MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF CORONADO
Coronado City Hall
1825 Strand Way
Coronado, CA 92118
Tuesday, October 16, 2007

Mayor Smisek called the meeting to order at 3:01 p.m.

1. ROLL CALL:

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

Absent: None

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE. Wayne Hoffman, Retired Army Chaplain, provided the invocation and Mayor Smisek led the Pledge of Allegiance.

3. MINUTES: Approval of the minutes of the Regular Meeting of October 2, 2007, were approved as amended. The reading of the minutes in their entirety was unanimously waived.

Mayor Smisek advised that the City Council had been provided a copy of the amended minutes in advance of the meeting. Councilmember Downey asked for a correction to reflect her comments regarding the Rotary Park Project so that they would more accurately reflect her comments that, "There would be ample opportunity for the public to participate in further discussions of the design and the amenities/facilities that would be placed in the park and she encouraged the public to participate."

MSUC **(Tanaka/Monroe) moved that the City Council approve minutes of the Regular Meeting of October 2, 2007, a copy having been provided Council prior to the meeting, as amended.**

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

4. CEREMONIAL PRESENTATIONS:

4a. Proclamation: White Cane Days 2007. Mayor Smisek presented the proclamation to members of the Coronado Lion's Club.

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

Councilmember Downey asked, regarding Item 5c, how many City employees had been called to Active Duty with the Armed Forces since 2001. City Manager Mark Ochenduszko responded that there have been four.

Councilmember Monroe mentioned regarding items 5f and 5h, that Ben Clay in Sacramento and Richard Ledford in San Diego have really represented the City well.

MSUC (Downey/Monroe) moved that the City Council approve the Consent Calendar Items 5a through 5i.

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

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

5b. Approval of Warrants. The City Council ratified payment of warrants Nos. 10061083 thru 10061379 audited and approved by the Audit Committee, provided there are sufficient funds on hand.

5c. Adoption of a Resolution Providing for Temporary Partially Paid Military Leave of Absence and Continued Health, Retirement, and Leave Accrual Benefits to City Employees Called to Active Duty with the Armed Forces by the President of the United States to Combat Terrorism. An employee in the Police Department has been notified that he is to report for active duty on November 17, 2007 to begin preparation and training for the assignment. His orders to active are for 400 days, or more than 13 months.

Adoption of the proposed resolution will ensure that the employees' military pay will equal their regular City gross biweekly wage at the time of activation and a continuation of health, retirement and leave accrual benefits until their return to work or June 31, 2009, whichever is earlier. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO PROVIDING FOR ADDITIONAL TEMPORARY, PARTIALLY PAID MILITARY LEAVE OF ABSENCE AND CONTINUED HEALTH, RETIREMENT AND LEAVE ACCRUAL BENEFITS FOR CITY EMPLOYEES CALLED TO ACTIVE DUTY WITH THE ARMED FORCES BY THE PRESIDENT OF THE UNITED STATES TO COMBAT TERRORISM. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8248.**

5d. Award of Contract for the Coronado Cays Main Pump Station Rehab Project. The project was advertised for bidding beginning September 12, 2007 and bids were publicly opened on October 4, 2007 with the following results:

BIDDER	Total
NEWest Construction Company, Inc.	$398,874
Khavari Construction, Inc.	$423,738
Falcon General Engineering, Inc.	$454,849
Zondiros Corporation	$477,389
SCW Contracting Corp.	$535,121
Orion Construction Corporation	$537,420
HPS Mechanical Inc.	$573,817
Weir Construction Corp.	$720,642

Staff evaluated NEWest Construction Company, Inc.'s bid package, insurance, bonding and construction references and determined the contractor to be "responsive." Contracting laws allow the City to award the contract to the lowest responsive bidder, in this case, NEWest Construction Company, Inc. **The City Council awarded a contract to NEWest Construction Company, Inc. in the amount of $397,874 for the construction of the Coronado Cays Main Pump Station Rehabilitation project and approved a construction budget of $450,000. These funds are available in the Capital Improvement Program (CIP) project account number 510781-9862-WWMPCAYS.**

5e. Recommendation from the Traffic Operations Committee that the City Council Adopt a Resolution to Install a 60-Foot Red Curb Zone at the Intersection of Fourth Street and B Avenue. Mr. Ray Connelly, 345 B Avenue, has requested that a red curb zone be painted on the north side of Fourth Street near the intersection of B Avenue. He states that he has difficult exiting his driveway onto Fourth Street when cars are parked at the subject location because the cars block his view to oncoming traffic on Fourth Street. Mr. Connelly's proposed solution to this issue is to install a red curb zone, precluding parking along this section of curb line. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, TO INSTALL A RED CURB ZONE AT THE INTERSECTION OF B AVENUE AND FOURTH STREET. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8249.**

5f. Renewal of a Contract with Carpi & Clay Government Relations to Provide State Legislative Lobbying Services. Since 2005, the staff of Carpi & Clay Government Relations has represented the City favorably in state legislative matters and has worked well with staff to communicate important legislative issues. Staff is proposing a two-year agreement with Carpi & Clay, with a 30-day termination provision, as is described in the current agreement with the City. If a new two-year agreement is approved, the City would continue to work with the same Carpi & Clay Government Relations team, including Ben Clay, Jonathan Clay, and Erin Gilbert. Ms. Gilbert is the first point of contact for City staff. Ms. Gilbert provides legislative updates and urgent bill notifications. Ben Clay and Jonathan Clay work jointly to represent the City (and CDA) on legislative matters. **The City Council authorized the City Manager to execute a new two-year agreement with Carpi & Clay Government Relations.**

5g. Approval of a Resolution Accepting City of Coronado's Goals, Development Plan, and Schedule for the Sewer System Management Plan (SSMP), as Mandated by State Water Resources Control Board Order No. 2006-0003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems," Adopted May 6, 2006. The State requires the City to establish goals for the SSMP which address three areas (1) maintain or improve the condition of the collection system infrastructure in order to provide reliable service now and into the future; (2) cost-effectively minimize infiltration and inflow and provide adequate sewer capacity to accommodate design storm flows; and (3) minimize the number and impact of sanitary sewer overflows which occur.

Staff has developed the following goals and believes they will meet the required criteria as listed above. The action is to approve the goals, development plan, and schedule for the SSMP.

Staff Developed Goals

(1) Adequately fund, rehabilitate and/or replace the areas in the City's sanitary sewer system which has been found to be deficient through the Wastewater Master Plan, or as identified as problem areas by Wastewater staff through our inspection and maintenance program.
(2) Develop and expand inspection programs to identify and prioritize exfiltration/inflow areas, and make corrective action.
(3) Provide adequate capacity in pipe lines and wet-wells to convey peak flows.
(4) Investigate all sewer overflows on public and private property to identify cause. Subsequently communicate with responsible party and work cooperatively to complete repairs, educate, and change behavior which contributes to overflows.
(5) Provide ongoing training in the proper response procedures for sanitary sewer overflows, and the proper sanitary sewer overflow reporting procedures to all levels of Public Services and other key personnel within the City.
(6) Minimize inconveniences to customers by handling interruptions in service to customers by managing the system responsibly. Maintain City customer service while protecting public health & safety and the environment.
(7) Develop and/or revise Standard Operation Procedures (SOPs) for regular and critical maintenance functions.
(8) Provide ongoing training to all field personnel in performing regular maintenance and repair activities in a safe manner to avoid personal injury, prevent property damage, and overflows.

Many of the activities described in the attached Sewer System Management Plan Development Plan and Schedule are already in process or have been completed, well in advance of the dates specified. Once the requirements of all the sections have been met, staff will return to the City Council for certification of the final SSMP which is required by August 2, 2009. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO CERTIFYING THE SEWER SYSTEM MANAGEMENT PLAN (SSMP) GOALS, DEVELOPMENT PLAN, AND SCHEDULE. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8247.**

5h. Renewal of Contract with Ledford Enterprises for Regional Advocacy of the State Route 75/282 Transportation Corridor Project. Due to intensive efforts by the project action team, the SR 75/282 Transportation Corridor Project was included in the adopted 2030 Mobility RTP. Assisted by Ledford Enterprises, the City was successful in maintaining its position in the 2030 Mobility RTP during the 2007 SANDAG update. Ledford Enterprises

continues to provide critical contacts in advocating the project with SANDAG and other key points of contact. Consistent with previous actions on matters related to toll removal and tunnel advocacy, it is recommended that the City Council renew the agreement with Ledford Enterprises, Inc. for advocacy and public outreach for the SR 75/282 Transportation Corridor Project. **The City Council renewed the agreement with Ledford Enterprises, Inc. for professional services and authorized the expenditure of up to $73,200 from account #410735-9820-00901 for this purpose.**

5i. Reappointment of One Incumbent Member to the Coronado Street Tree Committee. City of Coronado Administrative Procedure #204 and Council policy limits the time an individual may serve on a board or commission to a maximum of two terms or eight years, whichever is less. City Council Policy #23 sets forth the process for reappointing an eligible incumbent on a City board, commission or committee.

Mr. Robert Lindsay was appointed to the Street Tree Committee on December 6, 2005 to fill the remainder of a term due to expire on October 31, 2007. Mr. Lindsay is eligible for reappointment for a full three-year term to expire October 31, 2010. Pursuant to the City Council's policy, Mr. Lindsay was contacted and has affirmed his desire to be reappointed to the Street Tree Committee for this term. **The City Council reappointed Robert Lindsay to the Coronado Street Tree Committee to complete a term due to expire October 31, 2010.**

6. ORAL COMMUNICATIONS: None.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

8a. Public Hearing: Selection of Proposed Affordable Housing Residential Rehabilitation Project for Community Development Block Grant Funding, Fiscal Year 2008-2009. Director of Public Services Scott Huth provided the staff report. This is a selection process the City does every year for a project that is funded by the Community Development Block Grant program, which is federal funds. Last year the City did the same project for a housing unit and staff is proposing to do it again in the next funding period. The proposal is for 840 G, an 11 unit apartment complex.

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

MSUC **(Ovrom/Tanaka) moved that the City Council approve the selection of "Affordable Housing Residential Rehabilitation" as its proposed project for CDBG funding, Fiscal Year 2008-2009.**

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

8b. <u>Public Hearing: Approval of a Resolution for a One-Lot Tentative Subdivision Map to Allow for Condominium Ownership of Eight Residential Units at 1107 Sixth Street in the R-4 (Multiple Family Residential) Zone (PC 13-07 Mauro, Ernie).</u> Tony Pena, Director of Community Development, provided background information. The Design Review Commission has approved the design of the building. The Planning Commission has approved the map and staff is recommending approval as well. The only significant change in the City's conditions for a map is that the City is requiring a fire hydrant for this project. The owner has agreed to all of the conditions.

Councilmember Downey requested clarification on sprinklers. Mr. Pena responded that it is the standard for new condominiums of a certain number of units.

Mayor Smisek opened the public hearing.

Roger Reynolds, architect for the project, stated that he was available for questions.

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 APPROVING A ONE LOT TENTATIVE SUBDIVISION MAP FOR DEVELOPMENT OF EIGHT CONDOMINIUM UNITS FOR LOTS 38-40, BLOCK 109, MAP 376 CBSI, ADDRESSED AS 1107 SIXTH STREET, CORONADO, CA. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8245.**

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

8c. <u>Public Hearing: Approval of a Resolution for a One-Lot Tentative Parcel Map to Allow for Condominium Ownership of Two Residential Units at 720 G Avenue in the R-3 (Multiple Family Residential) Zone (PC 12-07 Bent, Randall).</u> Tony Pena, Director of Community Development, gave the staff report. The Planning Commission and staff recommend approval for this map.

Councilmember Downey requested clarification on sprinklers. Mr. Pena explained that the Fire Department determined that the new construction on the rear would have sprinklers. He believes that is based on the wording of the code.

Mayor Smisek opened the public hearing.

Gwen Bent stated that she is looking forward to tearing down the small old shack in the alley that has been there for a long time. They are happy to keep the old house on the front.

Mayor Smisek closed the public hearing.

MSUC **(Ovrom/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING A ONE LOT TENTATIVE PARCEL MAP FOR DEVELOPMENT OF TWO CONDOMINIUM UNITS FOR LOT 15, BLOCK 64, MAP 376 CBSI, ADDRESSED AS 720 G AVENUE, CORONADO, CA. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8246.**

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

9. ADMINISTRATIVE HEARINGS: None.

10. COMMISSION AND COMMITTEE REPORTS:

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

11. CITY COUNCIL BUSINESS:

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

Councilmember Downey attended the 50th Anniversary of the Golf Course on Saturday and thanked everyone for the wonderful remembrance. She attended the SANDAG Policy Board meeting with Mr. Monroe. She was there to represent the SANDAG Environmental Mitigation Committee to convince the SANDAG Board that they need to follow up on TransNet, to go back and look at the quality of life issues. She explained that there had been no source of funding identified for mitigation and management of a mitigation plan. She added that there will be a problem meeting the water standards. The SANDAG Board voted to ask staff to come back with a plan by January 1, 2008.

Councilmember Ovrom attended the Metro Wastewater Commission JPA meeting, the Chamber Breakfast with Police Chief Scanlon, with Mr. Monroe attended the COMNAVAIRPAC reception at the Speed Fest, with Mayor Smisek attended the Port Commission meeting and lunch, a low income housing subcommittee meeting, a meeting of the San Diego Military Affairs Council, a Tunnel Commission meeting, attended the farewell lunch for Fire Division Chief Rick Sitta, and went to an informational meeting regarding the proposed cottages at Silver Strand State Beach.

Councilmember Tanaka attended a Fire Dispatch agenda setting meeting. Chula Vista had left that group and formed their own dispatch agency, but due to the expense to their agency they are now being invited back into the JPA. Mr. Tanaka met with Chula Vista Mayor Cox to let her know of the invitation. He attended the 50th Anniversary of the Golf Course celebration and Golf Tournament, the Coronado Schools Foundation Annual black tie fundraiser event, and attended the Bon Voyage gathering for Rick Sitta.

Councilmember Monroe attended the SANDAG Transportation meeting where there was a hearing regarding fare increases for MTS. He attended, with Councilmember Downey, the SANDAG Policy Board meeting. Mr. Monroe added that when TransNet was extended for 10 years the pledge was made to go back to the voters with some kind of quality of life initiatives as Ms. Downey mentioned. The deadline was extended to 2010. He advised that the voters may see a sales tax increase on the ballot around then. He traveled to Charlotte NC the prior week to attend the American Public Transit Association (APTA). Next year it will be held in San Diego. He explained that he attended a couple of seminars on climate change and had a personal revelation. It is a major issue that must be dealt with. Mr. Monroe attended the AirPac Speed Festival with Mr. Ovrom, the Golf Course 50th anniversary, the Schools Foundation Gala, Rick Sitta's Farewell, and met with Jan Clark about the implementation of the City's carriage house ordinance. He advised that he met previously with Jim Strickland when this issue was first coming forward and met this morning with the City Manager, Asst. City Manager, and Planning staff to discuss whether the carriage house ordinance may be being misused. The City Manager will be getting together a group to work with staff to come up with some suggestions. He had a meeting today regarding the 411 Orange Avenue project because the height looks like a four-story building, which the Orange Avenue Corridor Specific Plan specifically does not allow. The code does allow mezzanines that are not counted as a story. He believes that definition needs to be looked at as well.

Mayor Smisek with Mr. Ovrom attended the lunch hosted by the Port District after their meeting held in our facility last week. He announced that Michael Bixler, the former mayor of Imperial Beach is the new chairman for next year. He attended a Golf Course Committee meeting where they finalized four or five holes they are working the sand traps on to bring back to the Council along with the back nine they are working on. Mayor Smisek, the City Manager, and Rachel Hurst met with the school district superintendent and staff regarding CDA funding clarification. He attended the Golf Course 50th Anniversary event and thanked staff for making it so much fun. He announced that at Rick Sitta's farewell a nice touch at the end was when Rick was presented with a medal of valor, the first in Coronado, for his aid in the Cedar Fires.

11b. <u>Review and Approval of the Proposed Conceptual Agreement (Deal Points) Between the Pacific Animal Welfare Society (PAWS) and the City of Coronado for the Design and Construction of the Coronado Animal Care Facility.</u>

Mayor Smisek recused himself due to ownership of real property.

Mayor Pro Tem Downey assumed Mayor Smisek's seat at the dais.

City Manager Mark Ochenduszko provided the staff report. In June the City Council reviewed the proposed schematic design and the CIP budget for a proposed Animal Care Facility. In that meeting the City Council asked staff to go back and reduce the scale of the building and enter into discussions with PAWS to talk about their interest in financial participation in the project. Staff has had several meetings since that period of time. Mr. Ochenduszko reported that the process of the discussions and what this may lead to is complete and has culminated in the recommendation before the City Council. The building is now recommended to be 3,400 square feet in size. Everyone is happy with that because the focus has been on assuring that the facilities within the building and the space that is dedicated in the building is primarily focused on caring for animals. The estimated cost of the building is $2.6 million. The proposal is that it would be funded $1.0 million by the Redevelopment Agency and the other $1.6 million split

50/50 between PAWS and the Redevelopment Agency. If the City Council adopts the plan, staff will draft and execute a contract with PAWS. The project will then enter into the design phase and construction phases, anticipated to begin in April and be completed by the end of 2008 or very early in 2009. Mr. Ochenduszko recommended that the City Council approve the proposed conceptual agreement between PAWS and the City of Coronado. For the design and construction of the Animal Care Facility, the City Council can authorize the City Manager to develop and execute a contract with PAWS based on the conceptual agreement and approve an amended Capital Improvement project budget of $2.6 million. Staff will return at the next Community Development Agency meeting for the appropriation of the additional funds.

Councilmember Monroe questioned the source of the City's half of the $1.6 million. He thought that might come from the General Fund. Mr. Ochenduszko stated his recommendation that the City use CDA funds for the additional $800,000. Staff will come back at the next meeting with an analysis.

Louise Shirey, 828 Guadalupe, read a statement thanking the City Council and staff for their cooperation and hard work. She provided a copy of her letter for the record.

John Nyquist, 685 Margarita Avenue, introduced and read Chevy's proclamation.

MSUC **(Tanaka/Monroe) moved that the City Council: (1) Approve the proposed conceptual Agreement between PAWS and the City of Coronado for the design and construction of the Coronado Animal care Facility; (2) Authorized the City Manager to develop and execute a contract with PAWS based on the Conceptual Agreement; and (3) Approve an amended Capital Improvement project budget of $2.6 million and return to the next Community Development Agency meeting for appropriation of the additional funds.**

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

12. <u>CITY ATTORNEY:</u> None.

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

The City Council recessed to Closed Session at 3:48 p.m.

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

14a. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

AUTHORITY: Government Code §54956.9(a)
NAME OF CASE: Sarah Bouvet v. City of Coronado
San Diego Superior Court (Case No. 37-2007-00066151-CU-PO-CTL)

The City Council resumed the regular meeting at 4:01 p.m.

15. <u>ADJOURNMENT:</u> The meeting was adjourned at 4:01 p.m.

Approved: November 6, 2007

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Tom Smisek, Mayor
City of Coronado

Attest:

_____
Linda K. Hascup
City Clerk