

**MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL
OF THE
CITY OF CORONADO/
THE CITY OF CORONADO ACTING AS THE SUCCESSOR
AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF CORONADO
Coronado City Hall
1825 Strand Way
Coronado, CA 92118
Tuesday, October 7, 2014**

Mayor Tanaka called the meeting to order at 4 p.m.

1. ROLL CALL:

Present: Council Members/Agency Members Bailey, Denny, Ovrom, and Mayor Tanaka

Absent: Councilmember Woiwode

Also Present: City Manager/Agency Executive Director Blair King
City Attorney/Agency Counsel Johanna Canlas
City Clerk/Agency Secretary Mary Clifford

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

3. MINUTES: Approval of the minutes of the Regular Meeting of the City Council/the City Council Acting as the Successor Agency of September 16, 2014.

MSUC (Ovrom/Bailey) moved to approve the minutes of the Regular Meeting of the City Council/the City Council Acting as the Successor Agency of September 16, 2014, as submitted. The minutes were so approved. The reading of the minutes in their entirety was unanimously waived.

AYES: Bailey, Denny, Ovrom, Tanaka
NAYS: None
ABSTAINING: None
ABSENT: Woiwode

4. CEREMONIAL PRESENTATIONS:

4a. Proclamation: Rideshare Month 2014. Mayor Tanaka presented the proclamation to Deborah Jones of SANDAG.

4b. Proclamation: Lieutenant Frank S. Greene Day. Mayor Tanaka presented the proclamation to members of Lieutenant Greene’s family and brother, Bill, via Skype.

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

Councilmember Bailey requested the addition of Items 11b and 11c.

Councilmember Denny requested that Items 11b and 11c not be included on the Consent Calendar. She will abstain on Item 5b and 5h. For Item 5b, as a member of the Audit Committee, it came to her attention that we weren’t following our City ordinance to have the Audit Committee review the bills before the checks were paid, with taxpayer money, by the City. When this came to the Council’s attention, instead of restoring that internal financial control, the ordinance, instead, the Council decided to change and so now this action is really just a rubber stamping action and she doesn’t feel comfortable voting for it or against it. No one has reviewed, from the Audit Committee, the bills before the checks have been paid already so she will be abstaining, again, on Item 5b. On Item 5h, she will be abstaining because these are always red flags for taxpayer watch dogs, these change work orders, and she is very concerned about that and, unfortunately, the City staff report, from page 81-82, is a little too light in the financial facts and she is concerned that perhaps there will be a shell game with money from different funds moved around and in the end the fund that will pay the price would be the Toll Revenue Fund. That might be an indirect result of this so she will be abstaining. She doesn’t know if that is the case or not as there is not enough information in the staff report so she will just abstain.

Katy Skyrud requested the removal of Item 5e.

MSUC (Bailey/Ovrom) moved that the City Council approve the Consent Calendar Items 5a through 5j with the exception of Item 5e.

AYES: Bailey, Denny, Ovrom, Tanaka
NAYS: None
ABSTAINING: Denny, on Items 5b and 5h
ABSENT: Woiwode

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. Review and Approve that the Warrants, as Certified by the City Treasurer, are all Correct and Just, and Conform to the Approved Budgets for FY 2013-2014. The City Council approved payment of City warrant Nos. 10103167 thru 10103404. The City Council approved the warrants as certified by the City/Agency Treasurer.

5c. Acceptance of the Street Preventive Maintenance FY 13-14 Project and Direction to the City Clerk to File a Notice of Completion. The City Council accepted the Street Preventive Maintenance FY 13-14 project and directed the City Clerk to file a Notice of Completion.

5d. Award of Professional Services Agreements for As-Needed Geotechnical Engineering Services with Kleinfelder and Ninyo & Moore. The City Council authorized the City Manager to enter into professional services agreements with Kleinfelder and Ninyo & Moore to provide as-needed geotechnical engineering consulting services.

5e. Authorization for the City Manager to Renew a Facility Use Permit between the City of Coronado and the Coronado Community Theatre, Inc. for a Period of Five Years. City Manager Blair King suggested that comments from the public be made first.

M. G. Perez, Vice President of the Board of Directors of Coronado Playhouse and Media Coordinator, provided information for the City Council and the public on how they serve the community.

Katy Skyrud, member of the Board of Directors of Coronado Playhouse, provided additional information about the finances of the Playhouse.

Stacy Mycorn spoke further about the Playhouse.

Linda Rahn, Director of Recreation, explained the staff recommendation and the reasons behind it.

Councilmember Denny commented on the request that the term go from five years to seven years. Could anyone address similar type of contracts and length of term in the City?

Ms. Rahn responded that the City has generally done Permits to use City Facility for a period of five years. That has been very common. Occasionally it is a little less. This time it extended on itself a little bit as we were trying to work out the new terms and make it really to get more use into that venue. That is what we really are all after. She doesn't have a particular problem with the seven years but perhaps the City Attorney or others might want to chime in on that.

City Attorney Johanna Canlas deferred to the City Manager as this is not a legal question.

Mr. King commented that this is a matter of standards and is a business issue. There is no escalator in this agreement so this locks this price in for five years. We did not perform any type of net present value calculation at a discount to what that means five years down the road. Five years is consistent, for example, with a series of agreements the Council has approved at the Golf Course with the golf food and beverage concessionaire. This is a proposition for the Council. There is no escalator within this agreement.

Ms. Denny understands what an escalator is but asked that Mr. King briefly describe it for the record.

Mr. King responded that in this particular case staff is not suggesting that we are charging anywhere close to what market rate rent would be. This is a rent extended to a community group. Their agreement has expired and staff is proposing that the City Council enter into this agreement again. It would be a regular part of an agreement to have an annual escalator, based upon, for example, the Consumer Price Index, or something like that. There is no escalator in this agreement. It is a static amount for the period of time.

Mayor Tanaka appreciates the people from the Playhouse coming down and sharing their thoughts with the Council. He is glad that there is some agreement on changing the base rent from \$12,000 to \$15,000 per year. The concession of going from \$2 per ticket to \$1.50 per ticket is reasonable so he would support that. He would not support going to seven years. He thinks five years makes a little bit more sense and also, in general, he tries not to vote for deals that handcuff the next City Council or the one after it. A seven-year deal, from his point of view, is a little bit too long. Also, a five-year deal doesn't mean that the City is necessarily looking to end that deal or to radically change it so if you have a good five-year run, he can see no reason why the same relationship you have already enjoyed with the City wouldn't continue. He could support a motion that is for \$15,000 per year in base rent, predicated around a \$1.50 per ticket going to the City, and his preference would be for five years rather than seven.

Councilmember Denny was glad that Mr. King explained about what a generous contract this is. She thoroughly agrees that the theater is a jewel for Coronado and is an important part of the cultural arts that make our town unique; however, in her role as a City councilmember, she is prone and duty bound to think about what is most cost effective for the taxpayers when we enter into these types of agreements. She is comfortable with the agreement as it sits here on page 66 of the agenda and that would be the five years with the \$2 per ticket going to the City, again, for the five-year term with all the other terms as they are. That is still quite generous and she understands that it is a bad economy but she is very concerned about the impacts to the Coronado taxpayers if we change to what was here right now on page 66.

Councilmember Bailey would be more supportive of the staff recommendation and remaining at \$2 per ticket price than Mayor Tanaka's recommendation largely because the City already bears a pretty sizeable expense each year, \$63,000 in managed utilities, etc., a \$21,000 per year grant – the City is already out there and supporting this group as it is. He does not think \$2 per ticket is excessive. He would be in favor of the staff recommendation.

MSF (Ovrom/Tanaka) moved that the City Council approve the staff recommendation with a modification to the per ticket fee of \$1.50 and a term of five years.

AYES:	Ovrom, Tanaka
NAYS:	Bailey, Denny
ABSTAINING:	None
ABSENT:	Woiwode

MSUC (Denny/Bailey) moved that the City Council authorize the City Manager to execute the proposed renewal Permit between the City of Coronado and the Coronado Community Playhouse Theatre, Inc. (Theater Group) for use of the City’s playhouse facility for a period of five years.

AYES: Bailey, Denny, Ovrom, Tanaka
NAYS: None
ABSTAINING: None
ABSENT: Woiwode

5f. Approval to Bid Out Repairs for the Glorietta Bay Marina Restaurant. The City Council approved bidding out repairs for the Glorietta Bay Marina Restaurant.

5g. Approve the Recommendations of the Parks and Recreation Commission Regarding Universally Accessible Playgrounds. The City Council approved the recommendations of the Parks and Recreation Commission regarding universally accessible playgrounds including: 1) Replace conventional equipment with “inclusive” and/or “barrier free” equipment as current playgrounds are replaced using schedules and protocols; 2) Provide a universally accessible swing at Spreckels Park and make budget adjustments at mid-year; and 3) Encourage the Port to install a universally accessible playground at Tidelands Park.

5h. Appropriation of \$30,000 to the Accessible Pedestrian Signal and Tenth Street Reconfiguration Project and Authorization for the City Manager to Approve Necessary Change Orders Related to Unanticipated Construction Costs. The City Council appropriated additional funds in the amount of \$30,000 from the available balances in the Capital Projects Fund 400 and authorized the City Manager to execute change orders for unanticipated construction costs related to the Accessible Pedestrian Signals and Tenth Street Reconfiguration project.

5i. Adoption of Resolution Designating the Third and Fourth Street Corridor as “The Coronado Avenue of Heroes” and Implementing a Hometown Hero Banner Program. The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA DESIGNATING THE THIRD AND FOURTH STREET CORRIDOR WEST OF ORANGE AVENUE AS ‘THE CORONADO AVENUE OF HEROES’ AND IMPLEMENT A COMPANION HOMETOWN BANNER PROGRAM. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8696.

5j. Adoption of a Resolution Authorizing the Filing of an Application for Senior Mini-Grant Program Funds in the Amount of \$88,000 through the San Diego Association of Governments To Fund a “Coronado Seniors Out and About” Volunteer Driver Program. The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO AUTHORIZING THE FILING OF AN APPLCIATION FOR *TRANSNET* SENIOR MINI-GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE CORONADO SENIORS OUT AND ABOUT PROGRAM, COMMITTING THE NECESSARY LOCAL MATCH FOR THE

PROJECT(S) AND STATING THE ASSURANCE OF THE CITY OF CORONADO TO EXECUTE THE GRANT AGREEMENT AND COMPLETE THE PROJECT. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8697.

6. ORAL COMMUNICATIONS:

a. Ella Croshier had a chance to see a letter that was written regarding the campus that is to be built down here in the south part of the ocean front. She read the letter, written by a military person, as it says what she is thinking as well. The subject is the \$750 million proposed Navy South Coastal Campus, 1.5 million acre facility, on 546 acres and 9,000 foot of natural beach frontage of Coronado Heights, a historic, biological, sensitive and unique remaining coastal habit. The writer would disagree with the purpose of this proposal, that it is needed, not because current facilities are obsolete and for the purported Global War on Terrorism. Terrorism is not new in warfare since the 9/11 attack on the World Trade Center. In fact, these facilities are duplicate of what already exists and not a good reason to expand and build a new special warfare school for modernization of classrooms, duplicating already existing areas for physical fitness areas, equipment, maintenance, sand and water training, and another parachute loft. The writer cannot believe the excuse to consolidate command elements into newer, nicer buildings that will also be obsolete. The real reason is to justify the use to this formerly prime public land and move off the current Naval Base as elitists. The writer is deeply concerned about the omissions and lack of full disclosure and the skirting of issues of importance other than the detailed plans for infrastructure of traffic, sewage, water delivery. The writer believes the smoke screen is the word 'campus' which will be luxurious housing for senior Naval personnel with one of the marvelous views of the Pacific coast and a private beach for recreation. There are issues regarding the National Preservation Act that were dismissed in declaration non eligible because by consultants, as lacking integrity and even though plants and animals are rare and endangered are not listed as federal endangered list, the evidence reveals there are historic importance and enormous amounts of important bird and plant species. The Navy does not need this land but wants it. The writer proposes the whole plan be reconsidered to be saved in a coastal conservancy for protection. The writer would agree with Coronado Mayor Casey Tanaka working with the Navy has been incredibly frustrating. The Navy holds the cards to its vest. This proposal is a stacked deck, dealt with a sleight of hand. The joker card is the \$750 million campus to duplicate an already existing commando training base on endangered Coronado Heights. That is the conclusion of the letter. Ms. Croshier pointed out that the Cays will be highly affected by whatever happens down there. Her concern is the traffic flow and the fact that we only have two ways to get in and out of the City. It is going to bring more personnel, more people, into the City and we are already pretty well bulging at the seams.

b. Valeria Fabiszak thanked the Council and thanked Mayor Tanaka for joining them at Ability Awareness Day and for making the proclamation for Disability Awareness Month in Coronado all of October.

c. Emma Fabiszak would like to see the whole playground at Spreckels accessible.

d. Councilmember Denny reminded people to join CERT and CERO. She thanked all involved for the Public Safety Fair.

7. **CITY MANAGER/EXECUTIVE DIRECTOR:**

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

8. **PUBLIC HEARINGS:**

8a. **Public Hearing: Consideration of Applications for Historic Resource Preservation (Mills Act) Agreements for Properties Addressed as 1807 Monterey, 937 J Avenue, 1306 Sixth Street, 921 A Avenue, 723 A Avenue, 754 B Avenue, 760 B Avenue, and 200 H Avenue (HP 2014-02 City of Coronado).** Tricia Olsen, Associate Planner, made the presentation.

Mayor Tanaka asked if 200 H Avenue will be processed under the traditional way we have done the Mills Act or will it be the first of the 50% ones?

Ms. Olsen responded that the first of the 50% ones is 760 B Avenue, #7 on the waiting list. Number eight was submitted before January 1, 2012, so it has the old formula which is not the 50% reduction.

City Manager Blair King clarified that if the Council were to approve the HRC recommendation, all of the pre-2011 applications then would have been satisfied. If the Council were to approve the first seven applications on the list, there would be one left in 2015 under the pre-2011 application process.

Ms. Olsen continued with her presentation.

Councilmember Denny asked Ms. Olsen to explain why the staff recommendation is different from the HRC recommendation.

Ms. Olsen explained that the direction, in the past, from the City Council, has been to move down the waiting list in order, bringing seven applications per year. The staff recommendation is for the first seven applications on the list. The HRC recommendation included not approving the Mills Act agreement for 921 A Avenue so the HRC recommendation skips that property and includes the next one, 200 H Avenue.

Ms. Denny asked what it is about 921 A Avenue that led the HRC to vote that way.

Ms. Olsen responded that there was a Historic Alteration Permit that was constructed at 921 A Avenue and the HRC felt that, as a result of that modification, the house was too modified to be deserving of a Mills Act agreement.

Ms. Denny asked if it is fair to say that the HRC thought that 921 A Avenue didn't follow the historic guidelines and therefore didn't want to extend Mills Act agreement to them.

Ms. Olsen commented that the Mills Act alteration guidelines were not in place at that time. They did approve a Historic Alteration Permit so they did consider the project to be consistent with the Secretary of the Interior's standards but there were no Mills Act alteration guidelines in place at

that time. The HRC thought that Mills Act guidelines may be beneficial in order to differentiate between projects that were consistent with the standards or up to a Mills Act standard.

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

Mayor Tanaka summarized that the Council is being asked to provide two sets of direction. The first is which homes to bring into Mills Act agreements this year and then since we have finished a four-year project of processing roughly 28 homes and getting them into the Mills Act, the Council is also being asked what standard it wants to use. Does the Council want to continue to use that standard where it processes about seven homes a year? Does the Council want to go back to the standard where it looks at what the financial dollar amount is and to cap it around that? Do we want to come up with something else? He supports the HRC recommendation. If they did not feel that 921 A met the high standard that we want to set for the Mills Act, he will support the HRC on their finding. He pointed out that the history behind doing seven a year was to try to clear a backlog. He thinks staff has shown that a new backlog is forming in its place. In other words, the Mills Act program is as popular as we would want it to be. People are increasingly looking to that as a viable tool to help save their historic homes and to be part of the process. His suggestion to the Council would be to continue a program that processes a certain number of homes per year rather than use a financial cap. He thinks the financial cap doesn't really tell the whole picture. In other words, it only tells how much money the City would be losing that particular year. It doesn't tell what would happen somewhere down the road in 10 or 20 years, if and when that house resold. The real financial loss to the City isn't being computed accurately by using that cap number. He thinks the logic he prefers to use is to look at how many homes are pending requests for the Mills Act and hopefully the Council, every year, has some commitment to try to bring a certain number of those homes into the program as it thinks it can afford it. He would be interested in continuing seven a year but is interested in seeing what the preferences of other councilmembers are.

Councilmember Ovrom agrees with Mayor Tanaka with regard to the HRC recommendation. However, as far as he is concerned, he would rather put off any discussions about what happens in the future until the second meeting in December when there are two new councilmembers and they are the ones that are going to have to live with the result.

Councilmember Bailey is fine moving forward with the HRC recommendation and likes Mr. Ovrom's recommendation.

Councilmember Denny thinks that is a fair thing to do, to agree with the HRC and to give the opportunity for the incoming Council to think about this issue. She does want to say a few important points that bear repeating. There is no real financial loss to the City with the Mills Act agreements because due to the well-known and well accepted, by the real estate world, the economists and historic preservationists, the well accepted work from Professor Andrew Norwald. He is a USD economics professor and he has published his results and shows that the halo effect is something that happens in a town with a vibrant and vital Mills Act program that helps lift the property values which keeps property taxes strong for an entire neighborhood. The more property that we have designated and encouraged to come into the Mills Act program, provided they follow the standards, is definitely good for the entire community and there is also that historic tourism benefit that happens, too. Based on Professor Norwald's quantification and financial data and research, there is no real financial loss to the City. She also wanted to take a minute to say that

the person responsible for the Mills Act historic preservation, the gentleman who carried the legislation in Sacramento many years ago, it is kind of an act that takes great foresight and intelligence and thinking big and thinking out of the box, and he is Senator Jim Mills. He lives here in Coronado and just last week he had a stroke. He is recuperating now in Coronado.

She is in favor of no cap. She has always been in favor of no cap from day one. She is happy to hear Mayor Tanaka say that. That gives her great joy today. A cap on the historic preservation program most definitely decreases its viability. She, however, wouldn't stick to the seven per year limit. The actual view of our historic resources program from outside and from experts in historic resources programs is that we actually are too lenient in some areas and too stringent in others. The cap was one stringent area. The seven per year was another stringent area that other communities do not have and makes their programs more viable. In addition, we tend to be too lenient in some areas. She doesn't share this criticism but one criticism of the program is that all we really care about is preserving the facade from the street view of our historic programs and in that way it is very lenient. Other cities require much, much more. She thinks we could do well in not limiting the number per year to seven and removing the cap.

MSUC (Ovrom/Bailey) moved that the City Council approve Mills Act Agreements for 1807 Monterey, 937 J Avenue, 1306 Sixth Street, 723 A Avenue, 754 B Avenue, 760 B Avenue, and 200 H Avenue with exclusions and improvements as recommended by the Historic Resource Commission.

AYES: Bailey, Denny, Ovrom, Tanaka
NAYS: None
ABSTAINING: None
ABSENT: Woiwode

8b. Public Hearing: Approval and Adoption of a Resolution Authorizing the Filing of an Application to the County of San Diego for Fiscal Year 2015-2016 Community Development Block Grant Funding for \$69,000 for Intersection Improvements at Avenida De Las Arenas and Strand Way. Ed Walton, City Engineer, provided the staff report for this item.

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

Councilmember Denny had some basic questions with regard to background information for this so we can get a handle on this. We are talking about the community block grant for a specific intersection. How do we come to pursue this grant? Who found out about it? Who told us about it? Who, on staff, made the contact and so forth.

Mr. Walton responded that these grants are available and are typically on an annual basis. In the past recent years, the City has used these to upgrade our ADA pedestrian ramps. This was brought to the Traffic Operations Committee (TOC) as a particular need. The community came forth and said this is a difficult area to cross.

City Manager Blair King commented that, as indicated before, community development block grants are federal grants that come from the Department of Housing and Urban Development. They are long standing grants and are last remnants, probably, of the Great Society program under the Johnson administration. They are distributed on basically a per capita basis to an urban county. We participate in the San Diego County urban county program. We then have to meet criteria for that. Because this is federal money, we have to have a public hearing and we are engaged in maximum public participation at this moment with this public hearing. Typically, these grants are available for certain targeted income groups. For the most part, Coronado does not meet those targets; however, we can use these grants for the removal of physical barriers which we have tried to leverage these grants to make Coronado as accessible as possible in our removal of physical barriers, which is why these grants are typically focused for that purpose.

Ms. Denny has no problem with the grant but would just like to know where in the community it came from. Mr. King has explained that it came from members of the community who came to the TOC.

Mr. Walton added that this particular concern was brought before the TOC.

Ms. Denny feels that the second piece that is important to know is that this is the intersection that is going to be impacted by the second amended expansion plan of the Hotel Del. Is that fair to say?

Mr. Walton responded that the Hotel is looking at the intersection of Avenida del Sol. This is at Avenida de las Arenas.

Ms. Denny asked if it is fair to say that the expansion of the second amended plan and the expansion of the Hotel Del won't impact the intersection under consideration.

Mr. Walton commented that it won't physically. It may have more traffic as a result of it but no physical improvements are planned.

Ms. Denny wanted to put on the record that she will be voting no for this. In particular, she thinks that the intersection is important to work on and she is happy that staff is doing its job and seeking grants and things to that effect but her concern, in thinking about cost effectiveness of spending taxpayer dollars, there will be improvements made when the Hotel Del second amended plan comes into reality and it really would behoove the City to get the Hotel Del to spend that money instead of spending it on say, like a hostel in Imperial Beach. One of the offered reasons to spend this extra payment from the Hotel is that it would help since it will impact that intersection as well as the other intersection. The whole area is going to be greatly impacted so she would rather push the burden for payment onto the Hotel as opposed to the public.

MSC (Bailey/Ovrom) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO AUTHORIZING THE FILING OF AN APPLICATION TO THE COUNTY OF SAN DIEGO FOR FISCAL YEAR 2015-2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR INTERSECTION IMPROVEMENTS AT AVENIDA DE LAS ARENAS AND STRAND WAY. The Resolution was read by title, the

reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8698.

**AYES: Bailey, Ovrom, Tanaka
NAYS: Denny
ABSTAINING: None
ABSENT: Woiwode**

8c. Public Hearing: Adoption of a Resolution Approving a One-Lot Tentative Parcel Map to Allow for Condominium Ownership of Two Residential Units for the Property Legally Described as Lot 29, Block 68, Map 376 CBSI, Addressed as 741-743 D Avenue in the R-3 (Multiple Family Residential) Zone (PC 2014-09 ARC Business Ventures Inc.). Peter Fait, Associate Planner, provided the staff report on this item.

Councilmember Denny asked to see the picture of the unit. Is this already built on the space?

Mr. Fait responded that it is. Construction is not completed but is probably 80% complete.

Ms. Denny commented that staff is now coming to the Council to ask to put this on this property.

Mr. Fait clarified that this is not his request but rather the applicant's. It is consistent with zoning whether or not the Parcel Map is approved or not and that is because the zoning allows two units and that is what is proposed. In fact, if for some reason the Map was not applied for or denied, the two units would still be consistent with zoning. The only difference is that they would just be retained by the owner and they could rent out the units like apartments. The Map allows them to be individually sold as condominiums.

Ms. Denny asked what existed before these two structures were here. Mr. Fait responded two, that there is no increase in density.

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

MSC (Bailey/Ovrom) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING A ONE-LOT TENTATIVE PARCEL MAP TO ALLOW FOR CONDOMINIUM OWNERSHIP OF TWO RESIDENTIAL UNITS FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 29, BLOCK 68, MAP 376 CBSI, ADDRESSED AS 741-743 D AVENUE, CORONADO, CALIFORNIA. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8699.

Ms. Denny will be voting no. It is really something that should have been brought to the Council sooner. She doesn't think that the taxpayers and the residents, with development being such a hot issue, she doesn't think that we should be doing it this way.

AYES: Bailey, Ovrom, Tanaka
NAYS: Denny
ABSTAINING: None
ABSENT: Woiwode

9. **ADMINISTRATIVE HEARINGS:** None.

10. **COMMISSION AND COMMITTEE REPORTS:** None.

11. **CITY COUNCIL BUSINESS:**

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

Councilmember Bailey has no report.

Councilmember Ovrom submitted his report in writing.

Councilmember Denny was pleased to attend the Infraguard Leadership Symposium on disaster crisis management at Qualcomm; thanked everyone for their support on the Metropolitan Wastewater JPA agenda item earlier in the meeting.

Mayor Tanaka attended the Fleet Week Procession along with other members of the City Council; met with Brian Johnson, General Manager of the Loews; met with Patrice Makovic and Connie Bennett to discuss their planned meeting and talk with Admiral Hering; attended the Mayors and Managers meeting with the City Manager hosted by Supervisor Greg Cox; met with Robert Gleason and former mayor Tom Smisek from the Airport Authority to discuss the AICUZ and the ALCUP process; had a chance to work with former councilmember Carrie Downey who was the City's point person on hosting a grass roots summit of Japanese visitors and thanked Ms. Rahn and her staff for the support they offered for this event; helped do a ribbon cutting with the President of Slovakia; attended the abandoned vehicle meeting; attended the ribbon cutting for the brand new art gallery in Coronado, Emerald Gallery, that is located where there used to be a gym behind The Brigantine and Miguel's; received a Key to the Arts from the CoSA program; gave the proclamation for Abilities Awareness Month and attended the Abilities Awareness Fair at Sacred Heart Parish School; briefed the Chamber Board; and met with the Hanson brothers.

11b. **Consideration of a Joint Resolution of the Metro Wastewater JPA and Metro Commission Supporting the City of San Diego's National Pollutant Discharge Elimination System (NPDES) Modified Permit for the Point Loma Wastewater Treatment Plant.** Ed Walton, City Engineer, introduced Greg Humora, Public Works Director for the City of La Mesa and the Chairman of the MetroTAC, a technical advisory committee to the Wastewater JPA.

Mr. Humora made a presentation for the Council and the public.

Councilmember Denny thanked all those involved for their work on this in conjunction with the steering committee.

Councilmember Ovrom thinks that the City of San Diego and the Metro Commission have come up with a positive on both sides plan. It is a positive on reducing the solids by taking a particular piece of that and transforming it into potable water and helps to solve two problems.

MSUC (Denny/Ovrom) moved that the City Council direct Councilmember Barbara Denny, the City's representative to the Metro Commission/JPA, to support the City of San Diego's Point Loma Wastewater Treatment Plant (PLWTP) modified NPDES permit application.

AYES: Bailey, Denny, Ovrom, Tanaka
NAYS: None
ABSTAINING: None
ABSENT: Woiwode

11c. Approval of the Plan to Replace the Four Eucalyptus Trees Removed Along the 100 Block of E Avenue. Cliff Maurer, Director of Public Services & Engineering, made the presentation.

Councilmember Denny asked a few questions with regard to the methodology of how these trees, the four trees in question, were looked at and then the logistics of how the tree got cut down. She believes that one out of the four was cut down.

Mr. Maurer clarified that two of the four were cut down.

Ms. Denny suggested that it sounds from Mr. Maurer's presentation that it is not impossible to get the eucalyptus trees due to UCSD's arrangement with a local nursery. She asked that he spell the name of the nursery.

Mr. Maurer responded that it is Terrabella Nursery. He believes they are in San Diego.

Ms. Denny thinks it is heartening to know that there is a location where we can get them. He mentioned that these trees, the eucalyptus trees, are not recommended for the urban forest. She is getting a really bad vibe that what the City has in mind in the future is taking down all of the trees on the block, just one by one or two by four and so forth. Can Mr. Maurer speak to whether or not the City has any intent of removing any of the other trees on this beautiful, iconic street of eucalyptus trees?

Mr. Maurer responded that the 31 eucalyptus trees that are in Coronado's urban forest, 18 of which were on the 100 block of E Avenue, were all evaluated by a certified arborist and only four were found to be at risk with a recommendation for removal. The others were all considered low risk. As part of the long-range maintenance plan, staff will continue to evaluate the trees, probably bi- or tri-annually. Public safety is number one. If you get to the point where the arborist comes forth and says there is a public safety issue, in his position as Public Services Director, he would evaluate that with consideration for public safety. There is absolutely no desire to take these trees down any sooner than they need to be. He did point out that these trees are in the final quarter of their life. They are living things that don't live forever so we need to be vigilant and just make sure that, as the trees are today, they are safe.

Ms. Denny commented that Mr. Maurer makes a good point about public safety being important and when he says these trees are in the last quarter of their life, would he be referring to West Coast Arborists for that information or is there some other source.

Mr. Maurer explained that as a general source you can use Cal Poly Technical Sheets on these trees. Typically, these trees live for 100 to 150 years. Staff estimates their age to be between 80 and 100 years. Trees don't typically live their entire lifespan when they are in the urban forest because their root systems are compromised, there is pollution and all those other issues as they would living in a wild or open environment.

Ms. Denny commented that it sounds like if the trees are 80 years old and they can live to 150, they have about 70 years left of their life, fingers crossed.

City Manager Blair King pointed out that the staff report mentions the importance of age diversity and because of that, staff would like, as it is planting new trees, to maintain the trees that are there as long as possible in order to develop that diversity in age because it defeats the purpose if all the trees were replanted at the same time. As Mr. Maurer said, it is not our business to take trees down and we have a strong incentive to try to maintain the trees that are there in a healthy condition.

Ms. Denny asked Mr. King if he would agree that there is no intent on the part of the City to remove the remaining trees right now on the 100 block of E.

Mr. King responded that there absolutely is not. As pointed out, the City Council approved a budget of about \$1.8 million in landscape and tree maintenance. The City has spent a considerable amount of money trying to propagate and keep trees alive.

Ms. Denny has questions now to the methodology and logistics of this particular case. When these trees, the four trees at issue, were determined to be at risk she asked that staff explain the methodologies, for example, to tell about the tapping method versus the core drilling method. A threshold question might be if anyone from West Coast Arborists is present.

Mr. Maurer does not believe there is. The only thing on the agenda was the mitigation plan. There is no one present to discuss the decision to remove the trees.

Ms. Denny feels that is unfortunate.

Mr. Maurer can report that the primary factors used in making that decision are impact area and consequences. These are street trees. They are extremely large. There is one tree on that block that recently had a structural failure. The limb that fell down was probably in excess of 2,000 pounds. It fell down with no notice. There wasn't significant deflection or something that someone should have noticed prior to its structural failure. The impact area for these trees has cars parked under it every day, has sidewalks and streets that are frequented by people and children every day. The consequences are pretty self-evident. A 2,000 pound limb landing on a car or a person or, heaven forbid, a child would be catastrophic. West Coast Arborists, in evaluating all the trees, did follow its standard arborist protocol. They did not do an invasive evaluation. What they found was, in some cases, fungus, and in several of these trees it included bark. That is where, over time, when a tree bifurcates, that the bark gets in between the sections of the tree and as the

tree grows larger than bark, which is obviously not structural, is not included in a very important fulcrum on a moment arm and that is where eucalyptus trees tend to fail. These trees, probably, without significant advance structural pruning for the first 60 years of their life and the last 10 to 15 years they have been closely watched and cared for but that doesn't make up for what has happened in the past and there is nothing we can do to change that internal structure of the trees. Three of these four trees had those conditions. One of them had a history. It had dropped a major limb and the concern was that you have a monolithic set of trees here, all the same, all in the same environment, under the same environmental conditions, yet this tree dropped a limb where the other ones didn't. The arborist explained to staff that no arborist could write that tree as low risk given that history. That is why the four trees were considered moderate risk.

Ms. Denny summarized that West Coast Arborists, our third party contractor, did not do an invasive test for those four trees but did determine that those four trees were at risk and should be taken down. Mr. Maurer brought up the idea of the maintenance of this block, of these iconic trees. Can he describe a little bit what that was? She knows taxpayers want to maintain our unique village atmosphere and this iconic street of beautiful eucalyptus trees is certainly a part of that. Can he describe the maintenance schedule that was followed for this block?

Mr. Maurer cannot give specific details. He is not an arborist but he can say that structurally pruning a tree is not something that is done haphazardly or just to make the exterior circumference of the tree meet a desired shape or look. There is a science to it. It is based on where the structure of the tree is growing to, to ensure that it grows properly. Unfortunately, in their old age, the wood that they build is not as vibrant and structurally sound as the wood that they laid down when they were younger. When our tree crews go in and prune these trees they pay very close attention to how the branches are growing, where there is too much stress on the tree and they structurally prune it to alleviate that stress and help the longevity and life of the tree as much as possible.

Ms. Denny commented that we don't have an idea of how this block, the 100 block of E, was maintained prior to West Coast Arborists' determination that the non-invasive tests showing that the trees should come down...

Mr. King interjected that Mr. Maurer had mentioned that probably for the first 50 or 60 years of its life, we don't know how these trees were pruned. In recent years, Public Services has reported that the trees have received annual attention as they are unique and mature. They have received more than the average attention paid to trees just because of their size and uniqueness. As we talk about the tree management plan, with the planting of new trees, what we want to make sure is that careful attention is paid to form the tree and how the trees are developing in the early years over the next couple of decades versus them reaching the end and then we have reached the point of no return.

Ms. Denny summarized that from the '20s, '30s, and '50s we don't know how the 100 block of E eucalyptus trees were maintained but starting, she would assume, in the '60s and forward, the City is saying that there was a degree of annual maintenance.

Mr. King does not know if it occurred in the '60s but he can say that over the past four years he has been with the City, it has been represented to him that the trees have received a significant amount of attention.

Ms. Denny feels this is a fascinating area for her, being a former leader on the board of two of our garden clubs. Our trees are very important and they do give us a sense of community and our unique village atmosphere but she is going to move on to the final area where she would like to ask some questions. She is sorry West Coast Arborists isn't present because she is interested in the logistics. This has been a very important event, the cutting down of the trees, and our wonderful residents, two of them who sat in trees and were able to save two of the trees from being cut down, and so she would like to know a little bit more about the logistics and, specifically, when West Coast Arborists came upon to do their job on Monday morning, to cut down four trees, and they saw two people sitting in trees, why ever would they go ahead and cut down two trees? Why wouldn't they just stop? Did they call the City? Was there someone who they spoke to in order to go forward with their contract for pay to remove two of the four trees when people were sitting in them?

Mr. Maurer, personally, went down to the site. Obviously, this is a full city block. The two trees that were occupied were on the south end of the block. The two trees that were removed were on the north end of the block. West Coast Arborists had a safety plan that was properly executed. The people on the south end of the block were never in danger. They had the proper equipment, the proper safety stand-off zones. There was absolutely no initiative to address the two trees.

Mayor Tanaka jumped in. The item before the Council is approval of the plan to replace the four eucalyptus trees removed along the 100 block of E Avenue. That last question is starting to stray away from what we are here for today.

Ms. Denny differs and, having the floor and having asked a question, a very important information in the best interest...

Mayor Tanaka noted the City Attorney Johanna Canlas has leaned in and the City relies on her for legal advice.

Ms. Denny wants to know exactly who made the call to tear down the trees.

Mayor Tanaka commented that Ms. Denny is out of order. He asked the City Attorney to speak to the question of what is the scope of what is before the Council.

Ms. Canlas explained that, as we all know, the Brown Act dictates that we only discuss the item that is before the Council, properly noticed and agendaized. In this particular case, the scope of this matter is limited to the replacement trees and the mitigation plan that is before the Council. Any questions outside of that are going beyond the scope of the noticed agendaized item.

Mayor Tanaka pointed out that Ms. Denny does still have the floor. The point was being made that her questions were starting to leave what the agenda item is.

Ms. Denny stated that, unfortunately, it seems that our City seems to always vote against transparency for the public. It is really unfortunate that would be the opinion from our own City Attorney. We have residents here who are interested in these vital facts and she thinks they should know what they are.

Mayor Tanaka commented that if Ms. Denny wouldn't speak for 30 consecutive minutes, they could then speak also.

Ms. Denny is not getting an answer to her question as to who made the call but she would like to say on the record that she is very disappointed that, with people sitting in trees to stop the removal of the trees, that any of them, obviously two of the four trees were removed on that day and it is a very, very disappointing decision.

Councilmember Ovrom referred to the first recommendation. It says to designate the Lemon Scented Gum to replace when the original staff recommendation was the Brisbane. What led to the difference? He recalls hearing that the Brisbane Box was a more stable and more steady tree than any of the eucalyptus.

Mr. Maurer responded that is correct. Because this is a unique corridor, it has historic significance. That wasn't lost on the staff. They listened to the residents of the 100 block. They were very adamant that they would like staff to find a way to put eucalyptus trees back in to maintain this unique corridor of trees. Staff did its research and found eucalyptus trees, and he is not saying they are not problematic, but the risk is lower with the three alternatives staff recommended and the Street Tree Committee, seeing that there was commonality with the Lemon Scented Gum, between staff's alternatives and the residents' list of preferred trees, that is why they landed on that and staff supports that recommendation to the City Council.

Ms. Denny asked when the matter will be agendized in such a manner that the public can get the facts that she was asking earlier as to why the trees were torn down and so forth. Exactly when will that be agendized? The public has the right to know.

Mr. King responded that there is a protocol for the removal of trees that the Council has adopted. The Council adopted the 2011 Street Tree Master Plan. In the Street Tree Master Plan, it states that if a tree is deemed to pose a hazard to public safety that the Public Safety Director has the authority to then remove the tree. Based upon previous direction, Mr. King was provided direction that the trees that were deemed to be a hazard be removed. That is the direction he currently has from the Council. As he understands, residents who had wanted to be clear about what the replacement plan would be and the City postponed any further removal until staff had the opportunity to bring this to the City Council for the Council to provide direction on the replacement plan. Hopefully that will provide the comfort that the residents need to know that there is a plan for the replacement of trees and it is the intention to keep the block looking as attractive as possible.

Ms. Denny doesn't think that answers her question. The whole purpose of transparency and our duty of transparency under the state government code is that the public is a part of these decisions and doing them in secret, in closed session, is an antithesis and just flies in the face of transparency and she thinks that if we don't address it now it is going to be coming up in other issues over and over again.

Mayor Tanaka took back the floor. He asked Ms. Canlas if there are items that cities discuss in closed session that they don't talk to the public about.

Ms. Canlas responded that there are.

Mayor Tanaka asked Ms. Canlas to give some examples of when State law would allow a city council to meet in closed session.

Ms. Canlas responded that litigation is one of them. A claim being received is another one of them and any way that a potential claim is before the city that the city knows and yet hasn't received is another. It is outlined in the government code and is allowed under State law.

Mayor Tanaka asked if the City Council met on this item in closed session twice already.

Ms. Canlas responded that, without her clients giving her permission to reveal what is discussed under closed session, she cannot answer that.

Ms. Denny is happy to give Ms. Canlas authority to disclose that.

Mayor Tanaka pointed out that Ms. Denny does not have the floor. He asked further that if a councilmember doesn't feel that there has been enough transparency, is there a City Council Policy for any councilmember to bring an item before the Council to request a further discussion on it?

Ms. Canlas confirmed that it is outlined in the City Council Policy book.

Mayor Tanaka continued by asking that when the question was asked of the City Manager, does the City Manager put together Council agendas for each Council meeting.

Ms. Canlas responded that he does and added that it is subject to the direction that the Council may provide to the City Manager or the City Attorney.

Mayor Tanaka commented that if the City Manager did not see a reason to agendize what has already been decided, potentially in the past, then the City Manager is acting within his purview to not agendize a new meeting on an item that may have already been decided.

Ms. Canlas agreed.

Mayor Tanaka suggested that if a councilmember is not satisfied with the City Manager's decision, the councilmember could act on his or her own to try to agendize that item in the future rather than blame everyone else.

Ms. Canlas agreed, pursuant to the Council policy.

Mayor Tanaka invited public comment.

Ella Croshier is a bit upset. She has read the paper showing these beautiful, big trees. One of her questions would be, of course, that she sees them around the golf course down there and they look like they have been manicured or they have had some care or treatment so perhaps these trees didn't have the proper care that they needed and if the City's job or duty is to see that they are manicured or cared for they would maybe be not considered as hazardous and, as far as transparency is concerned, these things are really important to people that live there. This is their home. There are some beautiful big trees out there and if there is any way they can save these trees as it takes a long time to grow one that size, and she thinks they should be considered kept

there. There are eucalyptus trees all over San Diego and if they were a real hazard they would be taking them down and yes they drop a limb here and there but so do other trees. She would like to see things in a more transparent way. She is coming to these meetings because she really thinks that everybody that is concerned with the City should be coming down here and sitting down here in front of the Council because she knows that the Council reacts to pressures, public pressures, but when there is only one or two people here that have the time out of their day to come and be concerned with this. Then we have Ms. Denny here and she is asking questions about these things and she has to say that she thinks it is important. They don't get this information in any of the media that we have out there. It is not being utilized to say where these grants are coming from, whose idea was it and how much it is going to cost us over a period of time, how much interest we are going to be paying over a period of time on all these grants we are getting here and we are selling these bonds. This is important to everybody that lives in this City. What is each individual's indebtedness today? They don't know and if they do know they should know that our properties are being put up as collateral for some of this repayment of these bonds in the event that they are not being paid for by the City, by the income that comes into the City. People are not dumb but are just busy with their lives. It would be helpful if all of these media things that we pay for out there, these magazines and all the wonderful stuff that is put out there saying that everything is rosy. Put some facts out there that lets them know where their money is being spent and what is going on. They do care. She cares. She is going to be here and is going to talk to the Council whether it likes it or not.

Dan'l Steward is the guy in the tree. He wanted to say a few things about what Mr. Maurer said with regard to the meeting that the block residents had with the Tree Committee and members of City staff. There was a lot of discussion about the merits of the trees, the dirty versus the less dirty trees – things like that. Those were sort of non-issues for the residents. He rakes branches every day. He is on the leeward side and he catches all of the branches and leaves. Those are issues of minimal consideration or concern. The Brisbane Box was introduced as the recommendation and as the group discussed and had more dialogue about the eucalyptus and their value and their legacy and their venerability and that, also, between the relative merits of the species of eucalyptus and if you look at what was provided from Cal Poly, in terms of the merits of the trees, the Brisbane Box and its limb strength and things like that is essentially measured the same as some of the eucalyptus. He does not see the distinction that has been made between those as he looks at those Cal Poly descriptions of the various species. In terms of availability, that was a big issue for the Sugar Gum which is the tree that is currently there, that they weren't available anywhere. City staff went to great effort to try to find sources of trees. The residents thought they had a source and asked staff if it was amenable to further investigation. The residents were successful. Because UCSD has a large number of those trees on the campus, they were able to find a grower. One of the questions that was asked of Mr. Maurer was what the finding was of the arborist once the trees were felled. The Sugar Gum is the preference of the residents of the street because of the continuity of the legacy there, the tapestry. That doesn't mean the residents are opposed to any other kind of eucalyptus but they put the Sugar Gum at the top of their list and he thinks it ranks right up there with the other options, particularly the Lemon Scented, in terms of its merits. He requested, then, if that is not an issue, that the recommendation that the Tree Committee came forward with, that it would recommend either the Sugar Gum or the Lemon Scented if they are comparable trees because that would maintain...He thanked the City, City Manager and the Tree Committee as it was all very reasonable. To Ms. Denny's point, West Coast Arborists were very careful the entire time to present no danger to them and they were not antagonistic in any manner.

Laura Moore would like to say that, regarding the items that are on the approval agenda, she supports all of them with the exception of naming the Lemon Scented Gum. Her feeling about this whole process is that it has been very rushed and very difficult to stop the train. The Sugar Gums have been located locally. She clarified the UCSD connection. UCSD doesn't have a special relationship with Terrabella Nursery. There are contractors who are to plant trees and they have contracted with Terrabella to grow these Sugar Gums, which can be done with other nurseries, too. It is not exclusive to Terrabella. They just happen to have some. She would like to see the City take a step back. She would like to see eucalyptus on the street. Maybe it wouldn't be a Sugar Gum. Maybe the Spotted Gum, which sounds like it might be ideal, perhaps can be located or grown. If we can develop the management plan so that everybody is on the same page, we take the time to locate them, to figure out whether we can grow them – she might be willing to wait until we can get the right tree in there instead of rushing in with the Lemon Scented because we found it right now. Regarding some of the negative things about the trees that have been mentioned, she thinks the arborist told them that, with proper pruning, the eucalyptus is a viable tree. They have been assured that could be accomplished. The danger of the branches – any tree can drop a branch and if it is 30 or 40 pounds on your head it can still kill you just as much as a large branch. She knows everybody loves the trees but the fact is that weekly they see people coming down the street, taking pictures, touching the trees. She has seen tour buses coming down the street. They are very special and she doesn't think the Brisbane Box is going to do the same thing as what they have there.

David Schnell reiterated what Mr. Steward said. The residents appreciate Mr. King and his staff's openness. They appreciate the City Council working with them. They all felt like it was rushed, too, but that train is already down the tracks. What they are most interested in, as a neighborhood, is that they be involved. The Tree Committee has been very gracious as has City staff. They want to continue that involvement. The last item on this is to direct the staff to develop a long-term management plan. It doesn't say anything about the community being involved in that. They would like to add language to that effect. He thinks he speaks for most everyone in Coronado – this is not just the residents of the 100 block of E Avenue that are concerned about this. There is a long list of people that have added their names to a letter to the City Council to express their concern. It is not just the 20 families that live on that block. He also wanted to say that when he hears statements that all eucalyptus are bad, all eucalyptus need to be removed, he scratches his head on that. If you do about 10 seconds worth of research, you will learn that there are over 700 varieties of eucalyptus trees. Some do have problems. Other ones are very sturdy and, with proper management, can prove safe as many trees out there. He does not like statements that say that all eucalyptus need to come down. He also doesn't agree with the standard that if a tree sheds a limb it needs to come down and is a dangerous tree. That is a fallacy. If we applied that standard to all the trees on Coronado he thinks we'd be very disappointed in what this community looks like. There is an important point that he wanted to make in public and that is the neighbor who made the initial complaint about this distributed his original letter that he sent to the City Council asking about the eucalyptus trees on E Avenue. He makes it very clear that no litigation was threatened. No litigation was implied and yet they have heard over and over again that there was pending litigation and the threat of litigation. The individual who actually made the complaint states in print that was not true. He thanked Mr. Steward for having the guts to climb up in that tree. Everyone in the neighborhood was frustrated.

Mayor Tanaka referred to the five recommendations from City staff.

Ms. Denny called a point of order. She would like the question answered from the speaker. What was the condition of the two trees that were felled.

Mayor Tanaka ruled against Ms. Denny's point of order. There is not an urgency to deal with the question right in the middle of his statement. The first recommendation is whether or not to designate the Lemon Scented Gum as the tree species to replace the four Sugar Gum eucalyptus trees that were removed along the 100 block of E Avenue. It has been proposed that the City should consider keeping the Sugar Gum as one of the options so that rather than only designating the Lemon Scented Gum, one of the residents suggested that the Council consider leaving the Sugar Gum and adding that as one of two. The point has been made by the Public Works Director that the Sugar Gum is not available but that is something that the Council could consider. The second recommendation is to amend the City's approved Street Tree List to include the Lemon Scented Gum as a restricted tree. The third is to amend the themed streets and view corridor section of the City's Tree Master Plan to identify the 100 block of E Avenue as a theme street. The fourth recommendation is to request that the Street Tree Committee identify the single most prestigious and qualified Sugar Gum eucalyptus tree along the 100 block of E Avenue and nominate it for Heritage Tree status for City Council consideration in the future. The last recommendation is to direct staff to develop a long-term management plan for the eucalyptus trees along the 100 block of E. A citizen suggested that if the Council accepts the fifth recommendation that language be included to reflect the inclusion of residents of the 100 block of E as well as the community at large in that long-term planning. The question was raised about the two trees that were felled. He asked if Mr. Maurer is in a position to answer that question.

Mr. Maurer responded that they did not require West Coast Arborists to provide an analysis of the trees. When they removed the trees, they disposed of them. He added that, with one of the two that have been removed, the situation included bark. You could tell that the tree, based on their analysis prior to the removal, had a structural issue. The other tree was the one that had dropped a limb.

Mayor Tanaka supports those recommendations. He would also support adding the Sugar Gum along with the Lemon Scented Gum. One of the things we are pointing out is that the reason we are taking this action at all is because that block is unique. The situation is unique. We don't usually propose eucalyptus for our urban forest but that is certainly an urban forest that already exists. There is a commitment on the part of the City to maintain that block and what is unique about it. To the extent that trees have been removed or will be removed it is, again, driven by safety factors. If we have independent arborists that rate a moderate or higher degree of failure, then the City Council is either going to see that as a safety issue and take action or it won't. The City Council obviously did take action and the City Council did see it as a safety issue. The question was asked as to whether it is the City's intention to remove all the trees and it certainly is not. This is a small town. No one is looking to do that. He is not going to say that everyone agrees with the decision that was made. He can understand that. When you elect people who take an oath, they then have to make decisions based on what they think is in the best interest of the City, what they think puts the City in the greatest degree or exposure of liability and what puts the public in the greatest degree or exposure of property loss or, even worse, bodily harm. He is not asking everyone to agree with the City's decision but he is asking people to understand that those were the factors that went into the decision making, particularly for the four trees in question. Today is not about the four trees in the past. Today is literally about looking ahead to the future. What should replace the four trees? What species? He is supportive of the five recommendations.

He is happy to try to work to see if we can get a Sugar Gum as a replacement but he thinks that people understand that it is just probably not available. He thinks everyone agrees that if we accept the fifth recommendation that the current model we have been using that has been inclusive of the 100 block of E and residents at large would, of course, be part of moving ahead with that. His last point was something Mr. King mentioned. In Mr. Maurer's position as the Director of Public Services, he can act unilaterally if there is a safety issue. He didn't. This was brought to the City Council. He wants it to be clear that to the extent you support or oppose the decisions that have been made, it was the City Council, as a group, that made the decision and not the individual staff members. He applauded staff for doing all that they have to both support the City Council's decision but also to support the public. The point was made about the two trees that came down and he noticed quite a few requests for the wood. Staff might want to consider that for the other trees.

Councilmember Bailey thinks these five recommendations do a good job of protecting the integrity of the block as well as the people and the property in that area. He agrees with including Sugar Gums if they are available as well as increased public involvement in the future coming up with a more comprehensive plan going forward.

Councilmember Ovrom agrees with Mayor Tanaka about the recommendations. He had one comment for the people who have asked to delay this or the fact that there were no legal ramifications of the letter. He disagrees with that. The Council was put on notice that there was a very serious potential hazard by those trees down there. The Council cannot walk away from that. The people cannot accept that responsibility. The City Council has that responsibility and when the lawsuit is filed it is against the City. So you have to consider that type of reaction. None of us want to tear down the trees just to tear down the trees. On the other side of the coin, when it is the City Council's responsibility for the safety of the people in this City, the Council takes that very seriously and in this particular case made a decision.

Councilmember Denny commented that this is such a difficult decision and, unfortunately, it is a very disappointing chapter in Coronado relations with residents and transparency. She cannot support the recommendation because logically you cannot compartmentalize what happened with the removal of two trees from today's agenda item. She wanted to reiterate the reasons why she will be voting no. As a threshold, she doesn't think that West Coast Arborists did not take into consideration public safety. Her questioning earlier was towards the business decision of an outside contractor coming into our City and seeing that residents had a problem they went ahead and removed two instead of four because two people were sitting in two trees. She thinks that, as a business decision, in responding to our community, that was the wrong call and she was looking to see exactly how that occurred. If she had shown up as an independent contractor and saw the citizens upset about the removal of any of the trees, she would have just gone hands off. She was not going towards public safety and does not mean to claim that West Coast Arborists did not care about public safety. It was a business decision. She is satisfied with the information she got from the arborist, West Coast Arborists, that an aggressive maintenance schedule could save all of the 18 trees and that nothing had to come down on the 100 block of E Avenue. She doesn't agree with the Mayor and councilmembers that the trees have to be removed and she doesn't see it as a public safety issue either. She is not satisfied that it is a hazard because, in fact, she was shocked to see that the agenda for the special meeting of the Street Tree Committee to be held on October 9 is the discussion of the City Council's decision to remove hazardous eucalyptus trees on the 100 block of E Avenue and discuss possible mitigation recommendations. She doesn't think it has been

established that the trees are, in fact, hazardous, and we are, in fact, rushing and going forward and adding to the rushing factor is the secrecy factor of closed session meetings that were not necessary under any exception, including the exception to the Brown Act to hold public meetings which we can see in the public government code section 54.956.7 which is what the City Attorney was referring to earlier. That has been too broadly interpreted. There is no pending litigation in this area, as residents have brought up earlier. So she is disappointed in the handling of this matter. The rushing, the secrecy. The golf course tee problem was not handled in this matter and that affected the Glorietta Bay residents and also, in addition to the Glorietta Bay residents looking at that issue, to fix or not to fix that golf tee in particular, and to spend taxpayer dollars in doing it, that we had many, over a year's worth, where it was coming up and up and up again onto our agenda and the Glorietta Bay residents had input, and the Mens Tennis Association and the Womens Tennis Association and it was not done rushed and it was not done in secret. She does not see why this particular matter was. Saying that this has to do with pending litigation is abuse of that exception to the rule and she can't vote for this recommendation. She thinks the trees should be saved.

MSC (Tanaka/Bailey) moved that the City Council: designate the Lemon-Scented Gum (*Corymbia citriodora*) and the Sugar Gum as the tree species to replace the four (4) Sugar Gum eucalyptus trees removed along the 100 block of E Avenue as recommended by the Street Tree Committee (This action requires the Lemon-Scented Gum and Sugar Gum be included on the City's Approved Street Tree List as a "Restricted Tree"); amend the City's Approved Street Tree List to include the Lemon-Scented Gum and Sugar Gum as a "Restricted Tree"; amend the "Themed Streets and View Corridors" section (Appendix B, B-2) of the City's Tree Master Plan to identify the 100 block of E Avenue as a themed street; request the Street Tree Committee to identify the single most prestigious and qualified Sugar Gum eucalyptus tree along the 100 block of E Avenue and nominate it for Heritage Tree status for City Council consideration; and direct staff to develop a long-term management plan for the eucalyptus trees along the 100 block of E Avenue and include residents of the 100 block of E Avenue and the community at large in that process.

AYES:	Bailey, Ovrom, Tanaka
NAYS:	Denny
ABSTAINING:	None
ABSENT:	Woiwode

Mr. King had one more item of clarification based upon the comments from the public. Staff has been operating under the assumption that there was a desire to see the trees planted sooner rather than later. It is true that, given a little bit more time, staff could perhaps identify other species that people would want at a more mature level. It was mentioned that there may be Sugar Gums but they are very small. If staff could have until the end of the second quarter of 2015 to plant the trees that would give staff more time to look if that is acceptable to the public. Staff was operating under the assumption that the public desires a quick response and staff wants to be as responsive as possible.

Mayor Tanaka pointed out that the recommendation before the Council does not have a specific time table. The Council has already been acting under the assumption that Mr. King would carry out the Council's directive as he has been doing, so Mayor Tanaka thinks that if Mr. King interprets the motion that was just voted on as giving him latitude, it does.

Mr. King commented that staff will probably be looking for a little bit longer period of time to try to see what alternative trees or at least the actual supply of trees available.

Mayor Tanaka thinks the limiting factor would be if a councilmember was wondering why this is taking so long, that councilmember could try to agendize this for an update but he does not anticipate that.

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

13. **COMMUNICATIONS - WRITTEN:**

13a. **Consideration of Request that the Mayor Co-Sponsor Admiral Len Hering's Speech to Citizens Climate Lobby about how Global Warming is Affecting National Security to be Held on Wednesday, November 12, 2014, from 7-9 p.m. in the Nautilus Room.** Mayor Tanaka was approached by two Coronado residents, Patrice Makovic and Connie Bennett. They had heard Admiral Hering give a speech on KPBS about how he thinks national security is connected with the issue of global warming. They were so interested in what they heard him say on KPBS that they approached him directly and asked if he would be willing to give a talk that was similar to what they had heard here in Coronado. Admiral Hering was gracious enough to agree. One of the things that caught Mayor Tanaka's attention was that he has worked with Admiral Hering who is a retired two-star admiral and was formerly the Navy Mayor of San Diego and was in charge of Navy Region Southwest. This is the first he has heard of a retired flag officer having a national security point of view with the issue of global warming. He wants to be clear that his interest lies in the fact that this is a great opportunity for the public to hear from someone with a distinguished military record who has a slightly different way of looking at an issue of public concern. Mayor Tanaka was approached and asked if he, as Mayor, would co-sponsor the event and he would be happy to do so. The two women did all of the legwork in terms of booking the Nautilus Room, etc. That generated questions from Linda Rahn about if Mayor Tanaka is, as Office of the Mayor, helping to co-sponsor something how does that trigger the City. That is why this is before the Council. The Council can certainly say it does not support this. He thinks this is just an opportunity to hear from a retired two star admiral who, as far as Mayor Tanaka knows, has a pretty blemish-free record.

Councilmember Bailey has nothing against the Admiral or against Mayor Tanaka's participation but he just doesn't know if Coronado sponsoring the event is really necessary to still have the opportunity to hear from the Admiral.

Councilmember Ovrom (response could not be heard).

Councilmember Denny asked what the cost would be to the taxpayers for the City co-sponsoring this, if any?

City Manager Blair King has to rely on Linda Rahn. The fees would be waived if the City co-sponsors this. He is not sure if Ms. Rahn can provide the amount off the top of her head.

Mayor Tanaka asked Ms. Rahn what the fee difference would be if these two are Coronado residents.

Linda Rahn, Director of Recreation Services, responded that if you are a resident and you are renting the Community Center as a private citizen, Classification E is something like \$250 per hour for the Nautilus Room. For the City, of course, there are no fees to the City for that event. If it is on a week night then normal staffing would be at the Community Center so there wouldn't be additional staffing expenses just for that activity. She could figure out the cost.

Mayor Tanaka interjected. There is some difference between a private resident and the City. He is happy to tell them that the Mayor has co-sponsored their event. He thinks that it is also clear that doesn't mean it is a City event or that they should get zero as the fee.

Ms. Denny just wanted to say that she doesn't know what avenue we are going down now in discussing this but as a registered non-partisan person, she doesn't have a comment to make on global warming per se but as an environmental lawyer she knows it definitely affects development and it always is in her mind when the Council is making decisions on development, some will say overdevelopment in Coronado but her point is the fees don't seem exorbitant. She just needed to get that on the record so that the taxpayers will know what is at issue but the hesitation on the part of Mr. Bailey and Mr. Ovrom makes her think that their constituency might be concerned with our City taking a position on something like global warming and might want to distance themselves from it and if that is their thought, if that is where they are going, it is a reasonable thing to assume that they would do that and if that is what they are doing, that is their right and she is concerned that we haven't asked people in the public if they want their City to support this type of an event.

The Mayor invited public comment.

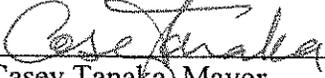
Carolyn Rogerson agreed with Mr. Bailey that this is not an appropriate thing for the City to sponsor and if it was a discussion or a forum where people who believe that global warming is a factor or not a factor that might be something but she does think, for \$250 an hour that those people who would like to hear this, and she is probably one of them, should pay for it.

Mayor Tanaka asked the speaker if she knows of anyone who might have a differing point of view from Admiral Hering. The speaker does not. Mayor Tanaka added that if others have someone they would like to invite, he would be interested in that as well.

No vote was taken. The City will not sponsor this. Mayor Tanaka will personally co-sponsor and the applicants should pay the resident rate.

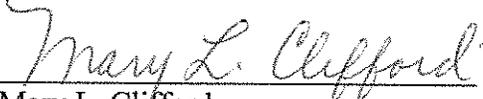
14. **ADJOURNMENT:** The Mayor adjourned the meeting at 6:29 p.m.

Approved: October 21, 2014



Casey Tanaka, Mayor
City of Coronado

Attest:



Mary L. Clifford
City Clerk