

**MINUTES OF A  
REGULAR MEETING OF THE  
CITY COUNCIL OF THE  
CITY OF CORONADO  
Coronado City Hall  
1825 Strand Way  
Coronado, CA 92118  
Tuesday, April 18, 2006**

Mayor Smisek called the meeting to order at 3:00 p.m.

**1. ROLL CALL:**

**Present:** Councilmembers Downey, Monroe, Tanaka, Tierney  
and Mayor Smisek

**Absent:** None

**Also Present:** City Manager Mark Ochenduszko  
City Attorney Morgan Foley  
City Clerk Linda Hascup

**2. INVOCATION AND PLEDGE OF ALLEGIANCE.** Ann Rubaffatee provided the invocation and Mayor Smisek led the Pledge of Allegiance.

**3. MINUTES:** The minutes of the Regular Meeting of April 4, 2006, and the Special Meeting of April 4, 2006, a copy having been provided Council prior to the meeting, were approved as submitted. The reading of the minutes in their entirety was unanimously waived.

**MSUC** (Tanaka/Monroe) moved that the City Council approve the minutes of the Regular Meeting of April 4, 2006, and the Special Meeting of April 4, 2006, as submitted.

**AYES:** Downey, Monroe, Tanaka, Tierney and Smisek

**NAYS:** None

**ABSENT:** None

**4. CEREMONIAL PRESENTATIONS:**

**4a. Proclamation: “Kim Sorrell Day.”** Mayor Smisek presented a proclamation to Officer Kim Sorrell for her 13 years of reserve service in the military, including a tour of duty in the first Gulf War, and recent promotion to Senior Chief Petty Officer.

**4b. Proclamation: “National Volunteer Week.”** Mayor Smisek presented the proclamation to the current and former Police Department Senior Volunteers during National Volunteer Week.

**4c. Proclamation: “Arbor Day.”** Mayor Smisek presented a proclamation calling April 19, 2006 Arbor Day to David Brazier, Parks Supervisor, Public Services Department, and pointed out that this is the twenty-first consecutive year Coronado has received the Tree City USA designation. Ron Henderson, Chair of the Street Tree Committee, announced that the Committee would host a booth at the annual Flower Show to provide information about the committee and the programs they are promoting. He invited the community to attend the Arbor Day tree planting at Spreckels Park on Saturday, April 29.

**5. CONSENT CALENDAR:** The City Council approved, adopted and/or accepted as one item of business Consent Agenda Items 5a through 5e with the addition of Item 11b.

**MSUC (Downey/Tanaka) moved that the City Council approve the Consent Calendar Items 5a through 5e with the addition of Item 11b – Authorization to Add a Temporary (Three-Year) Accountant Position in Administrative Services Department.**

**AYES: Downey, Monroe, Tanaka, Tierney and Smisek**  
**NAYS: None**  
**ABSENT: None**

**5a. Approval of Reading by Title and Waiver of Reading in Full of Ordinances on this Agenda.** The City Council waived the reading of the full text and approved the reading of the title only.

**5b. Approval of Warrants.** The City Council ratified payment of warrants Nos. 10050072 thru 10050347 audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

**5c. Update on Capital Improvement Program Projects – Informational Item.** The City Council accepted the report.

**5d. Authorization for Director of Administrative Services to Issue a Permit to David Spatafore (DBA Village Pizzeria) for Use of City Property for Commercial Activity.** Because no fence or fixed tables and chairs are presently involved, no Encroachment Permit is required for the owner’s requested use of the property. The curb to property line measurement at this location is approximately 20 ½ feet. The business owner is proposing a temporary dining area consisting of approximately 6 ½ feet by 23 ½ feet adjacent to the frontage of the property

leaving 14 feet of public right-of-way to the curb line. The public right-of-way in front of the Village Pizzeria and its next door neighbor, Island Pasta, is located within the City's jurisdiction.

The owner has notified the City that his business will seek an Encroachment Permit from the City for permanent fixtures. If the City grants the Encroachment Permit, the companion Permit for Use of City Property for Commercial Activity will be amended to reflect the terms and conditions of the issued Encroachment Permit. **The City Council authorized the Director of Administrative Services to issue the Permit.**

**5e. Authorization to Execute the Renewal Agreement Between the City of Coronado and the San Diego Unified Port District for Reimbursement of Fire and Police Services Rendered on Non-Revenue Producing Tidelands Areas Within the City of Coronado.** This renewal agreement continues the same scope of services as provided in previous agreements. Reimbursement amounts reflect current and projected years' growth in personnel costs. Presently, the City is entering labor negotiations with the Coronado Police Officers' Association and the Coronado Fire Fighters' Association, respectively, on a new Memorandum of Understanding. Upon the conclusion of these labor negotiations, the City will provide the Port District these updated costs that will increase the level of reimbursements for years two and three. **The City Council authorized the City Manager to execute the agreement.**

**6. ORAL COMMUNICATIONS:**

- a. **Jay Wills, 825 Guadalupe Avenue, PAWS Board member,** said he would like to hear information on where the project is in the process.
- b. **Ron Boshun, PO Box 2729, La Jolla,** talked about the redevelopment of the San Diego side of the harbor.
- c. **Dottie McSwain, 707 Orange Avenue,** suggested the Animal Care Facility be placed at the Cays behind the Fire Station. She said it is a political decision and needs to be made. She commented that if the new city facilities were built in a year and a half, it shouldn't take that long to build an animal shelter. She said the Lawn Bowling situation has also been going on too long. She said the seniors need this to give them more opportunities for recreation.
- d. **Councilmember Downey** spoke regarding National Volunteer Week. She said that Coronado could be called a volunteer town as well as a tree city. She thanked the Senior Volunteers, PAWS, Rotary, the Lions, the Soroptimists Club, and all the volunteer organizations in Coronado that raise their hands and help make Coronado such a great community. She announced the upcoming "I Love a Clean San Diego" project at Silver Strand beach on April 29.
- e. **Councilmember Tierney** thanked the City's commission and committee volunteers and said that he regretted he would be unable to attend the Commissioners Dinner because he would be representing the City at the League of California Cities dinner the same evening in Poway. Mr. Tierney also commented on a discussion from the April 4 City Council meeting. He read from the minutes where the Mayor had said that "Mr. Tierney was not aware of a very recent receipt of a letter from Buddy Penn that states that he will continue to support Coronado in this effort and in looking at all alternatives to help with the transportation issue at North Island." Mr. Tierney

commented that the letter had been received by the City on the 27<sup>th</sup> of March and that the Mayor was privy to the information but unfortunately the other Council members were not. He said that in that letter from Mr. Penn, one paragraph is relevant to the issue that the Council discussed and quoted, "As discussed in the meeting, the tunnel project concerns the Navy from an antiterrorist force protection perspective. Additionally, we believe there are less costly and safer alternatives to the tunnel project that can fully meet current and future traffic requirements. The Navy will continue to provide information for the City's NEPA and to support questions resulting from the analysis of alternatives." Mr. Tierney said that this is what he has been trying to tell the community for a number of years. This Council and previous Councils have inferred and stated unequivocally that the Navy supports this tunnel project. He continues to say that it does not. The City now has, in writing, proof that the Navy does not support the tunnel at this particular junction and probably will not in the future. He said he would turn the letter over to the City Clerk for inclusion in the record. A copy is attached.

- f. **Councilmember Monroe** responded to Dottie McSwain's comments. When she indicated that the city complex was built in a year and a half, it was really about seven years as there was a lot of work in advance of the actual construction. Mr. Monroe then brought up the previous Council meeting. He had prepared a statement for the record and submitted it to the Clerk for attachment to the minutes. As an illustration he made the emphatic comment three times that  $2 + 2 = 5$ . He said that sometimes when a person says something in a strong voice with emphasis there is an assumption that what is said is correct. Such is not always the case. At the last Council meeting, Councilmember Tierney made a number of emphatic statements about the City's so called tunnel project. Many of the statements, although delivered with confidence and force, were simply not accurate. He thinks it is important for the public to know the facts so he reviewed the tape of the meeting and wanted to give some examples of Mr. Tierney's statements: "We were told the Navy has not signed on and there is not a piece of paper out there that says the Navy is buying the project." On 19 November 1999 Robert Pirie, then Assistant Secretary of the Navy, signed a letter and the letter says that "...once Federal and State requirements have been met we are committed to partner with the City to implement the preferred solution." In 2004, on June 1<sup>st</sup>, H T Johnson, Assistant Secretary of the Navy, sent a letter and he said, "...although there are several alternative designs for easing the traffic into the base, I know that a proposed tunnel is the locally preferred alternative. We are dedicated to finding ways to ease the traffic congestion problems experienced by the City. Please be assured that the Navy is fully committed to seeking maximum compatibility with the proposed Coronado project." Then recently, the letter Councilmember Tierney referred to by Buddy Penn, "The Navy will continue to provide information for the City's NEPA efforts and to support questions resulting from the analysis of the alternatives." At the last meeting we were also told by Councilmember Tierney that "...it is a project the Navy is not keen about. You have inferred you have the Navy's blessing when in fact there is no paperwork. There is nothing coming from the Navy that even suggests remotely that they support this project." It was at the request of then Rear Admiral Ronnie Froman, when she was the District Commander across the Bridge, that we formed the Joint Tunnel Project Team made up of the Navy, the Port, SANDAG, Caltrans and the City of Coronado. She, from her Navy perch at the time, wanted to ensure coordination existed between the involved agencies and pledged

Navy support and cooperation. She was committed to the Navy's being a partner in this project. Just yesterday in these chambers, at the Navy Complexes meeting, they discussed the new design of the inspections that may be performed out at the Bridge and then a straight shot into McCain Boulevard. At the conclusion of the discussion, Captain Tim Alexander, the Base Commanding Officer, said, "I am excited about working to use new technologies to process vehicles expeditiously. We are committed to working with Coronado on this project." It should be noted that this new design was actually designed by Rear Admiral Hering during discussions with the Mayor about this project. Mr. Monroe said it seems to him to be direct contradiction to Councilmember Tierney's words that there is nothing coming from the Navy that even suggests remotely that they support this project. They have constantly been in support and had interaction on this project. Then Mr. Tierney finally said, "...two sources of money, from the State and the citizens of this island in the form of property tax adjustments will be required." Mr. Monroe said that this City Council reviewed guidelines for financing the tunnel back in 2003. In fact, a property based tax was considered as an element in the 2003 financing strategy plan. During deliberations on the guidelines, Council action on November 4, 2003 removed the property based taxation as an element of the plan. To continue to refer to an increased property tax or a parcel tax is simply not accurate. Mr. Monroe said that finally, near the end of Councilmember Tierney's speech, Mr. Tierney looked at Mr. Monroe and said, "Mr. Monroe sits there. He is not a leader." Mr. Monroe responded that he has sat at the official dais of our great town for over ten years – five as a Planning Commissioner and over five years on the City Council. In all of that time he has never observed such a personal attack on a fellow member of the Commission or Council. Mr. Monroe said that in his judgment, what happened here two weeks ago is a new low in public discourse. He stated that he is offended and disappointed, but he is not surprised.

7. **CITY MANAGER:**

7a. **Update on Council Directed Actions and Citizen Inquiries.** No report.

8. **PUBLIC HEARINGS:**

8a. **Public Hearing: Adoption of a Resolution Authorizing the City of Coronado to Become a Participant of the California Statewide Communities Development Authority and Adoption of a Resolution Approving the Issuance of Multi-Family Housing Revenue Bonds by the California Statewide Communities Development Authority for the Senior Affordable Rental Housing Project at 578 Orange Avenue.**

Councilmember Tierney recused himself due to the location of his personal property in relationship to the project.

Andrew Potter, Senior Analyst presented an overview of the staff report. He said there are two items before the Council. One is the adoption of a resolution authorizing the City of Coronado to become a member of the California Statewide Communities Development Authority (CSCDA).

The second is to hold a public hearing which would adopt a resolution to approve the issuance of multi-family housing revenue bonds by the Authority for the Senior Housing project at 578 Orange Avenue.

The Community Development Agency (CDA) entered into a Disposition and Development Agreement with Coronado Interfaith Housing Corporation to build and operate 30 affordable senior housing units at the site of the old police station. Coronado Interfaith Housing has applied to CSCDA for financing of the project. The Authority will issue tax exempt senior housing revenue bonds for Coronado Interfaith Housing Corporation. CSCDA is a joint powers authority that was formed in 1988 by the League of California Cities and the California State Association of Counties. Its purpose is to promote economic development throughout California. Currently there are over 460 California cities, special districts and counties that are members. These bonds will be financed solely by the rental income from the project. There will be no direct or indirect fiscal impact to the City or the CDA as a result of these bonds being issued. However, before CSCDA can issue these bonds, they need approval from the legislative body where the project will be financed. This is why the City Council is being asked to hold this public hearing today. The public hearing has been noticed in the newspaper for the past three weeks. The purpose of the hearing is to give the public an opportunity to speak about the debt that will be issued for the project.

The staff recommendation is for the City Council to first adopt the resolution to become a member of CSCDA, then hold a public hearing for issuance of the bonds for the Senior Housing project and finally, adopt a resolution approving the issuance of the bonds by the CSCDA. He explained that Matthew Jumper, a representative from Coronado Interfaith Housing Corporation, was available to answer any questions about the project.

Councilmember Downey said she fully supports the recommendation and said that she has been inundated with calls from people who want to know how to get on a waiting list for the Senior Affordable Housing. Mr. Jumper explained that they are taking names for an interest list but are not taking names for a waiting list. People can contact San Diego Interfaith Housing for more information at 619 668-1532.

**MSUC (Downey/Tanaka) moved that the City Council adopt A RESOLUTION APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8137.**

**AYES: Downey, Monroe, Tanaka and Smisek**  
**NAYS: None**  
**ABSENT: None**  
**DISQUALIFIED: Tierney**

Mayor Smisek opened the public hearing for issuance of the bonds for the Senior Housing project.

Mayor Smisek explained that one letter has been provided to Council by Mr. Orlowski and it will be considered part of the record. There were no other members of the public wishing to speak.

Councilmember Downey commented that the monetary analysis shows very clearly that the money will be there to pay the bonds from the rent.

The public hearing was closed.

**MSUC (Tanaka/Monroe) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF THE CORONADO SENIOR HOUSING APARTMENTS. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8138.**

**AYES: Downey, Monroe, Tanaka and Smisek**

**NAYS: None**

**ABSENT: None**

**DISQUALIFIED: Tierney**

Councilmember Tierney rejoined the Council at the dais.

**8b. Request for Approval of a One-Lot Tentative Parcel Map for Subsequent Development of 2 Condominium Units for 856 E Avenue in the R-3 (Multiple Family Residential) Zone. (PC 2-06 Sturm, Aaron)** Tony Pena, Director of Community Development, introduced the staff report. This Tentative Map meets all of the State and local requirements and is recommended for approval by the Planning Commission. The applicant was in the audience and indicated he had nothing to add to the staff report.

Mayor Smisek opened the public hearing and seeing no one wishing to speak on the item, the public hearing was closed.

**MSUC (Downey/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING A ONE LOT TENTATIVE PARCEL MAP FOR DEVELOPMENT OF TWO CONDOMINIUM UNITS FOR LOT 6, BLOCK 51, MAP 376 CBSI, ADDRESSED AS 856 E AVENUE, CORONADO, CA. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8139.**

Councilmember Downey commented that there have been other opportunities for discussion about the in lieu fee and what it is for. She is very happy with this project but would like it on the record that for future projects the City will be discussing in lieu fees related to providing affordable housing when building new multi-family establishments.

Councilmember Monroe stated that he is still disappointed that the City must approve these maps due to State mandates and the effect they have on the locality.

**AYES: Downey, Monroe, Tanaka, Tierney, and Smisek**  
**NAYS: None**  
**ABSENT: None**

**9. ADMINISTRATIVE HEARINGS:**

**9a. Administrative Hearing: Appeal of the Historic Resource Commission Decision to Approve the Designation of the Property Addressed as 350 D Avenue and Located in the R-1B Zone as a Historic Resource (HR 2-06 Judith M. Kelly Trust).**

Councilmember Downey recused herself due to the location of her property.

Mayor Smisek said that the first action would be to decide whether to continue the hearing. There was a request for a continuance by the proponent because he had a prescheduled meeting and would be out of town. The individual whose property is involved requested not to continue the hearing. A subsequent letter received from the appellant stated that his presence was not necessary and he would have no objection if the Council decided to hold the hearing. He wrote that his testimony was contained in the written material supplied with his letter.

The Council members agreed that there was no good reason to continue the hearing and would hear the matter.

Tony Pena, Director of Community Development, introduced the information contained in the staff report. He said the applicant voluntarily submitted their home for designation. The Historic Resource Commission looked very carefully and the application and there was a solid basis for the designation of the property. The appeal is based on the specifics of the designation of the property, but even more so on the direction of the entire historic preservation program.

Mayor Smisek asked if any Council member had received communication prior to the hearing that would provide any information not contained in the staff report. All the Council members reported that they had received messages or phone calls from Ms. Keith, but there was no information to add.

Mayor Smisek opened the Administrative Hearing and called for the listed witnesses in support of the decision to make their statements.

Susan Keith, 801 Tolita Avenue, Chair, Historic Resource Commission, reported that staff did an excellent job of writing the report. She stated that historic designation is voluntary. The subject home isn't 75 years old so two other criteria had to be met in order to make the designation.

One criterion is that a civil defense group in World War II used the roof deck to watch for the Japanese fleet. The second is that Mr. Yaeger, a horticultural specialist, who did much work in royal gardens throughout Europe, designed the home. He was hired by the Copleys to plant their home, which today is known as the Glorietta Bay Inn. The most interesting part of the designation hearing was when Mr. Yaeger's daughter told of her memories of the civil defense members going up to the roof deck. The Commission's vote was 5-0 for designation. She added that Mr. Rauber had questioned the Commission's methodology at the designation hearing.

Councilmember Tanaka noticed that the Commissioners had some concerns when they met on March 1 so they continued the item until March 15. He understood a concern was the shrubbery being overgrown and blocking of the view. Ms. Keith explained that there were two concerns. One was that the house was about to be painted. The Commission wanted to be sure they knew the colors to be used would be historically accurate. The other was that there was a very overgrown hedge by the front door. The Commission asked the applicant to trim it significantly because one of the requirements of the ordinance is, if a house is designated, it should be visible to the public. The item was continued for two weeks so the applicant could get some landscaping and painting done. Mr. Tanaka said it was important to him that the Commission voted 5-0 on this, which meant they were comfortable with the designation.

Judy Kelly, 350 D Avenue, owner, appreciated that the City Council didn't continue the appeal. She referred to Mr. Rauber's letter, which said he was not concerned with the decision of the Commission in this individual case, but with the overall actions of the Historic Resource Commission. She wondered why there was a need to hold the hearing at all.

Story Vogel, 350 D Avenue, stated that his letter said it all. The bigger issue, the reason why everyone was there at all was because of Mr. Rauber's business of building "Billy Boxes". He felt this was a disgraceful action for Mr. Rauber to take and that the City needs to look after its historic resources.

Deni Herron, 1719 Visalia Row, and member of the Historic Resource Commission, wanted to speak to the bigger issue. The reason the Historic Resource Commission sits every other week is to review voluntary requests for historic designation. They are trying to save Coronado.

Mayor Smisek explained that since the appellant is not present there would be no statement to rebut and no summary from the appellant. He invited comments from Council.

Councilmember Tanaka explained that he had reviewed the criteria for historic designation and said that he believes the Historic Resource Commission's decision should be upheld.

Councilmember Monroe said that he was impressed with the information given by Mr. Yaeger's daughter, which would refute the grounds of Mr. Rauber's appeal.

**MSUC (Tanaka/Tierney) moved that the City Council uphold the Historic Resource Commission decision and deny the appeal.**

**AYES: Monroe, Tanaka, Tierney and Smisek**  
**NAYS: None**  
**DISQUALIFIED: Downey**

Councilmember Downey rejoined the Council at the dais.

**10. COMMISSION AND COMMITTEE REPORTS:**

**10a. Report from the Port Commissioner Concerning Port Activities.** No report.

**10b. Consideration of the Street Tree Committee's Recommendation of the Torrey Pine (Pinus Torreyana) as the Official Tree for the City of Coronado.** Scott Huth, Director of Public Services, explained that the purpose of designation is to provide something that the City can point to and give as an image, rather than just being out there talking about the City's urban forestry program. Torrey Pines are indigenous to the area and there are specimens in the community in several parks that have been there since the parks were built. The one in front of the library is a particularly good specimen. Some of these trees are being lost on private property. This would be an effort to try to encourage the preservation of Torrey Pines in Coronado.

Councilmember Tanaka stated his concern. If the City is going to designate an official tree of the City of Coronado he needs to better understand what the tie is with Coronado's history. When he hears Torrey pine, he doesn't think of Coronado. He wouldn't want to designate it if he can't be convinced that there is a really strong connection historically or otherwise.

Councilmember Monroe referred to the Torrey Pine in front of the library. It is a magnificent tree. Shannon Player told him that it is probably the best specimen of Torrey Pine in San Diego County. When he gives tours of the library he points out the heron nests in the top. He wondered how many Torrey Pines there are in Coronado and if the City makes it the official tree, if it would encourage planting more of them. He asked if they grow fast.

Mr. Huth explained that Torrey Pines do need a lot of room. One of the challenges the City had when looking at the tree planting program was whether the City wanted to try to plant a Torrey Pine on City property. It was difficult to find an area that would allow that tree to expand to its full potential.

David Brazier, the City Parks Supervisor, added that the City hasn't done an inventory of trees on private property but there are probably not more than 25 or 30 on private property that are significant in terms of their age and size. On public property, within the city park areas, there are about a dozen Torreys. They aren't extensively planted in terms of numbers, but they are really significant in terms of their size and majesty. About 95% of them have grown to their full potential. With a couple of exceptions they are all more than 50 years old, and they will live to more than two hundred years.

Mr. Monroe said he would support naming the Torrey Pine in order to support the Street Tree Commission's recommendation, but it would seem that if there is a designated flower or tree the City would want to encourage people to plant them so they would be visible. You can hardly find the yellow Crown of Bohemia Hibiscus, the City's official flower, in Coronado today. It will be hard to plant any more Torrey Pines. The trees that do exist are really significant.

Mr. Brazier explained that this start is to try to preserve the trees that the City does have. It is a challenge to try to find new places to plant them. Those places do exist, but they will disrupt other park activity.

**MSC (Tierney/Monroe) moved that the City Council designate the Torrey Pine (Pinus Torreyana) as the official tree for the City of Coronado.**

Mr. Tanaka said he still feels that if the City is going to name an official tree there needs to be more of a connection with what it represents than simply that the City wants to save it. The point of the Heritage Tree Program or the Protected Tree Program is to do just that. The fact that the City has a hard time finding new places to plant them is a problem as well.

**AYES: Downey, Monroe, Tierney and Smisek**  
**NAYS: Tanaka**  
**ABSENT: None**

**11. CITY COUNCIL BUSINESS:**

**11a. Council Reports on Inter-Agency Committee and Board Assignments.**

**Councilmember Monroe** as the alternate, attended the Shoreline Preservation Committee meeting of SANDAG for Ms. Downey, and attended a meeting of the Tunnel Action Team at which the Team meets with the City's consultants via phone from Washington. He attended a meeting of the Bayshore Bikeway with Supervisor Greg Cox, an ASAP 21 meeting, and met with some representatives from SDG&E to talk about the proposed transmission line from Imperial County to San Diego County. SANDAG is not going to hear that issue for a vote until July or so. He attended an MTS Finance Committee meeting regarding the budget, a SANDAG Board meeting on sustainable energy sources and adding two seats on the Board, attended the Navy Complexes meeting with Mayor Smisek, and met with Claire Spielberg to work on the MTS changes.

**Councilmember Tanaka** briefed the Chamber of Commerce and attended an agenda setting meeting for fire dispatch.

**Councilmember Tierney** reported on a Metro JPA Wastewater Strategic Planning meeting, a PUAC meeting, and a reception for visitors from Japan who are looking into a nuclear carrier being berthed in Yokosuka, Japan.

**Councilmember Downey** attended a meeting of with SDG&E and the Imperial Irrigation District, and kicked off a Smart Growth Workshop for SANDAG in Chula Vista.

**Mayor Smisek** met with RADM Hering for a briefing on Navy's project at the Broadway Pier, attended an R4IP Committee meeting, and met with the Imperial Beach City Manager Gary Brown and Councilmember Mayda Winter concerning Baja Agua to solve beach problems. He attended a Library Board meeting and announced the Book Fair at the Flower Show on the coming weekend. He attended the ground breaking of the Third Street Gate project which is scheduled to be completed in August 2007, met with Ed Lopez about the SDG&E transmission

line, and attended the Navy Complexes meeting about projects on North Island and NAB and about new replacement housing for single sailor housing. He also met with the delegation from Yokosuka, Japan, including Chamber of Commerce representatives, and members of the press regarding the homeporting of a nuclear carrier in Japan.

**11b. Authorization to Add a Temporary (Three-Year) Accountant Position in Administrative Services Department.** At the Mid Year budget review, the City Council authorized obtaining additional accounting services through a temporary personnel agency. This assistance is authorized only through June 30, 2006. It is anticipated that the Finance Division work log will continue to outpace staff capacity for several years, particularly with the number of ongoing capital projects. It is important to note that the accounting for the projects continues even after the project has been built. Staff is recommending that the City hire an additional *limited term* Accountant who would be devoted to capital project accounting and budget support and that this position be filled for a maximum of three years. The authority for the position would sunset at the end of FY 2008-09 and the Finance Division would return to its current staffing levels. This staffing adjustment will allow more focused attention on Capital Projects, enable the Department to better support other departments, and allow the Finance Manager to better manage the overall workload within the Department.

In lieu of continuing to obtain the services through a temporary personnel agency, staff recommends that the Accountant position be filled by a full time, benefited, temporary, (or *limited term*) employee. This would promote continuity in services while ensuring that the position would not be permanent. It also eliminates the costly payments to the temporary staffing agency. If approved, a recruitment process would begin immediately so that the position could be filled and begin on or about July 1, 2006. The position would be reflected in the next update of the Salary Resolution. **The City Council authorized the additional limited term Accountant position.**

**11c. Consideration of a Request from Loews Coronado Bay Resort to Change the Name of “Coronado Bay Road” to “Loews Coronado Bay Road” and Approval of Resolution.** Scott Huth, Director of Public Services, explained Loews submitted this request in an attempt to improve the approach to the resort from SR 75. Staff recognizes that there is the potential to set a precedent in naming a road after a business and that if there was a name change there would be a need to change the signage. But when staff evaluated the request they found that this is a unique situation where basically there is a private road, leading to only one destination off the State highway. The business is set back from the road by several hundred yards and the signage alerting people to the turn can't be seen easily when driving by at 55 or 60 mph. The concern is when people get to that spot and realize they are at the turn they can make some dramatic lane changes on the highway. Or they end up going through the Cays to try and circle back, or end up in Imperial Beach to ask direction at the gas station. The alternatives staff looked at still did not identify the location well enough to correct the situation. Based on the uniqueness of that situation, staff recommends support of the request.

Mr. Tierney said he is sympathetic to the situation but he has some reservations. He made the point that there weren't any other streets in Coronado named after a commercial business and asked if any effort was made to have Caltrans put up signs to direct people to the Loews. Mr. Huth explained that it was researched. Caltrans has certain criteria that must be met to do that based on the numbers of travelers. Loews doesn't meet those criteria. Mr. Tierney suggested

that the applicant should appeal to Caltrans based on the potential for accidents in that area. Mr. Huth said that based on his experience with Caltrans, it would be extremely difficult to get them to revisit a standard because they would have to look at it statewide.

City Manager Mark Ochendusko explained that staff considers this circumstance to be an exceptional one. They wrestled with just the sort of issues that Councilmember Tierney voiced. Staff was reluctant to recommend that a street be named after a business but there are some unique circumstances. First and foremost is that the road, which is primarily a private road, serves only the one business and nothing else. Staff is concerned with speed and safety issues on the Strand highway, and the limited signage. Staff is aware that because the business itself has a lack of visibility motorists often make hazardous lane changes when, at a very late time, they note that this is the business they are trying to drive to. Staff is also aware of the fact that there are those who miss turns and it has come to staff's attention that they end up all the way down in Imperial Beach where they end up stopping and asking how to get to the Loews Hotel. This is the kind of circumstance where a single exception might be in order.

Kathleen Cochran, General Manager of Loews Coronado Bay, explained that competing with the name Coronado Cays and Coronado Bay is fundamental to the issue of putting "Loews" in front of it. It isn't really about trying to advertise. It is more about understanding that people need to see where they are going instead of having to stop at the gate at the Cays or going to the gas station in Imperial Beach, and the problem that they impede traffic.

Councilmember Monroe commented that he often sees the quick shift of a lane and people asking directions at the Cays. Also the City Council has always tried to support the hotels. The TOT tax is a significant part of the General Fund.

Councilmember Tanaka appreciates Mr. Tierney's comments but he would be more concerned if there were other users in need of finding that road. This is a common sense thing and it improves safety. The City wants to help people find where they are going.

Councilmember Downey said she is delighted with the change for the residents in the Cays if nothing else.

Mr. Tierney was worried initially about doing this because of the potential for setting a precedent. He has been swayed because of the safety factor. That is the overriding factor for him. He understands it is important to the Loews and the people in the community.

Mayor Smisek said he thinks it is always wise to name streets appropriately so people can get where they are going. If this has added confusion, the City probably didn't do a good job of that. This is now an improvement.

**MSUC (Monroe/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, APPROVING THE STREET NAME CHANGE FROM 'CORONADO BAY ROAD' TO 'LOEWS CORONADO BAY ROAD'. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8136.**

**AYES: Downey, Monroe, Tanaka, Tierney and Smisek**  
**NAYS: None**  
**ABSENT: None**

**11d. Consideration of City Council Meeting Schedule for July and August 2006.**

Mayor Smisek explained that the main reason the Council takes a couple of meetings off in the summer time is because it is typically a vacation time, especially for those with young children, and it is desirable to have as many City Council members at the meetings as possible. He said the first meeting for July is scheduled for Tuesday, July 4 and he is very reluctant to shift the meeting to the July 5, which is a Wednesday. He cannot recall there ever being a regular City Council meeting on any day other than Tuesday. His thought was that if there needs to be some specific work done a special meeting can always be called. He would much prefer to not meet that week and keep with the historic precedent. The City Council could meet on July 18 instead. He mentioned that he would be leaving on a vacation the day after Labor Day. He asked the other council members if there were any vacations to consider.

Councilmember Monroe said he is planning to go back east at the end of July.

Councilmember Downey said she would prefer to cancel the August 1 meeting.

**Council consensus was to cancel the meetings scheduled for July 4 and August 1 and hold the meetings on July 18 and August 15.**

**11e. Adoption of a Heritage Tree Program for the City of Coronado.** Scott Huth, Director of Public Services gave an overview of the staff report and described the programs. The proposal is to develop two categories of heritage trees; one called a designated heritage tree and the other called the protected heritage tree. The program isn't based on trying to restrict or infringe on development, but it is a voluntary program, with the goal of providing incentives for the preservation of trees. From an urban forestry issue, the City has a real problem on private property. The lots are being rebuilt with larger homes and existing trees are removed to make room. The Designated Tree Program is less restrictive with fewer incentives. It is geared towards education and helping residents and/or encouraging them to take care of the trees properly by giving them the incentive of free arborist consultations from the City arborist. The Protected Tree Program encourages protection of valuable and significant tree species by providing for free tree care every four years, consultation at any time, development credits for retaining trees, and perhaps payment of an annual fee (from an endowment fund to be established), and/or the undergrounding of utilities.

Mr. Tierney asked how old a tree has to be to be considered a heritage tree. Mr. Huth explained that the criteria can include age, the size of the tree, the nature of the tree, etc. Each tree is considered individually. Mr. Tierney asked if there would be a benefit to choose specific types of trees are desirable to see in the City and that they could enter into this program at some stage down the road. Mr. Huth responded that it is a possibility.

Councilmember Monroe asked if there would be a penalty if the private property owner decided to cut down such a tree. Mr. Huth explained that there may be incentives that go out for several years to keep the tree, but there is no penalty built into the program at this point.

Councilmember Tanaka mentioned the varying qualifications for different types of trees and said he would like to know more about the numbers of trees potentially involved and how extensive is the list of California native trees. He also asked if the City hands out the City's approved tree list when people ask about what trees they can plant.

David Brazier, City Arborist, explained that California native trees are more valuable because they are an indigenous species. He explained that only about 4 or 5 different species in Coronado are native. Regarding the approved tree list, it is for street trees only, not for private property. The City uses the list for trees that are to be planted as street trees. Clearly there are people planting trees without City approval and staff is trying to deal with them through a process to get them removed. Educating the public is part of staff's tasking.

Councilmember Downey asked if there was a linking of this program with the heritage tree program and asked how the conflict between trees in the right-of-way with heritage trees on private property would be dealt with. Mr. Huth explained that because the program is voluntary, as is with the historical designation of homes in the City, staff would want to provide incentives such as providing free arborist consultation. Staff is interested in being out in the community providing the benefit of having an arborist help with tree issues on private property. This would result in people doing the right thing – trimming, making adjustments to development, etc. Regarding right-of-way trees conflicting with canopy trees, Mr. Huth explained that the City process is to try to keep educating people.

**MS (Monroe/Tierney) moved that the City Council adopt the Heritage Tree Program**

Councilmember Tanaka said he feels there is a difference between a designated heritage tree program and a protected heritage tree program and he is not comfortable with the protected tree part. To him the real issue behind a protected program is that there are trees in town on private property that could be 100 years old. A vote of the people would go against taking one of these trees, but it is not up to a vote of the people. Even though the program starts out as voluntary it can become contentious when a tree everyone loves is in danger of being chopped down. He doesn't want to see the City get into this. He thinks a compromise would be to beef up the Heritage Tree Program by offering more of the benefits that would be offered under the Protected Tree Program. Everyone knows of trees on private property they wouldn't want to see chopped down. He would like to encourage the City arborist and the Committee to go out and start offering the advice to keep the trees that are on private property that people wouldn't want to see chopped down. He would also be willing to see some way of expanding the Heritage program to include the City bearing some costs. He thinks it needs to be thought out more. He requested to vote separately on the two programs. The other Council members agreed to make two separate motions.

Mayor Smisek thinks that there are times when one has to take a little bit of a risk. These kinds of things don't happen by themselves.

**MSUC (Downey/Tierney) moved that the City Council approve the Designated Heritage Tree program**

**AYES: Downey, Monroe, Tanaka, Tierney and Smisek**  
**NAYS: None**  
**ABSENT: None**

**MSC (Downey/Tierney) moved that the City Council approve the Protected Heritage Tree program**

**AYES: Downey, Monroe, Tierney and Smisek**  
**NAYS: Tanaka**  
**ABSENT: None**

**12. CITY ATTORNEY: No report.**

**13. COMMUNICATIONS - WRITTEN: None.**

The City Council recessed to Closed Session at 5:06 p.m.

**14. CLOSED SESSION:**

**14a. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL  
EXISTING LITIGATION**

**AUTHORITY: Government Code Section 54956.9(a)**

**NAME OF CASE: Chris Espinosa v. City of Coronado; San Diego Superior Court (Case No. GIC 847475)**

The City Council reconvened at 6:21 p.m.

The City Attorney reported that direction was given to the City's legal counsel on the closed session item.

**15. ADJOURNMENT: The meeting was adjourned at 6:22 p.m.**

Approved:

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Tom Smisek, Mayor  
City of Coronado

Attest:

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Linda K. Hascup  
City Clerk