



A G E N D A

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PUBLIC FINANCING AUTHORITY



MAY 7, 2008

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

CLOSED SESSION MEETING – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 705-7 Palm Ave., Imperial Beach, CA 91932, APN 626-250-02

Agency Negotiator: City Manager

Negotiating Parties: Pamela Sawhney S Revoc Trust 10-09-02

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: Nadine G. Braudaway vs. City of Imperial Beach

Case No. 37-2007-00076449-CU-EI-SC

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Attorney

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS/REPORTS

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

PRESENTATIONS (1.1 - 1.2)

- 1.1* PRESENTATION ON THE SAN DIEGO COASTAL OCEAN OBSERVING SYSTEM BY DR. ERIC TERRILL. (0830-90)**
- 1.2* PRESENTATION BY BRIAN BRUCE, OPERATIONS MANAGER FOR CALIFORNIA AMERICAN WATER. (0840-70)**

* No Staff Report.

CONSENT CALENDAR (2.1 - 2.3) - *All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 66259 through 66329 with the subtotal amount of \$135,958.28; and Payroll Checks 39540 through 39581 for the pay period ending 04/10/08 with the subtotal amount of \$137,935.83; for a total amount of \$273.894.11.

2.2 RESOLUTION NO. 2008-6625 – AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND THE CITY OF IMPERIAL BEACH. (0680-85)

City Manager's Recommendation: Adopt resolution.

2.3 RESOLUTION NO. 2008-6626 – AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF CORONADO AND THE NAVAL BASE CORONADO FOR THE PURPOSE OF ESTABLISHING A COOPERATIVE AGREEMENT REGARDING JURISDICTION AND LAW ENFORCEMENT AND ANIMAL CONTROL RESPONSIBILITIES FOR THE RECREATIONAL AREA KNOWN AS CAMP SURF AND THE PORTION OF BEACHFRONT THAT RUNS PARALLEL TO CAMP SURF. (0150-10, 0620-80)

City Manager's Recommendation: Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 FEE REDUCTIONS RELATED TO MASSAGE ESTABLISHMENTS AND TECHNICIANS. (0390-40)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of Ordinance No. 2008-1068;
3. City Clerk reads the title of Ordinance No. 2008-1068, an Ordinance of the City Council of the City of Imperial Beach, California, amending Section 4.04.490 of Chapter 4.04 Business Licenses Generally of Title 4 Business Taxes, Licenses and Regulations, regarding business license fees of Massage Establishments; and
4. Motion to dispense the second reading and adopt Ordinance No. 2008-1068 by title only.

PUBLIC HEARINGS (5.1)

5.1 RESOLUTION NO. 2008-6627 – AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. (0390-55)

City Manager Recommendation:

1. Declare the public hearing open;
2. Receive report and public comments;
3. Close the public hearing; and
4. Adopt resolution.

REPORTS (6.1 - 6.3)

6.1 RESOLUTION NO. 2008-6628 – APPROVING A CHANGE ORDER TO THE PUBLIC WORKS CONTRACT – RENOVATIONS TO TEEPLE PARK (P06-101), REAMA PARK (P05-601) & SPORTS PARK RECREATION CENTER (P08-701). (0920-30, -40, -50)

City Manager Recommendation:

1. Receive report; and
2. Adopt resolution.

6.2 RESOLUTION NO. R-08-147 – AMENDING THE CAPITAL IMPROVEMENT BUDGET FY 04/09 AND AUTHORIZE THE ACQUISITION OF PROPERTY LOCATED AT 776 10TH STREET, IMPERIAL BEACH. (0480-10)

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolution.

6.3 RESOLUTION NO. 2008-6629 – APPROVING INCREASING THE MAYOR AND COUNCIL'S HEALTH BENEFIT TO THE SAME LEVEL AS MANAGEMENT EMPLOYEES WITH A CASH IN-LIEU OPTION EQUIVALENT TO THE LEAST EXPENSIVE HEALTH PLAN FOR A SINGLE PERSON AS OFFERED BY THE CITY. (0520-50)

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolution.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

REPORTS OF MAYOR AND COUNCILMEMBERS

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED BY THE PUBLIC IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT www.cityofib.com.

Copies of this notice were provided on May 1, 2008 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

AFFIDAVIT OF POSTING)
STATE OF CALIFORNIA)
CITY OF IMPERIAL BEACH)

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, and Public Financing Authority of Imperial Beach was provided and posted on May 1, 2008. Said meeting to be held at 5:30 p.m., May 7, 2008, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on May 1, 2008 at 3:00 p.m.

Jacqueline M. Hald, CMC
City Clerk



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY R. BROWN, CITY MANAGER

MEETING DATE: May 7, 2008

ORIGINATING DEPT.: Michael McGrane *MM*
Finance Director

SUBJECT: RATIFICATION OF WARRANT REGISTER

BACKGROUND:

None

DISCUSSION:

As of April 7, 2004, all large warrants above \$100,000 will be separately highlighted and explained on the staff report.

ENVIRONMENTAL IMPACT

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable:</u>		
66259-66304	04/18/08	84,309.52
66305-66329	04/24/08	51,648.76
		\$ 135,958.28

Payroll Checks:

39540-39581	P.P.E.04/10/08	137,935.83
	SUB-TOTAL	\$ 137,935.83
	TOTAL	\$ 273,894.11

FISCAL IMPACT:

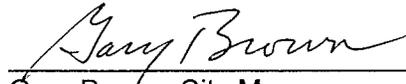
Warrants are issued from budgeted funds.

DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council ratify the warrant register.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation



Gary Brown, City Manager

Attachments:

1. Warrant Registers

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/18/2008	66259	ADVANCED DATA PROCESSING, INC	1				2,251.68
101-0000-106.04-01	04/07/2008	REFUND ALS BILLING DEPOSI	04-07-2008		09/2008	2,251.68	
04/18/2008	66260	AFLAC	120				434.35
101-0000-209.01-13	04/17/2008	PPE 4/10/08	20080417		10/2008	434.35	
04/18/2008	66261	AIMEE JOHNSON	126				112.09
101-3030-423.25-03	03/26/2008	UNIFORM REIMBURSMET	87753B		10/2008	43.09	
101-3030-423.28-04	03/28/2008	EMT RECERT REIMBURSMET	368232		10/2008	17.00	
101-3030-423.28-04	03/05/2008	LIVESCAN REIMBURSMET	03-05-2008		10/2008	52.00	
04/18/2008	66262	ALL AMERICAN SEWER TOOLS	1436				422.99
601-5060-436.28-01	04/10/2008	LEADERHOSE/HOSE GUIDE	81110	080063	10/2008	422.99	
04/18/2008	66263	ASBURY ENVIRONMENTAL SERVICES	277				25.00
501-1921-419.29-04	03/28/2008	USED OIL SERVICE CHARGE	130220720	080064	09/2008	25.00	
04/18/2008	66264	CITY OF CHULA VISTA	823				11,732.44
101-3050-425.21-04	03/13/2008	FEB 08 A/C	AR124301		09/2008	11,732.44	
04/18/2008	66265	COLONIAL LIFE & ACCIDENT	941				128.43
101-0000-209.01-13	04/17/2008	PPE 4/10/08	20080417		10/2008	128.43	
04/18/2008	66266	CREATIVE BENEFITS INC FSA	1108				353.84
101-0000-209.01-11	04/17/2008	PPE 4/10/08	20080417		10/2008	353.84	
04/18/2008	66267	DEPT. OF CONSERVATION	1158				137.75
101-0000-211.01-01	04/03/2008	SMIPS 1ST QUARTER 08 FEES	04-03-2008		09/2008	137.75	
04/18/2008	66268	EAGLE NEWSPAPER	1204				26.40
101-1130-412.28-07	03/26/2008	NETWORK ADMIN ADVERTISING	38676	080220	09/2008	15.84	
101-1130-412.28-07	03/27/2008	EMPLOYMENT ADVERTISING	38803	080220	09/2008	10.56	
04/18/2008	66269	FRANK R. SOTELO	1553				420.00
101-3020-422.11-08	03/21/2008	HEALTH CARE REIMBURSMET	04-07-2008		09/2008	420.00	
04/18/2008	66270	GCR TIRE CENTERS	1702				833.38
501-1921-419.28-16	03/26/2008	DUELER H/L ALENZA TUBL	48005	080153	09/2008	521.78	
501-1921-419.28-16	03/26/2008	DESTINATION A/T TUOWL	50973	080153	09/2008	311.60	
04/18/2008	66271	GENE'S AUTOMOTIVE	1014				52.24
501-1921-419.28-01	03/05/2008	AC UNIT CHECK/INSPECTION	77723	080076	09/2008	52.24	
04/18/2008	66272	GRAINGER	1051				322.45
601-5060-436.30-22	04/02/2008	DIGITAL MULTIMET	9606209667	080294	10/2008	46.55	
601-5060-436.30-02	04/08/2008	EAR PLUGS	9610479686	080294	10/2008	60.62	
601-5060-436.30-22	04/08/2008	TELEPHONE LINE TESTER	9610479694	080294	10/2008	215.28	
04/18/2008	66273	HANSON AGGREGATES INC.	48				25.86
405-1260-513.20-06	03/25/2008	MARCH 2008	556069	080080	09/2008	25.86	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
04/18/2008	66274	HEARTLAND COMMUNICATIONS	92			10,370.47
101-3020-422.21-04	03/12/2008	4TH QUARTER MEMBER DUES	0000001963		09/2008	10,370.47
04/18/2008	66275	I B FIREFIGHTERS ASSOCIATION	214			222.00
101-0000-209.01-08	04/17/2008	PPE 4/10/08	20080417		10/2008	222.00
04/18/2008	66276	DANIEL LOPEZ	1912			450.00
405-1260-413.20-06	04/04/2008	WONDOW RPLCMNT-FACADE IMP	2	080988	10/2008	450.00
04/18/2008	66277	ICMA RETIREMENT TRUST 457	242			6,694.70
101-0000-209.01-10	04/17/2008	PPE 4/10/08	20080417		10/2008	6,694.70
04/18/2008	66278	KANE, BALLMER & BERKMAN	1828			3,050.00
245-1240-413.20-01	04/01/2008	MARCH 08 - 9TH/PALM OPA	12317	080318	10/2008	8.50
405-1260-413.20-01	04/01/2008	MARCH 08 - 9TH/PALM OPA	12317	080318	10/2008	34.00
245-1240-413.20-01	04/01/2008	MARCH 08 PALM AVE COMM CO	12318	080318	10/2008	601.50
405-1260-413.20-01	04/01/2008	MARCH 08 PALM AVE COMM CO	12318	080318	10/2008	2,406.00
04/18/2008	66279	KEYSER MARSTON ASSOC INC	620			841.88
405-1260-413.20-06	04/07/2008	MARCH 2008	0017595	080320	10/2008	841.88
04/18/2008	66280	KIM A MIKHAEL	1680			135.00
101-3050-425.20-06	03/10/2008	JANUARY 2008 HEARINGS	03-10-2008		09/2008	135.00
04/18/2008	66281	LLOYD PEST CONTROL	814			286.00
101-1910-419.20-22	03/13/2008	MARCH 08 SPORTS PARK	1535724	080174	09/2008	45.00
101-1910-419.20-22	03/13/2008	MARCH 08 CITY HALL	1535725	080174	09/2008	31.00
101-1910-419.20-22	03/13/2008	MARCH 08 FIRE STATION	1535726	080174	09/2008	31.00
101-1910-419.20-22	03/13/2008	MARCH 08 SHERRIFF DEPT	1539600	080174	09/2008	31.00
101-1910-419.20-22	03/13/2008	MARCH 08 SENIOR CENTER	1540925	080174	09/2008	47.00
101-1910-419.20-22	03/20/2008	MARCH 08 PW DEPT	1538451	080174	09/2008	47.00
101-1910-419.20-22	03/25/2008	MARCH 08 LIFE GUARD	1538901	080174	09/2008	54.00
04/18/2008	66282	MARLOWE & COMPANY	893			3,350.00
405-1260-413.20-06	04/10/2008	MARCH 2008	08-229-04	080887	10/2008	3,350.00
04/18/2008	66283	MASON'S SAW & LAWNMOWER	923			338.72
601-5060-436.30-22	03/26/2008	TRIMMER	126446	080085	09/2008	338.72
04/18/2008	66284	MCDUGAL LOVE ECKIS &	962			10,522.06
405-1260-413.20-01	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	975.38
405-1260-413.20-01	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	657.47
101-1220-413.20-01	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	761.92
101-1220-413.21-04	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	881.45
101-1220-413.21-04	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	1,473.92
502-1922-419.20-01	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	2,831.35
101-1220-413.21-04	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	2,398.70
101-1220-413.21-04	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	491.30
101-1220-413.21-04	03/31/2008	MARCH 2008 SERVICES	03-31-2008		10/2008	50.57

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
04/18/2008	66285	MIKE MCGRANE	1939				122.38
101-1210-413.28-04	03/26/2008	REIMBURSEMENT CSFMO CD		88347B		10/2008	10.78
101-1210-413.28-04	03/05/2008	PARKING REIMBURSEMENT		111501		10/2008	30.00
101-1210-413.28-04	03/05/2008	MILEAGE REIMBURSEMENT		03-13-2008		10/2008	81.60
04/18/2008	66286	MORELAND & ASSOCIATES INC	1086				4,495.50
101-1210-413.20-06	04/17/2008	SMITH, C MARCH 2008		03-31-2008		10/2008	2,022.98
405-1260-413.20-06	03/31/2008	SMITH, C MARCH 2008		03-31-2008		10/2008	2,022.98
503-1923-419.20-06	03/31/2008	SMITH, C MARCH 2008		03-31-2008		10/2008	449.54
04/18/2008	66287	NICHOLAS BEST	1876				190.00
101-3020-422.29-01	04/07/2008	REIMBURSE ACLS/BLS CERTIF		04-07-2008		09/2008	190.00
04/18/2008	66288	NIPPON CARBIDE IND (USA) INC	1253				543.06
101-5010-431.30-02	04/04/2008	ROLL 24X50Y F-CAL PRESSUR		25907	080089	10/2008	543.06
04/18/2008	66289	PITNEY BOWES INC(INVOICE PAYME	271				744.81
101-1920-419.28-09	01/16/2008	EZ SEAL/MAILING SUPPLIES		5500518112	080482	07/2008	214.80
101-1920-419.28-09	12/01/2007	2008 DM500 BASE EQUIP MAI		997650	080425	06/2008	188.01
101-1920-419.28-09	12/01/2007	08 DM500 FEEDER EQUIP MAI		997651	080425	06/2008	342.00
04/18/2008	66290	POSTINI, INC	1646				756.47
503-1923-419.20-06	04/05/2008	MARCH 2008		438044	080247	10/2008	294.00
503-1923-419.28-13	04/05/2008	MARCH 2008		438044	080247	10/2008	462.47
04/18/2008	66291	PRO LINE PAINT COMPANY	52				28.48
601-5060-436.30-02	03/24/2008	RUST CONVRSN CTG		1833-0	080187	09/2008	28.48
04/18/2008	66292	SAFTEY KLEEN SYSTEMS	246				227.97
501-1921-419.30-02	04/11/2008	5G BRAKE CLEANER		P001855933	080139	10/2008	227.97
04/18/2008	66293	SAN DIEGO GAS & ELECTRIC	1399				15,635.91
101-5010-431.27-01	04/08/2008	08831546949 02/29-04/01		04-24-2008		10/2008	24.34
101-3020-422.27-01	04/08/2008	10087869371 02/28-03/31		04-24-2008		10/2008	114.63
101-1910-419.27-01	04/08/2008	10087869371 02/28-03/31		04-24-2008		10/2008	184.36
101-5010-431.27-01	04/08/2008	10088604389 02/26-03/27		04-24-2008		10/2008	704.51
101-3020-422.27-01	04/08/2008	19807697764 02/28-03/31		04-24-2008		10/2008	2,267.62
601-5060-436.27-01	04/08/2008	52635219238 02/26-03/27		04-24-2008		10/2008	6.90
101-6020-452.27-01	04/08/2008	56497714749 02/29-04/01		04-24-2008		10/2008	9.10
101-5010-431.27-01	04/08/2008	56497714749 02/29-04/01		04-24-2008		10/2008	6,789.06
101-5010-431.27-01	04/08/2008	85075178464 02/25-04/01		04-24-2008		10/2008	129.87
601-5060-436.27-01	04/08/2008	85075178464 02/29-04/01		04-24-2008		10/2008	61.70
101-6020-452.27-01	04/08/2008	85075178464 02/29-03/31		04-24-2008		10/2008	993.69
601-5060-436.27-01	04/08/2008	85417701270 02/29-04/01		04-24-2008		10/2008	3,269.19
101-5020-432.27-01	04/08/2008	91692992261 02/26-03/27		04-24-2008		10/2008	1,080.94
04/18/2008	66294	SEIU LOCAL 221	1821				1,263.79
101-0000-209.01-08	04/17/2008	PPE 4/10/08		20080417		10/2008	1,263.79
04/18/2008	66295	SOUTH WEST SIGNAL	488				150.00
101-5010-431.21-04	03/31/2008	MARCH 2008 MAINTENANCE		47910	080148	09/2008	150.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT	
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR	TRN AMOUNT
04/18/2008	66296	STANDARD ELECTRONICS	504	90.00	
101-1910-419.20-23	04/07/2008	2ND QTR MONITORING	10796	080144 10/2008	90.00
04/18/2008	66297	STARK MFG. CO.	510	2,531.90	
408-1920-519.20-06	02/06/2008	AWNING/VALANCE INSTALL MI	70177	080697 08/2008	2,531.90
04/18/2008	66298	STRADLING YOCCA CARLSON & RAUTH	1374	220.06	
405-1260-413.20-06	04/15/2008	CONTINUING DISCLOSURE PER	238992-0002	F08106 10/2008	220.06
04/18/2008	66299	UNION TRIBUNE	738	917.00	
101-1130-412.28-07	03/31/2008	EMPLOYMENT ADVERTISING	C080300866	080217 09/2008	325.00
101-1020-411.28-07	03/31/2008	MARCH 08	C080301483	080588 09/2008	268.80
405-1260-413.20-06	03/31/2008	MARCH 08 MULTIFAMILY REVE	C080301483	080990 09/2008	323.20
04/18/2008	66300	UNITED WAY OF SAN DIEGO COUNTY	1483	25.00	
101-0000-209.01-09	04/17/2008	PPE 4/10/08	20080417	10/2008	25.00
04/18/2008	66301	WAXIE SANITARY SUPPLY	802	180.40	
601-5060-436.30-02	04/10/2008	CLEANING SUPPLIES	70583240	080140 10/2008	180.40
04/18/2008	66302	WEST GROUP CTR	826	118.64	
101-1020-411.28-14	04/01/2008	WEST INFORMATION CHARGES	815700768	080434 10/2008	118.64
04/18/2008	66303	XEROX CORPORATION	861	1,141.68	
101-1920-419.20-17	04/09/2008	MARCH 2008 INCL PRNT CHG	032034217	080219 10/2008	1,141.68
04/18/2008	66304	ZUMAR INDUSTRIED INC.	875	1,386.74	
101-5010-431.21-23	03/31/2008	STREET SIGNS	0104076	080141 09/2008	1,386.74
04/24/2008	66305	ACACIA LANDSCAPE, CO.	1942	300.00	
245-1240-513.20-06	04/16/2008	WEED CONTROL SVCS 762 9TH	3654	080996 10/2008	300.00
04/24/2008	66306	ADPI WEST INC	1449	103.75	
101-3020-422.20-06	04/21/2008	MED SVCS COLLECTIONS FEE	INV2974	10/2008	103.75
04/24/2008	66307	ALLIANT INSURANCE SERVICES	1193	2,457.68	
101-0000-209.01-13	04/03/2008	PPE 3/27/08	20080403	10/2008	327.20
101-0000-209.01-14	04/03/2008	PPE 3/27/08	20080403	10/2008	538.90
101-0000-209.01-13	04/17/2008	PPE 4/10/08	20080417	10/2008	327.20
101-0000-209.01-14	04/17/2008	PPE 4/10/08	20080417	10/2008	538.90
101-1010-411.11-04	04/23/2008	APRIL 2008	04-23-2008	10/2008	21.32
101-1020-411.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	36.50
101-1110-412.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	94.27
101-1130-412.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	22.11
101-1210-413.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	53.35
101-1230-413.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	26.33
101-3070-427.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	.70
101-3080-428.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	.70
101-1910-419.11-04	04/01/2008	APRIL 2008	04-23-2008	10/2008	7.02

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-3010-421.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	12.10
101-3020-422.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	49.51
101-3030-423.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	42.67
101-3040-424.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	24.57
101-5020-432.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	56.16
101-5010-431.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	17.55
101-5040-434.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	4.91
101-6020-452.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	7.02
101-6010-451.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	7.02
101-6040-454.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	17.55
245-1240-413.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	7.02
405-1260-413.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	134.55
405-5030-433.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	7.02
601-5060-436.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	17.55
601-5050-436.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	19.66
501-1921-419.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	7.02
502-1922-419.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	8.14
503-1923-419.11-04	04/01/2008	APRIL 2008	04-23-2008		10/2008	23.16
04/24/2008	66308	AT&T / SBC DATACOMM	1854			21,651.75
101-1920-532.20-06	04/09/2008	CATALYST 3560 ENHANCED IM	276-304199	080871	10/2008	16,555.31
101-1920-532.50-04	04/09/2008	CATALYST 3560 ENHANCED IM	276-304199	080871	10/2008	4,117.24
101-1920-532.20-06	04/17/2008	ONSITE CAT 3560	276-304660	080871	10/2008	685.44
101-1920-532.50-04	04/17/2008	ONSITE CAT 3560	276-304660	080871	10/2008	293.76
04/24/2008	66309	CLEAN HARBORS	913			816.00
101-5040-434.21-04	04/01/2008	APRIL 08 HHW SERVICE	6Y0894452	080172	10/2008	816.00
04/24/2008	66310	COMMERCIAL LANDSCAPE SUPPLY	944			232.20
101-6020-452.30-02	04/09/2008	FLEET PARTS	155429	080070	10/2008	232.20
04/24/2008	66311	DATA CAREERS PERSONNEL SERVICE	1839			562.50
503-1923-419.21-01	04/14/2008	ALLISON, R W/E 04/13/08	8816	080183	10/2008	562.50
04/24/2008	66312	DISTINGUISHED FIRE EXTINGUISHE	1686			270.00
101-1910-419.20-06	04/16/2008	EXTINGUISHER SERVICE	E87412		10/2008	270.00
04/24/2008	66313	DOWNSTREAM SERVICES, INC.	1593			910.55
601-5050-436.21-04	03/27/2008	03/18/08 FILTER MAINT	67536	080170	09/2008	910.55
04/24/2008	66314	FASTENAL	909			112.09
501-1921-419.30-02	04/15/2008	BEARINGS	CACHU16411	080073	10/2008	112.09
04/24/2008	66315	FEDERAL EXPRESS CORP.	911			18.13
101-5020-432.28-09	03/28/2008	OVERNIGHT SHIPPING	2-615-60058	080157	09/2008	18.13
04/24/2008	66316	1-800-GOT-JUNK?	1941			7,154.00
245-1240-513.20-06	04/09/2008	NEIGHBORHOOD REVITALIZATI	01799	080995	10/2008	7,154.00
04/24/2008	66317	HANS KOHLER	1943			492.59
101-3030-423.30-02	04/14/2008	EMT CERTIFICATION EXPENSE	04-14-2008		10/2008	492.59

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/24/2008	66318	IMPERIAL BEACH TROPHIES	319				71.12
101-1020-411.29-04	04/19/2008	COUNCIL CHAMBERS NAME PLA	1981	F08107	10/2008		71.12
04/24/2008	66319	JIM JANNEY	509				232.30
101-1010-411.28-04	04/22/2008	MILEAGE REIMBURSEMENT	04-22-2008		10/2008		232.30
04/24/2008	66320	PAPER SHACK	1292				367.43
101-1210-413.28-11	04/17/2008	WINDOW ENVELOPES	16011	080477	10/2008		367.43
04/24/2008	66321	PERVO PAINT CO.	8				460.31
101-5010-431.21-23	04/18/2008	SIGN PAINT	14150	080136	10/2008		460.31
04/24/2008	66322	PREFERRED BENEFIT INS ADMIN IN	37				2,199.93
101-0000-209.01-12	04/03/2008	PPE 3/27/08	20080403		10/2008		1,084.99
101-0000-209.01-12	04/17/2008	PPE 4/10/08	20080417		10/2008		1,100.08
101-0000-209.01-12	04/01/2008	APRIL 2008 DENTAL INS	CP4993		10/2008		14.86
04/24/2008	66323	PRUDENTIAL OVERALL SUPPLY	72				355.19
101-5020-432.25-03	04/09/2008	04/09/08 SHIRTS/PANTS	8036674	080180	10/2008		162.77
101-5020-432.25-03	04/16/2008	04/16/08 UNIFORM SHIRTS/P	8065597	080180	10/2008		192.42
04/24/2008	66324	RANCHO AUTO & TRUCK PARTS	1685				110.62
501-1921-419.28-16	03/27/2008	WIX FILTERS	2326	080152	09/2008		46.11
501-1921-419.30-02	04/10/2008	FITTINGS	4226	080152	10/2008		3.62
501-1921-419.28-16	04/17/2008	WIX FILTERS	5152	080152	10/2008		60.89
04/24/2008	66325	RCP BLOCK & BRICK INC	115				46.41
405-1260-513.20-06	04/16/2008	688 HALF MED WT	1267200	080138	10/2008		46.41
04/24/2008	66326	ROBERTSON INDUSTRIES, INC.	1936				1,288.43
101-6020-452.28-01	04/14/2008	PLAY LOT REPAIR VETERANS	8918	080989	10/2008		1,288.43
04/24/2008	66327	SKS INC.	412				10,822.32
501-1921-419.28-15	04/07/2008	500 GALLONS REG FUEL	1217661-IN	080151	10/2008		1,802.64
501-1921-419.28-15	04/10/2008	940 GALLONS REG FUEL	1217775-IN	080151	10/2008		3,398.10
501-1921-419.28-15	04/14/2008	500 GALLONS REGULAR	1217865-IN	080151	10/2008		1,819.81
501-1921-419.28-15	04/17/2008	805 GAL REG/202.2 GAL DIE	1217983-IN	080151	10/2008		3,801.77
04/24/2008	66328	SLOAN ELECTRIC COMPANY	417				400.00
601-5060-436.28-01	04/15/2008	FIELD LABOR/TANK LEVEL	0053569	080899	10/2008		400.00
04/24/2008	66329	VISION PLAN OF AMERICA	785				213.46
101-0000-209.01-18	04/03/2008	PPE 3/27/08	20080403		10/2008		101.78
101-0000-209.01-18	04/17/2008	PPE 4/10/08	20080417		10/2008		101.78
101-0000-209.01-18	04/01/2008	MAY 2008 VISION PLAN	04-01-2008		10/2008		.10-
101-1920-419.29-04	04/01/2008	MAY 2008 VISION PLAN	04-01-2008		10/2008		10.00

DATE RANGE TOTAL * 135,958.28 *



STAFF REPORT CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: May 7, 2008

ORIGINATING DEPT.: PUBLIC SAFETY ^{xs.}

SUBJECT: A RESOLUTION OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND THE CITY OF IMPERIAL BEACH.

BACKGROUND:

In June 1990, the City Council approved the original agreement between the City and Metropolitan Transit System (MTS) for the administration and regulation of taxicabs and other for-hire vehicles operating within city limits. In June 1995, the agreement was amended and renewed through June 30, 1998. On May 20, 1998 the second amendment extended the agreement until June 30, 2003. Lastly, On May 21, 2003, Council adopted Resolution 2003-5778 which authorized the City Manager to execute a third Amendment to the Agreement for an additional five (5) years from July 1, 2003, through June 30, 2008.

DISCUSSION:

MTS handles all of the administrative and operational aspects of for-hire vehicle services including the number of permits granted, administrative fees, complaints, hearings, fines, penalties, issuance of driver's ID cards/taxi medallions, vehicle inspections, assurance of proper permit-holder financial responsibility, and inspection of those permitted and dispatch services.

MTS is proposing to continue the regulation of Imperial Beach's taxi cab, charter, jitney, non-emergency medical, and sightseeing vehicles. Accordingly they have provided a proposed Fourth Amendment that would extend the current agreement for five years, from July 1, 2008, through June 30, 2013.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

No fiscal impact. All fiscal aspects are incurred by MTS and covered by the mandatory regulatory fees paid by applicants and permit holders.

DEPARTMENTAL RECOMMENDATION:

Adopt Resolution 2008-6625 authorizing the City Manager to enter into a fourth amendment to an agreement for administration of taxicab and other for-hire vehicle regulations between San Diego Metropolitan Transit System and the City of Imperial Beach.

CITY MANAGER'S RECOMMENDATION:

Approve department recommendation.

for Tom Ritter

Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6625
2. MTS Fourth Amendment Agreement

A RESOLUTION OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND THE CITY OF IMPERIAL BEACH.

WHEREAS, the City of Imperial Beach and MTDB/MTS have worked under an administration agreement for taxicab and other for-hire vehicles since July 1, 1990; and

WHEREAS, said agreement has been amended three times; and

WHEREAS, they MTDB/MTS is proposing to continue the regulation of Imperial Beach taxicab, charter, jitney, non emergency medical, and sightseeing vehicles with a fourth amendment to the agreement; and

WHEREAS, the City of Imperial Beach has been pleased with the service that MTDB/MTS has provided;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Imperial Beach authorizes the City Manager to sign and execute, on behalf of the City the fourth amendment to an agreement for administration of taxicab and other for-hire vehicle regulations between San Diego Metropolitan Transit System and the City of Imperial Beach.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 7th day of May 2008, by the following roll call vote:

**AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:**

JIM JANNEY

JIM JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

**JACQUELINE M. HALD, CMC
CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2008-6625 A RESOLUTION OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND THE CITY OF IMPERIAL BEACH..

CITY CLERK

DATE



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

MTS Doc. No. T0048.4-91
TAXI 590.5 (IMPERIAL BEACH)
(PC 50761)

ORIGINAL

**FOURTH AMENDMENT TO AGREEMENT FOR
ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS
BETWEEN
SAN DIEGO METROPOLITAN TRANSIT SYSTEM
AND
CITY OF IMPERIAL BEACH**

THIS AGREEMENT is entered into by and between the City of Imperial Beach, a municipal corporation, 825 Imperial Beach Boulevard, Imperial Beach, CA (herein called "CITY"), and the San Diego Metropolitan Transit System, a public agency, 1255 Imperial Avenue, Suite 1000, San Diego, CA (herein called "MTS"), in view of the following recitals, which are a substantive part of this Agreement:

RECITALS

- A. MTS is authorized under Section 120266, Chapter 2, Division 11 of the California Public Utilities Code (PUC), to enter into contracts to regulate transportation services within a city in its area of jurisdiction;
- B. CITY is within MTS's jurisdiction created January 1, 1976, under Section 120050, et seq., Chapter 2, Division 11 of the PUC;
- C. CITY regulated taxicab and other for-hire vehicles in accordance with the Imperial Beach Municipal Code, Chapter 4.44;
- D. CITY desires that MTS regulate taxicabs and other for-hire vehicles and services such as charter vehicles, sight-seeing vehicles, nonemergency medical vehicles, and jitney vehicles pursuant to PUC Section 120266 and in accordance with MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and Regulating of Transportation Services Within the City";
- E. CITY and MTS entered into an agreement for the period of July 1, 1990, through June 30, 1995; a first amendment to that agreement for the period of July 1, 1995, through June 30, 1998; a second amendment to that agreement for the period of July 1, 1998, through June 30, 2003; a third amendment to that agreement for the period of July 1, 2003, through June 30, 2008;
- F. CITY and MTS now desire to enter into an agreement to extend the period from July 1, 2008, through June 30, 2013; and

NOW THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement, CITY and MTS agree as follows:

- 1. MTS will administer and enforce its taxicab and other for-hire vehicles Ordinance policies, and regulations as in effect on July 1, 2008, and as thereafter from time to time amended by MTS, and thereby regulate such taxicab and other for-hire vehicles and transportation services

rendered wholly within the CITY's corporate limits during the period of July 1, 2008, through June 30, 2013, pursuant to PUC Section 120266.

2. MTS will collect and administer all such regulatory fees, fines, and forfeitures as now or hereafter provided by MTS Taxicab and Other For-Hire Vehicles Ordinance No. 11 policies, and regulations.

3. The CITY Manager and MTS Chief Executive Officer may supplement this agreement by executing a Memorandum of Understanding relative to administrative and operating procedures of taxicab and other for-hire vehicles regulation, and to provide for reimbursable staff and legal support services.

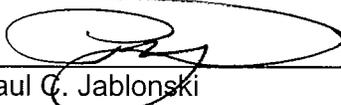
IN WITNESS THEREOF, this fourth amendment to the agreement is executed by the CITY acting by and through its City Manager pursuant to Council Resolution No. _____, and by MTS acting through its Chief Executive Officer.

Dated this _____ day of _____, 2008.

THE CITY OF IMPERIAL BEACH

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

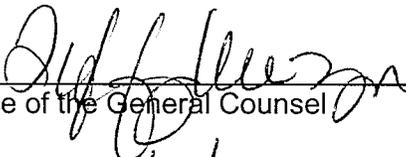
Gary R. Brown
City Manager



Paul C. Jablonski
Chief Executive Officer

WE HEREBY APPROVE the form of the foregoing Agreement.

City Attorney



Office of the General Counsel

Date: _____

Date: 2/15/08

DSundh/Taxicab
AMENDMENT-4.CITY OF IMPERIAL BEACH
1.30.08



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: May 7, 2008

ORIGINATING DEPT.: PUBLIC SAFETY ^{AS}

SUBJECT: A RESOLUTION OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF CORONADO AND THE NAVAL BASE CORONADO FOR THE PURPOSE OF ESTABLISHING A COOPERATIVE AGREEMENT REGARDING JURISDICTION AND LAW ENFORCEMENT AND ANIMAL CONTROL RESPONSIBILITIES FOR THE RECREATIONAL AREA KNOWN AS CAMP SURF AND THE PORTION OF BEACHFRONT THAT RUNS PARALLEL TO CAMP SURF.

BACKGROUND:

Camp Surf is a 36.62-acre property leased from the United States Government by the YMCA as a recreation area. In 1984, the fenced property comprising Camp Surf was placed under the concurrent jurisdiction of both the federal and state governments for criminal law enforcement. The beach running parallel along Camp Surf, however, is under the exclusive criminal jurisdiction of the federal government. On July 26, 2002, the City of Imperial Beach entered into a Memorandum of Understanding (MOU) agreement with the City of Coronado and the United States Navy allowing the San Diego County Sheriffs to respond into this area for law enforcement purposes. On September 3, 2003, the City of Imperial Beach amended that agreement to include animal control services. The 2002 Agreement expired in 2007 after five 12-month increment extensions.

DISCUSSION:

This Memorandum of Understanding (MOU) between the Naval Base Coronado and the Cities of Coronado and Imperial Beach would allow the San Diego County's Sheriff's Department, as the law enforcement agency for the City of Imperial Beach, to continue patrolling this area for criminal violations as agreed upon by the previous MOU. Additionally, this MOU includes the City of Chula Vista Animal Control Division as the animal control agency for the City of Imperial Beach to be granted the same jurisdictional enforcement authority as the Sheriff's Department for the Camp Surf area. This MOU would be effective for 12 months upon execution by the parties and could be extended in 12-month increments by mutual consent of the parties for a maximum of 5 years.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

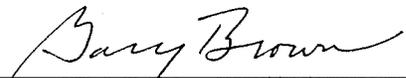
No Fiscal Impact.

DEPARTMENT RECOMMENDATION:

Adopt Resolution 2008-6626 authorizing the City Manager to enter into a memorandum of understanding with the City of Coronado and the Naval Base Coronado for the purpose of establishing a cooperative agreement regarding jurisdiction and law enforcement and animal control responsibilities for the recreational area known as camp surf and the portion of beachfront that runs parallel to camp surf.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution 2008-6626
2. Memorandum of Understanding between Naval Base Coronado and the Cities of Coronado and Imperial Beach

COMMANDER, NAVY REGION SOUTHWEST
937 NORTH HARBOR DRIVE
SAN DIEGO, CA 92132-0058
CITY OF CORONADO
1825 STRAND WAY, CORONADO, CA 92118
CITY OF IMPERIAL BEACH
825 IMPERIAL BEACH BOULEVARD, IMPERIAL BEACH, CA 91932

CNRSW
5820
Ser
N00242-070724-C05-MOU

MEMORANDUM OF UNDERSTANDING
BETWEEN
COMMANDER, NAVY REGION SOUTHWEST
AND
THE CITIES OF CORONADO AND IMPERIAL BEACH

Subj: JURISDICTION AND LAW ENFORCEMENT RESPONSIBILITIES FOR
CAMP SURF AND THE PORTION OF BEACHFRONT RUNNING PARALLEL
TO CAMP SURF

1. Purpose. The purpose of this Memorandum of Understanding (MOU) is to establish a cooperative agreement between Commander, Navy Region Southwest (CNRSW), and the cities of Coronado and Imperial Beach regarding jurisdiction and law enforcement responsibilities for the recreational area known as Camp Surf and the portion of beachfront that runs parallel to Camp Surf.

2. Background. Camp Surf is a 36.62-acre property leased from the United States Government by the YMCA as a recreation area. In 1984, the fenced property comprising Camp Surf was placed under the concurrent jurisdiction of both the Federal and state governments for criminal law enforcement. The beach running parallel along Camp Surf, however, is under the exclusive criminal jurisdiction of the Federal Government.

3. Agreement/Understanding

a. Coronado Police Department (CPD) will be responsible for law enforcement, including citation and prosecution, within the fenced area comprising Camp Surf.

b. San Diego County Sheriff's Department (SDCSD), as the law enforcement agency for the City of Imperial Beach, may patrol the portion of beach described below, an area over which the United States has exclusive jurisdiction, for violations of Federal law committed in this area, that is, state criminal offenses prosecutable as Federal crimes under the Federal Assimilative Crimes Act (18 U.S.C. § 13):

“Said area to include a portion of the Naval Radio Receiving Facility (NRRF), Imperial Beach, as described in that certain lease between the YMCA of San Diego, Incorporated, A California Non-profit Corporation (Lessee) and the United States of

Subj: JURISDICTION AND LAW ENFORCEMENT RESPONSIBILITIES FOR
CAMP SURF AND THE PORTION OF BEACHFRONT RUNNING PARALLEL
TO CAMP SURF

America, acting by and through the Department of the Navy (Government) as executed 17 September, 1998. Said portion to extend, from the southerly boundary of said NRRF property and YMCA leased area, northerly 2140 feet more or less to the northerly boundary line of the aforementioned Camp Surf Lease and from the Mean High Tide Line of the Pacific Ocean easterly to the YMCA facility fence line.”

* Naval Radio Receiving Facility (NRRF) has been renamed the Silver Strand Training Complex (SSTC).

c. If SDCSD determines that a criminal violation has occurred within the specified area in subparagraph 4b, then SDCSD may only stop and detain the violator and notify CNRSW Force Protection for citation and further action as appropriate.

d. The Chula Vista Animal Control Department (CVACD), as the animal control agency for the City of Imperial Beach, may patrol the portion of beach described in subparagraph 4b above for animal control violations. If CVACD determines that an animal control violation has occurred within the specified area, then CVACD may only stop and detain the violator and notify CNRSW Force Protection for citation and prosecution.

4. Changes. Changes/amendments may be made to this agreement by mutual written consent of the parties, and will be recorded and published as addenda to this agreement.

5. Disputes. Disputes or disagreements over interpretation of this agreement will be settled jointly by the respective City Manager and CNRSW.

6. Term and Termination. This agreement shall be subject to review by the parties hereto not to exceed three years from this agreement's effective date. This agreement may be terminated by mutual consent of all parties. This agreement will remain in effect until superseded or terminated. Any party hereto may terminate this agreement upon 60 days' prior written notification to the other parties.

7. Notices. All notices required or permitted hereunder shall be deemed duly given if sent by certified mail, postage prepaid, addressed to the parties as follows:

If to Coronado: City Manager
 City of Coronado
 1825 Strand Way
 Coronado, CA 92118

Subj: JURISDICTION AND LAW ENFORCEMENT RESPONSIBILITIES FOR
CAMP SURF AND THE PORTION OF BEACHFRONT RUNNING PARALLEL
TO CAMP SURF

If to Imperial Beach: City Manager
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

If to CNRSW: Commander
Navy Region Southwest
937 North Harbor Drive
San Diego, CA 92132-0058

8. Entire Agreement. This agreement contains the entire understanding between the parties hereto relating to the subject matter herein and supersedes any and all prior MOUs, agreements, arrangements, communications, or representations, whether oral or written.

MARK OCHENDUSZKO
City Manager
City of Coronado

Date: _____

LEN HERING, RADM, USN
Commander
Navy Region Southwest

Date: _____

GARY BROWN
City Manager
City of Imperial Beach

Date: _____

Subj: JURISDICTION AND LAW ENFORCEMENT RESPONSIBILITIES FOR
CAMP SURF AND THE PORTION OF BEACHFRONT RUNNING PARALLEL
TO CAMP SURF

Reviewed and Concurred:

MARY BROWN
Office of General Counsel
Commander, Navy Region Southwest

Date: _____

A. E. GAIANI, CAPT, USN
Commanding Officer
Naval Base Coronado

Date: _____

ERIC PATTEN, CAPT, USN
Program Director, Public Safety
Commander, Navy Region Southwest

Date: _____



**STAFF REPORT
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY R. BROWN, CITY MANAGER**

MEETING DATE: MAY 7, 2008

ORIGINATING DEPT.: FINANCE DEPARTMENT

**SUBJECT: FEE REDUCTIONS RELATED TO MASSAGE
ESTABLISHMENTS AND TECHNICIANS**

BACKGROUND:

At the March 19, 2008 City Council meeting, the City Council directed staff to return with a resolution to establish lower massage licensing and processing fees. The attached resolution reduces the current fees by approximately 50%.

City Council conducted the first reading of the ordinance, and adopted Resolution No. 2008-6621, reducing administrative processing fees related to business licenses for massage establishments, at their meeting of April 23, 2008.

DISCUSSION:

In 1972 Chapter 4.28 of the Municipal Code established regulations relative to massage establishments. This section of the code was strengthened in 2005 to reduce the opportunities for massage establishments to act as houses of prostitution and to eliminate other associated problems. This section requires the City to: determine conformance to City's land use regulations; inspection of the premises; contact with the Health Department; and have the Sheriff's Department conduct a background check. The City's administrative processing charge to cover the above review is \$433.

In addition to the above processing fee, a massage establishment is required to annually obtain a business license. Business licenses are defined in Chapter 4.04 of the City's municipal code. The annual fee for a massage establishment is \$525 and \$6 dollars per employee. The annual fee for a message technician is \$158.

FISCAL ANALYSIS:

Staff is recommending the following fee adjustments:

	Existing	Proposed	Change	% Change
Annual Massage Establishment Business License	\$ 525	\$ 250	\$ (275)	-52%
Annual Massage Technician Business License	\$ 158	\$ 75	\$ (83)	-53%
Onetime Administrative Processing Charge	\$ 433	\$ 200	\$ (233)	-54%

The budget for all business license fees is \$265,200. Changes to massage related businesses would have minimal financial impacts.

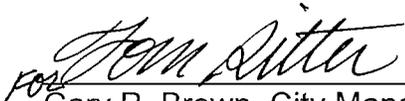
DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council:

1. Receive this report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1068;
3. City Clerk reads the title of Ordinance No. 2008-1068, an ordinance of the City Council of the City of Imperial Beach, California, AMENDING SECTION 4.04.490 OF CHAPTER 4.04 BUSINESS LICENSES GENERALLY OF TITLE 4 BUSINESS TAXES, LICENSES AND REGULATIONS, REGARDING BUSINESS LICENSE FEES OF MASSAGE ESTABLISHMENTS; and
4. Motion to dispense second reading and adopt Ordinance No. 2008-1068 by title only.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary R. Brown, City Manager

Attachment:

1. Survey of Other Jurisdictions
2. Ordinance No. 2008-1068

ATTACHMENT 1
Survey of Other Jurisdictions

Massage Establishment Business License and Processing Fees

	El Cajon	Santee	National City	Chula Vista	San Diego	La Mesa	Coronado	Escondido	Imperial Beach
Base Fee	\$45	\$290	\$100	\$250	\$34	\$35	min \$25 max \$87	min \$45.00 no max	\$525
Processing/Background Fee	\$300		\$32		\$80	\$350	\$38	\$195	\$433
Planning Fee				\$30	\$17	\$60	\$55		
Total Fee	\$345	\$290	\$132	\$280	\$131	\$445	\$118	\$240	\$958

Massage Technician Business License and Processing Fees

	El Cajon	Santee	National City	Chula Vista	San Diego	La Mesa	Coronado	Escondido	Imperial Beach
Base Fee	\$40	\$130	\$100	\$105	\$34	\$35	gross min \$25.00	gross min \$45.00	\$158
Processing/Background Fee	\$300		\$32	\$82	\$80	\$350	\$38	\$195	\$433
Planning Fee				\$30	\$17	\$60	\$55		
Total Fee	\$340	\$130	\$132	\$217	\$131	\$445	\$118	\$240	\$591

Massage Technician Application Requirements

	El Cajon	Santee	National City	Chula Vista	San Diego	La Mesa	Coronado	Escondido	Imperial Beach
Number of Hours Training	200	na	500	500	500	200	100	100	200
Written/Practical Health Exam by County	yes or degree	yes	no	no	yes	yes	no	no	no
Health Form	yes	yes	yes	yes	no	yes	no	no	yes
Photos	yes	yes	no	yes	yes	yes	no	yes	yes
Residency History	5 yrs	2 previous	no	5 yrs	5 yrs	3yrs	no	3 yrs	5 yrs
Employment History	5 yrs	3 yrs	no	5 yrs	5yrs	3yrs	no	3 yrs	5 yrs
Processing Time	unknown	unknown	unknown	unknown	unknown	4-6 weeks	unknown	30 days	30 days
Background Check Time	unknown	unknown	unknown	6 weeks	unknown	30 days	unknown	30 days	30 days
membership in association	no	no	yes	no	no	no	no	no	HHP only
Written Statements of character	yes 5	no	no	no	no	no	no	no	yes 5

Massage Establishment Facility Requirements

	El Cajon	Santee	National City	Chula Vista	San Diego	La Mesa	Coronado	Escondido	Imperial Beach
Bathroom Requirements separate facilities for men/women and tub or shower available.	yes	yes	yes	yes	yes	yes	yes	yes	operator must control room
Clean Linens	yes	yes	yes	yes	yes	yes	yes	yes	yes
Disinfecting agents /Sterilizing equipment required	na	yes	yes	yes	yes	yes	yes	yes	yes
Waste Regulations	na	na	na	yes	yes	na	na		na
Tech Licenses Displayed	yes	na	yes		yes	na	na	yes	yes
Name Tags	na	na		yes	yes	na	na	na	na
Hours	7am-	na	10am-	7am-9pm	7am-	7am-	7am-10pm	7am-9pm	7am-9pm
Services Posted	yes	na	yes	yes	yes	yes	yes	na	yes
Private Rooms	yes	na	yes	opposite sex only	yes	yes	yes	yes	yes
Anatomical Areas covered	yes	na	yes	yes	yes	na	yes	yes	yes
Posted no touching anatomical areas	na	na	na	yes	na	na	na	na	na
Massage Establishment sign	na	yes	yes	yes	na	na	na	na	yes
Records Confidentiality	yes	yes		yes		yes	yes	yes	yes
Inspections	yes	2 times a	na	4 times a	na	periodic	na	reasonable	reasonable
Standards	away from adult business, residential, schools etc								Impose conditions employees, number of patrons etc

ORDINANCE NO. 2008-1068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 4.04.490 OF CHAPTER 4.04 BUSINESS LICENSES GENERALLY OF TITLE 4 BUSINESS TAXES, LICENSES AND REGULATIONS, REGARDING BUSINESS LICENSE FEES OF MASSAGE ESTABLISHMENTS

WHEREAS, Section 4.04.490 sets forth the schedule for business license fees, including that for massage establishments and massage technicians; and

WHEREAS, the City Council has reviewed the City's business license fees relative to massage establishments and massage technicians and comparable data from other local communities and has determined that the fees should be reduced;

THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 4.04.490 of Chapter 4.04 of Title 4 of the Imperial Beach Municipal Code is hereby amended as follows:

A. The business license/certification fee for "Massage Establishment/Business" is reduced from \$525 plus \$6 per employee to \$250 plus \$6 per employee.

SECTION 2. Section 4.04.490 of Chapter 4.04 of Title 4 of the Imperial Beach Municipal Code is hereby further amended as follows:

A. A subcategory of "Health Service/Other Professional Services", called "Massage Technicians," is hereby created with the corresponding business license/certification fee set as \$75.

EFFECTIVE DATE: This Ordinance shall be effective immediately upon its adoption, in accordance with Government Code section 36937(d). Within fifteen (15) days after its adoption, the City Clerk of the City of Imperial Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code section 36933.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 23rd day of April 2008; and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Imperial Beach, California, on the ___ day of _____ 2008, by the following vote:

AYES: **COUNCILMEMBERS:**
NOES: **COUNCILMEMBERS:**

ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

**JACQUELINE M. HALD, CMC
CITY CLERK**

APPROVED AS TO FORM:

**JAMES P. LOUGH
CITY ATTORNEY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2008-1068 – An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING SECTION 4.04.490 OF CHAPTER 4.04 BUSINESS LICENSES GENERALLY OF TITLE 4 BUSINESS TAXES, LICENSES AND REGULATIONS, REGARDING BUSINESS LICENSE FEES OF MASSAGE ESTABLISHMENTS.

CITY CLERK

DATE



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: MAY 7, 2008

ORIGINATING DEPT.: PUBLIC WORKS

SUBJECT: PUBLIC HEARING SETTING THE ANNUAL SEWER CAPACITY FEE

BACKGROUND:

At the April 23, 2008, City of Imperial Beach, City Council meeting, Resolution No. 2008-6615 was adopted which set the time and place for the public hearing to establish the annual sewer Capacity Fee for the City of Imperial Beach. The resolution set the hearing time and place as:

Wednesday, May 7, 2008, at 6:00 p.m.
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

The public hearing was published in the Imperial Beach Eagle and Times Newspaper, Thursday, April 24, 2008.

DISCUSSION:

As of the submission date of this staff report, staff had not received any protests to the continuation of the Capacity Fee. The Capacity Fee proposed for the Fiscal Year 2008-2009 is unchanged from the past year - \$1,230.00 per Equivalent Dwelling Unit (EDU). The Capacity Fee was last adjusted July 20 2005, Resolution No. 2005-6192, based on a Sewer Utility Cost-of-Service Rate Study prepared by Foresight Consulting Services, June 3, 2005. An updated study hasn't been completed. Thus, there is no basis to propose an adjustment to the existing Capacity Fee rate. It should be noted that there is a Sewer Master Plan/System Capacity Study project awarded that will further analyze the future capacity needs and system conditions that will be available for reference for the Fiscal Year 2008/09 budget year.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

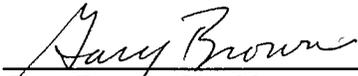
None

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Open the public hearing.
3. Receive public comment/protests.
4. Close the public hearing.
5. Adopt the attached resolution.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution 2008-6627

[Return to Agenda](#)

RESOLUTION NO. 2008-6627

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE

The City Council of the City of Imperial Beach does hereby resolve as follows:

WHEREAS, I.B.M.C 13.05.050 states, "The city council shall annually review the amount of the [capacity] fee to determine whether the fee amounts are reasonable and related to the cost for the public facility attributes to the development on which the fee is imposed; and

WHEREAS, I.B.M.C. 13.05.050 states, "The city council shall hold a noticed public hearing annually to review and update the plan; and

WHEREAS, in Resolution 2005-6153 City Council approved setting the sewerage capacity fee at \$1,230.00 for each Equivalent Dwelling Unit (EDU); and

WHEREAS, the Sewer Capacity fee calculated in Foresight Consulting Services, June 3, 2005 remains valid; and

WHEREAS, a pubic hearing notice was published April 24, 2008, in the Imperial Beach Eagle and Times Newspaper for the May 7, 2008, City Council meeting announcing the review of the sewer capacity fee.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. City Council, City of Imperial Beach, retains the current sewer capacity fee at \$1,230.00 per Equivalent Dwelling Unit.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 7th of May 2008, by the following roll call vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2008-6627 – A Resolution Authorizing The Retention Of The Current Annual Sewer Capacity Fee Rate

CITY CLERK

DATE



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: MAY 7, 2008
ORIGINATING DEPT.: PUBLIC WORKS *HAL*
SUBJECT: RESOLUTION APROVING A CHANGE ORDER TO THE PUBLIC WORKS CONTRACT – RENOVATIONS TO TEEPLE PARK (P06-101), REAMA PARK (P05-601) & SPORTS PARK RECREATION CENTER (P08-701)

BACKGROUND: On February 6, 2008, City Council awarded a contract to Valley Coast Construction for the CIP project – Renovations to Teeple Park (P06-101), Reama Park (P05-601) and Sports Park Recreation Center (P08-701) – resolution 2008-6575. The contract award was for \$327,462.00. At the time of award, staff discussed with City Council that the project was funded through Community Development Block Grant (CDBG) and that the CDBG allocation for the project was \$431,625. Staff suggested to City Council at the time of the awarding that staff believed that there was an opportunity to perform additional improvements within the scope of the CDBG approved project. With Council concurrence, staff pursued discussions with CDBG representatives regarding additional work using the remaining available CDBG funds.

Imperial Beach Municipal Code section 3.04.220 provided the guidelines for “Change Order Procedures covering public work construction projects” as follows:

- A. Change order for an amount of less than five thousand dollars shall be approved by the department director overseeing the project.
- B. The city manager may approve any change order for five thousand dollars or more with the following limitations: ten percent of the project contract value, provided sufficient project appropriations exist.
- C. The city council shall approve any change order of amounts that exceed any of the limitations described in subsection B of this section.

DISCUSSION: Staff has concluded a verbal agreement with CDBG representatives and the contractor for the following additional work that would be funded using a portion of the remaining CDBG funds:

- Sports Park Recreation Center - Install “retroplating in the Teen Room, Music Room, facility halls, restrooms (men and women) in place of the vinyl tile specified in the original bid document - \$8,000.
- Teeple Park – increase the thickness of the play surface under the taller of the two swing sets from 2 ½ inches to 3 ½ inches - \$1,500.
- Reama Park – install rubberizes play surface under all the play sets making all play sets

ADA accessible. This will leave a small sand lot available to the youth near some of the new seat-wall - \$33,695.00

A change order has been drafted reflecting the above changes and is ready for City Managers signature following approval of the change order by City Council.

ENVIRONMENTAL DETERMINATION:

An environmental review was conducted on this project and it was determined that the project is categorically exempt from CEQA Guidelines Section 15302c: Replacement or Reconstruction of Existing Utility Systems and Facilities.

FISCAL IMPACT:

CIP Budget for this project:

- \$431,625 CDBG funds
- \$115,000 RDA-TI-NH funds and
- \$ 30,000 Residential Construction Fund
- **\$576,625 TOTAL BUDGET**

CIP Expenditures with approval of the change order is (CDBG):

- \$327,462.00 Contract with Valley Coast Construction
- \$ 43,195.00 Proposed Change Order with Valley Coast Construction
- \$ 43,000.00 Maximum allowed for Project Inspector and project manager
- **\$413,657.00 TOTAL CDBG EXPENDITURES**

CIP Expenditure (RDA-TI-NH / Residential Construction fund):

- \$40,000.00 Estimated costs for other administrative support.

If the attached resolution is adopted, the maximum CDBG expenditure will be \$413,657.00 of a total \$431,625 CDBG funds available.

An estimated maximum of \$40,000 expended from other allocated funds.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Approve the change order for \$43,195.00 using CDBG funds
3. Authorize the City Manager to sign the change order and the increase in the purchase order with Valley Coast Construction.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6628

RESOLUTION NO. 2008-6628**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A CHANGE ORDER TO THE PUBLIC WORKS CONTRACT – RENOVATIONS TO TEEPLE PARK (P06-101), REAMA PARK (P05-601) & SPORTS PARK RECREATION CENTER (P08-701)**

WHEREAS, on February 6, 2008, City Council awarded a contract to Valley Coast Construction for the CIP project – Renovations to Teeple Park (P06-101), Reama Park (P05-601) and Sports Park Recreation Center (P08-701) – resolution 2008-6575; and

WHEREAS, the contract award was for \$327,462.00; and

WHEREAS, subsequent to the contract award to Valley Coast Construction staff pursued discussions with CDBG representatives regarding additional work using the remaining available CDBG funds; and

WHEREAS, the Imperial Beach Municipal Code section 3.04.220 provided the guidelines for “Change Order Procedures covering public work construction projects” as follows;

- A. Change order for an amount of less than five thousand dollars shall be approved by the department director overseeing the project.
- B. The city manager may approve any change order for five thousand dollars or more with the following limitations: ten percent of the project contract value provided sufficient project appropriations exist.
- C. The city council shall approve any change order of amounts that exceed any of the limitations described in subsection B of this section; and

WHEREAS, staff has concluded a verbal agreement with CDBG representatives and the contractor for the following additional work that would be funded using a portion of the remaining CDBG funds:

- Sports Park Recreation Center - Install “retroplating in the Teen Room, Music Room, facility halls, restrooms (men and women) in place of the vinyl tile specified in the original bid document - \$8,000.
- Teeple Park – increase the thickness of the play surface under the taller of the two swing sets from 2 ½ inches to 3 ½ inches - \$1,500.
Reama Park – install rubberizes play surface under all the play sets making all play sets ADA accessible. This will leave a small sand lot available to the youth near some of the new seat-wall - \$33,695.00; and

WHEREAS, a change order has been drafted reflecting the above changes and is ready for City Managers signature following approval of the change order by City Council; and

WHEREAS, the maximum CDBG expenditure will be \$413,657.00 of a total \$431,625 CDBG funds available.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The change order for additional work in Teeple Park, Reama Park and Sports Park Recreation Center for \$43,195.00 is approved.
3. The City Manager is authorized to sign a change order for the above specified work and to sign a purchase order amendment for additional funds to cover the approved change order.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 7th day of May 2008, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

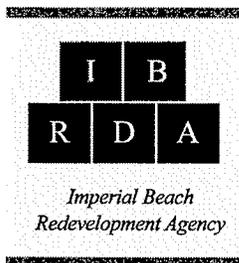
ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2008-xxxx – A Resolution of the City Council of the City of Imperial Beach, California, INSERT/PASTE TITLE.

CITY CLERK

DATE



AGENDA ITEM NO. 6.2

**STAFF REPORT
IMPERIAL BEACH REDEVELOPMENT AGENCY**

TO: CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: GARY BROWN, EXECUTIVE DIRECTOR

MEETING DATE: MAY 7, 2008

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, DIRECTOR
GERARD E. SELBY, REDEVELOPMENT COORDINATOR 

SUBJECT: AMENDMENT TO THE CAPITAL IMPROVEMENT BUDGET FY 04/09 FOR \$338,000 TO AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 776 10TH STREET.

BACKGROUND

On April 2, 2006, the Redevelopment Agency authorized staff to pursue the acquisition of property located at 776 10th Street ("Property"), currently occupied by a vacant single-family residential unit located in the C-1 General Commercial Zone. The property was a bank-owned foreclosure. Although the bank held an auction for the property, the Imperial Beach Redevelopment Agency ("Agency") was not able to submit a bid in time for the auction of the property. The winning bidder has offered to sell the property to the Agency. Acquisition of this site gives the Agency the opportunity to create affordable mixed-use development in the future although no specific project is contemplated in the near term. This acquisition would be consistent with strategies identified in the Palm Avenue/Commercial Redevelopment Plan.

DISCUSSION

The Property is an approximately 10,500 square foot site with two existing structures, a single-family two-bedroom house and a detached garage. A site visit by the City of Imperial Beach's Code Enforcement Officer has revealed extensive structural damage and other related building issues.

As authorized by Council, staff has conferred with the property owner, Majid Yahyakhan. The proposed Purchase and Sale Agreement price for the property is \$329,000. Agency staff consulted with the City Attorney and under auspices of the City Attorney's office, a drive-by appraisal was done by Robert Backer & Associates. Based on Mr. Backer's professional opinion, the property was priced below market value. Under the Agreement, the City would be required to close escrow in 14 days.

The purchase would be "as is"; the city would assume responsibility for any and all clean up costs. However, based on the history of the site and the historical information on surrounding land-uses, the potential for contamination by toxic materials is minimal.

Should the Agency decide to acquire the property, staff's recommendation is to begin the process to demolish the structures and secure the property with a fence immediately after the purchase. If the Agency chooses to pursue the purchase described above, Housing Funds will be use to acquire the property. The source of the Housing funds will be Tax Increment. The majority of Housing Bond Fund monies are committed in the 5-Year Capital Improvement Program.

ENVIRONMENTAL IMPACT

The acquisition of real property is not a "project" as defined by the California Environmental Quality Act (CEQA).

FISCAL IMPACT

Currently, the Agency has approximately \$3.3 million in housing set-aside funds that are not committed to a specific project. The Agency has budgeted and approved approximately \$5.3 (Bond Only) in the 5-Year Capital Improvement Program for various housing related programs, such as Acquisition and Rehabilitation and the Clean and Green program. The Agency is mid-way through the Housing Compliance Plan and the Agency has expended approximately \$1,210,000 or roughly 16.5% of the funds for very low-income housing. The minimum percentages of housing fund expenditures over the 10-year Implementation Plan's Housing Compliance Plan is 16% for very low and 10% for low. The Agency's Housing Set-aside has sufficient funds to meet the requirements of the 10-year Implementation Plan's Housing Compliance Plan and the proposed Draft Housing Element.

The Capital Improvement Budget FY 2004/2009 – Affordable Housing Project Implementation Project item will be amended and increased by \$338,000. The amendment amount includes \$329,000 for the purchase price and \$9,000 for any incidental expenses related to the acquisition.

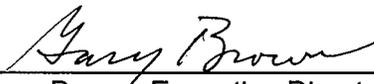
DEPARTMENT RECOMMENDATIONS

Staff recommends that the Redevelopment Agency:

1. Amend the Capital Improvement Budget FY 2004/2009 – Affordable Housing Project Implementation Project and increase it by \$338,000; and
2. Authorize the Executive Director to execute a Purchase and Sale Agreement for \$329,000 for the acquisition of real property located at 776 10th Street, Imperial Beach.

EXECUTIVE DIRECTOR'S RECOMMENDATION

Approve Department recommendation.



Gary Brown, Executive Director

ATTACHMENTS

1. Resolution R-08-147

REDEVELOPMENT RESOLUTION NO. R-08-147

A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY TO AMEND THE CAPITAL IMPROVEMENT BUDGET FY04/09 AND AUTHORIZE THE ACQUISITION OF PROPERTY LOCATED AT 776 10TH STREET, IMPERIAL BEACH.

The Imperial Beach Redevelopment Agency ("the Agency") does hereby resolve as follows:

WHEREAS, the Imperial Beach Redevelopment Agency (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area [the "Project"]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to acquire certain property located at 776 10th Street, Imperial Beach (the "Property") for the development of affordable housing; and

WHEREAS, the Acquisition of the Property by the Agency will benefit the Project and serve the Project's goals and objectives; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to amend the Capital Improvement Budget FY 2004/2009 – Affordable Housing Project Implementation Project; and

WHEREAS, the payment of Redevelopment Agency funds for the acquisition of the Property will in the elimination of one or more blighted conditions inside the Project; and

WHEREAS, the Agency has duly considered all conditions of the proposed payment for improvements and participation and believes that the payment by the Agency of the cost of the acquisition by the Agency is in the best interest of the City and health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Agency, as follows:

1. That the Agency finds and determines that the acquisition of the Property are of benefit to the Project, that the Agency finds and determines that no other reasonable means for financing the proposed acquisition for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that proposed acquisition will assist in eliminating more blighting conditions inside the Project area.

2. That the Agency finds and determines that the acquisition of the Property is consistent with the Implementation Plan adopted for the Project by the Agency on June 21, 1994, as Document No. 2141, pursuant to California Health and Safety Code section 33490.

3. That the Agency amend the Capital Improvement Budget FY 2004/2009 – Affordable Housing Project Implementation Project for \$338,000.

4. That the Agency authorizes the payment by the Agency for the acquisition of the

Property located at 776 10th Street, Imperial Beach for an amount up to \$329,000 anticipate to be paid from Palm Avenue/Commercial Corridor Redevelopment Project area Tax Increment proceeds.

5. That the Executive Director of the Agency, or designee, is authorized to execute all necessary documents to carry out this acquisition.

6. That the total amount of the budget amendment shall be for THREE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$338,000).

7. That the total amount of the acquisition shall not exceed THREE HUNDRED TWENTY-NINE THOUSAND DOLLARS (\$329,000).

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency of at its meeting held on the 7th day of May 2008 following roll call vote:

AYES: COUNCILMEMBERS: NONE
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Redevelopment Resolution No. R-08-147 – A Resolution of the Imperial Beach Redevelopment Agency of the City of Imperial Beach, California AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE AN AGREEMENT FOR THE ACQUISITION OF 776 10TH STREET, IMPERIAL BEACH FOR AMOUNT NOT TO EXCEED \$329,000.



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: MAY 7, 2008

ORIGINATING DEPT.: TOM RITTER, ASSISTANT CITY MANAGER *TR*

SUBJECT: ADOPT RESOLUTION NO. 2008-6629 APPROVING INCREASING THE MAYOR AND COUNCIL'S HEALTH BENEFIT TO THE SAME LEVEL AS MANAGEMENT EMPLOYEES WITH A CASH IN-LIEU OPTION EQUIVALENT TO THE LEAST EXPENSIVE HEALTH PLAN FOR A SINGLE PERSON AS OFFERED BY THE CITY

BACKGROUND:

In FY 1999-2000 the City Council established a health benefit of \$110 that could be used by the Mayor and Council for the purchase of health benefits from the City or taken as taxable income.

A recent survey of Mayor and Council benefits in the San Diego County region (see attached) shows that with the exception of the City of Del Mar and Imperial Beach all cities in the region now offer a health insurance benefit for its elected officials equal to that offered to their employees.

DISCUSSION:

Excluding Del Mar and Imperial Beach the average maximum health insurance benefit provided by San Diego region cities is \$891 per month for the purchase of health insurance. Of these cities, seven (7) also offer a cash in-lieu benefit that averages \$466 per month.

Considering Council's health insurance benefit has not been adjusted in approximately eight years and that nearly all the cities in the region now offer their elected officials the same health benefit as they offer their employee's, staff recommends that Council increase their health benefit equivalent to the amount provided the City's management employees (currently \$795 per month). In addition, although City employees have the option take their entire \$795 health benefit amount as cash in-lieu (if they provide evidence of health insurance coverage), staff recommends that Council set their cash in-lieu option amount equal to the least expensive health plan provided by the City for a single employee (currently \$393.63) per month.

It should be noted that under PERS Health rules an employee that has previously declined health insurance coverage will not be eligible for coverage until the first of the month following a ninety (90) day waiting period or January 1 if they enroll during the annual open enrollment period.

ENVIRONMENTAL IMPACT

None.

FISCAL IMPACT:

Currently the Mayor and Council receive the option to accept \$110 per month towards purchasing health insurance through the City or as a cash in-lieu payment, which costs the City \$6,600 per year in total. The increased cost to modify this health/cash in-lieu benefit would be approximately \$17,000 to \$41,100 per year in total, depending on which option the Mayor and Council select. If Council continues to utilize the health/cash in-lieu benefit in the same manner as it currently does, the cost to provide this enhanced benefit would be approximately \$2,000 for FY 07-08 and \$22,000 in FY 08-09. Funds are available in Non-Departmental that can be used for this purpose.

DEPARTMENT RECOMMENDATION:

Staff recommends Council adopt Resolution No. 2008-6629 approving increasing the Mayor and Council's health benefit to the same level as management employees with a cash in-lieu option equivalent to the least expensive health plan for a single person as offered by the City.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



For _____
Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6629
2. Mayor and Council Health Benefit Survey

RESOLUTION NO. 2008-6629

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING INCREASING THE MAYOR AND COUNCIL'S HEALTH BENEFIT TO THE SAME LEVEL AS MANAGEMENT EMPLOYEES WITH A CASH IN-LIEU OPTION EQUIVALENT TO THE LEAST EXPENSIVE HEALTH PLAN FOR A SINGLE PERSON AS OFFERED BY THE CITY

WHEREAS, in FY 1999-2000 the City Council established a health benefit of \$110 that could be used by the Mayor and Council for the purchase of health benefits from the City or taken as taxable income; and

WHEREAS, a recent survey of Mayor and Council benefits in the San Diego County region shows that with the exception of the City of Del Mar and Imperial Beach all cities in the region now offer a health insurance benefit for its elected officials equal to that offered to their employees; and

WHEREAS, excluding Del Mar and Imperial Beach the average maximum health insurance benefit provided by San Diego region cities is \$891 per month for the purchase of health insurance; and

WHEREAS, of these cities, seven (7) also offer a cash in-lieu benefit that averages \$422 per month.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. That the above recitations are true and correct.
2. To provide the Mayor and Council a Flexible Health Benefit amount equivalent to what management employees receive (currently \$795 per month) beginning June 1, 2008.
3. If the Mayor and Council elect not to be covered under the City's health insurance plans but demonstrate proof of alternative medical coverage they may receive a taxable cash in-lieu benefit up to an amount equivalent to the least expensive health insurance premium for a single employee as provided by the City (currently \$393.63 per month) beginning June 1, 2008.
4. To amend the FY 07-09 budget as follows:

<u>FY 2007-08</u>	<u>Budget Code</u>	<u>Department Description</u>	<u>Amount</u>
Transfer from:	101-1920-419-29-04	Non-Departmental	\$2,000
Transfer to:	101-1010-411-11-03	Council Section 125 Cafeteria	\$2,000

<u>FY 2008-09</u>	<u>Budget Code</u>	<u>Department Description</u>	<u>Amount</u>
Transfer from:	101-1920-419-29-04	Non-Departmental	\$22,000
Transfer to:	101-1010-411-11-03	Council Section 125 Cafeteria	\$22,000

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 7th day of May 2008, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2008-6629 – A Resolution of the City Council of the City of Imperial Beach, California, approving increasing the Mayor and Council's health benefit to the same level as management employees with a cash in-lieu option equivalent to the least expensive health plan for a single person as offered by the City.

CITY CLERK

DATE

Mayor and Council Health Benefit Survey
April 2008

	Maximum Health Benefit	Cash In-lieu Benefit	
Carlsbad	\$1,193	\$259	Cash In-lieu option
Chula Vista	\$1,052	\$0	NO Cash In-lieu
Coronado	\$815	\$0	NO Cash In-lieu
Del Mar	\$0	\$0	NO health benefits
El Cajon	\$700	\$0	NO Cash In-lieu
Encinitas	\$875	\$875	Any remaining funds placed into Flexible Spending Account
Escondido	\$865	\$75	Cash In-lieu option
La Mesa	\$912	\$115	Cash In-lieu option
Lemon Grove	\$655	\$400	Cash In-lieu option
National City	\$850	\$850	Cash In-lieu option
Oceanside	\$771	\$0	NO Cash In-lieu
Poway	\$867	\$0	NO Cash In-lieu
San Marcos	\$1,185	\$0	NO Cash In-lieu
San Diego	-	-	Not surveyed
Santee	\$894	\$0	NO Cash In-lieu
Solana Beach	\$690	\$690	Cash In-lieu option must be directed to 457 savings plan
Vista	\$1,045	\$0	NO Cash In-lieu
	\$891	\$466	Average of cities with a benefit
Imperial Beach	\$110	\$110	Cash In-lieu option