

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Sherry Lightner • First District**

## COUNCIL PRESIDENT PRO TEM

**Marti Emerald • Ninth District**

## COUNCIL MEMBERS

**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**

**Tuesday, July 28, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, JULY 28, 2015, AT 10:00 AM  
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. 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.**

**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:

06/29/2015  
06/30/2015

**PROCLAMATIONS/CEREMONIAL ITEMS**

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

ITEM-30: Colonel John P. Farnam Day.

**PRESENTED BY COUNCILMEMBER KERSEY, COUNCILMEMBER CATE, AND COUNCILMEMBER SHERMAN:**

Proclaiming July 28, 2015, to be "Colonel John P. Farnam Day" in the City of San Diego.

ITEM-31: Meatless Mondays.

**PRESENTED BY COUNCIL PRESIDENT PRO TEM EMERALD:**

Proclaiming Mondays to be "Meatless Mondays" in the City of San Diego, in support of comprehensive sustainability efforts as well as to further encourage residents to eat a more varied plant-based diet to protect their health and protect animals.

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

ITEM-32: Argonauts National Race Week.

**COUNCILMEMBER ZAPF'S RECOMMENDATION:**

Proclaiming August 3 - August 14, 2015, to be "Argonauts National Race Week" in the City of San Diego.

ITEM-33: Scripps Mercy Hospital Day.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Proclaiming July 9, 2015, to be "Scripps Mercy Hospital Day" in the City of San Diego.

**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)**

**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.

**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 TO BE INTRODUCED:**

- \* ITEM-50: First San Diego River Improvement Project - Second Amendment to the Agreement with Dudek and Associates. (Mission Valley Community Area. District 7.)

**ITEM DESCRIPTION:**

Executing the Second Amendment to the Agreement in the amount of \$95,960 with Dudek & Associates, Inc., for environmental services for the First San Diego River Improvement Dredging Project. These services include submitting applications, providing revisions, and coordinating efforts for mitigation purposes in order to obtain all required permitting with resource agencies.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-5)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the Second Amendment to the Agreement, for an amount not to exceed \$95,960, under the terms and conditions set forth in the document;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$95,960 from CIP S-00606, SD River Dredging Qualcomm Way to SR 163, Fund 200054, First San Diego River Improvements, for the purpose of executing the aforementioned Second Amendment to the Agreement, contingent upon the Chief Financial Officer first demonstrating funds necessary for expenditure 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 total cost for environmental services is \$205,715 which includes the original contract \$70,450, First Amendment of \$39,305, and this action for the Second Amendment of \$95,960. The funding for this action is available in Fund 200054, First San Diego River Improvements, and contingent upon the City Comptroller furnishing a certificate certifying the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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

- On May 19, 2006, Council adopted Document No. C-13790 executing the Agreement with Dudek and Associates and authorizing the expenditure of \$70,450 from Fund 702401, First San Diego River Improvement Dredging Project, and on May 5, 2010, Council approved Resolution R-305772, executing the First Amendment to the Agreement with Dudek and Associates and authorizing the additional expenditure of \$39,305 from Fund 702401, First San Diego River Improvement Dredging Project.

- This item was heard at the Infrastructure Committee meeting on June 24, 2015.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Zapf, and forwarded to the full Council with a recommendation to introduce the ordinance.

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

Nagelvoort/Chadwick

Primary Contact\Phone: Abi Palaseyed \619-533-4654, MS 908A

Secondary Contact\Phone: Jamal Batta\619-533-7482, MS 908A

City Attorney Contact: Jung, Jeremy A.

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

- \* ITEM-51: Agreement for EMT-Paramedic Services at San Diego International Airport - Second Amendment for Two (2) Year Extension. (San Diego International Airport at Lindbergh Field. District 2.)

**ITEM DESCRIPTION:**

This action is to authorize a two (2) year extension of the Agreement with the San Diego County Regional Airport Authority (SDCRAA) for the City of San Diego to provide Emergency Medical Services (EMS) at the San Diego International Airport at Lindbergh Field from July 1, 2015, through June 30, 2017. The City will subcontract the services to its EMS provider, Rural/Metro.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/30/2015, Item 50. (Council voted 7-0. Councilmember Alvarez and Council President Pro Tem Emerald not present):

(O-2015-159)

Authorizing the Mayor, or his designee, to extend the Agreement between the City of San Diego and the San Diego County Regional Airport Authority (SDCRAA) for a period of two years, from July 1, 2015, through June 30, 2017, to provide emergency medical technician-paramedic services at the San Diego International Airport at Lindbergh Field;

Authorizing the Chief Financial Officer, or his designee, to appropriate and expend funds to pay the City's emergency medical services provider, Rural/Metro Corporation, for the subcontracted services associated with this Agreement for FY 2016 and FY 2017, contingent upon adoption of the Annual Appropriations Ordinance for the applicable fiscal years and contingent upon the City Comptroller first furnishing one or more certificates stating 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.**

\* ITEM-52: Third Amendment to the Agreement with Collaborative Services (Contract No. 4600000396) for public information and outreach services on an as-needed basis for the Water Conservation Program. (Citywide.)

**ITEM DESCRIPTION:**

This action is to amend the existing public outreach, information and education contract with Collaborative Services ending on November 5, 2015, to extend the contract for a maximum period of six months, through May 5, 2016, and to increase the contract by a value of \$360,000 for a total contract value not to exceed \$1.46 million. Amendment to the existing contract is recommended in order to ensure adequate time for a new Request for Proposals (RFP) process currently being conducted to select a vendor that will provide strategic planning and support to public information and outreach services to Public Utilities' Water Conservation Program for the next five years.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 50. (Council voted 9-0):

(O-2015-133)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the Third Amendment to the Agreement with Collaborative Services Inc., (Contract No. 4600000396), in an amount not to exceed \$360,000, bringing the total cost of the Agreement to \$1,460,000, for consulting services related to the Water Conservation Program, with a contract expiration date of May 5, 2016, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$360,000 from Water Utility Operating Fund 700011 for the purposes of funding the Third Amendment to the Agreement, contingent upon adoption of the Annual Appropriation Ordinance for the applicable Fiscal Year, and 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;

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.**

- \* ITEM-53: State Water Resources Control Board (SWRCB), Drinking Water State Revolving Fund (DWSRF) Loan Application for the 69th Street & Mohawk Pump Station Project. (Citywide.)

**ITEM DESCRIPTION:**

Authorization to enter into a low interest State Revolving Fund Loan with the State Water Resources Control Board (SWRCB) to fund the 69th Street & Mohawk Pump Station Project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 51. (Council voted 9-0):

(O-2015-116)

Authorizing the Mayor, or his designee, to execute and file, for and on behalf of the City of San Diego, a Drinking Water State Revolving Fund (DWSRF) Financial Assistance Application, Funding Agreements, Amendments thereto, Reimbursement Claims, Final Release forms, and to take related actions for the Financing Agreement from the State Water Board for the Project and any Amendments thereto, and provide the assurances, certifications and commitments required therefor;

Authorizing the Mayor, or his designee, to dedicate and pledge its net water revenues and its water enterprise fund to payment of the DWSRF financing for the Project. The City commits to collecting such revenues and maintains such funds throughout the term of such financing and until the City has satisfied its repayment obligation thereunder unless modification or change of such dedication is approved in writing by the State Water Board. So long as the Financing Agreements are outstanding, the City's pledge hereunder shall constitute a lien in favor of the State Water Board on the foregoing funds and revenues without any further action necessary. So long as the Financing Agreement(s) are outstanding, the City commits to maintaining the fund and revenues at levels sufficient to meet its obligations under the Financing Agreements. If for any reason, said source of revenues proves insufficient to satisfy the debt service of the DWSRF obligation, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet the City's DWSRF obligation and to operate and maintain the Project;

Authorizing the City Engineer, or designee, to represent the Department in carrying out the Department's responsibilities under the Financing Agreement, including approving and submitting disbursement requests (including Claims for Reimbursement) or other required documentation, to execute the Budget and Expenditure Summary, Claim Reimbursement and Certificate of Project Completion forms, to certify that the project is complete and ready for final inspection, and to ensure compliance with applicable State and Federal laws, and making any other necessary certifications;

Authorizing the Chief Financial Officer to apply for, accept, appropriate and expend up to \$18,800,000 in DWSRF Loan Funds for reimbursement to the Water Fund, contingent upon the City Comptroller certifying that the funds are available and contingent upon the loan being secured;

Ratifying and affirming the authority granted hereunder shall be deemed retroactive and all acts authorized hereunder and performed prior to the date of this Ordinance. The State Water Board is authorized to rely upon this Ordinance until written notice to the contrary, executed by each of the undersigned, is received by the State Water Board. The State Water Board shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of the City of San Diego Public Utilities Department or in any other document;

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.**

- \* ITEM-54: State Water Resources Control Board (SWRCB), Drinking Water State Revolving Fund Loan Application for the La Jolla View Reservoir (LJVR) Project.  
(Citywide.)

**ITEM DESCRIPTION:**

Authorization to enter into low interest State Revolving Fund loans with the State Water Resources Control Board (SWRCB) to fund the La Jolla View Reservoir (LJVR) Project. City will enter in two State Revolving Loans, one for the planning of the La Jolla View Reservoir LJVR in an amount not to exceed \$2,262,900. The second loan will be for the design and construction of the LJVR in an amount not to exceed \$14,237,100.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 52. (Council voted 9-0):

(O-2015-118)

Authorizing the Mayor, or his designee, to execute and file, for and on behalf of the City of San Diego, a Drinking Water State Revolving Fund (DWSRF) Financial Assistance Application, Funding Agreements, Amendments thereto, Reimbursement Claims, Final Release forms, and to take related actions for the Financing Agreement from the State Water Board for the Project and any Amendments thereto, and provide the assurances, certifications and commitments required therefor;

Authorizing the Mayor, or his designee, to dedicate and pledge its net water revenues and its water enterprise fund to payment of the DWSRF financing for the Project. The City commits to collecting such revenues and maintains such funds throughout the term of such financing and until the City has satisfied its repayment obligation thereunder unless modification or change of such dedication is approved in writing by the State Water Board. So long as the Financing Agreements are outstanding, the City's pledge hereunder shall constitute a lien in favor of the State Water Board on the foregoing funds and revenues without any further action necessary. So long as the Financing Agreement(s) are outstanding, the City commits to maintaining the fund and revenues at levels sufficient to meet its obligations under the Financing Agreements. If for any reason, said source of revenues proves insufficient to satisfy the debt service of the DWSRF obligation, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet the City's DWSRF obligation and to operate and maintain the Project;

Authorizing the City Engineer, or designee, to represent the Department in carrying out

the Department's responsibilities under the Financing Agreement, including approving and submitting disbursement requests (including Claims for Reimbursement) or other required documentation, to execute the Budget and Expenditure Summary, Claim Reimbursement and Certificate of Project Completion forms, to certify that the project is complete and ready for final inspection, and to ensure compliance with applicable State and Federal laws, and making any other necessary certifications;

Authorizing the Chief Financial Officer to apply for, accept, appropriate and expend up to \$16,500,000 in DWSRF Loan Funds for reimbursement to the Water Fund, contingent upon the City Comptroller certifying that the funds are available and contingent upon the loan being secured;

Ratifying and affirming the authority granted hereunder shall be deemed retroactive and all acts authorized hereunder and performed prior to the date of this Ordinance. The State Water Board is authorized to rely upon this Ordinance until written notice to the contrary, executed by each of the undersigned, is received by the State Water Board. The State Water Board shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of the City of San Diego Public Utilities Department or in any other document;

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.**

- \* ITEM-55: State Water Resources Control Board (SWRCB), Drinking Water State Revolving Fund (DWSRF) Loan Application for the Pacific Beach Pipeline South Project. (Citywide.)

**ITEM DESCRIPTION:**

Authorization to enter into a low interest State Revolving Fund (SRF) Loan with the State Water Resources Control Board (SWRCB) to fund the Pacific Beach Pipeline South Project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 53. (Council voted 9-0):

(O-2015-117)

Authorizing the Mayor, or his designee, to execute and file, for and on behalf of the City of San Diego, a Drinking Water State Revolving Fund (DWSRF) Financial Assistance Application, Funding Agreements, Amendments thereto, Reimbursement Claims, Final Release forms, and to take related actions for the Financing Agreement from the State Water Board for the Project and any Amendments thereto, and provide the assurances, certifications and commitments required therefor;

Authorizing the Mayor, or his designee, to dedicate and pledge its net water revenues and its water enterprise fund to payment of the DWSRF financing for the Project. The City commits to collecting such revenues and maintains such funds throughout the term of such financing and until the City has satisfied its repayment obligation thereunder unless modification or change of such dedication is approved in writing by the State Water Board. So long as the Financing Agreements are outstanding, the City's pledge hereunder shall constitute a lien in favor of the State Water Board on the foregoing funds and revenues without any further action necessary. So long as the Financing Agreement(s) are outstanding, the City commits to maintaining the fund and revenues at levels sufficient to meet its obligations under the Financing Agreements. If for any reason, said source of revenues proves insufficient to satisfy the debt service of the DWSRF obligation, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet the City's DWSRF obligation and to operate and maintain the Project;

Authorizing the City Engineer, or designee, to represent the Department in carrying out the Department's responsibilities under the Financing Agreement, including approving and submitting disbursement requests (including Claims for Reimbursement) or other required documentation, to execute the Budget and Expenditure Summary, Claim Reimbursement and Certificate of Project Completion forms, to certify that the project is complete and ready for final inspection, and to ensure compliance with applicable State and Federal laws, and making any other necessary certifications;

Authorizing the Chief Financial Officer to apply for, accept, appropriate and expend up to \$30,305,258 in DWSRF Loan Funds for reimbursement to the Water Fund, contingent upon the City Comptroller certifying that the funds are available and contingent upon the loan being secured;

Ratifying and affirming the authority granted hereunder shall be deemed retroactive and all acts authorized hereunder and performed prior to the date of this Ordinance. The State Water Board is authorized to rely upon this Ordinance until written notice to the contrary, executed by each of the undersigned, is received by the State Water Board. The State Water Board shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of the City of San Diego Public Utilities Department or in any other document;

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.**

- \* ITEM-56: State Water Resources Control Board (SWRCB) - Authorization to enter into low interest loans for the Pump Station 2 Power Reliability and Surge Protection Project. (Citywide.)

**ITEM DESCRIPTION:**

Authorization to enter into a low interest State Revolving Fund (SRF) Loan with the State Water Resources Control Board (SWRCB) to fund the Pump Station 2 Power Reliability and Surge Protection Project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 54. (Council voted 9-0):

(O-2015-107 Cor. Copy)

Authorizing the approval of the Clean Water State Revolving Fund (CWSRF) Financing Program low interest financing for Pump Station 2 Power Reliability and Surge Protection Project.

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

- \* ITEM-57: State Water Resources Control Board (SWRCB), Drinking Water State Revolving Fund (DWSRF) Loan Application for the Alvarado 2nd Extension Pipeline & Morena Blvd. Cast Iron Replacement Project. (Citywide.)

**ITEM DESCRIPTION:**

Authorization to enter into a low interest State Revolving Fund Loan with the State Water Resources Control Board (SWRCB) to fund the Alvarado 2nd Extension Pipeline & Morena Blvd Cast Iron Replacement Project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 64, Subitem A. (Council voted 9-0):

(O-2015-106)

Authorizing the Mayor, and/or his designee, to execute, for and on behalf of the City of San Diego (City), a Drinking Water State Revolving Fund (DWSRF) Loan, Funding Agreement, Amendments, Reimbursement Claims, Final Release Form, and to take related actions for the Alvarado 2nd Extension Pipeline & Moreno Blvd Cast Iron Replacement Project;

Authorizing the Mayor, and/or his designee, to dedicate revenues from its Water Fund Rates, charges and assessments on parity with all other parity obligations of the Water Enterprise Fund in an amount sufficient to repay the DWSRF Loan for the Project. This dedication shall remain in full force and effect until such Funding Agreements are fully discharged, unless modification or change of such dedication is approved by the State Water Resources Control Board. If for any reason, said resources of revenue prove insufficient to satisfy the debt services of the DWSRF Loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain this Project;

Authorizing the City Engineer, or other registered engineer, designated by the Mayor, to execute the Budget and Expenditure Summary, Claim Reimbursement and Certificate of Project Completion forms;

Authorizing the City Engineer, or other registered engineer, designated by the Mayor, to certify that the Project is complete and ready for final inspection;

Authorizing the Chief Financial Officer to apply for, accept, appropriate and expend up to \$65,000,000 in State Revolving Fund Loan Funds for reimbursement to the Water Fund, contingent upon the City Comptroller certifying that the funds are available and contingent upon the loan being secured;

Authorizing the \$65,000,000 loan to be repaid over 20 years at 1.663 percent interest rate.

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

- \* ITEM-58: Amendment to Chapter 2, Article 2, Division 2, of the San Diego Municipal Code to clarify the City Council's ability to modify the Mayor's Mid-Year Budget recommendation in the event of a projected budget surplus.

**ITEM DESCRIPTION:**

Amend Chapter 2, Article 2, Division 2, of the San Diego Municipal Code in order to clarify that during the Mid-Year Budget process, the City Council has the authority to approve or modify, in whole or in part, the Mayor's recommendation for any projected budget surplus.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/14/2015, Item 332. (Council voted 9-0):

(O-2015-141 Cor. Copy)

Amending Chapter 2, Article 2, Division 2, of the San Diego Municipal Code by amending Section 22.0229 relating to mid-year adjustments to the Adopted Budget of the City.

**ADOPTION AGENDA, CONSENT ITEMS****RESOLUTIONS:**

- \* ITEM-100: Execute Agreements with the San Diego Association of Governments for the Mid-Coast Corridor Transit Project. (Old Town, Mission Valley, Linda Vista, Clairemont Mesa, La Jolla, and University Community Areas. Districts 1, 2, 3, and 7.)

**ITEM DESCRIPTION:**

This item consists of four Agreements with the San Diego Association of Governments (SANDAG) related to the Mid-Coast Corridor Transit Project, which is an extension of the San Diego Trolley from the Old Town Transit Center to the UTC Transit Center. The Agreements deal with the general implementation of the Mid-Coast Project, transfers of several parcels of City property for use as trolley stations or other project purposes, and two Agreements regarding the relocation of City-owned wet utility facilities within the railroad right-of-way. The two Agreements regarding wet utility relocation require funding authorizations, and one of the Wet Utility Relocation Agreements requires an environmental clearance.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2015-778)

Authorizing the Mayor, or his designee, to execute the Project Implementation Agreement with San Diego Association of Governments' (SANDAG) for the Mid-Coast Transit Corridor Project on the terms and conditions set forth in the document.

Subitem-B: (R-2015-785)

Authorizing the Mayor, or his designee, to enter into the Wet Utility Reimbursement Agreement with SANDAG for the Elvira to Morena Double Track Project on the terms and conditions set forth in the document for an amount not to exceed \$9,130,328, contingent upon adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury;

Authorizing the Mayor, or his designee, to enter into the Wet Utility Reimbursement Agreement with SANDAG for the Mid-Coast Corridor Transit Project on the terms and conditions set forth in the document for an amount not to exceed \$3,958,908, contingent upon adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed

\$546,165 from CIP A-JA.00001, Annual Allocation - Sewer Main Replacement (B-15136), Fund 700008, Muni Sewer CIP and \$9,497,195 from CIP A-KB.00003, Annual Allocation - Water Main Replacements (B-15221) Fund 700010, Water Utility CIP, for the Wet Utility Reimbursement Agreement with SANDAG for the Elvira to Morena Double Track Project and related costs, contingent upon the adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer demonstrating that the funds necessary for expenditures are, or will be, on deposit with the City Treasury;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed \$3,364,598 from CIP A-JA.00001, Annual Allocation - Sewer Main Replacement (B-15220), Fund 700008, Muni Sewer CIP and \$990,200 from CIP A-KB.00003, Annual Allocation - Water Main Replacements (B-15219) Fund 700010, Water Utility CIP, for the purpose of providing funds for the Wet Utility Reimbursement Agreement with SANDAG for the Mid-Coast Corridor Transit Project and related costs, contingent upon the adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer demonstrating that the funds necessary for expenditures are, or will be, on deposit with the City Treasury;

Authorizing the Mayor, or his designee, to use City Forces for work as required in connection with the two aforementioned Wet Utility Reimbursement Agreements, for an amount not to exceed \$375,000;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$375,000, of which \$75,000 from CIP A-KB.00003, Annual Allocation - Water Main Replacements (B-15219), Fund 700010, Water Utility CIP and \$300,000 from CIP A-KB.00003, Annual Allocation - Water Main Replacements (B-15221), Fund 700010, Water Utility CIP, for City Forces-related costs.

Subitem-C: (R-2015-792 Cor. Copy)

Declaring that the fee and easement interests in the Properties are required for a public purpose and may be sold and conveyed to SANDAG at no cost, with the exception of the lot identified as Mid-Coast Corridor Transit Project (MCCTP) Parcel No. 40105-1, which shall be conveyed to SANDAG in exchange for certain gas tax-eligible public improvements, pursuant to the terms and conditions set forth in the Real Property Purchase and Sale Agreement (SANDAG Document No. 5008201), which terms and conditions the Council hereby deems fair, equitable, and in the public interest;

Declaring that given the public benefit to be derived from the Project, Council Policy 700-10 is hereby waived to the extent the Properties are potentially sold for less than fair market value;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, the aforementioned Agreement for the sale and conveyance of fee and easement interests in the Properties to SANDAG;

Authorizing and directing the Mayor, or his designee, to execute and deliver such Agreement and other instruments to effect the transaction contemplated by this Resolution.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATION:**

Enterprise funding of \$4,089,240 will be available in CIP A-JA.00001 Annual Allocation - Sewer Main Replacements, Fund 700008, Muni Sewer CIP, and enterprise funding of \$11,333,996 will be available in CIP A-KB.00003, Annual Allocation - Water Main Replacements, Fund 700010, Water Utility CIP for the purpose of funding the two (2) Wet Utility Reimbursement Agreements.

The appraised value of the parcels transferred under the Purchase and Sale Agreement totals \$3,500,000 to \$3,600,000. With the exception of the proposed Balboa Station Site, the properties will be transferred at no cost to SANDAG due to the public benefit that will be derived from the project. The City will convey the proposed Balboa Avenue Station site to SANDAG in exchange for certain gas tax eligible public improvements, approved by the City, and constructed by SANDAG.

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

- This item was heard at the Infrastructure Committee meeting on June 24, 2015.

**ACTION:** Motion by Councilmember Emerald, second by Councilmember Zapf, to recommend Council adopt the Resolution to approve the Agreement.

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

Revisions made to the Report to Council post Infrastructure Committee hearing includes the updated appraisal value of the parcels, a correction to the Fiscal Consideration section and a correction to the Environmental Impact section.

- The City has a long and consistent record of supporting the project. On February 13, 2013 the City approved Resolution R-307977, committing the City's support for the Mid-Coast Project and pledging timely cooperation. On November 27, 1995, the City approved Resolution R-286634 expressing supporting for the Mid-Coast Project and the selected corridor.

Gibson/Chadwick

Primary Contact\Phone: James Nagelvoort\619-533-5100, MS 9A

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

City Attorney Contact: Jung, Jeremy A.

\* ITEM-101: As-Needed Agreement with Rush Truck Centers of California, Inc., dba Rush Truck Center San Diego for the Purchase of Automated Side-Loading Vehicles.

**ITEM DESCRIPTION:**

Authorize the execution of a five-year Agreement with Rush Truck Centers of California, Inc., dba Rush Truck Center San Diego for the purchase of automated side-loading vehicles for the refuse and recycling collection fleets in accordance with Invitation to Bid (ITB) No. 10057685-15-R. The Agreement provides for vehicles fueled by low sulfur diesel and compressed natural gas (CNG).

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-42)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Rush Truck Centers of California, Inc., dba Rush Truck Center San Diego for the purchase of automated side-loading vehicles, for a period of five (5) years, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$3,100,000 from Fund No. 720011 Fleet Svc RP-100000 for the purchase of automated side-loading vehicles for the City's refuse collection fleet and an amount not to exceed \$3,100,000 from Fund No. 720037 Fleet Svc RP-700048 for the purchase of automated side-loading vehicles for the City's recycling fleet, under the above Agreement, for the remainder of Fiscal Year 2016, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$18,900,000 from Fund No.720011 Fleet Svc RP-100000 and Fund No. 720037 Fleet Svc RP-700048 for the purchase of automated side-loading vehicles for the City's refuse and recycling fleets, under the above Agreement, for the remaining term of the Agreement beginning in Fiscal Year 2017, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

20 automated side loader vehicles are anticipated to be included in the FY16 vehicle replacement plan. 10 are anticipated to be purchased by the General Fund and 10 by the Recycling Enterprise Fund. The Environmental Services Department anticipates that total automated side loader purchases over the five-year life of this Agreement will exceed \$3.0M and the Department intends to replace approximately 85 vehicles provided that funding is allocated during the annual budget process. This would result in anticipated costs of \$25,100,000 over the five-year term of the Agreement.

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

This item was presented at the Environment Committee on July 15, 2015, and was approved on consent.

**ACTION:** Motion by Council President Pro Tem Emerald, second by Councilmember Cate, to adopt the resolution and agreement.

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

Greenhalgh/Lo Medico

Primary Contact\Phone: Mary Valerio\858-526-2355, MS 1200A

Secondary Contact\Phone: Christian Sandoval\858-526-2301, MS 1200A

City Attorney Contact: Guy, Amanda L.

\* ITEM-102: As-Needed Agreement with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner for the Purchase of Rear Loader Vehicles.

**ITEM DESCRIPTION:**

Authorize the execution of a Five-Year Agreement with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner for the purchase of rear loader vehicles for the recycling and refuse collection fleets in accordance with Invitation to Bid (ITB) No. 10054780-15-R. The Agreement provides for two sizes of rear loader vehicles (18 cubic yard and 25 cubic yard) and for rear loading vehicles fueled by low sulfur diesel and compressed natural gas (CNG).

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-43)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, an Agreement with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner for the purchase of automated rear loader vehicles, for a period of five (5) years, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$320,000 from Fund No. 720037 Fleet Svc RP-700048 for the purchase of rear loader vehicles for the City's recycling fleet, under the above Agreement, for the remainder of Fiscal Year 2016, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,880,000 from Fund No.720011 Fleet Svc RP-100000, Fund No. 720037 Fleet Svc RP-700048, and Fund No. 720015 Fleet RP-700039 for the purchase of rear loader vehicles for the City's refuse and recycling fleets, under the above Agreement, for the remaining term of the Agreement beginning in Fiscal Year 2017, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates demonstrating funds are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

One rear loader (at a cost of \$319,848) is anticipated to be included in the FY16 vehicle replacement plan if funding is allocated during the Annual Budget process. The Environmental Services Department anticipates that total rear loader purchases over the five-year life of this Agreement will exceed \$3.0 million and the Department intends to replace approximately 35 vehicles provided that funding is allocated during the Annual Budget process. This would result in an anticipated cost of \$11.2 million over the five-year term of the Agreement.

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

This item was heard at the Environment Committee meeting on July 15, 2015.

**ACTION:** Motion by Council President Pro Tem Emerald, second by Councilmember Cate, to adopt the Resolution and Agreement.

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

Sierra/LoMedico

Primary Contact\Phone: Mary Valerio\858-526-2355, MS 1200A

Secondary Contact\Phone: Christian Sandoval\858-526-2301, MS 1200A

City Attorney Contact: Guy, Amanda L.

- \* ITEM-103: Resolution authorizing the Mayor to execute Second Amendment to Agreement with Hanson Bridgett, LLP, for tax and employee benefit legal services, and authorizing additional funding up to \$125,000.

**ITEM DESCRIPTION:**

This item is to authorize the City to expend additional funding of up to \$125,000, to pay for tax and employee benefits legal work by the Law Firm of Hanson Bridgett, LLP, for July 1, 2015, through June 30, 2016.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-771)

Authorizing the Mayor, or his designee, and the City Attorney, to amend the Agreement for Legal Services with Hanson Bridgett, LLP, for legal services and expenses incurred in providing tax and employee benefits legal service, in an amount not to exceed an additional \$125,000, for a total contract amount of \$500,000;

Authorizing the Chief Financial Officer to expend an amount not to exceed an additional \$125,000, in accordance with the Citywide FTE Allocation Schedule for the Agreement with outside counsel for the services referenced above, and the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under established agreement funding are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The authorization for the continued retention of outside counsel is for an additional amount not to exceed \$125,000, allocated according to the Fiscal Year 2016 FTE Allocation Schedule.

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

Nuesca

Primary\City Attorney Contact\Phone: Roxanne Story Parks\619-533-5850, MS 59  
Secondary Contact\Phone: Cindy McNary\619-235-5712, MS 59

- \* ITEM-104: Sale of an approximately 0.074 acre portion of City-owned land located on Draper Avenue between Kline and Silver Streets in La Jolla. (La Jolla Community Area. District 1.)

**ITEM DESCRIPTION:**

Authorize the sale of a 0.074 acre portion of City-owned property, located on Draper Avenue between Kline and Silver Streets in La Jolla, for \$7,500 and reserve an easement for the benefit of the City for existing storm drain infrastructure on the property.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-35)

Authorizing and directing the Mayor, or his designee, to execute that certain Real Estate Purchase and Sale Agreement, to sell as directly negotiated to EHOFF La Jolla, LLC, a Delaware Limited Liability Company, the certain 0.074 acres of surplus real property along Draper Avenue between Kline and Silver Streets for the price of \$7,500;

Authorizing the Mayor, or his designee, to execute and deliver all such Agreements and all other instruments to effect and complete the transaction contemplated by this Resolution;

Authorizing the Chief Financial Officer to accept and deposit the proceeds of the sale of the subject property, net of costs related to the sale, into the Capital Outlay Fund 400002.

Subitem-B: (R-2016-36)

Determining that the sale of the 0.074 acres of City-owned surplus real property along Draper Avenue between Kline and Silver Streets to EHOFF La Jolla, LLC, a Delaware Limited Liability Company, pursuant to that certain Real Estate Purchase and Sale Agreement, is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15312 and that an exception to the exemption does not apply under CEQA Guidelines Section 15300.2.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

All proceeds from the sale of the Property, net of costs related to its sale, will be deposited in the Capital Outlay Fund 400002.

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

This item was heard at the Smart Growth and Land Use Committee meeting on July 1, 2015.

**ACTION:** Motion by Councilmember Alvarez, second by Councilmember Sherman, to recommend Council adopt the resolution to authorize the sale of City-owned property located on Draper Avenue.

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

Thompson/Villa

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

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

City Attorney Contact: Fonseca, Jeremy M.

\* ITEM-105: San Diego Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Historic Context Statement - Certified Local Government (CLG) Grant. (Citywide.)

**ITEM DESCRIPTION:**

Authorization to accept and expend \$30,000 in Certified Local Government (CLG) Grant Funding, administered by the California State Office of Historic Preservation, for the preparation of the San Diego Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Historic Context Statement.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-15)

Authorizing the Mayor, or his representative, to make an application to the State of California, Office of Historic Preservation, and to take all necessary actions to secure grant funding for an amount of up to \$30,000 in Certified Local Government (CLG) funds to prepare the Historic Context Statement addressing the San Diego Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) history and resources in San Diego;

Authorizing the Chief Financial Officer to accept up to \$30,000 of awarded grant funding from the State Office of Historic Preservation;

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

Authorizing the Chief Financial Officer to appropriate and expend, up to \$30,000 of the State Office of Historic Preservation Grant allocations, contingent upon receipt of a fully executed grant agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The City is required to match the funds of the Certified Local Government (CLG) Grant on a 60% Federal/40% Applicant basis. The City will provide an in kind match of \$20,000 from the General Fund.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.  
Bragado/Graham

Primary Contact\Phone: Kelley Stanco\619-236-6545, MS 413  
City Attorney Contact: Vonblum, Heidi K.

- \* ITEM-106: Planning Department Grants: Intergenerational Safe Routes to School Grant and Housing Related Parks Grants (Round Four). (Southeastern and Mid-City Community Areas. Districts 4, 8, and 9.)

**ITEM DESCRIPTION:**

These actions will 1) allow the City of San Diego to exercise its option to extend the Intergenerational Safe Routes to School Grant Agreement between the City of San Diego and the County of San Diego for one year and accept and expend an additional \$90,000 for a total amount of \$180,000 and 2) authorize the City to accept an additional \$94,000 in Housing-Related Parks (Round Four) Grant Funds, for a total grant award of \$3,094,000.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-47)

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not to exceed \$90,000 for a total grant amount not to exceed \$180,000 from Grant No. 1000439-2015 from the County of San Diego, if the grant funding is secured and upon receipt of a fully executed Grant Agreement;

Authorizing the Chief Financial Officer to establish a special interest bearing account for the Grant, if required.

Subitem-B: (R-2016-48)

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not to exceed \$94,000 for a total amount not to exceed \$3,094,000 of Housing-Related Parks (Round Four) Grant Funds, if the grant funding is secured and upon receipt of a fully executed Grant Agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

These actions are to accept grant funds.

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

- On January 15, 2015, the City Council approved the application for the Housing Related Parks Grants (Round Four) and the appropriation and expenditure of up to \$3,000,000 in grant funds.
- On January 20, 2015, the City Council approved the Grant Agreement for the Intergenerational Safe Routes to School Project and authorized the appropriation and expenditure of up to \$90,000 in grant funds.

Schoenfisch/Graham

Primary Contact\Phone: Melissa Garcia\619-236-6173

Secondary Contact\Phone: Brian Schoenfisch\619-533-6457

City Attorney Contact: Thomas, Shannon M.

\* ITEM-107: Appointment to the Parking Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-5)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the Parking Advisory Board, for a term ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Stephanie Shook (Point Loma, District 2) (Filling the vacant seat previously held by Andrew Phillips)	Downtown Community Parking District Representative	December 31, 2016

\* ITEM-108: Appointment to the Civil Service Commission.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-33)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the City of San Diego's Civil Service Commission, for the term ending as indicated:

<b><u>NAME</u></b>	<b><u>TERM ENDING</u></b>
Clyde E. Gaines (Valencia Park, District 4) (Filling the seat previously held by Edward S. Fletcher)	January 9, 2020

\* ITEM-109: Appointment and Reappointments to Civic San Diego Board of Directors.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-3)

Council confirmation of the following appointment and reappointments by the Mayor, of members of the Board of Directors of Civic San Diego, for terms ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Phil Rath (North Park, District 3) (Filling the remainder of the term in the seat previously held by Cynthia Morgan-Reed, who resigned)	Business	May 1, 2017
Theodore Shaw (Point Loma, District 2) (Reappointment)	Urban Design	May 1, 2018
Michael Jenkins (College View Estates, District 9) (Reappointment)	Redevelopment	May 1, 2018
Carlos Vasquez (Otay Mesa, District 8) (Reappointment)	Finance	May 1, 2018

\* ITEM-110: Appointments and Reappointments to the Sustainable Energy Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-770)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the Sustainable Energy Advisory Board, for terms ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Sean Karafin 2016 (North Park, District 3) (Filling the seat previously held by Matthew Ellis)	At-Large Member	March 1,
Eddie Price (Valencia Park, District 4) (Filling the seat previously held by Emily Weir)	At-Large Alternate Member	March 1, 2017
Eric Scheidlinger (Talmadge, District 9) (Filling the seat previously held by Alison Whitelaw)	At-Large Alternate Member	March 1, 2017
Douglas Kot (North Park, District 3) (Reappointment)	Building Industry	March 1, 2017
John Bumgarner (North Park, District 3) (Reappointment)	Solar Power System Manufacturer	March 1, 2017
Jay Powell (Normal Heights, District 3) (Reappointment)	Environmental Advocate	March 1, 2017

\* ITEM-111: Appointment and Reappointments to the Senior Affairs Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-784)

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

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Alice De La Torre (Imperial Beach) (Filling the vacant seat previously held by Harve Lubin)	Senior Service Delivery Professional/Expert	May 31, 2017
Sheryl Harris (Bay Park, District 2) (Reappointment)	Senior Service Delivery Professional/Expert	May 31, 2017
Jerome Pollock (College Area, District 7) (Reappointment)	At-Large Senior	May 31, 2017
Susan Deininger (Tierrasanta, District 7) (Reappointment)	Senior Service Delivery Professional/Expert	May 31, 2017
William Kelly (Hillcrest, District 3) (Reappointment)	At-Large Senior	May 31, 2017

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Alice De La Torre is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board; therefore, a conscious exception to Council Policy 000-13 is hereby declared.

\* ITEM-112: Appointment and Reappointments to the Board of Library Commissioners.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-783)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Board of Library Commissioners, for terms ending as indicated:

<b><u>NAME</u></b>	<b><u>TERM ENDING</u></b>
Wendy Urushima-Conn (Rancho Bernardo, District 5) (Filling the seat previously held by Katie White, who is termed out)	March 1, 2017
Sarah White (Bankers Hill, District 3) (Reappointment)	March 1, 2017
Katherine Nakamura (Del Cerro, District 7) (Reappointment)	March 1, 2017

\* ITEM-113: Appointment and Reappointments to the Community Forest Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-4)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Community Forest Advisory Board, for the terms ending as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Davin Widgerow (University City, District 1) (Filling the seat previously held by Tershia D'Elgin, who is termed out)	District 8	December 31, 2017
Troy Murphee (College Area, District 9) (Reappointment)	District 9	December 31, 2017
Rachele Melious (Sabre Springs, District 5) (Reappointment)	District 5	December 31, 2017

- \* ITEM-114: Resolution excusing Councilmember Scott Sherman from attending the regularly scheduled afternoon City Council meeting of June 23, 2015, due to illness.

**COUNCILMEMBER SHERMAN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-32)

Excusing Councilmember Scott Sherman from attending the regularly scheduled afternoon session of the Council meeting of June 23, 2015, due to illness.

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

- \* ITEM-115: Excusing Councilmember David Alvarez from attending the Budget and Government Efficiency Committee meeting on June 17th, due to his attendance to the Airport Authority's Executive Personnel & Compensation Committee Meeting.

**COUNCILMEMBER ALVAREZ'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-31)

Excusing Councilmember David Alvarez from attending the regularly scheduled Budget and Government Efficiency Committee meeting of June 17, 2015, due to attending a meeting of the Airport Authority's Executive Personnel & Compensation Committee.

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

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

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

ITEM-330: Resolution in Support of Trauma Informed Care. (Citywide.)

**ITEM DESCRIPTION:**

This action is for Council approval of a Resolution in support of Trauma Informed Care. Trauma Informed Care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. This aligns with the Mayor's One San Diego vision of programs and initiatives to improve all neighborhoods.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2015-661 Cor. Copy)

Supporting a trauma-informed approach to address and prevent gang violence.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

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

This item was heard at the Public Safety and Livable Neighborhood Committee at a joint meeting with the Gang Commission on May 13, 2015.

**ACTION:** Motion by Commissioner Dumanis, second by Councilmember Emerald, to forward the report to City Council with Committee recommendation to approve.

**VOTE:** 13-2; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea, Abrams-yea, Brown-yea, Johnson-yea, Lozada-yea, Lynn-yea, Tran-yea, Callstrom-yea, Dumanis-yea, Zimmerman-yea, Bowser-nay, Villarreal-nay.

LoMedico/Graham

Primary Contact\Phone: Rickey Laster\619-533-3473

City Attorney Contact: Easton, Lara E.

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

ITEM-331: Mayberry Townhomes (4328-4490 Mayberry Street) - Relocation Plan. (Southeast Community Area. District 9.)

**ITEM DESCRIPTION:**

Adoption and approval of the Mayberry Townhomes Relocation Plan.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-7)

Making certain determinations related to the relocation plan for the Mayberry Townhomes Affordable Housing Rehabilitation Project.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

No fiscal impact with this action. As provided in the Loan Modification Agreement, all relocation costs are included in the project costs and will be administered by Community Housing Works (CHW) from the project budget in accordance with the Relocation Plan.

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

Jarrett/Graham

Primary Contact\Phone: Stephanie Shook\619-533-7119, MS 51D  
City Attorney Contact: Reid, Michael T.

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

ITEM-332: Annual Special Tax Levy - Community Facilities Districts No. 1, No. 2, No. 3, and No. 4. (Peninsula, Miramar Ranch North, and Black Mountain Ranch Community Areas. Districts 2 and 5.)

**ITEM DESCRIPTION**

Approval of the Fiscal Year 2015-2016 Special Tax Levies for Community Facilities District No. 1 (Miramar Ranch North), Community Facilities District No. 2 (Santaluz) Improvement Area No. 1, No. 3, and No. 4, Community Facilities District No. 3 (Liberty Station), and Community Facilities District No. 4 (Black Mountain Ranch Villages) to provide primarily for the collection of special taxes to pay for annual debt service on outstanding bonds issued by the districts and the districts' administration costs.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2015-774)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within Community Facilities District (CFD) No. 1, the special taxes for Fiscal Year 2016 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes, including as reflected in the report entitled "Administration Report, Fiscal Year 2015-2016, Community Facilities District No. 1 (Miramar Ranch North)".

Subitem-B: (R-2015-775)

Declaring that, in accordance with the Act and the Authorizing Documents, there is hereby levied upon the parcels of land within each of Improvement Area No. 1, Improvement Area No. 3, and Improvement Area No. 4 of CFD No. 2, the special taxes for Fiscal Year 2016 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes and reflected in the reports entitled "Administration Report Fiscal Year 2015-2016, Community Facilities District No. 2 (Santaluz) Improvement Area No. 1", "Administration Report Fiscal Year 2015-2016, Community Facilities District No. 2 (Santaluz) Improvement Area No. 3", and "Administration Report Fiscal Year 2015-2016, Community Facilities District No. 2 (Santaluz) Improvement Area No. 4".

Subitem-C: (R-2015-776)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within each of Improvement Area No. 1 and Improvement Area No. 2 of CFD No. 3, the special taxes for Fiscal Year 2016 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes, including as reflected in the report entitled "Administration Report, Fiscal Year 2015-2016, Community Facilities District No. 3 (Liberty Station) Improvement Areas Nos. 1 and 2".

Subitem-D: (R-2015-777)

Declaring that, in accordance with the Act and the Ordinance, there is hereby levied upon the parcels of land within CFD No. 4, the special taxes for Fiscal Year 2016 at the tax rates set forth in the Rate and Method of Apportionment of Special Taxes and reflected in the report entitled "Administration Report, Fiscal Year 2015-2016, Community Facilities District No. 4 (Black Mountain Ranch Villages)".

### **STAFF SUPPORTING INFORMATION:**

#### **FISCAL CONSIDERATIONS:**

Approving the Fiscal Year 2015-2016 Special Tax Levies would authorize the collection of Special Taxes on the County's property tax roll, pursuant to the Rate and Method of Apportionment (RMA) of each respective Community Facilities District (CFD), to pay for: 1) debt service on outstanding bonds; 2) eligible public facilities not financed by the bond issues for districts in which additional authorized facilities exist (CFD No. 4 only, as described above); and 3) administrative costs incurred by the districts, the designated consultants, and trustees to administer the CFDs. The Special Taxes for the CFDs are designated primarily to make debt service payments on each of the CFD Special Tax Bonds. If this action is not approved, there would not be sufficient funds available to meet the annual debt service obligations related to the CFDs, and the CFDs would not be in compliance with the legal bond covenants to levy sufficient special taxes to meet the debt service on the bonds.

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

Each year since inception of the CFDs, the Special Tax Levies have been presented to the City Council for approval, in accordance with the Mello-Roos Community Facilities Act of 1982. Special Taxes were first levied within each of the CFDs as follows: CFD No. 1 (Fiscal Year 1993); CFD No. 2 – Improvement Areas No. 1 and 3 (Fiscal Year 2002); Improvement Area No. 4 (Fiscal Year 2004); CFD No. 3 (Fiscal Year 2004); and CFD No. 4 (Fiscal Year 2004).

Kommi/Lewis

Primary Contact\Phone: Chuck Wilcox\619-533-4519, MS 7B  
Secondary Contact\Phone: Elizabeth Kelly\619-236-6932, MS 7B  
City Attorney Contact: Will, Brant C.

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

ITEM-333: Proposed Response to San Diego County Grand Jury Report Entitled "Balboa Park Celebration Lessons Learned." (Citywide.)

**ITEM DESCRIPTION:**

1. Approve and adopt the proposed response to the 2014/2015 San Diego County Grand Jury Report entitled "Balboa Park Celebration Lessons Learned" (which was filed May 20, 2015) as prepared by the Independent Budget Analyst (IBA).
2. Authorize and direct the City Council President, on behalf of the City Council, to execute and deliver the response to the Presiding Judge of the Superior Court by August 18, 2015.

**INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-38)

Declaring that the Council approves and adopts as its own the response to the 2014-2015 San Diego County Grand Jury Report titled "Balboa Park Celebration Lessons Learned," as set forth in IBA Report No. 15-29, dated July 14, 2015;

Authorizing and directing the Council President, on behalf of the San Diego City Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego County Superior Court no later than August 18, 2015.

**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

Kawar

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

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

ITEM-334: Proposed Response to Grand Jury Report “Compensation of City of San Diego Elected Officials.” (Citywide.)

**ITEM DESCRIPTION:**

1. Approve and adopt the proposed response to the 2014/2015 San Diego County Grand Jury Report entitled “Compensation of City of San Diego Elected Officials” (which was filed February 3, 2015) as prepared by the Independent Budget Analyst (IBA).
2. Authorize and direct the City Council President, on behalf of the City Council, to execute and deliver the response to the Presiding Judge of the Superior Court by August 6, 2015.

**INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-37 Cor. Copy) (Rev. 7/23/15)

Declaring that the Council approves and adopts as its own the response to the 2014-2015 San Diego County Grand Jury Report titled “Compensation of City of San Diego Elected Officials,” as set forth in IBA Report No. 15-04 REV, dated July 15, 2015;

Authorizing and directing the Council President, on behalf of the Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego County Superior Court no later than August 6, 2015.

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

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

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

On March 5, 2015, the Independent Budget Analyst (IBA) presented a proposed Grand Jury response to the Charter Review Committee, which forwarded the item to the full City Council without recommendation. The Committee also requested the Salary Setting Commission (SSC) provide input prior to the item being docketed at the full City Council.

The SSC provided input on recommended responses to the Grand Jury report during their June 22, 2015 meeting, which was conveyed in a July 13, 2015, memorandum from the SSC President to the City Council. This memo is included in the back-up materials for this item on the City Clerk's website.

At the June 22, 2015 meeting, the SSC also discussed recommendations for Charter Amendments with respect to salaries of elected officials. The SSC's recommendations are in line with the Grand Jury's recommendations for Charter Amendments, which include tying the Mayor and Councilmembers' salaries to an external benchmark, and abolishing the Salary Setting Commission. The SSC's recommended Charter Amendments are also included with the above-referenced memorandum from the SSC President.

Kawar

Primary Contact\Phone: Lisa Byrne\619-236-5917

Secondary Contact\Phone: Jeff Kawar\619-533-4764

City Attorney Contact: Dugard, Prescilla

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

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

ITEM-335: Del Sur Court, Project No. 340862. (Black Mountain Ranch Community Plan Area. District 5.)

**ITEM DESCRIPTION:**

The Del Sur Court project proposes an Easement Vacation to vacate a general utility and access easement, Planned Development Permit and Site Development Permit with eight deviations to amend Planned Residential Development/Resource Protection Ordinance Permit No. 95-0173 and PDP No. 497493 & SDP No. 497494 and an Amended Vesting Tentative Map to subdivide and develop 206 age-restricted dwelling units and amend the Black Mountain Ranch North Village Community Design Guidelines on a 38.40 acre site located east of Camino Del Sur in the RM-2-6 Zone within the Black Mountain Ranch Community Plan Area.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem A: (R-2016-16 Cor. Copy 2)

Adoption of a Resolution certifying that Addendum No. 340862 to Environmental Impact Report No. 96-7902, as amended by Addendum No. 142244, has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Declaring that pursuant to CEQA Guidelines Sections 15164(a) and 15162, some changes are necessary;

Declaring that pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the City Council adopts Addendum No. 340862 to Environmental Impact Report No. 96-7902, as amended by Addendum No. 142244 with respect to the Project, a copy of which is on file in the Office of the City Clerk;

Declaring that pursuant to CEQA Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A;

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

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

Subitem B: (R-2016-18 Cor. Copy 2)

Adoption of a Resolution adopting the findings with respect to Planned Development Permit No. 1198582 and Site Development Permit No. 1198581, which are supported by the minutes, maps, and exhibits, all of which are incorporated herein by this reference;

Granting Planned Development Permit No. 1198582 and Site Development Permit No. 1198581 to SPIC Del Sur, LLC, Owner/Permittee, under the terms and conditions as set forth in the attached Permit Nos. 1198582 and 1198581, which are made a part of this Resolution;

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

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

Subitem C: (R-2016-17 Cor. Copy 2)

Adoption of a Resolution adopting findings with respect to Amended Vesting Tentative Map No. 1198583 and Easement Vacation No. 1451202, which are supported by the minutes, maps, and exhibits, all of which are incorporated herein by this reference;

Granting Amended Vesting Tentative Map No. 1198583 and Easement Vacation No. 1451202, under the terms and conditions as set forth in the attached Amended Vesting Tentative Map No. 1198583 and Easement Vacation No. 1451202, to SPIC Del Sur, LLC, Subdivider, based on the above findings adopted by the City Council, which are made a part of this Resolution;

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

None with this action. All costs associated with the processing of this project are paid from a deposit account funded by the applicant.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Vacchi/Graham/JSF

Primary Contact\Phone: John S. Fisher\619-446-5231, MS 301

Secondary Contact\Phone: Mike Westlake\619-446-5220, MS 501

City Attorney Contact: Lintvedt, Inga

**NON-DOCKET ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**