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, September 7, 2004, 3:00 p.m.

Mayor Smisek called the meeting to order at 3:02 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.** Mitch Lindeman, Christ Episcopal Church gave the invocation and Mayor Smisek led the Pledge of Allegiance.

3. MINUTES: The minutes of the Regular Meeting of August 3, 2004 and the Special Meeting of August 5, 2004, copies 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 August 3, 2004 and the Special Meeting of August 5, 2004, as submitted**

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

4. CEREMONIAL PRESENTATIONS: None.

5. **CONSENT CALENDAR:** The City Council approved, adopted and/or accepted as one item of business Consent Agenda Items 5a through 5l, however, Councilmember Tanaka requested discussion on item 5c.

MSUC **(Schmidt/Tierney) moved that the City Council approve the Consent Calendar Items 5a through 5l**

AYES: **Monroe, Schmidt, Tanaka, Tierney and Smisek**
NAYS: **Tanaka as to 5c only**
ABSENT: **None**

5a. **Approval of Reading by Title and Waiver of Reading in Full of Ordinances on this Agenda.** 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. **Approval of Warrants.** The City Council ratified payment of warrants Nos. 10037701 thru 10038576, as audited and approved by the Audit Committee, provided there are sufficient funds on hand. **The City Council approved the warrants.**

5c. **Request by Library Board of Trustees' Member to Extend Term by One Year.** Councilmember Tanaka asked for discussion on Item 5c. He read City Council Policy #23 that deals with how the City is supposed to handle reappointments. They are supposed to be done well ahead of time and in a timely way. The City Clerk handled her responsibilities with respect to this as she was supposed to. Commissioner Gaylord declined reappointment. The City began on the process where the City asked other people to apply. After all the deadlines, Commissioner Gaylord submitted his letter requesting reappointment. Mr. Tanaka does not think that is fair to the people who applied for the position.

Mayor Smisek explained that the chairman of the Library Board, Jack Shaw, has been ill and has not been able to function on the Library Board. He may be back in the near future. The other member of the Board who had been specifically working on the subcommittee with the contractor was Mr. Gaylord. Mayor Smisek and City Manager Mark Ochenduszko requested that Mr. Gaylord reconsider and come back to be that liaison until Mr. Shaw returns or someone else is brought up to speed due to the critical juncture of the final construction of the Library itself. The main purpose of Policy #23 is that the City likes to favor people who have been appointed previously and are willing to continue without being removed for mainly, in the past, political reasons. This is a special case due to special circumstances.

Councilmember Monroe added that Admiral Shaw did have a serious, unexpected illness and it was Mr. Gaylord and Admiral Shaw who attended all the meetings for the Library expansion. They are the continuity at this time. The extension is only for one year which will fill the need the City has without taking up a whole term on the Library Board. **The City Council extended the term of Reginald Gaylord for one year, to expire August 31, 2005.**

Councilmember Tanaka registered a "NO" vote on this item.

5d. Authorization for Renewal of the Agreement with the San Diego Unified Port District for $22,500 in Funds to be Used for Recreation Special Events Dually Sponsored by the Port District and the City of Coronado. The funds would allow the City Recreation Department to continue to provide community special events through the Recreation Department. In addition to the events offered previously, Make a Circus, Christmas Concert on the Green, the Family Entertainment Series, Teen Scene and the Skatepark Expo, this year the Recreation Department will be providing the Snow Mountain event at the Ferry Landing in conjunction with the Chamber's Holiday Open House. The term of the agreement shall be from July 1, 2004 through June 30, 2005. Funds are expended from Recreation Department budgeted accounts, and reimbursed by the Port District upon submission of required paperwork and documentation. Events eligible for reimbursement are submitted to and approved by the Port District through an application process each year. **The City Council authorized the City Manager to execute the agreement with the San Diego Unified Port District.**

5e. Adoption of a Resolution Authorizing the Destruction of Certain Documents Located in the City Manager's Office. A records retention schedule for the City of Coronado was adopted by the City Council on April 15, 2003. This retention schedule, in accordance with State of California Government Code §34090, permits the destruction of certain City records which are no longer required for the effective operation of the City, provided there is approval of the City Council by resolution and the written consent of the City Attorney. In compliance with Government Code §34090, it is not believed that these records have a lasting administrative, legal, fiscal, historical, or research value. The City Attorney has reviewed the list and has approved of the documents' destruction. **The City Council approved A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO AUTHORIZING THE DESTRUCTION OF CERTAIN DOCUMENTS IN THE CITY MANAGER'S OFFICE. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8014.**

5f. Approval of a Resolution to Adopt the 2003 Edition of the *Standard Specifications for Public Works Construction (Greenbook)*, 2003 Regional Standard Drawings and 2003 Regional Supplement to *Standard Specifications for Public Works Construction (Greenbook)*. The 2003 San Diego Area Regional Standard Drawings and 2003 Regional Supplement have been prepared and adopted by the San Diego Regional Standards Committee for use in San Diego County with the Public Works Standards, Inc. *Standard Specifications for Public Works construction (Greenbook),* 2003 Edition. The *Greenbook* standards are criteria used by the construction industry to describe the materials and methods used in the construction of sidewalks, curbs and gutters, roads, sewers, storm drains, etc. The specifications contained with the Regional Supplement take precedence over the specification language contained in the *Greenbook*. The regional specifications and drawings are intended to address the unique conditions in San Diego County that are not addressed in the *Greenbook.*

The City uses the *Standard Specifications for Public Works Construction* (Greenbook) as a reference specification for most public works projects. The Regional Standard Drawings and the Regional Supplement complement the *Greenbook* and are specifically tailored for the San Diego region. The City Council adopted the 2003 *Greenbook* in August 2003; however, a formal

resolution was not adopted. The City's ability to enforce the provisions of these specifications and plans is enhanced by the adoption of a resolution which creates a formal document reflecting the Council's action. The 2003 Regional Supplements and the 2003 Regional Standards Drawings have been finalized and should be adopted for use on public projects. The adoption and use of the *Greenbook*, Regional Supplement and Regional Standard Drawings will help ensure standard construction practices throughout the County and provide contractors with known and proven criteria upon which to build. **The City Council adopted A RESOLUTION TO ADOPT THE 2003 EDITION OF THE *STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREENBOOK)*, THE 2003 EDITION OF THE REGIONAL SUPPLEMENT TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND THE 2003 EDITION OF THE SAN DIEGO AREA REGIONAL STANDARD DRAWINGS. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8016.**

5g. Request by SAIC for a Waiver of the City of Coronado's Prohibition Against Alcohol in City Parks for Company Picnic to be Held on Sunday, September 26, 2004 in Tideland's Park. SAIC has received a permit from the Port of San Diego to hold their company picnic on Sunday, September 26, from 12:00 p.m. – 7:00 p.m. in Tideland's Park. They expect that approximately 130 people will be in attendance, with approximately 20 of them under the age of 21. SAIC has requested a waiver of the City's prohibition against alcohol to allow employees to bring canned beer and wine coolers for personal consumption.

Coronado Municipal Code §40.28.010 prohibits drinking alcohol "… on any public street, alley, sidewalk, beach, park of other public property within this City except in accordance with the terms of a lease approved by the City Council." On occasion, the City Council has waived the alcohol prohibition ordinance for special events in the City such as Rotary Club Octoberfest, and Sunday Concert in the Park events. City staff has reviewed the event and prepared a list conditions to be followed if the event is approved by the City Council. **The City Council approved the request and granted permission for SAIC employees to bring canned beer and wine coolers for personal consumption during company picnic in Tideland's Park.**

5h. Approval of a Resolution Supporting Proposition 1A: Protect Local Taxpayers and Public Safety Services. In January 2004, the Council approved a resolution supporting a State-wide ballot initiative to require voter approval before the State government could take local tax funds. That ballot initiative (now Proposition 65) was known as the "Local Taxpayers and Public Safety Protection Act." Because of the initial strong support of Proposition 65 and subsequent to State budget negotiations, the Legislature drafted Senate Constitutional Amendment 4, known as Proposition 1A, to replace Proposition 65. Prop 1A provides similar protections for local government as provided in Proposition 65. Prop 1A accomplishes the following:

- Restricts the State Legislature's ability to take local government funding, including protection of local government share of *existing* sales taxes, property taxes, and vehicle license fee (VLF) revenues. Protection of local government funds is in the aggregate.
- Requires the State to provide funding for any program or service the State mandates local government to provide. If the State fails to provide funding, the Legislature must repeal the State-mandated program.

- Allows the State to *borrow* local government revenues if funds are needed in a fiscal emergency to support schools or other State programs.

The League of California Cities is asking that each city adopt a resolution supporting Proposition 1A. Although the City Council may adopt a resolution supporting the ballot initiative, City Council members and staff cannot use public funds to advocate or otherwise support the ballot initiative. Generally speaking, City officials may take a position in support of a ballot measure, and may analyze the effects of a measure and publicize this information. City officials may provide fair and impartial information regarding a measure, but may not campaign for or use public resources in support or opposition of a measure. **The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, SUPPORTING PROPOSITION 1A. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8015.**

5i. Rejection of the Bid for the SR-75 Bikeway Extension Project – TEA-21 Phase 2. In March of 2000, the Cities of Coronado and Imperial Beach were awarded a TEA-21 grant for landscape improvement and a bike path spur along the Silver Strand Highway. Since the issuance of the grant, staff has struggled to overcome the many environmental challenges associated with the project, in particular the bike spur portion. Fearful of losing funding under SANDAG's use-it-or-lose-it policy, it was decided that the bike path portion of the project would be bifurcated and pursued independently to allow for the remaining portion of the project to move forward last year. Phase 1 construction was completed on July 23, 2003. Phase II of the project was bid last December with a single bid received. That bid, for $726,126, was rejected at that time because it exceeded the engineer's estimate and the available funds. Since that time, several minor changes were made to the plans and specifications based on Caltrans requirements and the budget was increased to reflect higher construction costs based on the December bid results. Imperial Beach also received additional funds from SANDAG.

The Phase 2 portion of the project was re-advertised for bidding starting on July 21, 2004 and bids were publicly opened on August 19, 2004 and resulted in only one bid being submitted, that is, Heffler Company with the base bid of $2,091.435.

The City of Imperial Beach has requested that the project be re-bid. The recommendation to re-bid the project is contingent on Imperial Beach and Coronado staffs reaching agreement on these revised bid conditions.

The inability to award a contract may result in the TEA-21 funding expiring and being canceled by SANDAG. **The City Council rejected the bid for the Bikeway Extension Project due to costs exceeding available funds and authorized staff to re-bid the project contingent upon agreement between Imperial Beach and Coronado's staff on bidding conditions.**

5j. Approval and Acceptance of the Slurry Seal Pavement Maintenance Project FY 03-04 and Appropriation of Additional Funds for Final Costs. Council previously allocated $115,000 for the Slurry Seal Pavement Maintenance project in the FY 03-04 Capital Improvement Program. As part of Change Order Number One, the contractor was instructed to slurry seal the Cays Fire Department parking lot. Parking lots are not an eligible Transnet expenditure and could

not be funded from the original CIP budget which consisted of solely Transnet funds. The parking lot was sealed with a project supplement from Public Services' general fund maintenance account. The project deficit of $13,157.98 has been rounded up to $15,000 which will cover the increased costs for change orders and additional material testing, as well as miscellaneous other expenses such as reproduction, etc. The final contract price for the contractor, Bond Blacktop, Inc., is $116,081.18.

Council awarded a contract to Bond Blacktop, Inc., on April 23, 2004. Bond Blacktop, Inc. was issued a Notice to Proceed on June 3, 2004 and construction began on June 3, 2004. The project was completed in accordance with the project plans and specifications on August 13, 2004. By increasing the budget and filing a Notice of Completion, this project will be finalized. **The City Council accepted this project and directed the City Clerk to file a Notice of Completion. The City Council appropriated an additional $15,000 from the Transnet Fund Balance (210372) to be placed in the C.I.P. project account #21037-9869-04601.**

5k. <u>Approval and Acceptance of the Half Moon Bend Sewer Replacement Project.</u> Council awarded a contract to BRH-Garver, Inc., on January 6, 2004. BRH-Garver, Inc. was issued the Notice to Proceed on February 2, 2004 and construction began on February 5, 2004. The original completion date of April 30, 2004 was extended by ten days; four days for rain delay and six days for contract change order work, to May 13, 2004. The project was substantially complete on May 18, 2004. The project was completed and accepted by staff on July 15, 2004. Filing the Notice of Completion is allowable and recommended even with the disputed payment since the work has been satisfactorily completed. The filing of the Notice of Completion starts the 35-day period for subcontractors to file any liens against the project. Once the project is free of any subcontractors' liens, the City can release the contractor's retention. These actions are independent of the disputed work. **The City Council accepted this project and directed the City Clerk to file a Notice of Completion.**

5l. <u>Adoption of an Ordinance of the City of Coronado for the Amendment of Chapters 86.08 and 86.10 of Title 86 of the Coronado Municipal Code Addressing the Forms of Ownership Permitted of Single Family or Duplex Dwellings in the R-1A(E) Subzone and the R-1B Zone.</u> This ordinance was introduced at a City Council meeting of August 3, 2004. A public notice and summary of the proposed ordinance was published in the *Coronado Eagle Journal* on August 18, 2004, noticing that the City Council would consider adoption of the ordinance at the September 7, 2004 City Council meeting. **The City Council adopted AN ORDINANCE OF THE CITY OF CORONADO FOR THE AMENDMENT OF CHAPTERS 86.08 AND 86.10 OF TITLE 86 OF THE CORONADO MUNICIPAL CODE ADDRESSING THE FORMS OF OWNERSHIP PERMITTED OF SINGLF FAMILY OR DUPLEX DWELLINGS IN THE R-1A(E) SUBZONE AND R-1B ZONE. The Ordinance, having been introduced on August 3, 2004, was read by Title, the reading in its entirety unanimously waived and adopted by Council as ORDINANCE NO. 1964.**

6. <u>ORAL COMMUNICATIONS:</u>

a. Lori Michaels, 901 Ocean Boulevard, commented on the plans for the Lifeguard Tower. She objects to Scheme 2 with the rounded roof. She has been in touch with

Jean Gazzo and they, as well as others who look at the Lifeguard Tower on a regular basis, very much like Scheme 1 better than Scheme 2. Council adopted Scheme 2 at the last meeting. They really want to put this to rest. She asked if Council could please give Scheme 1 more consideration.

b. Mark Ochenduszko, City Manager, explained that he has been in touch with Jean Gazzo and she has expressed similar concerns. There are other neighbors who feel the same way. She has submitted a recommended design that is consistent with Scheme 1 and shows a pitched roof. That has been passed on to the architect and they are looking at making a minor modification to adjust the roof but keep all other elements of the building the same. That will please all the neighbors and can be accomplished architecturally.

c. Molly Erskine, 1135 Isabella, also prefers the pitched roof. She has signatures from others in agreement who couldn't attend the meeting.

d. Susan Heveland, 1144 Isabella, agrees with her neighbors. She looked at both schemes and both are beautiful, but Scheme 1 ties in with the Del architecture and that of her house.

e. Dan McAllister, County Treasurer, Tax Collector for San Diego, reported on the property tax revenue allocation. He gave information on the new look to the tax bill. Mr. McAllister asked for Council to make suggestions for the new tax bill.

7. CITY MANAGER:

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

8. PUBLIC HEARINGS:

Regarding items 8a and 8b, Mayor Smisek reiterated his disqualification to discuss and vote on matters pertaining to the North Beach restroom project due to the close proximity of his residence to the project.

8a. Public Hearing to Adopt a Mitigated Negative Declaration of Environmental Impact for the "Beach Public Safety and Rest Room Project." Tony Pena, Director of Community Development, began by saying that the City has completed its public review period for this project. There have not been any comments received from the State Clearing House. One letter was received during the entire review period, which has been addressed and is contained in the staff report. Staff is recommending approval of a mitigated negative declaration.

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

MSUC (Monroe/Schmidt) moved that the City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, TO ADOPT A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE BEACH PUBLIC SAFETY AND REST ROOM PROJECT. The

Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8021

AYES: Monroe, Schmidt, Tanaka, Tierney and Smisek
NAYS: None
ABSENT: None
ABSTAIN: Smisek as to the Restroom Project only

8b. Public Hearing Regarding Community Development Agency Funding of Coronado Unified School District Early Childhood Development Center, District Education Center, and City of Coronado Beach Lifeguard Tower, Beach Public Safety, and Beach Restroom Project and Adoption of Resolutions Making Certain Findings in Connection with the Expenditure of Remaining and Future Tax Allocation Bond Proceeds and Tax Increment to Complete the Aforementioned Projects.

This item was heard in conjunction with Community Development Agency Item 6a.

Pam Willis, Assistant City Manager, provided the presentation on this item. Before Council and the Agency today are resolutions making certain findings approving CDA funding for School District projects, those being the Early Childhood Development Center and the District Education Center, both located at the former Crown School site and City projects, which is construction of the Coronado Beach Lifeguard Tower, the Beach Public Safety facility and the Beach restroom project. All of these items are listed in the Agency's Redevelopment Plan, so all these public facilities are eligible for CDA funding. The law requires that the report outline each project and describe the amount of funding, the blighted situation within the project area that will be cured or eliminated by construction of the project and how the Agency will go about financing them. In addition, when this item was originally scheduled at a previous meeting, there was a question raised by Council regarding parking requirements and parking being provided at the Crown School site to service the Village Kindergarten project and the District Office project. The staff report describes the fact that the Agency staff, City staff and School District staff met and were able to come up with some alternatives to increase the parking availability. The School Board has reviewed those and concurred and has quite dramatically increased the parking available for the project

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

Councilmember Monroe is grateful to School District staff and the School Board and City staff for getting together to make such a dramatic change to this. They all worked hard and closed the parking deficit considerably.

Councilmember Tanaka and Mayor Smisek agreed that staff and the School Board worked well together.

MSUC (Schmidt/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO MAKING CERTAIN FINDINGS IN CONNECTION WITH THE EXPENDITURE OF REMAINING AND FUTURE TAX ALLOCATION BOND PROCEEDS AND TAX

INCREMENT REVENUE TO CONSTRUCT THE CORONADO UNIFIED SCHOOL DISTRICT (CUSD) EARLY CHILDHOOD DEVELOPMENT CENTER AND THE DISTRICT EDUCATION CENTER. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8017.

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

MSUC (Schmidt/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO MAKING CERTAIN FINDINGS IN CONNECTION WITH THE EXPENDITURE OF REMAINING AND FUTURE TAX ALLOCATION BOND PROCEEDS AND TAX INCREMENT REVENUE TO CONSTRUCT THE CITY OF CORONADO BEACH LIFEGUARD TOWER. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8018.

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

MSUC (Schmidt/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO MAKING CERTAIN FINDINGS IN CONNECTION WITH THE EXPENDITURE OF REMAINING AND FUTURE TAX ALLOCATION BOND PROCEEDS AND TAX INCREMENT REVENUE TO CONSTRUCT THE CITY OF CORONADO BEACH PUBLIC SAFETY FACILITIES: CONSTRUCTION OF THE LIFEGUARD SERVICE BUILDING AND IMPROVEMENTS TO THE BEACH MAINTENANCE FACILITY. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8019.

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

Mayor Smisek disqualified himself from voting on the following resolution as previously stated.

MSUC (Schmidt/Tanaka) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO MAKING CERTAIN FINDINGS IN CONNECTION WITH THE EXPENDITURE OF REMAINING AND FUTURE TAX ALLOCATION BOND PROCEEDS AND TAX

INCREMENT REVENUE TO CONSTRUCT PUBLIC RESTROOMS AT NORTH BEACH IN THE CITY OF CORONADO. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8020

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

8c. Public Hearing for the Introduction of an Ordinance of the City of Coronado, California, Amending Sections 1.20.060 and 1.20.070 of the Municipal Code Regarding Conflict of Interest. Diane Shea, City Clerk, provided the staff report for this item. This is a public hearing for the introduction of an ordinance that updates the City's conflict of interest code, which is contained the Municipal Code. This Code requires public officials and designated employees who make, or participate in making, governmental decisions to disclose certain financial interest. The City is required to review this code every two years, update the code if necessary, and report its findings to the Secretary of State. The code has been reviewed and changes have been made to reflect the appropriate designated positions and disclosure levels.

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 introduce AN ORDINANCE OF THE CITY OF CORONADO, CALIFORNIA AMENDING SECTIONS 1.20.060 AND 1.20.070 OF THE MUNICIPAL CODE REGARDING CONFLICT OF INTEREST. The Ordinance was read by Title, the reading in its entirety unanimously waived and placed by the City Council on FIRST READING

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.

CITY COUNCIL BUSINESS:

11a. Council Reports on Inter-Agency Committee and Board Assignments.
Councilmember Tierney attended the Sister City ceremony between San Diego and Ensenada, the Hospital Thank You meeting, the League of California Cities regional meeting, and the Change of Command for Vice Admiral Malone at North Island Naval Air Station.

Councilmember Monroe met with the Tunnel Project Team a couple of times, attended the Residential Association's panel on the Historic Preservation Ordinance, took a Trent Manor tour by Dave Gillingham, attended the MainStreet Garden Party, an MTS Board meeting, the CCHOA Annual Meeting, met with the Chamber of Commerce and the Community Development group to put together some measures of effectiveness for the Specific Plan, attended a Shoreline Preservation meeting at SANDAG, a Southwestern College ceremony welcoming the new president, a SANDAG Transportation Committee meeting, a PAWS adoption clinic at Petco and the San Diego City Council meeting regarding the appeal of the historic designation process for the Bayshore Bikeway stretch.

Councilmember Tanaka reported on the Special City Council meeting, a Library Board meeting, a meeting of the Greater San Diego Chamber of Commerce's Military Advisory Committee, the City golf tournament and visited Trent Manor.

Councilmember Schmidt attended a Residential Standards Improvement Project meeting, a MainStreet meeting and the MainStreet Garden Party. She also reported on a Naval Complexes meeting.

Mayor Smisek began by reporting on a Homeland Security exercise, attended the Affordable Housing Seminar with Pam Willis, a Navy concert put on by the Navy to show their appreciation for the various civic officials that are in support of the Navy, met with Paul Nieto (the South Bay representative of the Airport Advisory Committee), the two special meetings of the Library Board and its regular meeting, the Cays Annual Homeowners' meeting, the MainStreet Garden Party, the Special Forces and SEALS Deceased Warriors' Spouses presentation, a Navy Complexes meeting, Change of Command for Commander Naval Air Forces, San Diego Chamber of Commerce's Military Advisory Committee meeting, a special retirement for Captain Clark, a South Bay Mayors meeting in National City, the City picnic, the Hospital reception, presented a proclamation to the Peer Olympic Swimming team and a meeting with Rocky Spane.

At 3:54 the City Council adjourned into Closed Session on Item 14a and 14b.

The City Council returned to Open Session at 4:46 p.m. and addressed item 11b, and reported on the Closed Session items 14a and 14b.

11b. City Council Consideration of the Adoption of a Resolution Approving the Industrial Disability Retirement for Police Sergeant L. Steven Cavner. (Closed Session Item 14b to be heard prior to action on this item.) The City Council discussed this issue in Closed Session item 14b. Council returned to Open Session and took action on the Resolution.

MSUC **(Monroe/Tierney) moved that the City Council adopt A RESOLUTION OF THE CITY OF CORONADO DETERMINING THE INDUSTRIAL DISABILITY RETIREMENT OF L. STEVEN CAVNER. The Resolution was read by Title, the reading in its entirety unanimously waived and adopted by Council as RESOLUTION NO. 8022**

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

12. **CITY ATTORNEY:** No report.

13. **COMMUNICATIONS - WRITTEN:** None

14. **CLOSED SESSION:**

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

The Mayor announced that there was no reportable action on this item.

14b. **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL**
EXISTING LITIGATION
CASE NAME: L. STEVEN CAVNER v. CITY OF CORONADO
AUTHORITY: Gov. Code §54956.9(A)
NUMBER OF POTENTIAL CASES: One

The City Council discussed this issue in Closed Session and returned to open session and passed the Resolution in Item 11b approving the disability retirement effective September 17, 2004.

15. **ADJOURNMENT:** The meeting was adjourned at 4:47 p.m.

Approved: 9/21/04

/s/_____
Tom Smisek, Mayor

Attest:

/s/_____
L. Diane Shea, CMC
City Clerk