

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

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

**Tuesday, December 8, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, DECEMBER 8, 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.**

**NOTE: Public Comment on Closed Session will be heard towards the beginning of the meeting after Proclamations/ Ceremonial items provided the City Council suspends the Permanent Rules in accordance with Rule 2.12. The suspension would allow for Closed Session Public Comment to be taken earlier on the agenda. (Rev. 12/04/15)**

**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**

PROCLAMATIONS/CEREMONIAL ITEMS

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

ITEM-30: Maritime Museum Day.

**PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT LIGHTNER:**

Proclaiming December 8, 2015, to be "Maritime Museum Day" in recognition of the staff and volunteers who built the San Salvador Ship in the City of San Diego.

ITEM-31: Carol Wallace Day.

**PRESENTED BY MAYOR FAULCONER, COUNCILMEMBER GLORIA,  
AND COUNCILMEMBER COLE:**

Proclaiming December 8, 2015, to be "Carol Wallace Day" in the City of San Diego, and commending Carol Wallace for her years of service as President and CEO of the San Diego Convention Center Corporation.

ITEM-32: Citizen CPR Day.

**PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT PRO TEM  
EMERALD:**

Proclaiming December 8, 2015, to be "Citizen CPR 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: Sabrina Lozano Day.

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

Proclaiming November 26, 2015, to be "Sabrina Lozano Day" in the City of San Diego, in recognition of her 38 years of civil service.

ITEM-34: Patrons of the Prado Day.

**MAYOR FAULCONER'S AND COUNCILMEMBER GLORIA'S  
RECOMMENDATION:**

Proclaiming November 16, 2015, to be "Patrons of the Prado Day" in the City of San Diego in honor and commemoration of the Centennial Time Capsule.

ITEM-35: Vice Admiral Walter Davis and Rory Moore Day.

**COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:**

Proclaiming November 17, 2015, to be "Vice Admiral Walter Davis and Rory Moore Day" in the City of San Diego.

ITEM-36: Runaway and Homeless Youth Month.

**COUNCIL PRESIDENT LIGHTNER'S AND COUNCILMEMBER GLORIA'S  
RECOMMENDATION:**

Proclaiming the month of November 2015, to be "Runaway and Homeless Youth Month" in the City of San Diego.

ITEM-37: International Air & Space Hall of Fame Day.

**COUNCILMEMBER ZAPF'S RECOMMENDATION:**

Proclaiming November 19, 2015, to be "International Air & Space Hall of Fame Day" in the City of San Diego.

ITEM-38: San Diego Museum of Man 100th Anniversary Day.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Proclaiming November 14, 2015, to be "San Diego Museum of Man 100th Anniversary Day" in the City of San Diego.

ITEM-39: Alpha Square Grand Opening Day.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Proclaiming November 18, 2015, to be "Alpha Square Grand Opening Day" in the City of San Diego.

ITEM-40: Nancy Carol Carter Day.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Proclaiming October 13, 2015, to be "Nancy Carol Carter Day" in the City of San Diego.

ITEM-41: Lieutenant Steve Hutchinson Day.

**COUNCILMEMBER COLE'S AND COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:**

Proclaiming December 4, 2015, to be "Lieutenant Steve Hutchinson Day" in the City of San Diego.

ITEM-42: CAIR-San Diego Day.

**COUNCILMEMBER ALVAREZ'S RECOMMENDATION:**

Proclaiming November 14, 2015, to be "CAIR-San Diego Day" in the City of San Diego.

ITEM-43: Gilliam Family Community Space & Garden Day.

**COUNCILMEMBER ALVAREZ'S RECOMMENDATION:**

Proclaiming November 14, 2015, to be "Gilliam Family Community Space & Garden 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 environmental documents 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 from 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 Amendment to the FBA Reimbursement Agreement for Public Facilities in Torrey Highlands with KB HOME COASTAL, INC., for a portion of Project No(s). T-5.2, Carmel Mountain Road - Northerly portion and U-3, New 16” Water Main. (Torrey Highlands Community Area. District 1.)

**ITEM DESCRIPTION:**

Requesting approval of the First Amendment to the Reimbursement Agreement for a portion of Project No(s). T-5.2 and U-3, Carmel Mountain Road (Widening to Four Lanes from Sundance Avenue to SR-56 R-O-W) and New 16” Water Main in the Torrey Highlands Area.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-40)

Introduction of an Ordinance authorizing the Mayor be and hereby, to execute for and on behalf of the City, the Amendment to increase the Estimated Project Cost to \$1,464,865, including \$1,090,143 for Project No. T-5.2 and \$374,722 for Project No. U-3;

Authorizing the Chief Financial Officer, to expend an amount not to exceed \$1,090,143 for Project No. T-5.2 and \$374,722 for Project No. U-3, from Torrey Highlands Fund No. 400094, consistent with the timing established in the Torrey Highlands Public Facilities Financing Plan, the Original Agreement, the Amendment, and contingent upon the Chief Financial Officer certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury, provided the Amendment is authorized and fully executed.

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

KB Home Coastal Inc., will be reimbursed from the Torrey Highlands FBA, Fund No. 400094 an additional amount not to exceed \$304,383 for Project T-5.2 and \$101,565 for Project U-3 to provide design and construction of the northern portion of Projects T-5.2, Carmel Mountain Road (Four Lanes from Sundance Avenue to SR-56 Right-of-Way) and U-3, New 16" Water Main.

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

On March 30, 2004, (R-299050) City Council granted Vesting Tentative Map No. 7938 (VTM) to Rhodes Crossing.

On November 27, 2012, by San Diego Resolution R-307857, the City Council adopted the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for Fiscal Year 2013 (Financing Plan).

On January 30, 2015, The City entered into a Reimbursement Agreement for the design and construction of certain public facilities in Torrey Highlands with KB Home Coastal Inc. The Agreement is on file in the Office of the City Clerk as Document No. OO-20451.

This item was heard at the Infrastructure Committee meeting on November 16, 2015.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council introduce the Ordinance.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Murphy/Graham

Primary Contact\Phone: Charlette Strong Williams\619-533-3683

City Attorney Contact: Lintvedt, Inga B.

\* ITEM-51: Contract Extension with TASER International, Inc., for the Purchase of Additional Body Worn Cameras.

**ITEM DESCRIPTION:**

The Police Department requests an extension of the Original Agreement beyond five-years with TASER International, Inc. TASER provided a quote Q-35641-5, dated September 24, 2015, for a contract start date of October 1, 2015, and expiring on July 31, 2020, for an amount not to exceed \$1,885,349. The total Agreement amount \$5,885,349, would be for FY 2014 through FY 2020.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-43)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute for and on behalf of the City, a Memorandum of Agreement (MOA) with TASER International, Inc., for the purchase of additional body worn cameras, licenses, docking stations, and warranty for the Police Department, extending for two years the existing five year Agreement, and increasing the contract amount not to exceed \$1,885,349 for a total Agreement amount of \$5,885,349, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$477,981 in Fiscal Year 2016 from the Citizens Option for Public Safety (COPS) Fund (200722) for the contract with TASER International, Inc.;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$768,233 in Fiscal Year 2017 from a funding source to be determined, for an optional purchase from TASER International, Inc., contingent upon adoption of the Fiscal Year 2017 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$298,581 in Fiscal Year 2018 from a funding source to be determined, for an optional purchase from TASER International, Inc., contingent upon adoption for the Fiscal Year 2018 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$213,045 in Fiscal Year 2019 from a funding source to be determined, for an optional purchase from TASER International, Inc., contingent upon adoption of the Fiscal Year 2019 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$127,509 in Fiscal Year 2020 from a funding source to be determined, for an optional purchase from TASER International, Inc., contingent upon adoption of the Fiscal Year 2020 Annual Budget Appropriation Ordinance and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available.

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The current quote is not to exceed \$1,885,349 for Fiscal Years 2016 through 2020. The cost for the Original Agreement for body worn cameras, associated mounts and hardware, docking/charging stations, evidence management software, storage, and licenses was \$4,000,000. Approving this Memorandum of Agreement (MOA) will increase the total agreement to \$5,885,349. This MOA seeks to expend a portion of the Police Department's Citizens Option for Public Safety (COPS) 2015 allocation in the amount of \$477,981 during Fiscal Year 2016 on cameras, associated mounts and hardware, docking/charging stations, evidence management software, storage, and licenses. The funding source is yet to be identified for future Fiscal Years 2017 through 2020.

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

Resolution R-308997 dated June 23, 2014, Council approved the original contract with TASER International, Inc., or the purchase of 1000 body worn cameras, associated accessories, software and licenses.

This item was heard at the Public Safety and Livable Neighborhoods Committee on November 12, 2015.

**ACTION:** Motion by Councilmember Cate, second by Councilmember Emerald, to recommend Council introduce the ordinance and approve the agreement.

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

Ramirez/Chadwick

Primary Contact\Phone: Captain Jerry Hara\619-531-2407  
Secondary Contact\Phone: Lieutenant Rich Freedman\619-531-2172  
City Attorney Contact: Peter, Linda L.

- \* ITEM-52: Reimbursement Agreement with Pardee Homes for the design and construction of Project No. P-10.1, Completed Hiking and Biking Trails in the Pacific Highlands Ranch Subarea Plan. (Pacific Highlands Ranch Community Area. District 1.)

**ITEM DESCRIPTION:**

Reimbursement Agreement with Pardee Homes for the design and construction of Completed Hiking and Biking Trails (Project No. P-10.1) in the Pacific Highlands Ranch Subarea Plan. Waiver of the Consultant Services Selection process under San Diego Municipal Code Section 22.3202, and Council Policies 300-07 and 100-10.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-38)

Introduction of an Ordinance authorizing the Mayor to execute for and on behalf of the City, a Reimbursement Agreement with Pardee Homes for the design and construction of a portion of Project No. P-10.1, Pacific Highlands Ranch Hiking and Biking Trails, in the Pacific Highlands Ranch Community, under the terms and conditions set forth in the Agreement;

Declaring that San Diego Municipal Code Section 22.3202 and Council Policy 300-07, Council Policy 100-10, and Administrative Regulation 25.60, regarding consultant services selection, are hereby waived with respect to the following consultants: (1) Rick Engineering, Latitude 33 Planning and Engineering, and Project Design Consultants for civil engineering services; (2) R2H Engineering for structural engineering services; (3) Geocon Consultants, Inc., for soils engineering services; (4) KCM Group and MJS Construction Management and Engineering, Inc., for project management services; (5) Utility Specialists for utility installation services; (6) Recon Environmental, Inc., for environmental analysis and document preparation; (7) Bond Exoneration Service for release of bond security(s); and (8) SPECS Civil Solutions (Spears & Ernst, Inc.) for engineering services;

Authorizing the Chief Financing Officer to appropriate and expend an amount not to exceed \$1,863,000 for the design and construction of a portion of P-10.1, from CIP No. RD-12003, Pacific Highlands Ranch Hiking and Biking Trails, Fund 400090, Pacific Highlands Ranch FBA Fund, consistent with the timing established in the most recently adopted Pacific Highlands Ranch Public Facilities Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) 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.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This Reimbursement Agreement anticipates providing \$1,863,000 to Pardee Homes in Fiscal Year 2018 for the design and construction of the completed hiking and biking trails per the Financing Plan. There is no impact to the General Fund with this action.

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

This item was heard at the Infrastructure Committee meeting on November 16, 2015.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council introduce the ordinance.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

City Council approved the Financing Plan, by Resolution No. R-307364, on April 10, 2012. The completed hiking and biking trails included in the Reimbursement Agreement are identified as Project No. P-10.1 in the Financing Plan.

Tomlinson/Graham

Primary Contact\Phone: Oscar Galvez III\619-533-3685, MS 606F  
Secondary Contact\Phone: Tom Tomlinson\619-533-3187, MS 606F  
City Attorney Contact: Lintvedt, Inga B.

- \* ITEM-53: Reimbursement Agreement with Pardee Homes for the design and construction of Project No. P-10.1, Uncompleted Hiking and Biking Trails in the Pacific Highlands Ranch Subarea Plan. (Pacific Highlands Ranch Community Area. District 1.)

**ITEM DESCRIPTION:**

Reimbursement Agreement with Pardee Homes for the design and construction of Uncompleted Hiking and Biking Trails (Project No. P-10.1) in the Pacific Highlands Ranch Subarea Plan. Waiver of the Consultant Services Selection process under San Diego Municipal Code Section 22.3202, and Council Policies 300-07 and 100-10.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-39)

Introduction of an Ordinance authorizing the Mayor to execute for and on behalf of the City, a Reimbursement Agreement with Pardee Homes for the design and construction of a portion of Project No. P-10.1, Pacific Highlands Ranch Hiking and Biking Trails, in the Pacific Highlands Ranch Community, under the terms and conditions set forth in the Agreement;

Declaring that San Diego Municipal Code Section 22.3202 and Council Policy 300-07, Council Policy 100-10, and Administrative Regulation 25.60, regarding consultant services selection, are hereby waived with respect to the following consultants: (1) Rick Engineering, Latitude 33 Planning and Engineering, and Project Design Consultants for civil engineering services; (2) R2H Engineering for structural engineering services; (3) Geocon Consultants, Inc., for soils engineering services; (4) KCM Group and MJS Construction Management and Engineering, Inc., for project management services; (5) Utility Specialists for utility installation services; (6) Recon Environmental, Inc., for environmental analysis and document preparation; (7) Bond Exoneration Service for release of bond security(s); and (8) SPECS Civil Solutions (Spears & Ernst, Inc.) for engineering services;

Authorizing the Chief Financing Officer to appropriate and expend an amount not to exceed \$4,834,000 for the design and construction of a portion of P-10.1, from CIP No. RD-12003, Pacific Highlands Ranch Hiking and Biking Trails, Fund 400090, Pacific Highlands Ranch FBA Fund, consistent with the timing established in the most recently adopted Pacific Highlands Ranch Public Facilities Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) 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.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This Reimbursement Agreement will allow Pardee Homes to advance the design and construction of the hiking and biking trails totaling \$4,834,000 with reimbursement from the Pacific Highlands Ranch FBA. These costs are incorporated into the budget for this project and are included in Fiscal Years 2018-2023, per the Financing Plan. There is no impact to the General Fund with this action.

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

This item was heard at the Infrastructure Committee meeting on November 16, 2015, and forwarded to the full City Council for approval.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council introduce the ordinance.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

City Council approved the Financing Plan, by Resolution No. R-307364, on April 10, 2012. The uncompleted hiking and biking trails included in the Reimbursement Agreement are identified as Project No. P-10.1 in the Financing Plan.

Tomlinson/Graham

Primary Contact\Phone: Oscar Galvez III\619-533-3685, MS 606F

Secondary Contact\Phone: Tom Tomlinson\619-533-3187, MS 606F

City Attorney Contact: Lintvedt, Inga B.

- \* ITEM-54: Authorize a Third Amendment to the 2007 San Diego Regional Storm Water Copermittees Memorandum of Understanding.

**ITEM DESCRIPTION:**

This item will authorize a Third Amendment to the 2007 San Diego Regional Storm Water Copermittees Memorandum of Understanding (2007 MOU) with other regional jurisdictions. The 2013 Municipal Separate Storm Sewer System Permit (“MS4 Permit,” San Diego Regional Water Quality Control Board Order No. R9-2013-0001, as amended by R9-2015-0001) requires storm water pollution load reduction programs for the duration of the 5-year permit period ending in May 2018. Approval of this Amendment to the 2007 MOU (Third Amendment) will allow the City to share costs for mandated programs until the end of August 2019, or until the life of the current MS4 Permit plus 12 months, whichever is longer.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-24)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute a Third Amendment to the 2007 San Diego Regional Storm Water Copermittees Memorandum of Understanding, under the terms and conditions set forth in the Third Amendment to the 2007 MOU;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$2,363,250, from Fund 100000 General Fund, Transportation & Storm Water Department - Storm Water Division Operating Budget, for the purpose of funding the City’s Fiscal Year 2016 share of the costs under the Third Amendment to the 2008 MOU, contingent upon the Chief Financial Officer first 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 to expend an additional amount not to exceed \$5,502,115 from Fund 100000 General Fund, Transportation & Storm Water Department - Storm Water Division Operating Budget, for the purpose of executing this Amendment to the Memorandum of Understanding and funding the City’s Fiscal Year 2017 - Fiscal Year 2019 share of the costs under the Third Amendment to the 2008 MOU, contingent on Council adoption of the corresponding Fiscal Year’s Appropriations Ordinance, and 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.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The City has expended \$6,323,270 in Fiscal Years 2008 through 2015, for shared cost under the Original Memorandum of Understanding (MOU) and two subsequent Amendments. The maximum costs to be shared by all Copermittees under the Third Amendment shall not exceed \$21,625,048 over the term of the Third Amendment. The City's share of these costs is not to exceed \$7,865,365 for the four-year term of the MOU (see attached Table 1 - Cost Summary). Under the terms of the Third Amendment, the Copermittees will propose total annual budgets for shared program costs on a watershed basis. Each Copermittee will fund their share based on the cost share formulas on an annual basis. Each watershed will have a lead agency responsible for performing the work, contracting and administering the contracts necessary to complete the budgeted programs. These will receive reimbursements from the other participating Copermittees in the watershed.

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

City Council authorized the 2007 Copermittee Cost share MOU on January 8, 2008, via Ordinance O-19699. The First Amendment to the MOU was authorized through Mayoral Action to revise the MOU to allow for the reimbursement of unspent funds.

Council authorized the Second Amendment to the MOU on May 29, 2014, via Ordinance O-19699, which extended the term of the MOU and increased the allowable shared expenditures while an Amendment to the MOU suitable to address the requirements of the current 2013 Storm Water permit was being developed.

This item was heard at the Environment Committee meeting on November 4, 2015.

**ACTION:** Motion by Councilmember Cate, second by Chair Alvarez, to recommend Council introduce the ordinance.

**VOTE:** 3-0; Alvarez-yea, Gloria-yea, Cate-yea, Emerald-not present.

McFadden/Gomez

Primary Contact\Phone: Andre Sonksen\858-541-4317  
Secondary Contact\Phone: Drew Kleis\858-541-4320  
City Attorney Contact: Ortlieb, Frederick M.

- \* ITEM-55: Approval and execution of a Pledge of Revenue to demonstrate financial responsibility for Post-Closure Maintenance of West Miramar Landfill.

**ITEM DESCRIPTION:**

This action is to change the funding mechanism for Miramar Landfill Financial Assurance from direct funding to that of Pledge of Revenue per California State Regulations (Title 27, CCR Division 2, Subdivision 1, Chapter 6, Subchapter 3, Article 1).

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-44)

Introduction of an Ordinance that establish a Pledge of Revenue to demonstrate financial responsibility for post closure maintenance of the West Miramar Landfill in accordance with Sections 22228 and 22245 of the California Code of Regulations. The pledged revenue shall consist of revenues from greenery tipping fees and commodity sales from the Miramar Greenery Composting Facility, Solid Waste Facility Permit 37-AB-0003, which are deposited into the Refuse Disposal Enterprise Fund;

Authorizing the Mayor, or his designee, to execute for and on behalf of the City, an Agreement with CalRecycle to establish the Pledge of Revenue, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$18,000,000 from the Miramar Landfill Closure/Post Closure Maintenance Fund No. 700041, which is currently being held to demonstrate the City's availability of financial resources for post closure maintenance activities;

Authorizing the Chief Financial Officer to transfer an amount not to exceed \$18,000,000 from the Miramar Landfill Closure/Post Closure Maintenance Fund No. 700041 to the Refuse Disposal Fund No. 700039;

Repealing Resolution R-286073 to the extent it requires a separate fund for post closure maintenance of the West Miramar Landfill;

Directing the Mayor, or designee, to produce an Annual Certification Report (form CalRecycle 114, or later iteration) as required by Section 22233(b)(4)(B) of the California Code of Regulations to demonstrate that the pledged revenue continues to be available when needed and will cover the cost estimates identified in the updated Annual Inflation Report required by Section 22236 of the California Code of Regulations;

Declaring that disbursement of funds for post closure maintenance shall be in accordance with the final closure plan, as approved by CalRecycle;

Declaring that in the event that CalRecycle determines that the City of San Diego has failed, or is failing, to perform post closure maintenance as required by law, CalRecycle may direct the Chief Financial Officer to provide to the Mayor, or his designee, sufficient funds from the pledged revenues to ensure post closure maintenance, who then shall be obligated to use such funds for post closure maintenance in accordance with the directives of CalRecycle.

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Pursuant to Title 27, CCR Division 2, Subdivision 1, Chapter 6, Subchapter 3, Article 1, the Miramar Landfill must demonstrate the availability of financial resources to conduct closure and post closure maintenance activities. The Environmental Services Department maintains the Miramar Landfill Closure and Post Closure Maintenance Reserve Fund No. 700041 which was established in July 1995, per Resolution No. R-286073, as an Enterprise Fund financial assurance mechanism for Miramar Landfill. The Closure/Post-Closure Fund has a current balance of \$47.7 million with an estimated annual contribution of \$1.0 million from the Refuse Disposal Enterprise Fund.

The Closure estimated costs are at \$29.6 million (which will remain in a restricted fund), while post closure costs of \$26.4 million can be pledged as revenue.

Changing the financing mechanism from a restricted Enterprise Fund cash transfer to the pledge of revenue, the Refuse Disposal Fund can defer the \$1.0 million per year contribution to finance other important diversion efforts such as Zero Waste Programs. The pledge of revenue consists of revenues from the incoming greenery fees, currently generating \$2.0 million annually. By changing the financing mechanism, the Closure/Post-Closure Fund can release to the Refuse Disposal Fund a total of \$18.1 million to cover responsibilities of the Disposal Fund and still comply with the State's financial assurance mandate.

Current closure/post-closure fund balance	\$47.7 million
Minus total closure costs	-\$29.6 million
Total available for release	\$18.1 million

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

This item was heard at the Environment Committee meeting on November 4, 2015.

**ACTION:** Motion by Councilmember Gloria, second by Councilmember Cate, to recommend Council adopt the Ordinance.

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

Sierra/Gomez

Primary Contact\Phone: Lisa Wood\858-573-1236, MS 1102A  
 Secondary Contact\Phone: Burton Ewert\858-627-3320, MS 1102A  
 City Attorney Contact: Guy, Amanda L.

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

- \* ITEM-56: First Amendment to the Agreement with Simon Wong Engineering for professional services for the design and construction support for the Miramar Clearwell Improvements Project. (Scripps Miramar Ranch and Miramar Ranch North Community Areas. District 5.)

**ITEM DESCRIPTION:**

Council Authorization to execute the First Amendment of the Agreement (H125587) with Simon Wong Engineering for engineering design and construction support services of the Miramar Clearwell Improvements Project. This First Amendment provides additional funds to allow Simon Wong Engineering to design for the additional scope of work.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/10/2015, Item 50. (Council voted 8-0. Councilmember Emerald-not present):

(O-2016-25)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the First Amendment to the Agreement with Simon Wong Engineering for professional services for the design of Miramar Clearwell Improvements Project, in CIP S-11024, Miramar Clearwell Improvements, in an amount not to exceed \$1,796,259 and no extension of time is needed with the Amendment, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend funds under the established contract funding phases in the amount not to exceed \$616,515 for Phase IV (FY2016) and \$1,179,744 for all subsequent phases from CIP S-11024, Miramar Clearwell Improvements, Fund 700010, Water Utility CIP, for the purpose of executing this First Amendment to the Agreement, contingent upon the approval of the Annual Appropriation Ordinance for the applicable fiscal year, and 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.**

\* ITEM-57: Piazza Famiglia Agreements. (Downtown Community Area. District 3.)

**ITEM DESCRIPTION:**

This action is for the consideration and approval of a Park Development Agreement and Reimbursement Agreement with Fenton Little Italy, LLC, for a public plaza in the Little Italy neighborhood of Downtown to be known as Piazza Famiglia.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/10/2015, Item 51. (Council voted 8-0. Councilmember Emerald-not present):

(O-2016-34)

Authorizing and directing the Mayor to execute, for and on behalf of the City, a Park Development Agreement with Fenton Little Italy LLC, for the Piazza Famiglia (Plaza), under the terms and conditions set forth in the Park Development Agreement;

Authorizing and directing the Mayor to execute, for and on behalf of the City, a Reimbursement Agreement with Fenton Little Italy LLC (Developer) for the Plaza, under the terms and conditions set forth in the Reimbursement Agreement;

Waiving the consultant selection requirements of San Diego Municipal Code Section 22.3202, Council Policy 300-07, and Council Policy 100-10 for the selection of Plaza design consultant services;

Authorizing the Chief Financial Officer to add CIP No. RD16000, Piazza Famiglia, to the Capital Improvements Program;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program budget in CIP No. RD16000, Piazza Famiglia, in the amount of \$1,000,000, and to appropriate and expend \$1,000,000 from Fund No. 400122 Centre City DIF Admin, for the purpose of reimbursing the Developer for the design and construction of the Plaza consistent with the terms of the Reimbursement Agreement, contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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-58: Second Amendment to Lease at 9370 Chesapeake Drive, San Diego, CA 92123.  
(Kearny Mesa Community Area. District 6.)

**ITEM DESCRIPTION:**

This action is to approve a Second Amendment to the City's existing lease with Ruffin-SD, LLC, at 9370 Chesapeake Drive in San Diego, CA 92123 for office space currently occupied by the Storm Water Pollution Prevention Program. The Second Amendment will allow the Storm Water Pollution Prevention Program to expand into an additional 6,486 RSF of office space located in Suite 150 on the first floor.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/17/2015, Item 60, Subitem A. (Council voted 9-0):

(O-2016-41)

Authorizing the Mayor, or his designee, to execute and deliver that certain Second Amendment to Lease between Ruffin-SD, LLC, a Limited Liability Company, as Lessor, and the City of San Diego as lessee,

Authorizing the Chief Financial Officer to appropriate and expend funds up to \$780,857 (\$80,950 for FY16 and \$699,907 for FY17-FY20) for the purpose of executing and carrying out the terms of the Second Amendment to Lease from the General Fund No. 100000, Cost Center No. 9912001112, General Ledger No. 512217, contingent upon the approval of the Appropriation Ordinances for the appropriate fiscal years and 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.**

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- \* ITEM-100: Award of Contracts to Baker & Taylor, Inc., and Ingram Library Services, Inc., to provide library books, materials, and processing services. (Citywide.)

**ITEM DESCRIPTION:**

This action is to authorize a five-year Agreement to Baker & Taylor, Inc., to provide Library Books, Audio Visual Materials, and Processing Services for public use for an annual cost of \$2,100,000. Additionally, it will authorize a five-year Agreement with Ingram Library Services, Inc., to provide Music Scores and Processing Services for an annual cost of \$10,000.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-284)

Authorizing and directing the Mayor, or his designee, to execute an Agreement with Baker & Taylor, Inc., for the as-required purchase of library books, audio visual material, and processing services as set forth in Bid No. 10056901-15-L, for an amount not to exceed \$10.5 million from the Library Department-1713, with contract duration of five-years, provided that the Chief Financial Officer first furnishes 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 to expend an amount not to exceed \$10.5 million in total from the Library Department-1713, General Fund No.100000, and the Library Materials Fund No. 200364, for the purpose of funding this contract and duration years, with an amount not to exceed \$2.1 million for each fiscal year (\$1,790,000 from Fund No. 100000-General Fund, and \$310,000 from Fund No. 200364-Library Materials Fund), contingent upon the adoption of the Annual Budgets and Annual Appropriation Ordinances for the applicable fiscal years, provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2016-285)

Authorizing and directing the Mayor, or his designee, to execute an Agreement with Ingram Library Services, Inc., for the as-required purchase of music scores and processing services, as set forth in Bid No. 10056901-15-L, for an amount not to exceed \$50,000 from the Library Department-1713, with contract duration of five-years, provided that the Chief Financial Officer first furnishes 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 to expend an amount not to exceed \$50,000 in total from the Library Department-1713, General Fund No. 100000, for the purpose of funding this contract, with an amount not to exceed \$10,000 for each fiscal year, contingent upon the adoption of the Annual Budgets and Annual Appropriation Ordinances for the applicable fiscal years, provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Five year total not to exceed \$10,550,000 from the Library Department-1713. Annual cost of \$2,110,000 includes \$1,800,000 from Fund No. 100000-General Fund-Library Department-1713, and \$310,000 from Fund No. 200364-Library Materials Fund-Library Department-1713, contingent upon the adoption of the Annual Budgets and Annual Appropriation Ordinances for the applicable fiscal years and contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are or will be available. The contracts do not obligate the City to procure goods and services. Purchase Orders will be issued as needed.

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

This item was heard at the Budget and Government Efficiency Committee meeting on November 9, 2015.

**ACTION:** Motion by Councilmember Alvarez, second by Councilmember Cole, to recommend Council adopt the resolution.

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

Jones/Graham

Primary Contact\Phone: Traci Rosete\619-236-5842, MS 17

Secondary Contact\Phone: Robyn Gage-Norquist\619-236-5803, MS 17

City Attorney Contact: Dugard, Prescilla

- \* ITEM-101: Approval of Industrial Medicine Contracts with Sharp Rees Stealy Medical Group and U.S. Healthworks Medical Group.

**ITEM DESCRIPTION:**

This action is to request approval for a five-year Agreement with the 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:**

Adopt the following resolution:

(R-2016-216)

Authorizing and directing the Mayor, or his designee, to enter into a five -ear contract with Sharp Rees-Stealy Medical Group (SRSMG) to provide industrial medicine services to City employees and serve as the City's Medical Provider Network;

Authorizing and directing the Mayor, or his designee, to enter into a five-year contract with U.S. Healthworks Medical Group (USHMG) to provide industrial medicine services to City employees and serve as the City's Medical Provider Network;

Authorizing the Chief Financial Officer to appropriate and expend from Workers' Compensation Fund No. 720044 up to \$5,000,000 per year collectively for both contracts, up to the total amount of \$25,000,000 for the duration of the entire contracts, contingent upon the adoption of the Annual Appropriations Ordinance for the applicable fiscal year and 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.

**STAFF SUPPORTING INFORMATION**

**FISCAL CONSIDERATIONS:**

Expenditures of up to 5,000,000 per year, for the duration of this contract, will be made from the Workers' Compensation Fund No. 720044.

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

This item was heard at the Budget and Government Efficiency meeting on November 19, 2015.

**ACTION:** Motion by Councilmember Alvarez, second by Councilmember Sherman, to recommend Council adopt the resolution.

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

Canizal/Lewis

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

- \* ITEM-102: Pursuing approval of a new financing package for the Accela Inc., implementation with Government Capital Corp (“GovCap”) and amending contract with Accela Inc.

**ITEM DESCRIPTION:**

This action is to approve a new financing package for the Accela Inc., Project tracking system implementation with Government Capital Corp (GovCap") and to amend the contract with Accela Inc., to provide for this financing. The GovCap financing replaces the existing financing from the Equipment and Vehicle Financing Program (EVFP).

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-291)

Amending a contract with Accela Inc., to implement the new Financing Agreement.

Subitem-B: (R-2016-292)

Authorizing and directing the Mayor, the Chief Operating Officer, the Chief Financial Officer, or any of their designees, to execute for and on behalf of the City of San Diego, a Software Lease Purchase Agreement with GovCap (GovCap Agreement) for the purpose of financing the acquisition of software, licensing, hosting, maintenance fees and other professional services, all related to the Accela Inc., Agreement. The GovCap Agreement shall be substantially in the form presented to this Council, with such additions and changes therein as the Chief Operating Officer or Chief Financial Officer, in consultation with the City Attorney, shall approve as being in the best interest of the City; provided however that: (i) the amount financed under the GovCap Agreement shall not exceed \$9,300,000; (ii) the interest rate shall not exceed two point six percent (2.6 %) annually, and (iii) the term shall not exceed 5 years.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$967K has been paid to Accela Inc., and that there is no additional fiscal impact.

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

The Accela Inc., contract was approved by Council on September 22, 2015, O-309996 will be amended to reflect the provisions of the Financing Agreement.

This item was heard at the Budget and Government Efficiency Committee meeting on November 19, 2015.

**ACTION:** Motion by Councilmember Sherman, second by Councilmember Alvarez, to recommend Council adopt the resolution and approve the Amendment and new financing package.

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

Vacchi/Graham

Primary Contact\Phone: Jim Myers\619-446-5007, MS 401

Secondary Contact\Phone: Robert A. Vacchi\619-446-5423, MS 501

City Attorney Contact: Thomas, Shannon M. and Will, Brant C.

- \* ITEM-103: Harbor Drive Trunk Sewer Participation Agreement with Ballpark Village LLC. (Downtown and Barrio Logan Community Areas. Districts 3 and 8.)

**ITEM DESCRIPTION:**

This action is to approve a Participation Agreement with Ballpark Village LLC to upsize the existing Harbor Drive Trunk Sewer from 12th Avenue and Imperial Street to Sewer Pump Station No. 5 (Beardsley Street and Harbor Drive). The term of the Agreement is four (4) years. The Participation Agreement outlines each segment of work, the City and Developer costs, and the schedule to begin and complete the work. City funding has been identified for each fiscal year to coincide with the project schedule outlined by the Developer. Exhibit A of the Participation Agreement identifies the limits of work as well as it identifies the existing sewer main sizes as well as the proposed sewer main sizes.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-171)

Authorizing the Mayor, or his designee, to execute for and on behalf of the City, a Participation Agreement with Developer, in connection with the Harbor Drive Trunk Sewer Project, under the terms and conditions set forth in the Participation Agreement;

Authorizing the Chief Financial Officer to add CIP RD-16001, Harbor Drive Trunk Sewer Participation Agreement, to the Fiscal Year 2016 Capital Improvement Program;

Authorizing the Chief Financial Officer to transfer \$250,000 from CIP A-JB.0000.1, MWW Trunk Sewers, Muni Sewer CIP Fund 700008, to CIP RD-16001, Harbor Drive Trunk Sewer Participation Agreement;

Authorizing the Mayor, or his designee, establish contract funding phases for the Participation Agreement with Developer, for the design and construction of CIP RD-16001, Harbor Drive Trunk Sewer Participation Agreement, in an amount not to exceed \$13,122,922, for the duration of four years;

Authorizing the Chief Financial Officer to expend funds under the established Participation Agreement funding phases in an amount not to exceed \$250,000 for the first phase (FY16), and a total of \$12,872,922 for all subsequent phases from CIP RD-16001, Harbor Drive Trunk Sewer Participation Agreement, Fund 700008, Muni Sewer CIP, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established Participation Agreement funding phases are, or will be, on deposit with the City Treasurer, contingent upon approval of the appropriate future funding and future Fiscal Year Appropriation Ordinance.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The City's total not to exceed amount is \$13,122,922 for the four-year Participation Agreement. Funding phases in an amount not to exceed \$250,000 for the first phase (FY 2016) and \$12,872,922 for all subsequent phases are, or will be, available in CIP RD-16001, Harbor Drive Trunk Sewer Participation Agreement, Fund 700008, Muni Sewer CIP, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

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

This item was heard at the Infrastructure Committee meeting on November 16, 2015.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommendation Council adopt the resolution.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Helminski/Gomez

Primary Contact\Phone: Leonard Wilson\619-446-5421, MS 401  
Secondary Contact\Phone: Rania Amen\858-654-4112, MS 901A  
City Attorney Contact: Palmucci, Raymond C.

\* ITEM-104: Regents Road Widening Project-Construction and Reimbursement Agreement with UCSD. (University Community Area. District 1.)

**ITEM DESCRIPTION:**

This action is for the approval of the Construction and Reimbursement Agreement with UCSD and accepting, appropriating and expending the associated funding for the Regents Road Widening Project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-266)

Authorizing the Mayor, or his designee, to execute a Construction and Reimbursement Agreement with UCSD in an amount not to exceed \$855,000, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to increase the Fiscal Year 2016 Capital Improvement Budget in S-00881, Regents Road Widening Project and is authorized to accept, appropriate, and expend an amount not to exceed \$855,000 in Fund 400264, Private and Others Contributions, for the purpose of a Construction and Reimbursement Agreement, contingent upon the City Comptroller providing one or more certifications that the funds are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will authorize the Construction and Reimbursement Agreement with UCSD and UCSD will contribute an amount not to exceed \$855,000 in order to construct the Regents Road Widening Project. The new CIP Budget total will be \$6,230,000.

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

This project is included in the Council approved CIP Budget. Right-of-Way Acquisition Documents which accepted fee title and easement rights from the Regents of the University of California and La Jolla Country Day School Document No. R-307606/R-2012-568, adopted by the City Council July 31, 2012.

This item was presented and approved at the Infrastructure Committee meeting on November 16, 2015.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council adopt the resolution.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Gibson/Gomez

Primary Contact\Phone: Abi Palaseyed\619-533-4654 , MS 908A  
Secondary Contact\Phone: Brad Johnson\619-533-5120, MS 908A  
City Attorney Contact: Gerrity, Ryan P.

\* ITEM-105: Marketing Partnership Agreement with California Coast Credit Union.

**ITEM DESCRIPTION:**

This action is to authorize a Marketing Partnership Agreement between the City of San Diego and California Coast Credit Union for a three-year term with a two-year renewal option.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-265)

Authorizing the Mayor, or his designee, to execute the Agreement with Cal Coast for a three-year term with the option to renew for one additional two-year term, and on the terms and conditions set forth in the Marketing Partnership Agreement;

Authorizing the Chief Financial Officer to increase the Budget in the General Fund, Fund 100000, Park and Recreation Department, Business Area 1714, and to appropriate and expend \$15,000, to be received as part of the Marketing Partnership Agreement, to support the Parks Fit Program, contingent upon the adoption of the Appropriation Ordinance for the applicable Fiscal Year, 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 increase the Budget in the General Fund, Fund 100000, Park and Recreation Department, Business Area 1714, and to appropriate and expend \$10,000, to be received as part of the Marketing Partnership Agreement, to support the Volunteer Program, contingent upon the adoption of the Appropriation Ordinance for the applicable Fiscal Year, 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 increase the Budget in the General Fund, Fund 100000, Human Resources Department, Business Area 1313, and to appropriate and expend \$5,000, to be received as part of the Marketing Partnership Agreement, to support the Youth Development Program, contingent upon the adoption of the Appropriation Ordinance for the applicable Fiscal Year, 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.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Total revenue to the City of San Diego will range from \$390,000 for a three-year term to \$650,000 if renewal option is exercised. In addition, in-kind and promotional value is estimated at 1.4 million over a three-year term and 2.45 million if renewal option is exercised. Between \$300,000 (three-year term) to \$500,000 (including additional two-year renewal) will be deposited into the General Fund revenue and \$90,000 (three-year term) to \$150,000 (including additional two-year renewal) will fund the specified annual programs.

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

This item was heard at the Budget and Government Efficiency Committee meeting on November 19, 2015.

**ACTION:** Motion by Councilmember Cole, second by Councilmember Alvarez, to recommend Council introduce the ordinance, adopt the resolution and approve the agreement.

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

A name change was requested for a promotional program to prevent confusion with another entity. That change is now reflected in the contract and summary.

Collura/LoMedico

Primary Contact\Phone: Natasha Collura\619-533-3822, MS 610  
City Attorney Contact: Verdugo, Marco A.

- \* ITEM-106: Request authority to purchase passenger Cars, light duty, medium duty, and heavy duty trucks with related accessories with National Auto Fleet Group under National Joint Powers Alliance.

**ITEM DESCRIPTION:**

This action will allow Fleet Services to continue the purchase of vehicles from the National Auto Fleet Group via a National Joint Powers Alliance (NJPA) contract in excess of \$3.0 million over the life of the current contract. The action also allows Fleet Services to purchase in excess of \$3.0 million over the term of subsequent NJPA contract, if awarded. (Current contract expires in January 2016).

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-67)

Authorizing the Mayor, or his designee, for and on behalf of the City, to execute an Agreement with National Auto Fleet Group, for the purchase of passenger cars, light, medium, and heavy duty trucks and related accessories;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$4,500,000 from Fleet Services Replacement Fund Nos. 720002 through 720037, 720058, and 720059, through June 30, 2016 (including the amounts previously expended in calendar year 2015), solely and exclusively, to provide funds to purchase passenger cars, light, medium, and heavy duty trucks and related accessories, provided the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Mayor, or his designee, to purchase additional passenger cars, light, medium, and heavy duty trucks and related accessories through the contract with National Auto Fleet Group after June 30, 2016 in an additional amount not to exceed \$10,000,000 from Fleet Services Replacement Fund Nos. 720002 through 720037, 720058, and 720059, contingent on National Joint Powers Alliance (NJPA) renewing the Cooperative Procurement Agreement with National Auto Fleet Group, contingent on approval of such funding in the City budgets in future fiscal years, and provided the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Declaring that the above authorization of an amount not to exceed \$10,000,000 shall increase by \$15,000,000 to a total additional amount not to exceed \$25,000,000 once the City Council receives and approves a City fleet management plan, contingent on NJPA renewing the Cooperative Procurement Agreement with National Auto Fleet Group, contingent on approval of such funding in the City budgets in future fiscal years, and provided the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Authorizations requested will be contingent upon the Annual Appropriation Ordinance and Adopted Budget.

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

None.

This item was heard at the Budget and Government Efficiency Committee meeting on October 7, 2015.

**ACTION:** Motion by Councilmember Cole, second by Councilmember Gloria, to recommend Council approve the authorization to purchase up to \$4.5 million total in FY16 and approve a contract extension of five years for up to \$10 million, with an option to increase to \$25 million once Council is presented with a fleet management plan.

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

Nagelvoort/Chadwick

Primary Contact\Phone: Roy Kirby\619-527-6020

Secondary Contact\Phone: Alia Khouri\619-527-6014

City Attorney Contact: Zeleny, Thomas C.

- \* ITEM-107: Southeastern San Diego and Encanto Neighborhoods Impact Fee Studies FY 2016. (Southeastern San Diego and Encanto Neighborhoods Communities Areas. District 4, 8, and 9.)

**ITEM DESCRIPTION:**

This action is for the consideration and approval of Impact Fee Studies (IFS) and the associated Development Impact Fees (DIF) for the Southeastern San Diego and Encanto Neighborhoods Communities.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-269)

Approving the Fiscal Year 2016 Southeastern San Diego Impact Fee Study and Development Impact Fee Schedule.

Subitem-B: (R-2016-270)

Approving the Fiscal Year 2016 Encanto Neighborhoods Impact Fee Study and Development Impact Fee Schedule.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Adoption of the Impact Fee Studies and Development Impact Fee will provide a partial funding source for the community-serving infrastructure identified in the studies. Additional fees may be imposed on future discretionary projects on a case-by-case basis to fully account for the project's public facilities impacts.

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

This item was heard at the Infrastructure Committee meeting on November 16, 2015, and forwarded the Southeastern San Diego and Encanto Neighborhoods Impact Fee Studies for City Council consideration.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council adopt the resolution.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Murphy/Graham

Primary Contact\Phone: Vicki Burgess\619-533-3684, MS 606F  
Secondary Contact\Phone: Scott Mercer\619-533-3676, MS 606F  
City Attorney Contact: Lintvedt, Inga B.

\* ITEM-108: Midway Street Bluff Repair Fund Transfer. (La Jolla Community Area. District 1.)

**ITEM DESCRIPTION:**

This action is to provide additional funding in the amount of \$145,000 to the Capital Improvements Program Project, Midway Street Bluff Repair. This amount is necessary to cover the cost of construction and related items as a result of the received contractor's bid that is larger than estimated.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-55)

Authorizing the Chief Financial Officer to transfer appropriations of \$145,000 from CIP S-11014, Crystal Pier Repairs, to CIP S-12005, Midway Street Bluff Repair within Fund No. 400265, General Fund CIP Contributions;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$145,000 from CIP S-12005, Midway Street Bluff Repair, Fund No. 400265, General Fund CIP Contributions, for the purpose of construction and related costs, solely and exclusively, to provide funds for the Project and related costs, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury;

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 cost for this project is estimated at \$475,882.65. Of this amount, \$330,882.65 has already been appropriated leaving a shortfall of \$145,000. Funding in the amount of \$145,000 is available in CIP S-11014 Crystal Pier Repairs, Fund No. 400265, General Fund CIP Contributions. This transfer of funds will not impact Crystal Pier Project since the funds were identified as project savings following the completion of the Crystal Pier construction.

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

The Project has received a total of \$330,882.65 in various funding as follows: \$63,882.65 from Fund No. 400264, Private and Others Contrib-CIP, Resolution No. R-308003 dated March 11, 2013; \$65,000 from Fund No. 400848, Def Maint 2012A-Proj, Resolution No. R-307352 dated April 23, 2012; \$100,000 from Fund No. 400860, LSE REV BND 2015B-CP, Resolution No. R-309360 dated December 12, 2014; \$10,000 from Fund No. 400265, General Fund CIP Contributions, through AO - 20389, Sect 2.A.7.B via memo dated May 28, 2015, and \$92,000 from Fund No. 200306, Prop 42 Replacement.

This item was heard at the Infrastructure Committee meeting on November 16, 2015.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommendation Council adopt the resolution.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Nagelvoort/Gomez

Primary Contact\Phone: Mark Nassar\619-533-6600, 908A  
Secondary Contact\Phone: Ali Darvish\619-533-5328, MS 908A  
City Attorney Contact: Mercer, Mark M.

- \* ITEM-109: Park Capital Improvement Program - Public Input Process Streamlining.  
(Citywide.)

**ITEM DESCRIPTION:**

Staff recommends modifications to the public input process for park development projects that assures the public has adequate advance notification and opportunity to participate in the input process of park development projects. The revised process is intended to be administratively efficient and structurally predictable while resulting in timely public input. Two Council Policies require Amendment to implement this proposed process for public input.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-268)

Amending Council Policy 200-14, titled "Park and Recreation Facility Landscape Design" as set forth in the Council Policy;

Amending Council Policy 600-33, currently titled "Community Notification and Input For City-Wide Park Development Projects" is renamed "Public Notification and Input for City-Wide Park Development Projects" as set forth in the Council Policy;

Instructing the City Clerk to update the Council Policy Manual to include the Amendments to Council Policy 200-14 and Council Policy 600-33.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

While adoption of the proposed Council Policy changes will not have an immediate fiscal impact, staff anticipates that over time, individual project budgets would have reduced costs due to the reduction in overall public meetings. Staff also believes that project schedules would shorten (by approximately two to four months) due to the overall reduction in public meetings.

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

Infrastructure Committee meeting of March 11, 2015 - introduction of Capital Improvement Program streamlining measures.

Infrastructure Committee meeting of July 22, 2015 - expansion of streamlining scope to include public input for all park projects, not only small projects.

This item was heard at the Infrastructure Committee meeting of November 16, 2015 - Park Capital Improvement Program - Public Input Process Streamlining.

**ACTION:** Motion by Councilmember Zapf, second by Vice-Chair Cole, to recommendation Council adopt the resolution.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Field/Graham

Primary Contact\Phone: Andy Field\619-235-1110, MS 39

Secondary Contact\Phone: Herman D. Parker\619-236-6643, MS 37C

City Attorney Contact: Ferbert, Heather M.

\* ITEM-110: Slurry Seal Groups 1601 and 1602. (Districts 1-9.)

**ITEM DESCRIPTION:**

Authorize the advertisement, award, and execution of two major street maintenance contracts. These contracts will provide for the repair and slurry sealing of approximately 70 miles of various asphalt streets located throughout the City.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-289)

Authorizing the Mayor, or his designee, to advertise and execute a construction contract for Slurry Seal Group 1601 and a construction contract for Slurry Seal Group 1602, each with the lowest responsible and reliable bidder contingent upon the Chief Financial Officer first 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 to expend funds in an amount not to exceed \$4,500,000 from Fund 200306, Prop 42 Replacement Fund and \$4,607,454 from Fund 200218, Gas Tax Fund, Transportation & Storm Water Department - Street Division, for the purpose of funding the Slurry Seal 1601 and Slurry Seal 1602 construction contracts, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2016-294)

Declaring that Slurry Seal Groups 1601 and 1602 of the City's Street Resurfacing Program are categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will authorize two, \$4,100,000 construction contracts, for a total of \$8,200,000. An additional \$907,454 has been budgeted for construction and project management which will be handled by City forces. Funds for this action are available from the Gas Tax Fund and Proposition 42 Replacement Fund in Transportation and Storm Water Department's Budget. Expenditures from this funding source are restricted for use to maintain and improve public rights-of-way.

If additional funds for slurry seal become available, these contracts may be renewed to expedite another 70 to 80 miles of maintenance.

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

McFadden/Gomez

Primary Contact\Phone: Kristy Reeser\619-527-7504, MS 44

Secondary Contact\Phone: Walter Gefrom\619-527-7509, MS 44

City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-111: Agreements Between the City and Two Recognized Employee Organizations  
Related to Substantive Discretionary Plan Amendments to the 2009 401(A) Plan.

**ITEM DESCRIPTION:**

The City of San Diego (City) must amend the 2009 401(a) Plan (2009 Plan) to comply with State and Federal tax laws and to maintain the tax qualified status of the 2009 Plan. At the same time, the City intends to make a number of Substantive Discretionary Amendments to the 2009 Plan. This item is to approve Agreements between the City and two recognized employee organizations regarding the proposed Substantive Discretionary Amendments to the 2009 Plan.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-246)

Approving and ratifying the Agreement between the City of San Diego and American Federation of State, County and Municipal Employees, (AFSCME Local 127) Related to Amendments to the City of San Diego 2009 401(a) Plan, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

Subitem-B: (R-2016-245)

Approving and ratifying the Agreement between the City of San Diego and the San Diego Municipal Employees Association (MEA) Related to Amendments to the City of San Diego 2009 Plan, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** N/A

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

2009 401(a) Plan Amendments to be considered by the City Council.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-533-6413

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

City Attorney Contact: Story Parks, Roxanne

\* ITEM-112: Fiscal Year 2015 Emergency Management Performance Grant Program.  
(Citywide.)

**ITEM DESCRIPTION:**

This action seeks authorization to accept, appropriate, and expend \$184,863 in FY2015 Emergency Management Performance Grant (EMPG) Program funding from the California Governor's Office of Emergency Services via the County of San Diego Office of Emergency Services.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-260)

Authorizing the Mayor, or his designee, for and on behalf of the City, to apply for and accept \$184,863 in FY 2015 Emergency Management Performance Grant (EMPG) Program funding from the California Governor's Office of Emergency Services via the County of San Diego Office of Emergency Services, as the City's authorized agent, and to execute all agreements necessary to comply with the grant requirements;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$184,863 from the General Fund 100000, Cost Center 1915000012, Internal Order 12004272, for the purposes of funding grant match requirements;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$184,863 in FY 2015 Emergency Management Performance Grant Program funding from the California Governor's Office of Emergency Services via the County of San Diego Office of Emergency Services, as the City's authorized agent, contingent upon receipt of a fully executed Grant Agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The FY2015 Emergency Management Performance Grant (EMPG) Program requires a dollar-for-dollar cash or in-kind match by the City. Federal Emergency Management Agency (FEMA) administers cost sharing requirements in accordance with the 2 Code of Federal Regulations (CFR) Section 200.29 and Section 200.306. The City's required 100% match of its FY2015 EMPG Program allocation is available from the Office of Homeland Security (OHS) FY 2016 General Fund Budget.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** Not Applicable.

Valencia/Chadwick

Primary Contact\Phone: John Valencia\619-533-6763

Secondary Contact\Phone: Katherine Jackson\619-533-6761

City Attorney Contact: Brazier, Noah J.

\* ITEM-113: Replenishment of Federal Grant Funds - North Torrey Pines Road Bridge. (Torrey Pines Community Area. District 1.)

**ITEM DESCRIPTION:**

Authorize the acceptance, appropriation, and expenditure in WBS No. S-00935, North Torrey Pines Road Bridge, Grant 1000519-2015, Federal Funds 600000, for project administration and monitoring the mitigation work associated with the North Torrey Pines Road Bridge Project.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-262)

Authorizing the Chief Financial Officer to increase the Fiscal Year 2016 Capital Improvements Program Budget for WBS No. S-00935, North Torrey Pines Road Bridge by \$150,000;

Authorizing the Chief Financial Officer to accept an amount not to exceed \$150,000 in federal grant funding from Caltrans, and to appropriate and expend an amount not to exceed \$150,000 from Fund 600000, Federal Funds, Grant 1000519-2015, solely and exclusively, for the purpose of Project administration and monitoring of the mitigation work, contingent upon securing grant funding, and provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action will increase the Fiscal Year 2016 CIP Budget in the amount of \$150,000 through the Caltrans Federal Grant Program in WBS No. S-00935, North Torrey Pines Road Bridge, Grant 1000519-2015; contingent upon the receipt of a fully executed Grant Agreement.

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

Previous Council: Resolution No. R-298130, June 30, 2003, accepting Federal Funds.

McFadden/Gomez

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: Abi Palaseyed\619-533-4654

City Attorney Contact: Jung, Jeremy A.

\* ITEM-114: Approving the release of 9 (nine) monument bonds associated with various subdivision maps located throughout the City of San Diego (Districts 1-9.)

**ITEM DESCRIPTION:**

This is a request to release bonds associated with property monument markers for projects previously approved by the City through Final and Parcel maps. Monuments are used for marking property boundaries and right-of-ways.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-300)

Confirming that the monuments for the following maps have been set to the satisfaction of the City Engineer and payment of the land surveyor or engineer. Authorizing the release of the bonds pursuant to Section 66497 of the Subdivision Map Act (SMA) to the associated depositors listed below:

<u>Council District</u>	<u>Depositor</u>	<u>Address</u>	<u>Project Name</u>	<u>Map Number</u>	<u>PTS No.</u>	<u>L.O. NO.</u>	<u>Amount</u>
6	Pardee Homes	Attn Allen Kashani, 13400 Sabre Springs Parkway, Suite 200, San Diego, CA 92128	Sunset Ridge, Unit 3 (10875 Camino Santa Fe) (Mira Mesa Community Plan)	15857	140885	23427552	\$10,000
6	Pardee Homes	Attn Allen Kashani, 13400 Sabre Springs Parkway, Suite 200, San Diego, CA 92128	Sunset Point (11030 1/3 Lopez Ridge Way) (Mira Mesa Community Plan)	15936	313005	23427378	\$18,000
4	Bridge Housing Corp	2202 30th Street San Diego, CA 92101	8 Horton's Addition/9th & Broadway - (Downtown Community Plan)	21024	300291	24003344	\$3,000
8	Mw Reynolds Construction Co	1908 Friendship Drive El Cajon, CA 92020	Riviera Del Sol, Unit 1 (OtayMesa CommunityPlan)	14055	184042	400059	\$1,600
8	Mw Reynolds Construction Co	1908 Friendship Dr. El Cajon, CA 92020	Riviera Del Sol, Unit 2 (Otay Mesa Community Plan)	14220	184155	400759	\$36,000
8	Mw Reynolds Construction Co	1908 Friendship Dr. El Cajon, CA 92020	Riviera Del Sol, Unit 3 (Otay Mesa Community Plan)	14267	205495	400889	\$12,000

8	Mw Reynolds Construction Co	1908 Friendship Dr. El Cajon, CA 92020	Riviera Del Sol, Unit 4 (Otay Mesa Community Plan)	14385	184169	400890	\$20,000
2	Sapphire Blue, LLC C/O Federico Escodedo	705 Wrelton Dr. San Diego, CA 92109	Wrelton Townhomes (Pacific Beach Community Plan)	21120	174032	23432107	\$1,000
1	Pardee Homes	Attn Allen Kashani, 13400 Sabre Springs Parkway, Suite 200, San Diego, CA 92128	Rancho Valley Farms- (Carmel Valley Community Plan)	15885	209682	24000841	\$13,000

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

Subitem-B: (R-2016-301)

Determining that the release of nine monument bonds associated with various subdivision maps located throughout the City of San Diego is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

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

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** None

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

Vacchi/Graham

Primary Contact\Phone: Cassie Maslowski\619-446-5335 , MS 501

Secondary Contact\Phone: Greg Hopkins\619-446-5291, MS 501

City Attorney Contact: Halsey, Keely M.

- \* ITEM-115: Review report and associated recommendations from the Office of the Independent Budget Analyst regarding Police Department Traffic Division Facility Needs. (Citywide.)

**ITEM DESCRIPTION:**

Requested Action:

1. Request funding for a feasibility study for a permanent Traffic Division facility, estimated at \$250,000 be included in the FY2016 Mid-Year Budget Adjustments. This funding would allow Public Works to work with the Police Department to analyze property issues, operational needs, desired facility conditions, and to develop a project scope, budget, and schedule.
2. Request that the Police Department report back to the Public Safety and Livable Neighborhoods Committee on its facilities priorities.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-243)

Requesting that the Mayor fund a feasibility study in Fiscal Year 2016 regarding construction of a permanent facility for the San Diego Police Department's Traffic Division, including analysis of property issues, operational needs, desired facility conditions, and providing information that could be used to develop a project scope, budget, and schedule;

Requesting a report from the San Diego Police Department on its facilities priorities, to be heard at the Public Safety and Livable Neighborhoods Committee of the City Council of the City of San Diego at a date and time to be set.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

No impact at this time. Should the Council appropriate funds for a feasibility study at a later date, there would be an estimated General Fund impact of \$250,000.

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

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on October 28, 2015.

**ACTION:** Motion by Councilmember Cole, second by Councilmember Emerald, to recommend Council adopt the recommendations of the Independent Budget Analyst report.

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

Jurado-Sainz

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

Secondary Contact\Phone: Christopher L. Olsen\619-236-6446

City Attorney Contact: Gleeson Townsley, Carrie

- \* ITEM-116: Authorize and approve the Third Amendment to Litigation Consultant Agreement with Helfrich-Associates. (Black Mountain Ranch and Rancho Peñasquitos Community Areas. District 5.)

**ITEM DESCRIPTION:**

Add \$110,000 to contract with Helfrich-Associates to provide litigation consulting services and expert witness testimony in the case of *City of San Diego v. Black Mountain Ranch, LLC, et al.*, Case No. 37-2014-00019435-CU-CD-DTL.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-214 Cor. Copy) (Rev. 12/4/15)

Authorizing the Mayor, or his designee, to execute a Third Amendment to the Litigation Consulting Services Agreement with Helfrich-Associates for the geotechnical consulting services being provided to the City for lawsuit entitled *City of San Diego v. Black Mountain Ranch, LLC, et al.*, Case No. 37-2014-00019435-CU-CD-DTL in an amount not to exceed \$110,000;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$110,000 from Fund 100000 - General Fund, Transportation and Storm Water Department (2116), for the purpose of executing this Agreement and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Generally, the costs/fees related to the investigation and developing the defect list and cost of repair may be recoverable as damages in the litigation under the case known as *Stearman v. Centex Homes* (2000) 78 Cal.App.4th 611. An award of Stearman costs is subject to a reasonableness standard and may take into account the claims upon which the City actually prevails. Therefore, if the City prevails in the litigation, some portion of the investigative costs can be awarded as damages.

The funding for the litigation consulting services, \$100,000 is coming from the General Fund via the Transportation and Storm Water Department. This Amendment to the Litigation Consulting Services Agreement requires City Council approval because the cumulative amount of the contract and amendments exceeds the \$250,000 threshold set forth in San Diego Municipal Code Section 22.3207.

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

This specific item has not been to Committee or before the Council. However, the City Council authorized the litigation in Closed Session on June 10, 2014.

Bamberg

Primary Contact\City Attorney Contact\Phone: Jon E. Taylor\619-235-5898, MS 59

\* ITEM-117: Amendment of the City of San Diego 2009 401(a) Plan Document.

**ITEM DESCRIPTION:**

Adopt the resolution approving the amended and restated City of San Diego 2009 401(a) Plan.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-271)

Approving the Amended and Restated City of San Diego 2009 401(a) Plan, effective December 1, 2015.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Not applicable.

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

Not applicable.

Canizal/Lewis

Primary Contact\Phone: Nancy Stadille\619-236-6575, MS 51B

Secondary Contact\Phone: Estella Montoya\619-533-6107, MS 51B

City Attorney Contact: Story Parks, Roxanne

\* ITEM-118: Revise Policy 900-17 Storefront Improvement Program. (Citywide.)

**ITEM DESCRIPTION:**

This action is a revision to Council Policy 900-17, Storefront Improvement Program, to increase the eligibility threshold to enable businesses with up to 25 employees to participate, refine ineligible categories, eliminate the public art incentive, and create a new permitting costs incentive category.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-276)

Revising Council Policy No. 900-17, entitled "Storefront Improvement Program" as set forth in the Council Policy;

Instructing the City Clerk to update the Council Policy Manual to include the revised Council Policy No. 900-17.

Subitem-B: (R-2016-275)

Finding that the modifications to Council Policy 900-17, approved pursuant to Resolution Number R-\_\_\_\_\_ are not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378 because this activity will not result in direct or indirect physical changes in the environment.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This action incurs no additional costs nor creates additional revenue.

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

Council Policy 900-17 was most recently amended in 2009.

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on October 22, 2015.

**ACTION:** Motion by Council President Lightner, second by Councilmember Cate, to recommend that Council adopt the resolution and Revise Council Policy 900-17.

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

Caldwell/Graham

Primary Contact\Phone: Elizabeth Studebaker\619-533-4561

Secondary Contact\Phone: Alissa Gabriel,\619-236-6460

City Attorney Contact: Wander, Adam

\* ITEM-119: Amended Records Disposition Schedule For Transportation and Storm Water/Right of Way Division.

**ITEM DESCRIPTION:**

Adopt the amended Records Disposition Schedule as submitted.

**CITY CLERK'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-247)

Approving the amended Records Disposition Schedule for the Transportation and Storm Water Department.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** N/A

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

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A  
Secondary Contact\Phone: Sheila Beale\619-235-5247, MS 2A  
City Attorney Contact: Spivak, Sharon B.

\* ITEM-120: Citywide Rewards and Recognition Program.

**ITEM DESCRIPTION:**

This item is to approve Agreements between the City of San Diego (City) and each of its six recognized employee organizations regarding the implementation of the revised Citywide Rewards and Recognition Program. This item contains six (6) Subitems.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-230 Cor. Copy)

Authorizing a revised Rewards and Recognition Program (Program) for City of San Diego Employees to be administered by the Mayor, declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying an Agreement between the City and the American Federation of State, County and Municipal Employees (AFSCME Local 127), acknowledging that the City's obligations to Local 127 under the Meyers-Milias-Brown Act (MMBA) related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

Subitem-B: (R-2016-223 Cor. Copy)

Declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying an Agreement between the City and the California Teamsters, Local 911 (Local 911), acknowledging that the City's obligations to Local 911 under the MMBA related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions;

Subitem-C: (R-2016-227 Cor. Copy)

Declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying an Agreement between the City and the Deputy City Attorneys Association of San Diego (DCAA), acknowledging that the City's obligations to the DCAA under the MMBA related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

Subitem-D: (R-2016-229 Cor. Copy)

Declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying an Agreement between the City and the San Diego City Firefighters, International Association of Fire Fighters (Local 145), acknowledging that the City's obligations to Local 145 under the MMBA related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

Subitem-E: (R-2016-226 Cor. Copy)

Declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying the Agreements between the City and the San Diego Municipal Employees Association (MEA), acknowledging that the City's obligations under the MMBA related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

Subitem-F: (R-2016-225 Cor. Copy)

Declaring that there is a public purpose for the Program, which recognizes and rewards exceptional City employees, in that it is a means to retain highly-valued employees, thus reducing the cost of recruiting new employees, and to encourage continued high-level performance and service, thus benefitting City residents, business owners, and taxpayers;

Approving and ratifying an Agreement between the City and the San Diego Police Officers Association (POA), acknowledging that the City's obligations to the POA under the MMBA related to the Program have been satisfied;

Delegating authority to the Mayor to implement the Program by implementing the amended Administrative Regulation 95.91 and taking any other necessary actions.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The fiscal impact of up to approximately \$483,331 (\$330,282 General Fund; \$153,049 Non-General Fund) will be absorbed by Department's current Budgets for Fiscal Year 2016 and will be addressed in separate line item requests for Fiscal Year 2017.

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

Heard and Approved at Closed Session (August 4, 2015).

San Diego Ordinance O-20484 (April 21, 2015) (Fiscal Year 2016 Salary Ordinance).

San Diego Resolution R-309613 (April 22, 2015) (approval of MOU with POA).

San Diego Resolution R-308477 (October 15, 2013) (approval of MOU with DCAA).

San Diego Resolution R-308478 (October 15, 2013) (approval of MOU with Teamsters, Local 911).

San Diego Resolution R-308480 (October 15, 2013) (approval of MOU with Local 127).

San Diego Resolution R-308481 (October 15, 2013) (approval of MOU with MEA).

San Diego Resolution R-308478 (October 15, 2013) (approval of MOU with Local 145).

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-533-6413

Secondary Contact\Phone: Abby Jarl-Veltz\619-236-6314

City Attorney Contact: Dawson, Joan F.

\* ITEM-121: Settlement of personal injury claim of Janet Williamson for dangerous condition of public property. Risk Management File No. 7898.

**ITEM DESCRIPTION:**

This a complaint for personal injuries suffered by Plaintiff as the result of a trip and fall over a San Diego City temporary water highline pipe. The proposed settlement would resolve all claims brought by Janet Williamson.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-217)

Authorizing the Mayor, or his designee, to pay the sum of \$100,000 from the Water Utility Operating Fund 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury claim of *Janet Williamson v. City of San Diego*; TC Construction San Diego Superior Court Case No. 37-2014-00031371-CU-PO-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$100,000 from the Water Utility Operating Fund 700011, 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;

Authorizing the City Comptroller to issue a check in the amount of \$100,000, made payable to "Janet Williamson and Law Office of Douglas H. Swope, APC."

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Settlement amount of \$100,000 will be paid from the Water Fund No. 700011.

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

The item was approved in Closed Session on September 22, 2015.

Bamberg

Primary Contact\City Attorney\Phone: Molly E. Hoot\619-533-5852

- \* ITEM-122: City Council Community Projects, Programs, and Services Funding Allocation to Alpha Project for the Homeless for a Homeless Outreach Program in the Hillcrest Neighborhood. (Hillcrest Community Area. District 3.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Alpha Project for the Homeless for an amount not to exceed \$15,000 for the Homeless Outreach Program.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-298)

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;"

Waiving Council Policy 100-06, Section 8, which provides: "Community Projects, Programs, and Services funding should be considered a one-time resource, and planned uses should be one-time in nature, to avoid service interruptions or employee impacts if funding is discontinued;"

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 Alpha Project (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 Council District 3, Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1103110003, 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 City Council Community Projects, Programs, and Services Funding from Council District 3, Fund No. 100000, Cost Center No. 1103110003, will be used for the Homeless Outreach Team.

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

Fox

Primary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

Secondary Contact\Phone: Jamie Fox\619-236-6633, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-123: Community Projects, Programs, and Services Funding Allocation to Union of Pan Asian Communities for the purpose of funding their High-Risk Asian/Pacific Islander (API) Mentorship Program. (Mira Mesa Community Area. District 6.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to entire into an Agreement with the Union of Pan Asian Communities for an amount not to exceed \$10,000 from District 6, for the High-Risk Asian/Pacific Islander Mentorship Program.

**COUNCILMEMBER CATE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-228)

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

Waiving Council Policy 100-06, Section 8, which provides: "Community Projects, Programs and Services funding should be considered a one-time resource, and planned uses should be one-time in nature, to avoid service interruptions or employee impacts if funding is discontinued;"

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 Union of Pan Asian Communities (Agreement) in an amount not to exceed \$10,000 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 \$10,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, 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:**

\$10,000 in Community Projects, Programs, and Services (CPPS) Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for the Union of Pan Asian Communities High-Risk Asian/Pacific Islander Mentorship Program to provide operational support including salaries and benefits, office supplies, and money for field trips.

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

Hauser

Primary Contact\Phone: James Hauser\619-236-6616, MS 10A  
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A  
City Attorney Contact: Berry, Jennifer L.

- \* ITEM-124: Community Projects, Programs, and Services Funding Allocation to the San Diego Military Advisory Council (SDMAC) for the 7th Annual SDMAC Military Economic Impact Study. (Districts 1-9.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the San Diego Military Advisory Council (SMNAC) for an amount not to exceed \$6000, for the 7th Annual SDMAC Military Economic Impact Study.

**COUNCILMEMBER CATE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-248)

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 San Diego Military Advisory Council (Agreement) in an amount not to exceed \$6,000 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 \$6,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, Council District 6, 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:**

\$6,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1106110006, will be used for the 7th Annual San Diego Military Advisory Council (SDMAC) Military Economic Impact Study.

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

Hauser

Primary Contact\Phone: James Hauser\619-236-6616, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-125: Community Projects, Programs, and Services Funding Allocation to the Mission Trails Regional Park Foundation for the "It Will Burn" Exhibit. (Districts 6 and 7.)

**ITEM DESCRIPTION:**

Approval of funding allocation from Council Districts 6 and 7, along with authorization from the City Council, are requested to allow the Mayor, or his designee, to enter into an Agreement with the Mission Trails Regional Park Foundation for an amount not to exceed \$7,800 for the "It Will Burn" Exhibit.

**COUNCILMEMBER SHERMAN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-299)

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;"

Waiving Council Policy 100-06, Section 8, which provides: "Community Projects, Programs, and Services funding should be considered a one-time resource, and planned uses should be one-time in nature, to avoid service interruptions or employee impacts if funding is discontinued;"

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 Mission Trails Regional Park Foundation (Agreement) in an amount not to exceed \$7,800 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 \$2,800 from Council District 6, Community Projects, Programs, and Services Budget Fund No. 100000 Cost Center No. 1106110006 and \$5,000 from Council District 7, Community Projects, Programs, and Services Budget Fund No. 100000 Cost Center No. 1107110007 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:**

\$2,800 from CD6: Fund No. 100000/Cost Center No. 1106110006 and \$5,000 from CD7: Fund No. 100000/Cost Center No. 1107110007, will be used for the "It Will Burn" Exhibit at the Mission Trails Regional Park Visitor and Interpretive Center.

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

Tetlow

Primary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

Secondary Contact\Phone: Barrett Tetlow\619-236-6677, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-126: Community Projects, Programs, and Services Funding Allocation to I Love A Clean San Diego for the 31st Annual Coastal Cleanup Day. (50+ locations in City of San Diego. Districts 1-9.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council Districts 1, 2, 3, 5, 6 and 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with I Love A Clean San Diego for an amount not to exceed \$10,000 for the 31st Annual Coastal Cleanup Day.

**COUNCILMEMBER SHERMAN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-238)

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 2016 City Council Allocations Agreement between the City of San Diego and the I Love A Clean San Diego (Agreement) in an amount not to exceed \$10,000 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:

- \$2,000 from CD1: Fund No. 100000/Cost Center No. 1101110001
- \$1,500 from CD2: Fund No. 100000/Cost Center No. 1102110002
- \$1,500 from CD3: Fund No. 100000/Cost Center No. 1103110003
- \$1,000 from CD5: Fund No. 100000/Cost Center No. 1105110005
- \$1,000 from CD6: Fund No. 100000/Cost Center No. 1106110006
- \$3,000 from CD7: Fund No. 100000/Cost Center No. 1107110007

for a total of \$10,000, 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:**

\$2,000 from CD1: Fund No. 100000/Cost Center No. 1101110001

\$1,500 from CD2: Fund No. 100000/Cost Center No. 1102110002

\$1,500 from CD3: Fund No. 100000/Cost Center No. 1103110003

\$1,000 from CD5: Fund No. 100000/Cost Center No. 1105110005

\$1,000 from CD6: Fund No. 100000/Cost Center No. 1106110006

\$3,000 from CD7: Fund No. 100000/Cost Center No. 1107110007

in Community Projects, Program and Services Funding Allocations for I Love A Clean San Diego's 31st Annual Coastal Cleanup Day.

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

Tetlow

Primary Contact\Phone: Barrett Tetlow\619-236-6677, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-127: Community Projects, Programs, and Services Funding Allocation to the San Diego River Park Foundation for their Mobile River Education Lab. (Multiple locations in the San Diego River watershed. District 7.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement the San Diego River Park Foundation for an amount not to exceed \$7,000 for their Mobile River Education Lab.

**COUNCILMEMBER SHERMAN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-302)

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

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 San Diego River Park Foundation (Agreement) in an amount not to exceed \$7,000 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 \$7,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1107110007, Council District 7, 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:**

\$7,000 in City Council Community Projects, Programs, and Services Funding from Council District 7, Fund No. 100000, Cost Center No. 1107110007, will be used for the Mobile River Education Lab.

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

Tetlow

Primary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A  
Secondary Contact\Phone: Barrett Tetlow\619-236-6677, MS 10A  
City Attorney Contact: Berry, Jennifer L.

\* ITEM-128: Reappointment to the San Diego Convention Center Corporation Board of Directors.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-274)

Council confirmation of the following reappointment by the Mayor of the City of San Diego, to serve as a member of the Board of Directors of the San Diego Convention Center Corporation, for a term expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Laurie Coskey (North Park, District 3) (Reappointment)	Director - General Category	December 1, 2018

\* ITEM-129: Appointment to the San Diego City Employees' Retirement System Board of Administration (SDCERS).

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-293)

Council confirmation of the following appointment by the Mayor of the City of San Diego, to serve as a member of the San Diego City Employees' Retirement System Board of Administration, for a term ending as indicated:

**NAME**

**TERM ENDING**

Carina Coleman  
(El Cajon)  
(Filling the seat previously held  
by Richard Tartre, who is termed out)

March 31, 2019

Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Carina Coleman 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 SDCERS Board of Administration, therefore, a conscious exception to Council Policy 000-13 is hereby declared.

\* ITEM-130: Appointments to the Accessibility Advisory Board.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-277)

Council confirmation of the following appointments by the Mayor of the City of San Diego, to serve as members of the Accessibility Advisory Board, for terms expiring as indicated:

<b><u>NAME</u></b>	<b><u>CATEGORY</u></b>	<b><u>TERM ENDING</u></b>
Elaine Cooluris (Ocean Beach, District 2) (Initial Appointment)	ADA Expert	June 30, 2016
Michelle Crisci (Midway, District 2) (Initial Appointment)	At-Large Member	June 30, 2016
Adam Ringler (Vista) (Initial Appointment)	Tourist-Serving Industry Representative	June 30, 2016
Sandra Miles (Pauma Valley) (Initial Appointment)	State of California Access Specialist	June 30, 2016
Sharla Hank (Tierrasanta, District 7) (Initial Appointment)	At-Large Member	June 30, 2016
Patricia Sieglen-Perry (Scripps Ranch, District 5) (Initial Appointment)	ADA Expert	June 30, 2017
Rachel Chapman (Chula Vista) (Initial Appointment)	ADA Expert	June 30, 2017

Israel Martinez (Mission Valley, District 7) (Initial Appointment)	ADA Expert	June 30, 2017
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Wayne Landon (Point Loma, District 2) (Initial Appointment)	ADA Expert	June 30, 2017
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Declaring that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Adam Ringler, Sandra Miles and Rachel Chapman are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Board; therefore, conscious exceptions to Council Policy 000-13 are hereby declared.

- \* ITEM-131: Joint Powers Authority (JPA) and Memorandum of Understanding (MOU) to achieve compliance with Workforce Innovation and Opportunity Act (WIOA) Federal Legislation. (Districts 1-9.)

**ITEM DESCRIPTION:**

Joint Powers Authority (JPA) Agreement between the City of San Diego and County of San Diego; and Memorandum of Understanding (MOU) between City of San Diego and the San Diego Workforce Partnership, Inc., (SDWP) to achieve compliance with Workforce Innovation and Opportunity Act (WIOA) Federal Legislation.

**STAFF'S RECOMMENDATION**

Adopt the following resolution:

(R-2016-208)

Approving the Joint Powers Agreement. The Office of the City Clerk shall place a copy of the fully-executed Joint Powers Agreement on file as Document No. RR-\_\_\_\_\_;

Authorizing and directing the Mayor, or designee, to execute the Joint Powers Agreement and sign all documents necessary and appropriate to carry out and implement the Joint Powers Agreement;

Approving the Memorandum of Understanding (MOU). The Office of the City Clerk shall place a copy of the fully-executed MOU on file as Document No. RR-\_\_\_\_\_;

Authorizing and directing the Mayor, or designee, to execute the MOU and sign all documents necessary and appropriate to carry out and implement the MOU.

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: None anticipated with this action.

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

This item was heard at the Economic Development and Intergovernmental Relations Committee meeting on November 5, 2015.

**ACTION:** Motion by Councilmember Cate, second by Council President Lightner, to recommend Council adopt the resolution.

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

Caldwell/Graham

Primary Contact\Phone: Kevin Sullivan\619-533-5954, MS 56D  
Secondary Contact\Phone: Tina Hines\619-236-6305, MS 56D  
City Attorney Contact: Malcolm, Katherine Anne

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
ORDINANCES TO BE INTRODUCED:

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

ITEM-330: Amendments to Article 7: Elections, Campaign Finance and Lobbying. (Citywide.)

**ITEM DESCRIPTION:**

Approve the following ordinances:

Sub-item A: (O-2016-35) Referendum - An Ordinance Amending Chapter 2, Article 7, Division 11, of the San Diego Municipal Code.

Sub-item B: (O-2016-36) Initiative - An Ordinance Amending Chapter 2, Article 7, Division 1, of the San Diego Municipal Code.

Sub-item C: (O-2016-37) Election Code and Recall - An Ordinance Amending Chapter 2, Article 7, Division 1, of the San Diego Municipal Code and Amending Chapter 2, Article 7, Division 27, of the San Diego Municipal Code.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Introduce to the following ordinances:

Subitem-A: (O-2016-35)

Introduction of an Ordinance amending Chapter 2, Article 7, Division 11, of the San Diego Municipal Code by amending Sections 27.1103, 27.1106, and 27.1107; by amending and retitling Section 27.1108; by repealing Section 27.1109; by amending Section 27.1110; by amending and renumbering Section 27.1111 to 27.1112; by adding new Section 27.1111; by amending Sections 27.1115, 27.1116, 27.1117, 27.1118, 27.1119, and 27.1120; by amending and retitling Section 27.1123; by amending Sections 27.1124, 27.1125, 27.1126, 27.1129, and 27.1130; by amending and retitling Section 27.1131; and by amending Sections 27.1132, 27.1136, 27.1137, and 27.1140; all relating to the City of San Diego Election Code Ordinance and Referendum.

Subitem-B: (O-2016-36)

Introduction of an Ordinance amending Chapter 2, Article 7, Division 1, of the San Diego Municipal Code by amending Section 27.1009; amending and retitling Section 27.1010; repealing Section 27.1011; amending and renumbering Section 27.1012 to Section 27.1011; adding a new Section 27.1012; amending Section 27.1013; repealing Section 27.1014; and amending Sections 27.1017, 27.1018 and 27.1048, relating to the City of San Diego Election Code Ordinance and the Initiative Process.

Subitem-C: (O-2016-37)

Introduction of an Ordinance amending Chapter 2, Article 7, Division 1, of the San Diego Municipal Code by adding new Section 27.0121; and amending Chapter 2, Article 7, Division 27, of the San Diego Municipal Code by amending Section 27.2719, relating to the City of San Diego Election Code Ordinance and Recall.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** N/A

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

On May 14, 2015, the Committee of the Whole approved the proposed Amendments in concept and directed the City Attorney and City Clerk to return to the City Council with proposed Amendments to the Municipal Code.

**ACTION:** Motion by Councilmember Gloria, second by Council President Pro Tem Emerald, to Request the Ethics Commission work with the District Three Office, City Clerk, and City Attorney's Office as needed and return to Council with revisions to the City's Election Campaign Control Ordinance to ensure more timely and heightened disclosure of campaign funders, with consideration given to the following revisions:

- Expand the current law requiring "paid for by" disclosures on local campaign advertisements to include petitions circulated for voter signatures. With respect to committees primarily formed to support a measure, the "paid for by" disclosure should also include the identity of the top two major donors of \$10,000 or more;
- Require California Form 496, also known as independent expenditure report, to be filed during the signature gathering period, as is required in the 90 days before an election;
- Require California Form 497, also known as the 24-hour contribution report, to be filed during the signature gathering period, as is required in the 90 days before an election; and
- Require California Form 460, also known as the campaign comprehensive statement, to be filed with City Clerk ten (10) calendar days after the referendum petition begins circulating.

Direct the City Attorney's Office to work with the City Clerk and the District Three Office to draft and return to Council with an ordinance updating Municipal Code Article 7, Division 11, to ensure consistency, clarity and correctness to reflect the current state of the law, including:

- General updates to the language;
- Moving the petition formatting section to the City Clerk Administrative Guidelines to be consistent with recent updates to Municipal Code recall section and to allow for easier and more timely updates of material;
- Updates and clarification of language in Section 27.1116: Withdrawal of Signature from Referendary Petition;
- Clarification of language in Section 27.1117: Time for Submitting Referendary Petition to Clerk;

- Clarification of timeline related to Council action on sufficient petitions; and
- Remove any reference to percentages in the Municipal Code and refer to the applicable Charter Section.

VOTE: 5-0; Lightner-yea, Gloria-yea, Kersey-yea, Cate-yea, Emerald-yea, Zapf-not present, Cole-not present, Sherman-not present, Alvarez-not present.

On August 13, 2015, the Ethics Commission referred Councilmember Gloria's "paid for by" disclosure proposal to the sections of the Municipal Code addressed in today's action.

Fox

Primary Contact\Phone: Jessica Lawrence\619-236-7787

Secondary Contact\Phone: Jamie Fox\619-236-6165

City Attorney Contact: Spivak, Sharon B.

**NOTE:** See Item 331 on today's docket for a companion item.

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-331: City Clerk Administrative Guidelines - Review and approval.

**ITEM DESCRIPTION:**

Review and approve content and form of City Clerk Administrative Guidelines.

**CITY CLERK'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-231)

Adopting the City of San Diego City Clerk Administrative Guidelines, with a copy as adopted to be placed on file in the Office of the City Clerk as Document No. RR-\_\_\_\_\_ and also published on the City Clerk's website.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Maland

Primary Contact\Phone: Elizabeth Maland\619-533-4080, MS 2A  
Secondary Contact\Phone: Bonnie Stone\619-533-4060, MS 2A  
City Attorney Contact: Spivak, Sharon B.

**NOTE:** See Item 330 on today's docket for a companion item.

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

ITEM-332: Exclusive Negotiation Agreement with Cisterra Development - 7th & Market Site (bounded by Market Street and Seventh, Eighth and Island Avenues). (East Village Neighborhood of the Downtown Centre City Community Plan Area. District 3.)

(Continued from the meeting of November 9, 2015, Item 200, for further review.)

**ITEM DESCRIPTION:**

Enter into Exclusive Negotiation Agreement (ENA) with Cisterra Development for the 7th and Market Site.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-150 Cor. Copy)

Approving an Exclusive Negotiation Agreement (ENA) with Cisterra Development for a proposed Mixed-Use Project at Seventh and Market in Downtown San Diego;

Authorizing the Mayor, or designee, to execute the Agreement and sign all documents necessary and appropriate to carry out and implement the Agreement;

Authorizing the Chief Financial Officer, as delegated, to accept the Developer's deposit in the amount of \$50,000 and \$100,000, and to appropriate and expend such funds as contemplated under the Agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

None with this action. The proposed Exclusive Negotiation Agreement (ENA) requires that Cisterra submit a \$100,000 good faith deposit to CivicSD/City that would be returned to Cisterra upon termination of the ENA if Cisterra has negotiated diligently and in good faith. It also requires that Cisterra submit a non-refundable, \$50,000 negotiation deposit related to negotiating and preparing the proposed ENA and Development and Disposition Agreement (DDA). Interest accrued from both deposits would be retained by the City. In accordance with the terms of the ENA, the purchase price and other terms of payment payable by Cisterra to the City will be negotiated as part of and incorporated into the DDA.

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

Jarrett/Graham

Primary Contact\Phone: Eli Sanchez\619-533-7121, MS 51D  
City Attorney Contact: Malcolm, Katherine A.

**This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.**

ITEM-333: A Resolution of the San Diego City Council approving the Memorandum of Understanding (MOU) between the City and the San Diego Municipal Employees Association (MEA) regarding terms and conditions of employment for Fiscal Years 2017 through 2020.

**ITEM DESCRIPTION:**

This item approves a successor four-year Memorandum of Understanding (MOU) between the City of San Diego and the San Diego Municipal Employees Association (MEA) regarding terms and conditions of employment for Fiscal Years 2017 through 2020.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-295)

Approving and ratifying the Memorandum of Understanding (MOU) between the City of San Diego and the San Diego Municipal Employees Association (MEA) for Fiscal Years 2017 through 2020, pursuant to the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

**Note: 6 votes required pursuant to Charter Section 11.2.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

San Diego Municipal Employees Association (MEA)-represented employees will receive non-pensionable compensation in the amount of \$3.3 million in Fiscal Year 2017, \$6.6 million in Fiscal Year 2018, \$6.6 million in Fiscal Year 2019, and \$6.6 million in Fiscal Year 2020 in the General Fund. In addition, MEA-represented employees will receive a pensionable salary increases of 3.3% in Fiscal Years 2019 and 2020, with a projected impact of \$4.2 million in Fiscal Year 2019 and \$8.4 million in Fiscal Year 2020 to the General Fund. Certain MEA-represented employees will also receive Special Salary Adjustments effective in Fiscal Year 2019 with a projected impact to the General Fund of \$0.8 million in Fiscal Year 2019 and \$0.8 million in Fiscal Year 2020.

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

Resolution No. R-308431, dated October 15, 2015, approving the Memorandum of Understanding (MOU) between the City of San Diego and the San Diego Municipal Employees Association (MEA) regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313  
Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802  
City Attorney Contact: Dawson, Joan F.

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

ITEM-334: Request for Approval of Contract with Intergraph Corporation for Replacement of Police Computer Aided Dispatch (CAD) System.

**ITEM DESCRIPTION:**

The Police Department is requesting City Council authorize an Agreement with Intergraph Corporation for the purchase and implementation of a new Computer Aided Dispatch (CAD) System, with one-year extended warranty and the option to enter into subsequent annual maintenance periods, for a maximum of five-years total.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-290)

Authorizing the Mayor, or his designee, to award and execute an Agreement with Intergraph Corporation for the purchase and implementation of a new Computer Aided Dispatch (CAD) System in CIP No. S-13100, CAD System Replacement Project, with one-year extended warranty in a total amount not to exceed \$4,542,496, and the option to enter into subsequent annual maintenance periods for an additional amount not to exceed \$2,384,766, for a maximum of five-years total;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$4,542,496 from CIP S-13100, CAD System Replacement Project, for the purpose of funding the CAD system implementation at a cost of \$3,687,535 and one year extended warranty at a cost of \$854,961, projected FY 2016 through FY 2018;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$786,743 projected in FY 2019 from the General Fund (100000) for year two of CAD system annual maintenance and a resident services advisor (RSA), contingent upon adoption of Fiscal Year Annual Budget Appropriation Ordinances and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$794,841 projected in FY 2020 from the General Fund (100000) for year three of CAD system annual maintenance and a resident services advisor (RSA), contingent upon adoption of Fiscal Year Annual Budget Appropriation Ordinances and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$803,182 projected in FY 2021 from the General Fund (100000) for year four of CAD system annual maintenance and a resident services advisor (RSA), contingent upon adoption of Fiscal Year Annual Budget Appropriation Ordinances and upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, available.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funding for the S-13100 Computer Aided Dispatch (CAD) System Replacement Project in the amount of \$9,045,132, has been allocated and transferred to Fund 400265, Capital Improvement Project (CIP) Contributions from the General Fund. This action seeks to expend a portion of Fund 400265, CIP Contribution from the General Fund, in the amount of \$4,542,496 during Fiscal Year 2016 through 2018, for hardware, software, implementation, and first year warranty of the new CAD System.

Costs associated with CAD maintenance for years two through four, projected to be Fiscal Years 2019 through 2021, not to exceed \$2,384,766, will be funded by the Police Department's General Fund (100000) Budget. General Fund expenditures are contingent upon adoption of Fiscal Year Annual Budget Appropriation Ordinances, contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are or will be available, and subject to the five-year contract limit.

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

City Council Resolution R-308028, dated March 22, 2013, authorized the creation of CIP S-13100, CAD Replacement Project.

City Council Ordinance O-20494, dated June 11, 2015, authorized the Master Lease Agreement to partially fund the CAD Replacement Project.

City Council Ordinance O-20543, dated July 21, 2015, adopted the FY 2016 Annual Budget, which authorized \$5.1 million transferred to the CIP.

Ramirez/Chadwick

Primary Contact\Phone: Chris Haley\619-531-2401, MS 704A

Secondary Contact\Phone: Steve Chen\619-533-5762, MS 704A

City Attorney Contact: Folkman, Paige E.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

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

ITEM-335: City Auditor's Performance Audit of the Performance Audit of the Code Enforcement Division. (Citywide.)

**CITY AUDITOR'S RECOMMENDATION:**

Receive the City Auditor's Performance Audit of the Code Enforcement Division.

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

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

The report was presented to the Audit Committee on October 21, 2015.

**ACTION:** Motion by Councilmember Zapf, second by Committee Member Hebrank, to accept the report and forward to Council with a request that the City Auditor follow up on implementation of Priority 1 complaint streamlining within 30 days and direction to the department to return in 90 days with an update.

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

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

Luna

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

Secondary Contact\Phone: Chris Kime\619-533-3030

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-336: North Park Seniors Apartments - Loan Recommendation and Preliminary Bond Items Tax Equity & Fiscal Responsibility Act Public Hearing - North Park Seniors Apartments. (District 3.)

**ITEM DESCRIPTION:**

That the Housing Authority of the City of San Diego approve a proposed \$7,000,000 residual receipts loan to Texas Street Senior Housing L.P., and take initial steps to issue tax-exempt multifamily mortgage revenue bonds to facilitate new construction of 76 units for seniors in an infill affordable rental housing development to be located at 4200 Texas Street. That the San Diego City Council (City Council) hold a Tax Equity & Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt multifamily mortgage revenue bonds in an amount up to \$15,000,000 for North Park Seniors Apartments.

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-261)

Declaring the City Council of the City of San Diego, as the applicable elected representative under Section 147(f) of the Code, approving the issuance of the Bonds by the Housing Authority of the City of San Diego (Authority);

Declaring that the City does not warrant the creditworthiness of the Bonds or guarantee, in any way, the payment of the Bonds. No moneys of the City will be pledged or applied to the repayment of the Bonds;

Declaring that in connection with the discretionary approvals for the Project, on January 26, 2015, this City Council approved Site Development Permit No. 1265467 (Resolution No. R-309489) and adopted the Certification of Mitigated Negative Declaration No. 359872 for the Project (Resolution R-309488), pursuant to the California Environmental Quality Act (CEQA). Because HOME Investment Partnerships (HOME) funds will constitute a part of the funding for the Project, processing under the National Environmental Policy Act (NEPA) is required.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The proposed funding sources and uses proposed for approval by this action were not included in the Fiscal Year 2016 Budget. Approving this action will result in the development of 75 affordable housing units.

Funding sources approved by this action will be as follows:

HOME Investment Partnerships Program funds - up to \$2,000,000

Inclusionary Housing funds - up to \$5,000,000

Bond Issuance Fees - \$37,500

Total Funding Sources - up to \$7,037,500

Funding uses approved by this action will be as follows:

Loans - up to \$7,000,000

Administrative Costs - \$37,500

Total Funding Uses - up to \$7,037,500

Please see the staff report for additional information.

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

- On December 18, 2014, the City Planning Commission approved: certification of Mitigated Negative Declaration No. 359872, and approved Site Development Permit No 1265467.
- On January 26, 2015, the City Council approved Site Development Permit No. 1265467 (Resolution No. R-309489) and adopted a Mitigated Negative Declaration and the Mitigation, Monitoring and Report Program for this project (Resolution R-309488).
- On November 6, 2015, this project was presented to, and approved by, the San Diego Housing Commission's Real Estate Committee.
- This item was heard at the Housing Commission Board of Commissioners meeting November 20, 2015.

Davis/Graham

Primary Contact\Phone: Ann Kern\619-578-7582

City Attorney Contact: Bartolotta, Bret A.

**NOTE:** See the Housing Authority Agenda of December 8, 2015, for a companion item.

**NOTE:** This is a TEFRA hearing item.

**This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.**

ITEM-337: FY 2016 Pacific Highlands Ranch Public Facilities Financing Plan Update.  
(Pacific Highlands Ranch Community Plan Area. District 1.)

**ITEM DESCRIPTION:**

Requesting approval of the FY 2016 Pacific Highlands Ranch Public Facilities Financing Plan, which sets the Facilities Benefit Assessment (FBA) and Development Impact Fees (DIF) for Pacific Highlands Ranch, and ensures continued funding for community serving infrastructure.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-255)

Adoption of a Resolution approving the document titled, "Pacific Highlands Ranch Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2016" (Financing Plan), a copy of which is on file in the Office of the City Clerk;

Authorizing the Chief Financial Officer to establish and modify individual Capital Improvement Program Project Budgets to reflect the Financing Plan provided funding is available for such action.

Subitem-B: (R-2016-256)

Adoption of a Resolution certifying that the foregoing recitals are true and correct and incorporated fully herein by this reference;

Pursuant to San Diego Municipal Code Chapter 6, Article 1, Division 22, the Council declares its intention to designate an area of benefit within Pacific Highlands Ranch to finance the cost of the public facilities projects identified in the Financing Plan, which is incorporated into this Resolution by reference;

The Council shall hold a public hearing to consider the designation of the area of benefit as proposed in this Resolution at 10:00 a.m., or as soon thereafter as the matter may be heard, on January 12, 2016, at the Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California;

Authorizing and directing the City Clerk to give notice of the public hearing described in paragraph 3 of this Resolution by publishing this Resolution in the San Diego Daily Transcript at least two weeks before the date set forth herein and by mailing copies of this Resolution to each owner of property located within the proposed area of benefit at the addresses shown on the last equalized property tax assessment roll, or as otherwise known to the City Clerk pursuant to San Diego Municipal Code Section 61.2205.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Designating an Area of Benefit will continue to provide a funding source for the public facilities identified in the Financing Plan.

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

This item was heard by the Infrastructure Committee on November 16, 2015, and forwarded to the full City Council for approval.

Tomlinson/Graham/og

Primary Contact\Phone: Oscar Galvez III\619-533-3685, MS 606F

Secondary Contact\Phone: Tom Tomlinson\619-533-3187, MS 606F

City Attorney Contact: Halsey, Keely

**NON-DOCKET ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**