

**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, January 7, 2014**

Mayor Tanaka called the meeting to order at 4:00 p.m.

1. **ROLL CALL:**

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

Absent: None

Also Present: City Manager/Agency Executive Director Blair King
City Attorney/Agency Council 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 December 17, 2013.

MSUC(Woiwode/Ovrom) moved to approve the minutes of the Regular Meeting of the City Council/the City Council Acting as the Successor Agency of December 17, 2013, as submitted. The minutes were so approved. The reading of the minutes in their entirety was unanimously waived.

AYES: Bailey, Denny, Ovrom, Woiwode, Tanaka
NAYS: None
ABSTAINING: 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 5d with the addition of Item 11b.

Councilmember Woiwode requested the addition of Item 11b to the Consent Calendar. He also requested the removal of Item 5e.

Councilmember Denny will be abstaining from voting on Item 5b as she is uncomfortable either approving or disapproving these checks because the financial control that is important to doing so, a reviewal of the bills beforehand, is no longer being done. She will abstain on that.

MSUC (Woiwode/Ovrom) moved that the City Council approve the Consent Calendar Items 5a through 5d with the addition of Item 11b – Request from Coronado MainStreet Ltd. for Staff to Purchase/Install Banners on the Orange Avenue Median Light Poles to Celebrate the Commissioning of the *USS Coronado*, and Consideration of an Appropriation of \$2,600 for their Purchase.

AYES: Bailey, Denny, Ovrom, Woiwode, Tanaka
NAYS: None
ABSTAINING: Denny, on Item 5b
ABSENT: None

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

5b. **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 ratified payment of City warrant Nos. 10098863 thru 10099232, and City of Coronado Acting as the Successor Agency to the Community Development Agency of the City of Coronado warrant Nos. 90005558 thru 90005559, audited and approved by the Audit Committee, provided there are sufficient funds on hand. The City Council approved that the warrants are correct and just and conform to the approved budgets for the Fiscal Year 2013-2014.

5c. **Recommendation from the Traffic Operations Committee Regarding Adoption of a Policy to Install “Keep Clear” Pavement Markings.** The City Council adopted a policy to install “Keep Clear” pavement markings.

5d. **Approval of Request from the Friends of the Coronado Public Library to Waive the Alcohol Prohibition on Public Property to Allow Service of Wine and Beer at a Reception at the Coronado Public Library on Friday Evening February 7, 2014, at a Friends’ Fundraising Social Event.** The City Council approved the request to waive the alcohol prohibition on public property to allow service of wine and beer in the Coronado Library for the February 7 Friends event.

5e. Request for the City Council to Approve a Free-of-Charge Public Dock for CEQA Processing and Permit Approval. Assistant City Manager Tom Ritter provided the staff report for this item.

Councilmember Woiwode asked if there was a public forum or comment specifically on the public dock.

Mr. Ritter explained that when staff held the public workshop there were some public dock concepts and feedback was received as to what the public wanted which was a public dock farther away from Dock C.

Mr. Woiwode added that the discussion on this has not been with regard to this by itself but always in the context of Dock C. Mr. Ritter confirmed this.

Councilmember Ovrom commented that the CEQA process requires that we have alternatives including one that means no work. He asked Mr. Ritter to confirm this. Mr. Ritter did so. Mr. Ovrom continued by saying that, as far as the public is concerned, this is not approval of a particular design but it is just approval to start the CEQA process.

Councilmember Denny wanted to put on the record a blue sheeted email dated Monday, January 6 from Kevin Reilly. Her understanding is that staff is incorporating some of Mr. Reilly's suggestions into the project. She asked if he would care to elaborate a little bit on those.

Mr. Ritter responded that many of Mr. Reilly's recommendations are not part of the free public dock but are part of the Boat Launch rehabilitation project. The access of the gangplank is being widened down to the dock. A sandy beach is being added to the north of the Boat Launch ramp so people can launch from their passive vessels. Some water access is being added on the land side for people to wash their boats. As far as the free public dock, staff has added the low free board which could be expanded and made larger if the City decides to incorporate handicap accessibility. There is also a finger for smaller boats up to 35' tying up for a short time.

Ms. Denny thinks Mr. Reilly brings up a good point when he talks about the limitations created by having the second arm so close to the first arm.

Mr. Ritter explained that it is approximately 50' and if people are concerned about that they can launch not on the free board but on the other dock finger. Also, the City has to be careful about how large it makes the free board dock because water coverage is an issue with the Coastal Commission and we don't want to exceed the 10% coverage of our current Dock C because when the City processes this, the Coastal Commission is going to consider it one project and if we add additional water coverage that is going to require significant mitigation and may make it cost prohibitive.

Ms. Denny asked Mr. Ritter to talk a little bit about fresh water coming from a hose and if that is allowed or not allowed and how that alters the chemistry of the bay.

Mr. Ritter responded that we can't discharge directly into the bay. Drainage is required for that. It would be impossible to put something to wash off the boats actually in the water. That would not be allowed.

Ms. Denny asked for confirmation that this is all part of a grant that was received by the City.

Mr. Ritter explained that the City has a grant for the rehabilitation of the Boat Launch Ramp and there is also funding coming from the Port for the same project but there would be enough funding to also do the free public dock from the Port funds.

Ms. Denny asked if it would be safe to say that the City applied for the Port funds.

Mr. Ritter confirmed that the City did request money from the Port for this project.

Ms. Denny added that the City applied for the grant as well and asked from whom the grant is coming.

Mr. Ritter responded that the grant is from the State of California Department of Boating and Waterways.

Ms. Denny asked how the City learned about that grant.

Mr. Ritter believes they have a grant cycle every year for waterways. He doesn't know specifically how staff became aware of this.

Ms. Denny asked if there are any local funds to be spent on this project.

Mr. Ritter responded that there are not.

Councilmember Bailey referred to the fresh water hose issue. Is it allowed for the purposes of filling up a fresh water tank?

City Manager Blair King knows that there has been some discussion about the possibility of fresh water. This facility has not been designed. The City has not received permits. The City knows that there is a request of some type for fresh water to wash down boats. This is probably tying the City's hands a little bit tighter and tighter with the permitting agencies. The first question for the Council is whether this location is generally acceptable for a free public dock. The second question is, in terms of this design, should this design be analyzed against other alternatives in order to move forward as part of the Dock C project with regard to permits and CEQA evaluation. If we start getting specific in terms of functions, then he thinks we are moving down a path that is a little bit beyond the scope of what is needed in discussions with the Council at this time.

Ms. Denny asked how the City found out about the grant from the State of California Department of Boating and Waterways.

Mr. King explained that Scott Huth originally applied for this project when he was Public Services Director and also Mr. Metz, who is a resident of Coronado, is an appointee on the Department of Waterways.

Mayor Tanaka invited public comment.

Tom Pray asked that the Council kindly consider that it has a children's swimming beach right there. Boaters are not the most fantastic ship drivers. You have powerboats and children and they do not mix. You have sail boaters, too. That beach is getting more and more use.

MSC (Ovrom/Tanaka) moved that the City Council approve the staff recommendation for the free-of-charge dock improvement at the Glorietta Bay Boat Launch Ramp and direct staff to proceed with CEQA processing and permit approval for this concept as part of the Dock C Reconstruction Project.

Councilmember Woiwode wanted to verify that the City Council is not committed to any of the designs that have been presented today but that it can, in fact, address all of the issues that have been brought up in the future. He believes that is correct and that it is the function of the CEQA process. If that is the case, he is happy with the motion.

City Attorney Johanna Canlas explained that as part of CEQA we just need enough of a project in order for it to be analyzed. Part of the CEQA process will be reviewing alternatives and part of it could very well be to come back to the Council with certain mitigation that may be required that would require redesign of what has been before the Council.

Ms. Denny thanked everyone who has been working on this project. Ms. Denny thinks this is just too much of a project. There is a lot of activity going on there and she is uncomfortable supporting the project because she just thinks it is really, unfortunately, too much and she has heard that argument before that we just need a little bit of an approval now and we will straighten out down the road but sometimes when we do that we find that what we get down the road is even bigger and not as beneficial to the public. She just thinks it is something that she can't support unfortunately.

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

6. ORAL COMMUNICATIONS:

a. Susan Keith thanked the Council for putting the banners for USS CORONADO on consent. She brought some pictures to share with the public. The ship is about to leave Mobile, Alabama. There will be some training done near Jacksonville, Florida.

b. John Nyquist, VADM, USN Ret, explained some of the particulars of the mechanics of the ship.

Ms. Keith added that USS CORONADO will be coming into San Diego Bay on approximately March 10. There may be some organizations going to have people along the waterfront to welcome her. She will be homeported at 32nd Street. The commissioning is set for April 5 to which the public is invited to attend. Tickets are required for security purposes but there is no fee for tickets.

c. **Tricia Trowbridge** added that people can buy a sign for their house saying that they support USS CORONADO for \$20. She encouraged everyone to get one.

The signs are available for a donation at the Museum Store.

d. **Councilmember Denny** spoke about the water shortage and encouraged people to conserve water. More information is available on allwaterwise.com. She reminded people to join CERT and CERO.

e. **Councilmember Woiwode** talked about County apps for smart phones to help people prepare for emergencies and mentioned upcoming SAFE programs. Three programs will be very much of interest to parents. One is a forum on the Open Campus policy that will be held at 6 p.m. on January 14 at the Winn Room. Another is a successful parenting seminar that will be held on Saturday, January 25 at Lamb's Theater. The third will be the Fred Becker seminar on February 13 on managing expectations for kids to be held at the Middle School in the evening.

Ms. Denny commented that the application Mr. Woiwode mentioned is excellent; however, there is a period after all disasters when the smart phones do go down. To that effect, she would like everyone to think about keeping a regular land line in their home.

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

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

8. **PUBLIC HEARINGS:**

8a. **Public Hearing: Consideration of a Request for Approval of a Zoning Exception Request in Association with an approved Historic Alteration Permit for the Property Addressed as 1030 and 1032 Olive Avenue and Located in the R1-A (Single Family Residential) Zone (HAP 2013-06 Coronado Coast Investors).** Tricia Olsen, Associate Planner, provided the staff report for this item.

Mayor Tanaka clarified that the one vote not in favor of the exception request at the HRC was due to a disqualification and was not a vote against the project.

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

MSUC(Woiwode/Ovrom) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING THE REQUEST FOR AN EXCEPTION TO ZONING STANDARDS IN ASSOCIATION WITH HAP 2013-06 FOR THE HISTORICALLY DESIGNATED RESIDENCE ADDRESSED AS 1030-1032 OLIVE AVENUE LOCATED IN THE R-1A (SINGLE FAMILY RESIDENTIAL) ZONE. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8648.

Councilmember Ovrom thinks it was well done that staff found the exception and that everyone worked to have a mutual solution.

Councilmember Denny agrees that was about as unanimous a decision as you could have at the HRC.

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

9. **ADMINISTRATIVE HEARINGS:** None.

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

11. **CITY COUNCIL BUSINESS:**

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

11b. **Consideration of a Request from Coronado MainStreet Ltd for City Staff to Purchase and Install Banners on the Orange Avenue Median Light Poles to Celebrate the Commissioning of the new LCS-4 USS CORONADO, and Consideration of an Appropriation of \$2,600 for their Purchase.** Under Consent, the City Council approved the request.

11c. **Presentation of Comprehensive Annual Financial Report for the Year Ending June 30, 2013.** City Manager Blair King introduced the item and Leslie Suelter, Director of Administrative Services, along with Rich Kikuchi, LSL, City auditor, provided the staff report for this item.

Councilmember Denny will be happy to support the receipt of this report which is what the City Council is legally required to do. There were a couple of points she wanted to address. She hopes we do get that award for financial reporting. It was mentioned that there were changes made in reporting this year that were not done last year. It seems that one of them is the net position. Or does that have nothing to do with them?

Mr. Kikuchi responded that is part of GASB 63 which is required this year.

Ms. Denny clarified that the net position statement is a GASB requirement and not something to get the award.

Mr. Kikuchi commented that it is a GASB requirement and it is definitely required to get the award.

Ms. Denny wanted to also mention that when you look at our net position it is very significant in that it shows that it is \$242 million. She spent well over 100 hours taking a pension MOOC as part of her due diligence to become more adept and knowledgeable and expert in looking at things like CAFRs, etc. She wanted to say that her group figured out through quantitative analysis the pension debt for Coronado and it was higher than the net position of \$242 million. She wanted to alert the public to that to let them know that it is a real issue and it is something that we should jump on right away and we have taken small steps. However, he mentioned about the GASB 68 and the reporting of the pension debt. It doesn't have to happen for another two years but really when you read the actual requirement it says earlier implementation is recommended. Isn't that true?

Mr. Kikuchi explained that is true with any GASB. The unique thing with GASB 68 is that we need the actuarial analysis from PERS and until we get that we can't implement.

Ms. Denny asked when we anticipate getting them.

Mr. Kikuchi responded that there is no official notice although he has seen some emails going back and forth this week. He saw November of 2014 for the beginning of the FY 2015 as unofficial.

Ms. Denny will be interested to see what CalPers says is the pension debt because it seems like, from an actuarial standard, it is always reported as smaller than what you would from a finance standard. She is very anxious for us to jump in and work on this because it is important to take care of our workers and it is only fair to taxpayers. She thinks we'd get a taxpayer finance award if we jumped on this and maybe pushed CalPers a little bit and tried to get our pension debt earlier. She feels like they might be dragging their feet for political reasons. Ms. Denny also wanted to ask Mr. Kikuchi to explain a little bit when he talks about net position. What we are talking about is in the past and we just put on the assets. Now we are putting on assets minus liabilities to come up with a net position. Is that a broad statement he could say?

Mr. Kikuchi explained that net position really replaces the prior term net assets. It really is assets less liabilities equals net assets but now you have assets plus deferred outflows less liabilities less deferred inflows to get net assets. It really is the same as net assets or equity.

Ms. Denny reads that revenues are down and expenses are generally up from a year ago. Would that be accurate? Look at our enterprise zones?

Ms. Suelter responded that in the business type activities revenues are flat and we had other expenditures besides operating costs going on this year that contributed to the negative position for the one year. The revenues are not down; they are simply flat. The revenues are about the same as the prior year for the business activities.

Ms. Denny clarified that when we are talking about business activities that is the same thing as when we say enterprise zones which are Wastewater, Stormwater and Golf. She is really concerned and she knows taxpayers are too should there be any shortfall in those enterprise zones that it will be made up by the reserves for those zones and not by the General Fund. Is that accurate?

Ms. Suelter concurred. It is a policy decision of the City Council how to use the General Fund. It is not intended that the City would use General Funds to support those activities. We want those activities to be self-sufficient.

Mr. King added that when the City Council adopted the budget for FY 2013-2014, staff highlighted at that time that the enterprise fund of Wastewater had projected excess expenditures over revenues. Staff also pointed out that if not for capital projects that were not completed, the FY 2012-2013 fund would have been in a deficit and the FY 2011-12 was in a deficit. Where there is a reserve the City is eating through the reserve and that is why staff wants to highlight that for the Council to let the Council know that staff is aware of that and wants to ensure that the Council is aware of that. Consequently, staff is talking about bringing to the Council a rate study that would be necessary to make sure that the fund, which is intended not to rely upon General Fund assistance, can operate. Also, just to caution the Council a little bit about outflows with regard to enterprise funds, capital projects can be accumulated over several years within that enterprise fund. Just because there is a large expenditure one year could be a reflection of a large capital project within that particular year. Staff has pointed out in the past, there is an outgoing loan from the General Fund to the Storm Drain Fund and at some point in time the City may want to recharacterize what that relationship is.

Ms. Denny asked Ms. Suelter to let people know, when she says there are differences in the statement of activities due to a change in redevelopment, she said we are not reporting the redevelopment revenue here but we really don't have any redevelopment anymore.

Ms. Suelter explained that was what she was trying to say. The redevelopment agency does not exist anymore but we did have a redevelopment agency functioning for five months of last fiscal year so there are five months of revenue and five months of expenditures that are part of the FY 2012 numbers so because redevelopment is gone this year, completely, there is no revenue or expenditure for redevelopment and it appears, if you didn't know that, that our revenues and expenditures have gone down. That is strictly the redevelopment going away.

Councilmember Ovrom referred to the page that lists examples of communication. He asked if there was anyone that Mr. Kikuchi asked to interview that he was denied visiting.

Mr. Kikuchi cannot recall that happening.

Mr. Ovrom asked if there were any particular documents that he asked for that he did not receive.

Mr. Kikuchi responded that there were not.

Mr. Ovrom asked if he did anything special with cash accounting. Are there any extra efforts that he does when he goes in and audits cash accounts?

Mr. Kikuchi responded that they follow their normal procedures.

Mr. Ovrom asked if Mr. Kikuchi had to expand any of his sample sizes on any of his data. He assumes that they use a specific sample size and if you find something you would expand it. He did not have to do that.

Mr. Kikuchi concurred.

Councilmember Bailey commented that in his work they are always benchmarking themselves against other departments and other competitors for the purposes of trying to improve their own operations. If he were to rank how Coronado stacks up against some other cities that he has worked with in the past, would he say that Coronado's internal controls are stronger than average, lower than average or how would he characterize Coronado's internal controls.

Mr. Kikuchi would say that they are stronger than average. He has always been impressed by not only the caliber of the people in the Finance Department but also the diligence of setting sound internal controls. When he and his staff come out and they do a lot of test work and they change it up from year to year nothing has come to their attention that they need to address. On that scale Coronado is definitely above average.

Ms. Denny followed up on a point made by Mr. Ovrom. When Mr. Kikuchi comes to do an audit at City Hall he meets with different people and does what is called sampling. Could he just explain an example of one or two samples that he would take so that the public understands what he is talking about?

Mr. Kikuchi feels that a good example is when we do testing on federal programs, federal grants. They will look at expenditures for adherence to not only City policies and procedures that are set in place as far as internal controls but they will also test those controls and if they conform to federal guidelines. There are different ways of sampling. You might look at disbursements or checks. You might look at x number of larger dollar checks over x dollar amount and then maybe a sample of smaller dollar items so there are different ways of sampling.

Ms. Denny would also agree with Mr. Ovrom that she would expect that anyone he would talk with at City Hall would be very open to him and cooperative. In terms of internal controls, she asked Mr. Kikuchi to give some examples of what internal controls are when he is talking about internal controls. We bandy about that word a lot and she thinks people have different ideas of what it is.

Mr. Kikuchi referred to the monthly reconciliation of cash and investments. He personally feels that is a very important feature of sound internal controls. You are dealing with cash and so an example of that is that the person preparing the reconciliation is separate from the person reviewing and also approving the reconciliation so you want to make sure there is an approval process.

Ms. Denny summarized that an internal control is someone is doing the monthly reconciliation and then someone else is overseeing it.

Mr. Kikuchi feels that separation of duties is probably at the core of sound internal controls.

Ms. Denny thinks that goes a long way to explain a lot. When he is doing the audit he is taking samples and doing things but he is not doing what is known as a forensic audit or he would be here forever.

Mr. Kikuchi explained that there are all different types of audits out in the world. They have been engaged on this particular engagement to do a financial audit and so that is rendering an opinion on the snapshot of any particular year's operations. That is a financial audit.

Ms. Denny added that when we say that a financial audit is what is required by law it is less than the forensic.

Mr. Kikuchi explained that a forensic audit would be something that is a very specific audit in nature. If there was concern in a particular area, you would hire an audit firm to look at a particular issue within the government or company. That is very specific.

Ms. Denny asked if you could do a forensic audit of an entire year.

Mr. Kikuchi responded that it would be possible but time consuming.

Mr. Bailey referred to slide 5, the General Fund Results. He wanted to make sure that these figures aren't misinterpreted for any particular reason. We see that the final revenue is \$41.3 million and the final expenditures and transfers are \$42.8 million so they are exceeding our revenue. He asked for an explanation, in very plain language, what that really means.

Ms. Suelter responded by saying that this is a summary so you don't see any of the detail here. If she were showing detail on this slide, it would include a line that showed the \$5 million contribution to CalPers. The City Council made a decision to, on a one-time basis, provide a contribution to CalPers in an effort to reduce its outstanding liabilities and that one-time contribution of \$5 million was over and above its operating expenditures which are included in that line of \$42.8 million. So \$5 million of the \$42.8 million shown here was that \$5 million contribution. Absent that, the City's revenue would have exceeded the expenditures and transfers.

MSUC(Bailey/Ovrom) moved that the City Council receive and file the City of Coronado Comprehensive Annual Financial Report (CAFR) for the year ending June 30, 2013.

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

11d. Review of Regulations Regarding Fires on the Public Beach and Provide Direction. City Manager Blair King provided the staff report on this item.

Councilmember Bailey asked Mr. King if he has any suspicion about how the nails are ending up from the fire pits on the beach.

Mr. King shared a hypothesis from the Public Services staff. They feel that what happens is that people burn down pallets mostly. There are probably two different issues going on. The nails on the pallets that burn down are there so they are confined. Other people come along the next day and are scooping out the ash so they clear some airspace underneath what they burn and they dump it right next to the fire rings so the nails then accumulate that way. The other theory is that it is not the first palette that produces the nails but it is palette two and palette three. People break up the first palette and the fire is burning and they throw the second palette on. The edges are hanging over the edge a little bit and as they burn out they fall into the sand. Those are two working theories about how the nails end up around the fire rings.

Mr. Bailey asked what types of material are permitted to be disposed of in the hot coal receptacles.

Mr. King assumes that they were only intended for hot coals or ash or residual from the fire. They are not general trash cans.

Councilmember Denny referred to page 140 of the staff report. The annual budget for beach maintenance is \$510,038. She asked Mr. King to explain where that goes.

Mr. King explained that the budget Ms. Denny referred to is out of the Public Services budget. People are assigned to beach maintenance, both full time people and part-time. That covers the cost of operations plus the consumable supplies related to the equipment that is operated, the fuel to operate the front end loader. From time to time the City will rent other equipment for that. In the FY 2013-14 budget there is a significant increase in that budget from the FY 2012-13 budget. That increase was the result of alignment of some time. The FY 2012-13 year budget for beach maintenance probably understated the actual resources that are being put in. The FY 2013-14 budget at \$510,000 probably more accurately reflects what is going on in Public Services. That does not include the lifeguard budget nor does it include any services expended by Community Development or the Police Department.

Councilmember Ovrom assumes that is primarily and most of it is spent on clearing kelp.

Mr. King agrees that is a big portion of what is done. Cleaning trash receptacles, dumping trash receptacles, cleaning up around the fire rings, general clean up, general maintenance.

Ms. Denny commented that one thing we want to let the public know today is that an action plan for beach maintenance specific to the issue of the nails and fires outside the coal rings has already been implemented and she asked that Mr. King tell the status of that action plan.

Mr. King would defer a little bit to Mr. Little on that but in general it is his understanding that the areas around the fire rings are raked. The concern was that it was too superficial and that there is material that is deeper down that needs to be removed. To address that, the plan is to

excavate, clean out that sand, put that sand away, sift through that sand, backfill with other sand so that we could start off from a cleaner platform. The area is raked but it was not adequate enough to remove all the debris.

Matt Little, Director of Public Services, explained that the excavation effort is complete. What we do have is a pile of material that was removed from the area that we are now working on building a sifter to actually sift through the material and then place back out and distribute on the beach. Staff is working with the crews constantly to train them in the best management practices, making sure that we are going down a little bit deeper to make sure that we are catching debris when we are doing the thorough cleaning.

Ms. Denny finds it impressive that they are building a sifter. She gives Public Services a lot of credit.

Councilmember Woiwode asked about the barbecues and portable fire receptacles. Does Mr. King think that the intent is that those are for cooking? Since we have signage that addresses fire rings and then separately have in the Municipal Code that it is okay to take barbecues onto the beach, is that the expectation that people are taking them down there to cook?

Mr. King responded that the expectation is to cook or for warmth. That language is very common in many municipal codes with regard to beach fires.

Mr. Woiwode commented that some of the codes looked at talked about being able to use portable devices for cooking but not for warmth or fire rings.

Mr. King added that Coronado's code is silent on the purpose.

Mr. Woiwode turned to the subject of enforcement. There was mention of one instance of a fire outside of a fire pit and the data reported. He went on a ride along on the beach one evening and there were two such fires. The officer dealt very correctly and strongly, aggressively on both cases and returned to ensure that they were out. He does not know that those kinds of things get documented and he wonders how often our police are engaging the public and changing behavior but not in response to a complaint and therefore maybe not documented.

Mr. King suggested that Chief Froomin address that question. When this report was prepared, staff was asked to provide any information it had.

Jon Froomin, Director of Police Services, explained that his staff provided information in the report for calls for service mainly because if they put in the report all of the times that officers went out there, self-initiated activity, it would look like there is a huge problem there when there really isn't. The officers do patrol the beach. They go out there every night and it states that they are to do a check so that would show 365 plus per year instances that they go out there. In discussing this with the commanders this morning, they have indicated that they have received no complaints from officers as to an unusual number of incidents that warrants additional research in the fires on the beach. They go out on occasion, just like anywhere else in town, and deal with an issue here.

Mr. Woiwode asked if he gets a subjective assessment that this is a really big fire and a really big crowd and taking some action to interface. If the City put in height of fuel, would that make a difference in the activity that he has interfacing with people on the beach?

Chief Froomin responded that if there were restrictions on the height or even that it has to be contained within the sides, which might be another reasonable expectation, the officers would be able to assess and work with people to try to come in conformance with those policies. When it comes to some of the other regulations, some are a little bit more difficult to enforce dependent on what we want to accomplish. He thinks that the main goal to start with is to change behavior and get it in compliance and not necessarily arresting and citing people. If we can fix it by reducing the size of the fire to be in compliance that would be their first choice.

Mayor Tanaka invited public comment.

Ben Siegfried created the website coronadocleanbeach.com. He thanked the Council for paying attention to this as it is an issue that has been going on for many years now and finally there is some strong attention to this. He feels that the fire rings need to be removed. As far as the City's record goes, it does not know how to manage them. Apparently none of these people go to the beach or take their shoes off to check these things out themselves. He thinks it is great that people are doing ride alongs. Ms. Denny took an immediate interest and has gone and walked the beach and given him updates. He would expect the same from the rest of the Council or at least an email or two. There are a lot of people that he has talked to in the community who have reached out to the Council and been ignored. He doesn't understand why. Why does it take someone to create photos and videos to finally get the Council's attention? He backed the Council into a corner. It is really embarrassing for the Council. It must be. He put forth a ton of effort doing that. He can't tell the Council how much time he has wasted from his personal life doing that. He doesn't like doing it. He sat across the table from Commander Jesus Ochoa who is the Field Commander and he sat red faced with embarrassment and humiliation telling him that they have three to four police officers patrolling each day. That is not nearly enough. To think that there is going to be any kind of enforcement down there is ridiculous. Get in touch. You are cutting back salaries left and right. Cutting back positions left and right. Where is there any enforcement that is going to even occur down there. He listens to the Council and to the City employees and it blows his mind how little attention goes towards the beach, the number one resource. He hopes the Council continues to listen. Woodsmokehealth.org is another website he referred the Council to.

John Julius has lived on Ocean Boulevard overlooking Sunset Park and the North Beach fire rings for over 24 years. He remembers the days when there were 18 fire rings and no curfew out there and it was a mess. Rightly so, the Council enacted rules modifying, taking a modern approach, of eight fire rings spaced apart with a curfew, imposing that curfew and the problems have really gone away. He can guarantee that no one observes that beach more than he does. He is out there every day and sits out on his deck every day at sunset. He is out there at curfew time. He is out there later watching the stars and he sees what goes on out there. There are a lot of imagined horrors in the reports and anecdotes but the facts have come out. You talk to beach services, lifeguards, police, fire and there really aren't that many problems out there. Consistent with that, he has not seen those problems that are identified. There isn't any gang activity. He is only talking about North Beach as he does not know what goes on down at the Shores. Almost all of the problems that have been reported are ones that are already prohibited. There are not

supposed to be any fires outside the fire rings. There is not supposed to be any toxic materials. Regarding the fuels that could be used, he thinks the gas proposal is kind of anti-California and anti-beach. He can't imagine making s'mores over a gas fire at the beach. There is something about the wood burning that is California and is the beach culture. There are some nails on the beach but there has still, as far as he knows, never been a report of someone getting pierced by a nail to include children and dogs. The pallets are a great source of that fuel. He sees people trying to drag down random pieces of wood and construction debris. Pallets just fit perfectly into there. If they are put in the thing and controlled and not put up like a bonfire, he thinks that is a good source and the City maintains it, rakes it, cleans out the nails on a regular basis that is a great result. He was surprised to find out that the Coastal Commission is so adamantly in favor of beach fire rings. In the State of California you have to have beach fire rings. This Council should adopt similar programs. Keep the fire rings where they are. Don't change anything. Enforce the rules as they are. This is a great resource that everyone can enjoy. Stay the course.

Tricia Trowbridge walks the beach almost daily and does believe it is our most precious natural resource. She urged the City Council to revise its current beach fire regulations. After reading the City Manager's report and reviewing Ben Siegfried's information and then checking it herself, she urged the Council to remove the fire rings and prohibit all fires on our beach. If communities on the west coast of Florida can prohibit fires on their beaches to protect their natural environment and wildlife so can we. If the Council does deem it important to keep the eight City fire rings, then she would urge the Council to adopt the beach fire regulations of our neighbor from the south, Imperial Beach. Fires from the beach shall be permitted only in fire rings provided by the city and fires outside these rings are unlawful. The interesting thing is, for those of us who have lived here since the 70s, we always thought those were our beach fire regulations as well and they were just not being enforced, especially in the last couple of years. It even states in our most recent City recreation service magazine, on page 13, fires are only allowed in the rings at North Beach. That is what we all thought. In her letter to the Council, she detailed the negatives of the fire rings, the portable fires and grills and the hot coal bins on the beaches and also the negatives of portable fires along our most narrow strip of beach which is south of the Hotel Del. Here along the boardwalk high tide can reach the rocks year round and that means that those creating fires or grilling on this narrow strip of beach are sharing the same beach space with the swimmers and surfers and beach goers. Fire lovers have discovered this narrow strip of beach because it is the shortest distance to carry their fire equipment and grills and be so close to the surf so it is ruining the beach and surf experience for the others that are there and also affecting the conditions of those living so close to the beach in the Shores condos. The smoke and smells of gas, wood and coal are invading the boardwalk, the balconies and the open windows there and the fire debris is getting everywhere. She hopes the Council does believe that our beach is our most precious natural resource. She asked the Council to do its part to preserve it for its own sake and the wildlife and our beach enthusiasts that enjoy our beach for all the other reasons excluding fires. Prohibit the fires on the beach. It does complement our City's stand on no smoking in public places.

Tom Pray came with an entirely different scenario to offer the Council. It is quite apparent that we do have a problem down there and that is mainly lack of enforcement. The City's enforcement slide, based on formal reports, is wrong. It doesn't include all the contacts to the lifeguards who are doing a marvelous job or to the beach cleanup crew who are also doing a great job. The Council needs to step back and look at the fire pit area. The Council is focused on just one little area of North Beach. How about focusing on North Beach, North Beach fire

rings, Dog Beach, Sunset Park and its problems and the area around it. He just met a woman who has lived in Coronado for 31 years and did not know she could not have her dog in that park with 33 signs that say no dogs in the park. There are people at the fire rings with hubcaps as the containment and various other assorted utilities or utensils. He does not think that is what the Council means. The area is impacting an area of approximately ½ mile around the fire pits. That is quite a few homes. It is quite a few expensive homes. The traffic being drawn to the fire pits as well as Dog Beach, North Beach and Sunset Park impacts all the way down into the 800 block of Coronado Avenue and surrounding Marina, Pine, all of those. What about reducing the impact? Reduce the rings. Remove them. Or make a \$100 reservation fee per ring, a \$200 refundable deposit for the clean up on each ring and collect it. Give it back if it is clean. If he has to go down there at 10 pm because he is the reporting party. The Council dropped the code on him to have enforcement. He calls the police, they come down. If he goes down there and takes a picture, he wants the \$200.

Mayor Tanaka appreciates the staff report put together by Mr. King. He also appreciates the history of what the lifeguard observations are, what the police department calls are and so on. In his opinion, the City had a spike in the summer. The history says that we don't have that many people calling the Police Department over this. We don't have that many people calling Public Services. It is his observation that when people do have bonfires they do often use pallets and debris does accumulate. He does think it is a fair argument to make that people will dig out what is in the pit to make more room for the fire that they are going to have.

Of the recommendations that staff put together on page 137, the only recommendation that he would strongly support is D, prohibit the use of portable barbecues or portable fire rings on the beach or limit their use to designated areas. To him the common sense approach for most of our residents has been to limit their fires to the fire rings. The fact that we have confusion within our own City government over what the ordinance has said and how to enforce it tells him that we need to clean up that confusion. To him the whole purpose of having fire rings is to say that this is the only place the City accepts or tolerates fires. He does not support removing the fire rings. He thinks eight fire rings is appropriate. He also does not think we need to pick a fight with the Coastal Commission. If the majority wants to, then that is a fair fight. He thinks what makes sense is to take more actions to make sure that the eight fire rings the City has are maintained properly.

The steps he would propose taking include having at least one more hot coal container instead of just the one to support eight fire rings. He thinks that we need to continue to keep our eye on what the maintenance is of those rings and what the replacement cycle is for the fire rings. He definitely agrees with the people who said that enforcement is an issue. He would propose that enforcement is a challenge on weekends and holidays. He would suggest that it would be a good way to start, at least during the winter months, focusing on Friday and Saturday nights and when the summer comes in it could be any night. He would agree that we should prohibit the use of portable barbecues and fire rings. He thinks we should make it clear that our ordinance only supports fires within those fire rings.

There was an item in Mr. King's report that he thought was interesting and should be explored further. That is the idea of either having contracted security or he would even add to that the possibility of having a Recreation Department attendant. He was very pleased when Ms. Rahn brought the wedding issue to the Council. Part of the problem was that the City can't be

everywhere all at once. Ms. Rahn came up with the idea of having a Recreation Department kind of valet for those weddings. It might make sense to consider that Friday and Saturday nights are nights where, if the City could hire someone to be on the beach on a somewhat constant basis whether that is for \$15/hour or whatever the going rate is, that would be someone who could always be watching what is going on and, if we enact new rules in terms of fuel or other things, that is a person who could make an immediate contact and say that particular activity isn't allowed on the beach and if there is a group that says they don't care, then that person could obviously have a direct link to the Police Department who could come in. In a perfect world, this is all stuff that could fall under the Police Department but as a City Council member he can say that the Police just can't be everywhere you want them to be all at once. He does agree with Mr. King that our Police are a very expensive resource and if we can do something that keeps City eyes on that area for a longer period of time, he would be happy to support it. Part of what he would suggest is that staff come back to the Council with what the cost would be of contracted security and of running something under the Recreation Department where the City had at least one person there at the times when the fire rings are getting the most use. He would be very interested in hearing the Council's options. He would be willing to support a height limit for the fire. If we have someone there, it would be easier to enforce some of these rules. He does not want to limit the fire materials other than not wanting toxic materials and we are already protected against that. Mr. Julius is the speaker he agreed with most. By and large we don't have a problem. We can certainly do better in terms of maintenance and enforcement but he does not believe a radical overhaul is appropriate for the fire rings.

Councilmember Denny referred to the comment that there wouldn't be a fight with the Coastal Commission in that the land is exempted and wouldn't need permission to remove the fire rings. Is that accurate?

City Attorney Johanna Canlas clarified that she did not allude to that. It is a fact. Removal of the existing fire rings would require Coastal approval and they have indicated that they will oppose any application that would remove the fire rings. Independent of that there is a chapter under Title 48 of the Coronado Municipal Code that addresses waste, refuse and fires. In that particular section that is where you would find that portable fires are allowed, independent of the fire rings. That is not within the land use plan and, therefore, it is her opinion that it is independent of and outside the jurisdiction of the Coastal Commission should the Council decide to regulate that.

Ms. Denny recalls that Mr. King was the one that mentioned that the City Attorney would be happy to speak to that point. She mentioned that the City Council received a letter that has been blue sheeted from Mr. Don Bushell. He is for removing the fire rings.

Mayor Tanaka explained the rules of procedure to Mr. Siegfried who continued to try to add commentary to the discussion.

Ms. Denny hates to see when Mayor Tanaka speaks to residents like that because Mr. Siegfried in particular has put a lot of time and effort and passion into the beach with his website and so forth so she would like to hear what he has to say. She would like to ask him that question.

Mayor Tanaka reminded Ms. Denny that she is not chairing this meeting and that is not going to happen.

Mr. Siegfried continued to interrupt the meeting.

Ms. Denny mentioned that she, like Ms. Trowbridge, also must see the beach every day. She appreciates Mr. Siegfried and others for bringing more facts and videos and photos to her attention and she did go out and specifically check out everything that they mentioned. Sometimes when she can't get actually on the beach if it is late at night she will just walk along Ocean Boulevard or the boardwalk that goes from Ocean all the way down to the Shores. It is our most precious natural resource and she is really concerned because over time she has even noticed, absent the changes that have just been mentioned here tonight by concerned residents, changes on our beach just over time. She would be for removing the fire rings and the reason she would be for removing the fire rings is not, she does not accept the argument that there are undesirable elements or anyone using the fire rings, especially in the summer when all the activity really happens. Things in the winter, for many months, can be quite smooth at the beach but she doesn't accept those arguments. She just rejects them out of hand because the beach is for everybody. It doesn't matter if you are young or you are old or you are rich or you are poor or you have many fancy degrees or you don't have any degrees. That is the whole point. Everyone loves the beach. Everyone loves to go there. It is a great equalizer. It is a resource that we are supposed to maintain for everybody. Has it gotten too expensive for us to maintain? We already are spending \$500,000 just on the public works aspect. In addition we have the lifeguard service as part of the fire service and the police service and the Recreation Department. There already is so much money and time going in towards maintaining the beach. While it is our most important resource, she takes very much to heart what we just learned in the CAFR and when we talk about finances. You will hear the City Manager or Ms. Suelter say that they just tell us these things. They want us to know that things, for example in our enterprise zones, are not going so well. The enterprise zones or funds, however you want to refer to them. That affects what she is trying to make decisions about expending even more money or growing our government or making another position. Out of everyone that is already working on the beach adding another position to the beach in the form of contract security or Recreation Department she just can't even fathom that. She thinks that is really ignoring our current financial situation.

She would be for removing the fire rings based on the fact that there is no requirement that we supply dirtier air and dirtier sand and dirtier water quality and that is exactly what is happening with these bottomless fire pits. She thinks that it is a lovely tradition. She thinks it is really fabulous to go down to the beach and have a wood burning fire but we know the enforcement is going to be too expensive. We know that people are going to be burning all sorts of things. Someone told her today that someone was burning just furniture. They just bring furniture down there. It has just really gotten out of hand and so she thinks it would be better for the beach environment and to provide access for everybody who enjoys the beach. It would be cleaner and safer to not have the fires. Based on the air quality, the science is there that the particulate matter, the smoke, is not a good thing and it will degrade our air quality. We might be in compliance now but how are we contributing to degrading the air quality with the fire rings. Everything that goes down into the water table, it is just hydrology; it just eventually is going to go out to the ocean. Everything just naturally goes that way. On top of that just the unsafe idea of having nails and things, it is just not right for people that might be walking around, children and adults and even pets that traverse that area.

She would be very much in favor of investigating how we could go about removing them because she would have to respectfully disagree with what Mayor Tanaka said to add enforcement and to add a coal bin and so forth. She does not think that we need to make it easier for people to degrade our beach because she thinks that is what happening. It is happening in the summer especially. Hiring somebody, contract security or private security year round, wouldn't make much sense, again, for the expense and because we really do need, as Mr. Siegfried mentioned as he was leaving, we really need to focus on the summer time as people have observed, as she has observed, over time, especially in the summers, more people are visiting and we just don't have, it seems, the resources dedicated now to keep things maintained properly. So she wanted to say the Newport Beach plan is not controlling for her because there are other issues. Really it comes down to two things – spending a lot of money to try to fix what has happened there now because we should admit that has gotten out of control and that we haven't been allocating the proper attention to the beach so it is expensive to maintain it and at the same time the access, it is ruining the access by having those fires and all of the debris there. It is actually ruining the beach experience for other people. She thinks that is a good argument to remove them.

Mayor Tanaka pointed out to the public that the City of Coronado already contracts out for crossing guards. The City has made a determination that getting the children of Coronado to school safely is worth spending a few extra dollars to do that. Both the High School and Middle School pays for chaperones at their dances. We know that the beach is well used. We know a lot of people use it and we know that at night it is a slightly different dynamic than it is during the day. Again, the idea that maybe we should consider supervising that beach with some sort of staffing that is as reasonably priced as possible seems consistent to him with other things the City does.

Councilmember Woiwode reported that all five of his children are all in favor of keeping the fire rings. He likes the recommendation B1 of limiting fire materials. He does not know why we should not be compliant with carbon restrictions. San Diego is incorporating that and he would like to see the City do the same. That would be the paragraph limiting fire materials to charcoal and clean wood, so on and so forth. He would not be in favor at this point of restricting the fire material only to what is sold in the City or by an approved vendor. That really gets to be a logistical problem. He does like the idea, not incorporated in this, of having a reservation system but he also realizes that there is a great deal of feedback, enforcement and so on associated with that. If we do take the step of hiring someone from an enforcement standpoint, then he would be in favor of closing that loop so you would have some accountability for the fire ring and know who has reserved it. Maybe that is only Friday and Saturday nights plus summer – probably the same schedule as what the Recreation Department has set up for events on the beach. In any case, he would be willing to consider that if we feel like we are willing to take that kind of a step with additional staff. He likes B2 as well, restricting the fire materials to a height of 12 inches. He is in favor of giving clear cut guidance to our enforcement officers on what the Council finds acceptable. He is okay with the idea of D, prohibiting the use of portable barbecues or fire rings on the beach. He asked the question about people cooking on the beach. Contrary to what some said, he gets to the beach very frequently. His kids go to the beach a lot. He doesn't see a lot of people cooking on the beach so he does not know if that is a big deal or not if we eliminate the cooking equipment out there so he is uncertain about that. He is okay with it in terms of the consequences to the beach. He is wondering what that does to the utility of the beach and he

does not have a very good sense of that so that is the only hesitation he has about prohibiting portable barbecues.

Councilmember Ovrom agreed that there have been a lot of changes over time. He inspected the fire rings on Monday mornings after this came up just to see what was going on. He did not find any big deal down there. It looked like it was fairly clean. He did not find anything extra in it. He found one coal from one log that was still burning slightly. He found himself asking what the problem is. He is not sure he has gotten the answer to that one. Ms. Trowbridge is not in favor of the barbecues in front of the Shores but he gets feedback that a lot of the people that use barbecues in front of the Shores are residents of the Shores. He has talked to other people down there who do like it. It is not a uniform position. Being a reluctant regulator, which he is, he is not particularly in favor of trying to put more restrictions just to put more restrictions on because there are some complaints. If he goes down the list that is in front of the Council, he cannot support removing the fire rings at North Beach. He will consider limitations on what is burned in the fire rings. He thinks the San Diego list is a pretty comprehensive list. He didn't see pallets so that might have to be in there. To limit the height of the material in the fire rings is not a big deal. To prohibit or restrict the use of portable barbecues or fire rings is where he differs. He does not like the idea of prohibiting. We may want to restrict them or limit them but he does not like taking that privilege away from people who come to use our beaches. As the Coastal Commission says, they are not our beaches but they are the community from all over San Diego's beaches. He can agree with providing more hot coal receptacles. He can agree with providing direction concerning enforcement resources and agrees that the City ought to be able to figure out a way to do that by hiring some extra people that do it when it is needed, particularly on a Friday or Saturday or holiday night.

Councilmember Bailey really applauds Mr. Siegfried for the work he did. Mr. Bailey is not embarrassed by what was uncovered and is proud that Coronado has residents like Mr. Siegfried that take the time to go out, uncover these issues and bring them to the Council's attention so that there can be a response from City staff so that City staff can change its practices to address those issues. He is in favor of keeping the fire rings. He is also in favor of keeping the portable fire rings and barbecues and that is because he has seen all three used responsibly. He would like to see it easier for people to use the fire rings more responsibly in the future. One way to accomplish that is to increase the number of hot charcoal receptacles and also the trash receptacles in that area. He does frequent the beach. He goes to Dog Beach very often and he does notice that on Sunday mornings you do tend to see more trash there, especially during the summers. He thinks it makes sense to make it easier for people to take care of their trash, remove their hot coals so he would recommend to locate at least three more additional hot coal receptacles and more trash receptacles. He would support Mayor Tanaka's recommendation in evaluating the possibility of contracting enforcement during certain parts of the year and he would also support considering an earlier curfew in the future if we have another peak in summer usage that is disruptive to our residents.

M (Denny) moved that the City Council task staff with coming back with more information regarding the following: to think about reviewing limiting fuel and the height but not portables; to perhaps add another coal bin; and to think about the possibility of adding, either through City staff position or contracted out security, with regard to enforcement on the beach; to think about an earlier curfew in the

summer if necessary because we really want to be respectful of the residents that live there.

Ms. Denny's motion died for lack of a second.

MSC (Tanaka/Bailey) moved that the City Council: 1) maintain the current 8 fire rings; 2) maintain and continue the current ordinance of allowing portable barbecues and fire rings; 3) direct staff to update signage on the beach and in literature to reflect what the ordinance already says; 4) direct staff to return to the City Council with a plan for more hot coal receptacles; 5) direct staff to return to the City Council with a range of options to provide more supervision for the fire rings at North Beach; 6) approve staff recommendations B1 and B2, but drop the language in B1 starting with 'or restrict'; 7) direct staff to return with an amendment to the Municipal Code adding B1 and B2; and, 8) direct staff to return with options to deal with the pallets.

Discussion continued about pallets.

Ms. Denny was hoping that she could support the motion but it just seems to be getting too far afield from what she thinks the public wants.

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

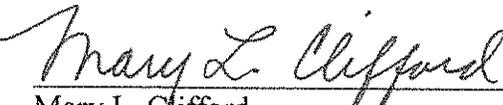
12. **CITY ATTORNEY:** No report.
13. **COMMUNICATIONS - WRITTEN:** None.
14. **ADJOURNMENT:** The meeting was adjourned at 6:35 p.m.

Approved: January 21, 2014



Casey Tanaka, Mayor
City of Coronado

Attest:



Mary L. Clifford
City Clerk