

**REVISED**

# **CITY OF SAN DIEGO COUNCIL AGENDA**



## **COUNCIL PRESIDENT**

**Sean Elo-Rivera • Ninth District**

## **COUNCIL PRESIDENT PRO TEM**

**Joe LaCava • First District**

## **COUNCILMEMBERS**

**Jennifer Campbell • Second District**

**Stephen Whitburn • Third District**

**Henry L. Foster III • Fourth District**

**Marni von Wilpert • Fifth District**

**Kent Lee • Sixth District**

**Raul A. Campillo • Seventh District**

**Vivian Moreno • Eighth District**

**Charles Modica  
Independent  
Budget Analyst**

**Mara W. Elliott  
City Attorney**

**Diana J. S. Fuentes  
City Clerk**

**City Administration Building  
City Council Chambers- 12th Floor  
202 C Street San Diego, CA 92101**

**Virtual Participation: <https://sandiego.gov/councilmtg>**

**To join by telephone: Dial 1-669-254 5252 + input Webinar ID: 161 777 2614**

**TUESDAY, NOVEMBER 12, 2024, AT 10:00 AM and 2:00 PM**

## **FURTHER INFORMATION ON HOW TO PARTICIPATE IN THIS MEETING IS FOUND AT THE END OF THE AGENDA**

### **Joining the Webinar and Offering Phone-in Testimony**

Members of the public may participate in City Council meetings in person or virtually using the Zoom Webinar platform. Members of the public can offer public comment on agenda items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or land line. **To raise your hand via a phone-in please press \*9 and unmute when the Clerk calls on you by pressing \*6.** If you are participating via the webinar platform please press the raise your hand icon and the unmute button when prompted.

**Please click the link below to join the webinar:**

<https://sandiego.gov/councilmtg>

**To join by telephone:** Dial 1-669-254 5252

When prompted, input **Webinar ID:** 161 777 2614

### **LATE-ARRIVING MATERIALS**

Pursuant to the Brown Act, California Government Code Section 54957.5(b), 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, Information Services Counter in the Lobby 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 "Late Arriving Materials" 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.

### **REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS**

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

Requests for translation services to offer public comment may be made by contacting the City Clerk at (619) 533-4000 or email to: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). The City is committed to addressing language translation requests swiftly in order to maximize public participation. [For more information on how to participate and comment on an issue at Council meetings, click this link.](#)

---

Las solicitudes de servicios de traducción para ofrecer comentarios públicos se deberán hacer poniéndose en contacto con la City Clerk al (619) 533-4000 o por correo electrónico a: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). La ciudad se compromete a responder rápidamente a las solicitudes de traducción de idiomas con el fin de maximizar la participación del público. [Para obtener más información sobre cómo participar y expresar comentarios sobre un asunto en las juntas del Concejo, haga clic en este enlace.](#)

Upang kayo ay matulungan na maisalin sa wikang Ingles ang inyong mga puna, mungkahi, o komento para sa Bayan ng San Diego, maaari pong makipag-ugnayan sa City Clerk sa telepono (619-533-4000) o email ([cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov)). Hangad ng Pamahalaang Bayan ng San Diego ang inyong pakikilahok sa usapang pambayan at handa itong magbigay ng agarang tulong na kinakailangan sa pagsasaling-wika ng inyong mga komento. [Para sa higit pang impormasyon tungkol sa kung paano sumali at magbigay ng komento sa item sa mga pagpupulong ng Konseho, mangyaring i-click ang sumusunod na link.](#)

Cần dịch vụ thông dịch để phát biểu ý kiến trước công chúng, xin hãy liên hệ với City Clerk (Thư Ký Thành Phố) theo số (619) 533-4000 hoặc email đến [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). Thành phố cam kết sẽ giải quyết các yêu cầu thông dịch một cách nhanh chóng để gia tăng sự tham dự của công chúng. [Để biết thêm thông tin về cách tham gia và đưa ra ý kiến về một mục tại các cuộc họp của Hội đồng, xin vui lòng nhấp vào liên kết dưới đây.](#)

يمكن تقديم طلبات خدمات الترجمة لتقديم تعليقات عامة عن طريق الاتصال بكاتب المدينة على (619) 533-4000 أو [mailto: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) تلتزم المدينة بمعالجة طلبات الترجمة اللغوية بسرعة من أجل زيادة المشاركة العامة [لمزيد من المعلومات حول كيفية المشاركة والتعليق على أي موضوع في اجتماعات المجلس، يرجى الضغط على الرابط التالي](#)

パブリックコメントを要求するための翻訳サービス依頼は、市の書記（電話：619-533-4000またはメール：<mailto:cityclerk@sandiego.gov>）に連絡することによって行うことができます。市は、市民の参加を最大化するために、言語翻訳の依頼に対応することに取り組んでいます。審議会の参加方法や議案への意見提供方法についての詳細は、以下のリンクをクリックしてください。

샌디에고 시에 의견을 보내시기 위해 번역 서비스가 필요하시면 시 서기 사무실 (619) 533-4000 또는 <mailto:cityclerk@sandiego.gov>로 연락주시기 바랍니다. 시는 대중의 참여를 극대화하기 위해 언어 번역 요청을 신속하게 처리하려고 최선을 다하고 있습니다. [시의회 회의에 참여하는 것과 안건 항목에 대해 의견을 제의하는 것에 관한 자세한 정보를 원하시면 다음의 링크를 클릭하십시오.](#)

為了鼓勵更多市民參與 '公眾意見'，市政府設定了快捷的中文翻譯服務。如果你有任何關於 '公開意見' 想發表，請致電: (619) 533-4000，或電郵 [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov) 我們會為你翻譯。 [有关如何参加市议会会议并就项目发表意见的更多信息，请点击以下链接。](#)

“ການຮ້ອງຂໍບໍລິການປາສາດເພື່ອສະເໜີຄໍາຄິດເຫັນຕໍ່ສາທາລະນະອາດສາມາດເຮັດໄດ້ໂດຍການຕິດຕໍ່ຫາ **City Clerk** ທີ່ (619) 533-4000 ຫຼືສົ່ງອີເມວຫາ: [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). **City** ມີຄວາມມຸ່ງມັ້ນທີ່ຈະແກ້ໄຂຄໍາຮ້ອງຂໍໃຫ້ແປພາສາຢ່າງໄວເພື່ອໃຫ້ປະຊາຊົນມີສ່ວນຮ່ວມສູງສຸດ.”  
[ສໍາລັບຂໍ້ມູນເພີ່ມເຕີມກ່ຽວກັບວິທີການເຂົ້າຮ່ວມ ແລະ ສະແດງຄໍາຄິດເຫັນກ່ຽວກັບລາຍການການປະຊຸມສະພາ ກະລຸນາກົດລົງຄໍາຕໍ່ໄປນີ້](#)

**NOTICE:** THE CITY COUNCIL MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY STAFF DO NOT LIMIT ACTIONS THAT THE CITY COUNCIL MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS OF STAFF AS DETERMINATIVE OF THE ACTION THE CITY COUNCIL MAY TAKE ON A PARTICULAR MATTER.

**TUESDAY, NOVEMBER 12, 2024 AT 10:00 AM**

**ROLL CALL**

**LAND ACKNOWLEDGEMENT**

**PLEDGE OF ALLEGIANCE**

**REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS SCHEDULED DURING THE MORNING MEETING**

**CONSENT ITEMS**

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

**ADOPTION AGENDA**

CONSENT, ORDINANCES TO BE INTRODUCED:

**Item 50:           Awarding a Contract to EnCode as the Successful Bidder to Request For Proposal Number 10090138-24-B for Municipal Code and Governing Documents Hosting Software.**

Total Estimated Cost of Proposed Action and Funding Source:

This will be funded through the General Fund at a cost not-to-exceed \$200,000 for up to ten years.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2025-50)

Introduction of an Ordinance authorizing the Mayor, or his designee, to enter into a contract with enCode Plus, LLC, in an amount not-to-exceed \$200,000, for Municipal Code and Governing Documents Hosting Software.

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

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on October 16, 2024.

ACTION: Motion by Chair Lee, second by Committee Member Foster, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Lee-yea, Foster III-yea, Moreno-yea, LaCava-not present.

*Office of the City Clerk: Diana Fuentes, (619) 533-4000*

*City Attorney Contact: Hilda R. Mendoza*

**Item 51: First Amendment to the Contract with Focus Psychological Services, Inc. for Comprehensive Psychological Services.**

Total Estimated Cost of Proposed Action and Funding Source:

This action seeks expenditure authority of an additional \$563,000 from the Police Department, General Fund, and \$359,345 from the Fire-Rescue Department, General Fund, totaling \$922,345 for a total not-to-exceed amount of \$4,515,795 for comprehensive psychological services.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2025-54)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Contract with Focus Psychological Services, Inc., extending the Contract through June 30, 2025, and increasing the not-to-exceed amount by \$922,345 for comprehensive psychological services.

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

Committee Actions Taken:

This item was heard at the Public Safety Committee meeting on October 16, 2024.

ACTION: Motion by Committee Member Whitburn, second by Vice Chair Campillo, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; von Wilpert-yea, Campillo-yea, Whitburn, Campbell-not present.

*Fire-Rescue: David Picone, (619) 533-4466*

*City Attorney Contact: Jill S. Cristich*

**Item 52: Amend the Administrative Code of the San Diego Municipal Code (SDMC) to Update the List and Descriptions of City Departments - Strategic Capital Projects Department and Engineering and Capital Projects Department Merge.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2025-26)

Introduction of an Ordinance amending Chapter 2, Article 2 of the San Diego Municipal Code by amending the title of Division 14, and repealing Section 22.1406, relating to the consolidation of the Strategic Capital Projects Department within the Engineering and Capital Projects Department.

**Subitem-A: 6 votes required pursuant to Charter Section 26.**

Subitem-B: (O-2025-27)

Introduction of an Ordinance amending Chapter 2, Article 2, Division 18 of the San Diego Municipal Code by amending Section 22.1801, relating to the list of City departments.

**Subitem-B: 6 votes required pursuant to Charter Section 26.**

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on October 16, 2024.

ACTION: Motion by Chair Lee, second by Committee Member Foster III, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Lee-yea, Foster III-yea, Moreno-yea, LaCava-not present.

*Engineering & Capital Projects: Mark Gonzalez, (619) 533-4180*

*City Attorney Contact: David J. Karlin*

**Item S500:**

**Authorization to Execute the Second Amendment to the NextRequest Service Agreement with NextRequest Co. (Also Known as CivicPlus) for Continuation of Public Records Portal Services. (Added 11/7/24)**

Total Estimated Cost of Proposed Action and Funding Source:

The total amount of this Second Amendment is not-to-exceed \$71,991.67 and is available in the General Fund Communications budget.

Council District(s) Affected: Citywide.

Proposed Actions:

(O-2025-44)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. Two to the NextRequest Service Agreement with NextRequest Co. (also known as CivicPlus), extending the term by six months through June 30, 2025, with an option to extend for an additional six-month period through December 31, 2025; and increasing the total not-to-exceed amount by \$71,991.67 for continuation of the City's online public records request portal services including the annual license, software-as-a-service, fully hosted, maintained, and cloud-based services, bringing the total not-to-exceed amount of the Agreement to \$365,438.17, and related funding actions.

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

Committee Actions Taken:

This item was heard at the Rules Committee meeting on October 30, 2024.

ACTION: Motion by Councilmember Campillo, second by Vice Chair LaCava, to recommend Council approval of staff's proposed actions.

VOTE: 5-0; Elo-Rivera-yea, LaCava-yea, Lee-yea, Campillo-yea, Moreno-yea.

*Communications: Angela Laurita, (619) 533-6507*

*City Attorney Contact: Markecia Simmons*

ADOPTION AGENDA

CONSENT, ORDINANCES TO BE ADOPTED:

**Item 53: Second Amendment to the Funding Agreement with the San Diego County Water Authority for the Hodges Watershed Improvement Project.**

Total Estimated Cost of Proposed Action and Funding Source:

This is a Second Amendment to the agreement with the San Diego County Water Authority for the Hodges Watershed Improvement Project, to extend the term of agreement through January 31, 2025. The cost share has previously been paid.

Council District(s) Affected: 5.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item 50 (Council voted 8-0, Councilmember Campbell- not present):

(O-2025-47)

Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 2 to the Contract with the San Diego County Water Authority, extending the Contract through January 31, 2025 and update the costs, schedule and terms, in connection with the Hodges Watershed Improvement Project.

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

Committee Actions Taken:

This item was heard at the Environment Committee meeting on October 10, 2024.

ACTION: Motion by Vice Chair von Wilpert, second by Committee Member Elo-Rivera, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; LaCava-yea, von Wilpert-yea, Elo-Rivera-yea, Campbell-not present

*Public Utilities: Adam Jones, (858) 614-4030*

*City Attorney Contact: Justin Stanek*

**Item 54: Award a Construction Contract, K-24-2115-DBB-3-A-C to Reyes Construction, Inc. and Extend the Contract Duration Beyond Five Years**



**for the Purpose of Providing Construction Services for the South Mission Beach Storm Drain and Green Infrastructure Project.**

Total Estimated Cost of Proposed Action and Funding Source:

The total cost for this action is \$63,747,832.00, funding source: Clean Water State Revolving Fund (SRCWF), Water Infrastructure Finance and Innovation Act (WIFIA), and TransNet.

Council District(s) Affected: 2.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item 51 (Council voted 8-0, Councilmember Campbell-not present):

(O-2025-46)

Ordinance authorizing the Mayor, or his designee, to enter into an Agreement with Reyes Construction, Inc., in an amount not to exceed \$63,747,832 , to provide construction services, related to the South Mission Beach Storm Drain and Green Infrastructure project.

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

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on October 9, 2024.

ACTION: Motion by Chair Whitburn, second by Vice Chair LaCava, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Foster III-yea, von Wilpert-not present.

*Engineering & Capital Projects: Jayna Straughn, (619) 607-5046*

*City Attorney Contact: Dominic Guglielmo*

**Item 55: Award a First Amendment to the Consultant Agreement with Platt Whitelaw Architects, Inc., with the Purpose of Providing Professional Services for the Design and Construction Support of Mira Mesa Community Park Phase 2 Improvements Project (Contract No. H186977).**

Total Estimated Cost of Proposed Action and Funding Source:

\$235,490.00 from CIP Mira Mesa Community Park Improvements Pool & Skate Plaza Ph2, Mira Mesa Development Impact Fee (DIF)

Council District(s) Affected: 6.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item 52 (Council voted 8-0, Councilmember Campbell-not present):

(O-2025-49)

Ordinance authorizing the Mayor, or his designee, to execute the First Amendment to the Contract with Platt Whitelaw Architects, Inc., for additional design and construction services in an amount not-to-exceed \$235,490, and extend the term of the Agreement an additional three years, in connection with the Mira Mesa Community Park Phase II Improvements project.

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

Committee Actions Taken:

This item was heard at the Active Transportation and Infrastructure Committee meeting on October 9, 2024.

ACTION: Motion by Chair Whitburn, second by Vice Chair LaCava, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Whitburn-yea, LaCava-yea, Foster III-yea, von Wilpert-not present.

*Engineering & Capital Projects: Jason Grani, (619) 533-7225*

*City Attorney Contact: Dana C. Fairchild*

**Item 56:            **Drinking Water State Revolving Fund Loan to the City of San Diego's Water System for the Lead Service Line Inventory and Investigation Project.****

Total Estimated Cost of Proposed Action and Funding Source:

The estimated amount of the loan is reasonably expected not to exceed \$8 million, which will be repaid by the Water Utility Fund over a 10-year period at 0% interest. See Fiscal Considerations section in staff report.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item S500, (Council voted 8-0, Councilmember Campbell-not present):

(O-2025-4)

Ordinance authorizing the Mayor or designee to implement a Drinking Water State Revolving Fund Loan in an amount reasonably expected not to exceed \$8 million to facilitate the funding of the Lead Service Line Inventory and Investigation Project.

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

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on October 16, 2024.

ACTION: Motion by Chair Lee, second by Committee member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Foster Ill-yea, Lee-yea, Moreno-yea, LaCava-not present.

*Debt Management: Allison Falkenstein, (619) 533-4516*

*City Attorney Contact: Bret A. Bartolotta*

**Item 57: Water Revenue Commercial Paper Program Letter of Credit Extension.**

Total Estimated Cost of Proposed Action and Funding Source:

See "Fiscal Considerations" section of Staff Report.

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item S501, Subitem-A (Council voted 8-0, Councilmember Campbell-not present):

(O-2025-48)

Ordinance authorizing the execution of the First Amendment to Reimbursement Agreement between the City and Bank of America, N.A to extend the term of its direct-pay letter of credit to support the Public Facilities Financing Authority of the City of San Diego's Subordinated Water Revenue Commercial Paper Notes; and other related actions.

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

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee on October 16, 2024.

ACTION: Motion by Chair Lee, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; Foster Ill-yea, Lee-yea, Moreno-yea, LaCava-not present.

*Debt Management: Allison Falkenstein, (619) 533-4516*

*City Attorney Contact: David Powell*

**Item 58: Amendments to the Municipal Code Regarding Administrative Fines Assessed by the Ethics Commission.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

Adopt the following Ordinance which was introduced on 10/29/2024, Item 54 (Council voted 8-0, Councilmember Campbell-not present):

(O-2025-28)

Ordinance amending Chapter 2, Article 6, Division 4 of the San Diego Municipal Code by amending section 26.0440, relating to administrative fines assessed by the Ethics Commission.

Committee Actions Taken:

This item was heard at the Rules Committee meeting on October 2, 2024.

ACTION: Motion by Vice Chair LaCava, second by Committee Member Lee, to recommend Council approval of staff's proposed actions.

VOTE: 4-0; Elo-Rivera-yea, LaCava-yea, Lee-yea, Moreno-yea, Campillo-not present.

*Ethics Commission: Sharon Spivak, (619) 533-3476*

*City Attorney Contact: Hilda R. Mendoza*

ADOPTION AGENDA

CONSENT, RESOLUTIONS TO BE ADOPTED:

**Item 100: Approval of the Second Amended and Restated Agreement Relating to Implementation of Proposition "C" Between the City of San Diego and KSL Del Mar, LLC, et al.**

Total Estimated Cost of Proposed Action and Funding Source:

The amendment is expected to have a net positive effect by improving record keeping requirements for both customary TOT and In Lieu TOT, allowing the City Treasurer to efficiently and effectively audit and collect amounts owed.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-108)

Resolution approving the Second Amended and Restated Agreement Relating to Implementation of Proposition "C" (Agreement) between the City of San Diego, KSL Del Mar, LLC, The Grand Del Mar Villas Homeowners Association, The Grand Del Mar Villas Association, and Penrose at the Grand Del Mar Owners Association.

Committee Actions Taken: N/A

*Office of the City Attorney: Catherine Turner, (619) 533-6486*

**Item 101: Adopting an Amended Conflict of Interest Code for the Office of the Commission on Police Practices.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-166)

Resolution adopting an amended Conflict of Interest Code for the Office of the Commission on Police Practices.

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

Committee Actions Taken: N/A

*Office of the Commission on Police Practices: Paul Parker, (619) 251-3254*

*City Attorney Contact: Hilda R. Mendoza*

**Item 102: Resolution Adopting an Amended Conflict of Interest Code for the Office of the City Attorney.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-185)

Resolution adopting an amended Conflict of Interest Code for the Office of the City Attorney.

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

Committee Actions Taken: N/A

*Office of the City Attorney: Jim McNeill, Assistant City Attorney, (619) 236-6220*

*City Attorney Contact: Hilda R. Mendoza*

**Item 103: Adopting an Amended Conflict of Interest Code for the Office of Race and Equity.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-167)

Resolution adopting an amended Conflict of Interest Code for the Office of Race and Equity.

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

Committee Actions Taken: N/A

*Office of Race & Equity: Danell Scarborough, (619) 980-7896*

*City Attorney Contact: Hilda R. Mendoza*

**Item 104: Adopting an Amended Conflict of Interest Code for the Office of the City Treasurer.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this item.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-199)

Resolution adopting an amended Conflict of Interest Code for the Office of the City Treasurer.

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

Committee Actions Taken: N/A

*Office of the City Treasurer: Elizabeth Correia, (619) 236-7157*

*City Attorney Contact: Hilda R. Mendoza*

**Item 105: Adopting an Amended Conflict of Interest Code for the Development Services Department.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-214)

Resolution adopting an amended Conflict of Interest Code for the Development Services Department.

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

Committee Actions Taken: N/A

*Development Services: Bouthayna Khalil, (619) 446-5106*

*City Attorney Contact: Jose A. Garcia*

**Item 106: Adopting an Amended Conflict of Interest Code for the Library Department.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-200)

Resolution adopting an amended conflict of interest code for the Library Department.

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

Committee Actions Taken: N/A

*Library: Raul Gudino, (619) 236-5889*

*City Attorney Contact: Jose A. Garcia*



**Item 107: Adopting an Amended Conflict of Interest Code for the San Diego Convention Center.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no City expenditure being approved with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-187)

Resolution adopting an amended Conflict of Interest Code for the San Diego Convention Center Corporation.

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

Committee Actions Taken: N/A

*San Diego Convention Center Corporation: Pat Evans, (619) 525-5131*

*City Attorney Contact: Hilda R. Mendoza*

**Item 108: Settlement of Mary Garland v. City of San Diego, San Diego Superior Court No. 37-2023-00018361-CU-PO-CTL, Risk No. 31130.**

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$100,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-163 Cor. Copy) (Rev. 11/7/24)

Resolution authorizing the settlement of Mary Garland v. City of San Diego, San Diego Superior Court No. 37-2023-00018361, related to alleged injuries sustained as a result of a bike accident near 1804 Capistrano Street in San Diego. Risk Claim No. 31130.

Committee Actions Taken: N/A

*Office of the City Attorney: John P. Pearson, (619) 533-6193*

**Item 109: Settlement of Rema Alameddin v. City of San Diego, San Diego Superior Court No. 37-2020-00020795-CU-PO-CTL, Claim No. 22956.**

Total Estimated Cost of Proposed Action and Funding Source:

Settlement amount of \$400,000.00 will be paid from Public Liability Fund.

Council District(s) Affected: 1.

Proposed Actions:

(R-2025-142)

Resolution authorizing the settlement of Rema Alameddin v. City of San Diego, San Diego Superior Court No. 37-2020-00020795-CU-PO-CTL, related to a claim of personal injuries arising out of an alleged dangerous condition of public property. Risk Claim No. 22956.

Committee Actions Taken: N/A

*Office of the City Attorney: David M. Florence, (619) 235-5235*

**Item 110: Reappointments to the San Diego Unified Port District Board of Commissioners.**

Total Estimated Cost of Proposed Action and Funding Source:

None associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-197)

Resolution confirming the reappointments of Danielle Moore and Sid Voorakkara to the San Diego Unified Port District Board of Commissioners for terms beginning January 3, 2025, and ending January 2, 2029.

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

Committee Actions Taken: N/A

*Council District 9: Luz Anaya Luna, (619) 236-6699*

*City Attorney Contact: Kathy Steinman*

**Item 111: Adopting the 2025 Legislative Calendar and the FY 2026 Budget Development and FY 2025 Budget Monitoring Key Dates.**

Total Estimated Cost of Proposed Action and Funding Source:

There are no costs associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-206)

Resolution adopting the 2025 Legislative Calendar and the Fiscal Year 2026 Budget Development and Fiscal Year 2025 Budget Monitoring Key Dates.

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

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on September 11, 2024.

ACTION: Motion by Chair Lee, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions with the modification of adjourning the May 15 BRC meeting, instead having the May revise and third quarter budget monitoring report presented on May 19 during the City Council meeting scheduled on this date.

VOTE: 4-0; Lee-yea, LaCava-yea, Foster III-yea, Moreno-yea.

*Council District 9: Heidi Palmer, (619) 236-6699*

*City Attorney Contact: Kathy Steinman*

**NON-AGENDA COMMUNICATIONS FROM MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY CLERK, CITY ATTORNEY**

**PROCLAMATIONS/CEREMONIAL ITEMS (NOT PRESENTED AT THE MEETING)**

**Item 30: Chris Adamson Day.**

**COUNCIL PRESIDENT PRO TEM LACAVA'S RECOMMENDATION:**

Proclaiming November 12, 2024, to be the "Chris Adamson Day" in the City of San Diego.

**Item 31: 18th Annual APAMSA Hepatitis Conference Hepatitis B & C Awareness and Prevention Day.**

**COUNCILMEMBER CAMPBELL AND COUNCILMEMBER LEE'S RECOMMENDATION:**

Proclaiming November 16, 2024, to be "18th Annual APAMSA Hepatitis Conference Hepatitis B & C Awareness and Prevention Day" in the City of San Diego.

**Item S502: Renee Mezo Day. (Added 11/7/24)**

**COUNCIL PRESIDENT SEAN ELO-RIVERA'S RECOMMENDATION:**

Proclaiming November 12, 2024, to be "Renee Mezo Day" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**ITEMS PULLED FROM CONSENT BY COUNCILMEMBERS**

**INFORMATIONAL AND ADOPTION AGENDA ITEMS (10AM SESSION)**

ADOPTION AGENDA

10AM DISCUSSION, ORDINANCES TO BE INTRODUCED:

**Item 330: Extension of Parking Management Contract for Library Department.**

**Continued from the meeting of Monday, September 23, 2024, Item S400, at the request of Councilmember Campillo for further review.**

**This item will be considered in the morning session which is scheduled to begin at 10:00 a.m.**

Total Estimated Cost of Proposed Action and Funding Source:

With the inclusion of the First Amendment to the Contract with ACE Parking, the total not-to-exceed amount is \$1,845,768, an increase of \$350,148. The contract will be funded by General Fund, Fund 100000, Library Department, Business Area 1713.

Council District(s) Affected: 3.

Proposed Actions:

(O-2025-31)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the First Amendment to the Contract with Ace Parking, Inc., extending the Contract through December 31, 2024, and increasing the amount of the Contract by \$350,148 for a total not-to-exceed amount of \$1,845,768, in connection with the provision of Library parking management services.

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

Committee Actions Taken: N/A

*Library: Raul Gudino, (619) 236-5889*

*City Attorney Contact: Ken So*

ADOPTION AGENDA

10AM DISCUSSION, RESOLUTION TO BE ADOPTED:

**Item 331: Authorization to Retain Stoel Rives, LLP as Outside Counsel for Coastkeeper v. City of San Diego, Case No.: 3:18-cv-01757-JM-WVG and Waiver of Potential Conflict of Interest.**

**This item will be considered in the morning session which is scheduled to begin at 10:00 a.m.**

Total Estimated Cost of Proposed Action and Funding Source:

This item is only seeking authorization to engage Stoel Rives, LLP as outside counsel. It does not approve the actual contract. The contract will be for an amount not-to-exceed \$75,000.

Council District(s) Affected: Citywide.

Proposed Actions:

R-2025-212

Resolution authorizing the retention of Stoel Rives, LLP, as outside counsel in the matter of Coastkeeper v. City of San Diego, Case No. 3:18-CV-01757-JM-WVG, and waiver of potential conflicts of interest.

Committee Actions Taken: N/A

*Office of the City Attorney: Melissa D. Ables, (619) 533-5835*

**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 Rule 2.7.2, Non-Agenda Public Comment is limited to two (2) 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. Additionally, non-agenda public comment during the 10am session may be limited to 30 minutes at the discretion of the Council President for meeting management purposes. If some Non-Agenda Public Comment is trailed, any remaining speakers will be given an opportunity to speak during the 2pm session after Council concludes the Information and Adoption agenda items for the day.

**TUESDAY, NOVEMBER 12, 2024 AT 2:00 PM**

**ROLL CALL**

**REQUEST FOR CONTINUANCE BY A COUNCILMEMBER FOR ITEMS TRAILED FROM MORNING OR ITEMS SCHEDULED FOR AFTERNOON SESSION**

**ADOPTION AGENDA, DISCUSSION ITEMS**

ADOPTION AGENDA

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

**Item S501:** **Authorize First Amendment to Contract with Aztec Landscaping (Request for Proposal (RFP) No. 10087194-20-G) for Landscape Maintenance for the Designated Center Medians, Rights-of-Way and Areas within the Gas Tax Program. (Added 11/7/24)**

**This item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

Total Estimated Cost of Proposed Action and Funding Source:

The total for the First Amendment to the contract with Aztec Landscaping (RFP No. 10087194-20-G) for Landscape Maintenance for the Designated Center Medians, Right-of-Way and Areas within the Gas Tax Program is not-to-exceed \$3,500,000 and increases the total contract not-to-exceed amount from \$3,000,000 to \$3,500,000 from GAS TAX ST IMPR-ANN fund.

Council District(s) Affected: Citywide.

Proposed Actions:

Subitem-A: (O-2025-56)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Contract with Aztec Landscaping, extending the Contract approximately 6 months through July 31, 2025, and increasing the not-to-exceed contract amount by an additional \$500,000, in connection with landscape maintenance for the designated center medians, rights of way, and pedestrian areas within the Gas Tax Median Maintenance Program.



**Subitem-A: 6 votes required pursuant to Charter Section 99.**

Subitem-B: (R-2025-213)

Resolution determining that the Gas Tax Median Maintenance Program is exempt from the California Environmental Quality Act pursuant to Section 15301 and Section 15304 of the CEQA Guidelines.

Committee Actions Taken: N/A

*Parks & Recreation: Erika Ferreira, (619) 685-1323*

*City Attorney Contact: Catherine Morrison*

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 332: Annual Presentation of the City Treasurer's Investment Policy and Delegation of Authority to the City Treasurer to Invest Funds.**

**This item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost associated with this action.

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-211)

Resolution receiving and accepting the City Treasurer's 2025 Investment Policy for the Pooled Investment Funds and authorizing the City Treasurer to invest the City's funds for Calendar Year 2025.

Committee Actions Taken:

This item was heard at the Budget and Government Efficiency Committee meeting on October 16, 2024.

**ACTION:** Motion by Chair Lee, second by Committee Member Moreno, to recommend Council approval of staff's proposed actions.

**VOTE:** 3-0; Lee-yea, Foster III-yea, Moreno-yea, LaCava-not present.

*Office of the City Treasurer: Emmanuel Labrinos, (619) 533-6256*  
*City Attorney Contact: David Powell*

**Item 333: Proposed Response to Grand Jury Report: "Dog Bites in San Diego County".**

**This item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

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

Council District(s) Affected: Citywide.

Proposed Actions:

(R-2025-210)

Resolution approving the City Council's response to the 2023/2024 San Diego County Grand Jury Report titled "Dog Bites in San Diego County."

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

Committee Actions Taken:

This item was heard at the Public Safety Committee meeting on October 16, 2024.

ACTION: Motion by Vice Chair Campillo, second by Chair von Wilpert, to recommend Council approval of staff's proposed actions.

VOTE: 3-0; von Wilpert-yea, Campillo-yea, Whitburn-yea, Campbell-not present.

*Office of the Independent Budget Analyst: Baku Patel, (619) 236-6443*  
*City Attorney Contact: Nicole Pedone*

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

**Item 334: Klauber Development - Project Number PRJ-0693289, Appeal of Environmental Determination.**

**This item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

Total Estimated Cost of Proposed Action and Funding Source:

All costs associated with the processing of this project are paid by the applicant.

Council District(s) Affected: 4.

Proposed Actions:

An appeal of the environmental determination made for the Klauber Ave. Development Project, which consists of a Neighborhood Development Permit (NDP), Tentative Map (TM), and Site Development Permit (SDP) to subdivide four existing lots located at 1362 Klauber Avenue into twenty-five single dwelling units on twenty-five separate lots. The Environmental Analysis Section of the Development Services Department determined that the Neighborhood Development Permit (NDP), Tentative Map (TM), and Site Development Permit (SDP) for the Klauber Ave. Development Project are exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning for which an EIR Was Certified). The scope of the subject hearing only includes the project's environmental determination and not the project's permits or other entitlements.

According to San Diego Municipal Code Section 112.0520(e) Power to Act on Appeal, the City Council shall consider the appeal and may:

(1) By a majority vote, deny the appeal and approve the environmental determination to categorically exempt from CEQA the subject Neighborhood Development Permit (NDP), Tentative Map (TM), and Site Development Permit (SDP) pursuant to CEQA Guidelines section 15183; or

(2) By a majority vote, grant the appeal and set aside the environmental determination, in accordance with San Diego Municipal Code Section 112.0520(f).

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

If the City Council grants the appeal, the lower-decision maker's decision to approve the project shall be held in abeyance. The City Council shall retain jurisdiction to act on the revised environmental determination and associated project at a subsequent public hearing.

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

Committee Actions Taken: N/A

*Development Services: Andrew Murillo, (619) 557-7986*

*City Attorney Contact: Noah Brazier*

## **NON-AGENDA ITEMS**

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

## **ADJOURNMENT**

**HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:**

Members of the public shall be given the opportunity to address the Council. The Council President may reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

Pursuant to the Levine Act (Gov't Code Section 84308), any party to a permit, license, contract (other than competitively bid, labor or personal employment contracts) or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any Council Member. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party or participant and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made.

**In-Person Comment on Agenda Items**

Each speaker must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In person testimony will conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if they represent an organization or another person.

For meeting management during the Proclamation and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding them time. These speaker slips should be submitted together at one time to the City Clerk. The Council President may also limit organized group presentations of five or more persons to 15 minutes or less.

**Virtual Public Comment on Agenda Items**

Members of the public may participate virtually (by telephone or internet streaming) as indicated below. Speakers who wish to provide virtual public comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

For meeting management during the Proclamation and Consent portions of the agenda, speakers will have one (1) minute per item and up to a maximum of three (3) minutes if there are three (3) or more items in that portion of the agenda.

For discussion and information items each speaker may speak up to three minutes, subject to the Council President's determination of the time available for meeting management purposes. Speakers participating virtually may not allocate their time to other speakers and may not share video or visual aids (i.e. pdf, ppt, docs) during their comment period.

**Quasi-Judicial Items.** Organized group presentations for quasi-judicial items will be allowed up to 15 minutes per side to speak either for or against an item for a total of 30 minutes. If more than one group on the same side requests an organized presentation, the 15 minutes will be divided between each group for that side. Please contact the Project Manager as listed as the primary contact on the staff report for that item to indicate your desire to present.

### **Non-Agenda Public Comment**

Every agenda for a regular Council meeting shall provide a period on the agenda for members of the public to address the Council on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council. Non-Agenda Public Comment shall be subject to the exercise of the Council President's discretion for a given agenda. In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting. A member of the public may only provide one non-agenda comment per agenda.

### **In-Person Non-Agenda Public Comment**

Each speaker who wishes to address the Council must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of in-person testimony. In-person testimony shall conclude before virtual testimony begins.

Each person who wishes to address the Council shall approach the podium and state who they are representing if representing an organization or another person.

### **Virtual Non-Agenda Public Comment**

Speakers who wish to provide virtual Non-Agenda Public Comment must enter the virtual queue by raising their virtual hands before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first. Those participating virtually may not share video or visual aids (i.e. pdf, ppt, docs) during their non-agenda comment period.

**Please note:** On Tuesdays, Non-Agenda Public Comment is taken during the 10am session, but some Non-Agenda Public Comment may be trailed, at the Council President's discretion for meeting management purposes.

### **Comment on Agenda Items, Non-Agenda Public Comment, and Closed Session Public**

**Comment** may also be submitted using the [webform](#) indicating the comment type and item number (if relevant) for which you wish to submit your comment. Comments received by 8:00 AM the day of the meeting will be distributed to the City Council and posted online with the meeting materials. All webform comments are limited to 500 words but may include attachments. Comments received after 8:00 AM the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

**Written Materials.** Instead of submitting written materials as an attachment to the webform you may submit via U.S. Mail to the City Clerk's attention at 202 C Street, MS2A San Diego, CA 92101. Materials submitted via U.S. Mail must be received no later than one business day prior to the meeting to be distributed to the City Council. Comments received via U.S. Mail on the day of the meeting will be submitted into the written record for the relevant item.

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