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CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Sherrí Lightner • First District

COUNCIL PRESIDENT PRO TEM

Marti Emerald • Ninth District

COUNCILMEMBERS

Lorie Zapf • Second District
Todd Gloria • Third District
Myrtle Cole • Fourth District
Mark Kersey • Fifth District
Chris Cate • Sixth District
Scott Sherman • Seventh District
David Alvarez • Eighth District

Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, October 19, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, OCTOBER 19, 2015, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON AUDIT:

ITEM-150: City Auditor's Performance Audit of Citywide Other/Special Funds. (Citywide.)

TODAY'S ACTION IS:

Receive the City Auditor's Performance Audit of Citywide Other/Special Funds.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The report was presented at the Audit Committee meeting on July 22, 2015.

ACTION: Motion by Committee member Hebrank, second by Councilmember Zapf, to accept the report and forward to Council.

VOTE: 3-0; Sherman-yea, Zapf-yea, Hebrank-yea, Schreiner, Valdivia-not present.

Luna

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

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

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON INFRASTRUCTURE, ORDINANCES TO BE INTRODUCED:

ITEM-151: Multiple Award Construction Contract (MACC) Program Streamlining Measure Implementation.

ITEM DESCRIPTION:

This action is to amend the San Diego Municipal Code (SDMC) to increase the Mayor's authority to award task orders for the Multiple Award Construction Contract (MACC) Program from \$10,000,000 to \$30,000,000, to remove the June 30, 2017, sunset date of the original pilot program, and amend the San Diego Municipal Code to remove the 3 year award limit.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-26)

Introduction of an Ordinance amending Chapter 2, Article 2, Division 33, of the San Diego Municipal Code (SDMC) by Amending Section 22.3310, relating to Multiple Award Construction Contract (MACC) Program Streamlining Measure Implementation.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

No specific expenditure authorization is requested as part of this action.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On April 10, 2012, the City Council approved (R-307739) the implementation of Multiple Award Construction Contract (MACC) Program for City's CIP Projects. The actions associated with this request were part of the CIP Streamlining report which was presented to the City Council Infrastructure Committee on March 11, 2015, and to the City Council on April 21, 2015.

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

ACTION: Motion by Councilmember Emerald, second by Councilmember Zapf, to recommend Council introduce the ordinance.

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

Gibson/LoMedico

Primary Contact\Phone: Richard Leja\619-533-5112, MS 908A
Secondary Contact\Phone: Paul Bowden\619-533-3040, MS 612
City Attorney Contact: Mercer, Mark M.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
**COMMITTEE ON PUBLIC SAFETY AND LIVABLE NEIGHBORHOODS, ORDINANCES
TO BE INTRODUCED:**

ITEM-152: An Ordinance Amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code by amending Sections 26.1902 and 26.1903 Relating to the Composition and Reporting Requirements for the Commission on Gang Prevention and Intervention.

ITEM DESCRIPTION:

Approval of an ordinance amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code by amending Section 26.1902 and 26.1903, relating to the composition and reporting requirements for the Commission on Gang Prevention and Intervention. The change will add a seat for the United States Attorney's office as an office holder on the commission and require a semi-annual report to the Public Safety and Livable Neighborhood Committee.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-11)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code (SDMC) by Amending Sections 26.1902 and 26.1903, relating to the Composition and Reporting Requirements for the Commission on Gang Prevention and Intervention.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on September 23, 2015, and the staff's recommendation was forwarded to the full Council.

ACTION: Motion by Councilmember Cate, second by Councilmember Cole, to recommend Council adopt the ordinance.

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

Graham

Primary Contact\Phone: Rickey Laster\619-533-4873

City Attorney Contact: Easton, Lara E.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON BUDGET AND GOVERNMENT EFFICIENCY, ORDINANCES TO BE
INTRODUCED:

ITEM-153: Second Amendment to the Agreement Between the City of San Diego and SAP Public Services, Inc., for Application Support Services and Software Licenses related to the SAP systems of the City of San Diego. (Citywide.)

ITEM DESCRIPTION:

This action is to approve the Second Amendment for the Agreement with SAP Public Services, Inc., for software licensing and support services with a not to exceed amount of \$31,550,183, over a period of five years; and this action is required to allow the City's continued use and support of our SAP Enterprise Application for processing, monitoring, and compliance of our \$3.2 billion Annual Budget in FY2016.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-10)

Introduction of an Ordinance authorizing and empowering the Mayor to execute, for and on behalf of the City, Amendment No. 2 to the Agreement with SAP for the purpose of extending the term of the Agreement, providing a not-to-exceed amount of \$31,550,183 for the extension term, and modifying the Agreement's insurance provisions under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed a total of \$31,550,183 for the remaining term of the Agreement, as amended, which includes \$7,217,599 for Fiscal Year 2016, of which \$3,575,859 is from Fund 200610 - OneSD Support Fund for OneSD IT operational costs, and \$3,641,740 is from CIP S-14000 EAM ERP Implementation, Funds 700008 - Muni Sewer Utility CIP Fund, 700009 - Metro Sewer Utility CIP Fund, 700010 - Water Utility CIP Fund, and 200610 - OneSD Support Fund CIP Fund, and \$24,332,584 for the completion of the contract from FY2017 through FY2020, contingent upon the passage of the Appropriations Ordinance for the applicable fiscal years and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

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

STAFF'S SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Fiscal 2016

200610 - OneSD Support Fund	\$3,575,859
EAM CIP	
700010 - Water Utility Fund	\$1,019,687
200610 - OneSD Support Fund	\$1,092,522
700008 - Muni Sewer Utility Fund	\$968,703
700009 - Metro Sewer Utility Fund	\$560,828
Fiscal 2016 Total	\$7,217,599

Fiscal 2017 - 2020

200610 - OneSD Support Fund	\$22,613,430
EAM CIP	
700010 - Water Utility Fund	\$481,363
200610 - OneSD Support Fund	\$515,746
700008 - Muni Sewer Utility Fund	\$457,295
700009 - Metro Sewer Utility Fund	\$264,750
Fiscal 2017-2020 Total	\$24,332,584.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The SAP project was added by Council Resolution R-302710 on June 11, 2007, for \$29.5 million. Additional Budget for Public Budget Formation (PBF) and e-Recruit was approved by Council Resolution R-304958 on June 8, 2009, for \$8.5 million.

Budget for Public Utility Department (PUD) water billing Customer Care Solutions (CCS) project was approved by Council Resolution R-305886 on June 29, 2010, for \$22.4 million.

Council Resolution R-307801 authorized the assignment and amendment for Software licenses and related services agreement from San Diego Data Processing Center (SDDPC) to the City of San Diego on November 16, 2012, amount not to exceed \$2 million per year.

This item was heard at the Budget and Government Efficiency Committee meeting on October 7, 2015, and forwarded to the full Council with a recommendation to adopt the ordinance, and direction to staff to work with the Independent Budget Analyst to outline efficiencies. Department of Information Technology staff will work with the IBA during the coming months to identify the efficiencies.

ACTION: Motion by Councilmember Kersey, second by Councilmember Gloria, to recommend Council adopt the ordinance to approve the Contract Agreement with direction to staff to work with the Independent Budget Analyst to outline efficiencies.

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

Villa/Villa

Primary Contact\Phone: Michelle Villa\619-236-6610, 51SD

Secondary Contact\Phone: Jonathan Behnke\619-533-3637, 658B

City Attorney Contact: Lastomirsky, Steve R.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

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

ITEM-250: Submission of Ballot Proposals for the June 7, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE JUNE 7, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the June 7, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/5/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/13/16	146	Committee review
Monday	1/25/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday	2/1/16	127	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Monday	2/22/16	106	Council adopts ordinances prepared by City Attorney
Friday	3/11/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/24/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

This calendar is a draft and will not be final until the 2016 Legislative Calendar is approved by Council.

ITEM-251: Qualcomm Stadium and Petco Park City Suites.

The list of ticket users for the City Suites at Qualcomm Stadium and Petco Park will be posted on the City Clerk's website quarterly. This information will also be available for viewing by the public in the Office of the City Clerk.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT