

**AGENDA FOR THE  
SPECIAL COUNCIL MEETING OF  
MONDAY, AUGUST 17, 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.

**ROLL CALL**

**ADOPTION AGENDA, CONSENT ITEMS**

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

- \* ITEM-600: Angier Elementary School Park Improvements Joint Use Agreement. (Serra Mesa Community Area. District 7.)

**ITEM DESCRIPTION:**

This action authorizes the Mayor, or his designee, to approve the Joint Use Agreement for Angier Elementary School. The Agreement will provide for the construction, operation and maintenance of a turf field and recreational facilities at the school.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 8/4/2015, Item 60, Subitem A.  
(Council voted 8-0. Councilmember Kersey not present):

(O-2016-8)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the lease and joint-use Agreement between the City and the San Diego Unified School District for the construction, operation, and maintenance of a turf field and recreation facilities at Angier Elementary School (Agreement) under the terms and conditions set forth in the 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-601: Amendment No. 2 to the Consultant Agreement with AECOM USA, Inc., for the MBC Biosolids Storage Silos (9 & 10) Project. (District 6.)

**ITEM DESCRIPTION:**

Request Council authorization to execute the Second Amendment to the Agreement (H084253) with AECOM USA, Inc., for engineering design and construction support services for the Metro Biosolids Center (MBC) Biosolids Storage Silos (9 & 10) Project. This amendment provides additional funds to increase the engineering services under the Agreement.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 8/4/2015, Item 61, Subitem A. (Council voted 8-0. Councilmember Kersey not present):

(O-2015-138 Cor. Copy 2)

Authorizing the Mayor, or his designee, to execute the Second Amendment to the Agreement with AECOM USA, Inc., for additional construction support services in CIP-S-00322, MBC Biosolids Storage Silos (9 & 10) Project, Fund 700009, Metro Sewer CIP, in an amount not to exceed \$54,330 contingent upon the adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$54,330 from CIP S-00322, MBC Biosolids Storage Silos (9 & 10) Project, Fund 700009, Metro Sewer CIP, for purposes of executing the Second Amendment to the Agreement, contingent upon the adoption of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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

- \* ITEM-602: 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.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 7/28/2015, Item 50. (Council voted 8-0. Councilmember Zapf not present):

(O-2016-5)

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.**

- \* ITEM-603: Amend San Diego Municipal Code (SDMC) Chapter 5: Public Safety, Morals, and Welfare Section 56.54 to establish a 24-hour alcohol ban at Montezuma Neighborhood Park. (College Community Area. District 9.)

**ITEM DESCRIPTION:**

Amend San Diego Municipal Code (SDMC) Chapter 5: Public Safety, Morals, and Welfare Section 56.54 to move Montezuma Neighborhood Park from Section 56.54 List B to 56.54 List A, changing the alcohol ban from 8:00PM - 8:00AM to 24 hours.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 8/4/2015, Item 50. (Council voted 8-0. Councilmember Kersey not present):

(O-2016-9)

Amending Chapter 5, Article 6, Division 00, of the San Diego Municipal Code by amending Appendices 56.54A and 56.54B to add Montezuma Neighborhood Park to the 24-Hour Alcoholic Beverage Consumption Ban.

- \* ITEM-604: Contract Amendment No. 7 to the Consultant Agreement with Lee & Ro, Inc. (L&R) for the Point Loma Grit Processing Improvements Project. (Peninsula Community Area. District 2.)

**ITEM DESCRIPTION:**

Request Council Authorization to execute the Seventh Amendment of the Agreement (H031198) with Lee & Ro, Inc. (L&R) for the engineering design and construction support services for the Point Loma Grit Processing Improvement Project. This Amendment provides additional funds to the construction support tasks portion of the current Agreement. The additional funds will allow L&R to continue with engineering construction support services for the new grit processing facility construction project.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 8/4/2015, Item 51. (Council voted 8-0. Councilmember Kersey not present):

(O-2015-166)

Authorizing the Mayor, or his designee, to execute the Seventh Amendment to the Agreement with Lee & Ro, Inc., for additional design and construction support services in an amount not to exceed \$153,170, for the Point Loma Grit Processing Improvements Project, under the terms and conditions set forth in the Agreement, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to transfer appropriations of \$153,170 from A-BO.00001, Annual Allocation - Metro Treatment Plants, Fund 700009, Metro Sewer CIP, to CIP S-00315, Point Loma Grit Processing Improvements, Fund 700009, Metro Sewer CIP;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$153,170 from CIP S-00315, Point Loma Grit Processing Improvements, Fund 700009, Metro Sewer CIP, for purposes of executing the Amendment to the Agreement contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditures are, or will be, on deposit with the City Treasurer.

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

\* ITEM-605: Municipal Code Changes for the City's Permanent Car Share Program.  
(Citywide.)

**ITEM DESCRIPTION:**

This action is to revise several sections of the San Diego Municipal Code (SDMC) to formalize the City's car share program. This action will provide the City the ability to implement a permanent car share program upon conclusion of the pilot program on October 24, 2015.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 8/4/2015, Item S501. (Council voted 8-0. Councilmember Kersey not present):

(O-2015-137 Cor. Copy)

Amending Chapter 8, Article 6, Division 1 of the San Diego Municipal Code by amending Sections 86.0106, 86.0108, 86.0123, 86.0126, 86.0127; and by adding new Sections 86.0150 and 86.0151, all relating to Car Share and Electric Vehicle Parking.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- \* ITEM-606: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2015-716)

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-607: 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-2015-410 Cor. Copy)

Declaring a continued state of emergency to exist 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.