MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF CORONADO
Coronado City Hall
1825 Strand Way
Coronado, CA 92118
Tuesday, February 21, 2006

Mayor Smisek called the meeting to order at 3:04 p.m.

1. ROLL CALL:

Present: Councilmembers Monroe, Tanaka, Tierney and Mayor Smisek

Absent: Councilmember Downey

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE. Floyd Ross gave the invocation and Mayor Smisek led the Pledge of Allegiance.

3. MINUTES: The minutes of the Regular Meeting of February 7, 2006, a copy having been provided Council prior to the meeting, were approved as amended. The reading of the minutes in their entirety was unanimously waived.

MSUC (Tanaka/Downey) moved that the City Council approve the minutes of the Regular Meeting of February 7, 2006, as amended.

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

4. CEREMONIAL PRESENTATIONS:

4a. Proclamation: "Sarah Blakely Brown Day."

4b. Proclamation: "Pamela K. Willis Day."

Councilmember Downey arrived at 3:10 p.m.

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

Councilmember Monroe commented on Item 5f. He said he questioned the method being used where revenue is reported for the period of participation in recreation programs rather than when it is received upon registration.

MSUC **(Tanaka/Downey) moved that the City Council approve the Consent Calendar Items 5a through 5f.**

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. 10048878 thru 10049185 audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

5c. <u>Recommendation from the Traffic Operations Committee to Adopt a Resolution to Convert One Two-Hour Metered Parking Space to a 12-Minute Green Curb Parking Zone at 1113 Tenth Street.</u> Because of the density of businesses in the vicinity of 1113 Tenth Street, which is in the middle of the central business district, parking is very well utilized. The available two-hour meters on both sides of Tenth Street between B and D Avenues do not facilitate frequent turnover of vehicle parking for customers who wanting to visit adjacent businesses for quick trips. Observation of the parking conditions in the area show that most vehicles are parking for the longer durations allowed, presumably visiting businesses in the vicinity. There is currently a 25' yellow commercial loading zone directly across Tenth Street from the proposed 12-minute parking zone but it is heavily used by commercial vehicles making deliveries to nearby businesses. In the past, the City Council has approved the installation of 12-minute parking zones in front of businesses with the need for frequent parking turnover (examples are 1015 Isabella Avenue and 1109 Ninth Street). The Traffic Operations Committee feels it would be beneficial for all businesses in the vicinity to have access to a 12-minute metered parking space which would provide parking for quick trips typically generated by the tailor's and adjacent take-out Mexican food restaurant. **The City council adopted A RESOLUTION TO DESIGNATE A 12-MINUTE GREEN CURB ZONE ON THE NORTH SIDE OF TENTH STREET, 1113 TENTH STREET. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8120.**

5d. Appointment to Fill One Vacancy on the Civil Service Commission. A vacancy was created in September due to the unexpected death of former Commissioner Michael Fitzgibbons. The vacancy has been posted in the *Coronado Eagle & Journal* on numerous occasions; however, no new applicants have come forward. A former Civil Service Commissioner, Elaine Edwards, who served on the commission from February 8, 1999 to December 4, 2004, has applied to fill this vacancy. **The City Council appointed Elaine Edwards to fill the remainder of a term to expire on December 31, 2007.**

5e. Introduction of "An Ordinance of the City of Coronado Amending Section 68.30.020 of Chapter 68.30 of Title 68 of the City of Coronado Municipal Code Adopting the County of San Diego Flood Insurance Study for the City of Coronado." The proposed amendment to the Floodplain Management Ordinance will repeal wording in Section 68.30.020 and then readopt the section with additional text designating that the Flood Insurance Study being referred to is the "**County of San Diego** Flood Insurance Study. The City Council introduced **AN ORDINANCE OF THE CITY OF CORONADO AMENDING SECTION 68.30.020 OF CHAPTER 68.30 OF TITLE 68 OF THE CITY OF CORONADO MUNICIPAL CODE ADOPTING THE COUNTY OF SAND DIEGO FLOOD INSURANCE STUDY FOR THE CITY OF CORONADO. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING.**

5f. Review of the Fiscal Year 2005-06 Budget at Mid-Year and Approval of Recommended Adjustments. As in prior mid-year reviews, this report reflects a conservative analysis of revenues and expenditures for the current fiscal year. Chart identifying the revised Sources and Uses for the General Fund and the revised budget summary for all funds were provided in the staff report. As appropriate, the opening balances shown have been updated to reflect the audited available balances for year-end June 30, 2005. Another chart provided a more detailed discussion of the changes to revenues and expenditures by fund.

Staff recommends adjustments to the General Fund revenue projection for the current fiscal year to reflect receipt of the FEMA/OES reimbursements; from Federal and State grants; and from the sale of property. The revised revenue projection for the General Fund is $35,842,760, an increase of $5.55 million over the original adopted budget. The majority of this increase is due to the sale of property, previously projected to occur in FY 2004-05.

Despite anticipated variances in revenues related to Recreation Programs and Community Center facility uses, there are no recommended budget adjustments to revenue projections at this time. Instead, staff recommends close monitoring of the revenues and making necessary corrections to the FY 2006-07 budget based upon the outcomes of this year. The budget for all Recreation Programs, including facilities is $936,500.

Staff has evaluated all department and division budgets and mid-year adjustment requests. In most, but not all cases, the recommended adjustments are offset by corresponding additional revenue. The revised projected total of all operating expenditures for the General Fund is $28,925,922 which is a net $67,356 greater than the original budget, and which includes previously approved off-cycle adjustments of $98,356. In addition, the mid-year budget also includes an adjustment to Transfers to the Capital Projects fund 400. This adjustment is an

$80,000 General Fund reduction for the Street, Curb, Gutter Improvement Project (04ROWI), replaced by $80,000 of Traffic Congestion Relief (aka Prop. 42) Funds (Fund 217).

The proposed Mid-year budget for the General Fund nets an increase to ending fund balance of $5,307,520. This is an increase of $5.57 million above the original budget. The revised projected ending balance is $31,505,066. This amount is net of loans receivable from the Community Development Agency. **The City Council approved the recommended adjustments to the General fund budget and approved the recommended adjustments to the following funds:**

Solid Waste Fund	**Fund 130**
Other Transportation Fund	**Fund 217**
Capital Improvement Project Fund	**Fund 400**
SR 75/282 Project Fund	**Fund 410**
Wastewater Fund	**Fund 510**

6. ORAL COMMUNICATIONS:

a. **Ron Boshun, Harbor Lights Foundation, PO Box 2729, La Jolla,** spoke regarding having the Blue Angels come to San Diego as an inspiration to San Diego youths and to highlight the history of aviation in San Diego. He referred to men such as Charles Lindberg, John J. Montgomery, Glenn Curtiss, as well as the current military personnel. He requested that the City Council write and email Secretary of Defense Donald Rumsfeld and Governor Schwartzenegger to request them to allow the Blue Angels to come here for the first time ever.
b. **Louise Shirey, 828 Coronado Avenue,** thanked the City Council for allowing a PAWS Board member to be a member of the Animal Control Facility committee. She mentioned their preference for the facility to be located at the lawn bowling area for the new facility. She asked to be included in the design phase as well.
c. **CDR Bert Decker, USN Retired, San Diego,** commented that the City should keep the emphasis on history and tradition. The Navy gave away NTC. He thinks that Mr. Boshun has a good idea.
d. **Story Vogel, 350 D Avenue,** announced that a group called SAVE Coronado, Save A Village Environment in Coronado, will be gathering signatures to change the zoning of R-1B to R1A(e) over the next three months. There will also be two other initiatives to change the height of fences and reduce the number of hours for construction noise. People can look for an announcement in *The Coronado Eagle & Journal* for information on a meeting at the Winn Room in the near future.
e. **Councilmember Monroe** responded to Mr. Boshun. He said this might be an opportunity to work with the Air Show at Miramar to get a pass over in conjunction with that. They have flown over the Golden Gate Bridge in the past. Also he saw the School Board broadcast and because of the lights in the chambers the broadcast is not a good picture. It is worse at night than it is during the day.
f. **Councilmember Downey** said she would like the minutes to reflect that she had made a comment at the last City Council meeting that at no time had the City Council discussed removing the existing plaque from the band stand in Spreckels Park, and that the idea to name the Pavilion after the Stockdales was withdrawn at Mrs. Stockdale's request.

g. Mayor Smisek said that as a follow-up to his comments at the last Council meeting he has met with the Stockdale Memorial Committee regarding the selection of a site for a memorial to Admiral & Mrs. Stockdale. They have discussed Star Park and the library as possible sites and are now leaning towards the library. He advised that the committee would take their suggestions to the Library Board before coming to the City Council.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

8a. Joint Public Hearing of the Community Development Agency and the City of Coronado: Consideration of a Disposition and Development Agreement Between Coronado Interfaith Housing Corporation and the Community Development Agency of the City of Coronado to Build and Operate Senior Affordable Rental Housing at 578 Orange Avenue.

The City Council and Community Development Agency met jointly on this public hearing.

Councilmember Tierney recused himself from the discussion due to a conflict of interest with his personal property holdings.

Pam Willis provided background information from the staff report. She said this will be the first affordable housing project that the CDA and the City have teamed up to build. In January 2005, in response to a Request for Qualifications to find a developer who will design, build and operate the senior housing project at 6th and Orange, the Board established a subcommittee that was comprised of Board Chairman Tom Smisek, Planning Commissioner Dale St. Denis, Citizens Advisory Committee member Ron Witthoft, Assistant Executive Director Pam Willis, Senior Management Analyst Andrew Potter, and the Agency's redevelopment consultant Frank Spevacek of the Rosenow Spevacek Group. They interviewed the potential developers and recommended a selection. The Agency Board selected San Diego Interfaith Housing Foundation (SDIHF). They are charged to design, build and operate the senior affordable housing complex for a period of 55 years. Since entering an exclusive negotiating agreement with SDIHF, during the past year they have undertaken several important parts of getting this to today's decision. They hired Studio E Architects to prepare design concepts and those have been reviewed and approved by the Design Review Commission. They have finalized the environmental review process resulting in a determination that the project is exempt from formal environmental studies. They prepared building and operating pro-formas and a financing plan. They requested a density bonus from the Planning Commission which was approved on February 14th. They formed an associated non-profit corporation specifically for this project, named Coronado Interfaith Housing Corporation.

Staff and RSG have negotiated the terms of the Disposition and Development Agreement with the developer and worked with the Agency's special counsel to draft the documents. The City, in deciding to move the existing Animal Care Facility, was able to sell the entire City owned parcel to the Agency for this senior housing project. In July the Agency purchased the City

property and in October the Agency was able to purchase the adjacent parcel from a private party to create an overall site sufficient for a 30-unit senior affordable housing project. This site is perfectly situated for senior housing with a bus stop, the Library, and the Park just across the street. It is close to grocery and pharmacy shopping, the Senior Center, and the offices of several health care providers. The complex is designed to include a central courtyard and the design provides light and air to all the units and surface parking for the convenience of the tenants. There will be a common meeting room for tenant use and a full-time, on site property manager. There has been substantial community interest in this project, including inquiries from many people who hope to be prospective tenants. Staff has prepared several fliers, updating interested parties on the progress of the project and they anticipate there will be increased interest in residency once construction begins. The developer will be responsible for establishing a process to create a waiting list and screen tenants for eligibility to become the first residents in this new complex. The current hearing is required by redevelopment law, and that it be held by both the City Council and the Community Development Agency. It was advertised in the Eagle Journal on February 1st, 8th and 15th. The Summary Report, and Disposition and Development Agreement (DDA) have been available for public review during the notice period and they were distributed to the Agency Board for review on February 10. The Summary Report outlines the project and summarizes the agreement between the Agency and the developer. The DDA establishes the authorities and responsibilities of the Agency and those of Coronado Interfaith Housing to implement the project. The DDA is the overall document with several document attachments. These documents, which will be signed and recorded along the way, are the Ground Lease, a Schedule of Performance that holds the developer to certain dates and progress in implementing the project, a Scope of Development, a Residential Declaration of Conditions, Covenants and Restrictions and Regulatory Agreement that establishes this both as for senior households and establishes the affordability levels, a Memorandum of Lease, a Housing Assistance Note that is the item that provides the Agency's additional funding for construction, and the housing Assistance Deed of Trust and Assignment of Rents.

The Agency will lease the site to Coronado Interfaith Housing for $1 per year, which will commence upon execution of the documents, and that lease will expire 55 years from the first residential tenant occupancy. The period of construction does not count toward meeting the 55 year term. Coronado Interfaith is responsible for all the construction plans, permits, demolition of the existing structures, construction of the new apartments, and all the site amenities. The Agency will grant, as a forgivable loan, just under $3.5 million for a portion of the construction costs. That will come from the proceeds of the 2003 Housing Tax Allocation Bonds and from the Housing portion of the 2005 Bonds. Coronado Interfaith is responsible for getting the additional financing which will consist of approximately $2.75 million from tax credit bonds and approximately $1.3 million in a conventional mortgage that will be paid off over time from rent revenues from the project. They will provide the onsite management. They will maintain the building and all of its systems for the 55 years, take care of all tenant issues, screen new tenants and make sure that the affordability requirements are met on an annual basis. At the end of the lease, the land, the improvements, and any remaining amount of residual receipts would belong to the City. The California Tax Credit Allocation Committee will notify Coronado Interfaith of approval of the bond and tax credit financing and they will set a final date to start construction. That is anticipated to be October or November of 2006. The Tax Credit Allocation Committee, by lottery, assigns either a 90 or a 120-day deadline for projects that must be under construction. Demolition has to occur before that begins.

The staff recommendation is to hear public testimony, adopt the resolutions approving the project, and appropriate $3,492,591 for the Housing Assistance Note that is identified in the DDA. Matthew Jumper, President, San Diego Interfaith Housing, was available to answer any questions.

Councilmember Downey asked Ms. Willis why voter approval is not required for building this low-income housing. Ms. Willis explained that Article 34 of the Constitution prescribed a voter requirement for certain low-income housing projects. Subsequent to that, the legislature adopted a number of definitions to coincide with Article 34 to make it clear as to what that initial article in the constitution was trying to preclude and in recognition that many currently built affordable housing projects, particularly those undertaken by redevelopment agencies, do not contain the negative aspects that caused Article 34 to be adopted. For this particular project, the property will stay on the property tax rolls and that is one of the essential criteria that exempts it from that particular aspect of the Constitution.

Matthew Jumper, President, San Diego Interfaith Housing said this has been a very detailed process that has led to a design everyone will be proud of. Interfaith Housing will be on the job from here on out to make sure the City is happy.

Mayor Smisek opened the public hearing.

John Orlowski, 421 D Avenue, commented about the legality of low income housing in Coronado.

Mayor Smisek closed the public hearing.

MSUC **(Downey/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CORONADO AND CORONADO INTERFAITH HOUSING CORPORATION AND AUTHORIZING THE AGENCY'S EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS IN CONNECTION THEREWITH. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8121.**

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

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, gave a brief with Richard Ledford to John Chalker on the tunnel project, and attended an MTS Board meeting where they have begun a series of public workshops that will look at the comprehensive operational analysis for restructuring the entire system. There will be a public workshop at Golden Hall on March 2 and another public workshop in El Cajon. Coronado was to lose the 904 route, but at this point it will be maintained from First Street to City Hall. The section from City Hall to the Cays is proposed to be eliminated. He attended a SANDAG Board Special Meeting with the State Legislators on the Governor's bond issue. He attended the Southwestern College Gala for their scholarship fund at Loews, met with Mayor Smisek and other members to present the plaque at Centennial Park honoring the three persons who were instrumental in the park being developed. He attended an ASAP 21 regarding the airport site selection process, and a Chamber meeting to hear Mary Sessom, the former Mayor of Lemon Grove, speak on the same subject. He attended the Pam Willis retirement party and a Transportation Committee meeting at SANDAG.

Councilmember Tanaka met with Joe Ditler of the Coronado Historical Association and Visitors Center, attended the Chamber Board meeting to hear Mary Sessom speak on the Airport Authority's direction, Pam Willis' retirement party, a Fire Dispatch JPA meeting, and met with Doug Metz of the School Board.

Councilmember Tierney reported on meetings of the Metro Wastewater JPA, a SANDAG meeting with Councilmember Monroe with government representatives, a League of California Cities meeting regarding telecommunications and new technology, a Metro Tac meeting with Scott Huth, and Pam Willis' retirement party.

Councilmember Downey attended the SANDAG Regional Planning Committee as the Primary South Bay member, a subgroup of the Regional Environmental Mitigation Committee, a meeting of the Chamber of Commerce Military Ball Committee, Pam Willis' retirement ceremony, announced that her business office is moving to 1313 Ynez Place, attended the Centennial Park dedication ceremony, and a SANDAG subcommittee meeting on MAGLEV transportation.

Mayor Smisek attended with the City Manager, Assistant City Manager and staff to watch Chief Crook honor the younger brother of the boy buried in the sand, dedicated the plaque at Centennial Park to three ladies – Patty Schmidt, Sally Krummenacher and Wendy Longley-Cook, a meeting of the Library Board, met with three levels of government regarding North Grand Caribe Isle to get a land swap, a briefing on the Animal Control Facility, Pam Willis' retirement, attended a conference with Bill Lockyer and Christine Kehoe regarding domestic violence and firearms control where Casey Gwinn is the State Representative leading the Task Force. He also met with representatives from Japan and the Navy to discuss home porting nuclear carriers in Yokosuka, Japan.

11b. <u>Guidance to Staff in Seeking Other than Local Funding for the Transbay Force Main Project.</u> Jim Benson, Director of Engineering and Project Development, provided the staff report. He explained that the Coronado Sewer Master Plan is 43 miles worth of sanitary sewer, 12 sewer pump stations, and the most important part, relating to this project, the 3 million gallons of sewage a day that is pumped across and goes into Metro that ends up in Point Loma. This is done via the Transbay sanitary sewer force main pipeline that runs from the Ferry Landing to Seaport Village. The existing pipe was constructed in 1971 under some federal grants and had a 30-year life expectancy. It is now at 35 years. Some radar and sonar studies were completed a few years ago showing the internal diameter of the pipe to be 19 inches. It was originally 24inches when it was built. It is extremely difficult to determine what the condition of that pipe is, since it runs 24 hours a day and cannot be shut down. There is a great deal of concern over what would happen if it were to fail. There is no back up to that system. A spill would be a disaster of significant proportions. He explained that the City Council had previously seen a presentation having to do with a bore under San Diego Bay and the high-density polyethylene pipe that would go underneath. The biggest issue now is where to locate the pipe for the construction period. City staff is working with the Port to locate a lay down area at Seaport Village. The drilling area would be in essentially the same place as SDG&E's most recent project. The pipes in question would be in excess of 30" in diameter, with enough for two bores. These pipes would be assembled all in one piece. They would come up right at the existing pump station next to Peohe's restaurant. The businesses in that area could potentially experience a major impact. Mr. Benson discussed the various options for getting the pipe laid out and then put in place.

The schedule is very aggressive. The plan is to complete the environmental work this summer, to design in the fall, and to start construction by January 2007. Staff is currently seeking $3 million, a Federal Energy and Water Bill appropriation. With the representatives in Washington, and given the federal appropriation process, it is extremely unlikely that through the 06/07 appropriation process that federal money would be available in time. Therefore, the City Council is being asked to provide direction to continue moving forward on the existing schedule, with the knowledge that the City will, at least in the short term, be using City funds. Staff is also seeking a State Revolving Fund loan which would be an alternative low interest loan to fund the project which would cover some of the costs, but most of the costs would be coming out of the City's Sewer Enterprise Fund.

Councilmember Tierney thinks that information on the project itself seems to be covered, but he is worried that one particular aspect might not have been considered. He thinks the existing pipe needs to be tested to see whether it has a useful shelf life. If it doesn't he would like to see State and Federal funding to handle disinfection and removal of the line. It can't simply be capped at both ends and left in place because eventually it will corrode and leak. The City should take that into consideration in the funding requests so there are no surprises.

Mr. Benson reiterated that the City doesn't know the disposition of the current pipe. Testing shuts down the use of the line for approximately 8 hours. Once the new pipes are in place and are operational, then analysis and destructive tests can be performed on the existing pipe. Staff has talked with Parsons Brinkerhoff, although it isn't part of their task, in terms of what the options might be. That is seen as a separate project. It might be possible to come back in and line the existing pipe with some type of liner and turn around and market that liner to anyone who has a need to get under the bay – SDG&E, telephone companies, cable companies, etc. It

might be that reclaimed water can be run through it. If the pipe is in such condition that it is determined not to be of any use to anyone, there will be close down procedures. It would probably be cleaned up, filled in, and likely abandoned.

Mr. Tierney also thought there should be some discussion about putting fiber optic cable through the new lines. Mr. Benson explained that there is no provision in the new lines for that. The options are two parallel bores of about 30 inches, a larger bore of approximately 70 inches with three internal pipes which would have the possibility of additional uses, but which would be considerably more expensive. The least expensive and the best technical alternative coming out of the studies by PB are for two bores, side by side, at about 30" one of which would be primary and the other would be the redundant system. Those are solely for the purpose of getting sewage off of the island and over into the San Diego system. Mr. Tierney asked if the City or the Navy would derive any benefit by having the fiber optics available to them. Mr. Benson explained that is beyond the scope of what he was asked to do. Exploring that type of thing would extend the time period of the project and he doesn't think the City has time to do that. The old pipe does leave room for those kinds of alternatives and staff is pretty sure there is going to be some useful purpose for it.

MSUC **(Downey/Tanaka) moved that the City Council direct staff to proceed to design and construct the replacement Transbay Force Main in the shortest time possible using City funds while continuing to pursue funding from the state or federal government.**

Councilmember Monroe commented that, at this point, there is no top limit. The City doesn't know how much. Is the Council authorizing $5 million, $10 million or $20 million? There need to be reports back to Council. At this point, the motion before the Council is a blank check.

City Manager Mark Ochenduszko explained that the purpose of this item was to share with Council some of the difficult engineering problems that need to be solved and to have the City Council confirm that staff's direction is to move forward with design. Staff will not go forward with bidding this project without Council authorization, and then Council will then also authorize the award of construction. The City Council will have the opportunity of approving the cost of the project prior to the initiation of construction.

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

11c. **Consideration of Site Selection for a New Animal Care Facility and Approval for Use of Temporary Facility Services.** Paul Crook, Chief of Police Services, provided the staff report to Council and the public. He explained that the CDA is moving forward on finalizing a long term agreement with the developer for the construction of an affordable Senior Housing Project at 578 Orange Avenue on the site of the former police station and the current Animal Care Facility. To allow for construction to begin in October 2006, demolition of all current structures, including the Animal Care Facility, must start in August 2006. As part of the Animal Care Facility relocation process the City Manager and staff met and compiled a list of 29 potential locations. After careful review and consideration, the list was reduced to the top six sites for evaluation. They were the: 1) Police Department Emergency Operations Center; 2)

Police Department Sally Port; 3) Coronado Cays – next to the Fire Station; 4) Coronado Cays – next to tennis courts; 5) Senior Center and lawn area – center moved to new Senior Housing Project; and, 6) NAB City-owned parking site. The City Council accepted the list of six potential sites for further study at its meeting of April 19, 2005 and directed staff to obtain a consultant to help with space planning and site analysis. Davy Architecture and George Miers & Associates were selected as co-consultants and were confirmed at the Council meeting of August 2, 2005. At that meeting the Council directed staff to form an analysis committee to be chaired by Councilmember Tanaka. Other members included the City Manager, City staff, Admiral Guy Zeller, and PAWS representative Janice Szumowski. The Committee met at the EOC on three occasions. The meetings were open to the public. At the last meeting the Committee was to evaluate the six sites to finalize a recommendation for Council. At this meeting it was confirmed that the City owned property at Mullinex and Glorietta Boulevard, and it was confirmed that the City owned the property and it was available for consideration, was the preferred site. During the Committee's assessment it was determined that a facility of approximately 3,000 square feet would be needed to replace the current facility of 1,800 square feet in order to bring it up to modern standards and maintain the current level of service. Specific features and the design of the building were not determined in this preliminary process, however, the Committee did review the necessity of certain features such as sanitation, lighting, HVAC, medical, grooming, and socialization areas. The Committee then tackled the issue of site locations. In doing so, five elements were considered: acceptable land use, compatibility with surrounding uses, sufficient facility size, City ownership or control, and selecting a site that does not require cumbersome permitting requirements. The Committee then evaluated the pros and cons of each site. It is important to note that the advantage and disadvantages voiced were not evaluated and determined to be accurate by the Committee. There may have also been other pros and cons that were not developed. The Council may note that a lack of consistency exists in the pros and cons developed for each site. It was basically a brainstorming process.

Chief Crook went on to review the pros and cons for each site. They are as follows:

<u>SALLY PORT SITE</u>

PROS:

- Remains in the Village
- Close to the Police Department
- Possible reduced cost
- Most components could fit
- Animals brought in using the sally port

CONS:

- Size not ideal
- Layout not ideal
- Access issues for public: front/alley
- Relocates PD functions, increasing costs
- Low profile and visibility
- Disruption to policing and aesthetics
- Sirens/Police movement
- Serious cost unknowns
- Little opportunity to expand

EOC SITE

Pros:

- City owns the property, limited restrictions on use
- A full program can be run from this site
- In the Village and next door to PD

Cons:

- Construction unknowns – load capacity of slab
- A tight fit; no room for expansion
- Would require a modified program
- Require moving EOC to another location, increasing overall cost of project
- Some outdoor area, but not abundant
- Tampering with existing building, borings, etc.
- Disruption to policing and aesthetics
- Sirens/Police movement
- Cost to demolish EOC; waste
- High "central facilities" standards for public safety EOC function
- Remodeling "hidden expenses"
- Serious cost unknowns
- Overall, both PD sites are a compromise for all involved

It is important to note that the architect indicated that the use of this facility may require building expansion that could possibly involve intruding into the front and side yard setbacks of the EOC.

NAB SITE

Pros:

- Mid-point between Village and Cays
- Easy access from bike path
- Can build from scratch with no impact to residents

Cons:

- Ownership: too many unknowns
- Very narrow parcel; odd dimensions
- Land not zoned for this use; might need a Coastal Commission plan amendment
- Odd location for users
- Ingress & egress issues
- Timely construction?
- Navy implications
- Air quality
- Noise pollution
- Dog walking issues/runaway animals
- Outdoor issues in general
- Safety issues – traffic accidents

Recent staff review of property ownership after the meeting seems to confirm that the majority of all this vacant property footprint is City owned property.

CAYS PARK SITE

Originally, there were two locations being looked at. One is outlined below and the other would have been off to the back of the Fire Station. It would have been between the Fire Station and tennis courts. The two locations were combined and the one site to the west side of the Fire Station was evaluated.

Pros:
- Few restraints in terms of space and programming
- Already has a dog run
- Close proximity to parking

Cons:
- Far from Village for employees, service, volunteers, adoption
- Not wanted by Cays residents
- Political fallout

SENIOR CENTER SITE

Pros:
- Could be combined with seniors and lawn bowling
- Possibility of moving lawn bowling to Tidelands site?
- Close to Police Department
- More centrally located

Cons:
- Existing bowling green, Senior Center, Library
- Difficulty in conforming with all the restraints
- Historic site requirements
- Difficulty in determining square footage requirements with possible sharing arrangements
- Harder to operate open air dog run; outdoor issues; limits open air operations
- Vehicle access issues, especially with joint usage
- Loss of green space
- Upstairs/downstairs
- Political fallout

MULLINEX SITE

Pros:
- Less of a noise issue due to high ambient noise
- Open site with few, if any, restrictions
- Site is already buffered to some extent by trees and a small triangular park
- Areas for open space and well-situated next to Tidelands – green space, exercise
- Foot traffic – better for adoption

- Fewest conflicts with other groups or issues
- Not destroying or knocking things down
- Path of least resistance

Cons:

- CEQA issues: view of Tidelands Park for some nearby residents

As the Mullinex site was identified late in the process, adjacent property owners did not have the opportunity to participate in the Committee's discussion. Therefore, property owners within 300' of the site were invited to an information discussion on January 5. The purpose of the meeting was to listen to the concerns of residents and discuss the proposal's features and design. One of the biggest challenges the Committee faced was that none of the sites were idea. Each site, even the Mullinex site, has drawbacks, however, the Committee felt that the Mullinex site was the most advantageous of the sites and had the fewest negatives of the sites considered. It is important to note that the architects have advised staff that the issues that may be objected to by nearby property owners such as parking, traffic, noise, odor and appearance of the facility, may be remedied through proper design. It was determined by the architect that all of the reviewed sites could meet minimum needs. However, the two areas at the Police Department building would require substantial retrofitting and additional cost to convert either of these sites to the type of use to require the relocating of the EOC. It was the Committee's conclusion and recommendation that the Mullinex site best met the criteria. The site is of sufficient size to provide for the facility and off street parking, is separated from residents by Glorietta Boulevard, and could be screened from residential view and is surrounded by a large, active park. Two secondary sites were also identified in the event that the Mullinex site is not selected. One would be the Police EOC and secondly the Coronado Cays Park west of the Cays Fire Station.

It is also obvious that a new structure cannot be designed and constructed prior to the demolition of the existing structure. Therefore, alternatives for consideration of a temporary structure are: 1) construct a temporary structure, such as a modular unit, at a site in Coronado; 2) contract out animal care services to a local veterinary office; or 3) contract for interim animal care facility services from another agency within the region. In addition, Council may want to select an alternative site for permanent relocation of the Animal Care Facility or direct staff to contract with another agency for permanent animal care services outside the City of Coronado.

The recommendation to City Council is: 1) approve the Committee's recommendation that the Mullinex Drive site be identified as the location for the permanent animal care facility; and 2) direct staff to return with a recommendation for obtaining an agreement with another agency to provide animal care facility services during the design and construction of the new Coronado facility.

Councilmember Monroe asked about the constraints of the other sites, specifically with respect to the lawn bowling site and a difficulty in conforming with all the restraints. Chief Crook explained that there are other groups that are looking at that right now and are attempting to come back to the Council with a recommendation to retain the lawn bowling area as a lawn bowling area. Mr. Tanaka added that there is an existing Senior Center that would need to become a two-story building with one floor for the Senior Center and the other for Animal Control. There are two other constraints. One is what to do about lawn bowling. The other is that this would be right next to the library.

Mr. Monroe moved on to the EOC site. On the pro side it was stated that it could accommodate a full program. On the con side it was said that it would need to be a modified program. Chief Crook amplified by saying that a full program could be put in, but it would be a compacted program and would not have the size the City would really like to have.

Councilmember Tanaka provided further explanation on the deliberative process. He reviewed the existing facility, the needs assessment and the development of the pros and cons for each site. He said the Mullinex site became the preferred site because it had the fewest constraints.

Mayor Smisek opened public comment.

David Fairbank, 374 Glorietta Boulevard, spoke against the Mullinex Drive location. Public park land shouldn't be turned over to some other, non-park purpose.

Joe Hadzicki, 379 Escondido Lane, spoke against the Mullinex Drive location. He read from the City of Coronado General Plan that states that open space is important for recreation, preservation and enhancement of aesthetic view sheds and the preservation and management of natural resources.

John Kerley, 350 Glorietta Boulevard, spoke against the Mullinex Drive location. The zoning would have to be changed. It is not compatible with surrounding uses. It is adjacent to the high tide line. It would likely require permission from the Port Authority. This is too close to where the tunnel would go through.

Phillip Marston, 688 Margarita Avenue, formerly of 360 Glorietta Boulevard, spoke against the Mullinex Drive location. That area is one of the most popular areas in the park for families to have picnics because it is sheltered. It is part of the park and is used as part of the park. It also goes against the City's Strategic Plan. He read from it, "the little open space that remains should be fully protected."

Steve Duermeier, 318 Glorietta Place, spoke against the Mullinex Drive location and suggested that Council consider another location. This particular site is the prettiest site in the park. He would hate to see anything happen to that stretch of land.

John Grover, 87 Antigua Court, suggested that the City should reconsider the Coronado Cays area. That part of that park really isn't utilized by a great number of people. He thinks it would be a good compromise.

Monica Larson, 385 Escondido Lane, spoke against Mullinex Drive location. She provided Council with letters from over 25 residents asking the Council to vote no on this location. This is more than a "not in my backyard" issue.

Bob Geilenfeldt, 354 Glorietta Boulevard, provided a correction to the cons at Mullinex Drive and spoke against locating the facility there. One would be an increase in the over-the-bridge pet dumping. This is a real problem and the facility located there would be like a billboard. Another con would be in-house pet services. Tidelands Park has a restriction on pet walking that hasn't even been discussed. He recommended a site on First Street, 1395 First Street, instead that already has the infrastructure in place.

Pam Hollinger, 415 Alameda Boulevard, asked for reconsideration. She is not in favor of using the Mullinex Drive site. That area should be saved for the people.

Pat Rauber, 903 First Street, spoke about the incredible noise in that area and that it would be very noisy for the animals.

Wendy Kadis, 342 Glorietta Boulevard, wants the City to keep the open space.

Gloria Johnson, 360 Glorietta Boulevard, is not in favor of staff's recommendation and asked what effect this will have on property value and if this project will open the door to other projects. She wondered how the project is being funded.

Kiersten Hadzicki, 379 Escondido Lane, doesn't think it is in the spirit of the law regarding open space. It is in the Tidelands Overlay Zone which requires a vote of the people to change it. She has learned that the City can do this with a major SUP. That isn't in keeping with the spirit of the law.

Rick Rauber, 903 First Street, spoke about conformance with the comprehensive plan, especially the land use element, the open space plan and the noise element. These are all in conflict with the location of a pet facility in that area. The zoning ordinance is almost as clear. It is zoned open space. There is almost nothing in open space that ever could be construed to allow a pet facility, even with a Major SUP.

Wilhemina Walker, 364 Glorietta Boulevard, said she does not favor the location of the animal facility at Tidelands Park. The Park is a recreational area and should remain so.

The Mayor closed public comment and announced a short recess at 5:12 p.m.

The Council resumed the regular session at 5:17 p.m.

Mayor Smisek began by reminding the Council that there are two issues to decide. One is the selection of a site for a permanent animal control facility, and the second is what to do for a temporary facility.

Mayor Smisek commented that there has to be a set of criteria for site selection before you start letting the facility itself drive the selection. Zoning is extremely important. The last few years the City has been through so many different iterations of trying to get homes a little smaller. The Specific Plan for the Downtown was completed. Building height is down. Everything has been done in an attempt to preserve Coronado, keep it smaller and not let it get overgrown and built out. The preservation of parkland is paramount. He doesn't think Mullinex Drive is the right selection. He recommended that this be sent back for further review with the elimination of any parkland from the list. He would like to see further examination given to the A Avenue extension, to the Senior Center site, and to the Cays Park. That is parkland, but it is where the Fire Station is and there could be a way to build it where it does not infringe on the park. With all those potential sites there would be a need to get the affected group of people on board with the idea. He commends Mr. Tanaka and the Committee for the work they did on this and they have successfully narrowed the field. Mayor Smisek stated that he is adamantly against the use of the Mullinex Drive site because of the park issue.

Councilmember Downey said she was pleased that Mayor Smisek brought up the idea of criteria. Her Environmental Mitigation Program Committee had to do exactly that when they had to look at 25 requests for money. The way they did it was to first have the group figure out what the criteria is and then figure out the weight of the criteria. The Mullinex site appears to have many reasons it wouldn't be chosen, but she would rather send this back to the committee, let them develop the criteria and the proper weighting and then reevaluate the potential sites. She pointed out that much of that work is already done, but it just needs to be charted and weighted.

Councilmember Tanaka commented that they did have criteria and the bottom line is that the Committee was given six sites. A further clarification of the criteria will not change the essence of the problem. The truth is that this is a facility that most people don't want in their neighborhood. The reality is that the Site Committee did what it was asked to do. The cardinal sin of the process is that the Committee was given a seventh site. That site was very clearly the best site to the Committee. This is a political judgment. He reiterated that it is clear what the recommendation is and why. He doesn't think it should be sent back to the Committee. He took an oath to the whole City, not to one neighborhood. Objectively the Committee thinks this is the best site. This isn't an easy choice. The same outcome will exist with whatever site is chosen. Referring this to staff is fine but Mr. Tanaka reminded everyone that the committee consisted of the City Manager, the Assistant City Manager, the Director of Engineering, the Police Chief and the Director of Community Development. The only other thing that can be done would be to revet other sites that may have been passed over.

Councilmember Tierney thinks that Mr. Tanaka has summarized what will happen. He feels very strongly that no one site is perfect; and that most of the people he has come in contact with do not oppose the Mullinex site. No one wants to impose this kind of change, but the facility will be sound proofed; properly landscaped, etc. The same types of comments were received when the veterinary hospital at 8th and Orange was proposed. There haven't been any complaints. He said he was not in favor of sending this back for reevaluation. The Mullinex site will be acceptable if the City works very closely with the neighbors. He feels strongly that Council should move on and settle the issue.

Mayor Smisek does not think the wrong decision is the best way to go.

Councilmember Monroe thanked Mayor Smisek for his comments. He agreed that moving into a park is sort of like cutting into the median on Orange Avenue. The Mullinex Drive area is used extensively. Eight of the last nine times he has come over the bridge he has looked there and seen people in the area. The City talks a lot about open space, but this is also in the Tidelands Overlay Zone. The Overlay Zone is much more restrictive and it contains the phrase that gives the Overlay Zone precedence over any underlying zone that may be involved there. It would be very hard for him to see where this kind of a use is appropriate in the Tidelands Overlay Zone. Mr. Monroe wanted to make it clear that he supports PAWS and is in favor of an adequate animal care facility. It is very important that the City get one up and running quickly. He appreciates the Committee's work in sizing to 3,000 square feet. The idea is to size this facility for 6 dogs and 20 cats. 80% of the time or more there will be ample facilities. He agrees that he doesn't know why the First and A area was taken off the list. Part of his recommendation is to put that location back on the list. That area is zoned for civic use. There would be no change in zoning to put this there. Certainly there will be another group of neighbors who would come in then. If the Council decides to violate open space zoning, he is in favor of the Bowling Green area rather than Mullinex Park. The bowling green area has been out of commission for some

time as a lay down area for the library project. He was told that the dimensions are 120' x 120'. A 60' x 60' space would give 3,600 square feet. He said that in any instance more information is needed. The list of sites needs to be pared down and then more information gathered. He would like to see a preliminary sketch as to how the footprint would fit on a given site. He would like to get a preliminary cost estimate for each of the different sites. He has heard some general statements made about the EOC room. He hasn't heard any costs associated with those statements. Perhaps there could be a new list of three or four sites. His preference would be to look at the EOC, the Senior Center area and the First Street site. They could be foot printed and costed out. He would also like to come up with a valid list of pros and cons. He thought that the statement in the staff report, "It is important to note that the advantages and disadvantages voiced by the public during the meetings were not evaluated or determined to be accurate by the Committee…" is of concern. He thought they might listen to the public comments and then come to Council with a valid, accurate list of pros and cons for all the different sites. This list of pros and cons can be very misleading.

MSC (Monroe/Smisek) moved that the City Council eliminate the Mullinex site from consideration for the Animal Care Facility

Councilmember Downey said she would probably tend to not want the Mullinex site on the list but she doesn't like the idea of taking something off in the middle of it. She really would like a weighted set of criteria. The Committee came up with this as the best option. She doesn't want to take it off the table until the process is complete. She is concerned about the park space and doesn't think she wants to put the facility on the Mullinex site but she wants to have reviewable, understandable criteria for the public. This is a political decision. The City needs to be able to go back to the public and point out the criteria and why the decision was made the way it was.

Mayor Smisek commented that he and Mr. Monroe are talking about a piece of property that is so valuable to the whole ideal that exists in Coronado that there isn't any way, regardless of criteria, that would be acceptable. There will always be a lot of subjectivity to this. He would like to have a revised list decided on by Council to give the Committee for further review and not go through the whole list all over again. He thinks it would be a waste of time to send the Mullinex site back.

Ms. Downey is not ready to say all parkland, ever. She would not vote for Mullinex either. Cost estimates would be a good criterion.

Mr. Monroe agreed with Ms. Downey. He thinks there are enough viable sites left that, with good study, the Council will come to a good decision. He hopes the Council will come to a 5-0 decision. He thinks the worst thing that could happen on this would be a 3-2 decision.

Mr. Tierney would like to see the site kept in there because the evaluation process may change and may allow the Council to look at that. Other parks are being looked at. Parks are parks. Green is green. What makes one park more sacred than another park? They need to be looked at fairly, with the same evaluation system. Mr. Tierney asked Peter Fait if the Tidelands Overlay precludes discussion of this particular area in that it cannot be used because it is in the Tidelands Overlay area. Is it even in the Overlay area because it is City owned property?

Mayor Smisek explained that it isn't that easy to answer that question. The difference is that the area in the Tidelands was intended to be much more commercialized by the Port District. The

City has fought for years to keep things like that. There are differences and those are the kinds of things that need to be looked at before getting as far as this has gone.

Mr. Tierney commented that he is not pleased that he asked a technical question of staff and rather than receive the answer to the question, received a political answer from Mayor Smisek.

Mr. Tanaka thinks that, as difficult as the answer is, the process is fairly simple. There needs to be a process of elimination. If the site is to some degree viable, it shouldn't be eliminated. Time doesn't need to be wasted on dead ends.

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

Mayor Smisek announced that, for the next portion of adding sites, he has been advised by the City Attorney, because of his ownership of property near the A Avenue extension that would be a difficult one for him to participate in. He requested that Council talk about the other sites besides that one at this point, then if Council wants to pursue that, he will step out and let Council vote on whether to include that site.

Mr. Monroe requested that the Senior Center/Bowling area be included. He thinks there is room in the back to build a facility without disturbing the Senior Center. There are entrances from 7th or from D.

Ms. Downey agreed that the Senior Center location should be on the list but she doesn't want to limit how it would be done.

Mr. Tanaka thinks that the staff report prepared the Council to make a decision on the Mullinex site. He doesn't think it has prepared them to make a decision on any of the other sites. He strongly urged the Council to stop at this point and give staff a little more time. The Council will make a more prudent decision if it waits. The decision has been made about the Committee's recommendation and the Mullinex site. He wouldn't go any further than that tonight.

Mayor Smisek asked Mr. Tanaka if he feels that there are any of the remaining sites that absolutely don't have a chance.

Mr. Tanaka responded by saying that the only site he would eliminate completely is the Police Department Sally Port. It won't even really meet the minimum needs.

Mr. Monroe said he could certainly take the sally port off, but before the subject is closed he would like Mayor Smisek to be excused. The First Street site at the end of A is already zoned civic use and he really would like to consider having it added to the list.

Mayor Smisek commented that part of what he would like to see is that there was a larger list initially. Perhaps the sally port site could be eliminated and then staff and the committee could go back and review the list after what they have heard tonight to see if they want to add any of those to the list.

Mr. Tanaka thinks that is a great approach. He couldn't answer the question as to why that particular site was eliminated previously because it was done in a staff review. It is true, if the Council wants to be thorough and fair, it should go back to the list of 29 to make sure there aren't some other sites that need reconsideration.

MSUC **(Tanaka/Monroe) moved that the City Council eliminate the sally port from further consideration for the location of the Animal Care Facility**

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

M **(Tierney) moved that the City Council remove the EOC from further consideration for the location of the Animal Care Facility**

The motion died for lack of a second.

MSUC **(Monroe/Downey) moved that the City Council direct that the list be sent back to the Committee to review and add sites in Coronado that they feel are worthy of consideration.**

Mr. Tanaka thinks that Council should direct that the Committee not make any decisions but add its input. Anything the Committee decides is going to be opposed by whoever the constituency is of the recommendation.

Ms. Downey would feel better if she has criteria she could point to. There are criteria used to make these calls.

Mr. Tanaka is sure the Committee would be happy to work on that, with the help of staff.

Mr. Monroe agreed that needs to be done.

Mayor Smisek reiterated that there is not an easy answer here. He understands because he has served on these committees before. He appreciates their hard work and staff's hard work. This is the most prudent way to do this. It is the Council's responsibility to make those final decisions and yet there is no requirement that there be any kind of timeline. He thinks this is a good start in doing it the right way.

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

Mr. Tanaka commented that he does not see any way around contracting out for temporary services.

Mr. Tierney advised that the Humane Society on Sherman Street is no longer being utilized by the Humane Society since they have moved into new facilities. The San Diego Police

Department is currently using it on a temporary basis. They have some kennel space but he doesn't know how much. He doesn't believe they are using the whole facility.

City Manager Mark Ochenduszko explained that the City can certainly look into that, but he knows that the facility in question was sub standard. In fact, that is why the Humane Society was unhappy with the facility. It would also require the City to staff the facility which would increase costs over current operations, whereas if the City contracted with someone who already has a facility, all the City has to do is contract with them to maintain the facility and the City can continue to provide field services in Coronado. He sees this as a more cost effective solution.

Mr. Monroe added that it could be three, four or five years until the City cuts the ribbon on the new Animal Care Facility. He doesn't know how many other people had the same impression that he did that this would happen in a year's time. He doesn't want there to be any false expectations out there. There already has been a decision to demolish the existing facility before October of this year.

Mr. Tierney commented that it's ironic that two years ago he presented the City Council with the concept that the City was not going to be able to have an animal care facility there was told by the Council that he didn't have to worry about it. Now there is a time line that should have been paid attention to.

MSC **(Tanaka/Monroe) moved that the City Council direct staff to begin the process of finding an outside agency to contract out Temporary Animal Control services**

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

12. <u>CITY ATTORNEY:</u> No report.

13. <u>COMMUNICATIONS - WRITTEN:</u> None.

The City Council recessed to Closed Session at 6:30 p.m.

14. <u>CLOSED SESSION:</u>

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 City Council resumed the regular meeting at 8:45 p.m. .

City Attorney Morgan Foley reported that there was no action taken by the City Council.

15. <u>ADJOURNMENT:</u> The meeting was adjourned at 8:46 p.m.

Approved:

_____
Tom Smisek, Mayor
City of Coronado

Attest:

_____
Linda K. Hascup
City Clerk