

**MINUTES OF A
SPECIAL MEETING OF THE
CITY OF CORONADO CITY COUNCIL
Coronado Public Library
640 Orange Avenue
Coronado, CA 92118
Tuesday, November 14, 2006**

The meeting was called to order at 11:35 a.m.

1. ROLL CALL:

Present: Councilmembers Downey, Monroe, Tierney
and Mayor Smisek

Absent: Tanaka

Also Present: City Manager Mark Ochenduszk
City Clerk Linda Hascup
Senior Management Analyst Andrew Potter

2. COMMUNICATIONS - ORAL:

Pete Fagan, Council Candidate, suggested some wordsmithing regarding City Navy relations under matters of mutual concern. It almost suggests that whatever the Navy wants to do we would suggest. He suggests that at the end of the sentence add “provided that, or as long as it’s consistent with quality of life for Coronado residents”, basically, balancing the Navy’s needs with the needs of the residents and the community.

Mr. Fagan said it appears the position on public protection under crimes suggests that we should support any legislation that increases gun control. He asked if that was it is intended to say.

Councilmembers Tierney and Downey agreed that they don’t interpret it that way, but maybe there could be further clarification. City Attorney Morgan Foley said it is meant to address things like gun locks and responsibility legislation. Mayor Smisek agreed that it might be worded differently. Councilmember Downey suggested removing the word “limit” to clarify it better.

Mr. Fagan asked if the item regarding concealed weapons permits was meant to give the Police Chief maximum flexibility for local control. Mayor Smisek acknowledged that was the case.

3. CITY COUNCIL BUSINESS:

a. State Legislative Briefing with City's Lobbying firm, Carpi & Clay Government Relations. City Manager Mark Ochendusko introduced Ben Clay, and Erin Gilbert of Carpi & Clay.

Ben Clay provided a general overview of the 2006 political scene in Sacramento.

Erin Gilbert discussed lobbying strategies and the status of issues of particular interest to Coronado.

SB 1206 Redevelopment - In cooperation with City staff Carpi and Clay worked with Senator Kehoe's staff to amend the wording in this legislation to be less damaging to programs such as Coronado's. Through the support of the speaker's staff, Senator Kehoe's staff, and committee staff we were able to ensure the language that was detrimental to Coronado remained out of SB 1206. It is anticipated that there will be additional efforts to amend redevelopment law, especially toward a reduction or elimination of use of eminent domain, which may be introduced this year.

Follow-on to Prop 90 - Proponents of Prop 90 have been discussing another similar proposition for the 2008 ballot. Mayor Smisek commented that there needs to be vigilance that discussions on eminent domain don't turn into negative debates regarding Coronado's redevelopment plan.

State Budget - It is expected that Senator Ducheny will be budget chair this year. The Governor will present his budget on January 10. In March there will be subcommittee budget hearings. The legislature constitutionally is required to pass the budget by June 15th. The state is in a structural deficit by \$5-7 billion and with the passage of \$37 billion in bonds in the November election it should make the budget process rather interesting this year.

Local Control vs. State Control - AB 2987 took away local city control of rights of way and franchising. There is a power play going on between local government and cable service providers. Los Angeles City is expected to introduce some sort of clean up language to the bill. The legislative deadline for introduction of new legislation is around February.

Housing - The League presented about 10 housing issues for the 2007 legislative session. Under housing there is fighting over housing bonds, condo conversions, drugs, eminent domain, school employee housing, density bonus laws, and residential care group home facilities (if there are few residents they are not required to have licensing).

Ben Clay added insight into some other areas:

Airport Authority – Mr. Clay explained that there is a move to strip the Authority of land use authority. The question still exists what to do with airport itself (give it back to port, strip the number of memberships, and/or put it under SANDAG). Senator Peace suggested possibly creating a regional public works agency. The question will come

back to where the community thinks this thing should go. It is public policy for the region. That will be a key issue in the legislature.

Proposition 84 – Clean Water - This creates non-point source money for safe drinking water, flood control and wildlife and forest conservation. Mr. Clay suggested that he would need direction on what the Council wants to do.

Proposition 1B – Port Security Bonds - There may be some opportunities for security and infrastructure funding. The police department may be interested. There may be some opportunity for Coronado to benefit. The main struggle on this is between LA and SF Oakland

PERS - Mr. Clay warned that an eye needs to be kept on the PERS retirement board. There has been a change in makeup of board. How to control cost and who gets what will be something to watch.

Mayor Smisek commented that it has been an informal council policy not to use eminent domain unless it's an emergency. There has been some encouragement lately by members of the community to use it on the movie theater. If the fight starts this next year we want to be out of that. We don't want to be involved if we can avoid it.

Mr. Clay responded that if the legislation proposes to ban the use of eminent domain from all redevelopment agencies the council might want to support having the discretion to use it or not use it. Mr. Ochendusko pointed out that Coronado's CDA plan does not have eminent domain authority.

Councilmember Monroe said it might be good to support making the distinction between local, regional, and state control. There is a lot of support in Sacramento these days to take away local control. He went on to point out that Mr. Clay is not only active in Sacramento, he also sits in with the Tunnel Team for about 80% of the meetings. It is very helpful to have his Sacramento view point of view involved in the process.

b. Review and Update of City's Legislative Policy Guidelines. City Manager Ochendusko noted the legislative guidelines had been circulated in advance of the meeting. The draft changes have been highlighted in the document. He explained that the final draft would go before the Council for approval in December.

Andrew Potter explained the purpose of the guidelines and the fact that they are meant to be broad to encompass a wide variety of issues, but focused enough to give staff direction. He went over the proposed revisions to the policy as outlined in the agenda and opened the floor for further revisions/clarifications.

Councilmember Monroe said he had several items to add. He suggested that the Council prioritize their top 10 items to focus on; items such as the Transbay Sewer Project funding.

Mayor Smisek responded that the purpose of the guidelines is to give broad guidance to staff and is only a table that says what to look at rather than as a guide to look at specific items. The priorities change as time passes or as topics come up.

Mr. Monroe said he could see that; he just wanted to be sure that important issues are not buried in the document. There are four areas in particular:

- 1) Do we want to form a position on the hearing with Senator Kehoe and the airport authority? She is strong on moving this into SANDAG even though they aren't that interested.
- 2) Take a position on Sunrise transmission line from Imperial Valley
- 3) What about the 3rd carrier that is proposed to be coming soon?
- 4) Port expansion planning. There will be a lot of help needed with that. It could take 35,000 trucks off highway between here and LA, but those same trucks will be in Barrio Logan.

Councilmember Downey agreed that those are areas that are important to us but as things change through the year the Council can give more specific direction. She wouldn't want to prioritize the items because it kinds of ebbs and flows.

She said the Council probably should have a discussion about the power line issue, but regarding the port expansion she doesn't think the Council would want to put a dog in that fight. She said we shouldn't be playing in that sandbox.

Mayor Smisek said that one of problems with the airport issue he's been following since the election is that the airport wants to punish the public for turning down their expansion project. He thinks flexibility is the key because there are so many ideas floating around out there and he's not quite sure what our position should be at this point.

Mr. Ochenduszko said that staff is looking at the third carrier issue to determine whether to should recommend a position. The Council may be seeing this question before them.

Mayor Smisek said that individual topics need to be decided on their own merits. The key is to cover general positions on things like energy. The third carrier has so many different ramifications for us. The region could use it, but we have impacts locally. There are many different aspects to that issue.

Mr. Monroe said that Senator Kehoe has her mind made up right now and is having final hearings for input now. She may be open to hear our opinions.

Mr. Clay advised that if he and his associates spot an issue it will be sent down to the City. On the airport bill - once there is an actual bill is the time to take a position. It's coming soon and we'll make sure you get it for your direction.

Al Ovrom, Council Candidate, said it appears that this is a situation where we need to keep our ears open. On the airport issue perhaps there need to be some words to say keep abreast of this issue and recognize that we area interested; not asking for a position but asking for awareness of the issue.

Mr. Monroe agreed that if that is in the document it gives the mayor more freedom to sign letters as well.

Councilmember Tierney said he agrees with what Mr. Ovrom is saying; that way it's listed as a roadmap to show interest.

Mayor Smisek said that under the Transportation section perhaps there should be some recognition that something is going to happen to the airport and Coronado wants to remain involved, similar to the open wording given to the positions regarding the tunnel. An Item 10 could be added discussing monitoring of the regional airport location situation that acknowledges that we want to play.

Mr. Monroe said another item to consider is the attempts in legislation to tie coastal commissioners hands in who they can talk to - anyone who talks to the port commission has to be a registered lobbyist (includes our staff) – ex parte' communication. The League of CA cities strongly opposes that. We should also have something to register our opposition. We should oppose any opposition to restrictions on elected officials or staff ex parte' communication with the Coastal Commission.

Mr. Clay agreed that local government should have the ability to communicate with the Coastal Commission without impacts.

4. **ADJOURNMENT:** The Special City Council meeting adjourned at 12:15 p.m.

Approved: December 5, 2006

Tom Smisek, Mayor

Attest:

Linda K. Hascup
City Clerk