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, May 18, 2004, 3:00 p.m.

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

1. ROLL CALL:

Present: Councilmembers Monroe, Schmidt, Tanaka, Tierney and Mayor Smisek

Absent: None

Also Present: City Manager Mark Ochenduszko
City Attorney Morgan Foley
City Clerk Diane Shea

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.** Pastor Gary Boggs gave the invocation and Mayor Smisek led the invocation.

3. MINUTES: The minutes of the Regular Meeting of May 4, 2004, a copy having been provided Council prior to the meeting, were approved as submitted. The reading of the minutes in their entirety was unanimously waived.

MSUC **(Schmidt/Tanaka) moved that the City Council approve the minutes of the Regular Meeting of May 4, 2004, as submitted**

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

4. CEREMONIAL PRESENTATIONS:

4a. Proclamation: National Public Works Week. Mayor Smisek presented the proclamation to Public Services Director Scott Huth, and department representatives Kim Godby, Ricky Fernandez and Ben Adams.

5. <u>CONSENT CALENDAR:</u> The City Council approved, adopted and/or accepted as one item of business Consent Agenda Items 5a, 5b, 5d through 5f, and Item 11b.

MSUC **(Schmidt/Tanaka) moved that the City Council approve the Consent Calendar Items 5a, 5b, 5d through 5f, and Item 11b – Consideration of Disbanding the Citizens Advisory Board and the Emergency Preparedness Board**

AYES: **Monroe, Schmidt, 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. 10035952 through 10036195, as audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

5c. <u>Approval and Acceptance of the Ocean Boulevard Sewer Main and Storm Drain Diverters Project</u>. This item was continued to a subsequent City Council meeting.

5d. <u>Recommendation from the Traffic Operations Committee Regarding a Request to Install a Thirty-Foot Section of Red Curb on Orange Avenue at the Northeast Corner of Orange Avenue and Third Street.</u> The intersection of Orange Avenue and Third Street is the second most traversed intersection in the City with average daily traffic (ADT) of 55,200 vehicles (Orange Avenue/Fourth Street is the most traversed with an ADT of 62,400 vehicles.) Both Third Street and Orange Avenue are designated truck routes and, as a result, many inbound trucks to Coronado appear at this intersection. Many of those inbound trucks are headed for Gate 2 of NASNI (at the west end of First Street, also a designated truck route) and this requires a right-hand turn from Third Street onto Orange Avenue. The radius of the curb return at the northeast corner of Orange/Third is less than 20' which requires trucks to pull into the #1 lane of northbound Orange Avenue to execute the turn without having the trailer axel mount the curb return. At present, there is a 30' open curb space just north of the northeast corner of Orange/Third and south of the hotel driveway providing one parking space. When a vehicle is parked in this space, trucks with maximum legal length trailers making a right-hand turn onto Orange Avenue often mount the median curb with the front wheel of the tractor usually damaging the irrigation heads and tearing up turf. The Parks Division finds they repair or replace the affected irrigation heads and turf on a regular basis. To minimize the amount of maintenance required at this location the TOC recommended that the existing 30' open curb space adjacent to the hotel be converted to a no parking red curb zone; this will result in a loss of one parking space.

The City Council approved A RESOLUTION DESIGNATING A RED NO PARKING CURB ZONE AT THE NORTH EAST CORNER OF ORANGE AVENUE AND THIRD STREET. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 7987.

5e. Approval of a Resolution Temporarily Suspending or Modifying Chapter 40.48 of the Coronado Municipal Code as it Relates to Public Rights of Way for Parade on July 5, 2004. Suspension of Section 40.48.012 C of Chapter 40.48 of the CMC for the specified date and time will permit the public to place items normally prohibited from the public right of way (chairs, canopies, etc.) in the center median and along the curb from 5:00 a.m. to 1:00 p.m. on July 5th. The Police Department proposed the current ordinance with this capability in mind and Council has routinely suspended these Sections in the past. If Council chooses not to suspend or modify the Chapter, the Police Department will enforce this section of the ordinance based on non-compliance with warnings and its ability to respond to complaints during an extremely busy time period. This report is consistent with the recommendation of the Police Department last year as there were no problems noted. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO TO SUSPEND SECTION 40.48.012 C OF CHAPTER 40.48 OF THE CORONADO MUNICIPAL CODE TO ACCOMMODATE PUBLIC VIEWING OF THE INDEPENDENCE DAY PARADE. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 7988.**

5f. Request for Approval of a One Lot Final Subdivision Map for Subsequent Conversion of a 6 Unit Apartment to Condominiums Addressed as 721-727 ½ D Avenue and Located in the R-3 (Multiple Family Residential) Zone (PC 1-04 721 D Coronado Inc.) The Final Map is in substantial compliance with the previously approved Tentative Map. The project complies with the State Map Act and the Coronado Subdivision Ordinance excluding exceptions granted at the Tentative Map stage in terms of parking, density, and storage requirements. The final map has been tentatively approved by the Engineering and Project Development Department.

The improvements and conditions required by the City Council at the time the Tentative Map was approved will be incorporated into a secured improvement agreement. This agreement will be recorded and will run with the land. All public improvements and conditions will need to be fulfilled prior to the building permit being finaled and occupancy permitted.

Section 82.54.130 "A" of the City's Subdivision Ordinance requires Final Subdivision Maps to be specifically placed on the City Council's agenda as a consent calendar item. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING A ONE LOT FINAL SUBDIVISION MAP FOR THE SUBSEQUENT CONVERSION OF 6 EXISTING APARTMENTS TO CONDOMINIUMS ADDRESSED AS 721-727 ½ D AVENUE AND LOCATED IN THE R-3 (MULTIPLE FAMILY RESIDENTIAL) ZONE. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 7986.**

6. ORAL COMMUNICATIONS:

a. **Amy Conrad, Public Relations Director, Coronado Historical Association,** reported on activities of the Visitor Center and upcoming events at the Coronado Historical Association.

b. **Page Harrington, 1100 Orange Avenue, Coronado Historical Association,** commented that over the last few years the City of Coronado has seen the loss of many potentially historic homes and many in the community are questioning what will be left when the dust settles. CHA has been working with the Historic Resource Commission on several issues, including the reworking of the demolition permit process. Additionally, Residential Standards Improvement Plan (RSIP) is researching the need to increase the minimum lot size in several areas of town. Both of these groups are in the process of gathering information to bring to Council to address the ongoing concerns of the mansionization of Coronado. It is their hope that the City does not lose any other historic properties while waiting for due process to run its course. The pending sale and thought of losing the home at 1156 Isabella is devastating and has attracted the interests of preservationists throughout the state, including SOHO. CHA hopes that Council will either pass an emergency ordinance to increase the minimum lot size on the Ocean Boulevard corridor or issue a 120 day moratorium on demolition permits on the Ocean Boulevard corridor. CHA feels that both options are conservative in nature and will allow enough time for both due process and public comment.

c. **Gerry MacCartee, 836 B Avenue,** serves as Vice Chair of Historic Resource Commission, but spoke as a private citizen. She believes the City has reached a cross roads with the struggle to preserve the unique character of Coronado and the responsibility to do so for future generations must now be weighed against the rampant loss of the City's architectural heritage and with that, the past of Coronado itself. There are homes in Coronado that define who we are, that set us apart from other communities. To lose them is to lose the very thing that most of us love about our island. Its specialness; its fabled history; the enchanted place. In addition to the destruction of these treasures, at the same time, the City loses its space, its light, its greenery as these lots are subdivided and buildings cover every available square foot. Somewhere between the rights of property owners to demolish and the responsibility of the City to protect its historic resources lies a ground of compromise that everyone can rest on. Both CHA and the Historic Resource Commission are sending a list of demolition guidelines to the City Council which at the most would buy everyone some time to find an alternative to this destruction. She asked Council to remember how successful they have been in the past with these efforts. When time is lost, people are blindsided as the City was by the destruction of the home on the corner of Tolita and E – gone overnight, gone with its trees and its grounds, gone with its history, another piece of Coronado gone forever. She asked that Council remember that they are all here because they are so very fortunate to be so.

d. **Jon Ryan, 101 Ocean Drive,** commented that a total of 21 properties have been recognized by the American Institute of Architects in Coronado. The house at 1156 Isabella is one of those 21 properties. It is a very special house, in a very significant location, by a very important architect. The system in place right now in Coronado

provides no avenue to retain that building at the present time. He would like Council to take that into consideration and hopefully be able to save what is a very significant property.

e. **Troy Limberly, 2004 Fairest of the Fair,** talked about this year's San Diego County Fair which will open on June 11th and run through July 5th. This year's theme is "Seuss Centennial Celebration."

f. **Stan Searfus, 1420 4th Street, Coronado Navy Swim Association Board member,** explained that CNSA has had some problems in the past and the Board is working very hard to get the CNSA Corporation back on its feet. They have met with the Aquatics Director and the Recreation Department and they have a list of requirements that they are taking care of to get their kids back in the water.

g. **Mona Wilson, 60 Half Moon Bend,** knows that everyone is on the same page with respect to the historic property being discussed today. The previous speakers have pointed out the dangers that exist with this. The City Council must lead. She is asking for a temporary stay for 60 to 90 days on all residential permits for demolition on any property that is older than 75 years old. It is not geographic in age.

h. **Jonathan Hardy, representative for Congresswoman Denise Ducheny,** formally invited Council to a Town Hall meeting that the Senator is hosting this Saturday, May 22nd from 10 a.m. to 12:00 p.m. at Southwestern Community College dealing with the budget. Coronado residents are also welcome to attend.

i. **Daphne Brown, 326 First Street,** commented that this Council, this community, have had warnings and have ignored them. The City's finest historic homes are not safe. If this happens, the City will lose one of the most imposing, finest, Irving Gill's in San Diego County and perhaps all of Southern California. This must be placed on the agenda for the next meeting. She asked that Council please think very hard and carefully what can be done to put a moratorium in place to save this home and others.

j. **Mayor Smisek** commented that he met with Mr. O'Brien yesterday and City staff is already rolling on this issue. Mr. Pena has already done some research on what the possibilities are. Mr. Ochenduszko and Mr. Foley have already been discussing the different possibilities. This issue will be addressed in a very expeditious manner.

j. **Councilmember Tanaka** inquired as to Brown Act provisions that allow certain emergency actions to be taken at a Council meeting. He would like Council to take action on this as soon as possible, even if it needs to be at a Special Meeting

k. **City Attorney Morgan Foley** explained that Council member Tanaka is referring to emergency measures, where one could add something to an agenda that requires or mandates action before the next meeting could be scheduled. The next regular Council meeting would be June 1st, but Council can schedule a Special Meeting on 24 hours notice. Right now staff is still investigating the options available to the City, so it might be that a Special Meeting is better. Staff is looking at a moratorium not on development. There are two ways that urgency measures can be adopted. One is a moratorium on

issuing permits and things like that in order to protect the status quo while a land use decision is pending. It could last up to two years while the City is developing guidelines or trying to develop a planned General Fund amendment or Specific Plan or Zoning Ordinance. The other is a different type of urgency ordinance which could take effect immediately as well. That has to do with protecting public peace and welfare. It is typically used when there are emergencies that require some sort of action.

l. **Councilmember Monroe** commented that he is concerned. He recalled that former Council member Chuck Marks commented that the smart money is found in Coronado because Coronado has the easiest zoning standards of any place in the state. Mr. Monroe thinks that some of those words are coming back to visit today. He indicated to the public that there are other people on the other side of this issue. As they went through the Specific Plan for downtown Orange Avenue there were people who didn't really think about Coronado as a village. They wanted the height limit to four and five stories high on Orange Avenue. He will be meeting with Mike Iverson, who lives in the area, and Tony Pena tomorrow. He is willing to get a group of neighbors together to circulate a petition and start that process towards raising the minimum lot size if possible.

m. **Councilmember Tierney** will be supporting this issue with whatever staff can come up with. He added that the League of California Cities has successfully turned in signatures for the Local Taxpayer Public Safety Protection Act which is slated to be on the November ballot. He reported on Legislative Days in Sacramento where the representatives from the various cities met. He summarized the impacts to the City on revenues that will be lost to the State as part of the new budget.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

8a. **Adoption of an Ordinance Extending Interim Urgency Ordinance No. 1957 by Ten Months and 15 Days to Temporarily Prohibit Condominium, Stock Cooperatives or Common Interest Subdivisions in the R-1A and R-1B Single Family Residential Zones.** Tony Pena, Director of Community Development, introduced this item by saying that this ordinance is being adopted to allow time for staff and City Council to act on a permanent ordinance which will accomplish the objectives set forth in this item today. The first public hearing for the permanent ordinance is scheduled for June 22 before the Planning Commission.

City Attorney Morgan Foley explained that, as with the adoption of the first ordinance, there is a 4/5 vote required to approve the extension of the urgency ordinance.

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

MSUC **(Schmidt/Tanaka) moved that the City Council adopt AN EXTENSION OF INTERIM URGENCY ORDINANCE NO. 1957 OF THE CITY OF CORONADO, ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, FOR A PERIOD OF 10 MONTHS AND 15 DAYS TEMPORARILY PROHIBITING CONDOMINIUM, STOCK COOPERATIVES OR COMMON INTEREST SUBDIVISIONS IN THE R-1A AND R-1B SINGLE FAMILY RESIDENTIAL ZONES. . The Ordinance was read by Title, the reading in its entirety unanimously waived and adopted by Council as ORDINANCE NO. 1959**

AYES: **Monroe, Schmidt, 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. Commissioner Spane notified the Mayor that he was involved in an all day Port meeting and unable to attend the Council meeting. He had nothing of major significance to report to Council today.

11. CITY COUNCIL BUSINESS:

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

Councilmember Tierney was in Sacramento on City business with the League of California Cities. He had meetings with various legislators at the Capital and attended a speech by the Governor. He attended San Diego's "50 Best Mothers' Luncheon". Out of 3,200 entries there were 6 winners from Coronado. They were Susan Bernstein, Laura Hill Hall, Maggie Hennegan, Linda Coleman, Karen Rogers and Martha Torgenson Kiss. Mr. Tierney also attended the Peace Officer Memorial Day in Balboa Park.

Councilmember Monroe attended two meetings of SANDAG – the Transportation Committee meeting and the SANDAG Board meeting. Both were focused on the new TransNet extension. He also attended the Metropolitan Transit System budget workshop and their board meeting. He attended a Federal Transit Association reception.

Councilmember Tanaka attended a Library Board meeting last week, met with Pete Letrenta and David Brienza about Grand Caribe Isle in the Cays, and a Tunnel Commission meeting.

Councilmember Schmidt reported on a Naval Complexes meeting, had a RSIP meeting, and went to the Metropolitan Water Board meeting with Mr. Huth.

Mayor Smisek had his first initial meeting with staff concerning the Golf Course rate structure and bond payment schedules. There will be another follow up meeting with staff before it is presented to the Golf Course Committee. He attended the Library Board meeting and the Navy Complexes meeting. He visited the mixed use project over on First and C with the City Manager and Tony Pena. There was a report from Susan Davis' office that for the first round of the Authorization Bill, there is funding for the 3rd Street Gate for this next year. There are still many steps left to go.

11b. Consideration of Disbanding the Citizens Advisory Board and the Emergency Preparedness Board. The Citizens Advisory Board and the Emergency Preparedness Board are two standing committees that no longer meet and no not provide any input to the City Council. The members' terms have all expired.

The Citizens Advisory Board (not to be confused with the active Citizens Advisory Committee to the Community Development Agency) was formed in 1983 to assist the City Council in making community contacts and evaluating community needs. During the 15 years that the Board was active, the Council assigned issues from time to time for the Board to undertake. The Citizens Advisory Board was last assigned a task in 1998 when it reviewed the visitor promotion program. In 2002, board vacancies were repeatedly advertised with no interest whatsoever and the Board became inactive.

The Emergency Preparedness Board was approved by the Council in 1994 and assisted the City Council in evaluating community needs in emergency preparedness and to organize residents in conjunction with the San Diego Neighborhood Action Plan (SNAP). In 1997, the Fire Department introduced the CERT (Community Emergency Response Team) Program. Over time, the tasks and responsibilities were assumed by the CERT Program under the leadership of the Fire Department. This Board no longer provides input to the Council and all the members' terms have expired. **Under Consent, the City Council disbanded the Citizens Advisory Board and the Emergency Preparedness Board.**

12. CITY ATTORNEY: No report.

13. COMMUNICATIONS - WRITTEN: None.

14. CLOSED SESSION: BOTH CLOSED SESSION ITEMS WERE TAKEN OFF THE AGENDA.

14a. CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS
AUTHORITY: Gov. Code § 54957.6
CITY NEGOTIATORS: Mark Ochenduszko, City Manager; Pam Willis, Assistant City Manager; Leslie Suelter, Director of Administrative Services.
EMPLOYEE ORGANIZATIONS: Coronado Police Officers' Association

14b. CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS
AUTHORITY: Gov. Code § 54957.6
CITY NEGOTIATORS: Mark Ochenduszko, City Manager; Pam Willis, Assistant City Manager; Leslie Suelter, Director of Administrative Services.
EMPLOYEE ORGANIZATIONS: American Federation of State, County and Municipal Employees (AFSCME) Local 127

15. <u>ADJOURNMENT:</u> The meeting was adjourned at 3:49 p.m.

Approved: June 1, 2004

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Tom Smisek, Mayor

Attest:

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L. Diane Shea, CMC
City Clerk