to the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06;

Directing the City's Management Team to jointly prepare with representatives of the POA the written Memorandum of Understanding (MOU) and present it to the Council at a later date for final determination.

**NOTE: 6 votes required pursuant to City Charter Section 11.2.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

San Diego Police Officers Association (POA)-represented employees will receive non-pensionable compensation increases consistent with the San Diego Charter requirements set forth in section 70.2 projected in the amount of \$11.1 million in Fiscal Year 2016, \$13.1 million in Fiscal Year 2017, \$19.8 million in Fiscal Year 2018, \$17.0 million in Fiscal Year 2019, and \$13.7 million in Fiscal Year 2020. In addition, POA-represented employees will receive pensionable salary increases of 3.3 percent in Fiscal Years 2019 and 2020, with a projected impact of \$5.7 million in Fiscal Year 2019 and \$11.5 million in Fiscal Year 2020. Effective June 30, 2020, the holiday credit on day off will be restored, estimated at an annual cost of \$2.3 million. The POA has the option to reopen the MOU to meet and confer in Fiscal Years 2019 and 2020.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Resolution R-308476, dated June 18, 2013 - Approving the Memorandum of Understanding between the City of San Diego and the San Diego Police Officers Association regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Dawson, Joan F.

**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 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

**CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT**

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

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

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

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

PUBLIC NOTICES:

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

ITEM-250: **Notice** of Pending Final Map Approval - "1410 Lincoln Avenue."

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "1410 Lincoln Avenue" (Resolution No. R-4628-PC and T.M. 1245147/PTS No. 355725) located at the 1410 Lincoln Avenue in the MR-1000 Zone of the Mid-City Communities Planned District within the Uptown Community Plan Area. The property is legally described as being Portions of Lots 14, 15, and 16, Block 139 of University Heights, Map No. 558, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of said County, August 6, 1888 of official records. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

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

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

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT