



## Tierrasanta Community Council

### Officers 2007-08

**Eric Germain**  
President & Chairman  
Tel: 619-200-1928  
egermain@pacbell.net

**Donovan Geiger**  
**Tony Tibbetts**  
Vice Presidents

**Fred Zuckerman**  
Chief Financial Officer

**Kim Taylor**  
Secretary

### Area Directors 2007-08

Richard Rees (Area 1)  
Chris Nowacki (Area 2)  
T.K. Keliinoi (Area 3)  
Dan Lazzaro (Area 3)  
Lee Campbell (Area 4)  
Joe Battaglia (Area 4)  
Sam Myers (Area 5)  
Scott Hasson (Area 6)  
Tim Taylor (Area 7)  
Jim Taylor (Area 7)  
David Oates (Area 7)  
Jerry Bierman (at large)

**Lou Binford**  
(Commercial Director)

Underline = newly elected  
TCC members

## Tierrasanta Community Council and Planning Group

**Mailing Address:**  
4985 La Cuenta Drive,  
San Diego, CA 92124

**Website:**  
[www.tierrasantacc.org](http://www.tierrasantacc.org)

# AGENDA

## NOTICE OF REGULAR MEETING

Wednesday, April 18, 2007 at **6:30** PM

To be held at the:  
Tierrasanta Recreation Center  
11220 Clairemont Mesa Blvd, San Diego, CA 92124

**6:30 Call to order (note the new time: 6:30)**

**Pledge of Allegiance**

**Introduction of Members & Quorum Check**  
Absent: Tibbetts

**Guest Sign-in**

**Approval of Minutes from March 21, 2007**

**Agenda Review**, Prioritization or Scheduling of Items;  
also, **Requests for Additions** (requires 2/3 majority vote)

**Special Announcements**

**6:40 Non-Agenda Public Comment**

Any member of the public may address a community issue not elsewhere included in the agenda. Upon recognition by the Chair, each speaker may take up to 3 minutes (speakers may be limited to less than 3 minutes each if several speakers want to address the same issue). While there can be limited discussion, please note that the TCC generally is *not* permitted to act on (vote on) any issue that is not already on the agenda for this meeting.



### **Representatives to the TCC**

#### **Government Elected Officials**

S.D. Fire Dept: Battalion Captains Julie Bardsley ("A" shift), Roger Yoshioka ("B") & Dina Sickels ("C")  
S.D. Police Dept: Officer Christina Burhans (tel: 858-495-7943); Police non-emergency tel: 619-531-2000  
Congressman Duncan Hunter (R, 52<sup>nd</sup> District): Breanna Kingsbury (tel: 619-448-5201, *Breanna.Kingsbury@mail.house.gov*)  
Governor Arnold Schwarzenegger (R): Cameron Durckel (telephone: 619-525-4641, *Cameron.Durckel@gov.ca.gov*)  
State Senator Dennis Hollingsworth (R, 36<sup>th</sup> District): Ellen Malin (tel: 619-596-3136, *Ellen.Malin@sen.ca.gov*)  
State Senator Christine Kehoe (D, 39<sup>th</sup> District): Sean Wherley (tel: 619-645-3133, *Sean.Wherley@sen.ca.gov*)  
Assemblywoman Lori Saldana (D, 76<sup>th</sup> Dist.): Shawn Veen (tel: 619-645-3090, *Shawn.Veen@asm.ca.gov*)  
Assemblyman Joel Anderson (R, 77<sup>th</sup> District): Christopher Marsh (619-441-2322, *Christopher.Marsh@asm.ca.gov*)  
Assemblywoman Shirley Horton (R, 78<sup>th</sup> Dist.): Fernando Reyes (tel: 619-462-7878, *Fernando.Reyes@asm.ca.gov*)  
County Supervisor Pam Slater-Price (3<sup>rd</sup> District): Todd Voorhees (tel: 619-531-5533, *Todd.Voorhees@sdcounty.ca.gov*)  
San Diego Mayor Jerry Sanders: Tanya Aldaz Duggan (tel: 619-236-5518, *TDuggan@sandiego.gov*)  
City Councilman Jim Madaffer (7<sup>th</sup> District): Leslie Webb (tel: 619-236-6677, *LWebb@sandiego.gov*)  
San Diego City School Trustee: Katherine Nakamura (tel: 619-725-5550, *KNakamura@sandi.net*)

#### **Representatives of Government Organizations**

**US Navy (Military Housing):** Jerry Dunaway (tel: 619-532-1230, *Jerry.Dunaway@navy.mil*)  
**US Marine Corps (Military Housing):** Jack Harkins (tel: 858-577-6678, *Jack.Harkins@usmc.mil*)  
**US Navy (Naval Station & ADM Baker):** Gary Alchin (tel: 619-556-1316, *Gary.Alchin@navy.mil*)  
**San Diego City Schools (Military Housing):** James Watts (tel: 858-627-7241, *JWatts@sandi.net*)  
**SD City School Gov't Relations:** Arun Ramanathan (tel: 619-725-7085, *ARamanathan@sandi.net*)  
**Serra High School:** Joe Schmidt (*jschmidt1@sandi.net*) and Jeff Thomas (*JThomas1@sandi.net*)  
**San Diego Planning Department:** Maxx Stalheim (tel: 619-235-6153, *MStalheim@sandiego.gov*)  
**Metropolitan Transit Service:** Denis Desmond (tel: 619-515-0929, *Denis.Desmond@sdmtc.com*)  
**Grantville Redevelopment:** Tracy Reed (tel: 619-553-7519, *TReed@sandiego.gov*)  
**Tierrasanta Recreation Center:** Mark Moncey (tel: 858-573-1394, *MMoncey@sandiego.gov*)  
**Tierrasanta Library:** Jennifer Suder (tel: 858-573-1384, *JSuder@sandiego.gov*)

#### **Tierrasanta Community Service Organizations**

**Tierrasanta Kiwanis Club:** President is Rex Warburton (*warbu@aol.com*)  
**Tierrasanta Junior Womens Club:** President is Amy Hall (*amyhall@san.rr.com*)  
**Tierrasanta Recreation Council:** President is Linda Juhasz (*lbj6752@san.rr.com*)



### Meeting of the TCC as Tierrasanta's recognized Community Planning Group

*CPG business, functions, agenda items and votes are subject to the Brown Act.*

#### **ACTION & INFORMATION ITEMS:**

**Item 111: TIME CERTAIN 7:30 PM – Security Gate at La Mirage Apartments, Project 123685** (20 min): Project presentation by Kevin Grani, La Mirage Manager (619-285-8484) on the project to build a guard post and security gate at the entrance to La Mirage Apartments. Following the presentation the TCC will vote to recommend approval or disapproval.

Members of the CDC met with the applicant on April 5th and they voted unanimously to approve the project.

Action: TCC vote to recommend approval of project 123685.

**Item 112: General Plan Review** (40 min): The TCC is embarking on a 4-month review of the elements of the draft General Plan (October 2006 revision). This month the TCC will review the Strategic Framework, Public Facilities & Finance and Mobility elements. Draft comments will be provided separately via the website: <http://www.tierrasantacc.org/Agendas/Agendas.htm/>

Action: TCC approve change recommendations to the Strategic Framework, Public Facilities & Finance and Mobility elements of the draft General Plan.

**Item 113: Brown Act Training** (20 min): The Chair to provide info-only Brown Act training for TCC members in order that all may fully appreciate the new rules the TCC must operate under.

**Item 114: Appointment of Committee Chairs** (10 min): The Chair appoints TCC members or citizens to chair the TCC's committees subject to approval by the full TCC. See attached information.

Action: TCC approves the appointments of Chairs to the TCC's planning group committees and representatives to outside organizations.

#### **COMMITTEE & REPRESENTATIVE REPORTS:** short info-only updates.

**Planning Group Standing Committees:** The Standing Committees (as listed in the TCC's bylaws) serve to help the TCC give advice to different parts of local government.

Item 121: **Community Development Committee** (CDC) (Bill Reschke, Chair)

Item 122: **Open Space Maintenance Assessment District (MAD) Committee** (Deanna Spehn, Chair)

Item 123: **Tierrasanta Recreation Council** (Linda Juhasz, Chair; Tracy Conroy, Representative)

Item 124: **Elections Committee** (VP Tony Tibbetts, Chair)



**Planning Group Representatives:** TCC members serve on city advisory groups and organizations.

Item 131: **Community Planners Committee (CPC)** (Eric Germain & Lee Campbell)

Item 132: **MTRP Citizens Advisory Committee (CAC)** (David Oates & Donovan Geiger)

Item 133: **San Diego Airports Advisory Committee** (Scott Hasson)

Item 134: **COMPACT** (Eric Germain)

### Meeting of the TCC as a Community Council and as a 501(c)(4) Non-Profit Corporation

*Non-CPG business, functions, agenda items and votes are NOT subject to the Brown Act.*

#### **ACTION & INFORMATION ITEMS:**

**Item 211: Presentation on the Miramar Landfill** (5 min): Info-only presentation by Lisa Wood from the Environmental Services Department (858-573-1236) on a proposal to extend the life of the landfill by four years, from 2012 to 2016.

**Item 212: TCC Opposition to a City Policy for Higher Taxes and Fees** (15 min): The Chair to offer a resolution stating that it can NOT be city policy (as is written in the General Plan) that taxes and fees must be raised, and that the burden on the citizen taxpayer must be increased, to restore solvency to the City.

Action: TCC approve the attached resolution.

**Item 213: TCC Support for Legislative Proposals** (10 min): TCC to consider offering letters of support to State Senator Dennis Hollingsworth's draft legislation on the following:

- SB-947 (CEQA relief for overpasses, on ramps and off ramps)
- SB-501, SB-502 and SB-503 (Megan's Law and Jessica's Law sex offender legislation)

Action: TCC endorse Senator Hollingsworth's draft legislative proposals and authorize sending of the draft letters.

**Item 214: Appointment of Committee Chairs** (10 min): The Chair appoints TCC members or citizens to chair the TCC's committees subject to approval by the full TCC. See attached information.

Action: TCC approve the appointments of Chairs to the TCC's council and corporate committees and representatives to outside organizations.

**Item 311: TCC May Recognition Event** (10 min): Kim and Jim Taylor to present proposed budget for the May event.

Action: TCC approve the proposed budget and plan for the TCC's May Recognition Event.



# **TCC AGENDA for April 18, 2007**

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**COMMITTEE & REPRESENTATIVE REPORTS:** short info-only updates.

**Council Committees:** These committees serve to improve quality of life in Tierrasanta and in some cases they also help the TCC give advice to different parts of local government.

Item 221: **Bylaws** (Eric Germain, Chair)

Item 222: **Tierrasanta CERT** (Pat McNamara, Chair)

Item 223: **Tierrasanta FireSafe Council** (Lee Campbell, Chair)

Item 224: **Military Housing** (Deanna Spehn, Chair)

Item 225: **Public Services & Safety Committee (PS&S)** (David Ferguson, Chair)

Item 226: **CC&Rs** (contact Eric Germain for more information)

Item 227: Others: Rock Quarry, Transportation, Noise

**Council Representatives:** TCC members serve on other advisory groups and organizations.

Item 231: **MCAS Miramar Community Leaders Forum (CLF)** (Tracy Conroy & Mike Ogilvie)

Item 232: **San Diego River Coalition** (Lee Campbell)

Item 233: **County Water Authority** (Donovan Geiger & David Oates)

**Corporate Committees:** These committees facilitate the TCC's business as a non-profit corporation.

Item 321: **Budget** (Fred Zuckerman, CFO)

Item 322: **TRY** (Donovan Geiger, Chair)

Info: The TCC entertains TRY grant requests three times a year. The next cycle of possible TRY grant awards will be in June. Due date for the June cycle is June 1st.

Item 323: **Arts & Crafts** (Kim & Jim Taylor, Co-Chair)

Item 324: **Recognition** (Kim & Jim Taylor, Co-Chair)

Item 325: **LogoWare** (Lee Campbell, Chair)

Item 326: **Community Relations** (Eric Germain, Chair)

Action: Shall the TCC post members' photos to the website as a form of community outreach?

Item 327: Others: Webmaster, Insurance, Recognition, Audit

**NEW BUSINESS**

**OLD BUSINESS**

**Adjourn 9:30 PM**

***There is no business meeting of the TCC in May.***  
**The next regular meeting of the TCC is June 20, 2007.**  
**Agenda inputs are due on June 11, 2007.**



# TCC AGENDA for April 18, 2007

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**STATUS OF PROJECT REVIEWS.** Below is a summary of projects being worked with changes shown in **yellow**.

Project	Applicant	Name	TCC Review	Status
61500	INTRACORP	Tierrasanta Townhomes	Project Approved by City Council	24Oct06: Approved by City Council. Late 2007: construction to begin. Early 2008: sales to begin.
61738	Sprint	Cell Tower at the Rec Center	Completed	7Nov05: TCC approved w/ comments. 6Jul06: Final Negative Declaration. Feb07: construction scheduled to begin.
67993	Andrew Krutzsch	Tucker Self Storage	Completed	16Aug06: TCC vote results in a tie, report to city staff is "no recommendation." 15Feb07: Planning Comm. approved. 23Apr07: Final vote by City Council.
82448	Cingular	Cell Tower at 7 <sup>th</sup> Day Adventist Church	Completed	15Feb06: TCC voted to approve.
85448	Cingular	Cell Tower at La Mirage Apartments	Completed	28Nov05: TCC voted approve. 26Jul06: city staff hearing to approve.
89848	Cingular, Sprint, Verizon, T-Mobile	Cell Towers at Tierrasanta Townhomes	Approved by City Council	24Oct06: Approved by City Council.
102422	Ascension Church	Youth Center and Education Building	Not started	9May06: drawings received by TCC. Aug: plans withdrawn for further review.
123685	La Mirage Apartments	Security Gate on Reflection Dr	Not started	27Feb07: Initial project paperwork issued 18Apr07: TCC vote scheduled
n/a	Caltrans	SR-52 EB & WB Widening Project	TBD	26Jan07: Initial Study, Proposed Mitigated Negative Declaration, Environmental Assessment report issued

### Ministerial Cellphone Infrastructure Projects (Process 1: TCC review neither required nor permitted)

88549	Cingular	Cell Tower at Eldyne Research Park	No review	Received notice on 20Dec05: Ministerial review; no TCC action
94996	(unknown)	Cell Tower at Gateway Business Park	No review	Received notice on 16Feb06: Ministerial review; no TCC action
95509	T-Mobile	Cell Tower at Tierrasanta Baptist Church	No review	Received notice on 22Feb06: Ministerial review; no TCC action Project drawings reissued on 26Jan07
97327	Cingular	Cell Tower at Tierrasanta Baptist Church	No review	Received notice on 10Apr06: Ministerial review; no TCC action
97899	Cricket	Cell Tower at Round Table Pizza	No review	Received notice on 30Mar06: Ministerial review; no TCC action
100205	T-Mobile	Cell Antennas at Dr Yorobe Office	No review	Received notice on 3May06: Ministerial review; no TCC action





### **Additional Information**

**Item 111: La Mirage project review.** Full drawings of the project are found at:  
<http://www.tierrasantacc.org/Agendas/Agendas.htm/>

Look under the CDC agenda for April 5th (in the red text).

**Item 112: General Plan Review Comments.** The proposed changes are on the TCC's website under Item 112 of the April agenda at: <http://www.tierrasantacc.org/Agendas/Agendas.htm/>

Please note that change proposals previously published are under revision. The final proposals should be posted by Sunday, April 15th.

**Item 113: Brown Act Training.** The slides for presentation are on the TCC's website under Item 113 of the April agenda at: [http://www.tierrasantacc.org/Agendas/2007/April/Brown\\_Act\\_training\\_Apr07.pdf](http://www.tierrasantacc.org/Agendas/2007/April/Brown_Act_training_Apr07.pdf)

**Items 114 and 214: Appointment of Committee Chairs and Reps to Outside Groups.** Following are the Chair's appointments as TCC committee chairs for all committees:

<b>Standing Committee</b>	<b>Appointed Chair</b>	<b>Ad Hoc Committee</b>	<b>Appointed Chair</b>
Open Space	<i>(TBD by the committee)</i>	Military Housing	<i>Deanna Spehn</i>
Recreation Council	<i>(TBD by the committee)</i>	Ordnance	<i>Deanna Spehn</i>
Community Development	<i>Bill Reschke</i>	General Plan Review	Eric Germain
Bylaws & SOPs	Eric Germain	Transportation	
Elections	Donovan Geiger	Noise	Scott Hasson
Executive	Eric Germain	Recognition	Jim & Kim Taylor
Public Services & Safety	<i>David Ferguson</i>	Audit	<i>Kathy Cronin</i>
T-CERT	<i>(TBD by the committee)</i>	Insurance	Lou Binford
FireSafe	Lee Campbell	Arts & Crafts	Jim & Kim Taylor
CC&R	(confidential)	Golf Tournament	<i>Pat Weishan</i>
Rock Quarry	<i>Jere Cordell</i>	LogoWare	Lee Campbell
Budget	Fred Zuckerman	Community Relations	Eric Germain
TRY	Donovan Geiger	Webmaster	Donovan Geiger

Note: **Yellow highlight** means these committees are subject to the Brown Act (all others are not).

Note: *Italics* means appointed chair is not a member of the TCC; all others are TCC members.



Outside Organization	Appointed Rep
Community Planners Committee (CPC)	Eric Germain
Alternate Representative to the CPC	Lee Campbell
Tierrasanta Recreation Council	Tony Tibbetts
Grantville Redevelopment Advisory Committee (GRAC)	Eric Germain
Grantville Redevelopment Advisory Committee (GRAC)	Lee Campbell
MCAS Miramar Community Leaders Forum (CLF)	
Alternate Representative to CLF	Eric Germain
Mission Trails Citizen Advisory Committee (CAC)	David Oates
Mission Trails Citizen Advisory Committee (CAC)	<i>Betty Ogilvie</i>
San Diego River Coalition	Lee Campbell
Open Space Canyon Advisory Committee (OSCAC)	Lee Campbell
San Diego County Water Authority	Donovan Geiger
San Diego County Water Authority (alternate)	David Oates
Community Planners Advisory Committee on Transportation (COMPACT)	Eric Germain
San Diego Airports Advisory Committee (AAC)	Scott Hasson

Note: *Italics* means appointed chair is not a member of the TCC; all others are TCC members.

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**Item 212: TCC Opposition to a City Policy for Higher Taxes and Fees.** The Chair's draft resolution will be posted to the TCC's website under Item 212 of the April agenda at:  
<http://www.tierrasantacc.org/Agendas/Agendas.htm/>

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**Item 213: TCC Support for SEN Hollingsworth's Legislative Proposals.** The draft letters of support from the TCC are on the TCC's website under Item 213 of the April agenda at:  
<http://www.tierrasantacc.org/Agendas/Agendas.htm/>



# Tierrasanta Community Council and Planning Group

**Mailing Address:** 4985 La Cuenta Drive,  
San Diego, CA 92124

**Website:** www.tierrasantacc.org  
**E-mail:** egermain@pacbell.net

## Approved Minutes

*These minutes were approved with changes at the TCC meeting of March 21<sup>st</sup> 2007.*

**From the Regular Meeting held on**  
**Wednesday, February 21<sup>st</sup>, 2007**  
**at the Tierrasanta Recreation Center**  
11220 Clairemont Mesa Blvd, San Diego, CA 92124

P Eric Germain – President & Chair	P Brien O'Meara – Area 1	A2 Tracy Conroy – Area 5
P Donovan Geiger – Vice President, Plans	P Chris Nowacki – Area 2	P Scott Hasson – Area 6
P Tony Tibbetts – Vice President, Issues	A3 Eric Bender – Area 3	P Tim Taylor – Area 7
P Fred Zuckerman – Chief Financial Officer	P Dan Lazzaro – Area 3	P David Oates – Area 7
P Kim Taylor – Secretary	P Lee Campbell – Area 4	P Jim Taylor – Area 7
P Lou Binford – Commercial Director	P Susan Deininger – Area 4	P Jerry Bierman – Area 8 (A.L.)
P = Present      A1 / A2 / A3 / A4 = Absent (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> )      A.L. = At Large		
<i>CP600-24, Art IV, Sec 1: a vacancy exists upon the 3<sup>rd</sup> consecutive absence or 4<sup>th</sup> absence in 12 months (April through March).</i>		

The February 21<sup>st</sup> meeting of the Tierrasanta Community Council (TCC) was called to order by President Eric Germain at 7:02 PM in the Tierrasanta Recreation Center. Director Susan Deininger led the TCC in reciting the pledge of allegiance. A quorum of fourteen was declared present (two other members joined late).

*Note: Events reported below did not occur in the sequence shown below.*

**Approval of Minutes from January 17<sup>th</sup>:** The Chair reviewed some proposed changes.

**Motion** (Tibbetts / Lazzaro): TCC approves the revised minutes for November.

Passed: unanimously

*[Note: The final minutes can be found on the TCC website at [www.tierrasantacc.org](http://www.tierrasantacc.org)]*

**Agenda Review, Additions & Continuances:** The Chair cancelled Item 111 resulting from a meeting earlier in the day at City Hall during which it was determined there insufficient reason for Ms Sheffield to appear. By prior arrangement also earlier in the day, Item 211 will be held time certain at 8PM (30 minutes earlier than originally scheduled). The agenda was adopted with these two changes.

The Chair also offered an opportunity to expedite matters via a consent agenda that included six agenda items. Four items were pulled for discussion by members leaving Items 113 and 114 on consent. The vote was conducted later in the meeting (see below).

**Special Announcements:** The Chair announced the County Water Authority (CWA) will be boring holes in Mission Trails park over the next several weeks, and affected residents should have received a notice in the mail on this activity. The No on Prop A (NOPA) committee is having one last victory celebration event in order to retire the committee's outstanding debt. The event is on March 22nd from 5:30 to 7:30 PM at "Trellises" in the Town & Country Hotel in Mission Valley. Donations are accepted even if you cannot attend. There will be a joint meeting of CDC, Open Space and Rec Council on March 5th to look over the community's Facilities Finance Plan and prioritize the list of projects that will be carried forward to a vote by city council later this spring.

Director Deininger announced the Spring Arts and Crafts Fair will be held on May 19th along with the Patriots Day parade. She will be seeking volunteers to support activities during the Arts and Crafts Fair.

The Chair then recognized the presence in the audience of TCC Past President Bill Reschke the Rec Council President Linda Juhasz.

**Non-Agenda Public Comment:** The Chair invited candidates in the election to say a few words.

Area 5 candidate **Sam Meyers** introduced himself as a 30-year resident of Tierrasanta, a past chair of the Villa Monterey Homeowners Association, and a retired local business owner.

Area 6 candidate **Neill Thornton** introduced himself as a 3-year resident who became interested in the TCC because of the No on Prop A campaign.

The Chair noted that any vacant TCC seats will be filled at the March meeting, so if any candidates are not successful in the election then they should consider showing up to apply for the vacancies.

## **Reports from Elected Officials and Organizations**

**Station 39 Fire Captain Julie Bardsley** passed out a flyer on Carbon Monoxide (CO) poisoning and noted that the Fire Department will check homes for CO levels using a tester has given to the department by the military. She commented on clothes dryer and washing machine safety issues and passed out safety brochures on both issues. The final step in Station 39 remodeling, new flooring, will happen soon.

Related to Item 215: She reported the SDFD are involved in the evaluation of fire safety inspections along the canyons as was reported in the local press. They are looking for violations to the fire safety regulations in order to better protect peoples' homes from a wildfire. She invited anyone with concerns over fire safety to contact the Fire Department at 619-533-4300 and report their concern (complaints are received anonymously). When violations are reported the SDFD will issue a violation and then the homeowner has 2-3 weeks to remedy the violation. If the homeowner refuses or cannot fix the problem then the SDFD may hire a contractor and bill the owner for costs.

**Senator Dennis Hollingsworth** (R, 36th Dist.): Ellen Malin (Ellen.Malin@sen.ca.gov, tel: 619-596-3136) handed out some information on SB 236, a health care bill intended to expand community clinics and relieve congestion at the emergency rooms. The Senator has already authored two bills that would aid the farmers affected by the freezes of January: SB 148 and SB 149. These are tax breaks on property assessment and sales tax on fuels related to farming to help them along during this hardship.

**Assemblywoman Lori Saldana** (D, 76th Dist.): Shawn Veen (Shawn.Veen@asm.ca.gov, tel: 619-645-3090) reported on AB 48 that would place controls on electronic waste disposal in landfills, on AB 170 that would help military families qualify for preschool programs, and on the initiative to hold the California Presidential Primary in February 2008.

**Laura Thornton from MCAS Miramar** (858-577-6603) reported that the 3<sup>rd</sup> Marine Air Wing is returning from Iraq on March 30<sup>th</sup> which for many will conclude their fourth deployment to the war zone. She commented on possible restructuring of the SD Airport Authority and how its control over land-use matters may shift to SANDAG.

Ms Thornton also reported that the Draft Environmental Impact Report (DEIR) for reconfiguring Miramar to support MV-22 Osprey (tilt-rotor fixed wing) operations is due this coming August. The point of contact for the MV-22 DEIR is Deb Theroux at 619-532-1447.

*[Note: A late report says the DEIR will be issued in October 2007.]*

**City Planner Maxx Stalheim** (tel: 619-235-6153, MStalheim@sandiego.gov) reported that the matter of making MTRP its own planning area and disassociating it from Tierrasanta's planning area would be the matter of an amendment to the city's General Plan. He said the only thing happening now in this matter are initial conversations and no formal action has begun.

**Recreation Council President Linda Juhasz** reported on the upcoming baseball season and provided an update on the DePortola dirt parking lot. She said the Rec Council may need to close some playing fields over the summer for maintenance. She announced the Rec Council soon would become a tax exempt 501(c)(3) California corporation as required by the city's Park and Rec Department.

## Meeting of the TCC as a Town Council and a Non-Profit Corporation

### **ACTION & INFORMATION ITEMS:**

**Item 211: Proposed Increases in Water & Wastewater Rates.** The following city officials appeared before the TCC to review the Mayor's plan to increase rates:

- Richard Haas, Mayor's Deputy Chief for Public Works
- Jim Barrett, P.E., Mayor's Director of the Water Department
- Dr Tim Bertch, Director, Metropolitan Wastewater Department

**Deputy Chief Richard Haas** began by saying that public notification of the proposed rate increases results from Prop 218, the public law that controls how rate increases are made known to property owners. Their visit to the TCC is in compliance with Prop 218, as was the mailer sent to residences and homeowners explained the proposed increases. The mailer also offered people the opportunity to vote "no" to the increases, and as required by Prop 218 the following also apply: 1) a non-vote results in a "yes" vote, and 2) a majority of the population must vote "no" to stop the increase. As of this meeting the City Clerk has received 6,500 envelopes presumably containing "no" votes, but per Prop 218 it would take close to 100,000 "no" votes to overturn the rate increase. It seems clear there will not be a public vote to reject the rate hikes, and they will go into effect as proposed by the Mayor.

*[Note: since the TCC meeting the due date for voting has passed, the citizens did not reject the rate hikes, and the city council voted to approve the Mayor's plan. The Mayor's emailed statement of Feb 26<sup>th</sup> read as follows: " Late this evening, the San Diego City Council voted to adopt my recommendations for repairing and improving the City's crumbling water and wastewater systems. On a 7 to 1 vote for wastewater and a 6 to 2 vote for water, the Council approved a plan that will allow the City to address the regulatory mandates, court orders and other needs facing these systems. ... I commend the City Council for adopting my plan to fix the water and wastewater systems. The package of improvements they approved today will let us get back on track toward meeting our responsibilities and ensuring the safety and reliability of these systems into the future. The water system must soon begin construction of projects called out in a Compliance Order issued by the California Department of Health Services. The wastewater system must build projects required under a consent decree issued on behalf of the Environmental Protection Agency in federal court. ... By adopting the package of improvements, the Council also endorsed my four point safeguard plan for protecting ratepayer funds. My plan includes four specific elements: creation of a new **Independent Rates Oversight Committee**, installation of a "**Dedicated Reserve from Efficiencies and Savings**" to help offset future rate increases in both systems, annual **audits** for both systems and the **Limitation of future "Bid-to-goal" contracts** with City employees to one year increments. ... Each of these elements is being implemented to help assure ratepayers that the revenues generated from my plan will be used efficiently and for the purposes called out in the proposal. ... I am gratified that the Council moved forward on this critical issue and has taken the steps we need to begin repairing and improving our water and wastewater systems." Note: emphasis above is from the Mayor and paragraphs have been replaced by "... " to conserve space.]*

**Water Department Director Jim Barrett** gave a presentation on San Diego's water supply and the need for the rate increase. The brief can be found on the TCC's website (with the February agenda).

The SD Water Department operates:

- 30 reservoirs
- 9 storage lakes
- 3 treatment plants
- 3,460 miles of pipe (190 miles of cast-iron pipe)
- 49 pumping stations
- 90 pressure zones (needed to keep an even water pressure across the city).

Other Water Department stats:

- FY07 annual budget: \$359 million
- Department size: 914 employees (10% of city employees)
- Customers served: over 1.3 million spread out over 403 square miles
- Total water meters in service: 274,000
- Water treated and delivered per day (average): 210 million gallons
- "Rest of the story": the vast majority of water meters are residential (hooked up to peoples' homes) but only 38% of the water used per day is used by homeowners.

The dire need for funds in the Water Department results from a 1997 Compliance Order issued by the California Department of Health Services (DHS). The DHS order specifically directs some 100 discrete actions required to be taken by the Water Department in order to avoid fines. As detailed in the presentation, work is needed at all three treatment plants and at the pump stations, and the cast-iron pipes (a lot of which have been breaking lately) need to be replaced. Of all the work listed in the briefing some 61% of projects are required by DHS and another 21% are directly related to the DHS mandates.

The problem is the Department does not have enough cash on hand to do take the actions, nor can it borrow the funds needed to take the actions. The water rate increase is needed to build a level of liquidity that will allow the Department to access the bond market, borrow a lot of cash, and begin work on the directed actions. But as everyone has heard, the city's access to the financial markets has been

shut down for some time: the city cannot access the bond markets because the city's finances are in a shambles, and specifically because there has not been a valid audit of the city books since 2003. *[Chair's comment: All of this can be traced back to the illegal under-funding of the union pensions, the back-room dealings of the prior Mayor and city council, and the unwillingness of anyone to seriously address these problems until the election of Mayor Sanders.]*

The propose rate increase is required because the Department must complete the following:

- Construct new pipelines and upgrade treatment plants to comply with the Federal Safe Drinking Water Act and the California DHS Compliance Order.
- Replace aging infrastructure to reduce the number of pipeline breaks and emergency repairs.
- Increase treatment capacity and improve technology
- Meet ongoing operational and maintenance needs of the system.

The Mayor has proposed raising Department revenue by 6.5% per year for 2008, 2009, 2010 and 2011. This amounts to an aggregate 28.7% increase in revenue as of 2011. Note that individual rate payers may see a rate increase more or less than 6.5% per year depending on their meter size and on their level of consumption, but "for the moderate residential user, we expect a billing increase of 11-12%."

In addition there will be a refiguring of how water bills are computed using the two rate measures described below:

1. The "Base Rate" is based on water meter size (the size of the pipe entering your house). Currently 33% of the Department's revenue comes from Base Rate fees, but after the change this will be reduced to 23%. The TCC expressed some concern that base rates for residential meters (typically 3/4-inch connections) won't be adjusted as favorably as are the rates of larger industrial customers, including beverage bottlers.
2. The "Commodity Rate" is based on consumption (the number of HCF you use per month). This will go up such that those who use more water pay higher bills, thereby encouraging water conservation. Currently 67% of the Department's revenue comes from Commodity Rate fees, but after the change this will be increased to 77%. This is what will account for Mayor's the rate increase.

Mr Barrett also described a somewhat complex creation of classes or tiers including: 1) single-family residential, 2) multi-family residential, 3) commercial and industrial, and 4) temporary construction. It is not altogether clear what the results of this structure will be, but some on the TCC were concerned that its purpose was to fragment the residential weight on the Mayor's proposed Independent Rates Oversight Committee (IROC). Some Q&A followed:

Q: Does some of the proposed increase go towards union pensions?

A: Yes to the extend the Department's budget spend money on employee benefits: about 3-4% of the Dept's budget will go towards employee pensions and about 1% to employee health care.

Q: Isn't the Water Department just piling on and adding every project it can think of?

A: "Yes, absolutely."

Q: What about the additional proposed increase by the Metropolitan Water District?

A: That is in addition to but independent from what we're proposing. The MWD proposes a 5.8% increase that will raise a homeowner's annual bill by about \$15 per year; ours will be much more significant.

Q: Will water revenue end up in the general fund?

A: No, although this did happen in the past. The Mayor's plan is that the IROC will oversee the money and ensure any surpluses are kept from ending up in the general fund.

**Wastewater Department Director Tim Bertch** gave a presentation on San Diego's sewer system and the need for a rate increase in addition to the water increase. The brief can be found on the TCC's website at (with the February agenda, starting at slide 14).

The SD Wastewater Department operates:

- 4 sewage treatment plants
- 3,000 miles of pipe
- 84 pumping stations
- 55,000 manholes.

Other Wastewater Department stats:

- FY07 annual budget: \$414 million
- Department size: 900 employees (10% of city employees)
- Customers served: over 1.3 million in SD and another 1 million in other jurisdictions
- Wastewater treated and delivered per day (average): 180 million gallons

Dr Bertch noted that they have taken significant recent action to correct the sewage spills we've heard about from time to time (e.g., Tecolote Canyon, Mission Bay). They have used closed-circuit television in the pipes to determine that certain pipes are in good shape but others require urgent attention. This "intelligence" on where to focus their effort has resulted in a \$46 million program to clean and apply new lining to older pipes, and this has resulted in a 77% reduction in spills.

But as noted in the Mayor's Feb 26<sup>th</sup> statement, the U.S. Environmental Protection Agency (EPA) sued and today City Wastewater is operating under Consent Decrees, the last of which was signed in June. The deal in federal court effectively was "sign the decrees and take action, or pay fines".

The Consent Decrees required the Department to replace or rehab 200 miles of piping by June 2007 and they are on track to achieve this requirement. The challenge now is raise the \$648 million needed to effect the repairs, which is the reason for the Mayor's propose rate hikes. Some 78% of this amount is for Consent Decree projects, with the remainder a grab-bag of projects deemed important. None of the increase will go towards operations and maintenance, it all goes to the improvement projects.

As for Water, the Wastewater rate hikes are needed to produce liquid funds that will allow the city to re-enter the bond market. The annual rate increases therefore serve as a "mortgage payment" on the bond debt service. The amount borrowed will pay for the projects that allow the city to achieve compliance with the EPA Consent Decrees and avoid the fines and penalties that otherwise would be imposed. Some Q&A followed:



Q: Does the Mayor's proposal include "Toilet to Tap"?

A: No. There is no "Toilet to Tap" in the budget for the next four years.

Q: What about customers outside the City of San Diego?

A: There are 15 surrounding jurisdictions that pay about 34% of the Department's annual budget.

Q: What about the "purple pipes" of recycled water?

A: These are reclaimed water generally used for golf course irrigation and public landscaping. There is no plan to bring purple pipes into residential neighborhoods.

**Tanya Duggan**, the Mayor's staff representative to the TCC, commented for Mayor Sanders by saying there really was no choice but to make the required improvements and this mandated the rate hikes.

**Deputy Director Haas** observed that there had been no rate increases from 1987 to 1997 because of political unwillingness, but these eleven years have put the city in a position where now some serious rate hikes are needed. The pipes that are 100 years old are going to disintegrate and if we don't fix them on a scheduled basis then we will have to fix them on an emergency basis. When asked, he said only about 1% of the total budget was misappropriated by past city councils and the prior Mayor. The Shames lawsuit sets aside \$35M (\$40M - \$5M for lawyer fees) to reimburse single family residence rate payers for an unfair apportionment of the sewer charges prior to 2004.

**TCC Director Lee Campbell**, who in the January TCC meeting championed this issue and requested this agenda item, recommended that the future bills explain in greater detail where all the money is going; much like the County Tax Collector's property tax bills were updated to show all the taxes, fees and assessments that go into a homeowner's tax bill (as briefed to the TCC in January).

Director Campbell then moved for discussion his motion (provided to the TCC in advance) to oppose the rate increases because they unfairly burden the single-family rate payer. The city staff insist the hikes are being applied fairly, and they explained the many protections in place: how the IROC will do financial audits and performance audits and ensure any monies remaining will be used to defer future rate increases.

**Motion** (Campbell / Hasson): TCC opposes the Mayor's proposed rate increases and asks that it be reworked for fairness to the single-family rate payer. Motion failed: 4-10-1 (Tibbetts abstained because he had not read the draft motion prior to the vote.)

**Item 212: Tierrasanta Recycling for Youth (TRY) Grant Request.** Vice President and TRY Chair Donovan Geiger presented a new draft policy for managing TRY Grants for TCC consideration. It proposes limiting grants to Tierrasanta youth groups (no individuals), giving to three times per year (in February, in June and in September), limiting grants to one per year per group, and encouraging community service (particularly recycling) as a preference for awarding grants. TCC members discussed but rejected possible life-time caps on total grants to a group and placing a limit on total grants issued per year. The draft was amended to require grant applications be received by the first of the month when they are awarded; that grant requests must be submitted by February 1<sup>st</sup>, June 1<sup>st</sup> and/or September 1<sup>st</sup>.

**Motion** (Geiger / Tibbetts): TCC approves the new policy on TRY Grants.  
Passed: 14-0-0

**Item 213: Updates to and Cleanup of the TCC Website.** Vice President Donovan Geiger, the TCC Webmaster, wants access to funds to pay a professional web designer to update the website. He may be able to have it done for free, but if payment is required he wants to be able to complete the needed improvements in the near future. Director Campbell opposes spending funds on this task and believes TCC volunteers should do this work themselves.

**Motion** (Geiger / Tibbetts): TCC approves spending up to \$250 on TCC website maintenance at the discretion of the TCC Webmaster.

Passed: 12-2-0

**Item 214: Strong Mayoral Authority.** The Chair presented his draft resolution (provided via the website) to request that Councilman Madaffer change his vote of February 5th vote and, at the second reading of the measure, to endorse the Mayor's efforts to restore the city to financial solvency. He believes the TCC should express the sense of the community by endorsing the Mayor's approach to handling the financial crisis—cutting bureaucracy and improving efficiency rather than raising taxes—and by asking that Tierrasanta's Councilman support the mayor in this approach. The Councilman sent an email the on this matter wherein he said he supported the Mayor and a compromise was in the works. Some TCC members believed this matter too political and thus inappropriate for the TCC. Some members expressed their support for the Mayor and endorsed the TCC taking this action. Others said they didn't much like the resolution, but they support the backing of the Mayor.

**Motion** (Hasson / Deininger): TCC approves the resolution expressing support for the Strong Mayor and urging Councilman Madaffer to support the Mayor in his efforts to bring solvency to city finances.

Passed: 9-5-0

*[Note: The approved resolution is on the TCC website with the February agenda. On March 1<sup>st</sup> the Mayor issued the following statement: "Earlier this afternoon, City Council President Scott Peters, President Pro Temp Tony Young and I held a news conference to announce that we had arrived at a compromise on budget authority. I am pleased to support the compromise and want to personally thank them for the way in which they collaborated on this effort. ... I do believe that this compromise is in the best interests of our city. The plan allows us to continue to make meaningful and necessary changes to City government and avoids a procedural fight that could have had the unfortunate result of bringing governmental decision making to a halt. That wouldn't have been good for anyone - most importantly, our citizens who are hungry for reform at City Hall. ... Over the past several weeks, we have worked collaboratively to craft a plan that allows me to continue to bring meaningful and lasting reform to City government while recognizing the Council's desire to approve substantive changes made to the budget. I believe our plan achieves both goals and as such I am happy to support it. ... My goal throughout this process has been to reform and streamline city operations, to make financial stability a priority, to make government more accountable to our citizens and to inject transparency into all of our decision-making processes. All of those remain as my goals. ... In that the Charter may not be as clear as it should be, I will pursue an amendment to the Charter next year that clarifies the mayor's ability to control spending and make City government more efficient and accountable for our taxpayers. ... A copy of the plan as well as President Peters' memo to his colleagues can be accessed at this link: [http://www.sandiego.gov/mayor/pdf/budget\\_authority.pdf](http://www.sandiego.gov/mayor/pdf/budget_authority.pdf)"]*

*[Note: The second reading was planned for March 5<sup>th</sup> but this was postponed due to the ongoing negotiations in crafting the language of the compromise bill described above by the Mayor. The second reading was rescheduled to March 19<sup>th</sup>, but this was postponed at the last minute to April 6<sup>th</sup> at the request of the City Attorney.]*

**Item 215: Fire Safety Inspections of Tierrasanta Residences.** This was addressed during the SDFD's public comment at the start of the meeting.

## COUNCIL COMMITTEE REPORTS:

**Item 224: Military Housing.** Director Lazzaro attended the committee meeting of February 14th and provided a summary: the schedule is still changing but as of now earth moving and unexploded ordnance (UXO) clearance is to begin late in 2007, construction will begin in late 2008, and first occupation of homes will happen in late 2009 with multiple phases of occupation over about five years. There is concern that UXO cleanup within a year may not be realistic. There needs to be a new look at the impact to schools due to the change in bedroom mix and the predicted increased population of school-aged children. Also, the Santo Road bridge would be closed for a period of time while an HOV lane is built and the bridge is rebuilt.

**Item 225: Public Services & Safety.** A petition is in hand that soon will be circulated to gauge interest in adding speed bumps (actually speed lumps) on Camino Playa Norte.

## CORPORATE COMMITTEE REPORTS:

**Item 321: Budget: Audit Committee Report.** Audit Committee Chair Kathy Cronin reported that she, Secretary Kim Taylor, Donovan Trisko and CFO Fred Zuckerman performed a detailed review of the TCC's financial records including all bank and investment accounts. They found no errors and declared the books "clean" and congratulated CFO Zuckerman on another year of perfect records. The committee recommended the TCC pursue higher yield investments to improve account performance.

## Meeting of the TCC as Tierrasanta's Recognized Community Planning Group

### CONSENT AGENDA:

**Item 113: TCC Elections Committee.** Action: TCC approves the filling of any vacant billets during the March meeting and approves the proposed vacancy procedure.

**Item 114: Planning Group Indemnification.** Action: TCC approve the proposed letter for delivery to councilman Jim Madaffer.

**Motion** (Tibbetts / Geiger): TCC approves Items 113 and 114. Passed: 15-0-0

*[Note: the approved vacancy procedure is available on the TCC website with the February agenda, and the letter to Councilman Madaffer dated 22 February 2007 will be posted to the website shortly.]*

### ACTION & INFORMATION ITEMS:

**Item 111: FY08 Public Facilities Finance Plan (FFP) Update.** CFO Zuckerman updated the status of the TCC's efforts to update the existing FFP with the current priorities of the community, things like: deleting the boulevard extensions through MTRP and across the river, building a new fire station and library, and building a community center and senior center. Some of these changes would impact the fees charged to developers when building in Tierrasanta, but there remains uncertainty in some projects whether or not they can be included in the developer fee calculation. City staff and the city attorney's staff are working the matter. This will be brought back to the TCC in March for a formal vote.

**Item 112: General Plan Review.** The Chair presented his markups to the Conservation and Noise elements of the draft GP. There was much discussion on the merits of certain proposed changes including changes intended to soften the language and to *suggest* rather than *require*, such as in the GP's mandate for more expensive building techniques (that must be paid for by taxpayers). Other TCC members insisted the GP be more directive in nature, not softer, and that mandating more expensive building design is good when it comes to environmentally friendly designs. The Chair offered that each proposed change be handled separately, but due to the lateness of the hour the TCC had no stomach to continue debate and the Item was tabled without action.

**Motion** (Tibbetts / Deininger): TCC approves the changes to the General Plan.

No vote taken

**Motion** (Lazzaro / Binford): TCC tables discussion of the proposed General Plan changes, possibly to be brought back in March.

Passed: 10-5-0

**Item 115: Brown Act.** The Chair announced his plan for adapting the TCC's business process to satisfy the many requirements of the Brown Act as follows:

The agenda is broken into 1) functions related to the TCC's role as a Planning Group, and 2) functions related to the TCC's role as a Community Council (often called a Town Council in other neighborhoods) and 3) functions related to the TCC's role as a non-profit Corporation. The application of Brown will depend on whether or not an agenda item is noticed as a Planning Group agenda item:

1. All agenda items on the Planning Group agenda ("100-series" agenda items) **ARE** subject to the Brown Act, but
2. All agenda items on the Town Council agenda ("200-series" agenda items) and all agenda items on the Corporation agenda ("300-series" agenda items) **ARE NOT** subject to the Brown Act.
3. In a general sense, Planning Group functions and agenda items relate to land-use matters, project reviews, General Plan review, community plan review, matters discussed in Council Policy 600-24, committees of the TCC that themselves are subject to Brown (CDC, Open Space, Rec Council), and membership in outside committees that are subject to Brown (such as CPC and the MTRP CAC). ALL other functions of the TCC are either Town Council functions or Corporate functions.
4. In terms of the noticing requirements of Brown (72-hrs minimum): the entire agenda will be noticed as required by Brown.
5. In terms of public access to records and briefing materials: only the CPG agenda items will be controlled by Brown.
6. In terms of limitations imposed on casual speech or emails between TCC members regarding a matter they may have to consider: only the CPG agenda items will be controlled by Brown.
7. The above notwithstanding, the TCC believes we have been operating largely according to Brown for a long time (72-hrs notice, public meetings, public participation, no closed sessions) and this functioning in the spirit of Brown will continue for the Town Council and Corporate functions of the TCC as it always has.
8. The city staff is still working on implementing Brown, and in many cases the details of how we are to function are still being worked out, so the Chair's policy in this matter is subject to revision.

## **COMMITTEE & REPRESENTATIVE REPORTS:**

**Item 124: Elections Committee.** Vice President and EC Chair Tony Tibbetts announced that there were candidates for all seats except the Area 1 seat.

**Item 133: San Diego Airports Advisory Committee.** TCC Director and AAC Representative Scott Hasson reported on the matter of the Montgomery Field (MYF) displaced threshold, which is the point on the runway that is 1000 feet from the actual start of the pavement where an aircraft may touch down. There is a proposal to move the threshold back by 500 feet in order to lengthen the runway, primarily to benefit heavier corporate jets that need a longer landing strip. Currently there is a 12,500-pound limit on aircraft that may use MYF, but moving the displaced threshold would permit MYF to service aircraft up to 20,000 pounds in weight. This would put MYF roughly equal to Carlsbad airport in terms of its ability to handle commuter traffic. All on the TCC viewed this development with extreme apprehension. Director Hasson was asked to arrange a visit by Airports Director Mike Tussey in the very near future.

## **NEW BUSINESS:**

**Item 511: “Taste of Tierrasanta”.** The Chair quickly reviewed the initial plans of Coldwell Banker to plan and conduct a new community fundraising event later this summer. The “Taste” will involve many local restaurateurs providing samples of their best dishes. The Chair is involved in the early planning and will provide updates.

## **OLD BUSINESS:**

**Item 611: Tucker Self Storage.** Director Scott Hasson appeared at the Planning Commission to speak against the project, but the Commission voted unanimously to recommend approval to the city council. He intends to try again when the matter comes before the city council.

The TCC adjourn at 10:35 PM