MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF CORONADO
Coronado City Hall
1825 Strand Way
Coronado, CA 92118
Tuesday, December 19, 2006

Mayor Smisek called the meeting to order at 3:03 p.m.

1. ROLL CALL:

Present: Councilmembers Downey, Monroe, Ovrom, Tanaka and Mayor Smisek

Absent: None

Also Present: City Manager Mark Ochenduszko
Deputy City Attorney Laura Del Valle
City Clerk Linda Hascup

2. INVOCATION AND PLEDGE OF ALLEGIANCE. Marilyn Schaeffer provided the invocation and Mayor Smisek led the Pledge of Allegiance.

3. MINUTES: Approval of the minutes of the Regular Meeting of December 5, 2006, and the Special Meeting of December 12, 2006 were approved as amended. The reading of the minutes in their entirety was unanimously waived.

MSUC **(Downey/Tanaka) moved that the City Council approve the minutes of the Regular Meeting of December 5, 2006, and the Special Meeting of December 12, 2006, a copy having been provided Council prior to the meeting, as amended.**

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

4. CEREMONIAL PRESENTATIONS:

4a. Presentation of Historic Preservation Plaques to Property Owners with Historically Designated Structures. Susan Keith, Chair, Historic Resources Commission, and Gerry MacCartee, Vice Chair, Historic Resources Commission, presented the plaques along with Mayor Smisek.

Owner's Name	Address	Year Built	Architectural Style
William B. Marty, Jr.	535 Margarita	1938	Spanish Hacienda
Mrs. Judith Kelly	350 D Avenue	1937	Spanish Revival
Frank and Rita Androski	266 I Avenue	1936	Spanish Hacienda
Benjamin Stewart	900 E Avenue	1930	Spanish Eclectic
Joe and Caylee Pinsonneault	941 J Avenue	1928	Spanish Eclectic
John and Virginia Turpit	740 J Avenue	1928	California Mission
Dutch and Peggy Swagermakers	936-954 C Avenue	1925	Mission Revival Court
John and Virginia Turpit	1038 G Avenue	1924	Craftsman
Greg and Valerie Hebert	1027 Adella Avenue	1923	Spanish Colonial Revival
John and Sara Wells	961 J Avenue	1919	New Mexico Territorial
Peter Riddle & Betsy Jordan	1111 G Avenue	1914	Bungalow
Constance Turner	1110 Loma Avenue	1913	Victorian
Mr. and Mrs. Brown	834 Tolita	1913	Craftsman-Airplane
Chuck & Rita Steel (Susie Piper on behalf of Steels)	909 J Avenue	1912	Bungalow
Fred and Patty Lau	624 First Street	1907	Dutch Colonial Revival
John D. Messner	1015 Flora Avenue	Circa 1892	Victorian
Tim Rohan	108 D Avenue	Circa 1892	Bungalow

5. CONSENT CALENDAR: The City Council approved, adopted and/or accepted as one item of business Consent Agenda Items 5a through 5g.

John Orlowski requested that Item 5d be taken off consent to be considered separately.

MSUC **(Monroe/Tanaka) moved that the City Council approve the Consent Calendar Items 5a through 5g with the exception of Item 5d.**

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

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

5b. <u>Approval of Warrants.</u> The City Council ratified payment of warrants Nos. 10055132 thru 10055380 audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

5c. <u>Acceptance of Fiscal Year 2005-06 Annual Report of the Community Development Agency of the City of Coronado.</u> The CDA Annual Report includes a copy of the FY2005-06 State Controller's Report, which provides a fiscal statement and summary of information relating to the CDA's activities affecting housing, and a report of the CDA's accomplishments for FY2005-06 and a draft of the CDA's independent financial audit. The CDA's auditors are finalizing the independent financial audit which will be included in the Annual Report submitted to the State Controller's Office.

The CDA approval includes authorization for the Executive Director to make any revisions and technical corrections necessary prior to transmittal of the final Report to the State.

This item is also on the CDA agenda for today's meeting. After approval by both the CDA Board and the City Council, the State Controller's Report will be submitted to the State Controller's Office and the State Department of Housing and Community Development by December 31, 2006 in compliance with redevelopment law. **The City Council received and filed the Fiscal Year 2005-06 Annual Report of the Community Development Agency of the City of Coronado (CDA).**

5d. <u>Approval of an Amendment to the Affordable Housing Grant Agreement Between the City of Coronado and the Community Development Agency of the City of Coronado.</u>

John Orlowski, 421 D Avenue, requested that this item be pulled from the Consent Calendar. He read a statement regarding the City's authority to carry out low income projects in the City of Coronado.

Rachel Hurst, Director of Redevelopment and Housing, explained that the Amendment has to do with the grant agreement between the City and the CDA to use the City's in lieu fee funds for a CDA affordable housing project, 225 Orange Avenue, and the questions pertaining to 225 Orange are more related to the Agency item that is later on in the CDA agenda. There is not an agreement with the property manager. The action that is being sought is to authorize entering into an agreement for property management services. The combination of low and very low income units is yet to be determined.

MSUC **(Monroe/Ovrom) moved that the City Council approve the First Amendment and authorized the Mayor to execute the First Amendment on behalf of the City.**

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

5e. Introduction of an Ordinance of the City of Coronado, California, Amending Chapter 1.20 of the Coronado Municipal Code Regarding the City of Coronado Conflict of Interest Code. The purpose of this amendment is primarily to update the code to reflect current law, to eliminate any redundancies or unclear language, to make sure the appropriate position titles are listed, and that the level of disclosure for each position is accurate. **The City Council introduced AN ORDINANCE OF THE CITY OF CORONADO, CALIFORNIA, AMENDING CHAPTER 1.20 OF THE CORONADO MUNICIPAL CODE REGARDING THE CITY OF CORONADO CONFLICT OF INTEREST CODE. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING.**

5f. Appropriation of Funds, and Contract Approval, for Consultant Firm Moffatt & Nichol to Secure Permits for Opportunistic Sand Program. Sand replenishment is believed to be the most environmentally sensitive and cost-effective method for addressing sand erosion from Coronado's beaches. Free sand made available by projects on or near the Coronado peninsula is thought to be an ideal source for such replenishment projects. However, "free" does not take into account the necessary environmental analysis, permit processing and transportation costs. While the transportation costs can often be assumed by the sand donor, the environmental analysis and permit processing must be completed months before the sand becomes available and, therefore, must be undertaken by the City if the sand is to be accepted on the City's beaches. Moffatt & Nichol is the sole firm specializing in assisting SANDAG and various cities in San Diego County in developing such opportunistic sand programs. This phase II proposal would allow this firm to assist the City in preparing for sand that is expected to be available from at least one project that may occur on NASNI during 2007. **The City Council appropriated $22,000 from the General Fund balance to account 100410-9920 and authorized the requisite contract with consultant firm Moffatt and Nichol for the securing of those permits necessary to institute an opportunistic sand program.**

5g. Authorization to Enter into a Cooperative Agreement to Share in the Cost to Underground Utilities for the CUSD Palm Academy Project, CDA Senior Housing Project and the City's Village Fire Station and Appropriation of Funds for Construction. The School District's Palm Academy and Tennis Courts project is under construction concurrently with the CIHC Senior Housing project. Both of these projects receive dry utilities from the alley and both projects are required to underground the utilities to the individual projects. This simultaneous timing of these two projects provides an opportunity to combine resources and partially underground a portion of the alley and Sixth Street between Orange Avenue and D Avenue. Preliminary negotiations have been held with CUSD and CIHC on executing an agreement to cooperatively work with the City to underground the utilities in the area. The utility companies have provided the City with preliminary engineering designs. **The City Council authorized the City Manager to enter into an agreement with CUSD and CIHC for the undergrounding of utilities in the vicinity of their respective projects and the City's Village Fire Station. The City Council also authorized a transfer of $150,000 from the General Fund into Fund 400 Project Account # 400710-9706-07802, for the City's portion of the project.**

6. ORAL COMMUNICATIONS:

a. Steve Bruce, 860 I Avenue, asked if the human race is smart enough to avoid extinction. He said there are nine countries with the nuclear bomb and more countries trying to get it. The world cannot continue to go on this way. He referred people to the website 'thecount.org.'

b. Rodell Reyes, 1448 Thermal Avenue, San Diego, asked for support in opposition of having a half way house in Imperial Beach near the corner of Palm Avenue and Saturn Boulevard. He explained that the Department of Corrections is planning on funding a company to operate this halfway house for 300 convicts less than six miles from the Coronado Cays. Palm Avenue is a gateway not only to Imperial Beach but also to Coronado. The mayor and city council of Imperial Beach have passed a resolution in opposition to this halfway house and they are currently asking Senator Denise Ducheny and the Assembly member, Mary Salas, to oppose this halfway house as well.

c. Councilmember Monroe commented that he has talked to Ben Hueso about this and was asked by Patricia McCoy to take a look at this. He has asked the City Manager to talk to the Imperial Beach City Manager and to look at the resolution and evaluate whether it is something that should come back to the City Council.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

8a. Public Hearing: Introduction of "An Ordinance of the City of Coronado, California, Amending Coronado Municipal Code Section 40.48.055 to Add a Curfew at Bay View Park Located at First Street and I Avenue." Director of Community Development Tony Pena summarized the staff report, which states that the Coastal Commission had approved the curfew with somewhat narrower hours than were requested.

Councilmember Downey asked how the Coastal Commission could say that there is a standard. In the parks in Coronado there are four different time periods in effect. Mr. Pena explained that they are looking at the entire coast of California. The Coastal Commission felt that the 11:00 p.m. to 5:00 a.m. is more of a commonly accepted time period. Ms. Downey asked if the other parks will have to have their time frames changed to come into compliance. Mr. Pena responded that it is possible.

Mayor Smisek opened the public hearing.

Wendy Miller, 101 I Avenue, said she had attended the Coastal Commission meeting, which was an educational experience. She thanked the City Council for supporting the curfew.

Bill Dickerson, 501 First Street, spoke in support of the appropriateness of the curfew. He would really prefer to have the curfew begin at 9:00 p.m. since the bad things that occur often begin prior to 11:00 p.m. He suggested it might be extended over the summers.

Mayor Smisek closed the public hearing.

City Manager Mark Ochenduszko commented about Mr. Dickerson's reference to bad things happening at night. He said that Public Services crews have done an excellent job of rebuilding that park and of closing off the areas that are out of sight. The area is much more visible now and there isn't access to the more remote locations in that park any more. He feels that the situation is much improved.

Councilmember Monroe feels that this is the best that Coronado can get right now on this particular issue. There was an agreement worked out between Coastal and City staffs that the Planning Commission requested a change to and the curfew almost didn't happen at all.

Councilmember Tanaka said he is happy that this turned out as it did. It's good to have neighbors who observe, but he would like to see a stronger police presence on First Street. He does agree that the new landscaping makes it easier for the police to police that park, but there is an enforcement issue there as well.

MSUC **(Monroe/Tanaka) moved that the City Council introduce AN ORDINANCE OF THE CITY OF CORONADO, CALIFORNIA, AMENDING CORONADO MUNICIPAL CODE SECTION 40.48.055 TO ADD A CURFEW AT BAY VIEW PARK LOCATED AT FIRST STREET AND I AVENUE. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING.**

AYES: Downey, Monroe, Ovrom, Tanaka and Smisek
NAYS: None
ABSENT: None

8b. <u>Public Hearing: Adoption of an Ordinance of the City Council of the City of Coronado Entitled "An Ordinance of the City Council of the City of Coronado Authorizing an Amendment to the Contract Between the City of Coronado and the Board of Administration of the California Public Employees' Retirement System Regarding Military Service Credit Purchase for Miscellaneous Employees."</u> Director of Administrative Services Leslie Suelter introduced the staff report. The City is amending the CalPERS contract, the miscellaneous contract, and is following the required procedure to do so. This was part of the agreement with the AFSCME employees and was imposed when the City settled in August. This contract amendment will allow any miscellaneous employee to elect personally to increase their service credit by purchasing service credit. This is a cost increase to the employee. It has no fiscal impact on the City of Coronado.

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 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONADO AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF CORONADO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. The Ordinance, having been placed on First Reading on November 7, 2006, was read by Title, the reading in its entirety unanimously waived and adopted by Council as ORDINANCE NO. 1982.**

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

8c. **Public Hearing: Introduction of an Ordinance of the City of Coronado Amending Chapters 56.01 and 56.30 of Title 56 of the Coronado Municipal code Addressing Violation Penalties and Parking Restrictions of Oversized and Non-Motorized Vehicles.** Director of Police Services Paul Crook briefed the staff report. He that the changes would include increasing the fine to $75; vehicles must be moved at least 500' after they have been in position for 3 hours or upon expiration of the 48 hour permit process; the length of the exempted vehicles was increased from 18 to 24'; the Police Department will establish a permit program for residents and resident guests to allow for 48 hours for loading and unloading instead of the 24 hours that exists today; the prohibition area would be extended to include state highways and a provision has also been added in that the final approved ordinance will be submitted to Caltrans for their approval before implementation.

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

Councilmember Downey thanked the Chief saying that this has been a long road to get to this point. She also thanked the citizens for their contribution to the solution.

MSUC **(Downey/Tanaka) moved that the City Council introduce AN ORDINANCE OF THE CITY OF CORONADO AMENDING CHAPTERS 56.01 AND 56.30 OF TITLE 56 OF THE CORONADO MUNICIPAL CODE ADDRESSING VIOLATION PENALTIES AND PARKING RESTRICTIONS OF OVERSIZED AND NON-MOTORIZED VEHICLES. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING.**

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

9. **ADMINISTRATIVE HEARINGS:** None.

10. COMMISSION AND COMMITTEE REPORTS:

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

11. CITY COUNCIL BUSINESS:

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

Councilmember Downey attended the City Selection Committee meeting, the monthly League of California Cities meeting, a Shoreline Preservation meeting at SANDAG where they discussed the Opportunistic Sand Project, the High School rededication ceremony with the rest of the City Council, the Chamber of Commerce Christmas party, the rededication of the North Island Chapel, the Chamber of Commerce meeting for Salute to the Military Ball, and the Coronado Junior Women's Club Christmas party.

Councilmember Ovrom said he joined everyone at the High School rededication, attended the City Employee Appreciation dinner, a Special City Council meeting, the Christmas Chamber Sundowner, the San Diego Military Advisory Committee breakfast and board meeting, a meeting of the Tunnel Commission, the airport swearing in of Bruce Boland, and stopped by the Senior Center for their swearing in and lunch.

Councilmember Tanaka saw everyone at the High School rededication ceremony, attended two CIP subcommittee meetings regarding the Animal Control Facility and the Boathouse facility, gave the Boy Scouts a tour of the facilities, the City Holiday party, the City Council Special Meeting regarding Prop J, and briefed the Chamber Board.

Councilmember Monroe co-chaired with Julie Meyer-Wright a meeting of the Economic Prosperity Committee that is looking at how San Diego compares to 25 other cities in the United States. Also at SANDAG he attended the Transportation Committee meeting, a Bayshore Bikeway meeting, and a Board meeting. He attended the High School rededication, the City employee party, the Special City Council meeting, a Full Access Coordinated Committee meeting, an MTS Board meeting, a Navy Complexes meeting, and the workshop for the Animal Care Facility.

Mayor Smisek attended the Coronado Historical Association volunteer luncheon for the volunteers at the museum and visitor center and the Hotel Del docents, the Coronado High School grand opening, the Library Christmas party, the Navy 11-Star Holiday Open House, the City View Condos ribbon cutting, the City Christmas party, the City Selection Committee meeting where he nominated Carrie Downey to be put forward as a Coastal Commissioner, a Library Board meeting, a CIP subcommittee meeting, the South Bay Mayors meeting, and a Navy Complexes meeting.

11b. Appointment of City Council Representatives to Serve on Boards, Committees and Other Assignments.

Mayor Smisek began by reviewing the list of non-paying positions available.

He advised that Carrie Downey is the next member in line to be the Mayor Pro Tem.

The City Selection Committee position is normally filled by the representative for the League of California Cities. Carrie Downey has been nominated for that position.

The Audit Committee has historically been filled by the two junior members of the City Council. Mayor Smisek recommended Al Ovrom and Carrie Downey.

The Capital Improvements Commission will remain with Mayor Smisek and Casey Tanaka.

The City/School District Committee position is assigned as needed.

The Coronado Cays Homeowners Association representative is filled by all members on a rotating quarterly basis.

The Coronado Financing Authority will remain with Casey Tanaka and Carrie Downey.

The Coronado Naval Complexes Coordinating Group will remain with Mayor Smisek and Phil Monroe.

Coronado MainStreet Ltd. - will remain with Mayor Smisek and Carrie Downey.

Coronado Visitor Center will remain with Mayor Smisek.

The Coronado Golf Course Advisory Committee will remain with Mayor Smisek.

The Grand Caribe Isle Task Force representative will be assigned as needed.

The League of California Cities will have Carrie Downey in the primary position and the alternate position is available. Al Ovrom will fill the alternate position.

The Library Operations Review Committee will remain with Mayor Smisek and Casey Tanaka.

The Port of San Diego Bay Advisory Committee is no longer needed.

San Diego Area Wastewater Management District has the primary position open. Al Ovrom will fill the primary position.

The SANDAG Policy and Technical Advisory Committee will remain with Councilmember Monroe.

The SANDAG Shoreline Erosion Conservation Committee will remain with Carrie Downey. The alternate position is now open. Phil Monroe will continue as the alternate.

The Silver Strand Corridor Management Committee may be disbanded as their mission has been accomplished for the most part and ad hoc committees can be formed as needed.

The South San Diego County Economic Development Council (SDEDC) positions for primary and alternate are available. Phil Monroe will serve as the alternate. Al Ovrom will serve as the primary.

The Tunnel Commission position for primary is available. Al Ovrom will serve as the primary.

MSUC (Downey/Monroe) moved that the City Council approve the slate of assignments to boards and committees with no stipends.

AYES: Downey, Monroe, Ovrom, Tanaka and Smisek
NAYS: None
ABSENT: None

Mayor Smisek went on to review the available paid positions.

Heartland Communications Facility Authority Commission Board – Casey Tanaka advised that he would like to remain in that position. He commented that all the other cities do have an alternate position for that board. Carrie Downey will fill the alternate position.

Metropolitan Transit System – Phil Monroe requested that he remain the primary representative. The alternate position is open. Carrie Downey will fill the alternate position.

Sewer Metro Commission – the primary position is open. Al Ovrom will serve as the primary.

San Diego Association of Governments – (SANDAG) Board – Phil Monroe and Carrie Downey requested to remain as the primary and first alternate. The second alternate position is available. Al Ovrom will serve as the second alternate.

By a show of hands, each of the paid assignments were voted on individually. They were approved unanimously, with the subject Council person(s) not participating in the vote affecting their appointment.

11c. <u>Consideration of Appointment of One New Member and Reappointment of One Incumbent to the Planning Commission.</u>

MSUC (Tanaka/Monroe) moved that the City Council reappoint Dale St. Denis to a term on the Planning Commission to expire December 31, 2009.

AYES: Downey, Monroe, Ovrom, Tanaka and Smisek
NAYS: None
ABSENT: None

Mayor Smisek explained the process to be used for appointing a new City commissioner. The names are read individually by the City Clerk. Council members then vote in the affirmative for the candidates they feel should go forward in the process. Only the candidates with three or more votes go on to the next round. The process continues until there is one candidate remaining. Mayor Smisek offered the applicants the opportunity to speak on their behalf.

Amy Melden, a Coronado resident, introduced herself to the public and City Council and provided some background information on her qualifications.

Scott Grimes, 565 I Avenue, provided some information on his background and said he would like the opportunity to continue to give back to the community by serving on the Planning Commission.

After three rounds of voting the one remaining candidate with three or more votes was Scott Grimes.

MSUC **(Downey/Monroe) moved that the City Council appoint Scott Grimes to a 3-year term on the Planning Commission to expire December 31, 2009.**

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

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

COMMUNICATIONS - WRITTEN: None.

The City Council recessed to Closed Session at 4:15 p.m.

13. **CLOSED SESSION:**

14a. **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**
Initiation of litigation pursuant to subdivision (c) of Section 54956.9
One (1) potential case

The Council resumed the regular meeting at 5:26 p.m.
There was no reportable action on the closed session item.

15. **ADJOURNMENT:** The meeting was adjourned at 5:27 p.m.

Approved: January 2, 2007

_____
Tom Smisek, Mayor
City of Coronado

Attest:

_____
Linda K. Hascup
City Clerk