

**REVISED**

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

**Tuesday, June 02, 2020**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, JUNE 02, 2020, AT 9:00 AM 11:00 AM (Rev. 5/28/20)  
CITY ADMINISTRATION BUILDING**

**COUNCIL CHAMBERS – 12<sup>TH</sup> 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 April 7, 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. (Rev. 5/28/2020)~~

**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](mailto: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. (Rev. 5/28/2020)**~~

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**NON-AGENDA PUBLIC COMMENT**

**APPROVAL OF COUNCIL MINUTES**

04/21/2020

**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 ADOPTED:

**Item 50: Proposed Changes to the San Diego Municipal Code, Chapter 2, Article 2, Divisions 5, 8, 30 and 32; and Chapter 2, Article 6, Division 00 Regarding Procurement.**

Total Estimated Cost of Proposed Action and Funding Source:

There will be no fiscal impact.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinances which were introduced on 5/12/2020, Item 50, Subitems A, B and C. (Council voted 9-0):

Subitem-A: (O-2019-80 Cor. Copy)

Ordinance amending Chapter 2, Article 2, Divisions 5, 30, and 32 of the San Diego Municipal Code by amending Sections 22.0503, 22.0506, 22.3003, 22.3011, 22.3018, 22.3202, 22.3206, 22.3208, and 22.3209, relating to the Purchasing Agent, consultant contracts, and awarding contracts for goods through reverse auctions.

Subitem-B: (O-2020-102)

Ordinance amending Chapter 2, Article 2, Division 8 of the San Diego Municipal Code by amending Sections 22.0803, 22.0805, 22.0807,

and 22.0809, relating to debarment based on violations of San Diego Charter Section 97.

Subitem-C: (O-2019-102)

Ordinance amending Chapter 2, Article 6, Division 00 of the San Diego Municipal Code by amending Section 26.16, relating to two categories in the composition of the Citizens Equal Opportunity Commission (CEOC) and its reporting requirements.

Committee Actions Taken: N/A

*Purchasing & Contracting: Kristina Peralta, (619) 236-6214  
City Attorney Contact: Jill Cristich*

**Item 51: First Amendment to the Agreement with NV5, Inc. for Construction Management Services of the Miramar Clearwell Improvements.**

Total Estimated Cost of Proposed Action and Funding Source:

This action authorizes \$823,883 in funding from the Capital Improvements Program bringing the total cost of the agreement to \$8,268,065 and the term from April 28, 2021 to July 1, 2022, for an overall term of six-years and two and a half months.

Council District(s) Affected: 5.

Proposed Actions:

Adopt the following ordinance which was introduced on 5/12/2020, Item 51. (Council voted 9-0):

(O-2020-86 Cor. Copy)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No.1 to the Contract with NV5, Inc., extending the Contract through July 1, 2022 and adding \$823,883, in connection with the Miramar Clearwell Improvement project.

**6 votes required pursuant to Charter Section 99.**

Committee Actions Taken: N/A

*Public Works: Luis Schaar, (858) 627-3220  
City Attorney Contact: Mark Mercer*

**Item 52: Authorization for the City Attorney to Amend the Agreement with Hawkins Delafield & Wood LLP as Outside Disclosure Counsel.**

Total Estimated Cost of Proposed Action and Funding Source:

Compensation for Outside Disclosure Counsel services in an additional amount not-to-exceed \$100,000, including expenses, will be paid (i) out of the proceeds of transactions on which Hawkins works or, (ii) by the Office of the City Attorney for work on disclosure documents not related to a specific transaction, such as the City's Comprehensive Annual Financial Report.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 5/19/2020, Item 50. (Council voted 9-0):

(O-2020-106)

Ordinance authorizing the amendment of the existing agreement with Hawkins, Delafield & Wood LLP for outside disclosure counsel services to extend the term and increase the authorized amount by \$100,000.

**6 votes required pursuant to Charter Section 99.**

Committee Actions Taken: N/A

*Office of the City Attorney: Bret A. Bartolotta, (619) 236-6220*

**Item 53: First Amended Agreement with Colantuono Highsmith & Whatley, PC, (formerly Colantuono & Levin, PC).**

Total Estimated Cost of Proposed Action and Funding Source:

This amendment is to extend the length of the term only; there is no additional expenditure being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 5/19/2020, Item S500. (Council voted 9-0):

(O-2020-107)

Ordinance authorizing the Mayor, or his designee, to execute the Amendment to the Agreement for Legal Services with Colantuono Highsmith & Whatley, PC, formerly Colantuono & Levin, PC, extending the Agreement for Legal Services through January 8, 2024, in connection with litigation against the County of San Diego asserting claims that challenge the method used by the County to calculate the amount of residual balance distributed to local taxing entities,

including the City, from the Redevelopment Property Tax Trust Fund created for each of the applicable successor agencies.

**6 votes required pursuant to Charter Section 99.**

Committee Actions Taken: N/A

*Office of the City Attorney: Meghan Ashley Wharton, (619) 235-5232*

ADOPTION AGENDA

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

**Item 60: Citywide Emergency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, Development, Grading, and Public Right-of-Way Permits Due to the Local Declaration of a State of Emergency Resulting from the Novel Coronavirus, COVID-19.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2020-546 Cor. Copy) (Rev. 6/1/2020)

Resolution Determining the Approval of an Urgency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, Development, Grading, and Public Right-of-Way Permits is Statutorily Exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15269(c) and 15359.

**Subitem A is not subject to the Mayor's veto.**

Subitem-B: (O-2020-110)

Introduce and adopt an Interim Urgency Ordinance Extending Expiration Dates of Development Permit Applications, Building Permit Applications, and Construction, Development, Grading and Public Right-of-Way Permits due to the State of Emergency Resulting from the Novel Coronavirus, COVID-19.

**8 votes required pursuant to Charter Section 65858.**

**Subitem B is not subject to the Mayor's veto.**

Committee Actions Taken: N/A

*Development Services: Chris Larson, (619) 446-5368*

*City Attorney Contact: Heather Ferbert*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

**Item 100: Approval of the Second Amendment to the CALNET3 Cooperative Procurement Contract between the City of San Diego and AT&T Corporation for the Provision of Multi-Protocol Label Switching (MPLS) Assets and Services.**

Total Estimated Cost of Proposed Action and Funding Source:

This action will increase the not-to-exceed amount of the current contract by \$4,501,803, from \$16,429,000 to \$20,930,803. Expenses are charged to the Department of IT's Citywide Non-Discretionary Network budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-555)

Resolution authorizing the Mayor, or his designee, to execute the Second Amendment to the Cooperative Procurement Contract between the City of San Diego and AT&T Corporation for the provision of additional multi-protocol label switching (MPLS) assets and services in an amount not-to-exceed \$20,930,803 and to extend the term of the Contract through August 18, 2021.

Committee Actions Taken: N/A

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

*City Attorney Contact: Steven Lastomirsky*

**Item 101: FY 2020 Community Projects, Programs and Services Funding Allocations to Urban Corps of San Diego County for A.) COVID Crisis Operating Support, B.) Community Clean Up Program, and C.) La Vuelta Cleanup.**

Total Estimated Cost of Proposed Action and Funding Source:

Authorize the Mayor and his designee to enter into Agreements for an amount not to exceed \$26,000 with Urban Corps of San Diego County for A.) COVID Crisis Operating Support (District 2- \$6,000), B.)



Community Clean Up Program (District 4- \$10,000), and C.) La Vuelta Cleanup (District 8- \$10,000).

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

Proposed Actions:

Subitem-A: (R-2020-534)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Urban Corps of San Diego County in an amount not-to-exceed \$6,000 for COVID Crisis Operating Support.

Subitem-B: (R-2020-535)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Urban Corps of San Diego County in an amount not-to-exceed \$10,000 for the Youth Labor Force Program.

Subitem-C: (R-2020-536)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Urban Corps of San Diego County in an amount not-to-exceed \$10,000 for the La Vuelta event clean-up.

Committee Actions Taken: N/A

*Council Administration: Christopher Gris, (619) 236-6688*

*City Attorney Contact: Catherine Morrison*

**Item 102: FY 2020 Community Projects, Programs and Services Funding Allocations to A.) Downtown San Diego Public Spaces Foundation and B.) North Park Organization of Businesses, Inc. (DBA North Park Main Street).**

Total Estimated Cost of Proposed Action and Funding Source:

Authorize the Mayor, and his designee, to enter into Agreements for an amount not-to-exceed \$6,700 with A.) Downtown San Diego Public Spaces Foundation for Tweet Street Park (\$1,700) and B.) North Park Organization of Businesses, Inc. (DBA North Park Main Street) for Upas & 30th Street Décor Enhancement Program (\$5,000).

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2020-554)

Resolution determining that Downtown San Diego Public Spaces Foundation for Tweet Street Park and North Park Organization of Businesses, Inc. for Upas & 30th Street Decor Enhancement Program

is exempt from the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Subitem-B: (R-2020-553)

Resolution authorizing the Mayor, or his designee, to enter into Agreements with Downtown San Diego Public Spaces Foundation (for Tweet Street Park in an amount not-to-exceed \$1,700) and North Park Organization of Businesses, Inc. (for Upas & 30th Street Decor Enhancement in an amount not to exceed \$5,000).

Committee Actions Taken: N/A

*Council Administration: Molly Chase, (619) 236-6633*  
*City Attorney Contact: Catherine Morrison*

**Item 103: FY 2020 Community Projects, Programs and Services Funding Allocation to El Cajon Business Improvement Association for Placemaking and Events on the Boulevard.**

Total Estimated Cost of Proposed Action and Funding Source:

Authorize the Mayor, and his designee, to enter into an Agreement for an amount not-to-exceed \$9,000 with El Cajon Business Improvement Association for Placemaking and Events on the Boulevard.

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2020-542)

Resolution determining that El Cajon Boulevard Business Improvement Association's Placemaking and Mardi Gras Event is exempt from the California Environmental Quality Act pursuant to Sections 15301 (Existing Facilities) and 15323 (Normal Operations of Facilities for Public Gatherings) of the CEQA Guidelines.

Subitem-B: (R-2020-541)

Resolution authorizing the Mayor, or his designee, to enter into an Agreement with El Cajon Boulevard Business Improvement Association in an amount not-to-exceed \$9,000 for Placemaking and the Mardi Gras Event.

Committee Actions Taken: N/A

*Council Administration: Molly Chase, (619) 236-6633*  
*City Attorney Contact: Catherine Morrison*

**Item 104: FY 2020 Community Projects, Programs and Services Funding Allocations to A.) Alternative Healing Network, B.) California State Games, C.) Hillcrest Business Improvement Association, D.) Mission Hills Town Council, and E.) North Park Community Association.**

Total Estimated Cost of Proposed Action and Funding Source:

Authorize the Mayor, and his designee, to enter into Agreements for an amount not-to-exceed \$34,000 with A.) Alternative Healing Network for Art Around Adams Event (\$2,500), B.) California State Games for Badminton Tournament (\$1,500), C.) Hillcrest Business Improvement Association for Pride of Hillcrest Block Party and Stonewall Rally 2019 (\$20,000), D.) Mission Hills Town Council for Summer Concerts in Pioneer Park, and E.) North Park Community Association for Bird Park Summer Concerts (\$5,000).

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2020-552)

Resolution determining that the Projects funded for Alternative Healing Network, California State Games, Hillcrest Business Improvement Association, Mission Hills town Council, and North Park Community Association, as described, are exempt from the California Environmental Quality Act pursuant to Sections 15301 and 15323 of the CEQA Guidelines.

Subitem-B: (R-2020-551)

Resolution authorizing the Mayor, or his designee, to enter into Agreements with Alternative Healing Network (for Art Around Adams in an amount not-to-exceed \$2,500), with California State Games (for Badminton Tournament in an amount not-to-exceed \$1,500), with Hillcrest Business Improvement Association (for 2019 Pride of Hillcrest Block Party and Stonewall Rally in an amount not-to-exceed \$20,000), with Mission Hills Town Council (for 2019 Summer Concerts in Pioneer Park in an amount not-to-exceed \$5,000), and with North Park Community Association (for 2019 Bird Park Summer Concerts in an amount not-to-exceed \$5,000).

Committee Actions Taken: N/A

*Council Administration: Molly Chase, (619) 236-6633  
City Attorney Contact: Catherine Morrison*

**Item 105: Renew Membership and Continue Participation in Public Risk Innovation, Solutions and Management ("PRISM"), Formerly Known as CSAC - Excess Insurance Authority (CSAC-EIA).**

Total Estimated Cost of Proposed Action and Funding Source:

Funding for the insurance premiums is budgeting through the annual budget process in the General and Enterprise Funds as a non-discretionary line item in the appropriate department and fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-526)

Resolution authorizing the Mayor, or his designee, to renew the City's Membership in Public Risk Innovation, Solutions and Management (PRISM) for the period beginning July 1, 2020 (FY21) through June 30, 2025 (FY26) and to renew the City's insurance coverages annually as appropriated by City Council in the annual budget for the period of July 1, 2020 (FY21) through June 30, 2025 (FY26). This Resolution further authorizes the Mayor, or his designee, to access other cost-effective insurance solutions and risk management services annually as appropriated in the annual budget for the period of July 1, 2020 (FY21) through June 30, 2025 (FY26).

Committee Actions Taken: N/A

*Risk Management: Matt Bartholow, (619) 236-5953*

*City Attorney Contact: William Gersten*

**Item 106: Adoption of FY 21 Employee Representation Units.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-558)

Resolution approving the classifications as appropriately assigned to employee representation units for Fiscal Year 2021.

Committee Actions Taken: N/A

*Human Resources: Andrea Szabo, (619)533-6560*

*City Attorney Contact: Thomas J. Brady*

**Item 107: Adoption of the Amended Flexible Benefits Plan for Eligible Employees for Fiscal Year 2021.**

Total Estimated Cost of Proposed Action and Funding Source:

Funding is appropriated in the annual budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-522 Cor. Copy) (Rev. 5/29/20)

Resolution Adopting a Cafeteria Benefits Plan for Eligible Employees for Fiscal Year 2021 and Establishing Flexible Benefit Allotments.

Committee Actions Taken: N/A

*Risk Management: Julio Canizal, (619) 236-6651*

*City Attorney Contact: Thomas J. Brady*

**Item 108: Annual Review and Updates to the City Clerk Administrative Guidelines.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-373)

Resolution Amending the City of San Diego City Clerk Administrative Guidelines.

Committee Actions Taken: N/A

*Office of the City Clerk: Elizabeth Maland, (619) 533-4080*

*City Attorney Contact: Sharon Spivak*

**Item 109: Establishment of FY21 Overtime Eligibility.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no expenditures being authorized with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-556)

Resolution approving the job classifications in the City of San Diego eligible for overtime compensation for Fiscal Year 2021.

Committee Actions Taken: N/A

*Human Resources: Andrea Szabo, (619) 533-6560*

*City Attorney Contact: Thomas J. Brady*

**Item 110: Declaring a Continued State of Emergency Regarding Raw Sewage, Solid Waste, and Sediment Coming from Tijuana, Mexico.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-185)

Declaring a Continued State of Emergency regarding Raw Sewage, Solid Waste, and Sediment coming from Tijuana, Mexico.

Committee Actions Taken: N/A

*City Attorney Contact: David L. Krypel*

**Item S500: Appointments and Reappointment to the Consolidated Plan Advisory Board. (Added 5/29/2020)**

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being authorized with this action.

Council District(s) Affected: 4, 5.

Proposed Actions:

(R-2020-357)

Resolution confirming the Mayor's appointments of Dr. Brenda Campbell and Mr. Patrick Batten to the Consolidated Plan Advisory Board, for terms ending July 1, 2021.

Committee Actions Taken: N/A

*Office of Boards and Commissions: Joel Day, (619) 236-6573*

*City Attorney Contact: Jennifer L. Berry*

**PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED IN CHAMBERS)**

**Item 30: Mike McSweeney Day.**

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Proclaiming May 18, 2020, to be "Mike McSweeney Day" in the City of San Diego.

**Item 31: Zenaida Rosario Day.**

COUNCILMEMBER MORENO'S RECOMMENDATION:

Proclaiming June 4, 2020, to be "Zenaida Rosario Day" in the City of San Diego.

**Item 32: David Monroe Day.**

COUNCILMEMBER MONTGOMERY'S RECOMMENDATION:

Proclaiming June 2, 2020 to be "David Monroe Day" in the City of San Diego.

**Item S502: Marine Safety Captain John Sandmeyer Day. (Added 5/29/20)**

COUNCIL PRESIDENT PRO TEM BRY'S RECOMMENDATION:

Proclaiming June 5th, 2020, to be "Marine Safety Captain John Sandmeyer Day" in the City of San Diego.

**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, RESOLUTIONS TO BE ADOPTED:

**Item 330: Resolution Approving the Tentative Agreement on Memorandum of Understanding Between the City of San Diego and the American Federation of State, County and Municipal Employees, Local 127, Regarding the Terms and Conditions of Employment for Fiscal Year 2021.**

Total Estimated Cost of Proposed Action and Funding Source:

See Fiscal Considerations Section of the Staff Report.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-537)

Resolution approving the Tentative Agreement on the Memorandum of Understanding (MOU) between the City of San Diego and the American Federation of State, County and Municipal Employees, AFL-CIO, Local 127 (Local 127), regarding terms and conditions of employment for Fiscal Year 2021, pursuant to the authority of the Meyers-Milias-Brown Act and Council Policy 300-06;

Directing the City Management Team to jointly prepare with representatives of Local 127 the MOU for Fiscal Year 2021, and present the MOU at a later date for final determination.

Committee Actions Taken: N/A

*Human Resources: Franklin Coopersmith, (619) 236-6509*

*City Attorney Contact: Miguel Merrell*

**Item 331: Presentation of the San Diego Affordable Housing Preservation Study.**

Total Estimated Cost of Proposed Action and Funding Source:

No City expenditures are being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-445)

Resolution of the Council of the City of San Diego to accept the San Diego Affordable Housing Preservation Study and refer it to the appropriate City Council Committee for further action.

Committee Actions Taken: N/A

*Housing Commission: Wendy DeWitt, (619) 578-7590*  
*City Attorney Contact: Kate Malcolm*

**Item 332: 2020 Appointment of Audit Committee Public Member.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-374 Cor. Copy) (Rev. 5/29/20)

Resolution appointing a public member to the Audit Committee, in accordance with San Diego Charter Section 39.1

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

Committee Actions Taken: N/A

*Office of the Independent Budget Analyst: Lisa Byrne, (619) 236-5917*  
*City Attorney Contact: Joan F. Dawson*

**Item 333: Adopting a Resolution Denouncing Xenophobia and Anti-Asian Racism Arising Due to Fears of the COVID-19 Pandemic and Affirming Commitment to the Well-Being and Safety of Asian Pacific Islander Communities.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2020-557 Cor. Copy) (Rev. 5/29/20)

Resolution to denounce xenophobia and anti-Asian racism arising due to fears of the COVID-19 pandemic and affirming the City's commitment to the well-being and safety of the Asian Pacific Islander communities.

Committee Actions Taken: N/A

*Council President's Office: Matt Yagyagan, (619) 368-2591  
City Attorney Contact: Jennifer L. Berry*

ADOPTION AGENDA

DISCUSSION, OTHER LEGISLATIVE ITEMS:

**Item S501: Consideration of the Creation of a COVID-19 Emergency Rental Assistance Program in the City of San Diego. (Added 5/28/20)**

Total Estimated Cost of Proposed Action and Funding Source:

This proposal seeks policy direction for the creation of a Rental Assistance Program in San Diego, including use of \$61,900,000 of the City's allocated federal CARES Act funding. Should a recommendation be made to allocate funding towards a Rental Assistance Program, including CARES Act funding, authorization to allocate that funding will occur at a future date.

Council District(s) Affected: Citywide.

Proposed Actions:

Considering the creation of a COVID-19 Emergency Rental Assistance Program and directing the City Attorney to prepare the appropriate resolution according to Section 40 of the City Charter.

Committee Actions Taken: N/A

*Council District 3: Kathleen Ferrier, (619) 236-6633  
City Attorney Contact: Heather Ferbert*

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

**Item 334: Atlas Specific Plan Amendment - Project No. 523313.**

Total Estimated Cost of Proposed Action and Funding Source:

No City expenditures are being approved with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Council District(s) Affected: 7.

Proposed Actions:

Land Use Plan Amendment to the General Plan, the Mission Valley Community Plan, and the Atlas Specific Plan, and an ordinance

amending Land Development Code Chapter 13, Article 2, Division 14, Community Plan Implementation Overlay Zone, to remove approximately 7.8 acres located at 1904 Hotel Circle North from the Atlas Specific Plan.

Subitem-A: (O-2020-87)

Introduction of an Ordinance amending Chapter 13, Article 2, Division 14 of the San Diego Municipal Code by amending Sections 132.1402 and 132.1403, relating to removal of the property located at 1904 Hotel Circle North from the Atlas Specific Plan.

Subitem-B: (R-2020-375 Cor. Copy) (Rev. 5/28/20)

Resolution approving amendments to the General Plan, the Mission Valley Community Plan, and the Atlas Specific Plan to reflect removal of the land located at 1904 Hotel Circle North from the Atlas Specific Plan.

Committee Actions Taken: N/A

*Development Services: Tim Daly, (619) 446-5356*  
*City Attorney Contact: Heather Ferbert*

**Item 335: South Mission Beach Storm Drain and Green Infrastructure - Project No. 646245.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: 2.

Proposed Actions:

Subitem-A: (R-2020-503)

Resolution adopting Mitigated Negative Declaration No. 646245 and the Mitigation, Monitoring, and Reporting Program for the South Mission Beach Storm Drain and Green Infrastructure – Project No. 646245.

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

**Subitem A is not subject to the Mayor's veto.**

Subitem-B: (R-2020-504)

Resolution approving Site Development Permit No. 2335940 for the South Mission Beach Storm Drain and Green Infrastructure – Project No. 646245.

**Subitem B is not subject to the Mayor's veto.**

Committee Actions Taken: N/A

*Development Services: Karen Bucey, (619) 446-5049*

*City Attorney Contact: Noah Brazier*

**Item 336: Municipal Waterways Maintenance Plan (MWMP) - Project No. 616992.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no City expenditures being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

The Transportation and Storm Water Department is seeking approval of a Coastal Development Permit (CDP) and Site Development Permit (SDP), and an ordinance for implementation of the Municipal Waterways Management Plan (MWMP). The MWMP is a programmatic City-wide approach to the various methods for maintenance and repair of public drainage facilities throughout the City where potential local, state, and federally regulated resources may be impacted, and the MWMP provides the operational flexibility to be responsive to newly identified flood risks and provides the process for approvals of routine, preventative maintenance at existing facilities located throughout the City of San Diego.

Subitem-A: (R-2020-533)

Resolution certifying Environmental Impact Report for Project No. 616992 / SCH No. 2017071022 for the Municipal Waterways Management Plan and adopting findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program.

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

**Subitem A is not subject to the Mayor's veto.**

Subitem-B: (O-2020-111)

Introduction of an Ordinance granting Coastal Development Permit No. 2392208 and Site Development Permit No. 2392210 to the City of San Diego for the Municipal Waterways Management Plan and

providing for specific related processes for substantial conformance review.

**Subitem B is not subject to the Mayor's veto.**

Committee Actions Taken: N/A

*Development Services: Catherine Rom, (619) 446-5277*

*City Attorney Contact: Frederick M. Ortlieb*

**PUBLIC NOTICES**

Items are listed under Public Notices as a matter of public record only. These items do not require Council action and there is no public testimony.

**Item 350: Submission of Ballot Proposals for the November 3, 2020 Ballot.**

**SUBMISSION OF BALLOT PROPOSALS FOR THE NOVEMBER 3, 2020 BALLOT**

City Council Policy 000-21 establishes a procedure for submittal of ballot proposals, other processes -including citizen initiatives- may come before the City Council for consideration at other times. The Council Policy states that members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, or a public agency **shall submit proposals to the City Clerk**, who shall then transmit them promptly to Committee for review and comment. **Please submit all proposals to [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov)**

**EARLY SUBMISSION IS ENCOURAGED**

Therefore, the City Clerk's Office has established the following calendar for the November 3, 2020 election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
<b>Friday</b>	<b>05/01/20</b>	<b>186</b>	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
<b>Wednesday</b>	<b>05/13/20</b>	<b>174</b>	Initial Committee review  Measures that advance from initial review proceed to a second Committee

review, where the Committee will decide if they will be presented to the full Council for consideration

Monday – Friday	June – August 2020	155-94	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	08/7/20	88	Last day for City Clerk to file with Registrar of Voters election material (ordinances and resolutions related to the calling of election and measure(s), if any)
Tuesday	08/11/20	84	Last day to submit the Fiscal Impact Analysis; Ballot and Title Summary; and Impartial Analysis with City Clerk
Friday	08/14/20	81	Last day to file ballot arguments with City Clerk

**Please check posted agendas for additional information.**

If you have questions, please contact the Office of the City Clerk at [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) or (619) 533-4000.

**Item 351: REDISTRICTING COMMISSION May 1, 2020 – June 30, 2020.**

The nomination period for appointment to the Redistricting Commission of the City of San Diego shall be May 1, 2020 through June 30, 2020. Interested applicants and individuals or organizations desiring to nominate persons for appointment to the Redistricting Commission may obtain information and forms starting May 1, 2020 at [www.sandiego.gov/city-clerk](http://www.sandiego.gov/city-clerk) or by calling the Office of the City Clerk at 619-533-4000. To be considered, applications shall be returned to the office of the City Clerk by close of business, 5:00 p.m. on June 30, 2020.

Due to [Executive Order 2020-1](#) issued as part of the current Public Health Emergency, all applications must be sent via U.S. mail and postmarked by the due date to the attention of the:

**City Clerk  
202 C Street, MS2A  
San Diego, CA 92101.**

Please contact the City Clerk at [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) or 619-533-4000 if you need a reasonable modification to this requirement, to allow an applicant or nominee to work out a physical drop-off to a member of the City Clerk's staff before the deadline.

**Item 352: Ballot Measures Forwarded for 2ND Committee Review.**

The following ballot measures have been referred from the May 13, 2020, Rules Committee meeting for a second hearing by the committee on June 10, 2020, for consideration for placement on the November 3, 2020 ballot:

- Amendment to San Diego Municipal Code 132.0505 Coastal Height Limit
- SD Clean Elections Ordinance
- "Top- Four" Ranked Choice Voting
- Request for Independent Legal Counsel for the Office of the City Auditor
- Updating City Contracting rules to protect state funding for San Diego

The Council may discuss measures and adopt ordinances prepared by the City Attorney to place measures on the ballot at Council meetings between June and August. Please check Council agendas for specific meeting dates.

For further information regarding other items being considered for placement on the November ballot please check our website at the following [link](#).

**Item 353: We All Count! Fill Out the 2020 Census Today.**

Have you taken the 2020 Census yet?

Census data is used to determine the allocation of more than **\$800 billion dollars annually in federal funding** for social services, schools, infrastructure, and many more vital services. Now is the time to get involved and be counted. The last day to fill out the Census until an enumerator is sent to assist you is **May 1, 2020**. You can fill out the questionnaire online, over the phone or questionnaire. To fill out the 2020 CENSUS Questionnaire online, visit <https://my2020census.gov/>

For more information about what the San Diego region is doing to encourage Census participation, visit <https://www.countme2020.org/>

**Item 354: Notice of Pending Final Map Approval-Las Playas Residences.**

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Las Playas Residences" (T.M. No. 2267727, PTS No. 659796) located on Playa Del Sur Street and Playa Del Norte Street between "La Jolla Boulevard and Neptune Place" in the RM-3-7 zone, within the La Jolla Community Plan Area, Council District 1, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:



- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

### **NON-AGENDA ITEMS**

### **REPORT OUT FROM CLOSED SESSION**

### **ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

### **ADJOURNMENT**