

CITY OF SAN DIEGO COUNCIL AGENDA



COUNCIL PRESIDENT

Georgette Gómez • Ninth District

COUNCIL PRESIDENT PRO TEM

Barbara Bry • First District

COUNCILMEMBERS

Jennifer Campbell • Second District
Christopher Ward • Third District
Monica Montgomery • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
Vivian Moreno • Eighth District

Andrea Tevlin
Independent
Budget Analyst

Mara W. Elliott
City Attorney

Elizabeth Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Tuesday, October 06, 2020

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, OCTOBER 06, 2020, AT 9:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

**COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING COUNCIL MEETING
ACCESS AND PUBLIC COMMENT:**

Until further notice, City Council meetings will be conducted pursuant to the provisions of [California Executive Order 29-20](#), which suspends certain requirements of the Ralph M. Brown Act and the [Temporary Rules of Council](#) as approved on June 9, 2020.

During the current State of Emergency and in the interest of public health and safety, most—and possibly all—of the Council Members will be participating in City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public participating in person at the City Council Meetings. We are providing alternatives to in-person attendance for viewing and participating in the meetings.

In lieu of in-person attendance, members of the public may participate and provide comment via telephone, using the City Clerk webform, email submission or via U.S. Mail of written materials, as follows:

Phone in Testimony

When the Clerk introduces either the item you would like to comment on or the comment period for, Non-Agenda Public Comment or Closed Session Public Comment, follow the instructions within the ["Public Comment Instructions"](#) by dialing the number below to be placed in the queue.

1. DIAL 619-541-6310
2. Enter the Access Code: 877861 then press '#'.

Written Comment through Webform:

Comment on Agenda Items may be submitted using the [webform](#) indicating the agenda item number for which you wish to submit your comment. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment may be submitted using the [webform](#), checking the appropriate box. Comments received by the start of the meeting will be

distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

Closed Session Public Comment may be submitted using the City Clerk [webform](#), checking the appropriate box. Comments received by the start of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item.

Written Materials. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to cityclerk@sandiego.gov or submit via U.S. Mail 202 C Street, MS2A San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Councilmembers in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the City Council.

The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Time Warner Cable or Channel 99 for AT&T, or [view the meetings online \(link is external\)](#)

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Note: The City Council will meet in Closed Session this morning at 9:00 a.m. or shortly thereafter. Public Comment on Closed Session items will occur at the start of the 9:00 a.m. session before Council adjourns into Closed Session. The City Council will reconvene for Open Session at 11:00 a.m. or shortly thereafter.

OTHER LEGISLATIVE MEETINGS

The **SPECIAL 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) 578-7550. Internet access to the agenda is available at: <http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

PLEASE NOTE: THE PUBLIC PORTION OF THIS AGENDA, LISTED BELOW AND INCLUDING NON-AGENDA PUBLIC COMMENT, BEGINS AT 11AM OR SHORTLY THEREAFTER. The only public input taken at the start of the 9am session is for Closed Session items only.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

NON-AGENDA PUBLIC COMMENT

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed are considered to be routine, and the environmental documents have been considered.

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE INTRODUCED WITH RESOLUTIONS TO BE ADOPTED:

Item 60: Approval of Joint Use Agreements between the City and SDUSD for Audubon K-8, Innovation Middle, Longfellow K-8, Rolando Park Elementary, and Sherman Elementary Schools.

Total Estimated Cost of Proposed Action and Funding Source:

The design and construction of the proposed joint use facilities will be funded by the District and the City. The City will provide annual maintenance of the joint use facilities. This cost will be reflected in the annual Parks and Recreation Department budgets. See Accounting Table.

Council District(s) Affected: 2, 4, 6, 8.

Proposed Actions:

Subitem-A: (R-2021-137)

Resolution determining that the approval of Agreements for construction, operation, maintenance and use of joint use facilities at Audubon (K-8), Innovation Middle and Longfellow (k-8) Schools with the San Diego Unified School District are exempt from California Environmental Quality Act pursuant to Sections 15301, 15303, 15304, 15311, 15314 and 15323 of the CEQA Guidelines.

Subitem-B: (R-2021-132)

Resolution determining that the approval of Agreement for construction, operation, maintenance and use of joint use facilities at Rolando Park Elementary School with the San Diego Unified School District is exempt from California Environmental Quality Act pursuant to Sections 15301 and 15303 of the CEQA Guidelines.

Subitem-C: (R-2021-116)

Resolution determining that the approval of the Agreement for construction, operation, maintenance and use of joint use facilities at Sherman Elementary School with the San Diego Unified School District is exempt from California Environmental Quality Act pursuant to Sections 15301 and 15323 of the CEQA Guidelines.

Subitem-D: (O-2021-32)

Introduction of Ordinance authorizing execution of five Agreements for construction, operation, maintenance and use of joint use facilities at Audubon (K-8), Innovation Middle, Longfellow (K-8), Rolando Park Elementary and Sherman Elementary Schools with the San Diego Unified School District and related actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on September 9, 2020.

ACTION: Motion by Councilmember Moreno, second by Councilmember Cate, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Montgomery-yea, Bry-yea, Cate-yea, Moreno-yea.

Parks & Recreation: Shannon Scoggins, (619) 236-6894
City Attorney Contact: Hilda R. Mendoza

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Contract with IPS Group, Inc for Parking Meters and Related Services.

Total Estimated Cost of Proposed Action and Funding Source:

This agreement is for an amount not-to-exceed \$12,091,818 over the five-year term. There is no net fiscal impact since revenue exceeds expenditures and there is a reserve of funds. The net revenues are split between the City (55%) and the Community Parking Districts (45%). Spending is contingent on CFO approval and adoption of the appropriations for each fiscal year covered under this contract.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-140)

Resolution authorizing the Mayor, or designee, to enter into a five (5) year contract with IPS for Parking Meters and Related Services with a not-to-exceed (NTE) amount of \$12,091,818.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on September 16, 2020.

ACTION: Motion by Councilmember Campbell, second by Councilmember Montgomery, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Bry-yea, Cate-yea, Montgomery-yea, Campbell-yea.

Office of the City Treasurer: Jonathan Carey, (619) 533-3610
City Attorney Contact: Jennifer L. Berry

Item 101: Authorize Construction Cost Increase and Change Orders for Slurry Seal Contracts.

Total Estimated Cost of Proposed Action and Funding Source:

The total cost of various change orders is \$1,598,665.31. This amount will be used by change orders on Slurry Seal Groups 1703, 1803B-RM, 1923, 1924 and 1925. \$933,264.23 of the total change order costs will be funded by the Transportation & Storm Water Department's "Gas Tax", and \$665,401.05 will be funded by the Road Maintenance and Rehabilitation Account (RMRA).

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-62)

Resolution authorizing the Mayor, or his designee, to execute change orders on citywide Slurry Seal Contracts Group 1703, 1803, 1923, 1924 and 1925.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on September 16, 2020.

ACTION: Motion by Councilmember Moreno, second by Chairperson Kersey, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Kersey-yea, Ward-yea, Cate-yea, Moreno-yea.

Transportation & Storm Water: Kristy Reeser, (619) 527-7504

City Attorney Contact: Cassandra Mouglin

Item 102: Dedication of Street Right-of-Way for a portion of Tecolote Road at W. Morena Blvd.

Total Estimated Cost of Proposed Action and Funding Source:

This action is a street dedication. No funds are being expended at this time.

Council District(s) Affected: 2.

Proposed Actions:

(R-2021-131)

Resolution dedicating City-owned real property located along Tecolote Road and West Morena Boulevard for street right-of-way purposes for a portion of Tecolote Road and naming that portion as Tecolote Road.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on September 17, 2020.

ACTION: Motion by Councilmember Campbell, second by Vice-Chairperson Kersey, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Ward-yea, Kersey-yea, Campbell-yea, Sherman-yea.

Real Estate Assets: Mary Carlson, (619) 236-6079

City Attorney Contact: Hilda R. Mendoza

SPECIAL ORDERS OF BUSINESS

None.

ITEMS PULLED FROM THE CONSENT AGENDA

**MAYOR, COUNCIL, CITY ATTORNEY, INDEPENDENT BUDGET ANALYST, CITY
CLERK COMMENT**

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

Item 330: Third Amendment to the Agreement between the City of San Diego and SAP Public Services, Inc. for Software Licensing, Maintenance, Support and Technical Advisory Services Related to the SAP systems of the City of San Diego.

Total Estimated Cost of Proposed Action and Funding Source:

This request is for a not-to-exceed amount of \$30,492,113 over a period of 5 years. This will be funded by the OneSD Fund which is reimbursed by an annual citywide allocation and is contingent on City Council approval of individual fiscal year or five-year budget plans.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2021-25)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the Third Amendment to the Agreement with SAP Public Services, Inc., in an amount not-to-exceed \$30,492,113 for the five-year extension term, for the provision of software licensing, maintenance, support and technical advisory services.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Budget Review Committee meeting on September 16, 2020.

ACTION: Motion by Councilmember Campbell, second by Councilmember Montgomery, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Bry-yea, Cate-yea, Montgomery-yea, Campbell-yea.

Department of Information Technology: Arlo Magpantay, (619) 235-5207

City Attorney Contact: Steven Lastomirsky

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 331: Confirmation of Ethics Commission Executive Director Appointment.

Total Estimated Cost of Proposed Action and Funding Source: N/A

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-129)

Resolution confirming the appointment of Sharon Spivak to serve as Executive Director of the City of San Diego's Ethics Commission.

Committee Actions Taken: N/A

Ethics Commission: Stacey Fulhorst, (619) 533-3477

City Attorney Contact: Joan F. Dawson

Item 332: Cooperative Procurement Contract with Dell Marketing, L.P. for Microsoft Software, Subscriptions, and Services.

Total Estimated Cost of Proposed Action and Funding Source:

This action authorizes the City to execute a Cooperative Procurement Contract for Microsoft Software, Subscriptions, and Services with Dell Marketing, L.P. for an amount not-to-exceed \$14,032,100 over a three-year term, to be funded from the General and Enterprise Funds.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-101)

Resolution authorizing the Mayor, or his designee, to enter into a Cooperative Procurement Contract with Dell Marketing, L.P. in an amount not-to-exceed \$14,032,100 for Microsoft Software, Subscriptions and Services.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on September 16, 2020.

ACTION: Motion by Councilmember Campbell, second by Councilmember Montgomery, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Bry-yea, Cate-yea, Montgomery-yea, Campbell-yea.

Department of Information Technology: Shawn Killpack, (619) 533-3059

City Attorney Contact: Steven Lastomirsky

Item 333: As Needed Consultant Agreements with Twenty-Two (22) Vendors for SAP Consulting Services.

Total Estimated Cost of Proposed Action and Funding Source:

This request is for a total combined not-to-exceed amount of \$21,000,000 over the five-year term, or an average of approximately \$4.2 million per year. This agreement will be funded by the OneSD Fund which is reimbursed by an annual citywide allocation.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-130)

Resolution authorizing the Mayor, or his designee, to enter into contracts with twenty-two (22) different consulting firms with a cumulative not-to-exceed amount totaling \$21,000,000 for all 22 agreements, for the provision of SAP consulting services during a five-year term.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on September 16, 2020.

ACTION: Motion by Councilmember Campbell, second by Councilmember Montgomery, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Bry-yea, Cate-yea, Montgomery-yea, Campbell-yea.

Department of Information Technology: Arlo Magpantay, (619) 235-5207

City Attorney Contact: Steven Lastomirsky

Item 334: Authorization to Expend Funds from the Homelessness Strategies Department Budget to Support Expanded Activity at the City of San Diego's Bridge Shelter for Families, Single Women, and Transitional-Aged Youth.

Total Estimated Cost of Proposed Action and Funding Source:

This action is to authorize expenditure of \$3,035,354.15 from the General Fund, from the Homelessness Strategies Department budget, to support expanded Bridge Shelter activity, and to authorize expenditure of an additional \$448,855.18 from the same source to support a further minor expansion of shelter opportunities at this location if it is determined there is adequate physical and operational capacity, for a total not-to-exceed \$3,484,209.33.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-139)

Resolution authorizing the Chief Financial Officer to increase expenditures by an amount not-to-exceed \$3,484,209.33, for the purpose of supporting the expansion of bridge shelter activity.

Committee Actions Taken: N/A

Housing Commission: Lisa Jones, (619) 578-7696
City Attorney Contact: Marco A. Verdugo

See the Housing Authority Agenda of October 6, 2020, for a companion item. (Rev. 9/30/20)

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 335: Appeal of the Reclassification to Contributor and Historical Designation of the Property Located at 340 5th Avenue in the Gaslamp Quarter Historic District (HRB #127-097).

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost to the City associated with this item.

Council District(s) Affected: 3.

Proposed Actions:

Appeal of the Reclassification to Contributor and Historical Designation of the property located at 340 5th Avenue in the Gaslamp Quarter Historic District.

Appeal of the February 27, 2020 decision of the Historical Resources Board to reclassify the property located at 340 5th Avenue in the Gaslamp Quarter Historic District from a non-contributing to a contributing resource and designate the property as a historical resource (HRB #127-097);

Granting or denying the appeal and affirming, reversing, or modifying the action of the Historical Resources Board in reclassifying the property located at 340 5th Avenue in the Gaslamp Quarter Historic District from a non-contributing to a contributing resource and designating the property as a historical resource;

Directing the City Attorney to prepare the appropriate Resolution according to Section 40 of the City Charter.

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

Committee Actions Taken: N/A

Development Services: Suzanne Segur, (619) 236-6139
City Attorney Contact: Lindsey Sebastian

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT