

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 8, 2008
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Council President Peters at 10:08 a.m. The meeting was recessed by Council President Peters at 12:01 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Council President Peters at 2:05 p.m. with Council Member Hueso not present. Council President Peters recessed the regular meeting at 2:55 p.m. to convene the Redevelopment Agency. Council President Peters reconvened the regular meeting at 3:04 p.m. with all Council Members present. Council President Peters recessed the regular meeting at 3:39 p.m. to reconvene the Redevelopment Agency. Council President Peters reconvened the regular meeting at 3:40 p.m. with all Council Members present. The meeting was adjourned by Council President Peters at 3:46 p.m.

ATTENDANCE DURING THE MEETING:

- (1) Council Member Peters-present
 - (2) Council Member Faulconer-present
 - (3) Council Member Atkins-present
 - (4) Council Member Young-present
 - (5) Council Member Maienschein-present
 - (6) Council Member Frye-present
 - (7) Council Member Madaffer-present
 - (8) Council Member Hueso-present
- Clerk-Maland (dlc/sr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented on prayer and the flag salute.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:37 a.m. – 10:40 a.m.)

PUBLIC COMMENT-2:

Marc Lindshield commented on emergency lease extensions, river maintenance and the Sikes Adobe sale.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:40 a.m. - 10:43 a.m.)

PUBLIC COMMENT-3:

Hud Collins commented on the pension, finance and the war.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:44 a.m. - 10:47 a.m.)

PUBLIC COMMENT-4:

Gary Hill commented on the superbowl.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:47 a.m. - 10:50 a.m.)

PUBLIC COMMENT-5:

Rudy Reyes commented on medical cannabis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:50 a.m. - 10:52 a.m.)

PUBLIC COMMENT-6:

Phil Hart commented on the City Council and the Mayor in 2007.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:52 a.m. - 10:55 a.m.)

PUBLIC COMMENT-7:

Thomas Danny Glasser commented on a fire at his home.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:55 a.m. - 10:58 a.m.)

PUBLIC COMMENT-8:

Homer Barrs commented on a mobile home overlay.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:00 a.m. – 11:02 a.m.)

PUBLIC COMMENT-9:

Rosalind Winstead commented on the City design and build plans.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:02 a.m. – 11:05 a.m.)

PUBLIC COMMENT-10:

Ted Patrick commented on tragedy in the streets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:05 a.m. - 11:08 a.m.)

PUBLIC COMMENT-11:

Teshia D’Elgin commented on water in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:08 a.m. - 11:10 a.m.)

PUBLIC COMMENT-12:

Elinor Rector commented on liberty and freedom.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:10 a.m. - 11:14 a.m.)

PUBLIC COMMENT-13:

David Ross commented on the displaced veterans on the streets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:14 a.m. - 11:17 a.m.)

PUBLIC COMMENT-14:

J. Nathaniel Howard commented on rare earth metals.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:17 a.m. - 11:19 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council President Pro Tem Madaffer commented on the lack of information and response regarding the sex offender ordinance from the City Attorney's Office.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:19 a.m. - 11:22 a.m.)

COUNCIL COMMENT-2:

Council Member Atkins commented that the budget memos of Council Members are due January 9, 2008.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 3:40 p.m. - 3:41 p.m.)

INDEPENDENT BUDGET ANALYST COMMENT:

None.

CITY ATTORNEY COMMENT:

None.



[ITEM-30:](#) Approval of Council Minutes.

TODAY'S ACTION IS:

APPROVED AS AMENDED

Approval of Council Minutes for the meetings of:

9/04/2007-Special
9/10/2007
9/11/2007
9/17/2007-Special
9/17/2007
9/18/2007

9/24/2007
9/25/2007
10/01/2007-Adjourned
10/02/2007-Adjourned
10/04/2007-Emergency
10/08/2007
10/09/2007
10/15/2007
10/16/2007
10/22/2007-Adjourned
10/23/2007-Adjourned
10/29/2007
10/30/2007
11/05/2007
11/06/2007
11/12/2007-Adjourned
11/13/2007
11/19/2007
11/20/2007
11/26/2007-Adjourned
11/27/2007-Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 10:30 a.m. – 10:31 a.m.)

MOTION BY COUNCIL PRESIDENT PRO TEM MADAFFER TO APPROVE THE MINUTES AS AMENDED TO REFLECT THAT COUNCIL MEMBER MAIENSCHIN WAS NOT PRESENT FOR THE 10/30/07 AND THE 11/13/07 COUNCIL MEETINGS DUE TO THE FIRES IN RANCHO BERNARDO. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



[ITEM-31:](#) Jerry Butkiewicz Day.

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2008-529) ADOPTED AS RESOLUTION R-303288

Commending Jerry Butkiewicz for his continued leadership for working families in San Diego;

Proclaiming January 8, 2008 to be "Jerry Butkiewicz Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:15 a.m. – 10:29 a.m.)

MOTION BY ATKINS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



[ITEM-32:](#) William M. Hughes Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2008-531) ADOPTED AS RESOLUTION R-303289

Commending William M. Hughes for the imprint he has left on the City of San Diego and the San Diego Zoo;

Proclaiming January 8, 2008, to be "William M. Hughes Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:08 a.m. – 10:13 a.m.)

MOTION BY ATKINS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-50: Amending the San Diego Municipal Code Relating to Fire Sprinkler Retrofitting for High Rise Buildings. (Centre City Community Area. District 2.)

(See memorandum from City Attorney dated 12/7/2007.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 12/4/2007, Item 55. (Council voted 5-1. Council President Pro Tem Young voted nay. Councilmembers Maienschein and Madaffer not present.):

(O-2008-71 Rev.) ADOPTED AS ORDINANCE O-19696 (New Series)

Amending Chapter 5, Article 5, Division 10, of the San Diego Municipal Code by amending Section 55.1003, pertaining to Fire Protection and Prevention, to extend the required compliance date for sprinkler retrofits of high rise buildings to January 1, 2013.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-nay, Maienschein-yea, Frye-yea, Madaffer-nay, Hueso-yea.

- * ITEM-51: First Amendment to the Agreement with Tetra Tech, Inc. for the State Route 15 Bikeway Project. (Mid-City Community Area. District 3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/4/2007, Item 56. (Council voted 7-0. Councilmember Maienschein not present):

(O-2008-62) ADOPTED AS ORDINANCE O-19697 (New Series)

Authorizing the Mayor to execute, for and on behalf of the City, an Agreement with Tetra Tech, Inc. (Agreement), for consultant services contract for preliminary engineering for CIP-58-127.0, State Route 15 Bikeway, in amount not to exceed \$53,403, under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$53,403 from CIP-58-127.0, State Route 15 Bikeway, Fund No. 30301, TransNet Bikeway, for the purpose of executing the First Amendment to the Agreement for the above referenced Project;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves;

Declaring that this activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

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

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-52: Amending the San Diego Municipal Code to Clarify the Brush Management Regulations and Clarify the Approval Process for the Use of Goats for Brush Management.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 12/4/2007, Item 340, Subitem A. (Council voted 7-0. Councilmember Maienschein not present):

(O-2008-60 Revised Copy)

ADOPTED AS ORDINANCE
O-19698 (New Series)

Amending Chapter 4, Article 4, Division 3, of the San Diego Municipal Code by transferring regulations related to use of goats for brush management from Section 44.0307 to Chapter 14, Article 2, Division 4; and amending Chapter 14, Article 2, Division 4, by amending Section 142.0402, Table 142-04A and Section 142.0412; all relating to brush management.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-53: San Diego Regional Storm Water Co-Permittees Memorandum of Understanding.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/3/2007, Item 200. (Council voted 8-0):

(O-2008-74)

ADOPTED AS ORDINANCE O-19699 (New Series)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a six-year Memorandum of Understanding with the County of San Diego, as Principal Co-permittee, and other public agencies as Co-permittees, to share costs for activities necessary to comply with requirements of Regional Water Quality Control Board Order No. R9-2007-0001, under the terms and conditions set forth in the Memorandum of Understanding;

Authorizing the expenditure of an amount not to exceed \$791,936, solely and exclusively, to provide funds for the first year of the City's share of the above program costs, to be expended as follows: \$375,084.40 from Fund No. 100, Dept No. 533, Org No. 2250; and \$416,851.60 from Fund No. 10508, Dept No. 10508, Org No. 2250;

Declaring that this activity is not a "project" and is therefore exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(3).

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

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Falconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-54: COMM 22, Project No. 122002 of Commercial Street, between 21st Street and Harrison Avenue. (Southeastern San Diego Community Plan Area. District 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/4/2007, Item 337, Subitem B. (Council voted 7-0. Councilmember Maienschein not present):

(O-2008-54) ADOPTED AS ORDINANCE O-19700 (New Series)

Changing 4.58 acres, located between Commercial Street, Beardsely Street and Irving Avenue, and between 21st Street and Harrison Avenue, within the Southeastern San Diego Community Plan Area, in the City of San Diego, California, from the Southeast San Diego Planned District MF-3000 and I-1 Zones into the Commercial CC-3-5 Zone, as defined by San Diego Municipal Code Section 131.0507, and repealing Ordinance Nos. O-17410 (New Series), adopted January 8, 1990 and O-18478 (New Series), adopted April 7, 1998, of the Ordinances of the City of San Diego insofar as the same conflict herewith.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-55: Amendment No. 1 to the Agreement with RBF Consulting for South Mission Valley Trunk Sewer. (Mission Valley Community Area. District 6.)

(Continued from the meeting of 12/4/2007, Item 53, at the Mayor's Office request for further review.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/20/2007, Item 54. (Council voted 8-0):

(O-2008-50) ADOPTED AS ORDINANCE O-19701 (New Series)

Authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with RBF Consulting for additional engineering consulting services for the Project in an additional amount not to exceed \$394,148 for a total contract amount of \$1,467,119, provided that the City Auditor and Comptroller first furnishes a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer \$720,000 from CIP-40-928.0 South Pacific Highway Trunk Sewer to CIP-40-931.0, South Mission Valley Trunk Sewer within Fund 41506, Sewer;

Authorizing the additional expenditure of \$394,148 from CIP-40-928.0 South Mission Valley Trunk Sewer project, Fund No. 41506 Sewer Fund, for RBF Consulting for the design and planning for the updates on the Project;

Authorizing the expenditure of \$1,190,000 from CIP-40-931.0, South Mission Valley Trunk Sewer, Fund 41506 Sewer, for the purpose of executing this First Amendment in the amount not to exceed \$394,148, and for in-house engineering and related costs in the amount not to exceed \$795,852;

Declaring that this activity is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(2) because this activity will not result in direct or reasonably foreseeable indirect physical change in the environment;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

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

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-56: Extension of Cooperative Agreement for Preparation of an Environmental Document for SR-56/I-5 Connector Ramps. (Carmel Valley Community Area. District 1.)

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2008-81) INTRODUCED, TO BE ADOPTED ON
TUESDAY, JANUARY 22, 2008

Introduction of an ordinance authorizing the Mayor, to execute, for and on behalf of the City, an agreement with Caltrans, for the preparation of an EIR/EIS for the northbound connector ramps at the SR-56/I-5 Interchange, extending the termination date of the Agreement to December 31, 2010, or to the date of the certification of the environmental document, whichever comes first under the terms and conditions set forth in the Agreement;

Declaring that this activity is not a "project" and therefore exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3). Any construction activities related to this approval will be subject to environmental review.

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

STAFF SUPPORTING INFORMATION:

On September 9, 2003, the City and Caltrans entered into an Agreement with Caltrans for the preparation of an EIR/EIS for the northbound connector ramps at the SR-56/I-5 interchange. The termination date for this Agreement is December 31, 2007. Preparation of the EIR/EIS will not be completed by the termination date in the Agreement, requiring an extension of the termination date. Certification of the environmental document is anticipated in late 2009. Caltrans is requesting that the termination date for this Agreement be extended to cover the anticipated completion and certification dates. The termination date for the Agreement would be extended to December 31, 2010, or upon certification of the EIR/EIS, whichever comes first (a maximum 3-year extension). Because this extension will extend the Agreement beyond five years' duration, Council approval via ordinance is required.

FISCAL CONSIDERATIONS:

None with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Council approved the Cooperative Agreement to fund the preparation of the EIR/EIS on September 9, 2003.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A.

KEY STAKEHOLDERS & PROJECTED IMPACTS:

Caltrans is the key stakeholder in this action.

Jarrell/Hass

Staff: Larry Van Wey - (619) 533-3005
Peter A. Mesich - Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO INTRODUCE. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-57: Extension of Two Cooperative Agreements with Caltrans for State Route 56.
(Pacific Highlands Ranch and Torrey Highlands Community Areas. District 1.)

STAFF'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-2008-80)

INTRODUCED, TO BE ADOPTED ON
TUESDAY, JANUARY 22, 2008

Introduction of an ordinance authorizing the Mayor, to execute, for and on behalf of the City, an agreement with Caltrans, for State Route 56/Camino Del Sur interchange landscaping, extending the termination date of the Agreement to December 31, 2009 under the terms and conditions set forth in the Agreement;

Declaring that this activity is covered under SR-56 between SR-56 West and SR-56 East, LDR 95-0099. These activities are adequately addressed in the environmental documents and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved projects, this activity is not a separate project for purposes of the California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15060(c)(3).

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

Subitem-B: (O-2008-83)

INTRODUCED, TO BE ADOPTED ON
TUESDAY, JANUARY 22, 2008

Introduction of an ordinance authorizing the Mayor, to execute, for and on behalf of the City, an agreement with Caltrans, for State Route 56/Camino Santa Fe Interchange Improvements, extending the termination date of the Agreement to December 31, 2009, under the terms and conditions set forth in the Agreement;

Declaring that this activity is covered under SR-56 between SR-56 West and SR-56 east as, LDR 95-0099. These activities are adequately addressed in the environmental documents and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved projects, this activity is not a separate project for purposes of the California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15060(c)(3).

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

STAFF SUPPORTING INFORMATION:

On July 26, 2004, the City and Caltrans entered into an Agreement to provide landscaping at the interchange of State Route 56 and Camino del Sur. The termination date for this Agreement is December 31, 2007.

On February 25, 2002, the City and Caltrans entered into an Agreement to provide City-desired improvements at the interchange of State Route 56 and Camino Santa Fe. The original termination date of this Agreement is December 31, 2007.

Caltrans is requesting that the termination dates for these two Agreements be extended so that final accounting and other administrative activities at Caltrans can be completed. The termination date for both Agreements would be extended to December 31, 2009 (a 2-year extension).

Because these extensions will extend the Agreements beyond five years' duration, Council approval via ordinance is required.

FISCAL CONSIDERATIONS:

None with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Council approved the SR-56/Camino del Sur Landscaping Agreement on July 26, 2004. Council approved the SR-56/Camino Santa Fe Agreement on February 25, 2002.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS & PROJECTED IMPACTS:

Caltrans is the key stakeholder in this action.

Jarrell/Haas

Staff: Larry Van Wey - (619) 533-3005
Peter A. Mesich - Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO INTRODUCE. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-58: Amendment No. 3 with the Bureau Veritas Design Agreement for Specific Canyon Trunk Sewer Group I. (City Heights, Clairemont Mesa, and College Community Areas. Districts 3, 4, 5, 6, and 7.)

(See Metropolitan Wastewater Department's Executive Summary Sheet, dated 10/03/2007.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2008-68) INTRODUCED, TO BE ADOPTED ON
TUESDAY, JANUARY 22, 2008

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Amendment No. 3 to the Agreement with Bureau Veritas North America, Inc. (formerly Berryman & Henigar);

Declaring that this activity is exempt from the California Environmental Quality Act because it is not a "project" pursuant to CEQA Guidelines Section 15378(c).

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

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 11/14/2007, NR&C voted 3 to 0 to approve. (Councilmembers Faulconer, Maienschein, and Frye voted yea. Councilmember Hueso not present.)

SUPPORTING INFORMATION:

On June 4, 2002, the City entered into an agreement with Berryman & Henigar (who has since changed their name to Bureau Veritas) with a Document Number RR-296621. The agreement, in the amount of \$1,900,000, included pre-design, design and construction support work associated with the Specific Canyon Trunk Sewers Group I project. Group I consists of trunk sewers at

Miramar, Montezuma, Lexington, and Balboa. On December 22, 2004, a "NO COST" Amendment No. 1 was filed in the Office of the City Clerk as Document No. C-13124, which reduced the level of effort on specific tasks and added the review of Horizontal Directional Drilling as an option for construction of the trunk sewer. On March 28, 2005, a "NO COST" Amendment No. 2 was filed in the Office of the City Clerk as Document No. C-13224, which revised an insurance provision to reflect industry practice.

Due to the financial constraint in the City and revised priorities, some of the Canyon Trunk Sewer upgrade projects have been rescheduled. The Lexington Trunk Sewer construction was completed in 2005, Miramar Trunk Sewer is currently under construction and will be completed by March 2008. The design is complete for both Balboa and Montezuma and construction is scheduled for FY 2010 and FY 2011 respectively. The existing contract with Bureau Veritas is currently over five years and requires a time extension to complete their current activities related to the Miramar Trunk Sewer.

This request is for a "NO COST" time extension for one (1) additional year from the expiration date of the existing contract. The contract expired on June 26, 2007. This amendment will enable Bureau Veritas to continue to provide construction services for the Miramar Trunk Sewer project.

FISCAL CONSIDERATIONS:

None with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Resolution R-296621 authorized contract in the amount of \$1,900,000.

This action was reviewed and approved by the Natural Resources and Culture Committee on November 14, 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Bureau Veritas.

Bertch/Jarrell

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO INTRODUCE. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-60: Inviting Bids for the Construction of the Otay Water Treatment Plant Upgrades Phase I and II – Third Amendment to Agreement with MWH Americas, Inc. for Design Services – Agreement with Harris and Associates for Construction Management Services for Otay Water Treatment Plant Upgrades Phase I and II. (Unincorporated Area of San Diego County.)

(See Water Department's Executive Summary Sheet dated September 13, 2007 and Water Department's September 26, 2007 Power Point.)

TODAY'S ACTIONS ARE:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2008-67) INTRODUCED, TO BE ADOPTED ON
TUESDAY, JANUARY 22, 2008

Authorizing the appropriation and expenditure of an amount not to exceed \$1,748,579 from Water Fund 41500, CIP-73-285.0, Otay Water Treatment Plant Upgrades Phase I, and \$1,009,015 from Phase II for MWH Americas, Inc. Third Amendment to its Agreement;

Authorizing the Mayor, or his designee, to execute a Third Amendment to the Agreement with MWH Americas, Inc. for design services during the bid, award, construction, and closeout period for Otay Water Treatment Plant Upgrades Phase I and II in an amount not to exceed \$2,757,594 provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the Administering Department, to transfer excess funds, if any, to the appropriate reserves;

Declaring this activity is covered under Otay Water Treatment Plant Upgrade Mitigated Negative Declaration (LDR No. 40-0932). The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Since the prior environmental document adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c).

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

Subitem-B: (R-2008-422)

ADOPTED AS AMENDED AS RESOLUTION
R-303290

Approving the plans and specifications for the construction of Otay Water Treatment Plant Upgrades Phase I and Phase II as advertised by Purchasing and Contracts; (Work Order No.182491-188461)

Authorizing the expenditure of an amount not to exceed \$37,939,176.33 of which \$36,582,013.33 is from Water Fund 41500, CIP-73-285.0, Otay Water Treatment Plant Upgrades Phase I and Phase II, for the purpose of providing funds for this project construction and related costs, and \$1,357,163 is from Water Fund 41500, CIP-73-331.0, Pooled Contingency Plant Upgrades for the purpose of providing funds for this project contingency, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to establish a contract funding phase and execute a construction contract with the lowest and reliable bidder contingent upon the City Auditor and Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditures under established contract funding phases are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to execute an agreement in an amount not to exceed \$3,097,103 with Harris and Associates for construction management services for Otay Water Treatment Plant Upgrades, Phase I and II, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the appropriation and expenditure of an amount not to exceed \$1,856,741 from Water Fund 41500, CIP-73-285.0, Otay Water Treatment Plant Upgrades Phase I, and \$1,240,362 from Phase II for Harris & Associates contract;

Authorizing the use of City Force Work in Water Fund 41500, CIP-73-285, for the construction of Otay Water Treatment Plant Upgrade Phase I and Phase II in an amount not to exceed \$958,320.67;

Declaring this activity is covered under Otay Water Treatment Plant Upgrade Mitigated Negative Declaration (LDR No. 40-0932). The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Since the prior environmental document adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c); (Bid No. K082604.)

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 9/26/2007, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Maienschein, Frye, and Hueso voted yea.)

SUPPORTING INFORMATION:

The Otay Water Treatment Plant is one of the City's three water treatment plants, producing up to 34 million gallons of treated water each day. The plant supplies water to San Diego's southern communities and also sells water to Otay Water District and California American Water which distribute water to the cities of Coronado, Imperial Beach, and Chula Vista.

The Phase I Upgrade to the Otay WTP will include the construction of a new flocculation and sedimentation basin. This will greatly enhance the plant's operational flexibility and provide improved water quality. The existing sixteen (16) filters will also be upgraded. Filter modifications, upgrades of the control system, a new programmable logic control, and SCADA will improve plant operations. These upgrades are required to help the City meet State and Federal drinking water quality regulations.

The Phase II Upgrade to the Otay WTP will include the construction of a chlorine dioxide (CL02) system, powder activated carbon (PAC) facility, granular activated carbon (GAC) filtration media, electrical support facilities, and instrumentation and control systems. These improvements will enable the Otay WTP to meet the water quality standards required by the State of California Department of Public Health (DPH), the United State Environmental Protection Agency (USEPA) Stage 2 Disinfection Bi-Product (DPB) Rules, and the Long-Term 2 (LT2) Enhanced Surface Water Treatment Rule. On June 14, 2007, Phase II was approved to receive the State of California Proposition 50 grant to cover up to 50 percent of the total cost of project.

Upgrades to the Otay WTP will allow more use of local raw water and will reduce the City's dependency on imported water. In addition, the Otay WTP upgrades will meet the requirements outlined in the DPH letter (City of San Diego System No. 3710020, Otay Filtration Plant Inspection) dated December 1998, compliance order amendment number 11 to compliance order 04-14-96CO-022, and the USEPA DBP and LT2 Rule.

The first action is for Council to approve the advertising, bid, and award for construction of the project.

The second action is to approve the design contract. The original and second amendment to the contract with MWH provided funding only for planning and the design periods. The new Third Amendment will provide design services during the bid, award, construction, and closeout period for Phase I and II projects. The MWH Third Amendment Contract has been negotiated for the amount of \$2,757,594.

The third action is to approve the construction management contract. Harris & Associates was selected from six consulting firms that competed to provide construction management services. Harris and Associates will manage the construction of Phase I and II projects for a negotiated amount of \$3,097,103.

FISCAL CONSIDERATIONS:

The total estimated cost for Otay WTP Phase I and II is \$44,311,155.04 of which \$6,371,978.71 was previously authorized. The remaining cost of this project is \$37,939,176.33 will be phase funded in FY08 in the amount of \$8,005,166.21, FY09 in the amount of \$17,983,169.57 and FY10 in the amount of \$11,950,840.55. Water Department revenue is dedicated for this project. Of the remaining total project cost of \$37,939,176.33, 80% will be reimbursed from an anticipated water revenue debt issuance in FY 2008 and 20% will be cash funded. Funding for the project is available from Water Fund 41500, CIP-73-285.0 Otay WTP Plant Upgrade - Phase I & II.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On November 30, 2000, Council authorized the City Manager to execute the original agreement with MWH (RR-294237). Subsequently, Council authorized the City Manager to execute the First Amendment with MWH (C-12076) on June 23, 2003, and Council authorized the City Manager to execute the Second Amendment with MWH (00-19451) on December 5, 2005.

On September 26, 2007, Natural Resources and Culture Committee approved this requested action.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Community outreach took place during the design portion of this project. Further outreach will take place to the Arco Olympic Training Center, California American Water and Otay Water District (OWD) prior to and during construction. The project will also be advertised through the local contractor's association and newspaper.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key stakeholders are the City of San Diego, Water Department, Engineering and Capital Projects Department, MWH Americas, Inc., Harris & Associates, USEPA, DPH, OWD, California American Water, the Cities of Chula Vista, Coronado and Imperial Beach and water rate payers. Richard Brady & Associates, V & A Consulting Engineers, EMA, Inc.

Boekamp/Jarrell

Aud. Certs. 2800405 and 2800406.

Staff: Darren Greenhalgh – (858) 573-5019
Mark M. Mercer – Deputy City Attorney

FILE LOCATION: A: NONE
 B: CONT-Western Summit Constructors, Inc.

COUNCIL ACTION: (Time duration: 11:24 a.m. – 11:52 a.m.)

MOTION BY YOUNG TO INTRODUCE THE ORDINANCE IN SUBITEM A AND ADOPT THE RESOLUTION IN SUBITEM B AS AMENDED THAT THE ITEM WILL RETURN TO COUNCIL BEFORE THE AWARD IS MADE TO REVIEW OUTREACH EFFORTS. Second by Frye. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-100: Inviting Bids for the Construction of Otay II Pipeline Improvements North Encanto Replacement Project. (North Encanto Community Area. District 4.)

(See Water Department's 9/26/2007 Executive Summary Sheet; and Water Department's 9/26/2007 PowerPoint.)

(Continued from the meeting of December 4, 2007, Item 102, at the request of Council President Pro Tem Young, for further review.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-402) ADOPTED WITH DIRECTION AS
RESOLUTION R-303310

Approving the plans and specifications for the construction of Otay II Pipeline Improvements North Encanto Replacement as advertised by Purchasing and Contracts Department, on Work Order No. 186991;

Authorizing the expenditure of \$9,255,864 from Water Fund 41500, CIP-73-286.0, Otay Pipeline Improvements of which \$8,862,364 is from Water Fund 41500, CIP-73-286.0, for the purpose of providing for the construction and related costs associated with Otay II Pipeline Replacement Project - North Encanto Segment and \$393,500.00 is from Water Fund 41500, CIP-73-331.0, Annual Allocation - Water Pooled Contingency, for the purpose of providing funds for this project contingency provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract phases are, or will be, on deposit with the City Treasurer;

Authorizing the Mayor, or his designee, to establish contract funding phases and execute a construction contract with the lowest responsible and reliable bidder provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract phases are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budget funds, if any, to the appropriate reserves;

Declaring that this activity is covered under the Otay II Pipeline Improvements Project (PTS No. 5503) Environmental Impact Report. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review because the prior environmental documents adequately cover this activity as part of the previously approved project. This activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c). (BID-K082408C)

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 9/26/2007, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Maienschein, Frye, and Hueso voted yea.

SUPPORTING INFORMATION:

The Otay II Pipeline was constructed in 1929 and conveys water 19 miles from Otay Water Treatment Plant to the University Heights Reservoir in North Park. The City Council approved the Otay II Pipeline Improvements Project, LDR 42-0955 EIR on June 28, 2004, by Resolution R-299380. The EIR was completed for the entire 19 mile long, 36-inch diameter water transmission pipeline. The EIR contemplated 8 projects or phases to complete the required replacements, realignments and cathodic protection improvements necessary to address a variety of deficiencies found in the 78 year old pipeline. The North Encanto Replacement realigns and replaces one mile of the existing 36-inch pipe with new, 42-inch welded steel pipe. The 100% designed plans have been on hold for 3 years for lack of funding. City Environmental staff has confirmed: This activity is covered under the Otay II Pipeline Improvements Project (PTS No. 5503) Environmental Impact Report. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c).

This pipeline is a critical backbone water transmission and distribution system. It is used to convey up to 20 million gallons of water per day north and south between the Alvarado and Otay water treatment plants' service areas. The primary objective of the Otay II Pipeline Improvement Project is to maintain a reliable source of potable water through maintenance, realignment, or replacement of the existing pipeline. The new pipeline will be constructed within the public street rights-of-way.

Failure to replace the aging pipeline will negatively impact the department's flexibility to convey water between service areas. Any further delay to these projects risks pipe breaks that have potential to disrupt water service and increase Water Department costs associated with water pipe breaks. This project includes the installation of approximately 7,600 feet of new 42-inch welded steel pipe, installation of curb ramps, and asphalt pavement overlay or slurry seal of Brooklyn, Otay and 60th Streets. The one year construction duration is anticipated to begin in February of 2008.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$9,973,376 of which \$717,512 was previously authorized. The remaining cost of this project is \$9,255,864 and will be phase funded in FY 2008 in the amount of \$4,035,782, and FY 2009 in the amount of \$5,220,082. Water Department revenue is dedicated for this project; 80% of the CIP funding will be coming from an anticipated debt issuance in 2008. Funding is available in Water Fund 41500, CIP-73-286.0 Otay II Pipeline Improvements.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The Project was approved by the Natural Resources and Culture Committee on September 26, 2007. The design agreement with Boyle Engineering was approved by City Council Resolution (R-298463) dated September 29, 2003.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Community outreach occurred during the design phase in 2004. Further community outreach efforts are planned for the North Encanto community prior to and during construction. Moreover, a CIP hotline is regularly maintained to answer any questions and provide information to the public. Door hangers, fact sheets, and updates to the City of San Diego Web site are also included in the plan for community outreach.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key stakeholders are rate payers who receive water from the Otay II Pipeline, design consultant Boyle Engineering, and construction contractor to be selected through the bid process.

Barrett/Haas

FILE LOCATION: CONT-TC Construction Co. (W.O. 186991)

COUNCIL ACTION: (Time duration: 11:54 a.m. - 12:01 p.m.;
2:05 p.m. - 2:26 p.m.)

MOTION BY YOUNG TO ADOPT WITH DIRECTION TO STAFF TO LOOK AT THE EQUAL OPPORTUNITY PROCESS. REFER TO THE IBA TO REVIEW THE PROCESS. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-101: Inviting Bids for Sewer and Water Group 760. (College Area, Mid-City, and Eastern Community Areas. Districts 3 and 7.)

(See Engineering and Capital Project Department's Executive Summary Sheet dated 9/19/2007.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-386 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-303311

Approving that the plans and specifications for the construction of Sewer and Water Group 760 as advertised by Purchasing and Contracting Department, on Work Order No. 17790/18761)

Authorizing the Mayor, or his designee, to establish contract funding phases and execute a contract with the lowest responsible and reliable bidder, provided the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing that the expenditure of an amount not to exceed \$1,193,207.80 from Sewer Fund No. 41506, CIP-44-001.0, Annual Allocation Sewer Main Replacement, and \$816,432 from Water Fund No. 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, solely for the construction, contingency, and Project related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller upon advice from the administering department to transfer excess funds, if any, to the appropriate reserves;

Declaring that this activity is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15282(k) as the replacement of existing pipelines less than one mile in length. (BID K-082624)

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 9/26/2007, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Maienschein, Frye, and Hueso voted yea.)

SUPPORTING INFORMATION:

Sewer and Water Group 760 is part of a program established by the City of San Diego and the Department of Health and Services Compliance Order No. 04-14-96-022 mandating the replacement of all cast iron water mains currently in service and the Sewer Main Replacement Program as mandated by the Environmental Protection Agency (EPA). This project is located in College Area, Mid-City: Eastern community area. This project includes the construction of approximately 2,169 linear feet of replacing existing 6-inch sewer mains, and the replacement of approximately 1,705 linear feet of existing 8-inch water mains. It also includes installing of curb ramps and street resurfacing by slurry seal. The street affected by construction operations within this project is: 54th Street, as shown on the attached location map. Traffic control plans have been prepared for the project by the City's design consultant. Contractor will prepare traffic control plans for the other streets (where needed) and will implement them during construction after review and approval by the City.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$2,042,227. Funding of \$32,587.20 for the sewer portion of the project was previously authorized by Council (Resolution R-300460) for CCTV inspection costs. Additional funding of \$1,193,207.80 is available in CIP-44-001.0, Annual Allocation - Sewer Main Replacement, Sewer Fund 41506 and \$816,432 for the water portion of the project is available in CIP-71-083.0, Annual Allocation - Water Main Replacement, Water Fund 41500, for this purpose.

The project cost for the sewer portion of \$1,193,207.80 may be bond reimbursed approximately 80% by current or future debt financing. The project cost for the water portion is \$816,432. Water Department revenue is dedicated for this project. It is anticipated that 80% of the project costs will be reimbursed from a future debt issuance. The water portion of this project will be funded in FY08 and FY09. The sewer portion is funded in FY08. No future funding is anticipated. The Auditor's Certificate will be provided prior to contract award.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

The Committee on Natural Resources and Culture on September 26, 2007, consent motion by Councilmember Hueso, second by Councilmember Faulconer. Vote to approve 4-0. On May 23, 2005, Council (Resolution R-300460) approved \$32,587.20 for CCTV inspection costs related to Hirsch and Company.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was presented to the College Area Community on October 1, 2003. In addition, residents and businesses will be notified at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again, ten (10) days before construction begins by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Residents in this area will encounter minor inconvenience during construction. After completion, residents will experience improved reliability of the water and sewer systems.

Jarrell/Haas

FILE LOCATION: CONT-Bonita Pipeline Inc. (W.O. 17790/18761)

COUNCIL ACTION: (Time duration: 2:16 p.m. - 2:23 p.m.)

MOTION BY YOUNG TO ADOPT AS AMENDED TO RETURN TO COUNCIL AFTER THE BIDS ARE RECEIVED AND OPENED TO REVIEW THE OUTREACH PROCESS. Second by Frye. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-102: Approval of Supplies and Services for Solution Mannich Polymer (Clarifloc WE-453)-Polydyne, Inc. (Clairemont and Kearny Mesa Community Areas. District 6.)

(See Metropolitan Wastewater Department's Executive Summary Sheet dated 8/31/2007 and memorandums from Timothy C. Bertch dated 3/23/2007 and 11/7/2007.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-431) ADOPTED AS RESOLUTION R-303291

Approving the City of San Diego Sole Source No. 1568 for the purchase of Mannich Polymer from Polydyne, Inc., over an initial period of one year at the rate of \$1.69 per pound, with the option to renew for four additional one year periods, in an amount not to exceed \$1,200,000 for the first year; and approved for the option years subject to a price escalation of not to exceed 5% per year over the then current unit prices and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer for the option years;

Authorizing the expenditure of an amount not to exceed \$1,200,000 from Metropolitan Wastewater Fund No. 500313, Dept. 771 for the first year's purchase;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to appropriate reserves;

Declaring that the above activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(3).

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 11/14/2007, NR&C voted 3 to 0 to approve. (Councilmembers Faulconer, Maienschein, and Frye voted yea. Councilmember Hueso not present.)

SUPPORTING INFORMATION:

Compliance with the Point Loma Wastewater Treatment Plant (PLWTP) National Pollutant Discharge Elimination System (NPDES) permit is dependent upon the use of Mannich Polymer as a flocculent in the biosolids dewatering process at the Metro Biosolids Center (MBC). Polydyne Inc., is currently supplying Mannich Polymer under a six month Sole Source Procurement Authorization (#1471) which became necessary due to difficulties experienced during the sludge dewatering polymer evaluation conducted in July 2006. This Sole Source Procurement Authorization expired on June 30, 2007.

On February 1, 2007, the polymer vendor community was invited to participate in a new Mannich Polymer evaluation at MBC. While there are numerous vendors and manufacturers of Mannich Polymer, Polydyne Inc. is the only vendor with production facilities located in Southern California. As a result of this geographic advantage, all other manufacturers of Mannich Polymer declined to take part in the evaluation which has resulted in Polydyne being the only responsive vendor for supplying MBC with Mannich Polymer. The delivered price is \$1.69 per active pound in a 4% concentration, or \$0.0676 per pound solution, or about \$0.6075 per gallon, including tax, for up to 1,975,382 gallons per year.

FISCAL CONSIDERATIONS:

The not-to-exceed amount of \$1,200,000 for the first year is available in the MWWD operating budget, Sewer Fund 41508. This action is funded from the sewer revenue rates only.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This action will be reviewed by the Natural Resources and Culture Committee on November 14, 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

None.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Citizens of San Diego and the Participating Agencies who are impacted by costs of sewage treatment permit compliance.

Polydyne, Incorporated.

Bertch/Hass

Aud. Cert. 2800372.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.

Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-103: Extension of Cooperative Agreement with Caltrans for Construction of Auxiliary Lanes on Interstate 15. (Rancho Bernardo, Carmel Mountain Ranch, and Rancho Peñasquitos Community Areas. Districts 1 and 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-519) ADOPTED AS RESOLUTION R-303292

Authorizing the Mayor, to execute, for and on behalf of the City, an agreement with Caltrans, for the construction of auxiliary lanes on Interstate 15, extending the termination date of the Agreement to December 31, 2008 under the terms and conditions set forth in the Agreement.

Declaring that this activity is covered under the I-15 Managed Lanes Final IS/EA and MND, SCH#2002101112. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review.

Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review, Guidelines Section 15060(c)(3).

STAFF SUPPORTING INFORMATION:

On January 26, 2005, the City and Caltrans entered into an Agreement with Caltrans for the construction of auxiliary lanes on Interstate 15 as part of the I -15 Managed Lanes project. The locations of the auxiliary lanes are: from Carmel Mountain Road to Camino del Norte (two northbound lanes); from Bernardo Center Drive to Rancho Bernardo Road (two northbound lanes); and from Bernardo Center Drive to Camino del Norte (one southbound lane). The termination date for this Agreement is December 31, 2007.

Caltrans is requesting that the termination date for this Agreement be extended to cover project completion. The termination date for the Agreement would be extended to December 31, 2008, (a 1-year extension).

FISCAL CONSIDERATIONS:

None with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Council approved the Cooperative Agreement to fund the construction of the auxiliary lanes on January 26, 2005.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A.

KEY STAKEHOLDERS & PROJECTED IMPACTS:

Caltrans is the key stakeholder in this action.

Jarrell/Hass

Staff: Larry Van Wey - (619) 533-3005
Peter A. Mesich - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-104: Amendment No. 3 to Agreement with HNTB Corporation for Brown Field Airport Airfield Electrical System Upgrade. (Otay Mesa Community Area. District 8.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-454) ADOPTED AS RESOLUTION R-303293

Authorizing the Mayor, or his designee, to execute Amendment No. 3 to the Agreement between the City of San Diego and HNTB Corporation for Airfield Electrical Design of Brown Field Airport, (Amendment No. 3), for additional design services for Phases 2 and 3 of the Brown Field Electrical System Upgrade, CIP-31-300.0 in an amount not to exceed \$138,279;

Authorizing the City Auditor and Comptroller to expend up to \$138,279 from CIP-31-300.0 for any of the purposes set forth in Contract Amendment No. 3;

Authorizing the City Auditor and Comptroller to transfer \$1,361,721 from CIP-31-300.0, Brown Field Electrical System Upgrade Phase 1, to CIP-31-001.1, Brown Field Annual Allocation;

STAFF SUPPORTING INFORMATION:

The Airports Division has proposed improvements to the Brown Field Airfield Electrical System. This work is designated as a high priority by the Federal Aviation Administration (FAA), due to its impact on safety. The FAA has provided a funding agreement in the amount of \$1,111,500 for the construction of this project for the first phase of upgrades. Currently, the construction for Phase I of this project is underway.

HNTB Corporation was the consultant selected to design this project. Initially, the agreement between the City and HNTB was to design this project as one phase. Unfortunately, the FAA was only able to provide \$1.1 million in grant funding for the construction, for an estimated \$4.5 million project. The FAA has scheduled to provide additional funding for the remaining work in the future. Therefore, HNTB will provide a second and third phase set of drawings and specifications for bid and has requested funding for these additional services.

The original Consultant Contract executed with HNTB in the amount of \$249,800 was filed 12/28/04. The First Consultant Contract Amendment in the amount of \$23,339 was filed on 5/2/05. Consultant Contract Amendment No. 2 in the amount of \$73,925 was filed on 12/5/05. This proposed Contract Amendment No. 3 in the amount of \$138,279 will bring the total contract compensation for the consultant's design and construction support services to \$485,343.

During the 2008 budget preparation for the Airports, \$1,500,000 was erroneously appropriated to CIP-31-300.0, Brown Field Electrical System Upgrades, instead of CIP-31-001.1, Brown Field Annual Allocation. Current request is to authorize the expenditure of \$138,279 from CIP-31-300.0, Brown Field Airfield Electrical Systems Upgrade, for the purpose of executing the proposed Amendment No. 3 and transfer the balance of \$1,361,721 to CIP-31-001.1, Brown Field Annual Allocation.

FISCAL CONSIDERATIONS:

The \$138,279 compensation for the consultant design services under Amendment No. 3 is available in the project CIP-31-300.0, Brown Field Electrical System Upgrades, contingent upon the City Auditor and Comptroller certifying funds are available for this purpose.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

- Accept proposed Design Consultant's (HNTB) 2nd amended project scope of services for an additional \$73,925 and not to exceed a total contract amount of \$347,064. This work was to provide Phase I construction support services that was not defined in the original agreement.
- Accept FAA Airport Development Grant in the amount of \$1,111,500.
- Accept bid and award Phase I Construction contract to Nova Electric Inc. in the amount of \$964,240.
- Authorize the expenditure of \$ 1,267,101.55 from CIP-31-300.0 for Phase I of this project.
- Authorize the City Auditor and Comptroller to transfer \$155,601.55 from Fund 310010, Annual Allocation, to CIP-31-300.0; for the purpose of providing FAA grant matching funds.
- Authorize the City Auditor and Comptroller to appropriate \$1,500,000 to CIP-31-300.0, Brown Field Electrical System Upgrades - Phase I, per the 2008 Budget Ordinance No. O-9652.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

During the initial design stages, this project was presented to the Airport Advisory Committee (AAC), who is in favor of this capital improvement. The users of Brown Field Airport will be briefed at upcoming AAC meetings, by the Deputy Director of the Airports Division.

KEY STAKEHOLDERS & PROJECTED IMPACTS:

1. HNTB (Design Consultant).
2. Brown Field Airport Users and businesses.
3. FAA.

Projected Impacts: The users of Brown Field Airport may encounter minor inconveniences during construction. After completion, users will experience improved safety.

Tussey/Hass

Aud. Cert. 2800351

Staff: Mike Tussey - (858) 573-1441
John H. Serrano - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-105: Agreement with Recon Environmental Inc., for El Camino Real Bridge/Road Widening. (Carmel Valley, NCFUA Subarea II Community Area. District 1.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-481) ADOPTED AS RESOLUTION R-303294

Authorizing the Mayor, to execute, for and on behalf of the City, an Agreement with Recon Environmental, Inc. (Agreement), for the purpose of completing the Environmental Impact Report under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$200,000 from Fund No. 30300, Transnet, CIP-52-479.0, El Camino Real Bridge/Road Widening, for the purpose of providing funds for the above referenced Agreement;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves;

Declaring that this activity is not a "project" and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3).

STAFF SUPPORTING INFORMATION:

The El Camino Real Bridge/Road Widening Project consists of replacing the structurally deficient bridge over the San Dieguito River and provides roadway improvements on El Camino Real (Via de la Valle to San Dieguito Road) and Via de la Valle (between the northern and southern segments of El Camino Real). The project also includes curbs, gutters, sidewalks, bike lanes, landscaping, traffic signal and other related improvements.

The justification for sole sourcing the contract to Recon is as follows: Recon is a sub consultant for Rick Engineering, which is the prime consultant for the Via De La Valle Project and the El Camino Real Widening Project between Half Mile Dr. and San Dieguito Rd. Both projects are in the same location as the El Camino Real Bridge Replacement and Road Widening Project. Recon's familiarity with the region's traffic and environmental issues will enhance their ability to complete the EIR expeditiously and completely and reduce the likelihood of re-writes after public comment is received. Recon's experience and knowledge of all three projects will also minimize the necessity to modify or oversee their work, reducing the project's impact on staff time. These factors translate into time and cost savings that justify sole-sourcing this contract to Recon.

FISCAL CONSIDERATIONS:

Funding in the amount of \$200,000 is available in CIP-52-479.0, El Camino Real Bridge/Road Widening, Fund 30300, Transnet.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Council Resolution R-289908 dated March 31, 1998 authorized the expenditure of \$411,817 for the execution of the original consultant contract with Earth Tech.

Council Resolution R-295346 dated August 6, 2001 authorized the expenditure of \$450,684 for the execution of the First Contract Amendment with Earth Tech.

Council Ordinance O-19234 dated November 8, 2004 authorized the expenditure of \$275,394 for the execution of the Second Contract Amendment with Earth Tech.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Carmel Valley Community Planning Board, San Dieguito River Joint Powers Association, 22nd District Agricultural Association.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

San Diego Polo Club, Plaza Partners, Ladeki Restaurant Group, Mary's Tack and Feed, All Creatures Animal Hospital, Recon, and Rick Engineering.

Jarrell/Hass

Aud. Cert. 2800408.

Staff: Abi Palaseyed - (619) 533-3756
Peter A. Mesich - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

 * [ITEM-106](#): Sikes Adobe Sale Grant Deed to San Diego River Park Joint Powers Authority. (San Pasqual Community Area. District 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-461 Cor. Copy) CONTINUED TO TUESDAY,
FEBRUARY 5, 2008

Authorizing the Mayor, or his designee, to execute a Grant Deed in Favor of the San Dieguito River Park Joint Powers Authority for the sale of the Sikes Adobe Property;

Authorizing the City Auditor and Comptroller to accept the fair market value compensation from the San Dieguito River Park Joint Powers Authority in the amount of \$170,000 for the subject 5.742-acre parcel, and deposit the funds into the Water Department Enterprise Fund 30246, Account 78335, "Sale of Land."

STAFF SUPPORTING INFORMATION:

The subject 5.742-acre Sikes Adobe property was acquired by the City of San Diego Water Department, in the early 1900's, for watershed purposes, as part of the Lake Hodges Dam Project. The property remained idle for many years, and was incorporated into the San Pasqual Valley Agricultural Preserve, established by Council Resolution in 1970. In 2003, the City granted a Permit to the San Dieguito River Park Joint Powers Authority (JPA) for access and use of approximately 1.90 acres of the subject site, which included the right to rehabilitate and restore the existing Sikes Adobe Farmstead structures, originally built on the property in the late 1800's.

Regrettably, the majority of the farmstead structures, recognized as a State Point of Historic Interest, and a City of San Diego Historic Site, were destroyed in the October 2007 wild fires. It is the intention of the JPA to reconstruct these structures, following the acquisition of the subject property from the City. It is to be noted that due to the fact that the farmstead structures were in dilapidated condition prior to the JPA's occupancy and commencement of their restorative efforts, the contributory value, if any, of the adobe farmstead structures was not considered in the fair market value conclusion of the 5.742-acre property. As such, the recent loss of the structures had no impact on the value of the subject property.

The conveyance of the subject property will not include water rights, as they will be retained by the City, through a deed restriction. Further, the property is to be preserved in accordance with the San Pasqual Valley Plan, adopted by the City Council on June 27, 1995, (Resolution No. R-286043). To this end, prior to any restoration work or other contemplated uses of the site by the JPA, including, but not limited to, an interpretive center, and/or JPA offices, an environmental document, prepared in compliance with CEQA, will be completed to address the potential impacts to the site. Development of the site, beyond the restoration of the farmstead structures, would require re-zoning, in that the subject property lies within the Agricultural Preserve. All proposed restorative work or other uses shall be presented to the City's Historical Resources Board for consideration and assistance in developing mitigation measures for inclusion in the CEQA document, to ensure the protection of the property's historic context.

FISCAL CONSIDERATIONS:

\$170,000 will be deposited into Water Department Fund 30246.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

February 17, 2005 - Rancho Bernardo Community Planning Board approved the lease and/or purchase of the site by the JPA, provided that the above-stated use provisions were instituted.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: None.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

City of San Diego Water Department.
San Dieguito River Park Joint Powers Authority.

Barwick/Anderson

Staff: Lane MacKenzie - (619) 236-6050
Todd Bradley - Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:31 a.m. – 10:34 a.m.)

MOTION BY MAIENSCHIEN TO CONTINUE TO TUESDAY, FEBRUARY 5, 2008, FOR FURTHER REVIEW. Second by Faulconer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-107: Department of Boating and Waterways Classes. (Pacific Beach Community Area. Districts 2 and 6.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-497) ADOPTED AS RESOLUTION R-303295

Authorizing the Mayor, or his designee, to accept a reimbursement from the State Department of Boating and Waterways in the amount of \$28,650, the reimbursement will be used to offset the costs incurred by the San Diego Fire-Rescue Department to hold two boating classes in Mission Bay;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for this grant program;

Authorizing the City Auditor and Comptroller to accept, appropriate and expend Funds from this grant program.

STAFF SUPPORTING INFORMATION:

The State of California, Department of Boating and Waterways currently offers five (5) forty (40) hour modules of training in the area of boating rescue enforcement. These courses are approved by the Port Captains and Harbor Masters Association.

DBW requested that the City of San Diego Fire -Rescue Department host two (2) classes: Rescue Boat Operations and Marine Firefighting. Classes are open to agencies involved in boating safety, rescue and enforcement, including lifeguards, harbor police officers and other law enforcement officers. By hosting these classes, qualified San Diego City employees will be able to attend without having to incur the cost of travel.

DBW will reimburse the City of San Diego Fire-Rescue Department for the cost of the classes up to \$28,650.

FISCAL CONSIDERATIONS:

There is no impact to the General Fund resulting from this reimbursement. This item is not budgeted and SDFR will be absorbing the costs exceeding the reimbursed amount.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The Council approved a similar request in FY 2000.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: None.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Lifeguards and the San Diego boating community are the key stakeholders. These classes are intended to provide training to City Lifeguards and other law enforcement agencies. The ultimate goal is to continue to protect the safety of mariners in the waters of the City of San Diego.

Jarman/Olen

Staff: Chief Tracy Jarman - (619) 533-4301
William J. Gersten - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-108: Authorized Agents to Obtain Certain Financial Assistance on the City's Behalf.
(Citywide.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-538) ADOPTED AS RESOLUTION R-303296

Authorizing the Mayor, Chief Operating Officer, Deputy Chief Operating Officer of Public Safety/Homeland Security, or the Director of the Office of Homeland Security, to execute and file, for and on behalf of the City, applications and documents for the purpose of obtaining federal and state financial assistance.

STAFF SUPPORTING INFORMATION:

This resolution updates and replaces Resolution No. R-299225, adopted on May 17, 2004, which authorized designated City officials to execute and file, on behalf of the City, applications and documents for the purpose of obtaining certain federal financial assistance under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. The California Governor's Office of Emergency Services has requested a reauthorization resolution designating City officials under the Strong Mayor form of government, who are authorized to execute and file, for and on behalf of the City, applications and documents for the purpose of obtaining financial assistance to assist the City in recovering costs associated with a declared local emergency.

FISCAL CONSIDERATIONS:

Funding received from financial assistance programs directly support the City's ability to respond to and recover from a catastrophic event.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Resolution No. R-299225, adopted on May 17, 2004.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Not applicable.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Citizens of San Diego
City of San Diego Office of Homeland Security
State of California Governor's Office of Emergency Services Federal Emergency Management Agency
U.S. Department of Homeland Security (DHS)

Faller/Olen

Staff: Donna Faller - (619) 533-6763
Nooria Faizi - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-109: Twenty Mile-Per-Hour Speed Limit on Dupont Street. (Peninsula
Community Area. District 2)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-403) ADOPTED AS RESOLUTION R-303312

Finding based on an engineering and traffic survey conducted by Staff of the
Engineering and Capital Projects Department, that the prima facie speed limit of
25 miles per hour on Dupont Street between Catalina Boulevard and Silver Gate
Avenue, a residence district, is more than is reasonable or safe, and a speed limit
of 20 miles per hour is most appropriate, pursuant to its authority under Section
22358.3 of the California Vehicle Code;

Authorizing the establishment of a 20-mile per hour prima facie speed limit on
Dupont Street between Catalina Boulevard and Silver Gate Avenue;

Declaring that this activity is not a "project" and is therefore not subject to
California Environmental Quality Act (CEQA), pursuant to State CEQA
Guidelines Section 15060(c)(3).

STAFF SUPPORTING INFORMATION:

This action will authorize the establishment of a 20 mile-per-hour prima facie speed limit on
Dupont Street between Catalina Boulevard and Silver Gate Avenue. This action is in accordance
with California Vehicle Code Section 22358.3.

Dupont Street between Catalina Boulevard and Silver Gate Avenue is a narrow residential
street with widths varying from 20 feet to 25 feet without curb, gutter or sidewalk. Residents
along this segment of Dupont Street expressed concern with speeding traffic, which was
confirmed by a speed study that staff has conducted. A field evaluation revealed that speed
limit signs do not exist and that it would be beneficial to post a speed limit on the street.

A roadway, such as this segment of Dupont Street, having a width not exceeding 25 feet may be posted at less than the prima facie 25 mile-per-hour speed limit. In accordance with California Vehicle Code Section 22358.3, a lower posting must be justified by an engineering and traffic survey and approved by a City Council Resolution or Ordinance.

Staff has conducted an engineering and traffic survey and the results of the survey determined that a 20 mile-per-hour speed limit would be the appropriate posting for this street. Staff also believes that declaring this segment of Dupont Street a 20 mile-per-hour zone will increase the awareness of drivers of the unusually narrow width of the street and the residential nature of the neighborhood.

FISCAL CONSIDERATIONS:

\$300. Posting a 20 mile-per-hour speed limit on Dupont Street between Catalina Boulevard and Silver Gate Avenue would require the installation of two speed limit signs, one sign in each direction, on two new poles. The cost for the two signs and poles is approximately \$300. General funds are not budgeted for this specific project. However, Street Division will reprioritize other maintenance needs to complete this project.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Residents along this segment of Dupont Street have submitted a petition in support of this proposal. In addition, the Peninsula Community Planning Board has been informed of the proposal and has not expressed comment.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Residents along Dupont Street between Catalina Boulevard and Silver Gate Avenue will benefit from the expected lower vehicle speeds.

Jarrell/Hass

Aud. Cert. 2800346.

Staff: Deborah Van Wanseele - (619) 533-3012
Michael P. Calabrese – Chief Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:23 p.m. - 2:29 p.m.)

MOTION BY FAULCONER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-110: One-Way Operation on Dodson Street. (Southeastern San Diego Community Area. District 8.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-432) ADOPTED AS RESOLUTION R-303297

Authorizing the conversion of Dodson Street between Island Avenue and K Street to a one-way operation southbound, pursuant to the authority conferred by and in accordance with the provisions of San Diego Municipal Code Section 82.19;

Authorizing the installation of the necessary signs and markings to be made on said street, and the regulations hereinabove imposed shall become effective upon the installation of such signs;

Declaring this activity is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 because this action is a minor alteration of an existing facility with a negligible expansion beyond the existing use.

STAFF SUPPORTING INFORMATION:

This action will authorize the Mayor to convert Dodson Street between Island Avenue and K Street to one-way operation southbound. This action is in accordance with Municipal Code Section 82.19. Adjacent property owners requested one-way operation southbound. Dodson Street between Island Avenue and K Street is a relatively narrow (30 feet wide) two way residential street with parking permitted on both sides. The east side consists of a residential neighborhood. Kimbrough Elementary School is on the west side.

FISCAL CONSIDERATIONS:

The fiscal impact is estimated to be \$1,751. Funds are not currently budgeted specifically for this project. However, Street Division will reprioritize other maintenance needs in order to complete this project.

PREVIOUS COUNCIL COMMITTEE ACTION: None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Southeastern San Diego Planning Committee has voted in support of this action. A petition signed by 8 out of 9 affected properties and Kimbrough Elementary School representing 92% of the abutting property on Dodson Street was submitted supporting this action.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A.

Jarrell/Hass

Aud. Cert. 2800375.

Staff: Deborah Van Wanseele - (619) 533-3012
Michael P. Calabrese – Chief Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-111: Ordering Foreclosure Actions Against Delinquent Parcels of Land. (Otay Mesa Community Area. District 8.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-440) ADOPTED AS RESOLUTION R-303298

Finding that the Mello-Roos Act, the 1915 Act, and the 1984 Act authorizes the filing of judicial foreclosure lawsuits to collect delinquent special tax special assessment installments, and hereby orders that the delinquent special tax and special assessment installments listed on Exhibit A, and all future delinquent special tax and special assessment installments as to such parcels, be collected by action brought in the appropriate Superior Court to foreclose the liens thereof;

Finding that the Mello-Roos Act, the 1915 Act, and the 1984 Act provides for the payment of the costs and attorneys fees for prosecution of the foreclosure lawsuits authorized by the Council, and hereby authorizes Special Counsel to require payment of all costs and all attorneys fees incurred in the applicable foreclosure lawsuit as a condition of such redemption;

Authorizing and directing City personnel in conjunction with Special Counsel and other City consultants to: 1) record applicable notices of intent to remove the delinquent special tax and assessment installments from the tax rolls, and 2) request that the County Auditor remove current and future delinquent special tax and assessment installments from the tax rolls.

STAFF SUPPORTING INFORMATION:

Certain property owners have become delinquent with respect to the payment of assessments associated with Reassessment District 1999-1 and Reassessment District 2003-1. Bonds have been issued in connection with these districts, and such bonds are secured solely by assessments levied upon individual properties within the districts. The City is compelled under the bond covenants contained within the bond financing documents authorized in connection with the districts to commence foreclosure actions against delinquent parcels when certain thresholds are reached, as set forth in the bond documents. The delinquent amounts for each of the parcels listed below and subject to this proposed action have exceeded the delinquency thresholds established under the applicable bond documents.

Special District	Assessor's Parcel No.	Tax Year Periods ⁽¹⁾	Number of Delinquent Installments	Total Delinquent Amount ⁽³⁾
Reassessment District 1999-1	646-160-15-00	2004-2007	6	\$12,082.96
Reassessment District 2003-1	646-210-36-00	2004-2007	3	\$12,220.32
	646-150-37-00 ⁽²⁾	2004-2007	4	\$6,545.90
	646-150-38-00 ⁽²⁾	2004-2007	4	\$6,545.90
Total				\$37,395.08

- (1) A tax year period is from July 1 to June 30 and consists of two installment payment deadlines: December 10 and April 10.
- (2) Parcels 646-150-37 & 646-150-38 have the same property owner of record.
- (3) Total Delinquent Amounts do not include late payment penalties.

The City has provided each property owner of record of the subject parcels with delinquency notices and has advised each property owner of the City's intention to begin the foreclosure process if payment is not forthcoming. Delinquent amounts remain outstanding for each parcel; therefore, approval of this proposed action to order the filing of a judicial foreclosure lawsuit against each such parcel is recommended. If approved, the City, in conjunction with outside foreclosure counsel, would file the appropriate judicial foreclosure lawsuits and take such other associated actions necessary to collect the delinquent special taxes. A foreclosure lawsuit is terminated at any time before a parcel is sold at a judicial foreclosure sale so long as the delinquent amounts, penalties, and attorneys fees are paid.

FISCAL CONSIDERATIONS:

There will be no fiscal impact to the City as a result of this action. However, this action will facilitate recovery of the delinquent amounts to the Debt Service Fund of the district. All costs related to the foreclosure actions would be reimbursed as part of the delinquency recovery or would be funded by the City's Special Assessment District Delinquency Fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

None related to this proposed action. However, the Council has approved similar actions in the past, most recently Resolution R-302303, dated February 07, 2007, approving foreclosure lawsuits involving other previously delinquent parcels of land within certain of the City's Community Facilities Districts.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

No outreach required to the general public. However, as described above, subject property owners have been provided with notices regarding their delinquent status and advising them of the City's intention to begin the foreclosure process if payment is not forthcoming.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

- Property owners within the above referenced Special Assessment Districts who are delinquent in the payment of the associated assessments are therefore subject to this foreclosure action.

- Investors who hold the associated bonds of the districts who receive principal and interest payments on the bonds payable from the annual assessments. The City has covenanted with the bondholders, through the bond documents, to foreclose on properties with total delinquent amounts meeting certain established thresholds.

Kommi/Goldstone

Staff: Elizabeth Kelly - (619) 236-6932
Mark D. Blake – Chief Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-112: Agreement with CSAC EIA to Accept Defense without Reservation of Rights and Pay any Judgment and Attorney’s Fee Award in Consideration for the City’s Payment of Remaining Self Insured Retention Amount. (La Jolla Alta Community Area. District 2.)

CITY ATTORNEY’S RECOMMENDATION:

Adopt the following resolution:

(R-2008-410) ADOPTED AS RESOLUTION R-303299

Authorizing the City Attorney, to enter into an Agreement with CSAC EIA wherein the carriers accept the tender of the City's defense, without any reservation of rights, and pay any judgment and attorney's fee award that results from the lawsuit, in consideration for the City's payment of the remaining retained limit of \$952,586;

Authorizing the City Auditor and Comptroller to transfer within the Public Liability Fund the sum of \$952,586 to provide funds for the above Agreement with CSAC EIA, and expend said funds as requested.

SUPPORTING INFORMATION:

By paying the remaining balance of the City's self insured retention amount to CSAC EIA, the City's excess insurance carrier (CSAC EIA) will then be obligated to pay any and all judgment and attorney's fee award that results from the lawsuit La Jolla Alta Master Council v. City of San Diego, et al., San Diego Superior Court Case No. GIC822281, as well as the cost of defense of the action.

FISCAL CONSIDERATIONS:

The total cost will be paid from the Public Liability Fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This matter was approved 8 to 0 by the City Council in Closed Session on May 8, 2007. The motion was made by Council President Pro Tem Young and second by Councilmember Atkins.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY SIAKEHOLDERS AND PROJECTED IMP ACTS: N/A

Boardman/Goldstone

Aud. Cert. 2800436.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

Staff: Jane M. Boardman - Deputy City Attorney (619) 533-5899

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-113: Establishment of the Torrey Pines City Park Advisory Board. (Torrey Pines Community Area. District 1.)

(See memorandum from Mayor Sanders', dated 11/15/2007.)

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2008-550) ADOPTED AS AMENDED AS RESOLUTION R-303300

Establishing, pursuant to City Charter Section 43(b) a Torrey Pines City Park Advisory Board to consist of eleven members who shall serve without compensation. The members shall serve for two year staggered terms. The members shall be appointed by the Mayor. The Board shall be composed of the following:

- a. One at-large member;
- b. Two members from the San Diego Hangliding and Paragliding Association (one representative from hang gliding and one representative from paragliding);
- c. One representative from each of the following organizations:
 - 1) Associated Glider Clubs of Southern California (sailplane)
 - 2) Park and Recreation Board member
 - 3) Park and Recreation Board's Community Parks I Area Committee Member
 - 4) Sierra Club - San Diego Chapter (non-profit/environmental)
 - 5) Torrey Pines Association (non-profit/environmental)
 - 6) Torrey Pines Gulls Radio-Controlled Soaring Society (radio-controlled model sailplane gliders)
 - 7) University Community Planning Group
- d. One representative from a list of up to three nominations submitted by the Councilmember who represents Torrey Pines City Park;

Stating that all members of the Board shall be residents of the County of San Diego, and no fewer than six shall be residents of the City of San Diego;

Stating that members shall serve two-year staggered terms until the final General Development Plan for Torrey Pines City Park is voted upon by the Park and Recreation Board. For the initial appointments, six members shall be appointed to an initial term that shall expire on November 1, 2009, and five members shall be appointed to an initial terms that shall expire November 1, 2008. Thereafter, the expiration date for all terms shall be November 1. Initial appointments that are less than the full term of two years will be allowed to serve two full terms. Each member shall serve until his or her successor is duly appointed and qualified. Any vacancy shall be filled for the remainder of the unexpired term. Any vacancy replacements will be eligible to serve the remaining term of the vacant position and two full terms;

Stating that for the initial year after establishment of the Board, the Mayor will designate one member as Chair. The initial Chair shall serve a two-year term with the option of re-appointment for an additional two-year term. The Board shall upon the expiration of the first two-year term of the initial Chair, re-appoint the Chair on or after November 1 or select a new Chair from among its members. When a new Chair is chosen, that Chair will serve a two-year term with the option of re-appointment for one additional two-year term. In this manner, a Chair will be selected and serve until the Park and Recreation Board has taken their vote on the final General Development Plan for the Torrey Pines City Park;

Stating that the Board may adopt by-laws consistent with the law for the government of its meetings and activities;

Stating that meetings of the Torrey Pines City Park Advisory Board shall be held as determined by the Park and Recreation Department staff or Park and Recreation Department designee;

Declaring that, pursuant to City Charter Section 43(b), the Torrey Pines City Park Advisory Board will have the following defined objective: To serve in an advisory capacity to provide input to the Park and Recreation Board on the General Development Plan for Torrey Pines City Park (GDP), in compliance with Council Policy 600-33, "Community Input for Park Projects." The GDP shall be prepared by the Park and Recreation Department in collaboration with appropriate City departments, Federal, State, and regional agencies, and representatives from the public, within three years of the effective date of the Settlement Agreement (June 27, 2007), absent good cause for delay, and in no event longer than within five years.

Declaring that upon the Park and Recreation Board's vote on the final General Development Plan, the Board shall dissolve.

Staff: Lisa Gordon - (619) 236-7740
Kimberly Ann Davies - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:52 a.m. – 11:54 a.m.)

MOTION BY FRYE TO ADOPT THE RESOLUTION AS AMENDED TO INCLUDE LANGUAGE RELATED TO ITEM B OF THE MAYOR'S RECOMMENDATION TO INCLUDE ONE MEMBER FROM THE SAN DIEGO HANGLIDING AND PARAGLIDING ASSOCIATION AND ONE MEMBER FROM THE TORREY HAWKS HANGLIDING CLUB WHO MUST ALSO BE A MEMBER OF THE SAN DIEGO HANG GLIDING AND PARAGLIDING ASSOCIATION. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-114: Settlement of Personal Injury Claim of Yevdokia Bristman and Mark Bristman.
(District 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-379) ADOPTED AS RESOLUTION R-303301

A Resolution approved by the City Council in Closed Session on Tuesday, October 9, 2007, by the following vote: Council President Peters-yea; Faulconer-yea; Atkins-yea; Young-yea; Maienschein-yea; Frye-yea; Council President Pro Tem Madaffer-yea; Hueso-yea.

Authorizing the City Auditor and Comptroller to pay the total sum of \$600,000 in the settlement of each and every claim against the City, its agents and employees, resulting from personal injury to Yevdokia Bristman (Superior Court Case No. LX06-0549-1202, v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$600,000 made payable to McClellan Law Firm FBO Yevdokia and Mark Bristman and in full settlement of the lawsuit and all claims.

STAFF SUPPORTING INFORMATION:

The proposed settlement would resolve all claims brought by Yevdokia Bristman and Mark Bristman.

FISCAL CONSIDERATIONS:

Settlement will be paid from the Public Liability Fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This item was considered in closed session on October 9, 2007 the City Council approved the settlement amount of \$600,000. City Council voted 8 to 0. The motion was made by President Peters with a second by Council President Pro Tem Young.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A

Goldstone

Aud. Cert. 2800409.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

Staff: Janice Ellis - (619) 236-7705
Bonny Hsu - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-115: Rabbi Moshe Leider Day.

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2008-499) ADOPTED AS RESOLUTION R-303302

Proclaiming December 13, 2007, to be "Rabbi Moshe Leider Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-116: Richard Joseph Salon Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2008-417) ADOPTED AS RESOLUTION R-303303

Congratulating Richard Campione for twenty years of successful business at the Richard Joseph Salon;

Proclaiming December 2, 2007, to be "Richard Joseph Salon Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-117: Foie Gras.

COUNCILMEMBER FRYE'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-421) ADOPTED AS RESOLUTION R-303304

Commending the Animal Protection and Rescue League (APRL), on behalf of the people of San Diego, for raising awareness of the cruel practice of force-feeding ducks and geese to produce Foie Gras and the many San Diego restaurants that have stopped selling Foie Gras before the California Statewide ban goes into effect, and encouraging San Diegans to avoid supporting this extreme form of animal cruelty.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-118: Excusing Councilmember Maienschein from Attending City Council meetings on October 29-30, 2007; November 5-6 and 13, 2007; Natural Resource and Culture Committee meeting on November 2, 2007; and the Rules Open Government and Intergovernmental Relations Committee meeting on November 7, 2007.

COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-490) ADOPTED AS RESOLUTION R-303305

Excusing Councilmember Brian Maienschein, from attending the regularly scheduled City Council meetings on October 29 and 30, 2007; November 5 and 6, 2007; and November 13, 2007; the Natural Resource and Culture Committee meeting on November 2, 2007; and the Rules Open Government and Intergovernmental Relations Committee meeting on November 7, 2007, due to his work with the aftermath of the Witch Creek Fires.

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

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-119: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico. (District 8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-276) ADOPTED AS RESOLUTION R-303306

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L – State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-120: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-298) ADOPTED AS RESOLUTION R-303307

Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City of San Diego.

FILE LOCATION: GEN'L – State of Emergency Due to Severe Shortage of Affordable Housing in the City of San Diego

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-121: State of Local Emergency Declaration Regarding the Landslide on Mount Soledad.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-363) ADOPTED AS RESOLUTION R-303308

Declaring a continued state of emergency to persist relative to the landslide on Mount Soledad, pursuant to California Government Code Section 8630;

Declaring that the measures previously authorized by the City Council in Resolution No. R-303041 shall continue to have full force and effect.

FILE LOCATION: GEN'L – State of Emergency Regarding the
Landslide on Mount Soledad

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-122: Declaring a Continued State of Emergency Regarding the Wildfires.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-503) ADOPTED AS RESOLUTION R-303309

Declaring a continued state of emergency to exist in the City of San Diego due to the wildfires which began on October 21, 2007, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution No. R-303098 shall continue to have full force and effect.

FILE LOCATION: GEN'L – State of Emergency Regarding the Wildfires

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Hueso.
Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-330: Addition of Independent Budget Analyst Staff Member.

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2008-77) INTRODUCED AND ADOPTED AS
O-19702 (New Series)

Authorizing the City Auditor and Comptroller to add 1.0 position to Office of the Independent Budget Analyst (Dept. 030) and to transfer, appropriate, and expend \$50,000 from the FY 2008 appropriated reserve to Office of the Independent Budget Analyst (Dept. 030) for an additional position;

Amending Ordinance No. O-19652 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2008 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by increasing Office of the Independent Budget Analyst (Dept. 030) by 1.0 position and \$50,000 for salary and fringe for the balance of FY 2008, and non-personnel costs for office space and equipment.

NOTE: Today's action is the second public hearing and introduction and adoption of the ordinance. See Item S500 on the docket of Tuesday, December 4, 2007, for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:34 p.m. - 2:34 p.m.)

MOTION BY ATKINS TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Young. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-331: Consultant Agreement with Jones & Stokes Associates, Inc. for the Grantville Master Plan. (Navajo and Tierrasanta Community Areas. District 7.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-414) RETURNED TO MAYOR

Authorizing the Mayor, or his designee, to execute, for and on behalf of said City, an Agreement with Jones & Stokes Associates, Inc., to provide planning services for the preparation of a Master Plan for the Grantville Redevelopment Project area under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$425,000 from City Planning and Community Investment Fund 18542, Department 4351 for the purpose of providing funds for the above referenced Agreement;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to appropriate reserves;

Declaring this activity is statutorily exempt from CEQA as a planning activity pursuant CEQA Guidelines Sections 15061(b)(1) and 15262.

STAFF SUPPORTING INFORMATION:

On June 12, 2007, the City Council initiated amendments to the Navajo and Tierrasanta Community Plans for the preparation of a master plan for Subareas A and B of the Grantville Redevelopment Project Area. The City conducted a competitive bidding process for the selection of a planning consultant for Subarea A. As a result of the competitive bidding process, the City has selected Jones & Stokes Associates, Inc., to provide the professional planning services to develop the master plan. The development of a master plan would ensure that the full range of plan development and implementation issues related to community revitalization in the Grantville area is analyzed. The master plan would evaluate some of the following issues: determination of future land uses, provision of adequate infrastructure, improvements to circulation, transit-oriented development around the trolley station and the San Diego River Park as a public open space amenity. This action will approve the consultant agreement to conduct the planning work.

FISCAL CONSIDERATIONS:

A total (not to exceed) of \$425,000 will be made available for the planning work on the project.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On June 12, 2007, the City Council initiated amendments to the Navajo and Tierrasanta Community Plans for the preparation of a master plan for Subareas A and B of the Grantville Redevelopment Project Area.

COMMUNITY PARTICIPATION and PUBLIC OUTREACH EFFORTS:

The City Planning and Community Investment Department has established a Grantville Stakeholders Committee (GSC) composed of property owners, business owners and existing community organizations to provide recommendations during the master plan process. The Department and its consultants will work closely with the GSC and other interested members of the community throughout the planning process for the master plan.

KEY STAKEHOLDERS and PROJECTED IMPACTS (if applicable):

Jones & Stokes Associates, Inc., and other stakeholders listed above, including the Navajo Community Planning Group, Tierrasanta Community Council, Allied Gardens Community Council, the San Diego River Park Foundation, the Metropolitan Transit System, and interested community members.

McCullough/Anderson

Aud. Cert. 2800380.

Staff: Jennifer Cordeau - (619) 236-5204
Marianne Greene - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:31 a.m. – 10:31 a.m.)

MOTION BY COMMON CONSENT TO RETURN TO THE MAYOR. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-332: Mission Bay Regional Park Improvement Fund Balance Allocation.
(Torrey Pines, Mission Bay Park, Peninsula, and Otay Mesa Community Areas.
Districts 1, 2, and 8.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2008-445 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-303313

Amending the Fiscal Year 2008 Capital Improvement Program Budget by adding CIP-29-965.0 Torrey Pines City Park Development;

Amending the Fiscal Year 2008 Capital Improvements Program Budget for CIP-22-960.0 Mission Bay Fiesta Island Infrastructure Improvements, in Fund 10502, Mission Bay Reserve Fund, by increasing the budget amount by \$842,605;

Amending the Fiscal Year 2008 Capital Improvements Program Budget for CIP-29-965.0 Torrey Pines City Park General Development Plan, Fund 10518, Regional Park Fund, by increasing the budget amount by \$500,000;

Amending the Fiscal Year 2008 Capital Improvements Program Budget for CIP-29-871.0 Sunset Cliffs Natural Park Erosion Control, in Fund 10518, Regional Park Fund, by increasing the budget amount by \$250,000;

Amending the Fiscal Year 2008 Capital Improvements Program Budget for CIP-29-424.0 Otay Valley Regional Park - Beyer Staging Area & Trail, in Fund 10518, Regional Park Fund, by increasing the budget amount by \$25,000;

Amending the Fiscal Year 2008 Capital Improvements Program Budget for CIP-29-860.0 Otay Valley Regional Park - Fenton Pond Trail, in Fund 10518, Regional Park Fund, by increasing the budget amount by \$67,605;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$500,000 from CIP-29-965.0, Torrey Pines City Park Development, Fund 10518, Regional Park Fund for the purpose of developing Torrey Pines City Park, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$842,605 from CIP-22-960.0 Mission Bay Fiesta Island Infrastructure Improvements, Fund 10502, Mission Bay Reserve Fund, for the purpose of infrastructure improvements;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$250,000 from CIP-29-871.0 Sunset Cliffs Natural Park Erosion Control, in Fund 10518, Regional Park Fund, for the purpose of infrastructure improvements;

Authorizing the City Auditor and Comptroller to appropriate and expend \$25,000 from Fund 10518, Regional Park Fund to CIP-29-424.0 Otay Valley Regional Park Beyer Staging Area & Trail;

Authorizing the City Auditor and Comptroller to appropriate and expend \$67,605 from Fund 10518, Regional Park Fund, to CIP-29-860.0 Otay Valley Regional Park Fenton Pond Trail;

Declaring that this activity is categorically exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(2).

STAFF SUPPORTING INFORMATION:

This request targets excess Fiscal 2007 Mission Bay lease revenue, collected from leases of City-owned property within Mission Bay Park. In order to comply with Mission Bay Ordinance O-19118, an additional \$1,685,210 of lease revenue is proposed to be allocated to the requested Park Capital Improvement Projects. As stated in the ordinance, 50% of the revenue will be used to fund projects within Mission Bay and 50% of the revenue will be used to fund projects in other Regional Parks.

Projects previously funded by the Mission Bay lease revenue include: Fiesta Island Drive Public Road Improvements, Lifeguard Boat Dock, Beyer Blvd. Local Staging Area and Trail, Coastal Bluff Erosion and Access, Los Peñasquitos Ranger Station, Old Mission Dam Preservation, Balboa Park Sewer Later Replacement, and Tecolote Canyon Natural Park Resource Management Plan. The projects proposed to be funded with this action are as follows:

Torrey Pines City Park Development - \$500,000

This project will complete a General Development Plan (GDP) for the Torrey Pines City Park site. The GDP is a comprehensive City plan for the development and management of the Torrey Pines City Park, which includes the Torrey Pines Glider Port. The allocation will fund Phase I of the park development, which includes the GDP.

Sunset Cliffs Natural Park Erosion Control- \$250,000

The Sunset Cliffs Natural Park Erosion Control project is proposed to complete the design, environmental documents and construction documents for the most urgent erosion needs in the Park at Culvert Canyon. Construction of the erosion control project will require additional funding once the design has been completed with this funding. In a memo dated June 15, 2007, Councilmember Kevin Faulconer requested the proposed allocation as a FY 2007 Year End budget adjustment.

Otay Valley Regional Park - Beyer Staging Area \$25,000

This allocation is necessary to complete project funding for the trail, staging area, ranger station and restroom at the first major facility to be completed in the JEPA area of the Otay Valley Regional Park. Including this proposal, the total cost of this project is \$2,543,000.

Otay Valley Regional Park - Fenton Pond Trail \$67,605

This allocation completes funding for an accessible trail from the Beyer Staging Area around Fenton Pond. The funding supplements a \$142,000 grant received from the State of California by the City in collaboration with the County of San Diego.

Mission Bay Fiesta Island Infrastructure Improvements - \$842,605

This allocation targets a project in Mission Bay's Fiesta Island which will be determined by the Mission Bay Committee of the Park and Recreation Board upon completion of the Fiesta Island Precise Plan, anticipated in Fall 2008.

FISCAL CONSIDERATIONS:

This action provides funding for projects which will complete the total project or a phase of the project.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

- Resolution R-300160 - Approval to apply for \$1 million grant for Otay Valley Regional Park - Beyer Staging Area & Trail.
- Resolution R-301326 - Award of construction contract for Beyer Blvd. Local Staging Area and Trail.
- Resolution R-302749 - Requirement to prepare a General Development Plan for the Torrey Pines City Park as part of the Settlement Agreement between the City and Coastal Law Enforcement Action Network.
- Resolution R-300993 - Approval to award consultant contract for the Fiesta Island General Development Plan Refinement.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Public outreach will occur as appropriate during the projects.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

San Diego Park and Recreation Board - Mission Bay Park Committee.

Sunset Cliffs Natural Park Recreation Council.

Otay Valley Regional Park Joint Exercise of Powers Authority (JEPA).

Lomedico/Goldstone

Aud. Cert. 2800399.

Staff: Carol Wood - (619) 525-8217
Shannon Thomas - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:34 p.m. - 2:54 p.m.)

MOTION BY FAULCONER TO ADOPT THE RESOLUTION AS AMENDED: FUNDS WILL BE DEPOSITED INTO THE MISSION BAY REGIONAL PARK IMPROVEMENT FUND WITH SPECIFIC APPROPRIATION TO BE DETERMINED AT THE NATURAL RESOURCES & CULTURE COMMITTEE WITH FINAL APPROVAL BY CITY COUNCIL. ENSURE COUNCIL IS GIVEN TOTAL OF EQUITABLE DISTRIBUTION. Second by Frye. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-333: Participation in CalPERS California Employment Health Trust Program (CERBT).

(See Report to the City Council No. 07-204.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2008-425) ADOPTED AS RESOLUTION R-303314

Authorizing and directing the Mayor, or his designee, to enter into an Agreement with CalPERS to participate in the Trust (Agreement) substantially in the form presented to the Council hereof on the date with such changes therein as are necessary or advisable in consultation with the City Attorney;

Authorizing and directing the City Auditor and Comptroller to transfer \$30 million from the OPEB Fund, Fund 60013, appropriated for retiree health, to CalPERS for deposit with the Trust in accordance with the terms of the Agreement.

BUDGET AND FINANCE COMMITTEE'S RECOMMENDATION:

On 11/14/2007, Budget and Finance voted 5 to 0 to recommend the City's participation in the CERBT to full City Council with direction to consult with employee groups prior to its presentation to City Council for their consideration. (Councilmembers Peters, Faulconer, Atkins, Frye, and Madaffer voted yea.)

SUPPORTING INFORMATION:

City of San Diego has established and maintains health benefits for eligible retirees as provided in the San Diego Municipal Code Section 24.1201 et seq. Retiree benefits are currently administered by the San Diego City Employers Retirement System (SDCERS) along with pension benefits. The City has historically paid for retiree health through annual budgeted contributions to pay for expected benefit costs in the current year, or pay-as-you-go. In Fiscal Years 2007 and 2008, Council approved \$5 million and \$25 million, respectively, in the annual budgets in addition to the pay-as-you-go amounts to begin to pre-fund the accrued unfunded liability for retiree health benefits, or Other Post Employment Benefits (OPEB). Currently, the OPEB funds totaling approximately \$30 million reside in a trust fund of the City and accrue interest based on the interest rate earned by the City's Pooled Investment Funds.

The Government Accounting Standards Board (GASB) now requires that municipalities report the net liability for retiree health on its financial statements. As a result of these new reporting requirements and to find an appropriate trust fund for the City's funding of this liability, staff request that Council approve participation in CalPERS' California Employers' Retiree Benefit Trust (CERBT). This trust fund meets GASB reporting requirements, invests the City's OPEB contributions at a longer term rate of return to achieve optimal asset growth, and mitigates the City's reportable liability for retiree health. The California Employers' Retiree Benefit Trust (CERBT) Fund is an irrevocable trust fund - a Section 115 Trust - set up for the purpose of receiving employer contributions that will pre-fund health and other post employment benefit costs for retirees and their beneficiaries. The City remains the plan sponsor and this action addresses the investment of the funds appropriated by Council to begin to pre-fund retiree health obligations. CERBT contributions are irrevocable, separate from the City's assets and will be dedicated to the payment of expenses for retiree health plan beneficiaries. The funds will be invested to grow retiree health assets for health beneficiaries in a cost effective trust structure administered by an organization that has a historical track record for strong investment management. (Past performance does not predict future results.) The administrative cost for the CERBT is estimated to be 50 basis points (.5%) applied to the invested funds, or approximately \$150,000 for a \$30 million dollar investment.

FISCAL CONSIDERATIONS:

Approximately thirty million (\$30,000,000) in funds appropriated by City Council for funding retiree health obligations will be contributed to the California Employer's Retiree Benefit Trust Program (CERBT) and invested according to the California Public Employees' Retirement System Statement of Investment Policy for Annuitants' Health Coverage Fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The Budget and Finance Committee accepted the report on Health Trust Options on September 12, 2007. On November 14, 2007, the Budget and Finance Committee voted unanimously to recommend the City's participation in the CERBT to full Council with direction to consult with employee groups prior to its presentation to Council for their consideration.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Consultants Planned with the City's labor organizations.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Beneficiaries of the Retirement Health Benefit Plan of the City of San Diego and City Council Members as Plan Sponsors of the Retirement Health Benefit Plan.

Lewis/Goldstone

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 3:04 p.m. - 3:13 p.m.)

MOTION BY ATKINS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-334: Memorandum of Understanding with the San Diego Deputy City Attorney's Association (DCAA).

(See Report to the City Council No. 07-177 and memorandum from the Independent Budget Analyst dated 11/28/2007.)

(Continued from the meeting of 12/3/2007, Item 204, at the request of Councilmember Frye, for further review.)

STAFF'S RECOMMENDATION:

Take the following actions:

RETURNED TO MAYOR

Prepare a resolution to approve the FY 2007 Memorandum of Understanding for the Deputy City Attorney's Association (DCAA);

Declaring that this activity is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060 (c)(3);

Directing the City Attorney to prepare the appropriate resolution in accordance with Charter Section 40.

Staff: Scott Chadwick - (619) 236-6313

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:31 a.m. – 10:31 a.m.)

MOTION BY COMMON CONSENT TO RETURN TO THE MAYOR. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-335: Memorandum of Understanding with the International Association of Fire Fighters Local 145 (IAFF Local 145).

(See Report to the City Council No. 07-176.)

(Continued from the meeting of December 3, 2007, Item 203, at the request of Councilmember Hueso, for further review.)

STAFF'S RECOMMENDATION:

Take the following actions:

RETURNED TO MAYOR

Prepare a resolution to approve the FY 2007 Memorandum of Understanding for the International Association of Fire Fighters Local 145 (IAFF Local 145);

Declaring that this activity is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060 (c)(3);

Directing the City Attorney to prepare the appropriate resolution in accordance with Charter Section 40.

Staff: Scott Chadwick - (619) 236-6313

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:31 a.m. – 10:31 a.m.)

MOTION BY COMMON CONSENT TO RETURN TO THE MAYOR. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-336: Retention of Outside Counsel Services – IRS Voluntary Correction Program Compliance Statement.

(See memorandum from Jay M. Goldstone, dated 12/21/2007.)

MAYOR SANDERS' RECOMMENDATION:

Take the following actions:

(R-2008-572) ADOPTED AS RESOLUTION R-303315

Authorizing the Mayor, to negotiate and execute a retention agreement with outside legal counsel for the sole purpose of reviewing and advising the Mayor and City Council with respect to the IRS Voluntary Correction Program Compliance Statement and associated draft ordinance;

Directing the City Attorney to prepare the appropriate resolutions and/or ordinances in accordance with Charter Section 40.

SUPPORTING INFORMATION:

The Internal Revenue Service has recently issued a Compliance Statement in response to the Voluntary Correction Program filings initiated by San Diego City Employee Retirement System (SDCERS). SDCERS took these actions as a result of an audit by Mercer Consulting followed by recommendations by SDCERS outside tax counsel, Ice Miller. The IRS Compliance Statement describes changes which must be made to the City's Retirement Plan in order for the Plan to come into compliance with IRS codes and to maintain its qualified status under federal law.

Because of the very specialized nature of the issues involved, it is advisable for the City to retain outside legal counsel to review the Compliance Statement and to advise the Mayor and City Council on its terms and conditions, prior to City Council ratification of the Compliance Statement. In addition, the outside counsel will be asked to review a draft ordinance which has been prepared by Ice Miller LLP, along with the SDCERS Chief Compliance Officer, which would incorporate the Municipal Code changes necessary to bring the SDCERS Plan document into compliance. The IRS has approved the draft ordinance language. Staff will work with the outside legal counsel to finalize the Ordinance and bring to the City Council for final approval before the end of January 2008.

FISCAL CONSIDERATIONS:

The costs for these outside legal services are not anticipated to exceed \$50,000. These costs will be allocated across the organization utilizing the current allocation for pension related costs which is based on full time equivalent positions. The Auditor's Certificate will be issued prior to execution of the agreement via the 1544 process.

Sanders/Peters

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 3:19 p.m. - 3:38 p.m.)

MOTION BY MADAFFER TO ADOPT THE MAYOR'S AND CITY COUNCIL'S RECOMMENDATION TO RETAIN OUTSIDE COUNSEL WHO SHALL REPORT DIRECTLY TO THE MAYOR AND CITY COUNCIL. THE COUNCIL FURTHER DESIRES THAT THE MAYOR AND COUNCIL WORK WITH THE CITY ATTORNEY TO RESOLVE THE TAX ISSUES AND OTHER LEGAL ISSUES RAISED BY THE PROPOSED IRS COMPLIANCE STATEMENT. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-337: Addition of Committee Consultant to Staff Ad Hoc Committee on Fire Prevention and Recovery.

(See memorandum from Council President Peters dated 11/27/2007.)

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2008-78) INTRODUCED AND ADOPTED AS
O-19703 (New Series)

Authorizing the City Auditor and Comptroller to add 1.0 position to the Council Administration (Dept. 029) and to transfer, appropriate, and expend \$40,000 from the FY 2008 appropriated reserve to the Council Administration (Dept. 029) for a Committee Consultant position to staff the Ad Hoc Committee on Fire Prevention and Recovery;

Amending Ordinance No. O-19652 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2008 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by increasing the Council Administration (Dept. 029) by 1.0 position and \$40,000 for salary and fringe for the balance of FY 2008.

NOTE: Today's action is the second public hearing and introduction and adoption of the Ordinance. See Item 201, Subitem E on the Docket of Monday December 3, 2007, for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:35 p.m. - 2:35 p.m.)

MOTION BY MADAFFER TO INTRODUCED, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

REPORT OUT OF CLOSED SESSION:

To view the list of all available City Council Closed Session Meetings Reports refer to the link below:

<http://www.sandiego.gov/city-clerk/closedsess.shtml>

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:29 p.m. - 2:30 p.m.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Council President Peters at 3:46 p.m. in honor of the memory of:

Jim Johnston at the request of Council Member Faulconer; and
Karen Goss at the request of Council Member Atkins; and
George Ziegenfuss at the request of Council President Pro Tem Madaffer.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Time duration: 3:41 p.m. - 3:46 p.m.)