

CITY OF SAN DIEGO COUNCIL DOCKET



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Sherrí 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, 12th Floor, City Administration Building

Tuesday, April 7, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, APRIL 7, 2015, 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. 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 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 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:

03/02/2015

03/03/2015

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Marsi A. Steirer Day.

PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT LIGHTNER:

Proclaiming April 7, 2015, to be "Marsi A. Steirer Day" in the City of San Diego.

ITEM-31: The San Diego Gay Men's Chorus Day.

PRESENTED BY MAYOR FAULCONER AND COUNCILMEMBER GLORIA:

Proclaiming April 7, 2015, to be "The San Diego Gay Men's Chorus Day" in the City of San Diego.

ITEM-32: Difference Makers Day.

PRESENTED BY COUNCILMEMBER ZAPF:

Proclaiming April 7, 2015, to be "Difference Makers Day" in the City of San Diego.

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

ITEM-33: San Diego Mayor's Cyber Cup Day.

MAYOR FAULCONER'S AND COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

Proclaiming March 28, 2015, to be "San Diego Mayor's Cyber Cup Day" in the City of San Diego. (Rev. 4/01/15)

ITEM-34: Mira Mesa High School Sapphire Sound Band and Color Guard Day.

MAYOR FAULCONER'S AND COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming February 27, 2015, to be "Mira Mesa High School Sapphire Sound Band and Color Guard Day" in the City of San Diego.

ITEM-35: San Diego Air & Space Museum 45th Anniversary of Apollo 13 Day.

COUNCILMEMBER ZAPF'S RECOMMENDATION:

Proclaiming March 21, 2015, to be "San Diego Air & Space Museum 45th Anniversary of Apollo 13 Day" in the City of San Diego.

ITEM-36: San Diego Housing Federation Day.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Proclaiming April 24, 2015, to be "San Diego Housing Federation Day" in the City of San Diego.

ITEM-37: Foundations San Diego Day.

COUNCILMEMBER GLORIA'S RECOMMENDATION:

Proclaiming March 11, 2015, to be "Foundations San Diego Day" in the City of San Diego.

ITEM-38: Bryan Pendleton Day.

COUNCILMEMBER COLE'S RECOMMENDATION:

Proclaiming March 27, 2015, to be "Bryan Pendleton Day" in 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 2.6.2, 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 Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

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: Ordinance Amending San Diego Municipal Code Chapter 2, Article 2, Division 7, City Auditor and City Comptroller.

ITEM DESCRIPTION:

The proposed Amendments to the San Diego Municipal Code (SDMC) will rename Chapter 2, Article 2, Division 7, pertaining to City Auditor and City Comptroller to “Chief Financial Officer.” In addition to the name change, the proposed Amendments serve to eliminate and revise certain sections so that the manner in which taxes are collected and public moneys are deposited and handled are presented accurately. The Amendments also revise the timing in which certain financial reports of the City are docketed for, and heard by, the Audit Committee and City Council. Minor grammatical edits have also been made for clarity.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/17/15, Item 50. (Council voted 9-0):

(O-2015-71)

Amending Chapter 2, Article 2, Division 7, of the San Diego Municipal Code by retitling Division 7; by Amending Sections 22.0701 and 22.0702; by Repealing Sections 22.0703 and 22.0704; by Amending and renumbering Section 22.0705 to 22.0703; by Amending and renumbering Section 22.0706 to 22.0704; by Amending and renumbering Section 22.0707 to 22.0705; by Amending and renumbering Section 22.0708 to 22.0706; by Amending and renumbering Section 22.0709 to 22.0707; by Amending and renumbering Section 22.0710 to 22.0708; and by Amending and renumbering Section 22.0711 to 22.0709 relating to the Chief Financial Officer.

* ITEM-51: Fourteenth Amendment to the Contract No. 4500030142 for Consulting Services with HDR Engineering, Inc. (Citywide.)

ITEM DESCRIPTION:

Fourteenth Amendment to the HDR Engineering, Inc., Contract No. 4500030142 in the amount not to exceed \$305,000, of which \$155,000 is for additional work due to the City's upgrade of its computer applications to be compatible with Windows 7 and current ESRI version, and \$150,000 is for continued maintenance through Fiscal Year 2017, bringing the total Agreement to \$648,111.23.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/24/2015, Item 50. (Council voted 9-0):

(O-2015-82)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Fourteenth Amendment to the Agreement with HDR Engineering, Inc., for an amount not to exceed \$305,000, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and 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 an amount not to exceed \$305,000 from Muni Sewer Revenue Fund 700000, for the purpose of executing this Fourteenth Amendment to the Agreement, 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;

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.

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

- * ITEM-52: First Amendment to the contract with Lee & Ro for Pump Station 2 Power Reliability & Surge Protection Project. (Peninsula Community Area. District 2.)

ITEM DESCRIPTION:

This action is for approval of a First Amendment to the Contract with Lee & Ro Inc., in the amount of \$350,000 for Pump Station 2 Power Reliability and Surge Protection Project. The Amendment will provide for additional design services.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-88)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement with Lee & Ro, for an amount not to exceed \$350,000, under the terms and conditions set forth in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$350,000 from CIP 200312, Pump Station 2 Power Reliability and Surge Protection, Fund 700009, Sewer, for the purpose of executing the aforementioned First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates demonstrating that the 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.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total cost of the Agreement is \$2,100,000. Funding of \$1,750,000 was previously authorized by Council (R-307458), Enterprise Funding of which \$2,100,000 will be available in CIP S-00312, Pump Station 2 Power Reliability and Surge Protection Fund 700009 Sewer, for this purpose. The project is scheduled to be phase-funded over Fiscal Year 2012 (Phase I), Fiscal Year 2013 (Phase II) and Fiscal Year 2014 (Phase III). The project cost may be reimbursed from future financing from a State Revolving Fund loan. Contingent upon the availability of funds, the City Comptroller will issue a Comptroller Certificate for Phase III of the project. No future funding is anticipated on this Agreement.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On May 30, 2012, Council (R-307458) executed an Agreement with Lee & Ro in the amount of \$1,750,000. This item was presented to Metro TAC on November 19, 2014, and to Metro Commission Committee on December 4, 2014.

- This item was heard at the Infrastructure Committee meeting on March 11, 2015.

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

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

Nagelvoort/LoMedico

Primary Contact\Phone: Mark Nassar\619-533-6600, MS 908A

Secondary Contact\Phone: Hossein Azar\619-533-4102, MS 908A

City Attorney Contact: Jung, Jeremy A.

- * ITEM-53: Old Otay Mesa Road-Westerly Project - Authorize First Amendment to the Consultant Agreement with Nasland Engineering. (Otay Mesa Community Area. District 8.)

ITEM DESCRIPTION:

This Council action will authorize the expenditure of funds for Nasland Engineering to complete the final plans, specifications, and estimates as well as provide for additional Construction Management (CM) necessary for the increase in the scope of services during construction of the Old Otay Mesa Road Improvements Project.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-80)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a First Amendment to the Agreement, for a compensation amount not to exceed \$195,280, and under the terms and conditions set forth in the document contingent upon the Chief Financial Officer first certifying the necessary funds are, or will be, on deposit with the City Treasury;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$195,280 from CIP S-00870, Replacement of the Old Otay Mesa Road Improvements Project (\$95,280 from Fund No. 400093, Otay Mesa Facilities Benefit Assessment (FBA) - West and \$100,000 from Fund No. 400169, Transnet) for the purpose of executing the First Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates certifying the funds necessary for expenditures are, or will be, on deposit with the City Treasury.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Contract amount for the First Amendment is \$195,280. This consists of \$170,280 for the scope of services and \$25,000 for additional services with total compensation for services provided under the Agreement not to exceed \$967,521. All funds necessary for this action are currently available within the existing CIP Budget; specifically, in Fund No. 400093, Otay Mesa - West and Fund No. 400169, Transnet Extension 70% Cap.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The Consultant Agreement was approved by the City Council on March 26, 2010, by Resolution No. 305678.
- Certification of the Mitigated Negative Declaration No. 287806, and Adoption of the Mitigation Monitoring and Reporting Program (MMRP); Approval of Site Development Permit No. 1013229, Open Space Easement Vacation No. 1322903; and Adoption of an Ordinance to allow road improvements through dedicated parkland pursuant to City Charter Section 55, was approved by the City Council on September 16, 2014, by Resolution No. 309227.

The Infrastructure Committee approved this item on March 11, 2015.

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

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

Gibson/LoMedico

Primary Contact\Phone: Abi Palaseyed\619-533-4654, MS 908A
Secondary Contact\Phone: Luis Schaar\619-533-7492, MS 908A
City Attorney Contact: Jung, Jeremy A.

* ITEM-54: Month-to-month extension to the Industrial Medicine Contracts between the City of San Diego and Sharp Rees Stealy Medical Group and U.S. Healthworks Medical Group.

ITEM DESCRIPTION:

This action is to request approval for a month-to-month extension on the current contracts with Sharp Rees Stealy Medical Group (SRSMG) and U.S. Healthworks Medical Group (USHMG) to provide industrial medicine services to City of San Diego employees.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-85)

Introduction of an Ordinance authorizing and directing the Mayor, or his designee, to enter into a month-to-month contract extension with Sharp Rees-Stealy Medical Group, not to exceed one year or May 20, 2016, to provide industrial medicine services to City employees. This extension of the term of the contract between the City of San Diego and Sharp Rees-Stealy Medical Group for the provision of industrial medicine services;

Authorizing and directing the Mayor, or his designee, to enter into a month-to-month contract extension with U.S. Healthworks Medical Group, not to exceed one year or May 20, 2016, to provide industrial medicine services to City employees. This extension of the term of the contract between the City of San Diego and U.S. Healthworks Medical Group for the provision of industrial medicine services;

Authorizing and directing the Chief Financial Officer to appropriate and expend up to a total of \$500,000 for Fiscal Year 2015 and \$4,500,000 in Fiscal Year 2016 from the Workers' Compensation Fund 720044, 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.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Based upon past experience, it is estimated that the annual cost of these month-to-month extensions will be \$5,000,000 which will be available in the Workers' Compensation Fund (Fund No. 720044).

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Originally presented at City Council on April 2010; subsequently for extensions on May 2012, and May 2014.
- This item was heard at the Budget and Government Efficiency Committee meeting on March 18, 2015.

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

VOTE: 4-0; Gloria-yea, Cole-yea, Kersey-yea, Sherman-yea, Alvarez-not present.

Montoya/Lewis

Primary Contact\Phone: Jill Degnan\619-236-5958, MS 51B
Secondary Contact\Phone: Greg Bych\619-236-6651, MS 51B
City Attorney Contact: Gersten, William

* ITEM-55: Nondiscrimination in Contracting Ordinance Proposed Amendment.

ITEM DESCRIPTION:

The purpose of this requested action is to amend the Nondiscrimination in Contracting Ordinance to include “gender identity” and “gender expression” as types of unlawful discrimination.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-92)

Introduction of an Ordinance Amending Chapter 2, Article 2, Division 35 of the San Diego Municipal Code by Amending Sections 22.3501, 22.3502, 22.3504, and 22.3512, to include gender identity and gender expression in the definition of discrimination in the City’s Nondiscrimination in Contracting Ordinance.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There are no costs for the City to amend the Nondiscrimination in Contracting Ordinance so that it includes “gender identity” and “gender expression” in the list of unlawful discrimination types.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Budget Committee on March 18, 2015.

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

VOTE: 4-0; Gloria-yea, Cole-yea, Kersey-yea, Sherman-yea, Alvarez-not present.

Gakunga/Villa

Primary Contact\Phone: Nora Nugent\619-533-3948

Secondary Contact\Phone: Michele Alano\619-236-6172

City Attorney Contact: Easton, Lara E.

ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING
WITH THE READING AND ADOPTION:

- * ITEM-56: Request to exempt five Program Manager positions in the Risk Management Department from the Classified Service.

ITEM DESCRIPTION:

This action is to exempt five Program Manager positions from the Classified Service in the Risk Management Department. These positions will be responsible for the operation of Citywide programs and policies administered within the Risk Management Department.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/24/2015, Item 51. (Council voted 9-0):

(O-2015-83)

Receiving and reviewing a Memorandum from Personnel Director Hadi Dehghani, dated February 10, 2015, which documents that, on February 5, 2015, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Department to exempt five Program Manager positions from the Classified Service. The first Program Manager position will be responsible for administering the Flexible Benefits Plan Employee Savings Plans, the Retiree Medical Trust, and the Long Term Disability and Employee Assistance Programs; serving as the plan administrator for various retirement plans; and developing Citywide training, policies, and procedures for the plans. The second Program Manager position will be responsible for managing the City's insurance contracts, liability risk, and loss recovery efforts; participating in confidential settlement conferences; and acting as the City's representative in the California State Association of Counties. The third Program Manager position will be responsible for creating and overseeing Citywide safety practices, policies, and related training and ensuring compliance with Federal, State, County, and City safety-related regulations. The fourth Program Manager position will be responsible for managing and overseeing the City's Workers' Compensation Program; representing the City at the State Workers' Compensation Appeals Board; and developing policies and procedures to comply with new or revised State Workers' Compensation laws. The fifth Program Manager position will be responsible for overseeing the Department Budget and Public Liability, Long Term Disability and Workers' Compensation funds, and ensuring reserve funding is revised and complies with the City's reserve policy;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service

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and declares to be in the Unclassified Service of the City five Program Manager positions in the Department, performing the duties set forth in the February 10, 2015, Memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and Council, and in this Ordinance.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Approval of a Third Amendment to Lease Agreement with Torrey Pines Club Corporation. (Torrey Pines Community Area. District 1.)

ITEM DESCRIPTION:

Torrey Pines Club Corporation (TPCC) requested that their premises be modified to expand the current Pro Shop. The Third Amendment to Lease Agreement (Amendment) with TPCC serves to modify the leased premises, specifically identifying the current division of office space and common areas within the Clubhouse building at Torrey Pines Golf Course between TPCC's operations and City staff, which were not included in the original 1987 lease. In addition, the Amendment clarifies maintenance responsibilities between City and TPCC, and updates lease requirements for leases on City-owned property.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-496)

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, the "Third Amendment to Lease Agreement," between the City and Torrey Pines Club Corporation (TPCC), a California Corporation, to amend the current "Percentage Lease" with TPCC for certain facilities at the Torrey Pines Golf Course, San Diego, California.

Subitem-B: (R-2015-497)

Determining that the Amendment 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 under CEQA Guidelines Section 15300.2.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Agreement with Torrey Pines Club Corporation is a Percentage Lease, with a current minimum monthly rent of \$53,559 versus a percentage of gross revenue. City has received rent from Lessee in the amount of \$951,346 in Fiscal Year 2012, \$969,135 in FY 2013, and \$476,399 in the first half of FY 2014, totaling \$2,396,880 over the last three fiscal years.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on March 4, 2015.

ACTION: Motion by Councilmember Sherman, second by Councilmember Zapf, to recommend approval of staff's recommendation.

VOTE: 4-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-yea.

Thompson/Villa

Primary Contact\Phone: Barry Sloten\619-236-6724, MS 51A

Secondary Contact\Phone: Cybele Thompson\619-236-6145, MS 51A

City Attorney Contact: Fonseca, Jeremy M.

* ITEM-101: Authorization for Fire-Rescue to seek full reimbursement of rescue personnel while on emergency response out of jurisdiction in accordance with the California Fire Assistance Agreement (CFAA) 2015 Contract. (Citywide.)

ITEM DESCRIPTION:

This action is to request City Council authorization to seek full cost recovery for Fire-Rescue employees while out of jurisdiction on emergency incidents in accordance with the 2015-2019 California Office of Emergency Services (Cal OES) Agreement and 2015 California Fire Assistance Agreement (CFAA) Rate Letter.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-513)

Declaring that the San Diego Fire Department (SDFD) personnel shall be compensated in accord with their Memorandum of Understanding (MOU), City Personnel Rules and Regulations, and any other directive that identifies personnel compensation in the workplace;

Declaring that in the event a SDFD personnel classification does not have an assigned compensation rate, a "Base Rate" as set forth in an organizational policy, administrative directive, or similar documents will do to compensate such personnel;

Declaring that the SDFD shall maintain a current salary survey or acknowledgement of acceptance of the "Base Rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division;

Declaring that the SDFD personnel shall be compensated portal to portal beginning at the time of dispatch up until the time of return to their assigned jurisdiction when equipment and personnel are in service and available for agency response;

Declaring that the SDFD personnel include Battalion Chiefs, Fire Captains, Engineers, Firefighters, and Helicopter Pilots.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Approval of this item will allow the City's General Fund to be fully reimbursed for the portal to portal time of Fire-Rescue employees responding to emergencies out of jurisdiction under the California Fire Assistance Agreement (CFAA) contract. Response is on an as needed basis which hinders estimating reimbursement costs to the City.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on March 18, 2015.

ACTION: Motion by Councilmember Cate, second by Councilmember Cole, and forwarded to the full Council with a recommendation to approve.

VOTE: 4-0; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea.

Mainar/LoMedico

Primary Contact\Phone: Brian Fennessy\619-533-4401

City Attorney Contact: Brazier, Noah J.

* ITEM-102: Addition of the La Jolla View Reservoir Project to the Capital Improvements Program and transfer of funds into the project. (La Jolla Community Area District 1.)

ITEM DESCRIPTION:

This action is for the Council Authorization of the addition of CIP S-15027, La Jolla View Reservoir, to the Fiscal Year 2015 Capital Improvement Program; and the transfer of \$1,395,000 from CIP A-BL.00001, Stand Pipe and Reservoir Rehabilitation (B-11070, La Jolla View Reservoir), to CIP S-15027, La Jolla View Reservoir.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-425)

Authorizing the Chief Financial Officer to add CIP S-15027, La Jolla View Reservoir, to the Fiscal Year 2015 Capital Improvement Program;

Authorizing the Chief Financial Officer to transfer appropriations, expenditures, and encumbrances not to exceed \$1,395,000 from CIP A-BL.00001, Annual Allocation - Standpipe and Reservoir Rehabilitations (B-11070, La Jolla View Reservoir), to CIP S-15027, La Jolla View Reservoir within Fund 70010, Water Utility - CIP, solely and exclusively, for the purpose of providing funds for La Jolla View Reservoir Project;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$16,000,000. Enterprise funding of \$1,395,000 is available in CIP A-BJ.00001, Annual Allocation - Standpipe and Reservoir Rehabilitations (B-11070, La Jolla View Reservoir), Fund 700010, Water, and will be transferred to S-15027, La Jolla View Reservoir for this purpose. The remaining costs of \$14,605,000 will be phase funded in future years. The authorization to convert La Jolla View Reservoir from a sublet project of the Annual Allocation - Standpipe and Reservoir Rehabilitations to a standalone project is included in this action. The project cost may be reimbursed with current or future financing.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Infrastructure Committee meeting on March 11, 2015.

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

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

Gibson/LoMedico

Primary Contact\Phone: Mark Nassar\619-533-6600, MS 908A
Secondary Contact\Phone: Hossein Azar\619-533-4102, MS 908A
City Attorney Contact: Mercer, Mark M.

- * ITEM-103: Approve the transfer of funds to the Harbor Drive Pipelines Project, CIP S-12028. (Point Loma, Midway, and Peninsula Community Areas. District 2.)

ITEM DESCRIPTION:

This action is to authorize the transfer of \$120,000 of excess funds from the completed Lindbergh Field Pipeline Project and the transfer of \$345,000 of excess funds from the completed Scripps Ranch Pump Station project to the Harbor Drive Pipelines project. This additional funding of \$465,000 will provide for additional resurfacing needed on Nimitz, Canon Road, Evergreen and Locust Streets.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-431)

Authorizing the Mayor, or his designee, to transfer appropriations of \$120,000 from CIP S-10055, Lindbergh Field 16 Inch Cast Iron Main Replacement Project, and \$345,000 from CIP S-12019, Scripps Ranch Pump Station project, to CIP S-12028, Harbor Drive Pipelines Replacement Project, within Fund 700010, Water Utility CIP;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2015 Capital Improvements Program Budget by the amount of \$465,000 in the Harbor Drive Pipelines Replacement Project, Fund 700010, Water Utility CIP;

Authorizing the expenditure of an amount not to exceed \$465,000 from CIP S-12028, Harbor Drive Pipelines Replacement project, Fund 700010, Water Utility CIP, for additional pavement restoration and other increases in costs for the construction of Harbor Drive Pipelines Replacement project, solely and exclusively, for the purpose of providing funds, provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$25,000, from CIP S-12028, Harbor Drive Pipelines Replacement, Fund 700010, Water Utility, for additional City Force work;

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$10,836,398. Authorization for an additional expenditure of \$465,000 is requested in order to complete the construction and closeout of the project. The project costs may be reimbursed from a State Revolving Fund loan. No additional future funding is anticipated for this project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- A Project Design Consultant Contract with RBF Consulting Inc. was approved in FY'10 by Council Resolution R-305793; the original construction of the Harbor Drive and Lindbergh Field 16 inch pipeline replacement projects was also authorized by Council (R-307121 and R-307122); and on April 30, 2014, the City Council approved Change Order 2, and Resolution R-308874.

- This item was heard at the Infrastructure Committee meeting on March 11, 2015.

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

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

Gibson/LoMedico

Primary Contact\Phone: Mark Nassar\619-533-6600, MS 908A

Secondary Contact\Phone: Hossein Azar\619-533-4102, MS 908A

City Attorney Contact: Mercer, Mark M.

* ITEM-104: Community Oriented Policing Services (COPS) FY 2010 Technology Grant.

ITEM DESCRIPTION:

Authorize the Police Department to expend remaining Grant Funds totaling \$33,189.31 from the current Community Oriented Policing Services (COPS) FY 2010 Technology Grant and to apply for, accept, and expend funding authorized by the U.S. Department of Justice (DOJ) COPS Office including any amendments, extensions, or renewals for a period of up to five years, from July 1, 2015, through June 30, 2019. The remaining Grant Funds will be used to fund equipment and supplies that will enhance the efficiency of the Police Crime Laboratory.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-481)

Authorizing the Mayor, or his designee, to expend remaining Grant Funds totaling \$33,189.31, from the U.S. Department of Justice (DOJ) Community Oriented Policing Services (COPS) Technology Program Grant;

Authorizing the Mayor, or his designee, to apply for, accept, appropriate, and expend any additional funding awarded under a COPS Technology Program Grant as authorized by the DOJ COPS Office including any amendments, extensions, or renewals for a period of up to five years, from July 1, 2015, through June 30, 2019, Fund 600000;

Authorizing the Chief Financial Officer to appropriate and expend funding awarded under a COPS Technology Program Grant as authorized by the DOJ COPS Office including any amendments, extensions, or renewals for a period of up to five years from July 1, 2015, through June 30, 2019;

Authorizing the Chief Financial Officer to establish a special interest-bearing fund for the Grants, if required;

Authorizing the Chief of Police to administer and operate this program.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

All expenses resulting from this action are Grant-Funded. There is no requirement for matching funds, and no requirement for continued expenditures or services once grant funding is terminated or depleted.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

Resolution Number R-306300 was adopted on November 16, 2010, which authorized the Chief Financial officer to accept, appropriate and expend \$200,000 for equipment and supplies for the Police Crime Laboratory.

Ramirez/LoMedico

Primary Contact\Phone: Marta Sullivan\619-531-2662, MS 715

Secondary Contact\Phone: Catherine Rivera\619-531-2881, MS 715

City Attorney Contact: Folkman, Paige E.

* ITEM-105: A Resolution of the City of San Diego Expressing Support for the North San Diego Business Chamber's Think Local First Initiative. (Citywide.)

ITEM DESCRIPTION:

Approve the Resolution of the City of San Diego in support of the North San Diego Business Chamber's Think Local First Initiative.

COUNCILMEMBER COLE'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-386)

Declaring that the City Council supports the initiative known as Think Local First.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on January 29, 2015.

ACTION: Motion by Councilmember Kersey, second by Council President Lightner, to recommend approval of the resolution and forward to the full City Council.

VOTED: 4-0; Cole-yea, Lightner-yea, Kersey-yea, Cate-yea.

Slack

Primary Contact\Phone: Pamela Ison\619-236-6701

City Attorney Contact: Malcolm, Katherine Anne

* ITEM-106: Appointments and Reappointments to the International Affairs Board.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-484)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the International Affairs Board, for terms expiring as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Jordan Marks (Rolando, District 9) (Filling the seat previously held by John Galt)	March 1, 2017
Kathleen Charla (Linda Vista, District 7) (Filling the vacancy in the seat previously held by Alfonso Hernandez)	March 1, 2016
Bruce Abrams (Bankers Hill, District 3) (Reappointment)	March 1, 2017
Mark Leo (Paradise Hills, District 4) (Reappointment)	March 1, 2017
Rebecca Morales (La Jolla, District 1) (Reappointment)	March 1, 2017
Patricia Waller (San Carlos, District 7) (Reappointment)	March 1, 2017

* ITEM-107: Community Projects, Programs, and Services Funding Allocation to United Through Reading for Technology Pilot Program. (District 5.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 5, along with the authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with United Through Reading for an amount not to exceed \$15,000, for the Technology Pilot Project.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-494)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 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, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and United Through Reading (Agreement) in an amount not to exceed \$15,000 for the project described in this resolution, 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, Cost Center 1105110005, 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:

\$15,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1105110005, will be used for the Technology Pilot Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Bouteller

Primary Contact\Phone: Tiffany Vinson\619-236-6655

City Attorney Contact: Dugard, Prescilla

* ITEM-108: Community Projects, Programs, and Services Funding Allocation to the Asociacion de Liderazgo Comunitario. (District 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 9 along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Asociacion de Liderazgo Comunitario for an amount not to exceed \$3,000, for the San Diego Tenant Association.

COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-449)

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

Waiving Council Policy 100-06, Sections 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;"

Directing the Mayor, or his designee, to Execute, for and on behalf of the City, an Agreement with Asociacion de Liderazgo Comunitario in an amount not to exceed \$3,000 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 \$3,000 from the Community Projects, Programs and Services Budget Fund No. 100000, Cost Center 1109110009, 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:

\$3,000 in Community Projects, Programs, and Services Funding from the following Fund/Costs Centers: Fund No. 100000, Cost Center No. 1109110009, for the purpose of funding the San Diego Tenant Association.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

Flores

Primary Contact\Phone: Marisa Berumen\619-236-7754

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

- * ITEM-109: Community Projects, Programs, and Services Funding Allocation to El Cajon Boulevard Business Improvement Association for the Little Saigon District Designation Marker. (District 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 9, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the El Cajon Boulevard Business Improvement Association for an amount not to exceed \$5,000, for the Little Saigon District Designation Marker.

COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-403)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 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, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and the El Cajon Boulevard Business Improvement Association (Agreement) in an amount not to exceed \$5,000 for the project described in this resolution, 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. 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.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$5,000 in Community Projects, Programs, and Services Funding from the following Fund/Costs Centers: Fund No. 100000, Cost Center No. 1109110009, for the purpose of funding the Little Saigon District Designation Marker.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Flores

Primary Contact\Phone: Marisa Berumen\619-236-7754

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

* ITEM-110: Community Projects, Programs, and Services Funding Allocation to the Alternative Healing Network. (Districts 3 and 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council Districts 9 and 3 along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Alternative Healing Network for an amount not to exceed \$5,000, for the Art Around Adams.

COUNCILMEMBER GLORIA'S AND COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-492)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 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, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and Alternative Healing Network (Agreement) in an amount not to exceed \$5,000 for the project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$2,500, from the Council District 9 Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1109110009, and an amount not to exceed \$2,500, from the Council District 3 Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1103110003, for a total of \$5,000, all 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 Community Projects, Programs, and Services Funding from the following Fund/Costs Centers: Fund No. 100000, Cost Center No. 1109110009; Fund No. 100000, Cost Center No. 1103110003, for the purpose of funding the Art Around Adams.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

Flores

Primary Contact\Phone: Marisa Berumen\619-236-7754

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

* ITEM-111: Community Projects, Programs, and Services Funding Allocation to the Groundwork San Diego-Chollas Creek. (District 9.)

ITEM DESCRIPTION:

Approval of the funding allocation from Council District 9 along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Groundwork San Diego-Chollas Creek for an amount not to exceed \$18,000, for the Cycle Southcrest/Neighbors Helping Neighbors.

COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-509)

Declaring that the allocation described in this resolution is made for a public purpose;

Waiving Council Policy 100-06, Section 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, a Community Projects, Programs, and Services FY 2015 City Council Allocations Agreement between the City of San Diego and Groundwork San Diego-Chollas Creek (Agreement) in an amount not to exceed \$18,000 for the projects described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$18,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 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.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

\$18,000 in Community Projects, Programs, and Services Funding from the following Fund/Costs Centers: Fund No. 100000, Cost Center No. 1109110009, for the purpose of funding the Cycle Southcrest/Neighbors Helping Neighbors.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Flores

Primary Contact\Phone: Marisa Berumen\619-236-7754

Secondary Contact\Phone: Lori Witzel\619-236-6442

City Attorney Contact: Dugard, Prescilla

- * ITEM-112: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-398)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

- * ITEM-113: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2015-179)

Declaring a continued state of emergency due to severe shortage of affordable housing in the City of San Diego, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-296982 shall continue to have full force and effect.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

The following item will be considered in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-330: Proposed City Council Policy 000-33 Implementation of Accepted Grand Jury Recommendations. (Citywide.)

ITEM DESCRIPTION:

Approve proposed City Council Policy 000-33, Implementation of Accepted Grand Jury Recommendations.

INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-514)

Adopting Council Policy 000-33, entitled "Implementation of Accepted Grand Jury Recommendations;"

Instructing the City Clerk to add Council Policy 000-33 to the Council Policy Manual.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

• During the City Council meeting of September 22, 2014, the Council approved responses to a Grand Jury report regarding the implementation of Grand Jury recommendations that have been accepted by the City. Additionally, the City Council requested that a working group develop a City Council Policy addressing the implementation of accepted Grand Jury recommendations. This working group included the IBA's Office, Council President's Office, the Economic Development and Intergovernmental Relations Committee Consultant, Mayor's Office and City Attorney's Office.

• The working group collaborated on the proposed City Council Policy, which was docketed as a consent agenda item for the November 19, 2014, Economic Development and Intergovernmental Relations Committee meeting.

On November 19, 2014, the Economic Development and Intergovernmental Relations Committee approved the consent agenda, moving the proposed policy to the full City Council. Subsequent to approval of this item, the working group members agreed to make two minor changes to the proposed Council Policy. See IBA Report 15-08 for further information.

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.

Tevlin

Primary Contact\Phone: Lisa Byrne\619-236-5917
Secondary Contact\Phone: Jeff Kavar\619-533-4764
City Attorney Contact: Spivak, Sharon B.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

NOTE: The following item is scheduled to be heard at 10:00 a.m.

ITEM-331: Lise Avenue Street Name Change to Lakiba Palmer Avenue, Project No. 399273.
(Encanto Community Plan Area. District 4.)

ITEM DESCRIPTION:

A proposed Street Name Change from "Lise Avenue" to "Lakiba Palmer Avenue".

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-485)

Adoption of a Resolution approving street name change from Lise Avenue to Lakiba Palmer Avenue;

Changing the name of Lise Avenue, more particularly shown on Drawing No. 38459-B, attached hereto as Exhibit "A," to Lakiba Palmer Avenue;

Directing the City Clerk to record a certified copy of this Resolution, with Exhibit "A," attested under seal, in the Office of the County Recorder.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Vacchi/Graham/rm

Primary Contact\Phone: Renee Mezo\619-446-5001, MS 501
Secondary Contact\Phone: Paul Godwin\619-446-5190, MS 501
City Attorney Contact: Thomas, Shannon

NOTE: The following item is scheduled to be heard at 10:00 a.m.

ITEM-332: San Diego Gas and Electric (SDG&E) Easements and Right-of-Way Vacations, Project No. 310632. (Mira Mesa Community Plan Area. District 6.)

ITEM DESCRIPTION:

This action proposes to vacate two drainage and two slope easements and one small section of right-of-way on their property developed as the Mira Mesa Substation. The site is located at the southeast corner of Vista Sorrento Parkway and Mira Sorrento Place, north of Mira Mesa Boulevard within the Mira Mesa Community Plan Area.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2015-459)

Adoption of a Resolution vacating Right-of-Way Vacation No. 108812, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 37374-B marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof;

Directing Development Services Department to record a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

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

Subitem B: (R-2015-460)

Adoption of a Resolution vacating a slope easement (Easement Vacation No. 1088120), a drainage easement (Vacation No. 1289079), a slope and embankment easement (Vacation No. 1289084), and drainage and embankment slope easement (Vacation No. 1430538) located east of Mira Sorrento Place and north of Vista Sorrento Parkway, Project No. 310632.

Vacating Easement Vacation No. 1088120, as more particularly described in the legal description marked as Exhibit "A-1" and shown on Drawing No. 37373, marked as Exhibit "B-1," which are by this reference incorporated herein and made a part hereof;

Vacating Easement Vacation No. 1289079, as more particularly described in the legal description marked as Exhibit "A-2" and shown on Drawing No. 38023, marked as

Exhibit “B-2,” which are by this reference incorporated herein and made a part hereof;

Vacating Easement Vacation No. 1289084, as more particularly described in the legal description marked as Exhibit “A-3” and shown on Drawing No. 38024, marked as Exhibit “B-3,” which are by this reference incorporated herein and made a part hereof;

Vacating Easement Vacation No. 1430538, as more particularly described in the legal description marked as Exhibit “A-4” and shown on Drawing No. 38400, marked as Exhibit “B-4,” which are by this reference incorporated herein and made a part hereof;

Directing Development Services Department to record a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

All costs are being paid for by the applicant through a deposit account.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

No previous City Council action.

Vacchi/Graham/an

Primary Contact\Phone: Angela Nazareno\619-446-5277, MS 302

Secondary Contact\Phone: Helene Deisher\619-446-5223, MS 302

City Attorney Contact: Vonblum, Heidi K.

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

ITEM-333: Amendments to the Land Development Code and the City's Local Coastal Program Pertaining to Small Lot Subdivisions. (Citywide.)

ITEM DESCRIPTION:

The project is an ordinance that provides regulations for development of a small lot subdivision, which is a subdivision of multi-family zoned land for construction of single-family homes on small lots.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-73)

Introduction of an Ordinance amending Chapter 12, Article 6, Division 5 of the San Diego Municipal Code by amending Section 126.0502; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422, 131.0445, 131.0449, 131.0460, and 131.0461; amending Chapter 14, Article 2, Division 4 by amending Sections 142.0402 and 142.0404; amending Chapter 14, Article 2, Division 5 by amending Section 142.0525; amending Chapter 14, Article 3, Division 3 by amending Section 143.0302 and by adding new Section 143.0365; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103, all relating to small lot subdivisions.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of the regulations in the future will be borne by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This action was heard by the SG&LU Committee on March 4, 2015, and forwarded to the full Council with a recommendation to approve.

Vacchi\Graham\dn

Primary Contact\Phone: Dan Normandin\619-446-5388, MS 501

Secondary Contact\Phone: Amanda Lee\619-446-5367, MS 501

City Attorney Contact: Thomas, Shannon

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

ITEM-334: 9th Update to the Land Development Code and Local Coastal Program and Related Provisions. (Citywide.)

ITEM DESCRIPTION:

The 9th Update is a package of code amendments that are being processed in accordance with the City's Land Development Code work program. There are 57 amendment issues; the bulk of which is regulatory reform. Significant items include amendments to streamline the permit process for various types of development, to implement the City's economic development strategy in support of local industry, and to incorporate efficiencies in the processing of environmental documents and permits for minor improvements to development older than 45 years old (that is not designated a historic resource). The proposal also amends the regulations related to previously conforming development.

STAFF'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-2015-84)

Introduction of an Ordinance amending Chapter 5, Article 4, Division 3 of the San Diego Municipal Code by amending Sections 54.0308 and 54.0309; amending Chapter 6, Article 2, Division 12 by amending Section 62.1205; amending Chapter 9, Article 8, Division 4 by amending Section 98.0425; amending Chapter 11, Article 2, Division 1 by amending Sections 112.0102 and 112.0103; amending Chapter 11, Article 2, Division 3 by amending Sections 112.0301 and 112.0309; amending Chapter 11, Article 2, Division 5 by amending Section 112.0504; amending Chapter 11, Article 3, Division 1 by amending Section 113.0103; amending Chapter 11, Article 3, Division 2 by amending Section 113.0234; amending Chapter 12, Article 1, Division 2 by amending Section 121.0203; amending Chapter 12, Article 1, Division 5 by amending Sections 121.0504 and 121.0505; amending Chapter 12, Article 3, Division 1 by amending Section 123.0101; amending Chapter 12, Article 5, Division 1 by amending Section 125.0141; amending Chapter 12, Article 5, Division 4 by amending Section 125.0461; amending Chapter 12, Article 5, Division 10 by amending Section 125.1030; amending Chapter 12, Article 6, Division 1 by amending Sections 126.0108, 126.0110, 126.0111, 126.0112, and 126.0113, and by repealing Section 126.0109; amending Chapter 12, Article 6, Division 5 by amending Section 126.0502; amending Chapter 12, Article 8, Division 2 by amending Section 128.0209; amending Chapter 12, Article 8, Division 3 by amending Sections 128.0306, 128.0310, and 128.0312; amending Chapter 12, Article 9, Division 6 by repealing Sections 129.0642 and 129.0643; amending Chapter 12, Article 9, Division 7 by amending Sections 129.0702, 129.0710, 129.0715, and 129.0720, and by repealing Sections 129.0743 and 129.0744; amending Chapter 12, Article 9, Division 8 by amending Sections 129.0802, 129.0804, and 129.0813, and by repealing Sections 129.0806, 129.0811, 129.0812, and 129.0815; amending Chapter 13, Article 1, Division 1

by amending Section 131.0112; amending Chapter 13, Article 1, Division 2 by amending Sections 131.0202 and 131.0222; amending Chapter 13, Article 1, Division 3 by amending Section 131.0322; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422, 131.0448, and 131.0461; amending Chapter 13, Article 1, Division 5 by amending Sections 131.0522 and 131.0540; amending Chapter 13, Article 1, Division 6 by amending Sections 131.0622 and 131.0623; amending Chapter 14, Article 1, Division 3 by amending Section 141.0302; amending Chapter 14, Article 1, Division 4 by amending Sections 141.0405 and 141.0411; amending Chapter 14, Article 1, Division 5 by amending Section 141.0504, and by adding new Section 141.0507; amending Chapter 14, Article 1, Division 6 by adding new Section 141.0602, by repealing and replacing Section 141.0607, and by amending Section 141.0619; amending Chapter 14, Article 1, Division 10 by amending Section 141.1003; amending Chapter 14, Article 1, Division 11 by amending Section 141.1105; amending Chapter 14, Article 2, Division 3 by amending Sections 142.0305, 142.0310, and 142.0340; amending Chapter 14, Article 2, Division 5 by amending Sections 142.0530 and 142.0560; amending Chapter 14, Article 2, Division 6 by amending Section 142.0670; amending Chapter 14, Article 2, Division 9 by amending Section 142.0910; amending Chapter 14, Article 2, Division 12 by amending Sections 142.1206, 142.1210, 142.1220, 142.1225, and 142.1260, and by adding new Section 142.1208; amending Chapter 14, Article 3, Division 2 by amending Section 143.0212; amending Chapter 14, Article 4, Division 2 by amending Sections 144.0233 and 144.0242; amending Chapter 15, Article 5, Division 2 by amending Section 155.0238; amending Chapter 15, Article 6, Division 3 by amending Section 156.0315; amending Chapter 15, Article 10, Division 3 by amending Sections 1510.0303, 1510.0307, and 1510.0309; amending Chapter 15, Article 13, Division 3 by amending Section 1513.0304; and repealing Chapter 15, Article 17, Divisions 1, 2, 3, and 4, all relating to the 9th Update to the Land Development Code and related provisions.

Subitem-B: (O-2015-89)

Introduction of an Ordinance amending Chapter 12, Article 7, Division 1 of the San Diego Municipal Code by amending Sections 127.0102, 127.0103, 127.0104, 127.0105, 127.0106, 127.0108, and 127.0109, and by adding new Section 127.0111, all relating to amendments to previously conforming land uses, proposed as part of the 9th Update to the Land Development Code.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of the proposed amendments will be covered by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On March 4, 2015, the Smart Growth and Land Use Council Committee recommended approval of the 9th Update (vote 4-0).

Vacchi\Graham\al

Primary Contact\Phone: Amanda Lee\619-446-5367, MS 501

City Attorney Contact: Thomas, Shannon

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-335: Hotel Churchill (827 C Street). (East Village Neighborhood of the Downtown Community Plan Area. District 3.)

ITEM DESCRIPTION:

Approval of the terms and conditions of a proposed First Amendment to the Owner Participation Agreement by and between the City and HDP Churchill, LLC.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-515)

Authorizing and directing the Mayor, or designee, to negotiate and execute a First Amendment that includes the following elements: (a) a reduction of the developer fee from \$1,400,000 to \$400,000; (b) an increase to the deferred developer fee from \$140,000 to \$400,000; and (c) an increase in the Housing Commission funding for the Project from \$12,100,000 to \$15,400,000;

Authorizing and directing the Mayor, or designee, to sign all documents necessary and appropriate to carry out and implement the First Amendment and to administer the City's obligations, responsibilities, and duties to be performed under the First Amendment, including all attachments and exhibits thereto.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding for the City Loan in the amount of \$3,000,000 was previously encumbered based on the City Council's action on November 17, 2014. While the total Developer Fee has been decreased by \$1 million, the \$260,000 increase in deferred developer fee, which is to be paid out of project cash flow, will likely result in a delay in loan payments to the City and the other public lenders. Based on projections, initial payments to the public lenders will be delayed from Year 2 to Year 5, with a net impact to the City of \$68,000 over the first five years. Any funds received will be deposited in the Low and Moderate Income Housing Asset Fund.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Phillips/Graham

Primary Contact\Phone: Jeff Zinner\619-533-7122, MS 51D

City Attorney Contact: Wander, Adam R.

NOTE: See the Housing Authority Agenda of April 7, 2015, for a companion item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT