MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF CORONADO
Police Facility – Emergency Operations Center
700 Orange Avenue
Coronado, CA 92118
Tuesday, February 15, 2005, 3:00 p.m.

Mayor Smisek called the meeting to order at 3:05 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
Interim City Clerk Mary Clifford

2. **PLEDGE OF ALLEGIANCE.** Mayor Smisek led the Pledge of Allegiance.

3. MINUTES: The minutes of the Special Meeting of January 24, 2005 and the Regular Meeting of February 1, 2005, copies having been provided Council prior to the meeting, were approved. The reading of the minutes in their entirety was unanimously waived.

MSUC **(Tanaka/Downey) moved that the City Council approve the minutes of the Special Meeting of January 24, 2005, and the Regular Meeting of February 1, 2005**

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

4. CEREMONIAL PRESENTATIONS: None.

5. <u>CONSENT CALENDAR:</u> The City Council approved, adopted and/or accepted as one item of business Consent Agenda Items 5a through 5h with the addition of Items 11b through 11i.

Councilmember Downey commented that she will be able to support Item 11d after speaking with staff and learning that they have found an alternative location for the children to play dodge ball at the junior high. When the new Community Center is complete that will be a perfect place for them to play dodge ball on Friday nights. On Item 11i, she agrees that Council should be supportive of this but she requests that she work with staff on the letter.

MSUC **(Monroe/Tanaka) moved that the City Council approve the Consent Calendar Items 5a through 5d with the addition of Items 11b – Review of the Fiscal Year 2004-2005 Operating Budget at Mid-Year and Approval of Recommended Adjustments, 11c – Recommendation to Install a Street Light to Increase Visibility at the "Five Points" Intersection of Pomona Avenue and Glorietta Boulevard, 11d – Introduction of an Ordinance Amending Coronado Municipal Code Title 48 "Parks, Beaches, and Harbors", Adding Section 48.24 "Municipal Tennis Courts", 11e – Approval of Public Art Interpretive Signs Called "Tails of the Big Bay" by Artist Annika Nelson for the Children's Playground Area at Tidelands Park, 11f – Approval of Public Art Sculptured Benches by Artist Doug Snider for the Children's Playground Area at Tidelands Park, 11g – Appointment of Councilmember to the San Diego Association of Governments (SANDAG) Shoreline Preservation Committee, 11h – Request for Authorization for a Parking Utilization Survey for the Four-Hour Zone Adjoining I Avenue Park (First Street and I Avenue) and 11i – Council Adoption of City's Position on the Findings of the Draft Supplemental Environmental Impact Statement (SEIS) for Clean Water Act Compliance at the South Bay International Wastewater Treatment Plant**

AYES: **Downey, Monroe, Tanaka, Tierney 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 waives the reading of the full text of every ordinance contained in this agenda and approves the reading of the ordinance title only. **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. 10041515 thru 10041764 audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

5c. <u>Award of Contract for Block 171 Alley (Between First and Second Streets and Orange and C Avenues) Sewer Main Replacement and Repaving Project.</u> The project was advertised for bidding beginning on January 14, 2005 and bids were publicly opened on February 9, 2005 with the following results:

BIDDER	BASE BID	BASE BID
		Correction
BRH-Garver West	$186,395.00	
Dietrich Corporation	$197,441.00	
Ortiz Corporation	$222,743.00	
Zondiros Corporation	$231,005.00	
Orion Construction	$247,680.00	
HMS Construction	$263,976.75	
Metropolitan Construction	$273,468.00	
Elken Contracting	$283,540.20	$283,598.20
Heffler Company	$295,672.49	
Hammer Construction	$418,742.00	$403,357.00

Staff evaluated BRH-Garver West's bid package, insurance, bonding, and construction references and determining the contractor to be "responsive." Contracting laws direct the City to award the contract to the lowest qualified bidder, in this case, BRH-Garver West. **The City Council awarded a contract to BRH-Garver West in the amount of $186,395 for the construction of the Block 171 Sewer Main Replacement and Repaving Project. The City Council also authorized the transfer of $188,150 from the FY 04/05 CIP Wastewater Master Plan fund account and $76,850 from the FY 04/05 Right-of-Way Improvement (Alley Repair – General Fund) account to an individual project account #510781-9862-WWWMP171 for a total of $265,000.**

5d. Authorization to Provide Additional Funds for Glorietta Bay Master Plan Project Budget to Cover Increased Costs. The factors that make up the cost growth associated with the project were discussed as part of the presentation at the January 24 Special City Council Meeting. The additional cost to the project, beyond the funds available in the project contingency, is projected to be $1.8 million. With this increase, the total budget for the overall project is $33,986,686.

Staff is recommending an additional appropriation of $1,800,000. This will cover the increases already identified or incurred in the Phase 1B construction as well as recognizing that it is likely for additional issues to arise during the balance of construction currently projected to continue through September. The CDA will take a separate action to authorize the portion of additional funding for the project from the Marina/Restaurant Fund on today's agenda.

The monies from the Capital Improvement Projects Fund and the Glorietta Bay Fund will be loaned to the CDA for repayment in the future. This loan will be formalized by actions of both the City Council and CDA Board on a future agenda. **The City Council approved an increase of $1,800,000 to the Glorietta Bay Master Plan Project and reflected this adjustment with appropriations from the following: CDA Marina/Restaurant Fund (491) - $225,000; Capital Projects Fund (400) - $1,275,000; and Glorietta Bay Fund (405) - $300,000.**

5e. Request from the Coronado Floral Association to Waive Alcohol Prohibition for a Wine and Cheese Reception at the Site of the Flower Show in Spreckels Park on Saturday Evening, April 16, 2005. Coronado Municipal Code §40.28.010 prohibits drinking alcohol "…on any public street, alley, sidewalk, beach, park or other public property within this City except in accordance with the

terms of a lease approved by the City Council." On occasion, the City Council has waived the alcohol prohibition ordinance for special events in the City: Rotary Club Octoberfest, Lamb's Players Celebration, Historical Museum Event, Culligan Holiday Bowl Event, FBI Conference, and others.

When considering such events in the past, the Council has looked at factors including event impact on the community, support by the community and/or region, and event security. In this case, there is community-wide interest and support of the Coronado Floral Association and the annual Coronado Flower Show. **The City Council waived the alcohol prohibition and allowed the Floral Association to hold a wine and cheese reception for invited guests within the tented Flower Show area at Spreckels Park.**

5f. Approval of Request to Close One Lane of Orange Avenue Southbound, from the 900 Block of Orange Avenue to Just Past Park Place, and a Portion of Isabella Avenue near Tenth Street, from 12:30 p.m. to 3:00 p.m., for a Presentation of a "Town Clock" being Donated to the City of Coronado by the Rotary Club of Coronado at Coronado Rotary Park, on Wednesday, February 23, 2005. The celebration is open to the public and is being planned for Wednesday, February 23, 2005 at 1:30 p.m. The public and various local officials have been invited to join with members of the Rotary Club of Coronado at this presentation. It is anticipated that about 300 people will congregate in and around Coronado Rotary Park from 1:15 p.m. to 2:15 p.m. **The City Council approved the event as requested, allowing the closure of the second lane of Orange Avenue southbound from the 900 block of Orange Avenue to just past Park Place, and a portion of Isabella Avenue, on February 23, 2005.**

5g. Approval of a Resolution Supporting Legislation that Would Amend the Americans with Disabilities Act to Require Notice Prior to Filing a Lawsuit. Through a recent discussion with a business owner, it appears that this type of abuse of the Americans with Disabilities Act is becoming practice in the City of Coronado. The City is dedicated to ensuring equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. The City's village atmosphere is maintained by many small "Mom & Pop" retail and restaurant establishments. An amendment to the Americans with Disabilities Act would allow these small businesses to remedy any alleged violations before a lawsuit is filed.

Currently, there are two pieces of legislation that would inhibit the abusive practice of certain attorneys filing lawsuits for easily correctable ADA infractions and would enable small businesses to work with the disabled community to correct minor violations and improve accessibility for the disabled:

1. Congressman Mark Foley (R-FL) introduced the *ADA Notification Act* (H.R. 728), which amends the ADA to deny jurisdiction to a court in a civil action for remedies unless the complainant has implemented specified notification procedures that include the opportunity for correction of the alleged violation.
2. State Assembly Member Tim Leslie (Tahoe City) has introduced AB 2594 *Public accommodations: persons with disabilities* to allow a person who hires an ADA specialist to review the design and construction of the person's premises to have a Certificate of ADA Compliance. Holders of such a certificate would be entitled to a notice and the opportunity to correct future ADA violations before a civil lawsuit could be filed.

Upon adoption of this resolution, staff will track these pieces of legislation and send letters of support as necessary. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY**

OF CORONADO, SUPPORTING LEGISLATION AMENDING THE AMERICANS WITH DISABILITIES ACT TO REQUIRE NOTICE PRIOR TO FILING LEGAL ACTION. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8043.

5h. Review and Approval of Resolutions Providing Loans to the Community Development Agency from the City General Fund for Completion of the Downtown Streetscape Improvements, Phase II; the Lifeguard Tower Refurbishment Analysis; and the Pool Assessment for the Glorietta Bay Master Plan. The projects listed are Agency-eligible projects that are listed in the Community Development Plan. There are separate Resolutions and Promissory Notes to repay the City's General Fund for project-related expenditures.

The Resolutions make the necessary findings for the elimination of blight and absence of other means of financing the project. The Promissory Notes provide that interest shall accrue on the note and be repaid along with the principal at any time on or prior to November 19, 2036, the last date the Agency would be eligible to receive tax increment to repay debt. Interest would accrue at the rate of five percent (5.0%) per annum, compounded annually. Structuring the note in this manner does not restrict the Agency's ability to enter into other obligations to accomplish projects. **The City Council adopted A RESOLUTION OF THE CITY OF CORONADO, SAN DIEGO COUNTY, CALIFORNIA, APPROVING A LOAN TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CORONADO FOR POOL ASSESSMENT AS PART OF RECREATION FACILITIES IMPROVEMENTS and A RESOLUTION OF THE CITY OF CORONADO, SAN DIEGO COUNTY, CALIFORNIA, APPROVING A LOAN TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CORONADO FOR DOWNTOWN STREETSCAPE PHASE II IMPROVEMENTS and A RESOLUTION OF THE CITY OF CORONADO, SAN DIEGO COUNTY, CALIFORNIA, APPROVING A LOAN TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CORONADO FOR LIFEGUARD TOWER IMPROVEMENTS. The Resolutions were read by Title, the reading in their entirety unanimously waived and adopted by Council as RESOLUTION NO. 8044, RESOLUTION NO. 8045, and RESOLUTION NO. 8046.**

6. ORAL COMMUNICATIONS:

a. **Pete Fagan, 379 F Avenue,** spoke at the last meeting concerning the objections that he and his neighbors have regarding the application of Island Market to obtain a liquor license. He is aware that Council has this as an agenda item for the next meeting. The Island Market has operated with a Class 20 ABC license that permits them to sell beer and wine. The new owners have applied for a Class 21 license that would essentially turn the market into a liquor store. The Market is zoned R1-B but since they were there before the zoning was changed, they are permitted to operate with that type of business and with a liquor license as a nonconforming use. Since the last meeting, he conducted some additional research. The Business and Professions Code prohibits the issuance of a license to an establishment unless it is in an area zoned for such use. The Business and Professions Code goes further to state that it allows a continuing operation if the zoning is later changed, as it has been, as long as the premises retains the same type of retail liquor license within a license classification. As part of the application process, the applicant is required to file a zoning affidavit that requires an endorsement from the City and the City needs to indicate whether the zoning permits the intended use, a liquor store, for that location. There is a block on that document where the City representative signs and the City representative did so, indicating that the issuance of a

Class 21 liquor license for this applicant at this location is permitted by the existing R1-B zoning. That permitted the agency to go forward. Mr. Fagan said he is sure that Council will agree that this endorsement is not correct and that immediate steps need to be taken to inform the agency that the affidavit is not correct. That would simply stop the process. There are a number of reasons he spoke about at the last meeting on why this would degrade the nature of the community and the residential area that it operates in, but it is sufficient to state that he believes that it is inconsistent with R1-B zoning. He understands that the City Attorney has the documents. The problem is that the notice was reissued on February 3. The City has 30 days from that date in which to file a protest. If no protest is filed then a license normally would automatically be issued at that time. Time is of the essence in working on this.

b. Ginger Raaka, Coronado Historical Association and Visitor Center, provided Council with the numbers for January. She announced that they have two new staff members: Tayla Burney is the new administrative assistant; Gabe Selak will be working in Development and Membership. She also mentioned that Coronado Visitor Center hosted the Visitor Center Network February meeting and luncheon at the Hotel del Coronado.

c. Doug St. Denis, 710 Adella, and Linda Stanton, 855 C Avenue, explained that most of Coronado is very excited about its newest addition to the public art collection. It is a sculptural fountain by internationally known artist James Hubbell. It will be made of concrete, glass, tile, stone and poetry. It will be located between the new City Hall and Community Center, in the beautifully landscaped open space. It will be visible from both of the formal entrances. Mr. Hubbell is an artist of many disciplines and his inspiration has always come from nature. The Public Art Subcommittee felt that the organic forms of Jim Hubbell's would be the perfect counterpoint to the clean, architectural lines of the buildings. They are planning a celebration to honor this event. It is going to be called "Halfway There." It is a celebration on the midpoint of this sculpture. This is going to occur on March 12 at 11:00 a.m. at the site. Mayor Smisek will be one of the speakers along with Port Commissioner Admiral Robert Spane, Katherine Sass, the Director of the Port's Public Art Department, and James Hubbell.

d. Joseph Delasalas, 349 G Avenue, is in support of Mr. Fagan's comments. The neighborhood does not need another liquor store. There is a form the Agency puts out that lists some of the reasons for protest. One is that the premises are in the immediate vicinity of a school, which is true. Another is that it is in a residential area. Does it create a nuisance? He believes it does.

Councilmember Monroe asked that letters that are going to be sent be sent to the City Manager as well.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

8a. Request for Approval of a One Lot Tentative Parcel Map for Subsequent Development of Two Condominium Units on a Portion of Block 1-3 of Map No. 1161, Commonly Known as 1510 Ynez Place in the R-3 (Multi-Family Residential Zone). Tony Pena, Director of Community Development, introduced the item. The Planning Commission has reviewed and approved this map. It has also been reviewed by staff, including Engineering, Fire Department and Public Services. This property could actually stay as four dwelling units because it is zoned R-3. The applicant wishes to

develop two units by scraping the existing one dwelling and replacing it with two. Planning Commission is recommending approval.

Mayor Smisek opened the public hearing and seeing no one wishing to speak on the item, 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 A ONE LOT TENTATIVE PARCEL MAP FOR DEVELOPMENT OF TWO CONDOMINIUM UNITS FOR PROPERTY COMMONLY KNOWN AS 1510 YNEZ PLACE. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8047.**

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

8b. **Public Hearing to Repeal the General Plan "Public Safety and Seismic Safety Element" and Adopt a Replacement "Safety Element."** Tony Pena, Director of Community Development, explained that this is one of the state mandated elements of a general plan, the safety element. The one that Coronado has today was adopted in 1974. Much has occurred since then in terms of scientific research and knowledge of natural hazards in San Diego County as well as in Coronado. This element is intended to reveal what natural and societal types of hazards may be facing Coronado and to then come up with policies to deal with those hazards. It is an information document. There are some policy areas in dealing with how the City responds to hazards. Ed Kleeman, the Project Planner on this element, worked closely with staff, Fire and Police in particular, and incorporated many of their recommendations into the element. At the Planning Commission level there were some interesting conversations, but nothing that would indicate that there is a problem with content. They have recommended City Council approval and adoption of the element.

Councilmember Downey referred to page II-K6: "…it is appropriate that the City is required by the Act to 'provide for disclosure of delineated earthquake fault zones to the public'." How does the City do that? Mr. Pena explained that Ms. Downey is referring to the Alquist-Priolo Act that was adopted 20 years ago. It was the responsibility of the State Geologist Department to come up with maps, based upon the dictates of that Act. Because San Diego was conducting some structural analysis of the Bridge and some structural analysis in the San Diego side, they came up with a rudimentary seismic map that indicated there is a potential active fault coming down the Pomona Avenue area through Coronado. They provided the City those maps and, based on the Act, the City had to notify property owners. It essentially requires the property owners, other than for single family development, to do a seismic survey of their own property before being issued a building permit.

Ms. Downey asked if this can be approved today even with work still outstanding on the sirens. Mr. Pena responded that staff described a minimal siren program. If changes are made and they are improved, it will not be inconsistent with the element. She thought that the recommendation by the Planning Commission to include the references to the different acts and other documents in our new policy is a good one.

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

MSUC **(Tanaka/Tierney) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO REPEALING THE GENERAL PLAN PUBLIC SAFETY AND SEISMIC SAFETY ELEMENT and A RESOLUTION OF THE CITY OF CORONADO ADOPTING THE GENERAL PLAN SAFETY ELEMENT. The Resolutions were read by Title, the reading in their entirety unanimously waived and adopted by Council as RESOLUTION NO. 8048 and RESOLUTION NO. 8049**

AYES: **Downey, Monroe, Tanaka, Tierney 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 Monroe attended a meeting of the Tunnel Action Team, met with the City Manager, Tony Pena and Coastal Commission staff, a Shoreline Preservation meeting with Councilmember Downey, a Transportation Meeting at SANDAG, a three-day SANDAG retreat with Councilmembers Tierney and Downey, an MTS Board meeting, opening night at the Playhouse and at Lambs', the Men's Golf Club meeting, and a meeting with Laura Clapper of the School Board regarding the auditorium fly loft.

Councilmember Tanaka met with Rory Hutchison, attended the *San Diego Magazine* party, the CoSA gala, briefed the Chamber of Commerce Board, attended a celebration with the person who handles the municipal bonding for National City for the completion of their bond issuance, and attended the opening of the Lambs' Players new play.

Councilmember Tierney attended a Metro Wastewater meeting, the *San Diego Magazine* party, the Middle School Band Boosters Spaghetti Dinner, the SANDAG retreat, the League of California Cities meeting, and he will speak to the SANDAG Borders Committee regarding the sewage problem.

Councilmember Downey attended the Shoreline Preservation Committee, the SANDAG retreat, and the Military Ball Committee meeting.

Mayor Smisek met with Captain Alexander regarding on overpass over the Strand, met with Dave Lorden, principal of the High School, met with Cecily Kelly and Chuck Howe of SAFE, met with the Senior Housing Development committee, attended the change of command on USS REAGAN, attended

the luncheon at the Hotel del with the Visitors Center group, and attended an executive committee meeting of the Historical Association.

11b. Review of the Fiscal Year 2004-2005 Operating Budget at Mid-Year and Approval of Recommended Adjustments. This report reflects a continued conservative analysis of revenues and expenditures for the current fiscal year. Attachment A identifies the Sources and Uses for the General Fund. Attachment B is the revised budget summary for all funds. As appropriate, the opening balances shown for each fund on Attachment B have been updated to reflect the audited available balances for year ended June 30, 2004.

The projected General Fund revenue has been reduced by $50,000 to reflect an anticipated reduction in overall Recreation fees due to the delayed opening of the Community Center. Total revenue, including transfers in from other funds, is projected to decrease from $32,377,440 to $32,327,441. Operating expenditures have been reduced by a commensurate amount so that there is no net change to the General Fund budget. Attachment C lists the major changes in the General Fund as well as any changes to other City funds. With these Mid-Year adjustments, the remaining City Council contingency is $52,153, which is available for any remaining unforeseen operating adjustments.

The revised projected total of all expenditures and fund transfer obligations for the General Fund is $28,892,908 which is $50,000 less than the original budget, and includes approved off-cycle adjustments of $39,400.* [*NOTE: Previous approved off-cycle adjustments: Additional contribution to the Coronado Playhouse ($34,000 action on 7/6/04); Additional funding for Historic Resource Commission public outreach program ($5,000 action on 8/3/04)].

The proposed Mid-Year budget for the General Fund results in an increase to ending funding balance of $3,434,533, which is equal to the original budget including City Council approved off-cycle adjustments. **Under Consent, the City Council approved the recommended adjustments to the General Fund budget. The City Council also approved the recommended adjustments to the following funds:**

Solid Waste Fund	**Fund 130**
CDA Loan Fund	**Fund 160**
Treasury Forfeitures	**Fund 234**
Capital Improvement Project Fund	**Fund 400**
Glorietta Bay Project Fund	**Fund 405**
Storm Drain Fund	**Fund 530**
Golf Fund	**Fund 520**

11c. Recommendation to Install a Street Light to Increase Visibility at the "Five Points" Intersection of Pomona Avenue and Glorietta Boulevard. Due to the elongation of the "Five Points" intersection, the lone street light at the southernmost point of the intersection provides inadequate lighting of the northern portions of the intersection. Collisions between vehicles within the intersection are rare due to the care and caution drivers must use when traversing the odd-shaped confluence of streets. Unfortunately, there have been two collisions during the past four years involving a vehicle versus a pedestrian in the northern crosswalk of Pomona Avenue. The installation of a street light near this location will serve to better illuminate the crosswalk and potentially increase the safety of pedestrians and bicyclists using it. The need for an additional street light (beyond the one proposed) will be evaluated as part of the Glorietta Bay Master Plan Yacht Club Promenade project. **Under Consent, the City Council**

directed staff to initiate the installation of a street light on the northeast corner of the intersection of Pomona Avenue and Glorietta Boulevard.

11d. Introduction of an Ordinance Amending Coronado Municipal Code Title 48 "Parks, Beaches, and Harbors", Adding Section 48.24 "Municipal Tennis Courts." Title 48 "Parks, Beaches and Harbors" in its present form is in need of revision due to the fact that an area of concern is not addressed in the current document. This area includes the Municipal Tennis Courts.

The tennis courts are currently posted with signs displaying "Rules for Tennis Courts" which indicate "Courts are for tennis play only." However, without a specific reference to a municipal code number or council resolution number, the rule is not enforceable by the Police Department.

In addition to the specific areas noted in the staff report, the ordinance will specify rules for access and use as well as penalty for violations. This ordinance will allow the police to enforce "tennis only" on all Municipal Tennis Courts. **Under Consent, the City Council introduced AN ORDINANCE OF THE CITY OF CORONADO, CALIFORNIA, AMENDING CORONADO MUNICIPAL CODE TITLE 48 PARKS, BEACHES AND HARBORS, ADDING CHAPTER 48.24 MUNICIPAL TENNIS COURTS. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING.**

11e. Approval of Public Art Interpretive Signs Called "Tails of the Big Bay" by Artist Annika Nelson for the Children's Playground Area at Tidelands Park. "Tails of the Big Bay" will be constructed out of four individual brightly colored aluminum panels with sculptures of sea life at the top. The panels range in size from 2.5 ft. in width to 4.5 ft. – 6.5 ft. in height. Each side of the panels will have text describing the sea life. One side of the panel is proposed to be in English and the other side in Spanish. The four panels will be adjacent to each other in a zigzag pattern. The signs are proposed to be located at Tidelands Park within the sandy area of the children's play ground adjacent to the pedestrian promenade. **Under Consent, the City Council approved the design and location of the proposed interpretive signs as recommended by the Design Review Commission and Coronado Public Art Subcommittee.**

11f. Approval of Public Art Sculptured Benches by Artist Doug Snider for the Children's Playground Area at Tidelands Park. Doug Snider is proposing to construct two anthropomorphic sculptured benches or chairs which will be located within the grass area on each side of the children's playground area at Tidelands Park. These seats are sculptured public art forms which will be functional seats able to seat from two to six people. The proposed locations will provide a colorful and fun place for parents to sit and watch their children in the playground area. One seat is known as the bird chair and is approximately 6 ft. x 6 ft. x 3 ft. The other piece is a curved seat bench and is approximately 12 ft. x 5 ft. x 6 ft. Each piece is finished with bright colors and coated with a sealant, which is graffiti resistant. **Under Consent, the City Council approved the design and location of the proposed sculptured benches as recommended by the Design Review Commission and Coronado Public Art Subcommittee.**

11g. Appointment of Councilmember to the San Diego Association of Governments (SANDAG) Shoreline Preservation Committee. The Sewer Metro Commission holds its meetings every first Thursday at noon at the Padre Dam office. The SANDAG Shoreline Preservation Committee meets every other first Thursday at 11:30 a.m. at the SANDAG offices. This schedule means that there

would be a conflict for Councilmember Tierney every other first Thursday in terms of attendance at these meetings.

Councilmember Monroe, as the City's alternate to the Shoreline Preservation Committee, has requested that another Councilmember be appointed as the City's primary representative to the committee. **Under Consent, the City Council appointed Councilmember Downey.**

11h. Request for Authorization for a Parking Utilization Survey for the Four-Hour Zone Adjoining (Avenue Park (First Street and I Avenue). Based upon written correspondence from property owners located near "I" Avenue Park (Bay View Park) describing a significant parking problem related to the size of the four-hour zone (eliminating curbside decal parking adjoining residences) staff has been pursuing solutions and a reduction in Coastal Commission processing time required for a possible revision to the program. On Wednesday, February 2, 2005, Councilmember Monroe, the City Manager and Director of Community Development met onsite with Coastal Commission staff Sherilyn Sarb (Assistant Director) and Diana Lilly (Coastal Planner). As a result of this meeting Coastal staff indicated that they would be amenable to a shortened survey period (weekends for a minimum three month period leading up to a request for Local Coastal Program amendment) and a reasonable request to reduce the area devoted to four-hour public parking. At this time a precise program proposal has yet to be developed.

This matter is now being brought before the City Council to further expedite this process by authorizing survey work to commence so that when a specific program amendment is developed via future hearings substantial documentation of parking usage in the four-hour zone as well as public use of Bay View Park will be available to the City Council and Coastal Commission as a basis for approval. **Under Consent, the City Council authorized the Police Department and Community Development Department staffs to commence work on the survey and processing necessary for a possible amendment to the Decal Parking District.**

11i. Council Adoption of City's Position on the Findings of the Draft Supplemental Environmental Impact Statement (SEIS) for Clean Water Act Compliance at the South Bay International Wastewater Treatment Plant. While the preferred alternative proposed in the SEIS provides for the secondary treatment of the effluent treated by the South Bay International Wastewater Treatment Plant, it does pose a risk in that it will be a facility in Mexico, subject to Mexico's control, and its resource limitations (power, water). Although it is generally accepted that building and operating a plant in Mexico would be less expensive than to do so in the United States, the Bajagua LLC project would require significant costs associated with transporting primary treated waste from SBIWTP to the plant for secondary treatment, and then transporting the waste back to the South Bay Ocean outfall. The reported benefits of the Bajagua LLC project include a greater capacity for treatment of Tijuana's sewage, a funding condition which requires that the Bajagua LLC project meet the Clean Water Act requirements in order to receive funds, and that the project is located in Mexico, treating Mexico's sewage.

The discharge option (Option 1) for the preferred alternative (Bajagua LLC project) is the South Bay Ocean outfall, located 3+ miles offshore. The IBWC funded 60% of this outfall's construction, which is currently used by METRO and by SBIWTP. The other alternative discharge option (Option 2) is at the surf zone at Punta Bandera. There are no clear data that staff is aware of that would indicate that either option would present a greater concern to water quality offshore of Imperial Beach or Coronado; however, the Punta Bandera option clearly would affect water quality along the coastline in the discharge area.

Again, it is important to note that the SEIS alternatives do not address the need to upgrade the sewage collection system serving the Tijuana area. Staff believes that this is an essential component of any potential solution to the problem of raw sewage flows from the Tijuana River estuary, and that the lack of infrastructure in Tijuana, particularly in Western Tijuana, will continue to have a negative impact on the water quality of South Bay beaches, including Coronado's, notwithstanding the construction of a secondary treatment facility in Mexico. Therefore, staff is recommending that support for the SEIS preferred alternative be based on the project's assurance that it will meet CWA standards, while noting that it is critical that a focus be put on the improvement of sewage collection infrastructure in Tijuana, especially Western Tijuana, which will reduce the beach closures associated with sewage runoff from this area. **Under Consent, the City Council adopted the following two positions: First, that Council support the preferred Alternative 4C, the Bajagua LLC project, contingent on the project's stated assurance that discharges will meet all Clean Water Act requirements and all State of California water quality requirements. Second, that Coronado recognizes that the cross-border water quality crisis also has a basis in the lack of collection infrastructure in Western Tijuana, and that this lack of infrastructure needs to be addressed in a timely fashion in order to reduce the number of beach closures experienced due to sewage flows from Tijuana. Finally, the City Council directed that a letter be drafted for the Mayor's signature indicating this position.**

12. **CITY ATTORNEY:** None.

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

14. **CLOSED SESSION:** None.

15. **ADJOURNMENT:** The meeting was adjourned at 3:50 p.m.

Approved: March 1, 2005

_____
Tom Smisek, Mayor

Attest:

_____
Mary L. Clifford
Interim City Clerk