

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, 12th Floor, City Administration Building

Tuesday, September 15, 2020

AGENDA FOR THE

**REGULAR COUNCIL MEETING OF
TUESDAY, SEPTEMBER 15, 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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

NON-AGENDA PUBLIC COMMENT

APPROVAL OF COUNCIL MINUTES

6/16/2020

7/21/2020

7/28/2020

7/29/2020 Special

8/04/2020

8/06/2020 Special

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:

Item 50: Second Amendment to the Consultant Agreement (H146059) with Michael Baker International for Design of the 69th and Mohawk Pump Station Project.

Total Estimated Cost of Proposed Action and Funding Source:

This action is to approve a second amendment in the amount of \$195,000, for a total contract cost of \$1,312,248, to be funded from the Capital Improvement Program.

Council District(s) Affected: 5, 9. (Rev. 9/10/2020)

Proposed Actions:

(O-2021-16)

Introduction of an Ordinance authorizing the second amendment to the consultant agreement with Michael Baker International for professional services for the design and construction support of the 69th & Mohawk Pump Station (H146059); and taking related actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on July 29, 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.

Public Works: Elif Cetin, (619) 533-3794

City Attorney Contact: Adam Wander

Item 51: Two Professional Services Consultant Agreements with Engineering Partners Inc. (H197081), and (H197082) TSAC for As-Needed Utilities Undergrounding Program SDG&E Electrical System.

Total Estimated Cost of Proposed Action and Funding Source:

The total maximum dollar amount for each agreement shall not exceed \$3,000,000 over the eight-year term. The City agrees to issue a minimum task order of \$1,000 per contract over the full term of the contract, for a minimum guaranteed amount of \$2,000. As-needed funding for future tasks will be provided by the Capital Improvement Projects or public projects requiring these services.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2020-92)

Introduction of an Ordinance authorizing two Agreements for as-needed underground utility electrical system engineering services with (1) Engineering Partners Inc. (H197081), and (2) TSAC (H197082) in an amount not-to-exceed \$3,000,000 for each agreement over 8 years, and related funding actions.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on July 29, 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.

Public Works/Contracts: Claudia Abarca, (619) 533-4102

City Attorney Contact: Ryan P. Gerrity

Item S501:

Ordinance Approving and Ratifying an Amended and Restated Agreement Between the City of San Diego and NetFile, Inc. Related to Electronic Filing of Campaign Disclosures, Statements of Economic Interests, and Lobbyist Disclosures Required by California and Local Law. (Added 9/11/2020)

Total Estimated Cost of Proposed Action and Funding Source:

This action is to enter a 6-month contract, October 1, 2020 through April 30, 2021, for a not-to-exceed amount of \$81,250. The annual not-to-exceed amount of \$81,250 is budgeted in the City Clerk's General Fund budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2021-23)

Introduction of an Ordinance, in accordance with San Diego Charter Section 99, approving and ratifying an Amended and Restated Agreement between the City of San Diego and NetFile, Inc. to extend the agreement and modify its terms.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

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

City Attorney Contact: Anjana Pottathil

ADOPTION AGENDA

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

Item 52: Amendment No. 3 to the Contract for Legal Services with Gordon Rees Scully Mansukhani, LLP.

Total Estimated Cost of Proposed Action and Funding Source:

The additional funds in an amount of \$100,000 will be paid from the Public Liability Fund. The total contract amount will be \$625,000.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/28/2020, Item 50.
(Council voted 9-0):

(O-2020-131)

Ordinance for approval of additional funds for Gordon Rees Scully Mansukhani, LLP, to provide further legal representation and counseling relating to the De Anza Cove Mobile Home Park litigation, including De Anza Cove Homeowners Association, et al. v. City of San Diego, San Diego Superior Court Case No. GIC 821191, Alice Howard v. City of San Diego, San Diego Superior Court Case No. 37-2018-00037598-CU-PT-CTL, and City of San Diego v. Alice Howard Nelson, et al., San Diego Superior Court Case No. 37-2016-00039245-CU-PT-CTL as well as other possible claims and matters related to the closure of the park.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Office of the City Attorney: David J. Karlin, (619) 533-5816

Item 53: Maintenance Agreement between Caltrans and City of San Diego for the Sorrento Valley/Carmel Valley Creek Bikeway.

Total Estimated Cost of Proposed Action and Funding Source:

There is no additional cost associated with this action.

Council District(s) Affected: 1.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/28/2020, Item 51.
(Council voted 9-0):

(O-2021-7)

Ordinance authorizing the Mayor, or his designee, to enter into a Maintenance Agreement with Caltrans which sets forth the maintenance obligations of Caltrans and the City in regard to the Sorrento Valley and Carmel Valley Creek Bikeway.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Transportation & Storm Water: Gary Chui, (619) 533-3770
City Attorney Contact: Cassandra Mougín

Item 54: Consideration of Potential Amendments to Governing Laws Regarding City Boards and Commissions.

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following ordinance which was introduced on 7/28/2020, Item 330, Subitem A. (Council voted 8-1, Councilmember Moreno-nay):

(O-2020-83)

Ordinance Amending Chapter 2, Article 2, Division 53 of the San Diego Municipal Code by Amending Section 22.5301, and Amending Chapter 2, Article 6, Division 1 of the San Diego Municipal Code by Amending Section 26.0101 and by Adding New Sections 26.0107 and 26.0108, All Relating to Boards and Commissions.

Committee Actions Taken: N/A

Council President's Office: Corinne Wilson, (619) 236-6699
City Attorney Contact: Sharon Spivak

Item 55: First Amendment to Reimbursement Agreement (RA) for Black Mountain Ranch (BMR) North and Park Development Agreement (PDA) between the City of San Diego and BMR LLC and BMR Construction Inc. for the BMR Community Park Phase II, Project No. P-1.

Total Estimated Cost of Proposed Action and Funding Source:

This project will be funded by developer impact fees collected in Black Mountain Ranch. Total estimated cost is \$9,677,642.

Council District(s) Affected: 5.

Proposed Actions:

Adopt the following ordinance which was introduced on 8/4/2020, Item 50.
(Council voted 9-0):

(O-2021-11)

Ordinance of the Council of the City of San Diego authorizing a first amendment to a Reimbursement Agreement for Black Mountain Ranch North and a Park Development Agreement for Project No. P-1, Black Mountain Ranch Community Park, in the Black Mountain Ranch Community Plan Area.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Planning: Gaetano Martedi, (619) 533-3678

City Attorney Contact: Kate Malcolm

Item 56: Reimbursement Agreement with Sea Breeze 56, LLC for the Design and Construction of Infrastructure Projects in Torrey Highlands and Rancho Peñasquitos.

Total Estimated Cost of Proposed Action and Funding Source:

Reimbursement to Merge 56 for the construction of public facilities in Torrey Highlands and Rancho Peñasquitos of up to \$37,660,000.

Council District(s) Affected: 5, 6.

Proposed Actions:

Adopt the following ordinance which was introduced on 8/4/2020, Item 51.
(Council voted 9-0):

(O-2021-12)

Ordinance of the Council of the City of San Diego authorizing a Reimbursement Agreement for the design and construction of projects T-3.1A, T-4B, T-3.1B, T-5.2, P-6, and U-3 in the Torrey Highlands and Rancho Penasquitos Community Plan Areas.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

*Public Facilities Planning: Angela Abeyta, (619) 533-3674
City Attorney Contact: Kate Malcolm*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

Item 100: Supplemental Action Related to the Agreement with AXON Enterprise, Inc. for Body Worn Camera (BWC) Services.

Total Estimated Cost of Proposed Action and Funding Source:

This action is to appropriate an amount not-to-exceed \$2,615,356.18 from the Citizens Option for Public Safety (COPS) fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-99)

Resolution authorizing the Chief Financial Officer to appropriate an amount not-to-exceed \$2,615,356.18 in Fiscal Year 2021 by a supplemental action related to the agreement between the City of San Diego and AXON Enterprise, Inc. for a body worn camera system solution, including body worn cameras, digital evidence storage, and related equipment and services.

Committee Actions Taken: N/A

*Police: Jose Luis Romo, (619) 531-2739
City Attorney Contact: Jill S. Cristich*

Item 101: Reimbursement Agreement with Carmel Village L.P. (Developer) for the Design and Construction of Infrastructure Project No. L-1 Village Green in the Pacific Highlands Ranch Community.

Total Estimated Cost of Proposed Action and Funding Source:

The requested action will appropriate \$1,478,943. Appropriations will be from Black Mountain Ranch FBA, Del Mar Mesa FBA, Pacific Highlands Ranch FBA, and the Torrey Highlands Ranch FBA.

Council District(s) Affected: 1.

Proposed Actions:

(R-2021-100)

Resolution of the Council of the City of San Diego authorizing a Reimbursement Agreement for Project No. L-1, Village Green in the Pacific Highlands Ranch Community.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on July 29, 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.

Planning: Gaetano Martedi, (619) 533-3678

City Attorney Contact: Kate Malcolm

Item 102: Authorization to Apply for a California Department of Parks and Recreation Per-Capita Grant for Improvements at Mountain View Park.

Total Estimated Cost of Proposed Action and Funding Source:

This action is for acceptance of grant funding in the amount of \$177,952 to support the Mountain View Hard Courts project. There is no match requirement or cost to the City associated with these funds.

Council District(s) Affected: 9.

Proposed Actions:

(R-2021-57)

Resolution authorizing the Mayor, or his designee, to make an application to the California Department of Parks and Recreation for the administration of the Per Capita Grant Program (Grant Program) and take all necessary actions to secure funding in an amount not-to-exceed \$177,952 in Fund 600001 Grant Fund - State, for improvements in Mountain View Park (Project); and,

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not-to-exceed \$177,952 in Grant Program funding for the Project, contingent upon receipt of a fully executed grant agreement if the Grant Program funding is secured; and for all related actions.

Committee Actions Taken: N/A

Parks & Recreation: Andy Field, (619) 235-1110

City Attorney Contact: Jane M. Boardman

Item 103: **Application to the State of California Urban Flood Protection Grant Program for the SD River Dredging Qualcomm Way to SR163 Project.**

Total Estimated Cost of Proposed Action and Funding Source:

This action is for the application of grant funding in the amount of \$1,100,000, which would support the San Diego River Dredging Qualcomm Way to SR163. There is a match requirement of 25 percent if the project is not serving a disadvantaged community.

Council District(s) Affected: 7.

Proposed Actions:

(R-2021-58)

Resolution authorizing the Mayor, or his designee, to make an application to the State of California for the administration of the Urban Flood Protection Grant Program and take all necessary actions to secure funding in an amount not-to-exceed \$1,100,000 in Fund 600001 Grant Fund - State, for the San Diego River Dredging Qualcomm Way to State Route 163 Project, and to provide the required twenty-five percent matching funds; and,

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not-to-exceed \$1,100,000 in Grant Program funding for the Project, and the required twenty-five percent in matching funds from the Parks and Recreation Department's Fiscal Year 2019 and Fiscal Year 2021 budgets, contingent upon receipt of a fully executed Grant Agreement if the Grant funding is secured; and for all related actions.

Committee Actions Taken: N/A

Parks & Recreation: Andy Field, (619) 235-1110

City Attorney Contact: Jane M. Boardman

Item 104: 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-2021-98)

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

PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED IN CHAMBERS)

Item 30: Climate Action Campaign's Five-Year Anniversary NightCAP Awards Day.

COUNCIL PRESIDENT GÓMEZ'S RECOMMENDATION:

Proclaiming October 15, 2020, to be "Climate Action Campaign's Five-Year Anniversary NightCAP Awards Day" in the City of San Diego.

Item 31: Dystonia Awareness Month.

COUNCIL PRESIDENT GÓMEZ'S RECOMMENDATION:

Proclaiming September 2020, to be "Dystonia Awareness Month" in the City of San Diego.

Item 32: Ovarian Cancer Awareness Month.

COUNCIL PRESIDENT GÓMEZ'S, COUNCIL PRESIDENT PRO TEM BRY'S, COUNCILMEMBER WARD'S AND COUNCILMEMBER MONTGOMERY'S RECOMMENDATION:

Proclaiming September 2020, to be "Ovarian Cancer Awareness Month" in the City of San Diego.

Item 33: 60th Anniversary of the Kiwanis Club of Grantville-Allied Gardens.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Proclaiming September 17, 2020, to be the "60th Anniversary of the Kiwanis Club of Grantville-Allied Gardens" in the City of San Diego.

Item S502: Polly Dong Day. (Added 9/11/20)

COUNCILMEMBER CATE'S RECOMMENDATION:

Proclaiming September 18, 2020, to be "Polly Dong Day" in the City of San Diego.

Item S503: Hispanic Heritage Month. (Added 9/11/20)

COUNCIL PRESIDENT GÓMEZ'S AND COUNCILMEMBER MORENO'S RECOMMENDATION:

Proclaiming September 15 through October 15, 2020, to be "Hispanic Heritage Month" 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

INFORMATIONAL ITEMS

ADOPTION AGENDA

Item 330: Performance Audit of the City's Strategic Human Capital Management.

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

Council District(s) Affected: Citywide.

Proposed Actions:

This is an informational item only.

Committee Actions Taken:

This item was heard at the Audit Committee meeting on May 20, 2020.

ACTION: Motion by Vice Chair Moreno, second by Committee Member Halpern, to accept the report and forward to the City Council.

VOTE: 4-0; Sherman-yea, Moreno-yea, Halpern-yea, Spencer-yea, Valdivia-not present.

Office of the City Auditor: Andy Hanau, (619) 533-3108

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, ORDINANCES TO BE INTRODUCED:

Item S500: Creation of an Environment Advisory Board. (Added 9/10/20)

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

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2021-27)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 00 of the San Diego Municipal Code by repealing Section 26.04 and by adding Sections 26.40 and 26.41; amending Chapter 2, Article 6, Division 5 by repealing Sections 26.0501, 26.0502 and 26.0503; and amending Chapter 2, Article 6, Division 10 by repealing Sections 26.1001 and 26.1002, all relating to establishing an Environment Advisory Board and dissolving the Community Forest Advisory Board, the Sustainable Energy Advisory Board, and the Wetlands Advisory Board.

Committee Actions Taken:

This item was heard at the Environment Committee meeting on July 18, 2019.

ACTION: Motion by Chair Campbell, second by Councilmember Moreno, to approve staff's recommendation and include a Tijuana River Valley representative to the current 15-member composition as a designated seat, subject to legal review with the City Attorney's Office. (Rev. 9/11/2020)

VOTE: 4-0; Campbell-yea, Moreno-yea, Bry-yea, Sherman-yea.

Council District 2: Jordan Beane, (619) 236-6622

City Attorney Contact: Jennifer L. Berry

ADOPTION AGENDA

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

Item 331: Fourth Amendment to the Property Management Agreement between CBRE, Inc., and the City of San Diego for the Management of 1200 Third Avenue, 201 A Street and 101 Ash Street.

Total Estimated Cost of Proposed Action and Funding Source:

This Amendment is for a not-to-exceed amount of \$850,000 to be paid from the General Fund.

Council District(s) Affected: 3.

Proposed Actions:

Subitem-A: (R-2021-96)

Resolution determining that the Fourth Amendment to the Property Management Agreement with CBRE, Inc., is exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines.

Subitem-B: (O-2021-19)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the Fourth Amendment to the Property Management Agreement with CBRE, Inc., extending the Agreement to provide property management services at 1200 Third Avenue, 201 A Street, and 101 Ash Street through August 31, 2021.

6 votes required pursuant to Charter Section 99.

Committee Actions Taken: N/A

Real Estate Assets: Karen Johnson, (619) 236-6191
City Attorney Contact: Kathy Steinman

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

Item 332: FY 2021 CDBG Allocation to the San Diego Workforce Partnership for the TechHire Program.

Total Estimated Cost of Proposed Action and Funding Source:

The proposed actions result in no fiscal impact to the City's General Fund, as the funding referenced in these requested actions originates from HUD.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-28)

Resolution allocating funds from the Fiscal Year 2021 U.S. Department of Housing and Urban Development Community Development Block Grant Program to the TechHire Program and approving an amendment to the Fiscal Year 2021 Annual Action Plan.

Committee Actions Taken: N/A

Economic Development: Michele Marano, (619) 236-6381
City Attorney Contact: Marguerite Middaugh

Item 333: Proposed FY 2021 Statement of Budgetary Principles.

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2021-37)

Resolution adopting the Statement of Budgetary Principles setting forth the roles and duties of the Mayor and City Council with respect to the City's Fiscal Year 2021 Budget.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on July 29, 2020.

ACTION: Motion by Councilmember Montgomery, second by Councilmember Vice Chair Cate, to recommend Council approval of staff's proposed actions

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

Office of the Independent Budget Analyst: Angela Colton, (619) 235-5284
City Attorney Contact: Bret A. Bartolotta

Item 334: Exercise Renewal Options for West Coast Arborists Street Tree Maintenance Contract.

Total Estimated Cost of Proposed Action and Funding Source:

This action is to award an additional four one-year options for renewal with West Coast Arborists, Inc. for Citywide street tree maintenance and tree planting in an amount not-to-exceed \$12,880,000, increasing the total not-to-exceed amount of the five-year contract to \$15,830,000. Funds will come from the General Fund and the Underground Surcharge Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2021-61)

Resolution determining that four one-year renewal options for West Coast Arborists, Inc.'s city wide street tree maintenance contract are categorically exempt from the California Environmental Quality Act pursuant to Sections 15301(h) and 15304 of the CEQA Guidelines.

Subitem-B: (R-2021-60)

Resolution authorizing the Mayor, or his designee, to exercise options to renew a contract with West Coast Arborists, Inc. for city wide street tree maintenance in an amount not-to-exceed \$12,880,000 for four one-year renewal periods.

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on July 29, 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: Brian Widener, (619) 527-8050
City Attorney Contact: Cassandra Mougín*

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 335: Verizon Mt. Ada - Project No. 255230.

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 through a deposit account by the applicant.

Council District(s) Affected: 6.

Proposed Actions:

The Verizon Mt. Ada project proposes to remove an existing 133-foot-tall monopole and replace it with a 79-foot-tall tower supporting three decorative canisters that will conceal 12 panel antennas and two microwave dishes, and 12 remote radios. The existing 484-square-foot equipment enclosure will remain, and a new 113-square-foot concrete block enclosure will be constructed to house an emergency generator. The project site is located at 6426 Mt. Ada Road in the CC-1-3 zone and the Clairemont Mesa Height Limit Overlay Zone (CMHLOZ) in the Clairemont Mesa Community Plan area.

Subitem-A: (R-2021-6)

Resolution determining that the Verizon Mt. Ada Project (Project No. 255230) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines;

Directing the City Clerk to file a Notice of Exemption 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-2021-7)

Resolution granting Planned Development Permit No. 898689, Site Development Permit No. 898690, and Neighborhood Development Permit No. 2333003 for the Verizon Mt. Ada Project (Project No. 255230).

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

**For purposes of Temporary Rule of Council 2.6, this is a quasi-judicial item.
(Rev. 9/10/2020)**

Committee Actions Taken: N/A

Development Services: Karen Lynch, (619) 446-5351

City Attorney Contact: Lindsey H. Sebastian

Item 336: Avion Property - Project No. 598173.

Total Estimated Cost of Proposed Action and Funding Source:

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

Council District(s) Affected: 5.

Proposed Actions:

Approval of all actions necessary for the subdivision of an undeveloped 41.48-acre parcel of land located south of Carmel Valley Road/Bernardo Center Drive and east of Black Mountain Road for the construction of 84 multi-family dwelling units on-site, and the transfer of 19 affordable dwelling units and 14 market rate dwelling units to the Black Mountain Ranch North Village Town Center for a combined total of 117 dwelling units, a Multi-Habitat Planning Area boundary line adjustment, and the reorganization and annexation for the sewer service to the Olivenhain Municipal Water District (OMWD) for a site within the Black Mountain Ranch (Subarea I) Subarea Plan area.

Subitem-A: (R-2021-65)

Resolution certifying Supplemental Environmental Impact Report No. 598173/SCH No. 97111070, and adopting the Findings, Statement of Overriding Considerations, and the Mitigation, Monitoring, and Reporting Program for the Avion Property (Project No. 598173);

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

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

Subitem-B: (R-2021-66):

Resolution approving Planned Development Permit No. 2109731 and Site Development Permit No. 2109732 for the Avion Property (Project No. 598173).

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

Subitem-C: (R-2021-67)

Resolution approving Vesting Tentative Map No. 2109728 for the Avion Property (Project No. 598173).

Subitem C is not subject to the Mayor's veto.

Subitem-D: (O-2021-17)

Introduction of an Ordinance changing approximately 41.48-acres located southwest of Winecreek Drive in the Black Mountain Ranch Subarea Plan area, in the City of San Diego, California, from the AR-1-1 (Agricultural - Residential) zone to the RS-1-14 (Residential-Single Unit) zone, as defined by San Diego Municipal Code Sections 131.0303 and 131.0403; and repealing Ordinance No. O-8858 (New Series), adopted July 18, 1963, of the Ordinances of the City of San Diego insofar as the same conflicts herewith, for the Avion Property (Project No. 598173).

Subitem D is not subject to the Mayor's veto.

For purposes of Temporary Rule of Council 2.6, this is a quasi-judicial item. (Rev. 9/10/2020)

Committee Actions Taken: N/A

Development Services: Jeffrey A. Peterson, (619) 446-5237

City Attorney Contact: Lindsey Sebastian

Item 337: Citywide Interim Urgency Ordinance to Allow Temporary Outdoor Business Operations for Commercial and Personal Services, Such as Instructional Studios, Barbershops, Hair Salons, Massage Establishments, and Nail Salons, and Assembly Uses, Such as Gyms, Fitness Centers, and Religious Assembly.

Total Estimated Cost of Proposed Action and Funding Source:

No additional funds being requested with this action. City Council previously authorized the Chief Financial Officer to expend an amount not-to-exceed \$300,000 from General Fund Citywide Expenditures. This not-to-exceed amount will support local businesses by reimbursing the DSD Enterprise Fund for permitting temporary Sidewalk Cafés and Pedestrian Plaza permits, and fund outreach efforts to assist businesses citywide.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (R-2021-94)

Resolution determining that the approval of an emergency ordinance pursuant to Charter Section 295 and the urgency ordinance provisions in California Government Code Section 65858 temporarily adding to and amending the Municipal Code related to supporting fitness centers, instructional studios, personal services, massage establishments, and places of religious assembly resulting from the novel coronavirus, COVID-19, by allowing the expansion of certain operations into the public right-of-way is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15269(c).

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

Subitem-B: (O-2021-18)

Introduce and adopt an Emergency Ordinance pursuant to Charter Section 295 and the urgency ordinance provisions in California Government Code Section 65858 extending temporary amendments to San Diego Municipal Code Chapter 13, Article 1, Division 2, Section 131.0220; Chapter 13, Article 1, Division 4, Section 131.0420; Chapter 13, Article 1, Division 5, Section 131.0520; Chapter 13, Article 1, Division 6, Section 131.0620; Chapter 13, Article 1, Division 7, Section 131.0706; and a temporary addition to San Diego Municipal Code Chapter 14, Article 1, Division 6, all relating to supporting fitness centers, instructional studios, personal services, massage establishments, and places of religious assembly during the novel coronavirus, COVID-19, by allowing the expansion of certain operations into the public right-of-way.

8 votes pursuant to California Government Code 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: Noah Brazier

NON-AGENDA ITEMS

REPORT OUT FROM CLOSED SESSION

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT