

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MAY 16, 1995
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 11:03 a.m. Mayor Golding simultaneously convened the Redevelopment Agency with the regular meeting at 11:09 a.m. The meeting was adjourned by Deputy Mayor Vargas at 12:32 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

ITEM-CC-5:

Comment by Council Member Warden acknowledging and welcoming the Student Council Officers and Class Representatives from Miramar Ranch Elementary School.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A029-036.)

ITEM-209: NOTED AND FILED

Providing an impasse procedure, if necessary, for Management and Labor Organizations currently involved in negotiations.

CITY MANAGER SUPPORTING INFORMATION:

The current Memorandum of Understanding and Council Policy 300-6 provide that Labor Organizations have a right to a Council hearing on any issues at impasse at the conclusions of negotiations.

The purpose of the impasse meeting shall be to identify and specify in writing the issue or issues that remain in dispute; to

review the position of the parties in a final effort to resolve such disputed issue or issues; and if the dispute is not resolved, to discuss arrangements for the utilization of the impasse procedure contained in Council Policy 300-6.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A085-125; A225-245.)

MOTION BY McCARTY TO NOTE AND FILE THIS ITEM. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-210:

SUBJECT: Four actions related to Fiscal Year 1995-96 Salary Ordinance and Resolutions.

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A; and adopt the resolutions in Subitems B, C and D:

Subitem-A: (O-95-107) INTRODUCED, TO BE ADOPTED MAY 30, 1995

Introduction of an Ordinance establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1995-96.

Subitem-B: (R-95-1597) ADOPTED AS RESOLUTION R-285787

Adoption of a Resolution establishing overtime eligibility of classifications in the classified service.

Subitem-C: (R-95-1598) ADOPTED AS RESOLUTION R-285788

Adoption of a Resolution amending employee representation units to add new classifications and remove deleted classifications from existing appropriate units as established in the Fiscal Year 1995-96 Salary Ordinance.

Subitem-D: (R-95-1599) ADOPTED AS RESOLUTION R-285789

Adoption of a Resolution authorizing classifications eligible for the Management Benefits Plan.

FILE LOCATION: Subitem A: NONE; Subitem B,C,D: MEET

COUNCIL ACTION: (Tape location: A126-241.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND TO INTRODUCE THE SALARY ORDINANCE AS RECOMMENDED BY THE CITY MANAGER WITH THE EXCEPTION OF THE COUNCIL'S SALARY. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY STALLINGS TO DENY THE 2% SALARY INCREASE FOR THE COUNCIL MEMBERS. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Privatization of Biosolids Beneficial Use Facility.

(See City Manager Reports CMR-95-85 and CMR-94-117. NAS Miramar Community Area. District-5.)

(Continued from the meeting of April 24, 1995, Item 107, at Michael McDade's request, representing the San Diego Biosolids Recovery Corporation, to allow Council to learn how the City Manager's recommendation will affect the rate payers.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1472) ADOPTED AS RESOLUTION R-285790

Authorizing the City Manager to begin negotiations with Wheelabrator Clean Water Systems, Inc., for an agreement to design, build, and operate a biosolids drying facility and to distribute the dried pelletized

biosolids for beneficial use.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A246-B547.)

MOTION BY STEVENS TO ACCEPT THE CITY MANAGER'S RECOMMENDATION TO BEGIN NEGOTIATIONS WITH WHEELABRATOR CLEAN WATER SYSTEMS, INC. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-ineligible.

ITEM-331: CONTINUED TO SEPTEMBER 12, 1995

SUBJECT: Matter of a development proposal Vesting Tentative Map (VTM)/Rezone (RZ)/Planned Residential Development (PRD)/Hillside Review Permit (HRP)/Resource Protection Overlay Zone Permit (RPOZP) No. 87-0925 to implement a residential subdivision, Montana Mirador, consisting of a total of 410 detached, single-family and 165 attached, multifamily residences and related site improvements, dedications and facilities on portions of a vacant 635-acre site. Additionally, the development application also incorporates a Community Benefit Agreement (CBA), Consideration of Interim Habitat Loss and request for Brush Management (Alternative Compliance) BMAC per the City of San Diego Landscape Ordinance.

(VTM/RZ/PRD/HRP/RPOZ/BMAC/CBA-87-0925. District-1.)

(Continued from the meetings of October 11, 1994, Item 330, November 15, 1994, Item 331 and February 14, 1995, Item 330; last continued at the request of the applicant, to discuss methods of conveyances and assurances with other regulatory agencies and municipalities.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in Subitems A and C; introduce the ordinance in Subitem B; and adopt the resolutions in Subitems D and E approving the map and the permits:

Subitem-A: (R-95-407)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-87-0925 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program, pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-95-21)

Introduction of an Ordinance to rezone the subject property to R1-5000, A-1-10 (portions in the Hillside Review Overlay).

Subitem-C: (R-95-408)

Adoption of a Resolution approving the Community Benefits Agreement and associated exemption from the Pegasquitos East Transportation Phasing Plan No. 87-0925.

Subitem-D: (R-95-)

Adoption of a Resolution granting or denying the Vesting Tentative Subdivision Map No. 87-0925, with appropriate findings to support Council action.

Subitem-E: (R-95-)

Adoption of a Resolution granting or denying the RPO/HR/PRD permits, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The project design includes site grading, interior streets, various open space and associated landscape areas, a water reserve tank, a ten-acre elementary school site, and two neighborhood park sites.

The project site is located on the west side of I-15, between Carmel Mountain Road and Pegasquitos Drive in the A-1-10 (portions in the Hillside Review Overlay) Zone of the

Rancho Pegasquitos Community Planning Area. A change of zone to R1-5000 over a portion of the site is required to implement the proposed residential element of the project. Additionally, the development application also incorporates a Community Benefit Agreement, Consideration of Interim Habitat Loss and request for Brush Management (Alternative Compliance) per the City of San Diego Landscape Ordinance.

LEGAL DESCRIPTION:

The project site is located on the southern slopes of Black Mountain, west of I-15 and north of Carmel Mountain Road in the Pegasquitos East Community Planning Area. It is more particularly described as a subdivision of a portion of Rancho de Los Pegasquitos; a portion of the northeast quarter of fractional Section 7, Township 14 South, Range 2 West, SBM.

FILE LOCATION: Subitem A & C: PERM - PRD-87-0925; Subitem B: NONE; Subitem D: SUBD - Montana Mirador; Subitem E: PERM - RPO/HR/PRD-87-0925

COUNCIL ACTION: (Tape location: A039-048.)

MOTION BY MATHIS TO CONTINUE THIS ITEM TO SEPTEMBER 12, 1995, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Vesting Tentative Map (Fieldstone Summit), Planned Residential Development Permit and Rezone, to subdivide a vacant 75.93-acre site into 94 residential lots, six (6) open space lots and four (4) brush management lots to construct 94 two-story single family homes and rezone approximately 9.6 acres of the property from A-1-10 with Hillside Review Overlay to the R1-5000 with Hillside Review Overlay Zones; 8.2 acres from R1-6000 (HRO) to R1-5000 (HRO); and 26.8 acres from R1-6000 (HRO) to A-1-10 (HRO).

(VTM/PRD/RZ-94-0467. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem-A; introduce the ordinance in Subitem-B; and adopt Subitems C and D to grant the map and permit:

Subitem-A: (R-95-1694) ADOPTED AS RESOLUTION R-285791

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-94-0467 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting the Mitigation Monitoring and Reporting Program pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-95-109) INTRODUCED, TO BE ADOPTED MAY 30, 1995

Introduction of an Ordinance for A-1-10 (HR) and R1-5000 (HR) Zoning.

Subitem-C: (R-95-1787) GRANTED MAP, ADOPTED AS RESOLUTION R-285792

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-D: (R-95-1788) GRANTED PERMIT, ADOPTED AS RESOLUTION R-285793

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council. The Miramar Ranch North Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

The project site is located north and south of Scripps-Poway Parkway between Scripps Creek Drive and Pomerado Road (Parcel 2, Map-14639; Parcel 5, Map-16688; and Parcels 2 and 4, Map-16738), within the Miramar Ranch North Community Plan Area.

FILE LOCATION: Subitem A & D: PERM - PRD-94-0467; Subitem B: NONE; Subitem C: SUBD - Fieldstone Summit

COUNCIL ACTION: (Tape location: A049-084.)

Hearing began at 11:09 a.m. and halted at 11:11 a.m.

MOTION BY WARDEN TO ADOPT ITEMS 332 AND 333. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Fourth Amendment to the Agreement with Metropolitan Transit Development Board for Taxicabs and Other Paratransit Regulations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1518) ADOPTED AS RESOLUTION R-285794

Authorizing a fourth amendment to the agreement with Metropolitan Transit Development Board (MTDB), to continue the administration of taxicabs and other paratransit regulations, for a three-year period.

CITY MANAGER SUPPORTING INFORMATION:

In 1989, at the City's request, MTDB agreed to license and regulate taxicab and other paratransit vehicles for the City of San Diego. The term of this agreement has been extended by amendments through June 30, 1995. In extending the agreement last year (through June 30, 1995), the Council forwarded suggested improvements to MTDB's regulation of taxicabs.

The suggested improvements included formalizing the Taxicab Liaison Committee (TLC), inviting representatives from the tourist and visitors industry, and adding a representative from the MTD Board as a liaison to the formalized Committee. Of its 13 members, eight are elected taxicab owners, one is the MTD Boardmember liaison, and four are tourist and visitor industry representatives (Convention and Visitor's Bureau, Chamber of Commerce, Hotel-Motel Association, and the Restaurant

Association).

Currently, Deputy Mayor Juan Vargas serves as the MTD Board liaison and is chairing the Taxicab Committee. At its meeting on January 19, 1995, the Taxicab Committee recommended that the City's agreement with MTDB for regulation of taxicabs be extended for a term of three years, from July 1, 1995 through June 30, 1998.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A049-084.)

MOTION BY WARDEN TO ADOPT ITEMS 332 AND 333. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Vargas at 12:32 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B551.)