

**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, March 17, 2015**

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

1. ROLL CALL:

Present: Councilmembers/Agency Members Bailey, Downey, Sandke, Woiwode and Mayor Tanaka

Absent: None

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 March 3, 2015.

MSUC (Downey/Sandke) moved to approve the minutes of the Regular Meeting of the City Council/the City Council Acting as the Successor Agency of March 3, 2015, as submitted. The minutes were so approved. The reading of the minutes in their entirety was unanimously waived.

AYES: Bailey, Downey, Sandke, 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 5h.

Councilmember Sandke suggested the addition of Items 11c and 13a.

Councilmember Woiwode commented on Item 5d. He is supportive of it. He mentioned that he toured the facility yesterday and the Police Department explained to him what this will include and it is a very significant upgrade and it, especially since the State is paying for it, is a wonderful opportunity.

MSUC (Sandke/Downey) moved that the City Council approve the Consent Calendar Items 5a through 5h with the addition of Items 11c - Authorize the City Manager to Pursue Membership in the California State Association of Counties-Excess Insurance Authority (CSAC-EIA) Either Individually or as Part of a Group During a Transition Period for the Orderly Dissolution of the San Diego Pooled Insurance Program Authority (SANDPIPA) and 13a – Receive and File a Copy of Letters Sent Expressing Opposition to Governor’s Budget Proposal Affecting Redevelopment Dissolution (RN#15 08847).

**AYES: Bailey, Downey, Sandke, Woiwode, Tanaka
NAYS: None
ABSTAINING: None
ABSENT: None**

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

5b. **Review and Approve that the Warrants, as Certified by the City/Agency Treasurer, are all Correct and Just, and Conform to the Approved Budgets for FY 2014-2015.** The City Council approved payment of City warrant Nos. 10105688 thru 10105962. The City Council approved the warrants as certified by the City/Agency Treasurer.

5c. **Authorization to Transmit the 2015 Annual Housing Progress Report to the State Office of Housing and Community Development.** The City Council authorized the transmission of the 2015 Annual Housing Progress Report to HCD.

5d. **Approval of a Resolution Authorizing the Submittal of a Funding Request to the State of California Telecommunications Division to Upgrade the 9-1-1 Customer Premise Equipment (CPE) System.** The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO AUTHORIZING THE SUBMITTAL OF A FUNDING REQUEST TO THE STATE OF CALIFORNIA TELECOMMUNICATIONS DIVISION TO UPGRADE THE 9-1-1 CUSTOMER PREMISE EQUIPMENT (CPE) SYSTEM. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8725.

5e. Authorization for the City Manager to Execute a Side Letter Agreement with the American Federation of State, County, and Municipal Employees, Local 127 (AFSCME) and Approval of a Resolution Amending the Personnel Authorization and Compensation Plan to Establish Special Pay Category for Certain Maintenance Worker and Mechanic Classifications. The City Council authorized the City Manager to execute the side letter agreement and approved A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONAO AMENDING THE CITY'S PERSONNEL AUTHORIZATION AND COMPENSATION PLAN TO ESTABLISH SPECIAL PAY CATEGORY FOR CERTAIN MAINTENANCE WORKER AND MECHANIC CLASSIFICATIONS. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8726.

5f. Acceptance of the Coronado Cays Channel Berm Stabilization Project and Direction to the City Clerk to File a Notice of Completion. The City Council accepted the Coronado Cays Channel Berm Stabilization project and directed the City Clerk to file a Notice of Completion.

5g. Rejection of all Bids for the Installation of a Rubberized Playground Surface and Universal Swing in Spreckels Park and Direction to Staff to Re-Bid the Project. The City Council rejected all bids for the installation of a rubberized playground surface and universal swing in Spreckels Park and directed staff to re-bid the project, incorporating concrete access to the playground.

5h. Adoption of a Resolution to Designate a Blue Curb Parking Zone in Front of 831 E Avenue. The City Council adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO TO DESIGNATE A BLUE CURB PARKING ZONE IN FRONT OF THE RESIDENCE AT 831 E AVENUE. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8727.

6. ORAL COMMUNICATIONS: None.

7. CITY MANAGER/EXECUTIVE DIRECTOR:

8. PUBLIC HEARINGS:

8a. Public Hearing: Appeal of the Decision of the Historic Resource Commission that the Residence Located at 944 H Avenue Meets the Criteria to be Designated as a Historic Resource in Accordance with Chapter 84.20 of the Municipal Code (NOI 2015-01 Chilton Trust). Tricia Olsen, Senior Planner, provided the staff report on this item.

City Manager Blair King clarified that the subject property is 944 H.

Councilmember Downey asked when the City Council adopted the design criteria that specifically said we were evaluating this and we should use Criterion D.

Ms. Olsen responded that was in 2011.

Ms. Downey asked how many other of these have we now looked at under this new suggested change that we use D instead of B.

Ms. Olsen explained that the HRC uses the designation criteria guidelines for every review that they do.

Ms. Downey would like to know how many contractors who have built homes have we had to look at this issue whether it should be D or B since we made the change in 2011.

Ms. Olsen thinks this might be the first.

Dave Gillingham, HRC Chairperson, presided over the hearing for 944 H Avenue. This wasn't a contentious vote by the HRC. All five members voted to accept the motion as drafted by staff. He thinks the appeal lacks foundation. The owner's argument seems to be that it is historic but it is not historic enough. The issue boils down to whether it meets Criterion B and C.

Criterion B refers to a property identified with a person significant in local, state or national history. Al Laing, Sr. certainly qualifies as a significant component of Coronado history. He built 268 homes in town, including some designed by Requa. He was the City building inspector; was a charter member of Rotary and the Chamber of Commerce. There doesn't seem to be any question that he resided in the property for at least seven years of his productive life and it also appears that this property was his home office. The appellant notes that Mr. Laing and his wife lived in other places and the HRC does not disagree with that but he did live here for seven years.

Criterion C refers to the characteristics of an architectural style in a building that has not been substantially altered. Anecdotally, in Mr. Gillingham's experience, for a building to come to HRC that really hasn't been substantially altered is a little unusual. Most of them have had substantial alterations. This property is a charming example of the Spanish Eclectic style and has not been substantially modified.

Regarding the appeal, the appellant suggested that the HRC didn't ask many questions but they got two-page emails in advance of the hearing from the applicant and they provided a lot of information. He feels certain that if the HRC had a question they would have asked it. The appellant's email suggested that the HRC would blindly follow the recommendations of staff and he is sure staff wishes that were the case but it isn't. The HRC disagreed with the applicant and voted to designate it and it is worth noting that the current owners bought the property the day it was designated historic. The Notice of Intent to Demolish (NOI) went in well before they owned the property. They knew there was some possibility that the NOI would be denied, which it was, and they chose to close escrow anyway. Maybe that had already been set in motion but this wasn't a defining feature of the transaction. He encouraged the City Council to uphold the HRC decision and he encouraged the applicant to consider the historic alteration permit process.

Councilmember Downey asked Mr. Gillingham if it is his belief and that of the HRC that all of the charter members of Rotary are historic.

Mr. Gillingham does not necessarily think that is the case. The HRC looked at the whole thing in the aggregate. In the aggregate, everything he did made him a pillar of the town.

Ms. Downey is trying to figure out what made him historic from the HRC's perspective. It wasn't just being a charter member of Rotary or the Chamber of Commerce. It was a 5-0 vote so the HRC was pretty certain of this criteria but the City Council gave the direction that it wanted to look at it under D instead of B. She is trying to figure out how the HRC will do this going forward after today. The criteria to make Mr. Laing historic wasn't the fact that he made all these homes in Coronado but it was these other components that made him unique so it really didn't matter that he happened to build 287 homes.

Mr. Gillingham wouldn't say it didn't matter. To him, it was his life in the aggregate. He built 268 homes in town. He built some of the Requas in town. He founded the Chamber of Commerce and Rotary. If you look around, there aren't too many people who have done that much for Coronado. To him, that is what made Mr. Laing historic.

Councilmember Bailey asked why the HRC determined that this particular residence was valuable for "...the study of residential construction dated from 1924." What specifically about this residence makes it valuable for that type of study?

Mr. Gillingham commented that construction is one of the components of that criterion. It is an unmolested Spanish Eclectic structure from that period.

Mr. Bailey stated that the three types of subsets under Criterion C are that it is representative of a certain style, in this case, Spanish Eclectic; that it hasn't been substantially altered; and that it is also valuable for some type of study.

Mr. Gillingham clarified that it, "...is valuable for the study of a type, period, or method of construction." He honestly doesn't know what might be unique about a home that was constructed in that year, in terms of the technique, but it is a unique style, it hasn't been substantially modified, and it might be interesting to someone that was looking for that.

Mayor Tanaka summarized that it sounds like it is a type (Spanish Eclectic) and has been largely unchanged. Is that a fair way of summarizing why the HRC deemed it historic rather than its exact construction methods?

Mr. Gillingham commented that none of the members of HRC are architects. He has heard from the Design Review Commission that there might be something unique about the windows but what we do know is that it is original, hasn't been changed, and has the defining characteristics of Spanish Eclectic architecture.

Mr. Bailey's point is that he agrees that the architectural style is Spanish Eclectic. That is one of three sets of criteria that have to be met under Criterion C. It has not been modified. That is the second one. But the third one, and it says this in the staff report, is that it has to be valuable for the study of a type, period or method of construction. The HRC found that this is valuable for the study of residential construction dating from 1924 and he is just having a hard time wrapping his head around why this particular residence is valuable for the study of residential construction.

Mr. Gillingham doesn't have the perspective to explain why but given that it is like a 1924 Model T. If you found one, a car enthusiast might be interested in how they put it together and how they

get restored. If we allow this to be demolished there is no chance it could be useful for a study of its construction.

Mayor Tanaka referred to page 96 where it says that it possesses distinctive characteristics of an architectural style and is valuable for the study of a type, period OR method. He thinks it has been answered that at least the type and its condition is why the HRC felt it met Criterion C. The key word there is or. It doesn't have to have all three.

Mr. Bailey again pointed out that there are three subsets in here – the architectural style, valuable for the type of study, and then the third one is has not been substantially altered. Two of them he can see but it is that middle one, "...valuable for the study of a type, period or method of construction..."

Mayor Tanaka thinks that is something for the Council to discuss.

Jon Palmieri, appellant, focused on how the HRC incorrectly applied Criterion B and stated Mr. Moomjian will focus on the same for Criterion C. Neither the staff nor HRC believed that 944 H qualified under Criteria A, D or E. The HRC believes the home is identified with Mr. Al Laing, Sr., a prolific builder and carpenter in the 1920s, 1930s, 1940s, 1950s, and even 1960s, and someone who was active in the Coronado community during all of those decades because he lived in the subject property for eight years beginning in the mid-1920s. Two important questions that they have today are whether Mr. Laing's accomplishments rise to the level of taking the property rights of a homeowner away and whether he accomplished these things while living in 944 H Avenue. On multiple occasions, the City Council has dealt with this issue of a person being identified with a property versus merely just an association. These criteria guidelines were clarified in 2011 and this may be a bit redundant for those involved in past appeals but he thinks it is important to understand this distinction. The word "identified" under Criterion B states that, "It is identified with a person or event significant in local, state or national history." He doesn't mean to be redundant but looked at two definitions. It is a transitive verb and it falls under to cause or become identical; to conceive as united; to make, represent to be or regard or treat as the same or identical. By definition, and for purposes of Criterion B, he thinks the Council will agree that it is impossible for Mr. Laing to be identified with more than one property in Coronado. That is the way he reads the criterion. Mr. Laing lived in Coronado for a total of 43 years. He moved to Coronado in 1921 and a few years later built the subject property at 944 H. He showed the various homes Mr. Laing lived in and what Mr. Laing accomplished during each of those periods. It is documented, after 944 H, the eight years that he lived there, that he lived in no fewer than five other homes in Coronado after moving from the subject property, all while continuing his building and carpentry career. In 1941, he built 543 B where he lived and worked as a contractor for 19+ years. For whatever reason, the staff report showed him living at 543 B for just four years. During these 19 years, he served as the President of Rotary, as a board member of the Chamber of Commerce, and was also active in other civic organizations. He also was actively working as a contractor, advertising his services in the yellow and white pages until 1964. His home office then was the same as 543 B. Upon Mr. Laing's death in 1968, Alfred Laing, Jr. and his wife moved into 543 B and lived there for most of the remainder of their lives. If we use breadth of accomplishments, both as a contractor and civic contributor, one would have to conclude that 543 B is most identified with Mr. Laing, Sr. and the entire Laing family who owned the home until 2009, more than 60 years.

The staff report specifically identified two of Mr. Laing's notable civic contributions as a charter member of the Rotary and as a charter member of the Chamber of Commerce but failed to note that his service to the Chamber of Commerce was five years after moving from the subject property. Mr. Laing served as Rotary president nearly 20 years after moving from the subject property. He would like to know why these were not included in the staff report and noted in the official City resolution, the formal resolution that said that the house was historic and said that he was a charter member of the Chamber of Commerce while in residence at 944 H. That was impossible. The guidelines specifically state that any accomplishments needed to have happened while the person lived in the subject property. The second notable civic contribution mentioned in the staff report was Mr. Laing's participation as a charter member of Rotary. When the Coronado chapter of Rotary was founded, they needed to recruit 22 businessmen to qualify as an organization which almost didn't happen. Do all 22 of these charter members qualify to have their homes designated historic by virtue of this one act? Is participation in the forming of one civic club sufficient in itself to take away the property rights of someone 89 years later? Is that really the intention of our historic ordinance? To say 944 H is identified with Mr. Laing, Sr. is not accurate and cannot be supported. The staff report states the following about Criterion B, "Generally the property that would be designated for its association with an important individual would be the existing property that is most closely identified with the person's productive life." What property is that? Does the HRC just get to pick which one of Mr. Laing's homes works at the time? That is a question he would really like to have answered. He finds it interesting, when reading back through the minutes of the HRC meeting, it was very clear that other than as a builder, the HRC members had no idea what, if any, other civic involvement this individual had until they read the staff report. If you look at their comments, it is clear that no one understood that he had any involvement in this until they read it in the staff report. The most vocal member of the HRC had Mr. Laing confused with another person's accomplishments until she was corrected by the staff but not before another commissioner agreed with her. If the historic significance of this property rises to the level that another person's property rights are being taken away to save it, then shouldn't this individual's historic contributions already be known to at least one member of the HRC? He can see the staff report revealing some new facts but everything? Mr. Laing was a civically active member of Coronado society during these decades. That is true. But Mr. Laing accomplished more civically while living 19 plus years at 543 B Avenue than he did in the 8 years he lived in 944 H. Maybe more important, he would bet more people in Coronado identify 944 H with the Chilton family who owned the home for more than 50 years. Mr. and Mrs. Chilton both served in WWII, raised their children in the home, and were themselves very civically active. He wonders how the Chilton's would feel knowing their family home of 50+ years is claimed to be identified with someone who lived there for just eight years in the late 1920s. A few Councilmembers were involved in the historic appeal of the Carlin home on Tolita and he recalls that the reason it was upheld was because the home remained in the Carlin family for the better part of Ms. Carlin's life. That is definitely not the case with this property.

Let's talk about Mr. Laing as a builder and how that applies to Criterion B. When he first read the staff report, he was quite concerned about the fact that staff interpreted the criterion to apply to a contractor. In this case, because he lived in the home and used it as a home office. He even went so far as to write an email to staff about this. Mr. Laing was, by profession, a contractor, and as often, a carpenter, working on homes of other homebuilders. Like most in those days, and today, he did not have a formal office. Rather, he used his home as his business address. The staff report provided the option for the HRC to find the structure historic because it was Mr. Laing's home and office. He finds that preposterous to think a home would be considered historic because

someone used it as a home office, especially a builder. Obviously, Mr. Laing could not have built any of the houses he built while he was still sitting at 944 H. Even the example used by the HRC in their brochure to help citizens better understand the guidelines was of Mr. Baum because he had written parts of *The Wizard of Oz* at the home in Star Park Circle. This speaks to the fact that the spirit of this exception was intended to address an artisan or an architect who may have used the home as a studio to perform the works with which they are known. If Mr. Laing were a sculptor or artist or even a renowned architect and 944 was his studio or office in which he created his masterpieces, then that would make sense to him and he suspects it would make sense to other members of the community but for a contractor/carpenter to have his personal home deemed historic because he was a contractor is frankly ridiculous. We preserve the special works of builders to honor them, not their own houses because it was their own house. Ironically, most on the HRC also did not believe his status as a builder was applicable in this criterion although it wasn't reflected that way in the resolution. Look at their minutes. Three of them said that they agreed that he shouldn't be listed. The fact that he was a contractor is irrelevant. It is even more telling when the HRC noted that this home specifically did not qualify under Criterion D as it was not representative of Mr. Laing's notable work. To paraphrase the HRC, the home is only important because it was where a builder lived, not because it was one of his better works. Are all the homes in which he lived now automatically historic because he lived in them? There have been a number of his homes already voluntarily designated. In fact, there was one that went before this one at HRC. Likely many more will be in the future, given the sheer number of homes that he built, many with notable architects. Is it fair to force someone to keep a less than poor example of Mr. Laing's work because he personally lived in it for a short period?

Mayor Tanaka and others have commented that the public doesn't always follow what the City Council and the HRC does in their meetings but they do see and care about the results of the decisions. He has yet to meet one person who, when told about the home being considered historic, didn't say, in effect, that they didn't get it. To that point, and different from any appeal with which he has been involved, it is notable that not one neighbor or anyone else in the community has voiced any opposition to this request for demolition. What does that tell you about the community's view of this home? The Council has stated numerous times over the years that the reason this process was established was to provide more time in the event the public wanted to save a home. That is definitely not the case with this property. Further, in the recent appeal of 999 Adella, it was stated by one of the members of the City Council that, "When the City tells a property owner that they may not control their property and that they cannot have a demolition permit it is his opinion that we have to be on the firmest ground possible and he believes that you have to hold NOI's to the highest possible standard." He further went on to say that when we say that a person is historic and that we are not allowing the house to be taken down the public needs to be able to nod their head and say that they understand what the City means. We in the public need to know that this standard will be applied and it was not applied to this property by the HRC. Imagine how his clients felt when it was clear that little if any research was done by members of the HRC according to their answers and comments and zero questions were asked of the applicant despite a detailed email to all members prior to the HRC meeting. His email addressed one issue. There were plenty of opportunities for them to ask him about the other issues. Only two of the members even commented about the criterion and their entire evaluation took less than 10 minutes. How is that for the highest possible standard? His clients were astonished by the lack of seriousness and factual application of the criterion by any member of the HRC. We understand it is a voluntary position but when making a decision that has the consequence of taking the property rights away from someone because they remember the occupant handing out candy and with

important historical information completely left out, that is not acceptable. Remember, this home only met two of the five criteria. Given how close it was, didn't his clients have the right to expect that the HRC spend just a little more time ensuring that they got it right, especially when the most vocal member got her facts almost entirely wrong? Even the official legal resolution prepared by the City and the HRC sent to his client is factually incorrect. Mr. Gillingham signed off on something that is factually incorrect. His clients paid \$1,600 for this evaluation, another \$500 to be here today. Shouldn't they have the expectation that the City and the commissioners get their facts correct, especially when the result is the taking away of property rights of a homeowner? It is grossly unfair to a homeowner who comes before the City expecting a fair evaluation of their property from the HRC. The real question today might not be whether or not this should be overturned but whether his clients are entitled to their money back. The questions remain. Does being one of 22 charter members of a civic club and having lived in the home for eight of 43 years provide that Mr. Laing's significance in local history rises to the level that you would take away his client's property rights to save it? He hopes the City Council will apply the highest possible standards to its evaluation of this appeal.

Mayor Tanaka pointed out that 15 minutes had gone by under the last speaker. The two speakers prior were not put on a timer and he won't put Mr. Moomjian on a timer but they did not take 15 minutes. The Council has done all the reading and has listened diligently. He hopes Mr. Moomjian will take that into consideration in terms of how long he is going to present.

Mr. Moomjian began by saying that the subject of his comments will be under Criterion C and why they believe the HRC failed with respect to the designation under this criterion. He is happy to hear that there was some deliberation earlier by some of the Councilmembers because he thinks this is an extremely important three-pronged test. Each prong of this analysis needs to occur in a vacuum and then once the Council goes through that analysis, it will find that the property does not qualify under Criterion C.

He showed some photographs of the building. He thinks these show a very marginal Spanish Eclectic example with no real redeeming architectural features indicative of the style. Under Criterion C, the first test that must be met is whether the property possesses distinctive characteristics of an architectural style. If we look at Spanish Eclectic specifically, we can identify some features associated with it; however, there are very few features associated with it. Specifically, the house has a flat roof with a very slight roof parapet, decorative roof vents, red mission tile which covers a front porch area, stucco exterior, and a focal window with some stucco molding. When you look at other features, features that are much more indicative of this style which occur throughout Coronado in its built environment, you see that the subject property is lacking in many, many distinctive characteristics. These include a heavy carved wooden door, double sash windows, glazed tiles, different sized and shaped windows, elaborated chimney tops, fountains, walled gardens, arcaded walkways, towers, terrace accents, tile accents, wrought iron, wrought iron hardware, arches, and spiral columns. For these reasons, what we are really talking about when we get down to brass tacks, we are talking about a common and rather undistinguished architectural example which doesn't possess the really high standard that needs to be met and where the property should possess the distinctive characteristics of the Spanish Eclectic style. With all due respect to Chair Gillingham, he is correct in that the property is charming but it is not historic. It doesn't measure up under Criterion C.

The second prong is that the property has to be valuable for the study of a type, period or method of construction. He thinks all the Councilmembers should have some concerns. Mr. Bailey made an excellent comment that there is no evidence, historic or otherwise, that was submitted before the HRC at the time of the hearing or in this appeal that would support a determination that the property is valuable for the study of a type, period or method of construction. You can't just simply say it is valuable for residential construction. That would be the case of really all homes here in Coronado and he doesn't think you can really say that it is valuable as an example of residential construction because it hasn't been altered. This is supposed to be a study in a vacuum. You are supposed to meet each prong of this test accordingly and the test to whether it has been substantially altered is in the third prong, not in the second. Since the property really doesn't possess the distinctive characteristics of the Spanish Eclectic style to merit designation this residence simply is not valuable for the study of its type, period or method of construction. This is the weakest part of this analysis.

Finally, the question is whether or not the property has been substantially altered. The home has been subject to several additions and it is not as pristine as it was earlier characterized. There is a major addition that was built to the home in the back in 1980 which resulted in an increase of approximately 25% of the square footage of the house and in 1987 a double carport was also added. He would probably agree that these are not substantial alterations but he thinks that in the cumulative what you have is a marginal example that is not valuable for any form of residential study that has been modified. When you take all of that together, you can understand that the property doesn't qualify under Criterion C. He talked about a property at 1030 E Avenue. This is the exact same house that we are talking about today. This house was not built by Mr. Laing, Sr. but was built by Oscar Dorman. This is the exact same house. Remember that we didn't identify who the architect was but we know that we have two different builders using the exact same style. Again, this house mirrors the house under appeal. If the house under appeal is somehow significant and meets the test under Criterion B or Criterion C, so does this house. He doesn't think that you can suggest in any meaningful way how this particular house differs and is distinctly as "historic" as the house under appeal. With all due respect, he asked that the Council support the appeal and overturn the designation.

Mayor Tanaka opened the public hearing.

Scott Aurich commented on the process. When you come to the HRC for an approval on this, there is no open dialogue and it looks like that is being shut down a little bit here today, too. That is a really a big flaw in the process. There needs to be an opportunity for someone who wants to come and have their house evaluated for the historicity of it so that people can have a good, open, back and forth dialogue, understanding what the other side's perspectives are. In the original petition process, there is no opportunity for that. Once the public hearing is closed and once the applicant has made his case, then the dialogue begins and there is no chance for rebuttal. He thinks that it is a good thing to have that open dialogue. If Mr. Gillingham is at the meeting on behalf of the HRC and he wants to make some comments to the appellant's issues and then the appellant wants to respond to that he thinks that would be a good process. That would help ensure that when this is all said and done everyone was given a chance to speak their peace. At the same time, he would really hope that the City Council would look at trying to open up an intermediary step or beginning step so that someone doesn't have to come pay \$1,600 and not have a chance to have any dialogue. If they are going to do that they should be able to come to the Council or HRC and have a chance to feel out where they think this is going to fall in this regard.

Mayor Tanaka closed the public hearing.

Mayor Tanaka gave each party two minutes at most if they want to make an additional statement.

Mr. Gillingham commented that property rights are not an issue here. You can make a qualitative decision on the historic merits of the house, on the historic merits of the occupant but property rights are not the issue. That ship has sailed. The City Council provided the HRC with criteria for designating historic homes and structures and the current owners hadn't bought that property until it was designated. He hopes the Council isn't giving that a lot of thought. He was shocked by the pejorative comments and the outright insults of Commissioner Keith. He does not think that is appropriate. It is fine to disagree and he understands that Mr. Palmieri is angry. The HRC did the best it could. If there is what amounts to a typographical error in the motion, he is sure it can be corrected.

Mr. Palmieri stated that this is a contentious issue. It is not so much the ruling but how they got to it. The reason that he provided the minutes was so that the Council could read them. Imagine you have a home that is going before the HRC. Please read the things that they focus on. Please ask yourself if they went through the criteria. Look at what they said and not what they came up here and reported that they did. Look at what they said. Ask yourself, if you were in his client's position, would you feel that you were heard and that your case was listened to and that all the salient points were addressed? He thinks the answer to that is no. It certainly was for his client.

Mayor Tanaka referred to the staff report and noted that the issue before the Council is whether to affirm, modify or overturn the decision of the HRC that the single-family residence addressed as 944 H Avenue meets the criteria to be designated a historic resource. There were two grounds on which the HRC felt that this structure was historic. They felt Criterion B was met and Criterion D was met. Mayor Tanaka understands the decision that the HRC made and the logic they used but he certainly does not agree that Criterion B was met and he is struggling to believe that Criterion C was met. From his position, it is very clear that this decision should be overturned. Two are the minimum number of criteria that need to be met. In his opinion, it is very clear that B was not met so that would be it. If he was forced to vote on C today, he is not convinced necessarily that it has distinctive characteristics. He thinks there is a difference between being Spanish Eclectic and having distinctive characteristics of Spanish Eclectic. He will focus his comments for now on Criterion B and he thinks it is important to point out that this home was lived in for eight years by the person being cited as historically significant. He sees no reason to debate Alfred Laing being historically significant if the simple threshold is whether or not this would be called the Alfred Laing home. He doesn't think he would. It was brought up that the Chilton's have lived there as a family since the 1960s. He thinks it would be fair to say that most people would probably call it the Chilton home. If we even have to debate whether or not it is the Alfred Laing home, then he just doesn't see how Criterion B was met. He does disagree with the idea that only one home could be identified. He offered a scenario where he would happily agree to eight homes of the same person. If this were President of the United States Alfred Laing, then he would start considering whether this was the child home or war hero home, etc. They don't come into play here. One question that we could spend time on but don't have to is to what extent Mr. Laing is historic and to what extent all structures that he owned or is associated with are historic. We don't need to go there because he doesn't think this home even rises to the basic level of being identified with him. The only thing that makes it identified, under this logic, is that he built it and owned it

for a period of eight years and it may have served as somewhat of a headquarters for things built during that eight year time period. He doesn't find that to be the most compelling argument and for that reason he would not hold this home to the standard of Criterion B. He does not think Criterion B has been met.

Lastly, on Criterion C, the garden variety of HRC findings should be that you would want architectural students to take a look at the home and say that this is a prime example of 'X.' The staff report says that the Spanish Eclectic style here regionally grew in popularity after the Panama California Exposition of 1915 and it listed some of the things that are famous from things in Balboa Park, etc. While Mayor Tanaka likes this home, while if this home had asked voluntarily for distinction he would maybe give it a little bit more credence, he would say that on an involuntary basis this home does not have the bells and whistles he would expect of something that reminds him of that exposition from 1915 or that should be inspired by it. The reference to 1030 E, which looks fairly identical but has a different builder, makes the point very well. He does not see much ground on which to uphold this. To him, it is fairly clear cut that there should be a motion to overturn this decision and to eliminate either one or both of the criteria.

Councilmember Downey agrees that the City Council should overturn the findings but there are a couple of things that she would like to comment on in the process. The City Council was asked to look at the minutes of the meeting because the resolution did not reflect what the HRC said. That is the reason she has asked for, as many years as she can count, to televise the HRC meetings. The minutes also don't accurately reflect everything that happens so for our citizens to understand how we operate and how we find things she thinks that would be helpful. She has made the same concern known, and it is not a reference to any commissioner not doing their job properly as she is so appreciative that people who love history in Coronado are willing to serve on the HRC, but she has a tough time as a lawyer for so many hearings turning into what she considers a whole recitation of facts not in evidence until Mrs. Keith tells us what happened in a home we don't know what is historic in Coronado. The staff report didn't have any of it. The appellant didn't have a chance to prepare or check on the facts. The staff didn't have a chance to check on the facts. Because these are serious rights we are, on occasion, taking from homeowners, and we chose to do that and adopted our statute and in instances it is the appropriate thing to do but we have to do that with a very careful knife. She wants to have all the facts that tell the City to do that and then she is okay. There have been very few that she has seen that have risen to that occasion. She thinks we need to start looking at the method. Any criteria that are going to be used to substantiate a finding, if it was not previously announced, they should continue the hearing to give everyone more time to prepare and respond. She has commented many times that the City is lucky to have amazing folks from CHA who have served as our commissioners all these years but they have more facts than the applicant and staff do and she thinks that is wrong if the City is making a decision based on someone's memory. She appreciates Mayor Tanaka explaining his opinion on whether more than one home be identified with someone as she shares the exact same opinion. She thinks, and the evidence that the appellant brought up on the home on Tolita for Mary Carlin King, that she voted against that because that is not the home we know her at. It is her Glorietta home. To say that just because she owned one somewhere isn't enough. We need to look at that to figure out if it comes up at an HRC hearing that we want to find a residence historic just because it is identified with someone, we are going to need to help HRC establish what that means. She doesn't think it is just that someone lived there at some point in their life. That would help HRC if the Council were clearer on what identified means. The City Council tried to tell the City and HRC and everyone that if you are going to look at a builder you should be using Criterion D and

not Criterion B. She guesses the Council wasn't clear enough. Although she has now volunteered to do this three times maybe we need to find ways to be clearer on what we are asking the HRC to do in the future.

Mayor Tanaka wants to affirm, modify or overturn first. He thinks the comments Ms. Downey is making are welcome. Obviously they are not something the Council can act on today. To the extent we can improve this process, he encourages the Council to do that. He is at the point when he doesn't want any more subcommittees. He suggested a subcommittee of one.

Councilmember Bailey commented that every time an appeal comes before the City Council it always does seem to be pretty emotionally charged. One of the reasons for that is that people often conflate the issue as being between saving a home versus determining whether or not it is truly historic. That is the Council's job. It is to determine whether or not it is historic. It is not to determine whether or not this home is worthy of saving. He doesn't think this home actually rises to the level of being historic. Whether or not it should be saved is a completely different issue that is not for this Council to discuss. It is simply whether or not this home is historic given these criteria. The one he struggles with mostly is Criterion C. As was pointed out, there are three prongs to this that have to be met, the first one being distinctive characteristics of an architectural style. If we claim that this particular house meets that first prong, then many homes in Coronado would meet that standard. Is it valuable for the study of a type, period or method of construction? The one that HRC found is for residential construction. Every residential home, at one time, was constructed. They didn't substantiate their findings with why this particular home was valuable for that type of study. Lastly, it has not been substantially altered. To him, this Criterion C, the way that HRC used it would almost be a catch all for any residence that had not been substantially altered that exhibited some type of architectural style and was a residence. Mostly for the reasons he cited with respect to Criterion C, he thinks the City Council should overturn the HRC's decision.

Councilmember Sandke pointed out that the applicant has asked for comprehensive and accurate. He believes he has been comprehensive with his research and hopes he has been accurate with his interpretation. He would currently lean toward upholding the staff recommendation. He does believe that the productive life analysis that was done by staff was indicative of Mr. Laing's significant contributions to town and that tying him to that house at that time does, indeed, meet Criterion B. Notwithstanding the fact that he had involvement with Rotary, he thinks that way beyond Rotary, Al Laing and his son have been fixtures in our town for a long, long time. He is not so hung up on hanging the 543 B Avenue house on him but he thinks that when he reads a book by Ray Brandeis it says that the common name for the house was the Chilton House but the historic name was indeed the Laing House. There are those very considered opinions of the feeling that Mr. Laing is associated with this house. He was struck by the comments by Commissioner Gillingham involving the purchase date and the hearing date. He disclosed that he met with the appellant, Mr. Palmieri. Mr. Palmieri shared that there were other people interested in the house but all of their offers were contingent upon the house not being declared historic. He believes that in terms of moving ahead the day of the hearing with the purchase Mr. Palmieri took a risk. That risk didn't go his way at HRC that day and hence he is appealing. He has a lot of background and a lot of research that he has done. Mr. Sandke shared his disappointment with Mr. Palmieri's remarks today, disparaging staff and the HRC. Mr. Sandke believes that the passion of the moment did infect Mr. Palmieri but he thinks this chamber deserves a little more decorum. Mr. Sandke applauded Mr. Palmieri's legal representative as his presentation was significantly more professional although he does not agree with his findings. In terms of the taking of property rights,

he does not agree that is there. On the historic property during his occupancy, it was characterized by the appellant that the house was in less than poor condition and after talking about Mr. Chilton having lived in the house for 50 years and claiming that Mr. Chilton's pride in that house should have been part of the reason we didn't find it historic seems ironic. He was struck by the characterizations of Mr. Chilton's care of his home. He thinks the highest possible standard, in terms of the historical significance, he feels that enough of the Spanish Eclectic elements are there. He does agree that it is a modest example of the style but it goes with the cottage scale that existed in that neighborhood at the time it was built. If someone was interested in studying those kinds of buildings, they would be able to use that building as an example of that. Also, in Criterion C, it is an 'or' and not an 'and' for those three items. It is clearly a period piece. The type is also there. The method – he does not understand construction methods from the 1920s but he is certain that methods were used that were significant to the time. It is very common for contractors to work out of their home. He doesn't find the fact that he lived and used office space in his home to be at all indicative of the non-historic nature of it. He thinks, in summation, one question that Mr. Palmieri asked him was whether there should be a different set of criteria for involuntary versus voluntary. That does not exist at this time. Also, to the point of process, the money that it costs to find out if your house is historic was brought up. The cost was quoted as \$1,600 and \$500. These are \$1.5 million and \$2 million transactions. That seems a very small amount in the scope of the complete real estate deal. He thinks that is a reasonable amount. Maybe that money needs to be spent before you buy the house or to have some type of determination before you commit your funds and know what you are going to do or be able to do. There have been some great examples of houses that have had alteration permits and are great examples of homes that we can be proud of in our town. He definitely considers Mr. Bailey's comments whether it is the Council's decision to save the house or whether it is the Council's decision to determine that it is historic to try to take the emotion out of it. In his determination, the subjective nature of B and C, he sides on the side of staff and would vote to uphold the HRC decision. Mr. Sandke also met with Ms. Olsen on this.

Mayor Tanaka did not meet with anyone on this item but did drive by the home today. He also drove by 1010 Olive. He does not feel there could be a bigger contrast.

Councilmember Woiwode met with Mr. Palmieri and has been by the house a number of times in the last several weeks. He believes that this qualifies under Criterion C. He doesn't believe that it has to be a textbook model in order to provide study. The statement is that it provides distinctive characteristics of the Spanish Eclectic style and is valuable for the study of residential construction dating from 1924. You would expect quite a number of other houses to look like it if they were built in 1924. The fact that is the case is not a surprise to him. He believes that it does qualify under Criterion C. Criterion B is very tough for him because it is clear to him that Al Laing is a historic figure in Coronado and has a lot to do with Coronado being what it is today. What it boils down to is the issue of whether this is the address most closely identified with him. It may be that if we had a comprehensive survey of the City, we might find another address that is more closely associated with him. That is not what is on the agenda. He is inclined to support the designation under Criterion B as well. At this point, he is supportive of the HRC finding.

Mayor Tanaka thinks it is clear that there will be a 3-2 vote.

Ms. Downey stated that anyone in the audience or the public could provide suggestions to her for how to improve this process because she will be putting something together. She respects her

colleagues but would like to ask them to think about one thing. If this is identified with Mr. Laing, are they disagreeing with the Mayor’s idea that, with the exception of the President, does every home that a person lived in meet that criterion with the word ‘identified.’ That is where she struggles with this. The City hasn’t defined it so she is not saying that their subjective answer is wrong but she just has a tough time saying that if this is identified then she would have to say that every other one of those homes that he lived in would have to be identified as well and she has a tough time with that. A lot of builders live in their homes. She thinks our spokesperson who talked about it being the place where art is created was appropriate. You learn nothing about how Mr. Laing built a house by going into this house. There is no connection there for her. That is why it really fails for her on those criteria.

M (Downey) moved that the City Council overturn the decision of the HRC.

Mayor Tanaka suggested that if the HRC picked Criteria B & C, does Ms. Downey want to include that she is overturning based on Criteria B and, therefore, two were not met.

MSC (Downey/Bailey) moved that the City Council overturn the decision of the HRC because Criterion B was not met.

AYES:	Bailey, Downey, Tanaka
NAYS:	Sandke, Woiwode
ABSTAINING:	None
ABSENT:	None

Mayor Tanaka thanked both the HRC members and the appellants. There is an inherent amount of subjectivity in items like this. No matter how hard the Council has tried to make it less subjective it has remained subjective. The unanimous City Council is thankful for the difficult work of the HRC commissioners. He is sorry the appellant had to go through a process that has clearly been as painful as it has been for him.

8b. Public Hearing: Consideration of Environmental Initial Study Documents and Determination Whether to Proceed by Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report for the South Beach Restroom Located at the South End of the Avenida Del Sol Cul-De-Sac on the Public Beach (City of Coronado IS 2013-05). City Manager Blair King introduced the item and Bill Cecil, Capital Projects Manager, provided the staff report. He introduced Barbara Heyman from PlaceWorks who also made a presentation to the public and City Council.

Mayor Tanaka thinks his question is focused and very obvious. If you have a big flood action water is going to try to find the weakest point. He would like to know to what extent this is being designed so that if that tide gets around the entire structure that it remains above it or not compromised by it.

Mr. Walter Crampton explained that the design is intended to eliminate undermining of the structure. In 1983, there was beach scour all the way down to elevation zero. The current beach elevation is around 9½ feet or so. A similar event would cause 9 or 10 feet of beach scour and the restroom would be destroyed. The seawall is intended to eliminate the erosion and undermining

of the structure and is not really intended to eliminate flooding of the structure. There might be intermittent flooding, particularly if high sea level rise estimates occur in 20/30/40 years. Flooding is not the problem that scour and undermining with the total collapse of the structure is. The purpose of the sea wall is to protect the structure and not to eliminate flooding.

Mayor Tanaka referred to the very first slide that provided a history of all the times the Council has talked about this. In some of that history, the Council was very adamant about trying to make sure that staff was clear about to what extent would flooding compromise the project. We have had discussions that we don't want to sink in X amount of dollars to know that once every 20 or 30 years there is such a significant storm that flooding will occur and if flooding occurs to that extent, to what extent is this structure going to be compromised. He asked if that question could be answered.

Mr. Cecil responded that they have made a structure around it in order to protect the structure to prevent scouring. That is to eliminate the soil or sand beneath the structure which would cause it to fail. We understand that it is at the shoreline and that there are events like the 1983 event in which we had an El Nino event creating very high tides and that flooding would occur. There is a difference between flooding and inundation. Inundation is when it is always flooded and always underwater. The concern here, however, is scour.

Mayor Tanaka is satisfied with the issue of scour. Other than messing up our drains, are there any other things he should be concerned about with this project if and when those big flooding events occur. He is trying to get a sense of when the Council, in 2025, deals with that flood and what type of damage can be anticipated. Are we talking about \$10,000 or \$50,000 worth of damage or are we talking about replacement of the structure? That is what he is trying to get a sense for.

Mr. Cecil explained that the intent is not to replace the structure.

Mr. Crampton commented that it is important to understand the distinction. Inundation occurs associated with sea level rise and it is inundated and people can't walk and use the restrooms. Flooding is associated with a 10/20/50 year storm that hits the seawall, there is overtopping and temporary flooding associated with this significant storm.

City Manager Blair King feels he can answer the question. The toilet paper will get wet. The bathroom will have to be closed. After the water goes away, the sand bags will be removed and the toilet paper will be replaced and you can flush the toilets and go on.

Mayor Tanaka summarized that Mr. King is not concerned about it then.

Mr. Cecil is confident that the building is being designed to be able to take the occasional flooding which is shown in the wave run up study.

Councilmember Bailey commented that the wave run up study did address to what frequency we could expect flooding that would prevent the restroom from being usable. Does staff recall how often that was? He thinks it was more frequent than a 10-or 15-year storm. He thinks it was a few times a year that staff anticipated it being closed because of flooding.

Mr. Crampton responded that it is important to make the distinction between inundation associated with sea level rise and flooding associated with a very severe storm. This is designed to resist a 100-year storm. A 100-year storm will cause very, very high spectacular run up and the splash that comes over. It will not damage the structure but it will flood. The inundation is an entirely separate issue where you can't use the restroom. We are looking at four different sea level rise models over the next century from ½ meter to two meters. If we use one meter of sea level rise over the next century we have, over the course of a century, weekly inundation occurring at the century and decadal and then we would have nine to 12' of run up occurring every ten years or so to annually, depending on the actual amount of sea level rise.

Mayor Tanaka would like Walt to use his intuition. Mr. Bailey was suggesting that we might not need to worry about the 10-or 20-year storm but wondered if we need to worry about the one or two bad seasonal storms and whether that amount of damage is something we should be concerned about.

Mr. Crampton explained that when a lot of people talk about two meters of sea level rise he personally views that, over the next 50 years, you will not have much concern because most of these sea level rise models over the first 50 years only have minor changes.

Mr. King commented that as a part of CEQA, the City is required to look at sea level rise. Mr. Crampton has talked about some of his scope of work being to look at sea level rise. The question that is being presented now is at current conditions, the current conditions that we would normally expect in 2015, 2016. How many times might the restroom be taken out of service?

Mr. Crampton responded that will not happen.

Mayor Tanaka is only pursuing this because there is a continual reference to sea level rise. He is not asking anyone to estimate two meters of sea level rise. We are talking about in a given storm year.

Mr. Crampton again explained that a 100-year storm will cause inundation and flooding. The likelihood of this 100-year storm occurring next year is extremely low. You have a very low probability of inundation and flooding of the structure even for the next decade. If you have very conservative rises in sea level, it will be more frequent but under the current conditions, recognizing that sea level for the next 20/30/40/50 years is not going to rise substantially, you will have a very low chance of every 10 years or so when there is some flooding associated with a wave overtopping that wets the toilet paper.

Mayor Tanaka opened the public hearing.

Felicia Bell is taken aback by the recent comments. She is not here to talk about wet toilet paper. The people in this room who live near this area can attest to the fact that the waves break over the rocks frequently throughout the year. People can see the sand on the boardwalk washed away. Sea level rise is another issue but she promises that there are storms that wash over and wash out Avenida del Sol. You cannot cross Avenida del Sol several times a year to get around that cul-de-sac. The study does list some possible significant impacts. She really wants to compliment the City and Council and staff on what they affectionately call the Tent City Trailer. It has been a wonderful addition to Avenida del Sol. They did a great job of putting it there and it is used every

time it is there. It has been there since last summer. It was taken down the beach recently when there was a problem at Central Beach and used effectively to have a bathroom there while repairs are being made. She thinks Mr. Cecil mentioned that at 1,000 uses per day it had exceeded capacity. She would suggest getting the pump truck back every other day instead of every third day. She thinks the capacity can be managed. It was a learning process when it was put there to see how many times a week we would have to reclean the facility. Many people that she represents today are so happy. They thought that when the trailer showed up that this would be a wonderful way to accommodate the beach goers and to have a mobile facility that could be used for other events and moved to other areas. She is really interested with the cost of this facility. When she went to the first meetings back in 2010, she still has the photographs of this building that was below the rocks, just like the ones that are up the beach. This building rises above the street and has a 1,000' sq. ft. patio. She does not understand why we have a 1,000 sq. ft. patio associated with a bathroom. She is concerned about the scope of this project, the cost of this project and whether it is really needed in this location. She hopes the Council, as it goes forward with the noise and aesthetics, she hates to see us continue to spend money on this project and no one should forget that the Hotel Del had to scale back its project because of the earthquake fault.

Paul Talbot showed a picture of Avenida del Sol that was taken on March 1, 2015. It reveals all you need to know about the dangers and the risks of this project. It should also justify widening the scope of a possible EIR beyond the limits of aesthetics and noise. To turn your back on the need for a thorough environmental analysis these flood waters demand is to ignore fact. Look at this picture. Look at the people you serve. Tell us if you believe a complete environmental analysis, including hydrology, is warranted. Here is what is even more troubling than the staff's restrictive recommendation. Of the 106 pages in this report, only 46 words address the so called temporary restroom facility. It is noteworthy and rather ominous that the adjective temporary is used to describe this facility, which an objective party would probably refer to as portable. Usage of the adjective temporary clearly suggests that the construction of the bathroom on the beach is a foregone conclusion. In section 3.1 of the report we are told, "...although it is only operated for roughly one month, the City determined that it was used heavily enough, approximately 3,000 uses per week, to warrant a permanent facility." We are not told how many weekly uses are sufficient to preclude the need for a permanent facility. We are not told what process, what criteria, what data was used to arrive at this decision. We have not been told why the temporary facility has spent months in storage away from Avenida del Sol when the supposed need for a restroom is so extreme. We have not been told whether or not the 3,000 uses included or excluded the Labor Day weekend. These 46 unsubstantiated words are clearly meant to discredit the role the portable facility may play. By any standards of fairness, this is clearly an unacceptable omission. Until we are told why the City considers the portable restroom unacceptable, this report is flawed, fatally flawed. The City clearly cannot have it both ways, judging the portable restroom insufficient and then shutting it down, hauling it off and wrapping it up. In this report, as in real life, the value of the portable facility to serve our visitors and to protect our beach is swept away just as this report should be swept away. The absence of a proven need for a permanent facility, given the absence of a meaningful assessment of the portable facility, renders this report irrelevant. This report is a house of cards. Please proceed by Negative Declaration.

Mayor Tanaka called Mr. Talbot back up for a question. A Negative Declaration means that he wants the City to proceed and not do an EIR.

Mr. Talbot is against this and now understands that he is not supportive of a Negative Declaration.

Cynthia Miller commented that when the big storms come it is fascinating to watch people fall down the stairs when a wave gets them. She can't believe the ocean would stay still for that long to build anything. She has lived at the beach her whole life so she knows what the ocean can do. It is not where it stands still. It wipes you out without any kind of a warning. She thought the portable bathroom is very attractive and it blends in with the community and is a great idea. Also, there are not that many people that use the beach out there. They live at either the Shores or they are at the Hotel so it is not bringing in a lot of people from outside the community where they would have bathrooms close by.

Tammy O'Reilly has not lived at the Shores a long time but the two years that she has been there have been wonderful and part of the wonder of that is the beautiful sunsets and those things that would be actually traumatized by the bathroom that comes in. That area is something that does get a lot of flooding and we have been a home for those but also it shows such a towering edifice that she feels that it looks like a military pill box, something that is up high and is rounded and it leaves a terrible footprint on something that is aesthetically beautiful. The rocks are beautiful. The sand is beautiful. That edifice is not. She loves the portables. Those are something that are clean and we have gotten so many positive remarks, even as walking up and down the street, from people that love that idea because it can be taken away when it is not in use and then we are able to have that quiet street and even in the busy times the restroom that would be built there would bring so much more noise than that portable that can be moved to different areas. She does appreciate the City's efforts and the portable and she hopes that the City continues with that and kills the permanent one because it is a huge mistake for the beautification of Coronado.

Beatriz Pintado has five units at 1720. She believes the bathroom should not be done. She has been looking into the project that the City has planned and thinks it will be a terrible mistake. She does not see the flood of so many people that will be using those bathrooms and the view that you have there will be different than it is now. The flooding is real. She comes very often. When she comes she has seen the water going quite high in this area and she imagines that it will be a huge problem on the bathrooms. She understands there is a project where the City will be putting a boardwalk from the Del to the Shores. She doesn't know if the City can wait until it starts that project to plan maybe those bathrooms and not doing one now and then another.

Carolyn Rogerson lives in the Cays and commented that it does flood down there. She is speaking on behalf of two elderly friends who cannot be at the meeting and are definitely against it. They are opposed to any permanent restroom facility and feel that the City can better put their funds toward something more worthwhile.

Mayor Tanaka closed the public hearing.

Mayor Tanaka referred to the slide that showed the history of this project. From June 2010 to March 2011, summer of 2011 – that is the beginning of this City Council, on many occasions, debating whether or not a restroom in this location was appropriate and necessary. There is a public restroom at North Beach, a public restroom at Central Beach. We do not have a public restroom at this part of the beach. He very much disagrees with the speaker who said that there just isn't that much beach usage in this area. There is. That is why the portable one was being used. One of the issues at play here is whether or not that amount of usage should be honored with a public restroom. He very much understands those who don't like the price tag associated with it

or just don't want or like it. He gets that. There are some valid reasons to say not to do it. This discussion has gone on several times and the City Council has, consistently, with majority votes, said that, all things considered, the project is needed. The Hotel Del donated money to the City that could be used for this purpose or for others but this is a pretty clear example of \$1 million or so set aside to be used for amenities to offset their impacts or things that are going to help the public. If people don't agree with that decision or those many decisions since June 2010, he respects that. He would be lying to the public if he said that anything has changed between November 2010 and now. The same need that existed then still exists. The only factor that certainly could be considered and could wipe some of this away is whether or not the portable restroom could serve in place of a permanent project. We haven't discussed that. Why wouldn't we discuss that? From his point of view, the same reasons he voted for this all along are that the need exists, the money exists and he does not see a logical reason to provide this sort of restroom facility at North and Central Beach and deny it at South Beach. The one thing he was concerned about and is frankly frustrated with is whether or not such a structure is built and is likely to be compromised. He commented to staff that he is convinced that this has been planned in a way that they are confident that the structure is not going to be compromised, knocked out of service permanently or need to be replaced. He does appreciate staff talking about the scouring issue because he does understand the purpose a sea wall serves and he agrees that to that end it has been engineered appropriately. Staff has not entirely convinced him that on bad flood days that isn't going to cause the City problems but he did point out that the City has not had that problem at North and Central Beaches. He also pointed out that South Beach is more prone to flooding and is more likely to be flooded than the other two but when people talk about there having been flooding there they don't talk about the fact that the flooding has not destroyed all of the public infrastructure in that cul-de-sac. That is what gives him confidence that if the City builds a public restroom at that location to something like 10' above it will be safe and appropriate. The fact that the portable one has been used leads him to conclude that the conclusions the Council made earlier that this is needed were valid. He is certainly inclined to move forward with the project still and he does agree with the staff recommendation that the EIR be focused on aesthetics and noise. To those who think that this project is stupid, he pointed out that they will have plenty of additional opportunities to continue to say that it is stupid and to point out areas where you think the report is inadequate. At some point, there will be a 30-day review and then after that a 45-day review.

Councilmember Sandke questions Mayor Tanaka's use of the word stupid in terms of the reason they don't like this. He does believe these people sincerely believe it will negatively impact their life. Maybe it is up to the EIR process to determine that. He spent some time reviewing some SANDAG transportation documents recently and for a 0.7 mile bike path, the EIR is looking at \$350,000. We all know there is going to be noise during construction and seeing pictures of the building show that there is going to be some visual impact. He would say to not spend the money and just to go forward with this project. However, the CEQA process implores the City to follow a certain path. Staff has recommended a focused EIR. He can support that. He wishes there was a way the City didn't have to do that because those are pretty basic impacts that we know are going to occur but it is important that the public have additional opportunities to chime in on this and the CEQA process offers us that opportunity. He has 500 pages in front of him that tell him all that he needs to know. He is learning very quickly that the wheels of government turn slowly. We have been at this four years. He applauds the previous Council for having the vision earlier to bring this amenity forward and agrees with Mayor Tanaka that we do provide this amenity in two other parts of the beach and this would be a good place for it as well. He applauds the design of this in terms of recognizing sea level rise because a significant portion of, as we move forward,

projects so close to the water we need to recognize that. He would be in favor of moving the project along. If it must be with a focused EIR, he thinks that is the most prudent way to move forward, notwithstanding the comments about the fact that it will have some impacts to the folks that live in the Shores.

Councilmember Woiwode is also supportive of the staff recommendation. It is curious to hear people supporting the portable restroom when they were opposed to it when the Council voted for it. It is a matter of incrementalism. It is clear to him that the need remains. It is much more strongly validated now than it was even before the City put in the portable restroom. If the Shores were built from scratch today, they would be required to provide public restrooms. It is sensible to him that the City do this. The focused EIR seems to have hit on the key areas. He is happy with the staff's recommendation.

Councilmember Downey commented that this has been a long road. She brought a petition many years ago asking that we have a restroom in this area. Back then she would have been happy with just a portable. She wanted some restroom there because the community told her that we had a need. She is glad we are at this point. She does understand the concern that people think maybe the portables are enough. Although she understands the frustration with having to do CEQA that is going to tell us what we probably already know; one of the things CEQA will do, though, is compare alternatives and look to see if there is a better alternative. It will look at the alternatives which include having no restroom, portable restroom and permanent restroom. That is a good thing. That is a good thing for all of us to see because maybe it will turn out that the portable restroom has less impact than a permanent one and still meets all our needs. She suspects not but would like to see the analysis and let the public see that. She is happy to support the targeted EIR. One speaker said they were concerned that the City wasn't including hydrology in the EIR. There have been emails that were concerned that the City wasn't addressing safety in the EIR. The Initial Study that was done looked at all of those areas and said that neither safety or hydrology rose to a significant impact and that is why we are not going to put those in a focused EIR. They were looked at. Those areas were studied. They were not ignored. If the public thinks the City didn't do it satisfactorily, they are welcome to comment and say that. If someone doesn't like the conclusion reached, the only way to overturn that is to come before the City or sue. She is comfortable that the Initial Study sufficiently addressed both of those issues. Those are the only two issues that the public has brought to her attention that we are not going to go forward on with the EIR.

Mr. Sandke thanked Ms. Downey for helping him understand the CEQA process and the fact that the portable versus the permanent will be considered.

Councilmember Bailey asked his earlier question because if we are going to be spending this amount of money on this project he wants to know how often these restrooms are going to be operational. As several of the speakers have pointed out, there are times when there is flooding down in that area. South Beach is far more susceptible to flooding than the other beaches. He does not feel very confident in the answers that were given today on how often this restroom would be open. Looking at this timeline, going back almost five years, we still have very little to show the public for our efforts. The portable restrooms were discussed and within a handful of months were made operational. He thinks they have been a tremendous asset to the community. They are very inexpensive. They are mobile. It has served as a great test case for the South Beach area. One of the questions that came into his mind was whether or not four stalls down at South Beach

is adequate to meet the need. He thinks these portable restrooms can serve to answer that question. He would imagine that the marginal cost of adding a fifth stall to a permanent facility, should the Council decide to do that, is pretty insignificant. Or maybe a sixth stall. The portable restroom can help us answer that question versus spending this amount of money and putting in something that is inadequate to meet the need. His personal preference would be to keep the portable restrooms down at South Beach, continue to monitor their usage and see if the Council determines if those restrooms are enough to meet the need and put the brakes, for now, on moving forward with this project until we come to that conclusion.

Mayor Tanaka pointed out a couple of things. The Council that voted for the portable restroom recognized that the environmental process is a long one and that history is a long one not because the Council lacks commitment to the project but because the State has a considerable red tape process. The Council that voted for that portable restroom acknowledged that fact. Even in the best case scenario that sort of review is going to take years to complete. He agrees with the comment made that if we have a portable restroom, if it is being used, it behooves the City to look at whatever data can be mined from that. He pointed out that we should also be looking at what ways the temporary restroom is not meeting the City's needs. He gets feedback both positive and negative. It looks nice and some people are glad it is there. Others have said that it isn't open when they need it or that it costs too much to service it. He heard today that it was so successful that it needed more servicing than anticipated. One reason to put in a permanent restroom facility rather than a temporary one is that there will be a sewer hookup. The City won't have to pay somewhat exorbitant fees for removing that waste. That alone might justify going with a permanent restroom. He does not agree with Mr. Bailey's point that we should stall this.

MSC (Woiwode/Sandke) moved that the City Council direct that an Environmental Impact Report (EIR), focused on aesthetics and noise, be prepared for this project.

AYES:	Downey, Sandke, Woiwode, Tanaka
NAYS:	Bailey
ABSTAINING:	None
ABSENT:	None

8c. Public Hearing: Consideration of Application for a Major Special Use Permit Pursuant to Sections 84.10.090(B)(1) and 86.55.195 of the Coronado Municipal Code to Allow for the Commercial Use of the Historically Designated Site Addressed as 1019 Park Place and Located in the R-3 (Multiple Family Residential) Zone, PC 2014-15 Hotel Marisol (Ann Keyser). Rachel Hurst, Director of Development, Redevelopment and Housing, provided the staff report for this item.

Mayor Tanaka asked how long it would take, if the Council granted the Special Use Permit tonight, to revoke it in the future if that was needed.

Ms. Hurst believes there is a revocation process for a SUP and it involves a public hearing before the City Council. It would take some time and process.

Mayor Tanaka thinks it sounds like something that could be done easily within a year.

Ms. Hurst commented that there have to be grounds for revocation.

Mayor Tanaka pointed out that there are conditions. He assumes the conditions will be met if they are granted but 20 years from now a different owner, different scenario could lead to a situation where the conditions aren't being honored, parties are going until midnight and that Council wants to get rid of the SUP.

City Attorney Johanna Canlas explained that the City Council can amend or revoke the SUP provided there is due process and that is just a noticed public hearing.

Councilmember Sandke commented that nothing is addressed in the staff report about alcohol being served on the patio. Are there any restrictions currently or going forward with the new SUP that involve or restrict or in any way curtail alcohol use or the serving of alcohol?

Ms. Hurst responded that is not part of the SUP. Alcohol is regulated by the alcoholic beverage control state agency.

Mr. Sandke recalls something with another bed and breakfast that there was a big issue over whether they could serve wine or not. He does not recall the specifics or the resolution but does remember there was a discussion.

Ms. Hurst understands that the applicants have applied for some type of ABC license but they might best be able to answer that question.

Mr. Sandke concluded that would be within the ABC purview.

Mayor Tanaka opened the public hearing.

Ann Keyser, applicant, explained that they did receive an ABC license where they can serve wine to their guests. If they had a catered event that would be on the caterer, not them. They do not sell beer or wine or anything like that. They will serve wine to their guests when they come in. This has been a garden for 94 years. It was a garden before the hotel was built. It served the Blue Lantern Inn and they have restored it.

Mayor Tanaka closed the public hearing.

MSUC (Woiwode/Bailey) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO APPROVING A MAJOR SPECIAL USE PERMIT WITH FINDINGS AND CONDITIONS TO ALLOW FOR THE COMMERCIAL USE OF THE HISTORICALLY DESIGNATED SITE ADDRESSED AS 1019 PARK PLACE AND LOCATED IN THE R-3 (MULTIPLE FAMILY) RESIDENTIAL ZONE. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8729.

AYES: Bailey, Downey, Sandke, Woiwode, Tanaka
NAYS: None

ABSTAINING: None
ABSENT: None

8d. Public Hearing: Adoption of a Resolution Implementing the Annual Indexed Adjustments to the EMS/Ambulance Fees, Development-Related User Fees, and to the Wastewater Capacity Fees for Fiscal Year 2015-16; and Approval of New Fees to Recover Costs for Plan Check and Inspections Related to Compliance with Storm Water Pollution Prevention Requirements. Tom Ritter, Assistant City Manager, provided the staff report.

Councilmember Sandke asked if there is a general idea, in terms of ambulance transportation, what percentage is resident and what percentage is non-resident.

Fire Chief Mike Blood explained that our overall costs for ambulance transport are on the lower end when compared to other people. The amount of money we recoup back to offset our costs does not pay for 100% of what the ambulance costs to run. He doesn't know the percentage Mr. Sandke asked for. He tends to think that the majority are residents.

Mayor Tanaka added that the recovery rate is higher than other comparable agencies. Chief Blood agreed, saying that we are in the 80% range.

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

MSUC (Bailey/Downey) moved that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO IMPLEMENTING THE ANNUAL INDEXED ADJUSTMENTS TO THE EMS/AMBULANCE FEES, DEVELOPMENT-RELATED USER FEES, AND TO THE WASTEWATER CAPACITY FEES FOR FISCAL YEAR 2015-16; AND APPROVAL OF NEW FEES TO RECOVER COSTS FOR PLAN CHECK AND INSPECTION RELATED TO COMPLIANCE WITH STORM WATER POLLUTION PREVENTION REQUIREMENTS. The Resolution was read by title, the reading in its entirety unanimously waived and adopted by City Council as RESOLUTION NO. 8730.

AYES: Bailey, Downey, Sandke, 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.

Councilmember Bailey will submit his report in writing.

Councilmember Downey will submit her report in writing. She did mention that SANDAG just approved one of their final funding mechanisms for the budget and she was concerned that Coronado projects aren't getting as high as they are supposed to. One of the things that we are looking at is ways that our community could get even more points, more credit when we go up to compete with other cities. One thing that we do better than a bunch of cities is our move in our City facilities to put in electric charging stations. She has asked SANDAG staff to incorporate anything we are doing to encourage biking and/or electric charging stations to figure out how to get points for that when competing for projects.

Councilmember Sandke attended the Lane Field dedication by the Port; attended the Chamber Board meeting; attended the League of California Cities lunch; attended the Shoreline Preservation meeting at SANDAG where he learned that not only are seawalls a defensive measure not favored by many environmentalist but there is a new measure he had never heard of called planned retreat that is a discussed academic term related to sea level rise.

Councilmember Woiwode will submit his full report in writing but wanted to highlight that SANDAG has rolled out a Go by Bike campaign and reminded everyone that on March 24 SAFE is holding the Drugstore, their signature annual event.

Mayor Tanaka met with representatives from Enterprise Rent A Car. They already have relationships with National City and San Marcos where they manage some of the car fleets and have varying levels of involvement depending on whether that entity is interested. He met with Rich Brady from SAFE; attended the Commissioners' Dinner; attended the Coronado Historical Association Gala; reported that he had a chance to speak with Lyndsey Arendsee who is the chair of the Mayors Ball.

11b. Receive Results of 2015 Actuarial Valuation of the City's "Other Post-Employment Benefits" (OPEB) and Consideration of Whether to Make any Additional Contributions to the Public Agency Retirement Services (PARS) Post-Retirement Health Care Plan Trust Fund. Blair King, City Manager, made an introduction. Leslie Suelter, Director of Administrative Services, provided the staff report on this item.

Mr. King commented that staff would recommend, if the City Council wanted to fund, that it would come from the Employee Benefits Fund and not from General Fund Reserves. There is approximately \$1.5 or \$1.6 million currently in that fund.

Councilmember Woiwode asked Mr. King to repeat what fund it would come from.

Mr. King reiterated that the City has a fund, the Employee Benefits Fund, which has been growing. That has been, as the Council knows, a repository of the unspent allocation available for group health insurance. That would be staff's recommendation for the source of this since it is related to other post-employment benefits.

Mr. Woiwode asked if the investments that the fund makes are governed by the same policies that we have throughout the City so they are earning in the 1% range.

Mr. King responded that it is 50 basis points, 1/2 %.

Councilmember Sandke referred to the pension numbers that Ms. Suelter mentioned. \$275,000 is a pretty easy number for him to wrap his arms around, particular when we have a \$1.5 million fund to draw from. What is that pension number looking like?

Ms. Suelter responded that it is quite a bit more than that. Based on the actuarial, it is definitely in the several millions of dollars.

Mayor Tanaka referred to the end of page 404, under Analysis. It says that since the City has set aside funds with a market value of \$1.858 million as of June 30...those funds are not funds we can pull back. If one wanted to go with Option 1, don't prefund it, one reason for that is if our number came from \$2.96 down to \$2.1 and if that number, in two years, came down to \$1.7, we would be overfunded under our current number, assuming that fund didn't lose money from the market.

Ms. Suelter responded that, based on Mayor Tanaka's scenario that is correct.

Mayor Tanaka is not saying that is going to happen. He was the only one that voted against this the last time. He voted against it because this is a pretty fuzzy number that we are never really going to wrap our heads around. It is a brand new number and that is why we only have two times looking at it. If we went from a number of \$2.96 to \$2.1, there is some volatility in that number. From his vantage point, he would like to know why he would risk money that he can't pull back into a fund. We have a General Fund Reserve of \$38 or \$40 million. We have \$1.5 million in that fund and he does not see that fund necessarily decreasing in terms of the number of people who don't fully use their cafeteria benefits and so on. He wants to be sure he is reading that right. He clarified that the \$1.8 million can't really be brought back. That is stuck in that trust fund.

Ms. Suelter explained that it can be used to pay benefits. That is what you are going to use it for – to pay future benefits that the City will have.

Mr. King commented that these are actuarial valuations. They are moving targets and they will change in two years. As a budget balancing technique, it is a good position to be in. If you are in the spot where you are overfunded and if you are in a tight spot on an annual basis, you can uncouple your normal costs – your normal costs that you would have to pay for the normal basis. You can stop funding that and you can draw that down. The issue here is that there is money in a separate restricted fund, the Employee Benefits Fund, earning 1/2% interest. If you were to uncouple that, and a future Council would have to make that decision, you then would take real General Fund money and save that real General Fund money because you don't have to fund your normal cost. It is a budget balancing technique that would be available for future councils if anyone were to be in that squeeze.

Mayor Tanaka has asked very pointed questions to reach a very obvious conclusion that not everyone shares. He is not trying to get us all to talk about what we want to do. There is a discussion to be had here.

Councilmember Downey referred to the Employee Benefits Fund that we could use to pay this \$275,000. This same question could be asked when staff comes back with the exponentially larger

amount. Could we draw on those same funds for that or are those singly set so this may be the best use for that money because it can't be used for other things?

Ms. Suelter explained that they can be redirected to other uses. The Council has set them aside because they have been equally charged to all departments, all funds so they are a good use of dollars for this purpose. There are other considerations. The whole issue of health benefits is moving at this point. Having those funds to be watching what is going to happen is good. 2018 will be a big year because that is when we may be facing Cadillac taxes. Things will change between now and then. We have been advised that what is written now may not be what it is going to be in two or three years. She would see that those funds could be used to help address those issues.

Mayor Tanaka had a follow up question. The fund that Mr. King referenced, that money can go back to the General Fund, can't it?

Mr. King agreed that it could if the Council wanted it to.

Mayor Tanaka's question goes back to the staff report that says \$1.856 million in the trust fund will cover the 49 existing employees for OPEB. We can't get it back except if we use it to pay other employee benefits.

Ms. Suelter commented that the costs will go up. What that is covering is today. The obligations of the City will continue to grow. They might be slightly different but they will continue to grow.

Mayor Tanaka understands that but sees that in two years they didn't grow. In two years, it went from \$2.9 to \$2.1.

Ms. Suelter explained that the reason they dropped is because we prefunded and that allowed us to discount those. That is the primary reason.

Mayor Tanaka thinks Option #1 is obvious. He does not know why we are going to keep sinking money into a fund that we can only creatively get back. The only reason is to look really neat to an accountant and showing that we have a \$275,000 liability will cause him to lose no sleep of any kind. We can put the money in one spot or another and if three people want to put it in that spot, that is fine.

Councilmember Downey used an example of personal credit card debt to explain her perspective. The benefit is that there would not be that note on our financial statements. She was going to go for Option #2 but the problem is getting rid of that tiny little note is insignificant if when they come back in a month there is no way she can get rid of every other note that is going to be on there because we have some other bigger liability. She is not sure she understands that well enough. She wants to tell her colleagues that she would be fine with paying it off because she wants to get rid of those notes but she is not sure this is the note she should be worried about.

Mayor Tanaka feels that Ms. Downey is using a rational idea of her and her credit card. She has three daughters with two in college. If she gave them credit cards and told them it was for an emergency, she cannot accurately predict whether or not they are going to follow her rules. She can set aside money to pay off that bill and prepare for the worst. This is his problem with what

the Council is being asked. The Council is being asked to track something that you can't track accurately right now and the only virtue he sees in this is that when we do our accounting report we can say that we have no liabilities. That is not a strong enough reason for him to set aside money that he can't grab back.

Mr. Sandke added that Ms. Suelter also shared with the Council that the reason that number is better is because it is prefunded. Adding this money to those funds will only serve to continue that benefit to the City.

Mayor Tanaka understands that point of view but is not persuaded by it.

Councilmember Bailey is less concerned with the notes and is more concerned with seeking out the highest rate of return possible. You can pick and choose a number. \$275,000 seems pretty reasonable. It is half a percent now versus 5, 6, 7% if reallocated. That makes the most sense to him and the note is just an added benefit.

MSUC (Bailey/Woiwode) moved that the City Council receive the Actuarial Valuation report of the City's OPEB, prepared by The Nyhart Company, and approved Option #2 authorizing the prefunding of the Unfunded Actuarially Accrued Liability (\$275,000) from the Employee Benefits Fund in Fiscal Year 2014-15.

AYES:	Bailey, Downey, Sandke, Woiwode, Tanaka
NAYS:	None
ABSTAINING:	None
ABSENT:	None

11c. Authorize the City Manager to Pursue Membership in the California State Association of Counties-Excess Insurance Authority (CSAC-EIA) Either Individually or as Part of a Group During a Transition Period for the Orderly Dissolution of the San Diego Pooled Insurance Program Authority (SANDPIPA). Under Consent, the City Council authorized the City Manager to pursue membership in CSAC-EIA either individually or as part of a group during a transition period for the orderly dissolution of SANDPIPA.

11d. Accept and Support the Cultural Arts Commission's Calendar of Events and Activity List for Coronado Celebrates 125 (CC125). City Manager Blair King introduced the item and Heidi Wilson, CAC Chairperson, made the presentation. Kelly Purvis, Contract Arts Administrator, contributed to the presentation as well.

Councilmember Sandke watched the City of San Diego through their pre-planning stages for their big Balboa Park exposition and he is significantly more comfortable with the CAC's approach.

Councilmember Woiwode commented that the Council is being asked to accept and support the calendar. What does support mean? Are we deciding that every one of these events will be funded by the City, if necessary, if funds are not available, or may some of them drop off the table?

Mr. King recommends that the City Council not give a blank check. Somewhere between granting a blank check and setting a not-to-exceed amount that the CAC currently feels uncomfortable with

there is a happy medium. He does not know where that is right now. His expectation is that the City Council would not want to say that it will fund whatever is needed. The representation is that there will be a lot of effort in terms of fundraising. If we were to break this down into three major signature events – the dinner, the concert and the polo match – assuming that the polo match would be the one item that, if it didn't come together, would drop out. That is probably what the committee is waiting most anxiously to find out. They need to know how much funding there is. That is something that would come back to the Council.

Mayor Tanaka commented that the Council has a skeleton of what it thinks the rest of this year is going to look like. One way of looking at this is that if the Council learns that the polo match is going to cost \$100,000 from the City, the Council can decline to fund that. If that is the case, the CAC knows that it may need to kill one or two of these things if they don't meet the fundraising expectations. If the CAC comes back to the City and says that it is \$5,000 short on the symphony, then the Council has a decision to make. He takes comfort in the not-to exceed \$25,000. That is a number he can live with today as a not-to-exceed number. He is throwing it out there because with each of these events we don't really know what the real costs are yet. We have estimates and in some cases we can trust those estimates but in others we will have to see what type of fundraising happens. That is a level of risk he can accept now. He expects that if the CAC comes back to the Council for some amount of funding that they will be as clear as possible about why it picked a certain dollar amount.

Ms. Wilson agreed and said that, by far, the symphony concert is the most expensive. The budget is \$125,000. The majority of that money is directly related to the cost of the symphony itself. We have to rent a huge semi-tractor trailer that comes in and unfolds into a cleat stage. That is \$12,000. The sound system, the lighting, the security, the transport, and the symphony itself is \$50,000. She does not know that \$25,000 is the right amount of money. It is an amount of money. She would be more comfortable coming back to the Council when we know how the grants are going to work out and how our community funding effort is going to work out and tell the reality of what they need. The uncomfortable part of it is, in some respects, it is a chicken and egg situation because they won't know what some of these grant results are going to be until May and in the meantime we have had to contract with the symphony because they can't wait until May to figure out whether this is going to go in August. As soon as we have permission from the Council to do the events, then they will move into the next phase of the community support and requesting donations from the community and it would be her hope that at the end of the year they have never had to ask for anything but she can't say that will be the reality and she does not want to infer any other way. Ms. Wilson added that if you look at other cities and their celebrations, it is not unusual for a city to fund a community celebration for a big milestone event like this.

Mayor Tanaka commented that one way to raise money is with themed events. He added that there is certainly an inherent amount of risk in this but he takes comfort in the fact that it is Coronado's birthday and it warrants some of that risk in addition to the fact that he appreciates that they have itemized the events they are looking at and on some of them, if their fundraising goals aren't met, there may be opportunities to say that it will be canceled or if there is a question of whether or not to move forward on event X or event Y at a certain dollar amount, then the Council will have to make those decisions.

Councilmember Downey agrees with Mayor Tanaka. She would have been happy to do either method of funding. She would have been happy to give them a dollar amount. She appreciates

them wanting to have an idea of what the grants are so that the City isn't paying for something that the Port was willing to pay for or someone else. The timing is interesting. The City has an opportunity when it looks at doing the budget to look at what it is giving community organizations but it still won't fit in that time either. The one thing that she is quite comfortable with, even if we didn't know until August because the Port only came up with \$75,000 and they still need \$50,000, there is no reason the City couldn't put it on the agenda and then decide the right amount is \$50,000 in August. She is quite comfortable waiting until they know what they need for a given event.

Mayor Tanaka thinks that the danger would be a strange idea and the shock factor. He doesn't expect a really odd idea that is going to cost \$200,000 that just came out of nowhere. We have flushed out the realm of possibility of what events might happen and roughly what their cost will be. He appreciates the upfront nature of what the symphony event will cost. It would be naïve to think that there would be an event of that stature and quality and maybe not have some risk in terms of what it would cost but at the same time, where we are now, he is willing to give them the hunting license to see if they can find grant money and at least take our action today, if the Council approves the staff recommendation, for them to at least continue to negotiate with those entities and say that they have the City's support to plan such an event.

Councilmember Woiwode does not know if it is appropriate since it isn't explicitly identified as a potential action but he does not see a reason for not saying that the Council is committing to the not-to-exceed \$25,000. They have asked for money from the Port. They have asked for money from the County. What sense does it make for them to go to those agencies when the City hasn't yet made a commitment? He thinks that their position is much stronger in fundraising if the City makes the commitment. He would be willing to say tonight that we would support this to a not-to-exceed amount of \$25,000. Obviously if that has to change later in the year, it would be another discussion. He feels like we ought to be in with a commitment.

Councilmember Sandke would like to see if the intention is to show that the City is committed to it. He would rather see that amount be \$50,000 than \$25,000. We are talking about some big things here and we better put our best foot forward.

Mayor Tanaka talked about Mr. King's comment about somewhere in between a blank check and not really giving support. Based on what we heard the symphony number might be, he is willing to support that and he does not want it to cost \$50,000 but he thinks that Mr. Woiwode is right in that it is going to be hard to ask the Port for a larger dollar amount if we aren't willing to spend it ourselves. He could support that dollar amount but feels that is about as high as the Council should go today. He doesn't want to discourage fundraising by committing too much but he doesn't think \$50,000 is too much.

MSUC (Sandke/Downey) moved that the City Council accept and support the Cultural Arts Commission's (CAC) Calendar of Events and activities list for Coronado Celebrates 125 (CC125) offered to the community on behalf of the City of Coronado and approved funding support in the not-to-exceed amount of \$50,000.

AYES:	Bailey, Downey, Sandke, Woiwode, Tanaka
NAYS:	None
ABSTAINING:	None
ABSENT:	None

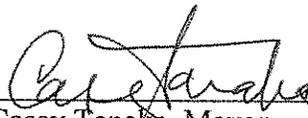
12. CITY ATTORNEY: No report.

13. COMMUNICATIONS - WRITTEN:

13a. Receive and File a Copy of Letters Sent Expressing Opposition to Governor's Budget Proposal Affecting Redevelopment Dissolution (RN#15 08847). Under Consent, the City Council received and filed a copy of letters sent expressing opposition to the Governor's budget proposal affecting Redevelopment Dissolution (RN#15 08847).

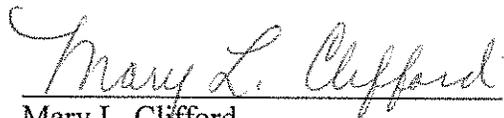
14. ADJOURNMENT: The Mayor adjourned the meeting at 7:34 p.m.

Approved: April 7, 2015



Casey Tanaka, Mayor
City of Coronado

Attest:



Mary L. Clifford
City Clerk