

**MINUTES**

**IMPERIAL BEACH CITY COUNCIL  
REDEVELOPMENT AGENCY  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY**

**NOVEMBER 18, 2009**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

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

**CLOSED SESSION**

MAYOR JANNEY called the Closed Session Meeting to order at 5:30 p.m.

**ROLL CALL BY CITY CLERK**

Councilmembers present: McCoy, King, Rose  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: Bragg

Staff present: City Manager Brown; City Attorney Lough; City Clerk Hald

**CLOSED SESSION**

**MOTION BY BRAGG, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: 849 Palm Ave., Imperial Beach, CA 91932, (portion of) APN No. 626-250-06

Agency Negotiator: City Attorney and City Manager

Negotiating Parties: Goodwill Industries of San Diego County, Inc.

Under Negotiation: Instruction to Negotiators will concern price and/or terms of payment

Property: 1431 14th Street, Imperial Beach, CA 91932, APN No. 633-231-01-00

Agency Negotiator: City Manager

Negotiating Parties: Pentecostal Church of God of America Southern California District Inc.

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

Property: 1402 Hemlock Street, Imperial Beach, CA 91932, APN No. 633-231-15-00

Agency Negotiator: City Manager

Negotiating Parties: Pentecostal Church of God of America Southern California District Inc.

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

Property: 803 Palm Ave., Imperial Beach, CA 91932, APN No. 626-250-06  
Agency Negotiator: City Manager  
Negotiating Parties: Inner Visions c/o Deborah Sides  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 771 Palm Ave., Imperial Beach, CA 91932, APN No. 626-250-05  
Agency Negotiator: City Manager  
Negotiating Parties: Wylde Sydes Boutique c/o Deborah Sides  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 775 Palm Ave., Imperial Beach, CA 91932, APN No. 626-250-05  
Agency Negotiator: City Manager  
Negotiating Parties: Priced Rite Pets c/o Robert Lokey  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

### **CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager  
Employee Organizations: Imperial Beach Firefighters' Association (IBFA)  
Service Employees International Union (SEIU), Local 221  
Unrepresented Employees

### **MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:30 p.m. and he reconvened the meeting to Open Session at 6:01 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

### **REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:02 p.m.

### **ROLL CALL**

Councilmembers present: McCoy, King, Rose  
Mayor present: Janney  
Mayor Pro Tem present: Bragg

Staff present: City Manager Brown; City Attorney Lough;  
City Clerk Hald

### **PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

None.

**MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

COUNCILMEMBER MCCOY spoke about the Fallen Heroes Flag Ceremony where Dee McLean, wife of the late Councilmember Fred McLean, was presented with a flag raised at Veterans Park; she spoke about the problems the organizers of the farmers market are having with the owner of the current site, and requested that the City Manager work with the event organizers on finding a new site.

MAYOR PRO TEM BRAGG reported on her attendance at the League of California Cities luncheon meeting; and she requested that MTS give a presentation at a meeting in December regarding discontinuation of some routes.

**COMMUNICATIONS FROM CITY STAFF**

None.

**PUBLIC COMMENT**

ANDREA MARTIN, representing IB Beautiful, reported on problems with the current site of the farmers market and requested assistance in resolving these problems.

DEANNA ROSE, Silver Strand Market Manager, provided a summary of results from a survey she conducted with vendors regarding moving the event to Sundays.

CITY MANAGER BROWN stated that City staff provided an extensive list of possible sites to the event organizers.

**PRESENTATIONS (1.1)**

**1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)**

MAYOR JANNEY presented the Recycle All-Star Award Certificate and used oil-recycling premiums to Chalia Robyn.

MARCO TOPETE, of EDCO, presented the \$100.00 check to Mrs. Robyn.

**CONSENT CALENDAR (2.1 - 2.4)**

**MOTION BY KING, SECOND BY MCCOY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED UNANIMOUSLY.**

**2.1 MINUTES.**

Approved the minutes of the Workshop meeting of November 2, 2009 and the regular City Council Meeting of November 4, 2009.

**2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified the following registers: Accounts Payable Numbers 69830 through 69902 with the subtotal amount of \$669,600.27; and Payroll Checks 41860 through 41909 for the pay period ending 10/22/09 with the subtotal amount of \$152,975.24; for a total amount of \$822,575.51.

- 2.3 RESOLUTION NO. 2009-6823 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING YEAR “ONE” OF FY 2009/2011 BUDGET BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010 FOR \$100,000 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT. (0390-86)**  
Adopted resolution.
- 2.4 RESOLUTION NO. 2009-6826 – AMENDING THE BUILDING & HOUSING INSPECTOR I JOB DESCRIPTION. (0510-20)**  
Adopted resolution.

**ORDINANCES – INTRODUCTION/FIRST READING (3)**

None.

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

- 4.1 ORDINANCE NO. 2009-1093 – AN ORDINANCE AMENDING SECTION 3.04.190 OF THE IMPERIAL BEACH MUNICIPAL CODE, PERTAINING TO COOPERATIVE PURCHASING. (0380-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2009-1093.

CITY CLERK HALD read the title of Ordinance No. 2009-1093, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 3.04.190 OF THE IMPERIAL BEACH MUNICIPAL CODE, PERTAINING TO COOPERATIVE PURCHASING."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE WITH THE SECOND READING AND ADOPT ORDINANCE NO. 2009-1093 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (5.1 - 5.2)**

- 5.1 IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) FY 2009/2010 BUDGET & PROPOSED ACTIVITIES AND ACCEPT AGREED UPON PROCEDURES REVIEW FOR FY 2008/2009 AND ACCEPT ANNUAL ACTIVITIES REPORT FOR FY 2008/2009. (0465-20)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

JACK VAN ZANDT, of the Business Improvement District, presented a written and verbal report from the BID Board on the FY 2008/2009 Agreed Upon Procedures Review, FY 2008/2009 Activity Report, and FY 2009/2010 budget and proposed activities; and stated that he may be able to assist with the farmers market issue.

City Council discussion ensued regarding the BID sponsoring a 4<sup>th</sup> of July fireworks show; concern was raised regarding a balance of \$40,000; and a request to receive a report that shows the expenses versus what was projected.

MAYOR JANNEY closed the public hearing.

**MOTION BY MCCOY, SECOND BY KING, ACCEPT THE AGREED UPON PROCEDURES REVIEW AND ACTIVITY REPORTS, AND APPROVE THE BID FY 2009/2010 BUDGET AND PROPOSED ACTIVITIES. MOTION CARRIED UNANIMOUSLY.**

**5.2 PROPOSED PROJECT PROPOSALS FOR FY 2010/2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. (0650-33)**

COUNCILMEMBER ROSE announced that she may have a conflict of interest on the item due to her home's proximity to one of the proposed projects and left Council Chambers at 6:37 p.m.

MAYOR JANNEY declared the continued public hearing open.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE reported that staff has been working with County HCD on the Skate Park's eligibility for CDBG funding; eligibility concerns relate to the service area that the facility is expected to serve; too large a service area would be considered a regional benefit rather than local and, therefore, would not meet the objectives of CDBG funding; County HCD is currently reviewing staff's justification for a reasonable service area; staff is recommending City Council adopt a resolution identifying the Skate Park project for CDBG funding; County HCD will review the application and make a determination in March, if the Skate Park project is determined to be ineligible City Council can at that time identify another project (Louden Lane Pedestrian Safety and Traffic calming, Marina Vista Center Energy Efficiency Window Replacement, or Veteran's Park Restroom Remodel); he also noted that the CDBG funding cycle begins July 2010 so the project could not begin construction any sooner than July 2010; he also noted that the environmental review and permitting process could be completed by the end of January.

City Council discussion ensued regarding the project's timeframe; they discussed the completion of drawings; environmental review and permitting process could be completed ahead of the expected groundbreaking in late summer (if CDBG funding is used).

MAYOR JANNEY spoke in opposition to funding the Skate Park project with CDBG funding due to time delays; he suggested another project be considered; and expressed desire for the Skate Park groundbreaking in late winter/early spring.

City Council spoke in support of selecting another priority project.

**MOTION BY JANNEY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2009-6824 WITH THE LOUDEN LANE PEDESTRIAN SAFETY AND TRAFFIC CALMING PROJECT AS THE CHOSEN PROJECT STATED IN THE RESOLUTION.**

City Council discussed the benefits of the three projects and their preferences.

**VOTES WERE NOW CAST ON ORIGINAL MOTION BY JANNEY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2009-6824 WITH THE LOUDEN LANE PEDESTRIAN SAFETY AND TRAFFIC CALMING PROJECT AS THE CHOSEN PROJECT STATED IN THE RESOLUTION. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, KING, BRAGG, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>ROSE (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

COUNCILMEMBER ROSE returned to Council Chambers at 6:52 p.m.

**REPORTS (6.1 - 6.6)**

**MOTION BY MCCOY, SECOND BY BRAGG, TO TAKE ITEM NO. 6.5 – DESIGN REVIEW BOARD – ONE (1) TERM EXPIRING DECEMBER 31, 2009 AT THIS TIME. MOTION CARRIED UNANIMOUSLY.**

**6.5 DESIGN REVIEW BOARD – ONE (1) TERM EXPIRING DECEMBER 31, 2009. (0120-30)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD gave a report on the item.

MAYOR JANNEY recommended reappointment of member Thomas Schaff to the Design Review Board in accordance with Chapter 2.18.010.C of the I.B.M.C. The new term of office shall begin January 1, 2010 and expire December 31, 2010.

**MOTION BY MCCOY, SECOND BY KING, TO APPROVE MAYOR'S APPOINTMENT SELECTION TO THE DESIGN REVIEW BOARD. MOTION CARRIED UNANIMOUSLY.**

Consensus of City Council to take Item No. 6.6 at this time.

**6.6 TIDELANDS ADVISORY COMMITTEE – FOUR (4) TERMS EXPIRING DECEMBER 31, 2009. (0120-90)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY recommended reappointment of members Michel Dedina and Rita Lane with terms expiring December 31, 2012 and Richard Pilgrim and Jean F. Villard with terms expiring December 31, 2010 to the Tidelands Advisory Committee, in accordance with Chapter 2.18.010.C of the I.B.M.C., new terms of office shall begin January 1, 2010.

**MOTION BY MCCOY, SECOND BY BRAGG, TO APPROVE MAYOR'S APPOINTMENT SELECTIONS TO THE TIDELANDS ADVISORY COMMITTEE. MOTION CARRIED UNANIMOUSLY.**

***Item No. 6.4 discussed at 7:00 p.m. – TIME SPECIFIC***

**6.4 COMMERCIAL ZONING REVIEW. (0640-10)**

E-mail correspondence from Roger Benham was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

STEVE FUTTERMAN spoke of his desire for attracting young, highly educated and skilled workforce to the community; he expressed concern that issues such as density may be driven by a minority of residents, and spoke in support of an all-citizen discussion; he noted that I.B. can absorb some density while not affecting the quality of life.

CHRIS GRAY, of Fehr & Peers, gave a PowerPoint presentation on the Imperial Beach Parking Study.

City Council discussion ensued regarding directional signs for public parking along Seacoast Dr.; a request to change the parking lot sign located in the Port parking lot at Palm Ave. and Seacoast Dr. to alleviate confusion; and looking at existing parking in order to support the recommended parking regulation amendments.

City Council reviewed recommendations and expressed support for:

- Reducing commercial parking requirements
- Allowing a 25% parking reduction for vertical development
- Establishing a parking waiver for small commercial projects under 1,000 square feet
- Allowing shared parking reduction

**6.1 RESOLUTION NO. R-09-199 – APPROVING A REDEVELOPMENT AGENCY COMMITMENT TO THE MINIMUM REQUIRED 10 PERCENT MATCH FOR BICYCLE TRANSPORTATION ACCOUNT (BTA) GRANT APPLICATION FOR THE ECO-BIKEWAY 7<sup>TH</sup> AND SEACOAST CIP CONSTRUCTION PROJECT. (0680-20)**

CITY MANAGER BROWN reported on the item.

PUBLIC WORKS DIRECTOR LEVIEN reviewed the Eco-Bikeway route.

COUNCILMEMBER KING expressed concern about reducing Palm Ave. to one lane each way as it may lead to increased traffic through residential streets during peak hours, and expressed concern about safety; he questioned why parking is proposed between 3<sup>rd</sup> and 7<sup>th</sup> Streets, he suggested removing the parking, keeping the two lanes, and adding a bicycle lane.

PUBLIC WORKS DIRECTOR LEVIEN responded that it is too narrow to accommodate two lanes and a bicycle lane; he reviewed the three design options that were considered; he noted that the parking at the west end as a potential for overflow for the Old Palm Ave. project; the new design will make the area more student/pedestrian friendly.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that the project will improve safety in the area; while there is impact to traffic flow, those impacts are mitigated in time by the increase in safety; he also noted that the parking is there for the future success of Old Palm Ave., as well as to provide parking for an apartment building by 3<sup>rd</sup> St.; by reducing the amount of single

occupant vehicle trips and increasing other modes of transportation, the project can be worthwhile.

City Council discussion ensued regarding the amount of time and money already put into the project, whether additional parking is needed at the end of Seacoast Dr., and the benefits versus the disadvantages of narrowing traffic to one lane.

**MOTION BY ROSE, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. R-09-199 – APPROVING A REDEVELOPMENT AGENCY COMMITMENT TO THE MINIMUM REQUIRED 10 PERCENT MATCH FOR BICYCLE TRANSPORTATION ACCOUNT (BTA) GRANT APPLICATION FOR THE ECO-BIKEWAY 7<sup>TH</sup> AND SEACOAST CIP CONSTRUCTION PROJECT. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, KING, ROSE, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>

**6.2 RESOLUTION NO. 2009-6822 – AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – STATE ROUTE 75 LANDSCAPE MAINTENANCE PROGRAM. (0940-10)**

CITY MANAGER BROWN reported on the item.

**MOTION BY MCCOY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2009-6822 – AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – STATE ROUTE 75 LANDSCAPE MAINTENANCE PROGRAM. MOTION CARRIED UNANIMOUSLY.**

**6.3 RESOLUTION NO. 2009-6825 – APPROVING THE CONTRACT LAW ENFORCEMENT PROGRAM JOINT OPERATING AND FINANCIAL PLAN ALSO KNOWN AS “ATTACHMENT B” FOR FY 2009/2010. (0260-10)**

A revised Resolution No. 2009-6825 was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

ANTONIA RAMIREZ suggested that the Sheriff’s Dept. be replaced with military veterans who are currently unemployed.

**MOTION BY MCCOY, SECOND BY KING TO ADOPT RESOLUTION NO. 2009-6825 – APPROVING THE CONTRACT LAW ENFORCEMENT PROGRAM JOINT OPERATING AND FINANCIAL PLAN ALSO KNOWN AS “ATTACHMENT B” FOR FISCAL YEAR 2009/2010.**

City Council discussion.

COUNCILMEMBER ROSE stated that there was a recent job fair called Honor a Hero, Hire a Vet where a number of law enforcement agencies were in attendance; they recognize the experience and benefits veterans bring to their organizations; and she expressed concern about the Sheriff’s agreement having an open-ended account where the contract cities are asked to share costs after large purchases (such as a firefighter helicopter) are made.

CITY MANAGER BROWN stated that CLETAC cities have put out a request for proposal for a consultant to look at the whole cost accounting system.

Concern was raised regarding the structure of the Sheriff's agreement and costs.

**MOTION BY MCCOY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2009-6825 – APPROVING THE CONTRACT LAW ENFORCEMENT PROGRAM JOINT OPERATING AND FINANCIAL PLAN ALSO KNOWN AS “ATTACHMENT B” FOR FISCAL YEAR 2009/2010. MOTION CARRIED UNANIMOUSLY.**

**ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

None.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:54 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk