



# A G E N D A

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



**OCTOBER 7, 2009**

**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: 849 Palm Ave., Imperial Beach, CA 91932, (portion of) APN No. 626-250-05

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: 803 Palm Ave., Imperial Beach, CA 91932, (portion of) APN No. 626-250-05

Agency Negotiator: City Attorney and City Manager

Negotiating Parties: Inner Visions c/o Deborah Sides

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

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

**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.*

**Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.**

## **PRESENTATIONS (1.1 - 1.4)**

- 1.1\* RECOGNITION OF BICYCLE SAFETY ESSAY CONTEST WINNERS. (0410-30)**
- 1.2\* PRESENTATION OF PROCLAMATION IN RECOGNITION OF FIRE PREVENTION MONTH. (0410-30)**
- 1.3\* PRESENTATION ON PROPOSED ART PIECE FOR DAHLIA AVE. STREET END BY PORT COMMISSIONER BIXLER. (0150-70)**
- 1.4\* PRESENTATION ON GOVOPS GREENHOUSE GAS EMISSIONS INVENTORY. (0230-90)**

\* 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 MINUTES.**

City Manager's Recommendation: Approve the minutes of the regular City Council Meeting of August 19, 2009.

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

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 69554 through 69663 with the subtotal amount of \$1,126,246.67; and Payroll Checks 41684 through 40748 for the pay period ending 09/10/09 with the subtotal amount of \$168,503.17; for a total amount of \$1,294,749.84.

### **2.3 ADOPT RESOLUTION NO. 2009-6808 – APPROVING THE TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN THE CITY AND NEXTG NETWORKS OF CALIFORNIA, INC. (0800-50)**

City Manager's Recommendation: Adopt resolution.

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

None.

## **ORDINANCES – SECOND READING & ADOPTION (4)**

None.

## **PUBLIC HEARINGS (5.1 – 5.2)**

### **5.1 1230 13<sup>TH</sup> STREET – ORDER TO VACATE THE PREMISES, THE BUILDING DECLARED UNSAFE, UNFIT FOR HUMAN OCCUPANCY, AND PUBLIC NUISANCE. (0470-20)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public comment;
3. Close the public hearing; and
4. Adopt Resolution No. 2009-6809, assessing \$500.00 in administrative fees, and concurring with staff's decision ordering the premises vacated and declaring the structure at 1230 13<sup>th</sup> Street unsafe, unfit for human occupancy, and a public nuisance.

### **5.2 1174 SEACOAST DRIVE – ORDER TO VACATE THE PREMISES, THE BUILDING DECLARED UNSAFE, UNFIT FOR HUMAN OCCUPANCY, AND A PUBLIC NUISANCE. (0470-20)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public comment;
3. Close the public hearing; and
4. Adopt Resolution No. 2009-6810, assessing \$500.00 in administrative fees, and concurring with staff's decision ordering the premises vacated and declaring the structure at 1174 Seacoast Drive unsafe and unfit for human occupancy, and a public nuisance.

**REPORTS (6.1 - 6.3)**

**6.1 RESOLUTION NO. R-09-195 – APPROVING A REQUEST FROM PACIFIC REALTY FOR FAÇADE IMPROVEMENT PROGRAM MATCHING FUNDS AT 280 PALM AVENUE. (0640-20)**

City Manager's Recommendation: Adopt resolution.

**6.2 PROPOSED ARMY CORPS OF ENGINEERS NEARSHORE SAND DEPOSIT. (0220-70)**

City Manager's Recommendation:

1. Receive report; and
2. Comment and provide input as necessary, and tentatively support the project pending the outcome of meetings on October 12 and October 13, 2009.

**6.3 RESOLUTION NO. R-09-196 – AUTHORIZING A SECOND CONTRACT AMENDMENT WITH EDWARDS&KELCEY/EDAW/AECOM IN THE AMOUNT OF \$50,000 FOR THE COMMERCIAL ZONING REVIEW. (0610-95)**

City Manager's Recommendation: Adopt resolution.

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

**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 IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT**

[www.cityofib.com](http://www.cityofib.com).

Copies of this notice were provided on October 2, 2009 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

STATE OF CALIFORNIA)  
COUNTY OF SAN DIEGO) ss.  
CITY OF IMPERIAL BEACH)

*AFFIDAVIT OF POSTING*

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, Planning Commission, and Public Financing Authority of Imperial Beach was provided and posted on October 2, 2009. Said meeting to be held at 5:30 p.m. October 7, 2009, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on October 2, 2009 at 2:00 p.m.

\_\_\_\_\_  
Jacqueline M. Hald, CMC  
City Clerk

**DRAFT**

**MINUTES**

**Item No. 2.1**

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

**AUGUST 19, 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;<br>City Clerk Hald |

**CLOSED SESSION**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: 817 Palm Ave., Imperial Beach, CA 91932, (portion of) APN No. 626-250-05

Agency Negotiator: Steve E. Boehmer and City Manager

Negotiating Parties: The Pawn Shop, Inc. c/o Mark A. Krasner

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

Property: Unimproved site of 1.15 acres with a paved Class I bike path, Imperial Beach,  
CA 91932, APN: 616-021-10

Agency Negotiator: City Manager

Negotiating Parties: San Diego County Regional Airport Authority

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

**MOTION CARRIED UNANIMOUSLY.**

CITY ATTORNEY LOUGH announced Councilmember King has an indirect conflict with on first Closed Session item as he has a business interest of over \$500 involving the neighbor across the street from 817 Palm Ave. and Councilmember McCoy has a conflict on the second Closed Session item as she has a property interest within 500 feet of the Airport Authority property;

also, since Steve E. Boehmer was not in attendance, he and Assistant City Attorney Mendoza would act as negotiators.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, City Council gave direction and had no reportable action.

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

MAYOR JANNEY called the Regular Meeting to order at 6:01 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 and asked everyone to pause for a moment of silence in memory of Ruth Elizabeth Fleming ("Betty"), mother of Councilmember Rose.

### **AGENDA CHANGES**

MAYOR JANNEY announced Marcus Boyd requested Item No. 6.6 be taken before Item No. 3.1 and that his previous request for continuance of Item No. 6.6 be withdrawn.

City Council discussed taking agenda items in the order as written.

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

COUNCILMEMBER MCCOY reported on the status of the waiver for the Point Loma Sewage Treatment plant and potential costs to the member cities if the waiver is not granted.

COUNCILMEMBER KING attended a SANDAG tour of Camp Pendleton.

COUNCILMEMBER ROSE thanked Mayor Janney for acknowledging her late mother and thanked everyone for their kind thoughts and prayers.

MAYOR PRO TEM BRAGG announced the former North Island Financial Credit Union building was demolished and questioned the status of the demolition for the Seacoast Inn.

CITY MANAGER BROWN responded that a status report regarding the Seacoast Inn is scheduled for the first meeting in September.

MAYOR PRO TEM BRAGG reported on the recent League of California Cities Luncheon meeting; and she attended the retirement ceremony for Real Admiral Len Hering.

### **COMMUNICATIONS FROM CITY STAFF**

None.

### **PUBLIC COMMENT**

ALBERT KNECHT played a voicemail recording of District Attorney Leon Schorr whose message was in response to his concern about the demolition of the former North Island Financial Credit Union building; he expressed disappointment in not being notified of the demolition.

CITY ATTORNEY LOUGH stated that he informed the District Attorney he would talk to staff about the process, in his message response to the District Attorney, he informed him that notices were sent to neighboring properties and the demolition process had begun.

JUNE ENGEL, Branch Manager of the Imperial Beach library, distributed tokens in remembrance of attending her first Imperial Beach City Council meeting.

### **ORDINANCES/PRESENTATIONS (1.1 - 1.2)**

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

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

MARCO TOPETE, of EDCO, presented the \$100.00 check to Ms. Bilansky.

#### **1.2 PRESENTATION BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS REGARDING THE 2050 REGIONAL GROWTH FORECAST. (0140-40)**

BETH JAROSZ, of SANDAG, gave a PowerPoint presentation on the 2050 Regional Growth Forecast.

City Council discussion ensued regarding IB's uniqueness and "how not one size fits all"; they expressed concern about IB absorbing the number of units suggested and the difficulties in offering suggestions when the projections are so far into the future and more variables present themselves as more time passes; there were differing points of view in regard to job projections.

### **CONSENT CALENDAR (2.1 - 2.5)**

**MOTION BY MCCOY, SECOND BY BRAGG, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.5. MOTION CARRIED UNANIMOUSLY.**

#### **2.1 MINUTES.**

Approved the minutes of the joint City Council/Design Review Board Workshop Meeting of July 28, 2009.

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

Ratified the following registers: Accounts Payable Numbers 69190 through 69321 with the subtotal amount of \$612,738.35; and Payroll Checks 41386 through 41454 for the pay period ending 07/16/09 and Payroll Checks 41455 through 41527 for the pay period ending 07/30/09 with the subtotal amount of \$381,402.52; for a total amount of \$994,140.87.

**2.3 RESOLUTION NO. 2009-6795 – APPROVING AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR FINANCIAL ASSISTANCE FOR THE 2009 ANNUAL CONCERT EVENT AND RESOLUTION NO. 2009-6796 – PROFESSIONAL SERVICES AGREEMENT WITH MME EVENT PRODUCTIONS, INC. (MME) FOR PLANNING OF 2009 ANNUAL CONCERT EVENT. (1040-10)**

Adopted resolutions.

**2.4 RESOLUTION NO. 2009-6791 – APPROVING THE FY 2009-10 AND FY 2010-11 SALARY AND COMPENSATION PLAN FOR CERTAIN EMPLOYEE GROUPS AND RECOGNIZING THOSE CLASSIFICATIONS REPRESENTED BY THE SEIU FOR FY 2009-10 & FY 2010-11. (0520-75)**

Adopted resolution.

**2.5 ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 060416) AND FINAL MAP (FM 060417) FOR THE PROPOSED CONDOMINIUM CONVERSION OF SIXTY-NINE (69) UNITS LOCATED AT 363 PALM AVENUE IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 872. (0600-20)**

Approved the Final Map for recordation.

**ORDINANCES – PUBLIC HEARING/INTRODUCTION/FIRST READING (3.1)**

**3.1 ORDINANCE NO. 2009-1090 – AN INTERIM ORDINANCE ENACTING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD FOR 45 DAYS. (0610-95)**

The following items were submitted as Last Minute Agenda Information:

- Correction to Staff Report, pg. 1; and
- E-mail correspondence from Lori Green of Coalition for a Drug Free California, received August 18, 2009, including the following attachments:
  - 2009 Summit on the Impacts of California’s Medical Marijuana Laws by Martin J. Mayer of Jones & Mayer
  - White Paper on Medical Marijuana Dispensaries, prepared by FixLosAngeles.com
  - Use of Marijuana as a “Medicine” by California Narcotics Officers’ Association
  - White Paper on Marijuana Dispensaries by California Police Chiefs Association’s Task Force on Marijuana Dispensaries
  - Notice Letter from the Drug Enforcement Administration, dated November 26, 2007
  - Letter from the Inland Valley Drug Free Community Coalition to City of Beaumont, dated April 21, 2009
  - Partial listing of pot dispensaries from the Inland Valley Drug Free Community Coalition

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LOUGH reported on California's regulation of medical marijuana; he discussed conflicts between state and federal law and he reviewed the rules for a moratorium.

BRAD BERNHARD, owner of a collective in the Los Angeles area; encouraged Council to take time to study the issues to set up regulations the right way but not push the study period beyond 45 days; and he spoke in support of medical marijuana dispensaries.

CEPHAS MASON spoke about the benefits of medical marijuana for patients; and he spoke in support of a moratorium and for medical marijuana dispensaries.

MARCUS BOYD, founder of South Bay Organic Co-Op; spoke in support of a moratorium and encouraged participation from a larger group of individuals; he also offered the City his assistance.

JERRY MASON supported the item (not available to speak).

City Council discussion ensued regarding the need to study the matter further.

MAYOR JANNEY called for the reading of the title of interim Ordinance No. 2009-1090.

CITY CLERK HALD read the title of Ordinance No. 2009-1090, "AN INTERIM ORDINANCE ENACTING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD FOR 45 DAYS."

**MOTION BY MCCOY, SECOND BY KING, TO DISPENSE INTRODUCTION AND WAIVE FURTHER READING OF ORDINANCE NO. 2009-1090. AND ADOPT, BY A FOUR-FIFTHS VOTE, ORDINANCE NO. 2009-1090 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

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

##### **4.1 ORDINANCE NO. 2009-1088 – AMENDING MUNICIPAL CODE CHAPTER 9.10, RELATING TO SKATEBOARD AND ROLLER SKATE RIDING. (0920-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2009-1088.

CITY CLERK HALD read the title of Ordinance No. 2009-1088, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING CHAPTER 9.10 OF THE MUNICIPAL CODE RELATING TO SKATEBOARD AND ROLLER SKATE RIDING."

**MOTION BY MCCOY, SECOND BY KING, TO DISPENSE WITH THE SECOND READING AND ADOPT ORDINANCE NO. 2009-1088 BY TITLE ONLY AND RETURN TO CITY COUNCIL WITH A REVIEW OF THIS ORDINANCE SHOULD STATE LEGISLATION AB 874 (SALDAÑA), ELIMINATING THE KNEE-AND-ELBOW-PAD REQUIREMENT FOR SKATERS, BE APPROVED. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NOS. 2009-6794 AND R-09-189 – MAKING FINDINGS AND DETERMINATIONS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445 RELATING TO THE FUNDING OF PUBLIC WORKS YARD EXPANSION PROJECT (MF 950). (0910-30)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MAYOR JANNEY closed the public hearing.

**MOTION BY BRAGG , SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2009-6794 AND RESOLUTION NO. R-09-189, MAKING FINDINGS AND DETERMINATIONS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445 RELATING TO THE FUNDING OF PUBLIC WORKS YARD EXPANSION PROJECT (MF (950). MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY called a recess at 7:50 p.m. and he reconvened the meeting to order at 7:59 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;<br>City Clerk Hald |
|----------------|---|

**REPORTS (6.1 - 6.6)**

**6.1 RESOLUTION NOS. 2009-6798 AND R-09-190 – AMEND FISCAL YEAR 2009-10 BUDGET TO ADDRESS STATE BUDGET IMPACTS. (0330-30)**

CITY MANAGER BROWN introduced the item.

FINANCE DIRECTOR MCGRANE gave a PowerPoint presentation on the item.

**MOTION BY MCCOY , SECOND BY ROSE , TO ADOPT RESOLUTION NO. 2009-6798 AND RESOLUTION NO. R-09-190 AMENDING THE FISCAL YEAR 2009-10 BUDGET TO REBALANCE FUNDS IMPACTED BY THE STATE BUDGET. MOTION CARRIED UNANIMOUSLY.**

**6.2 REVIEW OF SPORTS PARK SKATE PARK DESIGN – CIP P07-101. (0920-40)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item; and he noted at the workshop the community was in support of the proposal.

COUNCILMEMBER ROSE thanked the skate park committee for working with Supervisor Cox in obtaining a donation of concrete.

Discussion ensued regarding the concrete donation and possibly obtaining other construction material donations; and how they may save construction costs.

TIM O'NEAL, representing IB Skateboarding Association, commented that Phase 1 was too small for the number of kids who want to skate; he suggested staff revisit the design since kids expressed a desire for a streetscape design rather than a bowl; he requested amenities such as benches and parking (additional speaking time donated by Candy Unger).

MICHAEL CAREY expressed his desire for the project's fruition and was pleased with Grindline's "can do" attitude; he voiced his concern regarding the timeline and budget; he requested Council to direct staff to provide a list of potential funding sources; he also expressed desire for Grindline to provide adaptations of Phases 1 and 3.

City Council discussion ensued regarding the timeline, a request for a breakdown of Grindline's costs, determining value of donations; sharing revised designs with the public; and the possibility for another community meeting.

In response to Council's concerns, PUBLIC WORKS DIRECTOR LEVIEN indicated that another community meeting may not be practical and would render additional consultant costs; however, Grindline can prepare some construction drawings that can be placed on the website and distributed to the public; he indicated that seating could be an additive for the project.

Additional discussion ensued regarding cost breakdown and funding sources for the bench seating and concrete pad, such as donations and grants.

### **6.3 RESOLUTION NO. 2009-6793 – ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM (EECBGP). (0390-86)**

CITY MANAGER BROWN introduced the item.

ASSISTANT PROJECT MANAGER CUMMING and PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

**MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2009-6793 AUTHORIZING STAFF TO MAKE AN APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANTS AND LOANS OFFICE BY THE DATE AND TIME SPECIFIED IN THE SOLICITATION DOCUMENT AND AUTHORIZING THE IMPERIAL BEACH CITY MANAGER TO ENTER INTO, MANAGE, AND ADMINISTER THE AGREEMENT WITH THE CEC.**

ASSISTANT PROJECT MANAGER CUMMING and PUBLIC WORKS DIRECTOR LEVIEN responded to comments of Council; it was noted that the grant is to help the City be more energy efficient; the addition of light poles isn't energy efficient, heating and air conditioning for Marina Vista Center was not considered as the project needed to be shovel ready; staff will continue to look for grants.

**VOTES WERE NOW CAST ON MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2009-6793 AUTHORIZING STAFF TO MAKE AN APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANTS AND LOANS OFFICE BY THE DATE AND TIME SPECIFIED IN THE SOLICITATION DOCUMENT AND AUTHORIZING THE IMPERIAL BEACH CITY MANAGER TO ENTER INTO, MANAGE, AND ADMINISTER THE AGREEMENT WITH THE CEC. MOTION CARRIED UNANIMOUSLY.**

**6.4 RESOLUTION NO. 2009-6792 – APPROVING THE AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF IMPERIAL BEACH FOR TIDELANDS MAINTENANCE SERVICES - AGREEMENT 33-2009 - FISCAL YEARS 2009-10 THROUGH 2011-12. (0150-70)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

**MOTION BY MCCOY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2009-6792, AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A TIDELANDS MAINTENANCE SERVICES AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT AT THE COSTS AND CONDITIONS OUTLINED IN THE DISCUSSION SECTION IN THE STAFF REPORT AND IN ATTACHMENT 2, EXHIBIT A TO STAFF REPORT. MOTION CARRIED UNANIMOUSLY.**

**6.5 RESOLUTION NO. 2009-6790 – APPROVING A MEMORANDUM OF UNDERSTANDING ON WAGES AND OTHER TERMS AND CONDITIONS BETWEEN THE CITY AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) AND AMENDING THE FY 2009-11 BUDGET. (0540-20)**

CITY MANAGER BROWN introduced the item.

**MOTION BY KING, SECOND BY MCCOY , TO ADOPT RESOLUTION NO. 2009-6790 – APPROVING A MEMORANDUM OF UNDERSTANDING ON WAGES AND OTHER TERMS AND CONDITIONS BETWEEN THE CITY AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) AND AMENDING THE FY 09-11 BUDGET. MOTION CARRIED UNANIMOUSLY.**

**6.6 RESOLUTION NO. 2009-6797 – LAND USE DETERMINATION APPEAL (APPEAL 09-01) FOR A PROPOSED MEDICAL MARIJUANA COOPERATIVE TITLED SOUTH BAY ORGANIC CO-OP LOCATED AT 1233 PALM AVENUE, IN THE C-1 GENERAL COMMERCIAL ZONE. MF 1016. (0610-05)**

The following items were submitted as Last Minute Agenda Information:

- Request for continuance;
- E-mail correspondence from Marcus Boyd of South Bay Organic Co-Op requesting Item No. 6.6 be heard prior to Item No. 3.1, and withdrawal of the request for continuance;
- E-mail correspondence from Marcus Boyd of South Bay Organic Co-Op, including a revised business description; and
- Response from Associate Planner Foltz.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item; he reported that a request for a land-use determination, not a business license application, was submitted.

MARCUS BOYD; of South Bay Organic Co-Op, expressed concern that the staff report was unclear and that currently there are no dispensaries south of Downtown San Diego; he spoke of current Attorney General guidelines and the need to create a task force to ensure medical marijuana is dispensed only to those who legally allowed to have it (additional speaking time donated by Eugene Davidovich, Terrie Best, and William West).

Discussion ensued regarding a moratorium, land use issues, and ability to reapply after regulations are adopted if there is no ban in place.

CITY ATTORNEY LOUGH stated he would return to Council with a moratorium at the regular Council meeting of September 23.

**MOTION BY KING, SECOND BY MCCOY, TO ADOPT RESOLUTION 2009-6797, DENYING A LAND USE DETERMINATION APPEAL (APPEAL 09-01), FOR A PROPOSED MEDICAL MARIJUANA COOPERATIVE TITLED SOUTH BAY ORGANIC CO-OP LOCATED AT 1233 PALM AVENUE, IN THE C-1 GENERAL COMMERCIAL ZONE. MOTION CARRIED UNANIMOUSLY.**

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

None.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 10:07 p.m.

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James C. Janney, Mayor

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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:** October 7, 2009

**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.

| Vendor                        | Check | Amount       | Explanation             |
|-------------------------------|-------|--------------|-------------------------|
| So. Bay Union School District | 69639 | \$471,320.56 | RDA Pass Thru FY2008-09 |
| Sweetwater Union HS District  | 69645 | \$266,208.74 | RDA Pass Thru FY2008-09 |

**ENVIRONMENTAL IMPACT**

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

**WARRANT #                      DATE                      AMOUNT**

**Accounts Payable**

|             |          |                     |
|-------------|----------|---------------------|
| 69554-69598 | 09/18/09 | 139,292.57          |
| 69599-69663 | 09/24/09 | 986,954.10          |
|             |          | <b>1,126,246.67</b> |

**Payroll Checks:**

|             |                 |                               |
|-------------|-----------------|-------------------------------|
| 41684-40748 | P.P.E. 09/10/09 | 168,503.17                    |
|             |                 | <b><u>168,503.17</u></b>      |
|             | <b>TOTAL</b>    | <b><u>\$ 1,294,749.84</u></b> |

**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 |              |
| 09/18/2009         | 69554        | ADVANCED PROCESSING & IMAGING  | 2139            |        |          |            | 8,500.00     |
| 503-1923-419.21-04 | 08/21/2009   | OPTIVIEW DOC MANGMNT SYS       | 32467           | 010314 | 02/2010  |            | 8,500.00     |
| 09/18/2009         | 69555        | AFLAC                          | 120             |        |          |            | 461.30       |
| 101-0000-209.01-13 | 09/17/2009   | PR AP PPE 091009               | 20090917        |        | 03/2010  |            | 461.30       |
| 09/18/2009         | 69556        | AK & COMPANY                   | 1640            |        |          |            | 2,375.00     |
| 101-1210-413.20-06 | 08/05/2009   | PREP/SUBMISN-COST CLAIMS       | I BEACH -1 OF 2 | 010411 | 02/2010  |            | 2,375.00     |
| 09/18/2009         | 69557        | SOUTHCOAST HEATING & A/C       | 1554            |        |          |            | 100.00       |
| 101-1910-419.21-04 | 07/10/2009   | 07/08/09 TROUBLE CALL          | 266674          | 010125 | 01/2010  |            | 100.00       |
| 09/18/2009         | 69558        | ARROWHEAD MOUNTAIN SPRING WATE | 1340            |        |          |            | 85.98        |
| 101-1010-411.30-02 | 08/22/2009   | AUGUST 2009                    | 09H0025324922   | 010037 | 02/2010  |            | 85.98        |
| 09/18/2009         | 69559        | AT&T                           | 291             |        |          |            | 277.76       |
| 101-1920-419.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | 1.43         |
| 101-3070-427.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | .45          |
| 101-1210-413.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | 1.21         |
| 101-5020-432.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | 8.94         |
| 101-3020-422.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | 5.91         |
| 101-1020-411.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | .61          |
| 101-6030-453.27-04 | 07/01/2009   | 030 480 7925 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | .15          |
| 101-1110-412.27-04 | 07/01/2009   | 030 480 7968 001 JULY 09       | 07-27-2009      |        | 01/2010  |            | 65.09        |
| 101-1920-419.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | .50          |
| 101-3070-427.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | .49          |
| 101-1210-413.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | 1.32         |
| 101-5020-432.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | 8.71         |
| 101-3020-422.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | 4.03         |
| 101-1020-411.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | .66          |
| 101-6030-453.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | .16          |
| 101-1110-412.27-04 | 08/01/2009   | 030 480 7968 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | 43.82        |
| 101-3030-423.27-04 | 08/01/2009   | 030 480 7925 001 AUG 09        | 08-27-2009      |        | 02/2010  |            | 25.99        |
| 101-1920-419.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | .94          |
| 101-3070-427.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | .95          |
| 101-1210-413.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 2.53         |
| 101-5020-432.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 6.22         |
| 101-3020-422.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 4.03         |
| 101-1020-411.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 1.27         |
| 101-6030-453.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | .32          |
| 101-3030-423.27-04 | 09/01/2009   | 030 480 7925 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 35.26        |
| 101-1110-412.27-04 | 09/01/2009   | 030 480 7968 001 SEP 09        | 09-26-2009      |        | 03/2010  |            | 56.77        |
| 09/18/2009         | 69560        | CALIFORNIA AMERICAN WATER      | 612             |        |          |            | 3,644.36     |
| 101-6020-452.27-02 | 09/10/2009   | 05-0106225-1 07/07-09/04       | 09-29-2009      |        | 02/2010  |            | 44.47        |
| 101-6020-452.27-02 | 09/10/2009   | 05-0106249-1 07/07-09/04       | 09-29-2009      |        | 02/2010  |            | 15.44        |
| 101-6020-452.27-02 | 09/10/2009   | 05-0106336-6 07/07-09/04       | 09-29-2009      |        | 02/2010  |            | 21.90        |
| 101-6020-452.27-02 | 09/10/2009   | 05-0106337-4 07/07-09/04       | 09-29-2009      |        | 02/2010  |            | 15.44        |
| 101-3030-423.27-02 | 08/14/2009   | 05-0155019-8 07/08-08/11       | 09-02-2009      |        | 02/2010  |            | 19.79        |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME               | VENDOR #    |            |          |            | CHECK AMOUNT |
|--------------------|--------------|---------------------------|-------------|------------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION               | INVOICE     | PO #       | PER/YEAR | TRN AMOUNT |              |
| 405-5030-433.27-02 | 08/14/2009   | 05-0155037-0              | 07/10-08/12 | 09-02-2009 | 02/2010  | 11.19      |              |
| 601-5050-436.27-02 | 08/20/2009   | 05-0392478-9              | 07/10-08/12 | 09-08-2009 | 02/2010  | 11.19      |              |
| 601-5060-436.27-02 | 08/14/2009   | 05-0505362-9              | 07/10-08/12 | 09-02-2009 | 02/2010  | 171.83     |              |
| 601-5060-436.27-02 | 09/09/2009   | 05-0101092-0              | 07/06-09/03 | 09-28-2009 | 03/2010  | 25.11      |              |
| 101-5020-432.27-02 | 09/09/2009   | 05-0102217-2              | 07/06-09/03 | 09-28-2009 | 03/2010  | 332.00     |              |
| 101-6020-452.27-02 | 09/09/2009   | 05-0102503-5              | 07/06-09/03 | 09-28-2009 | 03/2010  | 742.85     |              |
| 101-5010-431.27-02 | 09/09/2009   | 05-0102729-6              | 07/06-09/03 | 09-28-2009 | 03/2010  | 722.55     |              |
| 215-6026-452.27-02 | 09/08/2009   | 05-0402959-6              | 07/02-09/02 | 09-28-2009 | 03/2010  | 177.05     |              |
| 101-3030-423.27-02 | 09/14/2009   | 05-0155019-8              | 08/11-09/09 | 10-05-2009 | 02/2010  | 19.91      |              |
| 405-5030-433.27-02 | 09/14/2009   | 05-0155037-0              | 08/12-09/10 | 10-05-2009 | 02/2010  | 11.26      |              |
| 601-5050-436.27-02 | 09/14/2009   | 05-0392478-9              | 08/12-09/10 | 10-05-2009 | 02/2010  | 11.26      |              |
| 601-5060-436.27-02 | 09/14/2009   | 05-0505362-9              | 08/12-09/10 | 10-05-2009 | 02/2010  | 195.75     |              |
| 101-3020-422.27-02 | 07/17/2009   | 05-0115211-0              | 05/13-07/14 | 08-05-2009 | 01/2010  | 201.11     |              |
| 245-1240-413.27-02 | 08/31/2009   | 05-0536445-5              | 07/16-08/27 | 09-21-2009 | 01/2010  | 15.72      |              |
| 101-0000-221.01-03 | 07/23/2009   | 05-0543160-1              | 07/10-07/21 | 08-11-2009 | 01/2010  | 24.45      |              |
| 245-1240-413.27-02 | 07/15/2009   | 05-0536450-5              | 05/11-07/10 | 08-03-2009 | 01/2010  | 338.90     |              |
| 405-1260-413.27-02 | 07/21/2009   | 05-0536451-3              | 05/15-07/16 | 08-10-2009 | 01/2010  | 263.20     |              |
| 405-1260-413.27-02 | 05/20/2009   | 05-0536451-3              | 03/26-05/15 | 06-08-2009 | 01/2010  | 251.99     |              |
| 09/18/2009         | 69561        | COLONIAL LIFE & ACCIDENT  | 941         |            |          | 147.74     |              |
| 101-0000-209.01-13 | 09/17/2009   | PR AP PPE 091009          |             | 20090917   | 03/2010  | 147.74     |              |
| 09/18/2009         | 69562        | COPY POST PRINTING        | 1371        |            |          | 226.65     |              |
| 101-5020-432.28-11 | 09/02/2009   | A MOELLER BUSINESS CARDS  | 18856       | 010347     | 03/2010  | 75.55      |              |
| 101-5020-432.28-11 | 09/02/2009   | P LAU BUSINESS CARDS      | 18857       | 010347     | 03/2010  | 75.55      |              |
| 101-5020-432.28-11 | 09/02/2009   | T SERRANO BUSINESS CARDS  | 18858       | 010347     | 03/2010  | 75.55      |              |
| 09/18/2009         | 69563        | CREATIVE BENEFITS INC FSA | 1108        |            |          | 309.18     |              |
| 101-0000-209.01-11 | 09/17/2009   | PR AP PPE 091009          |             | 20090917   | 03/2010  | 309.18     |              |
| 09/18/2009         | 69564        | DATAQUICK                 | 1134        |            |          | 199.50     |              |
| 101-1210-413.21-04 | 09/02/2009   | AUGUST 2009               | B1-1592245  | 010230     | 03/2010  | 2.00       |              |
| 101-3020-422.21-04 | 09/02/2009   | AUGUST 2009               | B1-1592245  | 010230     | 03/2010  | 137.50     |              |
| 101-3070-427.21-04 | 09/02/2009   | AUGUST 2009               | B1-1592245  | 010230     | 03/2010  | 60.00      |              |
| 09/18/2009         | 69565        | DESIGNER BOTANICALS       | 1792        |            |          | 7,555.94   |              |
| 248-1920-519.20-06 | 09/01/2009   | CLEAN&GREEN-742 3RD ST    | 2416        | 010341     | 03/2010  | 5,535.94   |              |
| 248-1920-519.20-06 | 09/01/2009   | CLEAN&GREEN-526 EMORY ST  | 2417        | 010342     | 03/2010  | 2,020.00   |              |
| 09/18/2009         | 69566        | DUNN EDWARDS CORPORATION  | 1197        |            |          | 7.56       |              |
| 405-5030-433.30-02 | 08/06/2009   | GRAFFITI PAINT            |             | 2069011199 | 010232   | 02/2010    | 7.56         |
| 09/18/2009         | 69567        | EAGLE NEWSPAPER           | 1204        |            |          | 751.00     |              |
| 245-1240-513.10-01 | 08/20/2009   | AUG 2009 ADVERTISING      | 50374       | 010079     | 02/2010  | 93.00      |              |
| 408-1920-519.20-06 | 08/20/2009   | AUG 2009 ADVERTISING      | 50374       | 010079     | 02/2010  | 518.00     |              |
| 101-1020-411.28-07 | 08/20/2009   | ADVERTISING ORDINANCE     | 50374       | 010407     | 02/2010  | 45.00      |              |
| 101-1020-411.28-07 | 08/27/2009   | ADVERTISING -ORDINANCES   | 50536       | 010407     | 02/2010  | 95.00      |              |
| 09/18/2009         | 69568        | FASTSIGNS                 | 1847        |            |          | 1,829.75   |              |
| 408-1920-519.20-06 | 08/31/2009   | SILVER STRAND FACADE IMPR | NC237-17100 | 010337     | 02/2010  | 1,829.75   |              |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                    | VENDOR #   |        |          |            | CHECK AMOUNT |
|--------------------|--------------|--------------------------------|------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                    | INVOICE    | PO #   | PER/YEAR | TRN AMOUNT |              |
| 09/18/2009         | 69569        | GO-STAFF, INC.                 | 2031       |        |          | 1,725.75   |              |
| 101-1020-411.21-01 | 09/01/2009   | ROCHER, J W/E 08/30/09         | 64865      | 010027 | 03/2010  | 195.00     |              |
| 601-5060-436.21-01 | 09/08/2009   | TRONCOSO, L W/E 09/06/09       | 65026      | 010148 | 03/2010  | 943.80     |              |
| 601-5050-436.21-01 | 09/01/2009   | BRAZEE, S W/E 08/30/09         | 64865      | 010056 | 03/2010  | 391.95     |              |
| 101-1020-411.21-01 | 09/08/2009   | ROCHER, J W/E 08/06/09         | 65025      | 010027 | 03/2010  | 195.00     |              |
| 09/18/2009         | 69570        | H. M. SEVEL INC.               | 380        |        |          | 158.03     |              |
| 101-3080-428.20-20 | 08/21/2009   | BOAT&TRAILER TOW - AVA #0      | 08-21-2009 | F01018 | 02/2010  | 158.03     |              |
| 09/18/2009         | 69571        | HARLAN CONSTRUCTION            | 2074       |        |          | 29,439.71  |              |
| 248-1920-519.20-06 | 08/05/2009   | CLEAN&GREEN-533 EMORY ST       | 08-05-2009 | 010236 | 02/2010  | 29,439.71  |              |
| 09/18/2009         | 69572        | I B FIREFIGHTERS ASSOCIATION   | 214        |        |          | 242.00     |              |
| 101-0000-209.01-08 | 09/17/2009   | PR AP PPE 091009               | 20090917   |        | 03/2010  | 242.00     |              |
| 09/18/2009         | 69573        | ICMA RETIREMENT TRUST 457      | 242        |        |          | 5,385.12   |              |
| 101-0000-209.01-10 | 09/17/2009   | PR AP PPE 091009               | 20090917   |        | 03/2010  | 5,385.12   |              |
| 09/18/2009         | 69574        | KAMAN INDUS TECHNOLOGIES       | 583        |        |          | 82.97      |              |
| 601-5060-436.28-01 | 08/25/2009   | PS#2 BELTS                     | V776639    | 010064 | 02/2010  | 82.97      |              |
| 09/18/2009         | 69575        | KANE, BALLMER & BERKMAN        | 1828       |        |          | 80.00      |              |
| 245-1240-413.20-01 | 08/01/2009   | LEGAL SRVS - CHELSEA APTS      | 14188      | F01016 | 02/2010  | 80.00      |              |
| 09/18/2009         | 69576        | MCDUGAL LOVE ECKIS &           | 962        |        |          | 8,227.00   |              |
| 101-1220-413.20-01 | 08/31/2009   | AUG 2009 MONTHLY RETAINER      | 08-31-2009 | 010022 | 02/2010  | 8,227.00   |              |
| 09/18/2009         | 69577        | MIRELES LANDSCAPING            | 2107       |        |          | 800.00     |              |
| 408-1920-519.20-06 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 | 010338 | 02/2010  | 800.00     |              |
| 09/18/2009         | 69578        | PADRE JANITORIAL SUPPLIES      | 1430       |        |          | 151.38     |              |
| 101-6040-454.30-02 | 09/04/2009   | CLEAN BREEZE/JANITORIAL S      | 291801     | 010080 | 03/2010  | 151.38     |              |
| 09/18/2009         | 69579        | PITNEY BOWES INC(INVOICE PAYME | 271        |        |          | 306.76     |              |
| 101-1920-419.25-02 | 09/03/2009   | OCT-DEC 09 PSD QTRLY CHGS      | 582303     | 010021 | 03/2010  | 208.80     |              |
| 101-1920-419.28-09 | 09/01/2009   | POSTAGE MACHINE SEALER         | 5501050148 | F01020 | 03/2010  | 97.96      |              |
| 09/18/2009         | 69580        | PITNEY BOWES(PURCHASE POWER)   | 1369       |        |          | 6,045.00   |              |
| 101-1920-419.28-09 | 09/06/2009   | POSTAGE MACHINE REFILL         | 09-06-2009 | 010311 | 03/2010  | 6,045.00   |              |
| 09/18/2009         | 69581        | PLAYPOWER LT FARMINGTON INC    | 1468       |        |          | 1,121.00   |              |
| 101-6020-452.28-01 | 07/23/2009   | DBL WIDE SLIDE/VETERANS P      | 1400134085 | 010017 | 01/2010  | 1,121.00   |              |
| 09/18/2009         | 69582        | PMI                            | 23         |        |          | 289.17     |              |
| 101-6040-454.30-02 | 08/14/2009   | PROTECTIVE GLOVES              | 0189456    | 010068 | 02/2010  | 289.17     |              |
| 09/18/2009         | 69583        | PRAXAIR DISTRIBUTION INC       | 1652       |        |          | 113.82     |              |
| 501-1921-419.30-02 | 09/01/2009   | PROPANE                        | 34213508   | 010116 | 03/2010  | 36.78      |              |
| 501-1921-419.30-02 | 08/13/2009   | PETROLEUM GAS/SIRE MS          | 33985982   | 010116 | 02/2010  | 77.04      |              |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                    | VENDOR #    |            |                |            | CHECK AMOUNT |
|--------------------|--------------|--------------------------------|-------------|------------|----------------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                    | INVOICE     | PO #       | PER/YEAR       | TRN AMOUNT |              |
| 09/18/2009         | 69584        | SAN DIEGO GAS & ELECTRIC       | 1399        |            |                | 18,653.86  |              |
| 101-3020-422.27-01 | 09/08/2009   | 10087869371                    | 07/30-08/28 | 09-24-2009 | 02/2010        | 33.59      |              |
| 101-1910-419.27-01 | 09/08/2009   | 10087869371                    | 07/30-08/28 | 09-24-2009 | 02/2010        | 140.28     |              |
| 101-5010-431.27-01 | 09/08/2009   | 10088604389                    | 07/28-08/26 | 09-24-2009 | 02/2010        | 43.27      |              |
| 101-3020-422.27-01 | 09/08/2009   | 19807697764                    | 07/30-08/28 | 09-24-2009 | 02/2010        | 3,815.41   |              |
| 601-5060-436.27-01 | 09/08/2009   | 52635219238                    | 07/28-08/26 | 09-24-2009 | 02/2010        | 5.62       |              |
| 101-6020-452.27-01 | 09/08/2009   | 56497714749                    | 07/31-08/31 | 09-24-2009 | 02/2010        | 9.63       |              |
| 101-5010-431.27-01 | 09/08/2009   | 56497714749                    | 07/30-08/30 | 09-24-2009 | 02/2010        | 7,683.77   |              |
| 101-5010-431.27-01 | 09/08/2009   | 85075178464                    | 07/31-08/30 | 09-24-2009 | 02/2010        | 111.54     |              |
| 601-5060-436.27-01 | 09/08/2009   | 85075178464                    | 07/31-08/31 | 09-24-2009 | 02/2010        | 92.41      |              |
| 101-6020-452.27-01 | 09/08/2009   | 85075178464                    | 07/31-08/28 | 09-24-2009 | 02/2010        | 985.43     |              |
| 601-5060-436.27-01 | 09/08/2009   | 85417701270                    | 07/31-08/31 | 09-24-2009 | 02/2010        | 4,530.18   |              |
| 101-5020-432.27-01 | 09/08/2009   | 91692992261                    | 07/28-08/26 | 09-24-2009 | 02/2010        | 1,202.73   |              |
| 09/18/2009         | 69585        | SAN DIEGO COUNTY SHERIFF       | 882         |            |                | 3,357.00   |              |
| 101-3010-421.21-04 | 09/11/2009   | JUL-DEC 09 CAL ID PROGRAM      |             | 09-11-2009 | 010406 03/2010 | 3,357.00   |              |
| 09/18/2009         | 69586        | SANDPIPA                       | 321         |            |                | 20,000.00  |              |
| 502-1922-419.20-07 | 07/29/2009   | AUG 09-JUL 10 WORKS COMP       | TRWCIB09    |            | 010332 01/2010 | 20,000.00  |              |
| 09/18/2009         | 69587        | SEA BREEZE ELECTRIC            | 1969        |            |                | 68.50      |              |
| 408-1920-519.20-06 | 08/24/2009   | 9TH&PALM-RESET TIME CLOCK      | 293         |            | F01017 02/2010 | 68.50      |              |
| 09/18/2009         | 69588        | SEIU LOCAL 221                 | 1821        |            |                | 1,532.55   |              |
| 101-0000-209.01-08 | 09/17/2009   | PR AP PPE 091009               |             | 20090917   | 03/2010        | 1,532.55   |              |
| 09/18/2009         | 69589        | SKS INC.                       | 412         |            |                | 7,281.93   |              |
| 501-1921-419.28-15 | 09/03/2009   | 1,165.1 GALLONS REG FUEL       | 1228457-IN  |            | 010101 03/2010 | 3,298.56   |              |
| 501-1921-419.28-15 | 09/10/2009   | 1100 GAL REG/301 G DIESEL      | 1228608-IN  |            | 010101 03/2010 | 3,983.37   |              |
| 09/18/2009         | 69590        | SLOAN ELECTRIC COMPANY         | 417         |            |                | 3,681.19   |              |
| 601-5060-436.28-01 | 08/26/2009   | VERTICAL SOLID SHAFT MOTO      | 0056251     |            | 010003 02/2010 | 3,681.19   |              |
| 09/18/2009         | 69591        | SOUTH WEST SIGNAL              | 488         |            |                | 160.00     |              |
| 101-5010-431.21-04 | 08/31/2009   | AUGUST 2009                    | 49506       |            | 010086 02/2010 | 160.00     |              |
| 09/18/2009         | 69592        | STAPLES ADVANTAGE              | 2114        |            |                | 150.34     |              |
| 101-5020-432.30-01 | 08/21/2009   | PRINTER CARTRIDGES             | 97129840    |            | 02/2010        | 150.34     |              |
| 09/18/2009         | 69593        | TIM ALLEN LANDSCAPE            | 2155        |            |                | 637.50     |              |
| 101-1910-519.20-06 | 09/08/2009   | PAVERS CUTTING/SCOUT PROJ      |             | 09-08-2009 | 010343 03/2010 | 637.50     |              |
| 09/18/2009         | 69594        | UNDERGROUND SERVICE ALERT OF   | 731         |            |                | 30.00      |              |
| 601-5060-436.21-04 | 09/01/2009   | AUGUST 2009                    | 820090308   |            | 010008 03/2010 | 30.00      |              |
| 09/18/2009         | 69595        | UNITED WAY OF SAN DIEGO COUNTY | 1483        |            |                | 70.00      |              |
| 101-0000-209.01-09 | 09/17/2009   | PR AP PPE 091009               |             | 20090917   | 03/2010        | 70.00      |              |
| 09/18/2009         | 69596        | US MOBILE WIRELESS COMMUNICATI | 1983        |            |                | 915.75     |              |
| 101-3030-423.28-01 | 08/31/2009   | ANNUAL BILLING 2009            | 33148       |            | 010242 02/2010 | 915.75     |              |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                 | VENDOR #   | CHECK AMOUNT   |            |
|--------------------|--------------|-----------------------------|------------|----------------|------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                 | INVOICE    | PO # PBR/YEAR  | TRN AMOUNT |
| 09/18/2009         | 69597        | WAXIE SANITARY SUPPLY       | 802        |                | 2,047.29   |
| 101-6040-454.30-02 | 09/02/2009   | LINERS/TP/METAL CLEANER     | 71484760   | 010069 03/2010 | 1,079.24   |
| 101-6040-454.30-02 | 08/19/2009   | LINERS/TISSUE               | 71459462   | 010069 02/2010 | 968.05     |
| 09/18/2009         | 69598        | ZEE MEDICAL, INC.           | 872        |                | 67.23      |
| 101-1920-419.30-01 | 08/31/2009   | FIRST AID SUPPLIES          | 0140434623 | F01019 02/2010 | 67.23      |
| 09/24/2009         | 69599        | ADT SECURITY SERVICES, INC. | 103        |                | 75.08      |
| 101-6010-451.21-04 | 09/05/2009   | OCTOBER 2009                | 00190502   | 010030 03/2010 | 75.08      |
| 09/24/2009         | 69600        | ALLIANT INSURANCE SERVICES  | 1193       |                | 2,412.14   |
| 101-0000-209.01-13 | 09/03/2009   | PR AP PPE 082709            | 20090903   | 03/2010        | 423.20     |
| 101-0000-209.01-14 | 09/03/2009   | PR AP PPE 082709            | 20090903   | 03/2010        | 471.78     |
| 101-0000-209.01-13 | 09/17/2009   | PR AP PPE 091009            | 20090917   | 03/2010        | 448.70     |
| 101-0000-209.01-14 | 09/17/2009   | PR AP PPE 091009            | 20090917   | 03/2010        | 471.78     |
| 101-1010-411.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 18.88      |
| 101-1020-411.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 34.44      |
| 101-1110-412.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 65.66      |
| 101-1130-412.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 20.54      |
| 101-1210-413.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 48.66      |
| 101-1230-413.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 23.70      |
| 101-3070-427.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | .63        |
| 101-3080-428.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | .63        |
| 101-1910-419.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 6.32       |
| 101-3010-421.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 11.00      |
| 101-3020-422.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 47.84      |
| 101-3030-423.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 38.49      |
| 101-3040-424.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 22.12      |
| 101-5020-432.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 50.56      |
| 101-5010-431.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 12.64      |
| 101-5040-434.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 2.67       |
| 101-6020-452.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 6.32       |
| 101-6010-451.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 3.16       |
| 101-6040-454.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 12.64      |
| 245-1240-413.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 6.32       |
| 405-5030-433.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 6.32       |
| 601-5060-436.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 12.64      |
| 601-5050-436.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 15.10      |
| 501-1921-419.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 6.32       |
| 502-1922-419.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 7.24       |
| 503-1923-419.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 20.79      |
| 405-1260-413.11-04 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 120.57     |
| 101-0000-209.01-13 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | 25.50-     |
| 101-0000-209.01-14 | 09/01/2009   | SEPTEMBER 2009              | 09-01-2009 | 03/2010        | .02-       |
| 09/24/2009         | 69601        | ALPINE FENCE INC.           | 2144       |                | 5,255.00   |
| 408-1920-519.20-06 | 08/31/2009   | FACADE IMPRVMT-WOODYS       | 12251      | 010339 02/2010 | 5,255.00   |
| 09/24/2009         | 69602        | SOUTHCOAST HEATING & A/C    | 1554       |                | 470.00     |
| 101-1910-419.21-04 | 07/10/2009   | JULY 09 PREVENTATIVE MAIN   | C40881     | 010125 01/2010 | 470.00     |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                   | VENDOR #   |        |          |            | CHECK AMOUNT |
|--------------------|--------------|-------------------------------|------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                   | INVOICE    | PO #   | PER/YEAR | TRN AMOUNT |              |
| 09/24/2009         | 69603        | ASBURY ENVIRONMENTAL SERVICES | 277        |        |          |            | 40.00        |
| 501-1921-419.29-04 | 08/31/2009   | USED OIL SVC CHG/RECYCLED     | 130294605  | 010059 | 02/2010  |            | 40.00        |
| 09/24/2009         | 69604        | AT&T MOBILITY                 | 1866       |        |          |            | 470.55       |
| 503-1923-419.27-05 | 08/23/2009   | 287015635717 08/04-08/15      | X08232009  |        | 02/2010  |            | 66.76        |
| 503-1923-519.20-06 | 08/23/2009   | 287015635717 08/04-08/15      | X08232009  |        | 02/2010  |            | 403.79       |
| 09/24/2009         | 69605        | AT&T / SBC DATACOMM           | 1854       |        |          |            | 1,275.00     |
| 503-1923-519.20-06 | 09/04/2009   | INSTALLATION                  | 319-003664 | 010212 | 03/2010  |            | 1,275.00     |
| 09/24/2009         | 69606        | CALIFORNIA AMERICAN WATER     | 612        |        |          |            | 14,678.13    |
| 101-5010-431.27-02 | 09/17/2009   | 05-0114717-7 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 12.25        |
| 101-5010-431.27-02 | 09/17/2009   | 05-0115202-9 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 38.09        |
| 101-6020-452.27-02 | 09/17/2009   | 05-0115205-2 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 5,398.26     |
| 101-1910-419.27-02 | 09/17/2009   | 05-0115206-0 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 1,235.25     |
| 101-1910-419.27-02 | 09/17/2009   | 05-0115208-6 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 207.63       |
| 101-1910-419.27-02 | 09/17/2009   | 05-0115210-2 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 28.93        |
| 101-5010-431.27-02 | 09/17/2009   | 05-0115214-4 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 12.25        |
| 601-5060-436.27-02 | 09/17/2009   | 05-0115249-0 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 9.00         |
| 101-5020-432.27-02 | 09/17/2009   | 05-0424056-5 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 91.36        |
| 101-6020-452.27-02 | 09/17/2009   | 05-0477133-8 07/14-09/14      | 10-06-2009 |        | 03/2010  |            | 355.17       |
| 101-6020-452.27-02 | 09/15/2009   | 05-0109756-2 07/10-09/10      | 10-05-2009 |        | 03/2010  |            | 837.16       |
| 101-5010-431.27-02 | 09/16/2009   | 05-0110529-0 07/13-09/11      | 10-05-2009 |        | 03/2010  |            | 199.62       |
| 101-6020-452.27-02 | 09/16/2009   | 05-0111454-0 07/13-09/11      | 10-05-2009 |        | 03/2010  |            | 18.70        |
| 101-1910-419.27-02 | 09/16/2009   | 05-0111478-9 07/13-09/11      | 10-05-2009 |        | 03/2010  |            | 104.20       |
| 101-6020-452.27-02 | 09/16/2009   | 05-0111479-7 07/13-09/11      | 10-05-2009 |        | 03/2010  |            | 5,354.91     |
| 101-5010-431.27-02 | 09/16/2009   | 05-0111480-5 07/13-09/11      | 10-05-2009 |        | 03/2010  |            | 272.19       |
| 405-1260-413.27-02 | 09/15/2009   | 05-0536450-5 07/10-09/10      | 10-05-2009 |        | 03/2010  |            | 288.21       |
| 101-6020-452.27-02 | 09/18/2009   | 05-0114612-0 07/15-09/15      | 10-07-2009 |        | 03/2010  |            | 133.68       |
| 101-5010-431.27-02 | 09/18/2009   | 05-0115949-5 07/15-09/15      | 10-07-2009 |        | 03/2010  |            | 15.47        |
| 101-5010-431.27-02 | 09/18/2009   | 05-0115950-3 07/15-09/15      | 10-07-2009 |        | 03/2010  |            | 28.40        |
| 101-5010-431.27-02 | 09/18/2009   | 05-0116368-7 07/15-09/15      | 10-07-2009 |        | 03/2010  |            | 28.40        |
| 101-6020-452.27-02 | 09/18/2009   | 05-0117419-7 07/15-09/15      | 10-07-2009 |        | 03/2010  |            | 9.00         |
| 09/24/2009         | 69607        | CDW GOVERNMENT INC            | 725        |        |          |            | 7,659.42     |
| 503-1923-419.21-04 | 09/01/2009   | BACK UP SOFTWARE/EXEC         | QCV1117    | 010326 | 03/2010  |            | 960.25       |
| 503-1923-519.20-06 | 09/01/2009   | REPLACMNT PC'S-CITY USERS     | QCQ3392    | 010323 | 03/2010  |            | 5,182.47     |
| 503-1923-519.20-06 | 08/31/2009   | LAPTOP IT REPLACEMENT         | QCJ4799    | 010323 | 02/2010  |            | 1,516.70     |
| 09/24/2009         | 69608        | CITY OF SAN DIEGO             | 890        |        |          |            | 5,500.55     |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                 | 2008/2009  |        | 03/2010  |            | 5,364.72     |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                 | 2008/2009  |        | 03/2010  |            | 135.83       |
| 09/24/2009         | 69609        | COMPLETE OFFICE OF CALI       | 2051       |        |          |            | 1,073.36     |
| 101-1920-419.30-01 | 09/10/2009   | COPY ROOM PAPER               | 1154854-0  |        | 03/2010  |            | 1,073.36     |
| 09/24/2009         | 69610        | COUNTY OF SAN DIEGO           | 1053       |        |          |            | 31,981.48    |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                 | 2008/2009  |        | 03/2010  |            | 6,349.94     |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                 | 2008/2009  |        | 03/2010  |            | 502.23       |

PROGRAM: GX3501  
CITY OF IMPERIAL BEACH

FROM 09/18/2009 TO 09/24/2009

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| CHECK DATE         | CHECK NUMBER | VENDOR NAME                    | VENDOR # | INVOICE         | PO #   | PER/YEAR | CHECK AMOUNT |
|--------------------|--------------|--------------------------------|----------|-----------------|--------|----------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                    |          |                 |        |          | TRN AMOUNT   |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  |          | 2008/2009       |        | 03/2010  | 25,129.31    |
| 09/24/2009         | 69611        | COUNTY OF SAN DIEGO            | 1055     |                 |        |          | 4,066.70     |
| 101-3010-421.21-04 | 09/16/2009   | AUGUST 2009 PARKING PENAL      |          | 08/09           |        | 03/2010  | 4,066.70     |
| 09/24/2009         | 69612        | COX COMMUNICATIONS             | 1073     |                 |        |          | 304.12       |
| 601-5050-436.21-04 | 08/31/2009   | 0013110091187001 SEP 09        |          | 09-25-2009      | 010139 | 02/2010  | 179.00       |
| 101-6010-451.29-04 | 09/10/2009   | 001 3110 015531401 SEP/OC      |          | 10-04-2009      | 010139 | 03/2010  | 125.12       |
| 09/24/2009         | 69613        | CPACINC.COM                    | 2148     |                 |        |          | 1,270.75     |
| 503-1923-419.21-04 | 08/31/2009   | SOFTWARE VIRUS RENEWAL         |          | SI-1245739      | 010324 | 02/2010  | 1,270.75     |
| 09/24/2009         | 69614        | DEPARTMENT OF JUSTICE          | 1154     |                 |        |          | 384.00       |
| 101-1130-412.21-04 | 09/04/2009   | AUGUST 2009 FINGERPRINT A      |          | 753058          | 010038 | 03/2010  | 384.00       |
| 09/24/2009         | 69615        | EPIC LAND SOLUTIONS, INC.      | 2105     |                 |        |          | 8,446.66     |
| 408-1920-519.20-06 | 09/21/2009   | PE 08/31/2009                  |          | 0809-0190       | 010328 | 03/2010  | 8,446.66     |
| 09/24/2009         | 69616        | FASTSIGNS                      | 1847     |                 |        |          | 552.02       |
| 408-1920-519.20-06 | 09/11/2009   | SILVER STRAND PLAZA-LETTE      |          | NC 237-18032    | 010415 | 03/2010  | 552.02       |
| 09/24/2009         | 69617        | GCR TIRE CENTERS               | 1702     |                 |        |          | 355.85       |
| 501-1921-419.28-16 | 09/10/2009   | TIRES # 145                    |          | 50127           | 010102 | 03/2010  | 355.85       |
| 09/24/2009         | 69618        | GO-STAFF, INC.                 | 2031     |                 |        |          | 624.15       |
| 601-5060-436.21-01 | 09/15/2009   | TRONCOSO, L W/E 09/13/09       |          | 65177           | 010148 | 03/2010  | 579.15       |
| 101-3020-422.21-01 | 09/01/2009   | ROCHER, J 08/27/09             |          | 64865           | 010419 | 03/2010  | 45.00        |
| 09/24/2009         | 69619        | HORIZON HEALTH EAP             | 90       |                 |        |          | 425.79       |
| 101-1130-412.20-06 | 09/04/2009   | SEPTEMBER 2009                 |          | 36117           | 010036 | 03/2010  | 425.79       |
| 09/24/2009         | 69620        | INTERSTATE BATTERY OF SAN DIEG | 388      |                 |        |          | 93.17        |
| 501-1921-419.28-16 | 09/03/2009   | MTP-24                         |          | 680024079       | 010063 | 03/2010  | 93.17        |
| 09/24/2009         | 69621        | J&T NAILS                      | 1        |                 |        |          | 15,800.00    |
| 408-1920-519.20-06 | 09/03/2009   | TENANT IMPRVMT REIMBURSM       |          | 09-03-2009      |        | 03/2010  | 15,800.00    |
| 09/24/2009         | 69622        | JEAN PATACSIL                  | 2        |                 |        |          | 50.00        |
| 101-0000-347.77-02 | 09/08/2009   | REFND DISCOUNT MULTIPLE        |          | 2109-5966-7814- |        | 03/2010  | 50.00        |
| 09/24/2009         | 69623        | JESSOP & SON LANDSCAPING       | 479      |                 |        |          | 3,052.83     |
| 101-6010-451.21-04 | 09/22/2009   | SEPT 2009 SP PK LANDSCAPI      |          | 388325          | 010004 | 03/2010  | 3,052.83     |
| 09/24/2009         | 69624        | KAREN BISHOP                   | 2        |                 |        |          | 35.00        |
| 101-0000-344.77-01 | 08/21/2009   | REFUND SHELTER FEES/CANCE      |          | 1608            |        | 03/2010  | 35.00        |
| 09/24/2009         | 69625        | KIM A MIKHAEL                  | 1680     |                 |        |          | 460.00       |
| 101-3010-421.20-06 | 09/15/2009   | 08/12 & 19 PKG CIT HEARNG      |          | 09-15-2009      | 010135 | 03/2010  | 325.00       |
| 101-3070-427.20-06 | 09/15/2009   | 2ND LEVEL ADM CITATION AP      |          | 09-15-2009 #2   | F01026 | 03/2010  | 135.00       |
| 09/24/2009         | 69626        | LEO CLEMENTE                   | 2        |                 |        |          | 50.00        |
| 101-0000-347.77-02 | 09/22/2009   | REFUND JRLG DISCOUNT           |          | 09-16-2009      |        | 03/2010  | 50.00        |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                    | VENDOR #   |        |          |            | CHECK AMOUNT |
|--------------------|--------------|--------------------------------|------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                    | INVOICE    | PO #   | PER/YEAR | TRN AMOUNT |              |
| 09/24/2009         | 69627        | LLOYD PEST CONTROL             | 814        |        |          |            | 286.00       |
| 101-1910-419.20-22 | 08/13/2009   | AUG 2009 CITY HALL             | 2402666    | 010013 | 02/2010  |            | 31.00        |
| 101-1910-419.20-22 | 08/13/2009   | AUG 2009 PUBLIC SAFETY         | 2402667    | 010013 | 02/2010  |            | 31.00        |
| 101-1910-419.20-22 | 08/13/2009   | AUG 2009 SHERIFF DEPT          | 2402912    | 010013 | 02/2010  |            | 31.00        |
| 101-1910-419.20-22 | 08/14/2009   | AUG 2009 SENIOR CTR            | 2403004    | 010013 | 02/2010  |            | 47.00        |
| 101-1910-419.20-22 | 08/17/2009   | AUG 09 SPORTS PARK             | 2386234    | 010013 | 02/2010  |            | 45.00        |
| 101-1910-419.20-22 | 08/18/2009   | AUG 09 PUBLIC WORKS            | 2388756    | 010013 | 02/2010  |            | 47.00        |
| 101-1910-419.20-22 | 08/19/2009   | AUG 2009 DEMPSEY CTR           | 2389192    | 010013 | 02/2010  |            | 54.00        |
| 09/24/2009         | 69628        | MCCAIN TRAFFIC SUPPLY          | 959        |        |          |            | 531.00       |
| 101-5010-431.21-23 | 09/08/2009   | 12" ARROW BALL                 | INV0124427 | 010073 | 03/2010  |            | 531.00       |
| 09/24/2009         | 69629        | MCDUGAL LOVE ECKIS &           | 962        |        |          |            | 10,784.70    |
| 405-1260-413.20-01 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 2,198.66     |
| 405-1260-413.20-01 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 903.13       |
| 101-1220-413.20-01 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 601.38       |
| 101-1220-413.21-04 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 5,997.53     |
| 101-1220-413.21-04 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 578.00       |
| 101-1220-413.21-04 | 08/31/2009   | AUGUST 2009                    | 08-31-2009 |        | 02/2010  |            | 506.00       |
| 09/24/2009         | 69630        | METROPOLITAN WATER DISTRICT OF | 1636       |        |          |            | 116.98       |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009  |        | 03/2010  |            | 116.98       |
| 09/24/2009         | 69631        | PARTNERSHIP WITH INDUSTRY      | 1302       |        |          |            | 1,202.32     |
| 101-6040-454.21-04 | 09/01/2009   | P/E 08/31/09                   | GS02342    | 010050 | 03/2010  |            | 1,202.32     |
| 09/24/2009         | 69632        | PMI                            | 23         |        |          |            | 292.89       |
| 101-6040-454.30-02 | 08/31/2009   | PROTECTIVE GLOVES              | 0191720    | 010068 | 02/2010  |            | 292.89       |
| 09/24/2009         | 69633        | PREFERRED BENEFIT INS ADMIN IN | 37         |        |          |            | 2,178.09     |
| 101-0000-209.01-12 | 09/03/2009   | PR AP PPE 082709               | 20090903   |        | 03/2010  |            | 1,088.95     |
| 101-0000-209.01-12 | 09/17/2009   | PR AP PPE 091009               | 20090917   |        | 03/2010  |            | 1,098.34     |
| 101-0000-209.01-12 | 09/01/2009   | SEPTEMBER 2009                 | CP10232    |        | 03/2010  |            | 9.20-        |
| 09/24/2009         | 69634        | PRUDENTIAL OVERALL SUPPLY      | 72         |        |          |            | 692.68       |
| 101-5020-432.25-03 | 08/26/2009   | 08/26/09 PW UNIFORMS           | 30034674   | 010049 | 02/2010  |            | 186.41       |
| 101-5020-432.25-03 | 09/02/2009   | 09/02/09 PW UNIFORMS           | 30036372   | 010049 | 03/2010  |            | 159.93       |
| 101-5020-432.25-03 | 09/09/2009   | 09/09/09 PW UNIFORMS           | 30038041   | 010049 | 03/2010  |            | 186.41       |
| 101-5020-432.25-03 | 09/16/2009   | 09/16/09 PW UNIFORMS           | 30039756   | 010049 | 03/2010  |            | 159.93       |
| 09/24/2009         | 69635        | QWIK PRINTS                    | 1622       |        |          |            | 240.00       |
| 101-1130-412.21-04 | 09/01/2009   | AUG 2009 LIVE SCAN             | 09244152   | 010040 | 03/2010  |            | 240.00       |
| 09/24/2009         | 69636        | RANCHO AUTO & TRUCK PARTS      | 1685       |        |          |            | 285.00       |
| 501-1921-419.28-16 | 09/01/2009   | BRAKE KITS                     | 7693-406   | 010072 | 03/2010  |            | 106.49       |
| 501-1921-419.28-16 | 09/03/2009   | FILTER                         | 7693-703   | 010072 | 03/2010  |            | 15.44        |
| 501-1921-419.28-16 | 08/31/2009   | BRAKE SHOES #624               | 7693-298   | 010072 | 02/2010  |            | 39.68        |
| 501-1921-419.28-16 | 09/04/2009   | OIL/AIR FILTERS                | 7693-891   | 010072 | 03/2010  |            | 92.38        |
| 501-1921-419.28-16 | 09/09/2009   | A/T FILTER KIT A-7             | 7693-1217  | 010072 | 03/2010  |            | 19.39        |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME                    | VENDOR #      |        |          |            | CHECK AMOUNT |
|--------------------|--------------|--------------------------------|---------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION                    | INVOICE       | PO #   | PER/YEAR | TRN AMOUNT |              |
| 501-1921-419.30-02 | 09/11/2009   | FOOT                           | 7693-1554     | 010072 | 03/2010  | 9.44       |              |
| 501-1921-419.30-02 | 09/14/2009   | LOCK WASHERS                   | 7693-1666     | 010072 | 03/2010  | 2.18       |              |
| 09/24/2009         | 69637        | RAYMOND TSCHAKERT              | 4             |        |          | 2,398.00   |              |
| 101-0000-221.01-05 | 09/10/2009   | BOND RFND-1311 CONNECTICU      | TEP 09-25     |        | 03/2010  | 2,398.00   |              |
| 09/24/2009         | 69638        | SAN DIEGO COUNTY WATER AUTHORI | 1635          |        |          | 41.19      |              |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 41.19      |              |
| 09/24/2009         | 69639        | SOUTH BAY UNION SCHOOL DISTRIC | 1385          |        |          | 471,320.56 |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 7,401.55   |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 93,581.21  |              |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 370,337.80 |              |
| 09/24/2009         | 69640        | SOUTHWESTERN COLLEGE           | 492           |        |          | 71,734.96  |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 14,243.01  |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 1,126.51   |              |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 56,365.44  |              |
| 09/24/2009         | 69641        | SPRINT                         | 2040          |        |          | 285.06     |              |
| 101-3030-423.27-05 | 09/21/2009   | 08/15-09/14/09                 | 699898810-022 |        | 03/2010  | 285.06     |              |
| 09/24/2009         | 69642        | STANDARD ELECTRONICS           | 504           |        |          | 90.00      |              |
| 101-1910-419.20-23 | 09/09/2009   | JUL-SEP 09 MONITORING          | 12971         | 010130 | 03/2010  | 90.00      |              |
| 09/24/2009         | 69643        | STAPLES ADVANTAGE              | 2114          |        |          | 58.71      |              |
| 101-1210-413.30-01 | 09/03/2009   | OFFICE SUPPLIES                | 97388798      | 010015 | 03/2010  | 58.71      |              |
| 101-1210-413.30-01 | 09/04/2009   | HANGING FILES                  | 97419915      | 010015 | 03/2010  | 44.10      |              |
| 101-1210-413.30-01 | 09/09/2009   | RTND OFFICE SUPPLIES           | 97471718      | 010015 | 03/2010  | 44.10      |              |
| 09/24/2009         | 69644        | SUNGARD PUBLIC SECTOR INC.     | 1370          |        |          | 7,800.00   |              |
| 503-1923-419.20-25 | 08/31/2009   | HTE MAINT OCT 09-SEP 10        | 6639          | 010345 | 02/2010  | 7,800.00   |              |
| 09/24/2009         | 69645        | SWEETWATER UNION HS DIST.      | 574           |        |          | 266,208.74 |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 4,180.50   |              |
| 301-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 52,856.05  |              |
| 302-0000-201.00-00 | 09/10/2009   | RDA PASS THRU                  | 2008/2009     |        | 03/2010  | 209,172.19 |              |
| 09/24/2009         | 69646        | HOWARD H. WOODWARD             | 2081          |        |          | 2,003.15   |              |
| 408-1920-519.20-06 | 08/27/2009   | FACEADE IMPRVMT BIBBEYS        | BSS 8-27-09   | 010414 | 02/2010  | 997.60     |              |
| 408-1920-519.20-06 | 06/15/2009   | FACADE IMPRVMT-BIBBEYS         | BSS 6-15-09   | 010414 | 01/2010  | 1,005.55   |              |
| 09/24/2009         | 69647        | THE STAR NEWS                  | 644           |        |          | 712.50     |              |
| 101-1920-419.21-04 | 09/11/2009   | CONCERT ADVERTISING            | 02535586-001  | 010409 | 03/2010  | 356.25     |              |
| 101-1920-419.21-04 | 09/04/2009   | ANNUAL CONCERT ADVERTISIN      | 02535585-001  | 010410 | 03/2010  | 356.25     |              |
| 09/24/2009         | 69648        | TRANSWORLD SYSTEMS INC.        | 2160          |        |          | 457.98     |              |
| 101-1210-413.20-06 | 08/31/2009   | AR COLLECTIONS JUL/AUG 09      | 3587421       |        | 03/2010  | 457.98     |              |
| 09/24/2009         | 69649        | UNION TRIBUNE                  | 738           |        |          | 1,445.20   |              |
| 101-1020-411.28-07 | 09/01/2009   | JURMP LEGAL NOTICES            | 134562        | 010346 | 03/2010  | 265.60     |              |

| CHECK DATE              | CHECK NUMBER | VENDOR NAME                   | VENDOR #                  | DESCRIPTION   | INVOICE | PO #     | PER/YEAR   | CHECK AMOUNT |
|-------------------------|--------------|-------------------------------|---------------------------|---------------|---------|----------|------------|--------------|
| ACCOUNT #               | TRN DATE     | TRN DATE                      | DESCRIPTION               | INVOICE       | PO #    | PER/YEAR | TRN AMOUNT |              |
| 101-1130-412.28-07      | 09/01/2009   |                               | EMPLOYMENT ADS            | 134563        | 010045  | 03/2010  | 578.00     |              |
| 405-1260-413.28-07      | 09/01/2009   |                               | PW YARD ADVERTISING       | 134562        | 010418  | 03/2010  | 601.60     |              |
| 09/24/2009              | 69650        | VAN SCOYOC ASSOCAITES, INC.   | 2093                      |               |         |          | 4,754.78   |              |
| 405-1260-413.20-06      | 08/26/2009   |                               | AUGUST 09 RETAINER        | 32209         | 010340  | 02/2010  | 4,754.78   |              |
| 09/24/2009              | 69651        | VISION PLAN OF AMERICA        | 785                       |               |         |          | 185.51     |              |
| 101-0000-209.01-18      | 09/03/2009   |                               | PR AP PFE 082709          | 20090903      |         | 03/2010  | 87.81      |              |
| 101-0000-209.01-18      | 09/17/2009   |                               | PR AP PFE 091009          | 20090917      |         | 03/2010  | 87.81      |              |
| 101-0000-209.01-18      | 09/01/2009   |                               | OCTOBER 2009              | 09-01-2009    |         | 03/2010  | .11-       |              |
| 101-1920-419.29-04      | 09/01/2009   |                               | OCTOBER 2009              | 09-01-2009    |         | 03/2010  | 10.00      |              |
| 09/24/2009              | 69652        | WAXIE SANITARY SUPPLY         | 802                       |               |         |          | 1,110.65   |              |
| 101-6040-454.30-02      | 09/16/2009   |                               | TP/SOAP/TRASH LINERS/TOWE | 71511934      | 010069  | 03/2010  | 1,110.65   |              |
| 09/24/2009              | 69653        | WESTERN HOSE & GASKET         | 836                       |               |         |          | 38.41      |              |
| 601-5060-436.21-04      | 09/03/2009   |                               | VACTOR HOSE REPAIR        | 208951        | 010107  | 03/2010  | 38.41      |              |
| 09/24/2009              | 69654        | WHITE CAP CONSTRUCTION SUPPLY | 1434                      |               |         |          | 234.25     |              |
| 101-5010-431.30-02      | 09/04/2009   |                               | YELLOW CAST PLACE ARMORTI | 15031465      | 010071  | 03/2010  | 234.25     |              |
| 09/24/2009              | 69655        | XEROX CORPORATION             | 861                       |               |         |          | 1,548.29   |              |
| 101-1920-419.20-17      | 09/01/2009   |                               | AUGUST 09 CITY HALL COPIE | 042756354     | 010229  | 03/2010  | 1,548.29   |              |
| <b>V010 69656-69662</b> |              |                               |                           |               |         |          |            |              |
| 09/24/2009              | 69663        | U.S. BANK                     | 1873                      |               |         |          | 31,054.75  |              |
| 101-1920-419.21-04      | 07/28/2009   |                               | CONCERT POSTER PAPER      | 2715039       | 010243  | 02/2010  | 40.47      |              |
| 101-1230-413.28-04      | 07/23/2009   |                               | APA LUNCHEON MTG/NAKAGAWA | 07-23-2009    | 010250  | 02/2010  | 20.00      |              |
| 101-1020-411.28-04      | 08/10/2009   |                               | LUNCH MTG/POWAY CC;REG OF | 5429          | 010243  | 02/2010  | 25.18      |              |
| 101-3070-427.21-04      | 08/07/2009   |                               | ADOBE COMPUTER PROGRAM    | AD002510910   | 010245  | 02/2010  | 159.00     |              |
| 101-1230-413.30-01      | 08/10/2009   |                               | OFFICE SUPPLIES           | 484222129-001 | 010249  | 02/2010  | 120.56     |              |
| 405-1260-413.30-01      | 08/10/2009   |                               | OFFICE SUPPLIES           | 484222129-001 | 010249  | 02/2010  | 120.55     |              |
| 101-1230-413.30-01      | 08/18/2009   |                               | OFFICE SUPPLIES           | 485237053-001 | 010249  | 02/2010  | 104.14     |              |
| 405-1260-413.30-01      | 08/18/2009   |                               | OFFICE SUPPLIES           | 485237053-001 | 010249  | 02/2010  | 104.13     |              |
| 405-1260-413.30-01      | 08/18/2009   |                               | OFFICE SUPPLIES           | 485237628-001 | 010249  | 02/2010  | 8.69       |              |
| 101-3040-424.30-01      | 08/01/2009   |                               | TAPE/BATTERIES            | 0284          | 010251  | 02/2010  | 20.64      |              |
| 101-1230-413.28-11      | 08/04/2009   |                               | ELECTRONIC MAPS/PLANNING  | 25545         | 010251  | 02/2010  | 7.34       |              |
| 405-1260-413.28-09      | 08/18/2009   |                               | CDBG GRANT APP MAILING    | 082814        | 010251  | 02/2010  | 17.50      |              |
| 503-1923-419.28-04      | 07/14/2009   |                               | LODGING/LOPEZ/HTE-SUGA TR | 32322RZH0     | 010275  | 02/2010  | 555.45     |              |
| 503-1923-419.30-22      | 07/28/2009   |                               | MEMORY PC                 | 07-28-2009    | 010275  | 02/2010  | 31.54      |              |
| 503-1923-419.28-04      | 07/30/2009   |                               | WORK LATE                 | 038986        | 010275  | 02/2010  | 9.40       |              |
| 503-1923-419.21-04      | 08/03/2009   |                               | MICROSOFT SUPPORT         | 5002104312    | 010275  | 02/2010  | 259.00     |              |
| 503-1923-419.28-04      | 08/05/2009   |                               | MISAC CREDIT FOR REGISTRA | 46N7G3QFFER   | 010275  | 02/2010  | 35.00-     |              |
| 503-1923-419.20-06      | 08/07/2009   |                               | IPHONE SUPPORT            | 08-07-2009    | 010275  | 02/2010  | 175.00     |              |
| 503-1923-419.28-13      | 08/19/2009   |                               | AV SUBSCRIPTION           | RS52038651    | 010275  | 02/2010  | 49.95      |              |
| 503-1923-419.30-22      | 08/19/2009   |                               | IPHONE ACCESSORIES        | 008521        | 010275  | 02/2010  | 59.70      |              |
| 503-1923-419.30-01      | 08/19/2009   |                               | LABELS/BATTERIES          | 9767          | 010275  | 02/2010  | 12.47      |              |
| 101-1010-411.29-04      | 07/21/2009   |                               | COUNCIL WKSHP 07/21-FOOD  | 355240        | 010261  | 02/2010  | 45.00      |              |
| 101-1010-411.28-04      | 07/28/2009   |                               | BRAGG/2009 CONF & EXPO    | 07-28-2009    | 010261  | 02/2010  | 500.00     |              |
| 101-1920-419.29-04      | 08/04/2009   |                               | IMAGES FOR CONCERT POSTER | VTJC3FCC66C7  | 010261  | 02/2010  | 18.00      |              |
| 101-1010-411.29-04      | 08/05/2009   |                               | COUNCIL DINNER 08/05/09   | 066499        | 010261  | 02/2010  | 120.00     |              |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME               | VENDOR #        | CHECK AMOUNT             |
|--------------------|--------------|---------------------------|-----------------|--------------------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION               | INVOICE         | PO # PER/YEAR TRN AMOUNT |
| 101-1010-411.28-04 | 08/06/2009   | JANNEY/CONFERENCE FLIGHT  | J4RU2E          | 010261 02/2010 160.20    |
| 101-1010-411.28-04 | 08/06/2009   | JANNEY/SHUTTLE RESRVTION  | 8551434         | 010261 02/2010 23.00     |
| 101-1010-411.28-04 | 08/06/2009   | JANNEY/SHUTTLE RESRVTION  | 8551435         | 010261 02/2010 23.00     |
| 101-1010-411.28-04 | 08/07/2009   | BRAGG/CONFERENCE FLIGHT   | NZB4D6          | 010261 02/2010 170.20    |
| 101-1010-411.28-04 | 08/07/2009   | BRAGG/SHUTTLE RESERVATION | 8569873         | 010261 02/2010 23.00     |
| 101-1010-411.28-04 | 08/07/2009   | BRAGG/SHUTTLE RESERVATION | 8569874         | 010261 02/2010 23.00     |
| 101-1010-411.29-04 | 08/18/2009   | SYMPATHY FLWRS/DIANE ROSE | W00652301853540 | 010261 02/2010 75.02     |
| 101-1010-411.29-04 | 08/19/2009   | COUNCIL DINNER 08/19/09   | 2636            | 010261 02/2010 70.87     |
| 101-1010-411.29-04 | 08/19/2009   | COUNCIL PHOTO PROJ ALBUMS | 5666            | 010261 02/2010 53.00     |
| 101-1920-419.30-01 | 08/20/2009   | MISC OFFICE SUPPLIES      | 485456807-001   | 010261 02/2010 111.73    |
| 101-1010-411.28-04 | 07/28/2009   | JANNEY/2009 CONF & EXPO   | 07-28-2009      | 010261 01/2010 500.00    |
| 101-5010-431.30-02 | 07/22/2009   | PROPANE TANK EXCHANGE     | 010379/2019990  | 010283 02/2010 19.02     |
| 101-6020-452.30-02 | 07/29/2009   | PRESSURE REGULATOR        | 52133450        | 010307 02/2010 10.62     |
| 601-5060-436.30-02 | 08/07/2009   | AGUIRRE, J-WORK BOOTS     | 18/896/32434    | 010296 02/2010 149.62    |
| 601-5060-436.30-02 | 08/18/2009   | RAMOS, M - SAFETY BOOTS   | 44006           | 010298 02/2010 150.00    |
| 601-5060-436.30-02 | 08/18/2009   | CASAS, M - SAFETY BOOTS   | 44005           | 010299 02/2010 150.00    |
| 101-6020-452.30-02 | 08/03/2009   | PRESSURE TREATED 2X6X12   | 001859/0013036  | 010307 02/2010 11.93     |
| 101-6020-452.30-02 | 08/07/2009   | TAYLOR, T-WORK BOOTS      | 18/896/32427    | 010307 02/2010 136.98    |
| 101-1910-419.30-02 | 08/14/2009   | REPLACEMENT BATTERY       | 0136103-IN      | 010307 02/2010 74.00     |
| 101-6020-452.30-02 | 08/17/2009   | LIQUID GYPMSUM/SPRAYER    | 52313290        | 010307 02/2010 15.01     |
| 101-3060-426.50-04 | 06/26/2009   | CABINET FOR EOC RADIO STA | 32282           | 010265 02/2010 1,000.00  |
| 101-3020-422.30-02 | 07/23/2009   | 18 GAL TOTE               | 012675          | 010265 02/2010 15.23     |
| 101-3020-422.30-02 | 07/24/2009   | 18 GAL TOTE               | 096081          | 010265 02/2010 27.38     |
| 101-3020-422.30-02 | 07/30/2009   | FIRE STATION SUPPLIES     | 07-30-09        | 010266 02/2010 88.58     |
| 101-3020-422.30-02 | 07/30/2009   | FIRE STATION SUPPLIES     | 07-30-09        | 010266 02/2010 13.88     |
| 101-3060-426.21-04 | 08/06/2009   | TEST RUN FOR SATELLITE RA | 08-06-09        | 010263 02/2010 2.90      |
| 101-3060-426.50-04 | 08/07/2009   | CABINET FOR EOC RADIO STA | 32283           | 010265 02/2010 1,000.00  |
| 101-3020-422.30-02 | 08/11/2009   | 18 GAL TOTE/STARBUCKS     | 050634          | 010265 02/2010 27.38     |
| 101-3060-426.21-04 | 07/23/2009   | DIRECT TV EOC CONNECTION  | 07-23-2009      | 010265 02/2010 36.99     |
| 101-3060-426.21-04 | 08/23/2009   | DIRECT TV EOC CON. JULY   | 1077379038      | 010265 02/2010 36.99     |
| 101-6010-451.30-02 | 08/12/2009   | TEEN CAFE SUPPLIES        | 008334          | 010360 02/2010 62.80     |
| 101-6010-451.30-02 | 08/13/2009   | TEEN CAFE SUPPLIES        | 005032          | 010360 02/2010 21.71     |
| 101-3060-426.30-02 | 06/26/2009   | CABINET FOR EOC RADIO STA | 033614          | 010174 01/2010 1,000.00  |
| 101-3060-426.30-02 | 06/26/2009   | CABINETS FOR EOC RADIO ST | 087987          | 010174 01/2010 1,000.00  |
| 101-3020-422.30-01 | 06/28/2009   | OFFICE SUPPLIES, PENS, FL | 06282009        | 010174 01/2010 120.71    |
| 101-3020-422.30-02 | 07/01/2009   | SAVMART PHARMACEUTICALS   | 07-01-2009      | 010174 01/2010 53.46     |
| 101-3020-422.30-02 | 07/10/2009   | STORAGE CONTAINERS FIRE   | 07-10-09        | 010174 01/2010 23.94     |
| 101-3020-422.30-01 | 07/15/2009   | BATTERIES                 | 07-15-09        | 010174 01/2010 58.09     |
| 101-3060-426.21-04 | 07/22/2009   | DIRECT TV EOC CONNECTION  | 1037236534      | 010174 01/2010 36.99     |
| 101-3020-422.30-02 | 07/30/2009   | RADIO/PAGER BATTERIES     | 9688            | 010266 01/2010 5.21      |
| 101-3020-422.28-09 | 08/12/2009   | CERTIFICATE OF RECEIPT &M | 08-12-09        | 010174 01/2010 5.54      |
| 101-6040-454.30-02 | 07/21/2009   | RESTROOM FAUCET           | 137384          | 010294 02/2010 76.56     |
| 101-6040-454.30-02 | 07/28/2009   | SPRINKLERS-PALM/SEACOAST  | 06033062-00     | 010294 02/2010 118.47    |
| 101-5010-431.30-02 | 07/27/2009   | POLE SWIVEL               | 020020434       | 010300 02/2010 65.62     |
| 101-5010-431.30-02 | 07/27/2009   | STAPLES                   | 095523/7021620  | 010300 02/2010 5.81      |
| 101-6040-454.30-02 | 08/17/2009   | PRESSURE WASHERS STRAPS   | 052005/6011667  | 010294 02/2010 119.37    |
| 101-6040-454.30-02 | 08/17/2009   | TOILET VALVES/DUNES PARK  | 138114          | 010294 02/2010 80.39     |
| 101-5010-431.30-02 | 08/06/2009   | HEX KEYS                  | 118560-00       | 010300 02/2010 35.38     |
| 501-1921-419.30-02 | 08/04/2009   | FUEL INJECTOR CLEANER     | 70291           | 010304 02/2010 112.34    |
| 501-1921-419.28-16 | 08/05/2009   | E39 REPLACEMENT STARTER   | C72338          | 010304 02/2010 235.20    |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME               | VENDOR #        | CHECK AMOUNT |          |            |
|--------------------|--------------|---------------------------|-----------------|--------------|----------|------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION               | INVOICE         | PO #         | PER/YEAR | TRN AMOUNT |
| 501-1921-419.30-02 | 08/07/2009   | KING, M - WORK BOOTS      | 18-896-32433    | 010304       | 02/2010  | 147.75     |
| 408-5020-432.30-02 | 08/07/2009   | PW INSPECTOR-WORK BOOTS   | 18-896-32428    | 010306       | 02/2010  | 117.43     |
| 101-5010-431.30-02 | 08/11/2009   | GLOVES/TIE DOWN STRAPS    | 077759/2025344  | 010306       | 02/2010  | 58.56      |
| 101-5020-432.25-03 | 08/12/2009   | PW EMPL TEE-SHIRTS        | 50493           | 010306       | 02/2010  | 1,336.83   |
| 101-3030-423.28-04 | 11/27/2008   | LIFEGUARD TRAINING        | 12187           | 010272       | 02/2010  | 92.00      |
| 101-3030-423.25-03 | 07/10/2009   | LG UNIFORMS VISORS        | 50178           | 010272       | 02/2010  | 519.80     |
| 101-3030-423.25-03 | 07/13/2009   | LG UNIFORMS SUNGLASES     | 050386          | 010272       | 02/2010  | 1,500.00   |
| 101-3035-423.30-02 | 07/24/2009   | LIFEGUARD EQUIPMENT       | 15759A          | 010272       | 02/2010  | 397.08     |
| 101-3030-423.30-02 | 07/24/2009   | 91 OCTANE FUEL PWC        | 204040          | 010272       | 02/2010  | 28.06      |
| 101-3030-423.25-03 | 07/24/2009   | LG UNIFORM, HATS, SHIRTS, | 50336           | 010272       | 02/2010  | 389.07     |
| 101-3030-423.30-02 | 07/25/2009   | PWC FUEL                  | 1-8705          | 010272       | 02/2010  | 30.00      |
| 101-3030-423.30-02 | 07/25/2009   | CREDIT 91 OCTANE PWC      | 1-8709          | 010272       | 02/2010  | 2.25-      |
| 101-3030-423.30-02 | 07/25/2009   | 91 OCTANE FUE PWC         | 140637          | 010272       | 02/2010  | 23.83      |
| 101-3030-423.30-02 | 07/26/2009   | PWC FUEL                  | 155937          | 010272       | 02/2010  | 29.35      |
| 101-3030-423.25-03 | 08/07/2009   | UPS SERVICE KAENON WARRAN | 08-07-09        | 010272       | 02/2010  | 14.10      |
| 101-3030-423.30-02 | 08/13/2009   | LG EQUIPMENT FINS         | 225001          | 010272       | 02/2010  | 313.74     |
| 101-3030-423.28-04 | 08/13/2009   | AMERICAN RED CROSS CARDS  | 411150          | 010272       | 02/2010  | 105.00     |
| 101-3030-423.30-02 | 08/21/2009   | LG EQUIPMENT FINS         | 233001          | 010272       | 02/2010  | 57.64      |
| 405-5030-433.30-02 | 07/28/2009   | GRAFFITI SUPPLIES         | 047554/6191375  | 010288       | 02/2010  | 44.51      |
| 405-5030-433.30-02 | 07/29/2009   | KEYS                      | 991             | 010288       | 02/2010  | 1.50       |
| 405-5030-433.30-02 | 07/30/2009   | PRESSURE WASHER TIPS      | SR8-1446        | 010288       | 02/2010  | 32.84      |
| 405-5030-433.30-02 | 08/07/2009   | PAINT SUPPLIES/SAFETY GLO | 077671/6192851  | 010288       | 02/2010  | 62.64      |
| 405-5030-433.30-02 | 08/07/2009   | MARTINEZ, D -WORK BOOTS   | 18/896/32432    | 010288       | 02/2010  | 132.11     |
| 405-5030-433.30-02 | 08/18/2009   | PAINT FLAKE/SPRAY BOTTLES | 032318/5194550  | 010288       | 02/2010  | 27.47      |
| 405-5030-433.30-02 | 08/19/2009   | GRAFFITI SUPPLIES         | 066442/4194715  | 010288       | 02/2010  | 46.71      |
| 101-1910-519.20-06 | 08/03/2009   | CH LANDSCAPING            | 387873          | 010289       | 02/2010  | 87.00-     |
| 101-1910-419.30-02 | 08/04/2009   | LADDER ROPE CLAMP/GLOVES  | 075770/9581846  | 010289       | 02/2010  | 53.42      |
| 101-1910-419.30-02 | 08/05/2009   | ELECTRICAL SUPPLY         | 019707/5871649  | 010289       | 02/2010  | 2.54       |
| 101-1910-419.30-02 | 08/07/2009   | COLAHAN, D-WORK BOOTS     | 18/896/32431    | 010289       | 02/2010  | 136.98     |
| 101-6020-452.30-02 | 08/19/2009   | MULCH FOR TEEPLE          | 037204/4194723  | 010289       | 02/2010  | 43.17      |
| 101-6040-454.30-02 | 08/15/2009   | 3 AMP FUSES               | 00048/8583294   | 010295       | 02/2010  | 3.12       |
| 101-6040-454.30-02 | 08/20/2009   | REPLACEMENT TIRE          | WZINC-200908202 | 010295       | 02/2010  | 56.46      |
| 101-3030-423.30-02 | 06/11/2009   | LG LOGO TRUCK MAGNETS     | 1260            | 010268       | 02/2010  | 372.00     |
| 101-3030-423.30-02 | 07/14/2009   | SUNSCREEN                 | 71409IBL        | 010268       | 02/2010  | 105.46     |
| 101-3030-423.28-01 | 07/16/2009   | REPAIR ATV                | 11270           | 010268       | 02/2010  | 591.97     |
| 101-3030-423.28-01 | 07/16/2009   | REPAIR ATV                | 11271           | 010268       | 02/2010  | 458.92     |
| 101-3030-423.30-02 | 07/22/2009   | BLACKBERRY ACCESORIES     | EBS-281402      | 010273       | 02/2010  | 154.91     |
| 101-3030-423.30-02 | 07/23/2009   | BROKEN DRYER REPLACEMENT  | 03895           | 010273       | 02/2010  | 998.31     |
| 101-3030-423.30-02 | 07/24/2009   | NEW DRYER CONNECTION      | 046515/0580556  | 010273       | 02/2010  | 19.01      |
| 101-3030-423.28-01 | 07/24/2009   | NEW DRYER 5 YEAR WARRANTY | 048937          | 010273       | 02/2010  | 329.99     |
| 101-3030-423.28-04 | 07/24/2009   | LG TRAINING VIDEOS        | 07-24-09        | 010273       | 02/2010  | 111.95     |
| 101-3035-423.28-04 | 07/24/2009   | JG FIELD TRIP TO WATER PA | 3539            | 010273       | 02/2010  | 809.55     |
| 101-3035-423.28-04 | 07/28/2009   | JG TRIP PARKING PERMIT    | 043189          | 010273       | 02/2010  | 27.00      |
| 101-3030-423.28-01 | 07/28/2009   | WASH COMMAN. VEHICLE      | 078446          | 010273       | 02/2010  | 9.99       |
| 101-3030-423.28-01 | 08/14/2009   | PROF. CLEANING LG TRUCK   | 062465          | 010268       | 02/2010  | 48.96      |
| 101-3030-423.28-01 | 08/14/2009   | VENT REPAIR               | 36498           | 010268       | 02/2010  | 79.00      |
| 101-3035-423.30-02 | 08/14/2009   | JG CAPTAIN GIFT CERT. AWA | 868556          | 010268       | 02/2010  | 80.00      |
| 101-3030-423.28-01 | 08/13/2009   | WASH COMM. VEHICLE        | 032164          | 010273       | 02/2010  | 9.99       |
| 101-3030-423.28-01 | 08/18/2009   | PWC REPAIR & MAINT. SUPPL | 5113            | 010273       | 02/2010  | 52.83      |
| 101-3030-423.30-02 | 08/21/2009   | WATERPROOF DIG. CAM CASE  | 101708850       | 010273       | 02/2010  | 352.43     |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME               | VENDOR #        |        |          |            | CHECK AMOUNT |
|--------------------|--------------|---------------------------|-----------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION               | INVOICE         | PO #   | PER/YEAR | TRN AMOUNT |              |
| 101-3030-423.28-01 | 08/22/2009   | FWC FLUSH KIT             | 5379            | 010273 | 02/2010  | 11.75      |              |
| 101-6010-451.30-02 | 07/21/2009   | SP REPAIR WORK            | 067748/3019583  | 010363 | 02/2010  | 62.90      |              |
| 101-6010-451.30-02 | 07/24/2009   | SP REPAIR WORK, DOOR SWEE | 066653/0580536  | 010363 | 02/2010  | 58.39      |              |
| 101-6010-451.30-02 | 07/27/2009   | SP REPAIR WORK            | 011521/7591903  | 010363 | 02/2010  | 14.10      |              |
| 101-6010-451.30-02 | 07/30/2009   | SP OPERATING SUPPLIES     | 014109/4011978  | 010363 | 02/2010  | 58.46      |              |
| 101-3020-422.30-02 | 08/19/2009   | FIRE STATION SUPPLIES     | 024987          | 010267 | 02/2010  | 129.95     |              |
| 101-3020-422.30-02 | 08/19/2009   | BATTERIES                 | 087153/4592599  | 010267 | 02/2010  | 68.35      |              |
| 101-6010-451.30-02 | 08/04/2009   | TEEN CAFE SUPPLIES        | 057921          | 010363 | 02/2010  | 480.42     |              |
| 101-6010-451.30-02 | 08/07/2009   | PIZZA-PARENTS NIGHT OUT   | 051656          | 010363 | 02/2010  | 57.09      |              |
| 101-6010-451.30-02 | 08/07/2009   | PARENTS NIGHT OUT         | 08-07-09        | 010363 | 02/2010  | 39.36      |              |
| 101-6010-451.30-02 | 08/08/2009   | LOCK DOWN PROGRAM MEALS   | 020616          | 010363 | 02/2010  | 121.50     |              |
| 101-6010-451.30-02 | 08/08/2009   | LOCK DOWN PROGRAM         | 08-08-09        | 010363 | 02/2010  | 15.02      |              |
| 101-6010-451.30-02 | 08/10/2009   | SP REPAIR WORK            | 040814/3014888  | 010363 | 02/2010  | 17.70      |              |
| 101-6010-451.30-02 | 08/11/2009   | SP SUMMER PROGRAM         | 08-11-09        | 010363 | 02/2010  | 15.97      |              |
| 101-6010-451.30-02 | 08/11/2009   | SP SUMMER PROGRAM         | 08-11-09        | 010363 | 02/2010  | 70.96      |              |
| 101-6040-454.30-02 | 08/22/2009   | TOT LOT SPRING            | INV59816        | 010293 | 02/2010  | 175.23     |              |
| 101-6040-454.30-02 | 07/21/2009   | PAINT ROLLERS/DUNES PK TR | 070576/3580151  | 010293 | 02/2010  | 36.91      |              |
| 101-6040-454.30-02 | 07/23/2009   | BROOMS/MATTOCK            | 035131/1190519  | 010293 | 02/2010  | 167.86     |              |
| 101-6040-454.30-02 | 07/23/2009   | BROOMS/MATTOCK            | 035131/1190519  | 010293 | 02/2010  | 65.12      |              |
| 101-6040-454.30-02 | 07/26/2009   | TOT LOT SPRING            | INV58187        | 010293 | 02/2010  | 196.78     |              |
| 101-1910-419.30-02 | 07/27/2009   | PAPER TOWELS              | 71413141        | 010303 | 02/2010  | 282.22     |              |
| 101-1910-419.30-02 | 08/05/2009   | SAFETY CENTER FANS        | 064231/8582009  | 010293 | 02/2010  | 231.55     |              |
| 101-1910-419.30-02 | 08/05/2009   | SAFETY CENTER FAN/HOOK UP | 084843/88567702 | 010293 | 02/2010  | 12.96      |              |
| 101-1910-419.30-02 | 08/05/2009   | CR-RETND FAN              | 8244304         | 010293 | 02/2010  | 65.24      |              |
| 101-6040-454.30-02 | 08/06/2009   | 2 CYCLE OIL-MIX           | 232492          | 010293 | 02/2010  | 62.34      |              |
| 101-1910-419.30-02 | 08/07/2009   | PUTTY/OUTLET CAPS         | 078068/6571879  | 010293 | 02/2010  | 11.11      |              |
| 101-6040-454.30-02 | 08/11/2009   | TRASH CAN LINERS          | S9217-S         | 010293 | 02/2010  | 436.41     |              |
| 101-6040-454.30-02 | 08/11/2009   | SOCKET&EXTENTION/TAPE     | 09918           | 010293 | 02/2010  | 39.04      |              |
| 101-6040-454.30-22 | 08/11/2009   | SOCKET&EXTENTION/TAPE     | 09918           | 010293 | 02/2010  | 10.09      |              |
| 101-6040-454.30-02 | 08/11/2009   | CAULK/HOLE SAW BLADE      | 15030368        | 010293 | 02/2010  | 33.55      |              |
| 101-6040-454.30-22 | 08/11/2009   | CAULK/HOLE SAW BLADE      | 15030368        | 010293 | 02/2010  | 48.64      |              |
| 101-6040-454.30-02 | 08/12/2009   | KEYS/KEY RINGS            | 062144          | 010293 | 02/2010  | 41.87      |              |
| 101-6040-454.30-02 | 08/12/2009   | TIDELANDS BALLCAPS        | 50495           | 010293 | 02/2010  | 489.38     |              |
| 101-6040-454.30-22 | 08/17/2009   | DRILL BIT                 | 043872/6594357  | 010293 | 02/2010  | 2.79       |              |
| 101-6040-454.30-22 | 08/17/2009   | HOLE SAW BIT              | 15030601        | 010293 | 02/2010  | 55.26      |              |
| 101-6040-454.30-02 | 08/19/2009   | 10 EVERGREEN SGN/FLAT BAR | 268348          | 010293 | 02/2010  | 54.92      |              |
| 101-1910-419.30-02 | 08/05/2009   | PAPER TOWELS/TRASH LINERS | 300084          | 010303 | 02/2010  | 169.16     |              |
| 101-1910-419.30-02 | 08/21/2009   | PAPER TOWELS              | 300956          | 010303 | 02/2010  | 42.11      |              |
| 101-1210-413.28-12 | 07/29/2009   | BUANGAN, E/GFOA MEMBERSHP | 0064001         | 010274 | 02/2010  | 225.00     |              |
| 101-6020-452.30-02 | 07/22/2009   | BACK BRACE/SAFETY VEST    | 061464-00       | 010285 | 02/2010  | 123.85     |              |
| 101-6020-452.28-01 | 07/24/2009   | PLAYGROUND MAT REPAIR     | 099948          | 010285 | 02/2010  | 545.00     |              |
| 101-6040-454.30-02 | 07/21/2009   | HOOK/RACK/BRACKETS        | 055126/3591201  | 010292 | 02/2010  | 30.72      |              |
| 101-6040-454.30-02 | 07/27/2009   | GROUT SAW/FLOAT           | 001481/7580967  | 010292 | 02/2010  | 32.02      |              |
| 101-6040-454.30-02 | 07/28/2009   | DRILL BIT/TAPE/BUCKET     | 031318/6570611  | 010292 | 02/2010  | 19.48      |              |
| 101-6040-454.30-02 | 07/30/2009   | HAWTHORNE CLARAS          | 22817           | 010292 | 02/2010  | 17.36      |              |
| 101-1210-413.30-01 | 08/05/2009   | ENVELOPES                 | 16185           | 010274 | 02/2010  | 629.67     |              |
| 101-1910-419.30-02 | 08/07/2009   | SERRANO, T WORK BOOTS     | 18/896/32425    | 010285 | 02/2010  | 137.00     |              |
| 101-6020-452.28-01 | 08/11/2009   | DRAIN CLEAN OUT           | 056650          | 010285 | 02/2010  | 75.00      |              |
| 101-1910-419.28-01 | 08/12/2009   | PW YARD - GATE REPAIR     | 2479            | 010285 | 02/2010  | 528.00     |              |
| 101-1910-519.20-06 | 08/17/2009   | PLANTS/CIVIC CTR PROJECT  | 23714           |        | 02/2010  | 601.19     |              |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME               | VENDOR #       | CHECK AMOUNT |          |            |
|--------------------|--------------|---------------------------|----------------|--------------|----------|------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION               | INVOICE        | PO #         | PER/YEAR | TRN AMOUNT |
| 101-1910-519.20-06 | 08/19/2009   | WEED BLOCK                | 1842516-A-AD   |              | 02/2010  | 237.25     |
| 101-1910-519.20-06 | 08/21/2009   | SAND-CIVIC CENTER         | 1746455        |              | 02/2010  | 53.21      |
| 101-6040-454.30-02 | 08/04/2009   | IRRIGATION MATERIALS      | 045164/9581876 | 010292       | 02/2010  | 21.51      |
| 101-6040-454.30-02 | 08/05/2009   | PVC CUTTER/PVC FITTINGS   | 052386/8592996 | 010292       | 02/2010  | 16.91      |
| 101-6040-454.30-02 | 08/06/2009   | IRRIGATION PARTS          | 025793/7567807 | 010292       | 02/2010  | 9.50       |
| 101-6040-454.30-02 | 08/18/2009   | PRUNING SHEARS/NOZZLE     | 083474/5594474 | 010292       | 02/2010  | 30.38      |
| 101-6040-454.30-02 | 08/19/2009   | CUPLHOLDER-#612           | 013579         | 010292       | 02/2010  | 4.34       |
| 101-6040-454.30-02 | 08/20/2009   | IRRIGATION PARTS          | 007321/3573575 | 010292       | 02/2010  | 24.88      |
| 101-1130-412.28-12 | 06/29/2009   | IPMA MEMBERSHIP           | 24154951       | 010359       | 02/2010  | 360.00     |
| 101-3030-423.30-02 | 07/17/2009   | SAFETY CONES FOR SANDCAST | 07-17-09       | 010270       | 02/2010  | 433.41     |
| 101-3030-423.30-02 | 07/22/2009   | PWC FUEL                  | 086715         | 010270       | 02/2010  | 28.68      |
| 101-3030-423.30-02 | 07/23/2009   | PWC FUEL                  | 005681         | 010270       | 02/2010  | 28.50      |
| 101-3030-423.30-02 | 07/23/2009   | SOAP LG SHOWERS           | 036158         | 010270       | 02/2010  | 29.34      |
| 101-3030-423.30-02 | 07/23/2009   | SHAMPOO LOCKER ROOM       | 060466         | 010270       | 02/2010  | 13.04      |
| 101-3030-423.28-01 | 07/23/2009   | NUMBER & SIGNS FOR BEACH  | 07-23-09       | 010270       | 02/2010  | 87.62      |
| 101-3030-423.30-02 | 07/23/2009   | OFFICE SUPPLIES           | 07-23-09       | 010270       | 02/2010  | 183.23     |
| 101-3030-423.28-01 | 07/23/2009   | DRIVE TANK SERVICE        | 304637         | 010270       | 02/2010  | 72.00      |
| 101-3030-423.30-02 | 07/26/2009   | PWC FUEL                  | 00-011384      | 010270       | 02/2010  | 15.00      |
| 101-3030-423.30-02 | 07/27/2009   | PWC FUEL                  | 004097         | 010270       | 02/2010  | 29.97      |
| 101-3030-423.28-01 | 07/27/2009   | PWC ENGINE RINSE, WIRE FO | 490            | 010270       | 02/2010  | 66.89      |
| 101-3030-423.28-01 | 07/29/2009   | MATERIALS FOR REPAIRING R | 002305/5592249 | 010270       | 02/2010  | 21.79      |
| 101-3030-423.30-02 | 07/29/2009   | DRIVE LOCKER SPARE KEYS   | 994            | 010270       | 02/2010  | 18.27      |
| 101-1010-411.30-01 | 07/23/2009   | OFFICE SUPPLIES           | 482299803-001  | 010359       | 02/2010  | 12.36      |
| 101-1110-412.30-01 | 07/23/2009   | OFFICE SUPPLIES           | 482299803-001  | 010359       | 02/2010  | 7.13       |
| 101-1130-412.30-01 | 07/23/2009   | OFFICE SUPPLIES           | 482299803-001  | 010359       | 02/2010  | 95.81      |
| 101-1130-412.28-07 | 07/28/2009   | EAGLE NEWSPAPER ADD       | 07-28-09       | 010359       | 02/2010  | 42.10      |
| 101-1020-411.30-01 | 07/30/2009   | JETER MANILA FOLDERS      | 1841396        | 010359       | 02/2010  | 50.58      |
| 101-1110-412.30-01 | 07/30/2009   | JETER MANILA FOLDERS      | 1841396        | 010359       | 02/2010  | 50.56      |
| 101-1130-412.30-01 | 07/30/2009   | JETER MANILA FOLDERS      | 1841396        | 010359       | 02/2010  | 50.59      |
| 101-1130-412.30-02 | 07/30/2009   | DELUXE STAPLER            | 589466         | 010359       | 02/2010  | 68.72      |
| 101-3030-423.28-01 | 08/02/2009   | REPLACEMENT BULBS         | 304734         | 010270       | 02/2010  | 25.90      |
| 101-3030-423.30-02 | 08/03/2009   | CLEANING SUPPLIES, BATTER | 020785/0023477 | 010270       | 02/2010  | 98.59      |
| 101-3030-423.30-02 | 08/06/2009   | PWC FUEL                  | 083759         | 010270       | 02/2010  | 32.83      |
| 101-3030-423.30-02 | 08/06/2009   | PAPER TOWELS, CLOROX FOR  | 290570         | 010270       | 02/2010  | 199.62     |
| 101-3030-423.30-02 | 08/07/2009   | CONTAINERS FOR STORING LG | 003886/6192878 | 010270       | 02/2010  | 37.98      |
| 101-3030-423.28-01 | 08/07/2009   | MAT. FOR BASE RADIO HOOKU | 649345         | 010270       | 02/2010  | 11.60      |
| 101-3030-423.30-02 | 08/11/2009   | PWC FUEL                  | 039755         | 010270       | 02/2010  | 30.89      |
| 101-3030-423.28-01 | 08/11/2009   | HARDWARE FOR HQ GARAGE    | 055756/2193494 | 010270       | 02/2010  | 25.31      |
| 101-3030-423.30-02 | 08/11/2009   | LAUNDRY SOAP              | 095057         | 010270       | 02/2010  | 45.65      |
| 101-3030-423.28-01 | 08/11/2009   | SERVICE FOR HONDA PWC     | 223001         | 010270       | 02/2010  | 220.61     |
| 101-3030-423.28-01 | 08/11/2009   | MAT. LG BASE RADIO REPAIR | 649569         | 010270       | 02/2010  | 10.20      |
| 101-3030-423.28-01 | 08/14/2009   | DIVE EQUIPMENT SERVICE    | 245            | 010270       | 02/2010  | 54.00      |
| 601-5050-436.30-02 | 08/03/2009   | ENRIV. PROG. SPEC. INTERV | 082135         | 010359       | 02/2010  | 51.32      |
| 502-1922-419.30-02 | 08/11/2009   | LHERNANDEZ ERGONIC ITEMS  | 15023661       | 010359       | 02/2010  | 272.49     |
| 502-1922-419.30-02 | 08/21/2009   | LHERNANDEZ ERGONOMIC ITEM | 15024151       | 010359       | 02/2010  | 187.11     |
| 101-5020-432.29-02 | 07/22/2009   | SHIPPING FEE/FLOWERS      | 07-22-2009     | 010302       | 02/2010  | 15.00      |
| 101-5020-432.30-01 | 07/22/2009   | MISC OFFICE SUPPLIES      | 482104005-001  | 010302       | 02/2010  | 75.80      |
| 101-5020-432.29-02 | 07/24/2009   | EMP APPRECIATION FLOWERS  | 8171895        | 010302       | 02/2010  | 63.55      |
| 101-5020-432.30-01 | 07/28/2009   | TELEPHONE JACK ADAPTOR    | 064947/6021829 | 010302       | 02/2010  | 10.33      |
| 501-1921-419.28-16 | 07/23/2009   | DONOVAN TRAILER PART      | 082632         | 010305       | 02/2010  | 18.65      |

| CHECK DATE         | CHECK NUMBER | VENDOR NAME              | VENDOR #        |        |          |            | CHECK AMOUNT |
|--------------------|--------------|--------------------------|-----------------|--------|----------|------------|--------------|
| ACCOUNT #          | TRN DATE     | DESCRIPTION              | INVOICE         | PO #   | PER/YEAR | TRN AMOUNT |              |
| 501-1921-419.28-16 | 07/23/2009   | A-3 PART RESISTOR        | 638369          | 010305 | 02/2010  | 32.36      |              |
| 501-1921-419.30-02 | 07/23/2009   | TRAILER METAL SUPPLY     | 784758          | 010305 | 02/2010  | 28.10      |              |
| 501-1921-419.30-02 | 07/23/2009   | BANDSAW BLADES           | 9041374340      | 010305 | 02/2010  | 46.10      |              |
| 501-1921-419.28-16 | 07/27/2009   | D1 RESISTOR              | 667489          | 010305 | 02/2010  | 16.90      |              |
| 101-5020-432.30-01 | 08/12/2009   | LABELS/BINDER CLIPS      | 484491519-001   | 010302 | 02/2010  | 28.20      |              |
| 101-1910-419.30-02 | 08/12/2009   | TIDELANDS BULLETIN BOARD | 484491963-001   | 010302 | 02/2010  | 19.56      |              |
| 101-5020-432.30-01 | 08/13/2009   | PLOTTER PAPER            | 46365645        | 010302 | 02/2010  | 67.70      |              |
| 501-1921-419.28-16 | 08/10/2009   | PART FOR PS10            | 104-0686539-979 | 010305 | 02/2010  | 9.74       |              |
| 501-1921-419.28-16 | 08/10/2009   | PART FOR PS10            | 104-5206721-409 | 010305 | 02/2010  | 15.40      |              |
| 501-1921-419.30-02 | 08/12/2009   | WIRE TERMINAL SUPPLY     | 5850155         | 010305 | 02/2010  | 69.21      |              |
| 501-1921-419.28-16 | 08/13/2009   | OIL ADDITIVE # 612       | 087141          | 010305 | 02/2010  | 4.67       |              |
| 501-1921-419.28-16 | 08/17/2009   | SHOULDER STRAPS          | 059800          | 010305 | 02/2010  | 30.40      |              |
| 501-1921-419.28-16 | 08/18/2009   | PART FOR 625             | 029822          | 010305 | 02/2010  | 43.50      |              |

DATE RANGE TOTAL \* 1,126,246.67 \*





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** October 7, 2009

**ORIGINATING DEPT.:** City Attorney

**SUBJECT:** ADOPT RESOLUTION NO. 2009-6808 – APPROVING THE TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN THE CITY AND NEXTG NETWORKS OF CALIFORNIA, INC.

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**BACKGROUND:**

NextG Networks of California has submitted a request to enter into an Agreement with the City to encroach upon and occupy portions of the public right-of-way in certain streets, easements and upon certain public improvements for the purposes of installing Licensee's facilities. In consideration of NextG's request, the City is willing to approve the use and occupation of certain public rights-of-way and certain public improvements upon the terms, conditions and other considerations set forth in the Agreement. NextG possesses a certificate of public convenience and necessity (PCN) from the California Public Utilities Commission, making it different from most other telecommunications companies. NextG's facilities are used to transmit phone calls by multiple wireless networks, making them different from cell towers which just serve one company's clientele.

**DISCUSSION:**

Staff met with representatives of NextG to review specific locations for the installation and maintenance of microcellular optical repeater equipment, referred to as facilities and nodes certified by the Federal Communications Commission (FCC). The proposed site locations are 1098 Grove Street and 615 Calla Avenue. Any additional permits that are required for new nodes beyond the nodes contemplated herein and described in Exhibit A shall be processed by the City, which shall constitute an addendum to the agreement if, and only if, approved by the City Council.

**ENVIRONMENTAL IMPACT**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

Compensation for the use of City infrastructure shall be a fee of five hundred (\$500.00) per year (the "Infrastructure Use Fee") for each streetlight pole or comparable facility located within the City's Right-of-Way used by Licensee.

In addition to the Infrastructure Use Fee, Licensee waives any claim that it is not obligated to pay for the use of the Right-of-Way and shall compensate City for such use by providing the City a five percent (5%) annual revenue sharing fee or five hundred (\$500.00) per Node per year, whichever is greater.

**DEPARTMENT RECOMMENDATION:**

Adopt Resolution No. 2009-6808 approving the Telecommunication Network License and Encroachment Agreement between the City of Imperial Beach and NextG Networks of California, Inc.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary R. Brown, City Manager

Attachments:

1. Resolution No. 2009-6808
2. Telecommunication Network License And Encroachment Agreement

**RESOLUTION NO. 2009-6808**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
IMPERIAL BEACH AUTHORIZING THE CITY MANAGER TO  
EXECUTE THE AGREEMENT BY AND BETWEEN THE CITY  
OF IMPERIAL BEACH AND NEXTG REGARDING  
INSTALLATION OF FACILITIES**

**WHEREAS**, NextG is a telecommunication service provider with a Certificate of Public Convenience and Necessity from the Public Utilities Commission, with legal authority to install its facilities in the public right-of-way; and

**WHEREAS**, the Agreement accompanying this Resolution provides the City of Imperial Beach with more benefits than similar agreements reached by NextG with other cities in San Diego County; and

**WHEREAS**, this agreement, covering two nodes, will provide the city with improved fiber wiring at some city facilities, as well as providing the city with two necessary light poles, in addition to rent and profit-sharing.

**NOW, THEREFORE**, the City Council of the City of Imperial Beach, California, does hereby resolve as follows:

1. The City Council hereby authorizes the City Manager to enter into the Agreement between the City of Imperial Beach and NextG regarding installation of telecommunications facilities.

2. The City Council hereby delegates to the City Manager the ability to all steps necessary to implement the purpose and intent of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 7<sup>th</sup> day of October 2009, by the following roll call vote:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

\_\_\_\_\_  
JIM JANNEY, MAYOR

ATTEST:

\_\_\_\_\_  
JACQUELINE HALD, CITY CLERK



TELECOMMUNICATION NETWORK  
LICENSE AND ENCROACHMENT AGREEMENT

This License and Encroachment Agreement is entered into this second day of September 2009 by and between the City of Imperial Beach, a municipal corporation (hereinafter referred to as the "City"), and NextG Networks of California, Inc., a California corporation, (hereinafter referred to as "NextG" or "Licensee") collectively, the Parties. The effective date shall be the date this Agreement is approved by the Parties as evidenced by the date indicated hereinabove (the "Effective Date"), or the date on which this agreement has been approved by the Imperial Beach City Council and signed in accordance with all applicable laws, whichever is later.

RECITALS

**WHEREAS**, City is responsible for management of the public right-of-way and performs a wide range of vital tasks necessary to preserve the physical integrity of public streets and ways to control the orderly flow of vehicles to promote the safe movement of pedestrians and to manage a number of gas, water, sewer, electric, cable television, telephone and telecommunications facilities that are located in under and over the streets and public rights-of-way; and

**WHEREAS**, Licensee builds, owns, and leases fiber optic distributed antenna systems to improve wireless coverage and capacity for telecommunications carriers; and

**WHEREAS**, Licensee uses a patented fiber optic architecture low impact low emission equipment without the need for tall cellular towers; and

**WHEREAS**, Licensee's networks are protocol and frequency agnostic and thus they can carry cellular, PCS, WiFi, or any combination of wireless frequencies and standards; and

**WHEREAS**, Licensee's networks can serve a variety of wireless service providers, thereby promoting collocation with aesthetic pleasing designs; and

**WHEREAS**, Licensee does not own or manage Federal Communications Commission regulated and licensed frequencies but owns, maintains, operates, and controls, in accordance with regulations promulgated by the Federal Communications Commission and the California Public Utilities Commission, a telecommunications Network or Networks as defined below serving Licensee's established wireless carrier customers and utilizing microcellular optical repeater equipment, referred to herein as Licensee's Facilities or Node(s) certified by the Federal Communications Commission; and

**WHEREAS**, for purpose of operating the Network, Licensee wishes to locate, place, attach, install, operate, control, and maintain Licensee's Facilities described in this agreement in the Public Rights-of-Way on facilities owned by the City as well as on facilities owned by third parties therein; and

**WHEREAS**, Licensee has submitted a request to enter into an Agreement with the City to encroach upon and occupy portions of the public right-of-way in certain streets easements and upon certain public improvements for the purposes of installing Licensee's facilities; and

**WHEREAS**, Licensee possesses a certificate of public convenience and necessity from the California Public Utilities Commission; and

**WHEREAS**, it is Licensee's view that under California state law, it does not need to comply with conditional use permit processes imposed on telecommunications installations by local governments; and

**WHEREAS**, Title 19 of the Imperial Beach Municipal Code typically requires telecommunications installations to complete the conditional use permit process in order to obtain approval, and believes that California state law authorizes cities to require even those with certificates of public convenience and necessity to comply with the conditional use permit process; and

**WHEREAS**, state and federal courts have split over the question over whether a city may require a public convenience and necessity certificate holder to comply with the conditional use permit process; and

**WHEREAS**, it is in the interest of both parties to this agreement to avoid the time and expense involved in litigating whether conditional use permit processes may be imposed on public convenience and necessity certificate holders; and

**WHEREAS**, in order to avoid this expense of time and money and the uncertainty of how courts would rule on this issue, the parties agree to the terms and conditions of this agreement; and

**WHEREAS**, avoiding the time and money associated with litigating the question of whether public convenience and necessity certificate holders need to obtain a conditional use permit forms the primary source of consideration for this agreement; and

**WHEREAS**, the parties agree that this agreement, as with other significant contracts with the City of Imperial Beach, cannot go into effect unless approved by the City Council and signed by the City Manager; and

**WHEREAS**, the parties understand that a primary reason why the City entered into this agreement was to afford the City some control over the aesthetics involved in Licensee's installations, and that any significant deviation from the terms and conditions agreed to herein affecting the appearance of Licensee's facilities constitutes a material breach of this agreement.

**NOW THEREFORE**, for good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree to the following covenants terms and conditions.

**Section 1. Definitions.** The following definitions shall apply generally to the provisions of this Agreement:

**City.** "City" means the City of Imperial Beach.

**Decorative Streetlight Pole.** "Decorative Streetlight Pole" shall mean any streetlight pole that incorporates artistic design elements not typically found in standard steel or aluminum streetlight poles and does not have a mast arm for electrolier support. Decorative Streetlight Poles may not be used for the Network without prior written approval by City. The term Decorative Streetlight Pole includes any historically or architecturally significant or designated light poles owned by the City located on Public Rights-of-Way.

**Fee.** "Fee" means any assessment, license charge, fee, imposition, tax, or levy of general application to entities doing business in the City lawfully imposed by any governmental body excluding utility users tax franchise fees, communications tax, or similar tax or fee.

**Gross Revenue Fee.** "Gross Revenue Fee" shall mean and include any and all income and other consideration collected, received, or in any manner gained or derived by Licensee from or in connection with the provision of Services either directly by Licensee or indirectly through a reseller, if any, to customers of such services within the City of Imperial Beach, including any imputed revenue derived from commercial trades and barter equivalent to the full retail value of services provided by Licensee. Gross Revenue shall not include: (a) sales, ad valorem, or other types of "add on" taxes levies or fees calculated by gross receipts or gross revenues which might have to be paid to or collected for federal, state or local government (exclusive of the Municipal Facilities Annual Fee paid to the City provided herein); (b) retail discounts or other promotions; (c) non-collectable amounts due Licensee or its customers; (d) refunds or rebates; and (e) non-operating revenues such as interest income or gain from the sale of an asset.

**Installation Date.** "Installation Date" shall mean the date that the first Licensee Facility is installed by Licensee pursuant to this Agreement.

**Laws.** "Laws" means any and all statutes, constitutions, ordinances, resolutions, regulations, judicial decisions, rules, tariffs, administrative orders, certificates, orders, or other requirements of the City or other governmental agency having joint or several jurisdictions over the parties to this Agreement.

**Licensee's Facilities.** "Licensee's Facilities" or "Node(s)" means the optical repeaters, DWDM and CWDM multiplexers, antennae, fiber optic cables, wires, and related equipment, whether referred to singly or collectively to be installed and operated by Licensee hereunder. Only the installation design configurations of Licensee's Facilities that are shown in the drawings and photographs, attached hereto as Exhibit A and incorporated herein by reference, may be used on City Municipal Facilities. Any Licensee Facility installation or configuration not contained within Exhibit A or as the parties shall agree is not substantially similar thereto must receive written City approval before it may be used on any City Municipal Facility or placed on or in the Public Rights-of-Way.

***Municipal Facilities.*** “Municipal Facilities” means City owned Streetlight Poles, Decorative Streetlight Poles, lighting fixtures, electroliers, or comparable facility located within the Public Way, including any light poles purchased and installed by Licensee in the Public Way, even though Licensee bears full responsibility for their maintenance and relocation per Sections 8, 9, and 12 of this Agreement until they revert to full City ownership and maintenance at the Agreement’s termination. Municipal Facilities may refer to such facilities in the singular or plural, as appropriate to the context in which used.

***Network.*** “Network” or collectively Networks means one or more of the neutral host protocol agnostic fiber based optical repeater networks operated by Licensee.

***NextG.*** “Licensee” means NextG Networks of California, Inc., a corporation duly organized and existing under the laws of the State of Delaware and its lawful successors, assigns and transferees.

***Public Way, Right-of-Way, or Public Rights-of-Way.*** “Public Way,” “Right-of-Way,” or “Public Rights-of-Way” means the space in, upon, above, along, across, and over the public streets, roads, lanes, courts, ways, alleys, boulevards, and places, including all public utility easements and public service easements as the same now or may hereafter exist, that are under the jurisdiction of the City. This term shall not include any other property owned by the City or any property owned by any person or entity, e.g., county, state, or federal rights-of-way other than the City, except as provided by applicable Laws or pursuant to an agreement between the City and any such person or entity.

***PUC.*** “PUC” means the California Public Utilities Commission.

***Services.*** “Services” means the services provided through the Network by Licensee to its wireless carrier customers pursuant to one or more tariffs filed with and regulated by the PUC.

***Streetlight Pole.*** “Streetlight Pole” shall mean any non-Decorative standard design concrete, fiberglass, or metal pole that has a mast arm for electrolier support and is used for streetlighting purposes.

**Section 2. Authorization.** Subject to the terms and conditions contained herein, City hereby authorizes Licensee to encroach upon and occupy a portion of the Public Rights-of-Way for the limited purpose of constructing, installing, operating, and maintaining Licensee’s Facilities to provide service to wireless carriers. This agreement authorizes Licensees to install equipment only on the Municipal Facilities particularly described in Exhibit A, and only in the specific manner depicted in Exhibit A. Notwithstanding the foregoing, nothing in this Agreement limits Licensee from making new applications for additional facilities, either on Municipal Facilities or on third-party facilities, subject to the review and approval of the City in each case.

Licensee may have the right to draw compatible electricity for the operation of the Licensee’s Facilities from the power source associated with the Municipal Facility so long as Licensee’s Facilities are installed to all applicable codes and standards, do not interfere in the operation of the host Municipal Facility, and do not damage the host Municipal Facility. City shall not be

responsible to provide any specified voltage or wattage of electricity that is compatible with any Licensee's Facilities. Licensee shall be solely responsible for the payment of all electrical utility charges to the applicable utility company based upon the Licensee's Facilities usage of electricity and applicable tariffs as determined by the applicable utility. Licensee's Facilities shall not draw compatible electricity from Municipal Facility until such time as Licensee has secured all required electrical approvals and the electricity charging payment agreement with the electrical utility company is in place.

In addition to authorization to attach to Municipal Facilities subject to obtaining the written permission of the owners of the affected property, the City hereby authorizes and permits Licensee to enter upon the Public Rights-of-Way and to attach, install, operate, maintain, remove, reattach, reinstall, relocate, and replace such number of Licensee's Facilities in or on poles or other third party structures owned by public utility companies or other property owners located within the Public Way as may be permitted by the public utility company or property owner, as the case may be. At City's request, Licensee shall furnish to the City documentation of such permission from the individual utility or property owner responsible. Exhibit A represents a good faith description of Licensee's Facilities and a denial of an application for the attachment of Licensee's Facilities or equipment to third party owned poles or structures in the Public Way shall not be based upon the size, quantity, shape, color, weight, configuration, or other physical properties of Licensee's Facilities or equipment if the Licensee's Facilities equipment proposed for such application conforms to the design configurations and Node specifications set forth in Exhibit A. In the event that the Parties disagree as to whether the proposed Licensee's Facilities, equipment, or Node conforms to one of the design configurations and Node specifications set forth in Exhibit A, the parties shall meet in good faith in an effort to resolve this dispute with the City.

**Section 3. Term.** The commencement date ("Commencement Date") shall be the first day of the month following the Effective Date. This agreement shall be effective for a period of five years, renewable for an additional term of five years subject to written approval of NextG and the City Manager, which shall not be unreasonably withheld, conditioned or delayed so long as NextG is current and in compliance with the terms of this Agreement. The agreement may thereafter be subject to renewal with the written agreement of the Parties, including approval by the City Council.

**Section 4. Permitting and Location of Nodes.** In the initial deployment, City agrees to permit Licensee to place the Nodes described in Exhibit A, attached hereto. Any additional permits that are required for new Nodes beyond the Nodes contemplated herein and described in Exhibit B shall be processed by the City (or other administrative agency designated by the City), which shall constitute an addendum to this Agreement if, and only if, approved by the City Council. The Parties agree that Exhibit A represents a good faith representation of the equipment that Licensee plans to attach to Municipal Facilities that such design configurations and Node specifications may be attached to Municipal Facilities and to third party facilities. Licensee shall present any deviation to the design configurations and Node specifications described in Exhibit A to the City, which shall review and either approve or deny within thirty (30) days, with failure to approve within this time period constituting a denial, unless the Parties specifically agree otherwise in writing. Any change to the design configurations and Node

specifications in Exhibit A may be approved by the City so long as the equipment is similar in size, weight, shape, color, configuration, and other physical properties. In the event that the Parties disagree as to whether the proposed Licensee's Facilities, equipment, or Node substantially conforms to one of the design configurations and Node specifications set forth in Exhibit A, the parties shall meet in good faith in an effort to resolve this dispute with the City.

Node antenna and supporting Node equipment shall be placed by Licensee at its lowest point on the Streetlight pole or comparable facility located in the Public Way, but must be placed at a minimum height of eight feet 8 above the ground. Licensee shall ensure that all of its Facilities are placed in a manner so as to interfere as little as possible with the use of the Public Right of Way and other City property, and Licensee shall take all necessary steps to ensure that its Facilities do not present a dangerous condition or are located where members of the public may foreseeably injure themselves.

**Section 5** **Waiver of Rights.** By entering into this Agreement, the Licensee waives any current or future rights reserved under California Government Code Section 50030, the California Public Utility Code or the Telecommunications Act of 1996 (the "Act") including, but not limited to, those rights set forth in Section 253(c) to the extent inconsistent with this Agreement. In the event a court finds the Licensee may not waive such rights, then the parties agree to modify this Agreement to conform to the future changes in a manner that will keep the City whole regarding the consideration flowing to the City under this Agreement. This waiver applies only to the sites described in this Agreement and exhibits.

Nothing contained in this Agreement shall be deemed or construed to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between City and Licensee it being expressly understood and agreed that neither the computation of fees nor any other provisions contained in this Agreement, nor any act or acts of the parties hereto shall be deemed to create any relationship between City and Licensee other than the relationship of City and Licensee

Licensee hereby acknowledges, agrees, and covenants that this Agreement only allows for the occupation of the Right-of-Way and Municipal Facilities by Licensee's Facilities identified in Exhibit A and does not authorize or bestow any interest in real property, including any fee leasehold interest or easement.

a. **Limitations on License.** Nothing in this Agreement is intended to create an interest or estate of any kind or extent in the property or premises. Licensee further acknowledges and agrees that this Agreement does not create a landlord tenant relationship and Licensee is not entitled to avail itself of any rights afforded to tenants under the laws of the State of California.

b. **Preference for Municipal Facilities.** In any situation where Licensee has a choice of attaching its Equipment to either Municipal Facilities or third party owned property in the Public Way, Licensee agrees to provide the City with a first right of refusal to attach to the City Municipal Facilities provided that (i) such City Municipal Facilities are at least equally suitable functionally for the operation of the Network, and (ii) the fee and installation costs associated

with such attachment over the length of the term are equal to or less than the fee or cost to Licensee of attaching to the alternative third party owned property. The City agrees to let Licensee know within thirty 30 days whether or not City wishes to exercise its first right of refusal under this Paragraph. The thirty 30 day period will begin once City receives written notice offering first refusal from Licensee.

c. No Warranty. City makes no warranty or representation that the premises are suitable for Licensee's use. Licensee has inspected the premises and accepts the same AS IS. City is under no obligation to perform any work or provide any materials to prepare the Premises for Licensee.

## **Section 6. Compensation.**

a. Administration Fee. In addition to normal published encroachment related permitting fees and as additional consideration for the processing of Licensee's permit applications, Licensee shall pay an additional one-time fee ("Processing Fee") for each deployment at each facility of Three Hundred Dollars (\$300) per Node within ten days of the Effective Date of this Agreement and/or prior to the Effective Date of any amendment

b. Compensation for Use of City Infrastructure. Licensee will compensate City for the use of City infrastructure a fee of Five Hundred Dollars (\$500.00) per year (the "Infrastructure Use Fee") for each streetlight pole or comparable facility located within the City's Right-of-Way used by Licensee.

c. Gross Revenue Payments. In addition to the Infrastructure Use Fee, Licensee waives any claim that it is not obligated to pay for the use of the Right-of-Way and shall compensate City for such use by providing the City a five percent (5%) annual gross revenue payment or Five Hundred Dollars (\$500.00) per Node per year, whichever is greater, Right of Way Use Fee. In the event a court determines that Licensee is not obligated to pay for use of the Public Right-of-Way, the Parties agree that the Infrastructure Use Fee shall be automatically amended to be equal to Five Hundred Dollars (\$500.00) per year for each streetlight pole or comparable facility plus five percent (5%) of the annual revenue sharing fee or Five Hundred Dollars (\$500. 00) per Node per year, whichever is greater.

d. Payment Terms and Audit. The Right-of-Way Use Fee specified in subsection (c) above shall be computed and paid quarterly in arrears ("Quarterly Payment"). Each Quarterly Payment shall be calculated for the calendar quarter ending March 31, June 30, September 30, and December 31, and such Quarterly Payments shall be due and payable no later than thirty (30) days after said dates. For the period from issuance of necessary permits until all of Licensee's facilities are removed by Licensee from Municipal Facilities, any additional funds that are due based upon the "whichever is greater" provision in subsection (c) above, shall be paid with the March 31 Quarterly Payment.

Any annual fees shall be pro-rated for the calendar year. Licensee shall submit with each Quarterly Payment a detailed report identifying the number of nodes installed in the city. This report shall include the date the node was installed, if it is a city or third party pole, and the

revenue generated from each node during the payment period. Licensee shall keep accurate books of account at its principal office in San Jose or such other location of its choosing for the purpose of determining the amounts due to the City hereunder. The City may inspect Licensee's books of account at a mutually convenient location of all relevant books and records relative to the City at any time during regular business hours on thirty (30) days prior written notice and may audit the books from time to time, but in each case only to the extent necessary to confirm the accuracy of payments due under this Agreement. In the event that the City discovers that Licensee's payments are in error in an amount greater than two percent (2%) all costs, including travel related to the audit shall be borne and reimbursed by Licensee. No acceptance of any payment to the City shall be construed as a release or as an accord and satisfaction of any claim the City may have for further or additional sums payable or for the performance on any other obligation under this Agreement. The City agrees to hold in confidence any non-public information it learns from Licensee to the fullest extent permitted by Law

e. Minimum Annual Fee Adjustment Date. The Infrastructure Use Fee will be adjusted annually on the anniversary of the Commencement Date by the percentage increase in the most recently published Consumer Price Index - All Urban Consumers for the San Diego Metropolitan Statistical Area -- over the rate in effect on the Commencement Date of the prior year. This increase shall not be less than the three percent (3%).

f. Delinquent Payment. Payments not received within five days of the due dates as specified above shall accrue compound interest at a rate of 7% per annum from the due date. In addition, a late fee in the amount of ten percent (10%) of the amount due shall be imposed in the event a payment is not received within 30 days of the due date. Notwithstanding the provisions of this subparagraph, failure to make payments when they are due is considered a default of the terms of the Agreement subject to the terms stated in Section 33 - Termination. Licensee assumes all risk of loss and responsibility for delinquent payments.

g. Services to City. Licensee agrees that at all times during the term of this Use Agreement it shall reserve one (1) strand of fiber owned or operated by Licensee in the City for the City's exclusive use in operating a non-commercial, City-owned WiFi network or for any other non-commercial City operated data network or communications function. Licensee shall also purchase one (1) light pole for each Node, meeting specifications to be reasonably agreed upon by Licensee and the City. Licensee shall maintain these poles during the course of this Agreement, but these poles shall belong to the City.

h. Payment Location. Licensee agrees to make checks payable to the City of Imperial Beach and delivered to City of Imperial Beach Accounts Receivable Department, 825 Imperial Beach Boulevard, Imperial Beach, CA 91932. The City reserves the right to change the place and time of payment at any time upon 60 days written notice pursuant to Section 32.

**Section 7. Assignment or Transfer of Authorization.** This Agreement shall not be assigned by Licensee without the express written consent of the City which consent shall not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, the transfer of the rights and obligations of Licensee to a parent subsidiary or other affiliate of Licensee or to any successor in interest or entity acquiring fifty one percent (51%) or more of Licensee's stock

or assets, collectively. Exempted Transfers shall not be deemed an assignment for the purposes of this Agreement and therefore shall not require the consent of the City, provided that Licensee reasonably demonstrates to the City Council the following criteria (collectively, the "Exempted Transfer Criteria"): (i) such transferee will have a financial strength after the proposed transfer at least equal to that of Licensee immediately prior to the transfer; (ii) any such transferee assumes all of Licensee's obligations hereunder; (iii) the corporate parent of the transferee guarantees the performance obligations of the transferee; and (iv) the experience and technical qualifications of the proposed transferee, either alone or together with Licensee's management team in the provision of telecommunications or similar services evidences an ability to operate the Licensee Network. Licensee shall give at least sixty (60) days prior written notice (the "Exempted Transfer Notice") to the City of any such proposed Exempted Transfer and shall set forth with specificity in such Exempted Transfer Notice the reasons why Licensee believes the Exempted Transfer Criteria have been satisfied. The City shall have a period of sixty (60) days (the "Exempted Transfer Evaluation Period") from the date that Licensee gives the City its Exempted Transfer Notice to object in writing to the adequacy of the evidence contained therein. Notwithstanding the foregoing, the Exempted Transfer Evaluation Period shall not be deemed to have commenced until the City has received from Licensee any and all additional information the City may reasonably require in connection with its evaluation of the Exempted Transfer Criteria as set forth in the Exempted Transfer Notice, so long as the City gives Licensee notice in writing of the additional information the City requires within thirty (30) days after the City's receipt of the original Exempted Transfer Notice. If the City fails to act upon Licensee's Exempted Transfer Notice within the Exempted Transfer Evaluation Period as the same may be extended in accordance with the foregoing provisions, such failure shall be deemed an affirmation by the City that Licensee has in fact established compliance with the Exempted Transfer Criteria to the City's satisfaction

**Section 8. Responsibility of Licensee Maintenance.** The Licensee, on the Licensee's own behalf and on behalf of any successor or assign, hereby acknowledges and assumes all responsibility, financial or otherwise, for the permitted use of the Public Rights of Way property and City Municipal Facilities and the planning, design, installation, construction, maintenance, and repair operation and removal of the Licensee's Facilities, which shall be undertaken without risk or liability on the part of the City. All of Licensee's construction, installation, removal, repair, and maintenance work shall be performed at Licensee's sole cost and expense in accordance with applicable law, using generally accepted construction standards. Licensee shall ensure that Licensee's Facilities are maintained in a clean and safe condition, in good repair and free of any defects. Licensee shall employ reasonable care at all times in installing and maintaining Licensee's Facilities and will install and maintain in use commonly accepted methods and/or devices to reduce the likelihood of damage, injury or nuisance to the public. The construction operation and maintenance of Licensee's Facilities shall be performed by experienced and properly trained and, if required, licensed maintenance and construction personnel.

**Section 9 Relocation/Removal.** Licensee shall at its sole expense protect, support, temporarily disconnect, relocate, modify, or remove all or any portion of Licensee's Facilities at the time and in the manner required by the City for any governmental purpose. Except in an emergency, the City shall give written notice pursuant to Section 32 describing where the work is

to be performed at least thirty (30) days before the date the work is to be performed. Should the public health, safety, or welfare require that the City undertake immediate maintenance, repair, or other action, Licensee shall take the measures required under this Section 9 within 72 hours of receiving notice from the City.

If Licensee does not protect, temporarily disconnect, relocate, or remove Licensee's Facilities within the time period specified above, City may remove the equipment facilities and property and charge Licensee for the cost of removal and storage. Alternatively, upon Licensee's request, City may approve the abandonment of Licensee's Facilities in place. Upon approval, Licensee shall execute, acknowledge, and deliver any necessary documents to transfer ownership of the Licensee's Facilities to City.

In the event Licensee abandons Licensee's facilities in place and fails to deliver any necessary documents to transfer ownership of Licensee's Facilities to City, City may remove Licensee's Facilities and store them up to 90 days. If Licensee fails to recover Licensee's Facilities and pay for cost of removal and storage within 90 days after receipt of notice from City, City may deem the Licensee's Facilities as abandoned and title to the Licensee's Facilities shall pass to the City. City shall thereafter be entitled to treat Licensee's Facilities as abandoned property under California law and dispose of Licensee's Facilities accordingly.

In a true emergency where there is an imminent danger to the public health safety or property, the City may take the measures required by Licensee under this Section 9 without prior notice to Licensee; however, the City will make reasonable efforts to provide prior notice

**Section 10 Change in Equipment.** If Licensee proposes to install Equipment which is different in any material way from the specifications or design configurations attached hereto as Exhibit A, then Licensee shall first obtain the approval for the use and installation of the equipment from the City. In addition to any other submittal requirements, at City's request, Licensee shall provide load calculations for all Streetlight Poles it intends to install in the Public Rights-of-Way, notwithstanding original installation or by way of equipment type changes. The City Council may approve or disapprove of the use of the different equipment from the specifications set forth in Exhibit A and such approval shall not be unreasonably withheld.

**Section 11 Repair of Facility.** Licensee shall repair or refinish at Licensee's sole cost and expense any surface or other portion of the Public Rights-of-Way property or City Municipal Facilities that is disturbed or damaged during the construction, installation, maintenance or operation of Licensee Facilities. Without limiting any other available remedies if Licensee fails to repair or refinish such damage, City may in its sole discretion but without any obligation to repair or refinish the disturbance or damage and Licensee shall reimburse City all costs and expenses incurred in the repair or refinishing.

**Section 12 Relocation of Facilities.** Licensee understands, acknowledges, and agrees that City may require Licensee to relocate one or more of its Node installations. Licensee shall, at City's direction, relocate such Node equipment at Licensee's sole cost and expense whenever City reasonably determines that the relocation is needed for any of the following purposes: (a) if required for the construction, completion, repair relocation or maintenance of a City project; (b)

because the Node equipment is interfering with or adversely affecting proper operation of City owned street light poles, traffic signals, communications or other Municipal Facilities; or (c) to protect or preserve the public health or safety. In any such case, City shall use its best efforts to afford Licensee a reasonably equivalent alternate location. If Licensee shall fail to relocate any Node equipment as requested by the City within 60 days from receipt of notice from the City under the circumstances in accordance with the foregoing provision, City shall be entitled to relocate the Node equipment at Licensee's sole cost and expense without further notice to Licensee. To the extent the City has actual knowledge thereof, the City will attempt promptly to inform Licensee of the displacement or removal of any streetlight pole or other Municipal Facility on which any Node equipment is located.

**Section 13 Licensee to Bear All Costs.** The Licensee or any successor or authorized assign shall bear all costs incurred in connection with the planning, design installation, construction, maintenance, repair, operation, modification, disconnection, relocation and removal of the Licensee Facilities. The Licensee shall be responsible and must bear all cost of any movement to, damage to, or repair of Licensee's Facilities due to repair maintenance and/or failure/collapse of any existing gas, water, and sewer lines or any other improvements or works approximate to Licensee's Facilities. Licensee agrees to bear this cost regardless of whether or not such damage may be directly or indirectly attributable to the installation, operation, maintenance, repair or upgrade work on the Licensee's Facilities, unless the damage results from the active negligence or willful misconduct of the City, its officers agents or employees. These costs include electrical utility charges to the applicable utility company based upon the Licensee Facilities usage of electricity and applicable tariffs.

**Section 14 Undergrounding.** In the event of an undergrounding project, Licensee and City agree to cooperate with each other in order to relocate or replace Licensee's facilities in such a way so that Licensee may continue to operate its network for the Term of this Agreement.

**Section 15 Future Rules or Orders.** The Licensee, or any successor or authorized assign, shall abide by any agreements, rules, regulations, orders, or directives governing the use of the Public Rights-of-Way property or City Municipal Facilities as the City may find necessary and appropriate in executing its responsibilities for public right-of-way management and wireless site regulation.

**Section 16 Licensee to Submit Acceptable Plans.** Prior to the Commencement Date and prior to construction and installation of Licensee's Facilities, Licensee shall, at its sole cost and expense, prepare and submit together with payment of all related fees, any and all reasonable plans and specifications required by the City, which shall include detailed maps showing the planned construction, the size, the location and number, and any other details regarding the placement of appurtenant above-ground equipment to be located in the Public Rights-of-Way and on City Municipal Facilities or existing third party infrastructure. The City shall be authorized to review the plans and specifications and to impose such requirements as are necessary to protect the public health and safety and to minimize any negative impact on aesthetics in the case of the above ground improvements. The City shall be authorized to require an alternate location for the Licensee's Facilities on Streetlight Poles or comparable facilities to avoid conflict with public safety as well as other permitted uses in or future public needs of the

Public Rights-of-Way identified in this Agreement. Licensee shall, at its sole cost and expense, submit traffic control plans for approval by the City.

The City reserves the right to inspect the installation and maintenance of Licensee's Facilities at any time. Licensee shall pay all plan check, inspection and other related fees prior to the issuance of any permit for the installation and construction of Licensee's Facilities. All work within the Public Rights-of-Way and Municipal Facilities or existing third party infrastructure shall be performed in strict compliance with plans and permits approved by the City.

**Section 17 Licensee to Secure Approval and Permits.** In addition to obtaining and maintaining the permits, Licensee understands and agrees that Licensee's ability to use the Public Rights-of-Way and Municipal Facilities and any third party infrastructure for the purposes contemplated by this Agreement is dependent upon Licensee obtaining and maintaining all of the certificates, permits and other approvals which may be required from other federal, state, or local authorities, and any easements which are required from any third parties. City shall cooperate with Licensee in its efforts to obtain such approvals and/or easements as may be required for Licensee's Facilities as approved in the permits. If (i) any application and/or negotiations by Licensee for any required certificate, permit, license, easement, approval, policy of title insurance, or agreement is finally denied, rejected, and/or terminated, (ii) any such certificate permit, license, easement, approval, or agreement is canceled, or expires, or lapses or is otherwise withdrawn or terminated, (iii) any Hazardous Materials are discovered or otherwise become located on the Public Rights-of-Way and Municipal Facilities, other than as direct result of Licensee's activities, or (iv) due to technological changes, Licensee determines that it is no longer practical to use the Public Rights-of-Way and Municipal Facilities for Licensee's intended purposes, then Licensee shall have the right to terminate this Agreement, which termination shall be effective no sooner than thirty (30) days from delivery of written notice from Licensee to City, provided Licensee has removed Licensee's Facilities from the Public Rights-of-Way and Municipal Facilities by that time.

**Section 18. As-Built Drawings to be Provided.** The Licensee shall provide as-built drawings in any format acceptable to the City detailing the location of Licensee's Facilities installed pursuant to this Agreement within 60 days after facilities are installed.

**Section 19. Liability Insurance.** Licensee shall obtain and maintain for the duration of this Agreement and any amendments hereto, adequate insurance against claims for injuries to persons or damage to property which in any way relate to, arise out of, or are connected to the use of the Public Rights-of-Way and Municipal Facilities by Licensee or to the construction, operation, or repair of Licensee's Facilities by Licensee or Licensee's agents, representatives, employees, or contractors. The insurance will be obtained from an insurance carrier admitted and authorized to do business in the State of California. The insurance carrier is required to have a current Best Key Rating of not less than "A-V."

a. Licensee shall maintain the types of coverages and minimum limits indicated below unless the City Attorney or City Manager approves a lower amount. These minimum amounts of coverage will not constitute any limitations or cap on Licensee's indemnification obligations under this Agreement. The City, its officers, agents and employees make no

representation that the limits of the insurance specified to be carried by Licensee pursuant to this Agreement are adequate to protect Licensee. If Licensee believes that any required insurance coverage is inadequate, Licensee will obtain such additional insurance coverage as Licensee deems adequate at Licensee's sole expense.

1. Commercial General Liability. Insurance \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If the submitted policies contain aggregate limits, the general aggregate will be twice the required per occurrence limit.

2. Automobile Liability. \$1,000,000 combined single limit per accident for bodily injury and property damage.

3. Workers Compensation and Employer's Liability. Worker s Compensation limits as required by the California Labor Code and Employer s Liability limits of \$1,000,000 per accident for bodily injury.

b. Licensee will ensure that the policies of insurance required under this Agreement contain or are endorsed to contain the following provisions:

1. The City of Imperial Beach will be named as an additional insured on General Liability.

2. Licensee will obtain occurrence coverage on all policies.

3. This insurance will be in force during the life of the Agreement and any extensions of it and will not be canceled without thirty 30 day's prior written notice to City sent by certified mail pursuant to the Notice endorsements to City.

c. Prior to City's execution of this Agreement and annually thereafter, Licensee will furnish certificates of insurance and endorsements to City.

d. Failure to maintain any of these insurance coverages shall be deemed a material default for purposes of Section 33.

e. City reserves the right to require at anytime complete and certified copies of any or all required insurance policies and endorsements.

f. All insurance companies affording coverage to the Licensee shall be required to add the City of Imperial Beach as additional insured under the insurance policy(s) required in accordance with this Agreement. Insurance coverage provided to the City as an additional insured shall be primary insurance and other insurance maintained by the City its officers, agents and employees shall be excess only and not contributing with the insurance provided pursuant to this Agreement.

g. All insurance companies affording coverage to the Licensee shall be insurance organizations authorized by the Insurance Commissioner of the State Department of Insurance to

transact business of insurance in the State of California and must carry a rating by Best of not less than "A-."

h. City may require the revision of amounts and coverage at any time during the term of this Agreement by giving Licensee 60 day's prior written notice. City's requirements shall be designed to assure protection from and against the kind and extent of risk existing on the Public Rights-of-Way and Municipal Facilities. Licensee also agrees to obtain any additional insurance required by City for new improvements in order to meet the requirements of this Agreement.

**Section 20. Performance Bond.** Prior to construction of Licensee's Facilities, Licensee shall post two bonds with the City (in the form of a Letter of Credit issued by a reputable institution), the first being a construction bond in the amount of \$100,000, and the other in the amount of Fifteen Thousand Dollars (\$15,000) ("Performance Bond") both substantially in a form acceptable to the City Attorney. This Performance Bond shall remain in place for the term of the Agreement.

**Section 21. Accident Reports.** Licensee shall, within 48 hours after occurrence, report to City any accident causing property damage or any serious injury to persons resulting from any of Licensee's activities under this Agreement. This report shall contain the names and addresses of the parties involved, a statement of the circumstances, the date and hour, the names and addresses of any witnesses, and other pertinent information.

**Section 22. Indemnification of City.**

a. Licensee shall waive all claims against City for any damages to the personal property and equipment of Licensee or City in, upon or about the Public Rights-of-Way and Municipal Facilities and for injuries to any employees of Licensee or their agents in, upon, or about the Public Rights-of-Way and Municipal Facilities from any cause arising at any time unless the damages and/or injuries arise out of the City's gross negligence or willful misconduct

In addition, Licensee will fully indemnify, hold harmless and faithfully defend the City including its elected and appointed officials, officers, employees, contractors, and agents ("Indemnified Parties") from any damage or injury to any person or any property arising from the use of the Public Rights-of-Way and Municipal Facilities by Licensee or Licensee's officers, employees, contractors, or agents, or from the failure of Licensee to keep Licensee's Facilities and equipment in good condition and repair as provided for in this Agreement.

b. Licensee's indemnification shall indemnify and hold harmless City and its employees from and against all claims, damages, losses, expenses, including attorneys' fees arising out of or resulting from the performance by Licensee of the Agreement whether resolution proceeds to judgment or not. Should a conflict arise, Licensee shall bear the cost of retaining independent counsel to represent the City, which counsel shall be chosen by the City and Licensee.

c. Licensee acknowledges and agrees that Licensee bears all risks of loss or damage of its Nodes and materials installed in the Public Rights-of-Way and on Municipal Facilities pursuant to this Agreement from any cause and the City shall not be liable for any cost of repair to damaged Node(s), including, without limitation, damage caused by the City's removal of the Node(s) except to the extent that such loss or damage was solely caused by the willful misconduct or negligence of the City including, without limitation, each of its elected officials, department directors, managers, officers, agents, employees, and contractors.

**Section 23. Revocation of Authorization.** If the Licensee fails to comply with any of the material terms and conditions of this Agreement or any applicable law, the City may revoke the authorization granted herein, subject to the terms and conditions stated in Section 33, Termination.

**Section 24. Terms and Conditions Specific to this Agreement.** The terms and conditions of this Agreement shall apply solely to the Licensee's Facilities and the Public Rights-of-Way and Municipal Facilities described in Exhibit A, and shall not apply to, nor establish any precedent for, the conditions the City may impose upon Licensee in the event Licensee seeks to provide other telecommunications services or cable services to the public for hire within the City.

**Section 25. Reservation of Rights.** The rights granted by this Agreement are granted based upon representations by Licensee that its federal and state grants or certificates authorize construction and operation of activities in relation to this Agreement.

**Section 26. Governing Law.** This Agreement shall be governed and construed by and in accordance with the laws of the United States and the State of California without reference to general conflicts of law principles. If suit is brought by a party to this Agreement, the parties agree that trial of such action shall be vested exclusively in the State courts of San Diego County, California or in the United States District Court, Southern District of California. Nothing in this section shall be interpreted to preclude either party's right to seek redress from the Federal Communications Commission.

**Section 27. Amendment of Agreement.** Unless explicitly authorized within this Agreement, the terms of this Agreement shall not be modified or amended except by a writing signed by authorized representatives of the parties.

**Section 28. Entire Agreement.** This Agreement contains the entire understanding between the parties with respect to the subject matter herein. There are no representations, agreements, or understandings, whether oral or written, between or among the parties relating to the subject matter of this Agreement, which are not fully expressed herein. Each party has relied on advice from its own attorneys and the warranties representations and covenants of this Agreement itself.

The terms and conditions of this Agreement shall bind and inure to the benefit of City and Licensee and, except as otherwise provided in this Agreement, their respective heirs, distributees, executors, administrators, successors, and assigns.

**Section 29. Severability.** If any part of any provision of this Agreement or any other agreement, document, or writing given pursuant to or in connection with this Agreement is finally determined to be invalid or unenforceable under applicable law, that part or provision shall be ineffective to the extent of such invalidity only and the remaining terms and condition shall be interpreted so as to give the greatest effect to them.

**Section 30. Taxes.** Licensee shall pay, before delinquency, all taxes, assessments and fees assessed or levied upon Licensee or the Licensee's Facilities, including any buildings structures, machines, equipment, appliances, or other improvements or property of any nature whatsoever erected, installed, or maintained by Licensee or levied by reason of the business or other Licensee activities related to this Agreement including any licenses or permits. Licensee specifically acknowledges that the grant of this license may subject Licensee to certain taxes under California Revenue and Taxation Code Section 107(6) and agrees it is solely responsible for the payment of these taxes.

Licensee shall be responsible for all utilities and any property taxes imposed as a result of the use of the Property by Licensee. Licensee specifically acknowledges that the grant of this license may subject Licensee to certain taxes under California Revenue and Taxation Code section 107(6) and agrees it is solely responsible for the payment of these taxes.

**Section 31. Non-exclusivity.** Neither this Agreement nor the permit granted hereunder is exclusive. The City reserves the right to enter into co-location agreements with other parties including, but not limited to, telecommunications and information services providers (hereinafter "Carriers") for use of the Public Rights-of-Way or Municipal Facilities

**Section 32. Notices.** All notices under this Permit Agreement shall be in writing and, unless otherwise provided in this Agreement, shall be deemed validly given if sent by certified mail, return receipt requested, or via recognized overnight courier service, addressed as follows (or to any other mailing address which the party to be notified may designate to the other party by such notice). All notices properly given as provided for in this section shall be deemed to be given on the date when sent.

Should City or Licensee have a change of address the other party shall immediately be notified as provided in this section of such change.

**LICENSEE:**

NextG Networks of California, Inc.  
2216 O'Toole Avenue  
San Jose, CA 95131  
Attn: Contracts Administration

**CITY:**

City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932  
Attn: City Manager

Either party may change its address by notice to the other party as provided herein. Communications shall be deemed to have been given and received on the first to occur if (i) actual receipt at the offices of the party to whom the communication is to be sent as designated above, or (ii) three working days following the deposit in the United States Mail of registered or

certified mail, postage prepaid, return receipt requested, addressed to the offices of the party to whom the communication is to be sent, as designated above.

**Section 33. Termination.** This Agreement may be terminated by either party upon forty five (45) days prior written notice to the other party upon a default of any material covenant or term hereof by the other party, which default is not cured within forty five (45) days of receipt of written notice of default or if such default is not curable within forty five (45) days, if the defaulting party fails to commence such cure within forty five (45) days (or fails thereafter diligently to prosecute such cure to completion) provided that the grace period for any monetary default shall be ten (10) days from receipt of notice. Should Licensee use the Licensee's Facilities for a purpose that requires additional City approvals that have not been obtained, City may terminate this Agreement in the manner authorized by this Section. Except as expressly provided for herein, the rights granted under this Agreement are irrevocable during the term.

**Section 34. Other Regulations.** All Licensee's use of the Public Rights-of-Way and Municipal Facilities under this Agreement shall be in accordance with the laws of the United States of America, the State of California, and in accordance with all applicable rules and regulations, and ordinances of the City of Imperial Beach now in force, or hereinafter prescribed or promulgated by resolution or ordinance, or by State or Federal law.

**Section 35. Related Actions.** By the granting of this Agreement, neither City nor the Council of the City is obligating itself to any other governmental agent, board, commission, or agency with regard to any other discretionary action relating to the use of the Public Rights-of-Way and Municipal Facilities. Discretionary action includes, but is not limited to, permits, environmental clearances, or any other governmental agency approvals which may be required for the development and operation of the Licensee's Facilities within the Public Rights-of-Way and Municipal Facilities

**Section 36. Use of the Public Rights-of-Way.** Licensee acknowledges that the paramount use of Public Rights-of-Way Property or Municipal Facilities is for the public. Licensee agrees to coordinate use of the Public Rights-of-Way Property or Municipal Facilities with City so as not to conflict with City's programs and activities.

**Section 37. Powers to Enter into Agreement.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Licensee and the City.

**IN WITNESS WHEREOF,** the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Agreement to be executed by setting hereunto their signatures on the day and year respectively written herein below.

**CITY OF IMPERIAL BEACH**

**NEXTG NETWORKS OF CALIFORNIA,**  
a California Corporation

By: \_\_\_\_\_

By: \_\_\_\_\_

ATTEST:  
Jacqueline Hald, City Clerk

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

APPROVED AS TO FORM:

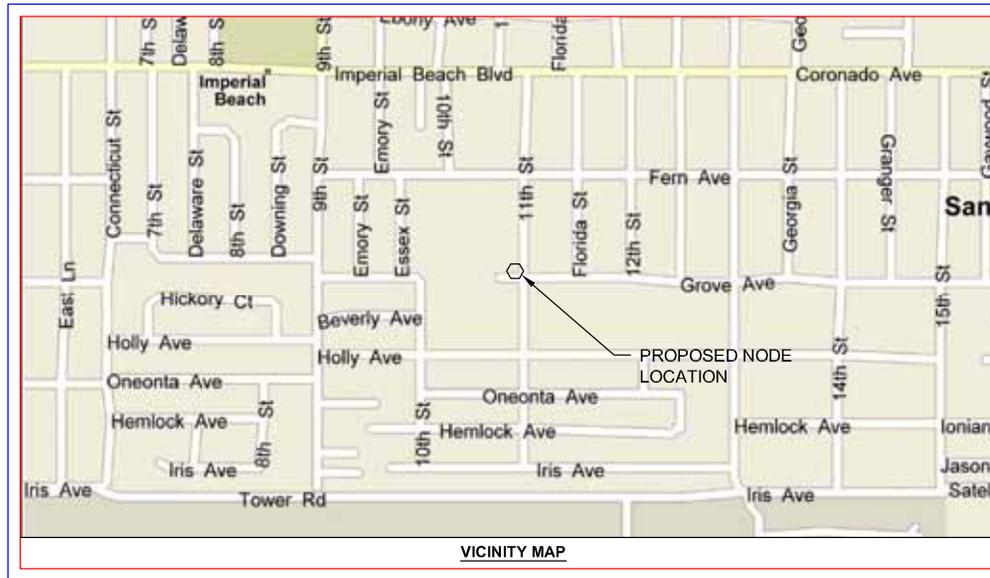
By: \_\_\_\_\_  
James P. Lough, City Attorney



# CBM1008CA-SND-CV11m

ROW ADJACENT TO  
1098 GROVE ST  
CITY OF IMPERIAL BEACH, CA

EXHIBIT A



**GENERAL NOTES**

- INDEMNIFICATION CLAUSE: THE CONTRACTOR AGREES AND SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY OF THE JOBSITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTIES. THAT THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONDITIONS. THE CONTRACTOR FURTHER AGREES TO DEFEND INDEMNITY AND HOLD CRICKET, REPRESENTATIVES, AND ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT.
- PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL FULLY COMPLY WITH "CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH" ACT OF 1973 INCLUDING ALL REVISIONS AND AMENDMENTS THERETO.
- ALL WORK SHALL CONFORM TO THE LATEST EDITION OF GO 96, 128, AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, AS ADOPTED BY THE CITY, COUNTY, OR STATE AS MODIFIED BY STANDARDS PLANS AND ADDENDUMS.
- THE EXISTENCE AND LOCATION OF UTILITIES AND OTHER AGENCIES FACILITIES AS SHOWN HEREON ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. OTHER FACILITIES MAY EXIST. THE CONTRACTOR SHALL VERIFY PRIOR TO THE START OF CONSTRUCTION AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY OR AGENCY FACILITIES WITHIN THE LIMITS OF WORK, WHETHER THEY ARE SHOWN ON THIS PLAN OR NOT.
- THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (800) 227-2600, AT LEAST TWO WORKING DAYS PRIOR TO THE START OF ANY EXCAVATION.
- THE CONTRACTOR SHALL NOTIFY THE CITY, COUNTY, OR STATE ENGINEER INSPECTION DEPARTMENT, AT LEAST TWO DAYS BEFORE START OF ANY WORK REQUIRING THEIR INVOLVEMENT.
- ALL WORK AREA AND STREET TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WORK AREA TRAFFIC CONTROL BOOK AND SPECIFICATIONS FROM THE CITY, COUNTY OR STATE.
- THE CITY, COUNTY OR STATE SHALL SPECIFY THE EXPIRATION PERIOD OF THE PERMIT FOR THE FINISHED GRADE AT ALL TIMES.
- THE MINIMUM COVER FOR ALL CONDUITS PLACED UNDERGROUND SHALL BE 24 INCHES TO THE FINISHED GRADE AT ALL TIMES.
- THE CONTRACTOR SHALL TUNNEL ALL CURBS AND GUTTERS AND BORE ALL CONCRETE DRIVEWAYS AND WALKWAYS AT THE DIRECTION OF THE CITY, COUNTY, OR STATE INSPECTOR.
- ALL AC AND/OR CONCRETE PAVEMENT SHALL BE REPLACED AT THE DIRECTION OF THE CITY, COUNTY, OR STATE ENGINEER.
- ALL SHRUBS, PLANTS OR TREES THAT HAVE BEEN DAMAGED OR DISTURBED DURING THE COURSE OF THE WORK, SHALL BE REPLANTED AND/OR REPLACED SO AS TO RESTORE THE WORK SITE TO ITS ORIGINAL CONDITION.
- IF DAMAGE OCCURS TO THE CITY OR COUNTY FACILITIES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY TRAFFIC CONTROL LIGHTING, AND STREET LIGHTING.
- AT LEAST TWO DAYS PRIOR TO THE COMMENCEMENT OF ANY WORK, NOTIFY THE POLICE TRAFFIC BUREAU AND THE FIRE DEPARTMENT.
- THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROCESSING OF ALL APPLICATIONS PERMIT FORMS ALONG WITH THE REQUIRED LIABILITY INSURANCE FORMS, CLEARLY DEMONSTRATING THAT CRICKET, THE CITY, COUNTY OR STATE IS ALSO INSURED WITH THE REQUIRED LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000 FOR THIS CONSTRUCTION PROJECT.
- VAULTS, PEDESTALS, CONDUITS AND OTHER TYPES OF SUBSTRUCTURE ARE EITHER SPECIFIED ON THIS PLAN OR WILL BE SPECIFIED BY THE CONSTRUCTION ENGINEER. ANY AND ALL DEVIATIONS FROM THE SPECIFIED TYPES OF MATERIAL MUST BE APPROVED BY THE SYSTEM ENGINEER IN WRITING BEFORE INSTALLATION THEROF.
- ALL U.G. CONDUIT MUST BE SCHEDULE 40 OR BETTER.
- CONDUIT REQUIREMENTS:  
UG-SCHEDULE 40 EXCEPT ALL RADIUS CONDUITS TO BE SCH. 80 RISERS-SCHEDULE 80  
ALL CONDUIT MANDELED & EQUIPPED WITH 3/8" PULL ROPE & MEASURING TAPE  
GROUND REQUIREMENTS:  
5/8" ROD-10' LENGTH  
#2 GROUND WIRE  
WOOD HOLDING, STAPLED EVERY 3" AND AT EACH END GROUNDS 2' FROM POLE
- POWER REQUIREMENT FOR 3 WIRE SERVICE 120/240V
- CONTRACTOR SHALL NOTIFY POWER COMPANY THREE DAYS PRIOR TO TRENCH EXCAVATION FOR CONDUIT INSPECTION.

| REV | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
|     |      |             |    |
|     |      |             |    |
|     |      |             |    |

**SHEET INDEX:**

|              |              |
|--------------|--------------|
| TITLE SHEET  | SHEET 1 OF 6 |
| SITE PLAN    | SHEET 2 OF 6 |
| POLE PROFILE | SHEET 3 OF 6 |
| DETAIL SHEET | SHEET 4 OF 6 |
| DETAIL SHEET | SHEET 5 OF 6 |
| DETAIL SHEET | SHEET 6 OF 6 |



1-800-227-2600  
CALL AT LEAST TWO DAYS  
BEFORE YOU DIG

UNDERGROUND SERVICE ALERT

TICKET # \_\_\_\_\_



COASTAL COMMUNICATIONS  
3355 Mission Ave Ste 204  
Oceanside, Ca 92056  
(760) 754-9240

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

|   |   |
|---|---|
| 1. CALIFORNIA ADMINISTRATIVE CODE (INCL TITLES 24 & 25)   | 5. ANSI/DIA-222-F LIFE SAFETY CODE NEPA-101 |
| 2. 2001 CALIFORNIA BUILDING CODE WHICH ADOPTS THE 1997 UBC, 200 UMC, 2000 IBC AND THE 1999 NEC. | 6. NATIONAL PLUMBING CODE                   |
| 3. BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)  | 7. NATIONAL ELECTRIC CODE                   |
| 4. UNIFORM MECHANICAL CODE  | 8. LOCAL BUILDING CODE                      |
|   | 9. CITY/COUNTY ORDINANCES                   |

**GENERAL CONTRACTOR NOTES:**

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AN CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**PROJECT DESCRIPTION:**

THIS PROJECT CONSISTS OF THE INSTALLATION OF ANTENNAS AND ASSOCIATED AUXILIARY EQUIPMENT FOR CRICKET COMMUNICATIONS. THE EQUIPMENT IS TO BE MOUNTED ON STREETLIGHTS, TRAFFIC SIGNALS, WOOD POLES AND STEEL POLES.

**PROJECT MANAGER:**

NAME: NPTO NETWORKS  
ADDRESS: 2105 WRIGHT AVE STE C3  
LA VERNE, CA 91750  
CONTACT: TOM RAJAGULISEN  
PHONE: (951) 916-0022  
EMAIL: TRAJAGULISEN@NPTONETWORKS.NET

**CONTRACTOR:**

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 1040 TREENA ST  
SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTINA  
PHONE: (615) 538-1655  
EMAIL: CHRIS.DOTINA@HPCOMMINC.COM

**PROJECT TEAM:**

**FIBER MANAGER:**

NAME: NPTO NETWORKS  
ADDRESS: 2105 WRIGHT AVE STE C3  
LA VERNE, CA 91750  
CONTACT: CHAD RAJAGULISEN  
PHONE: (951) 916-0022  
EMAIL: CRAJAGULISEN@NPTONETWORKS.NET

**NODE ENGINEER:**

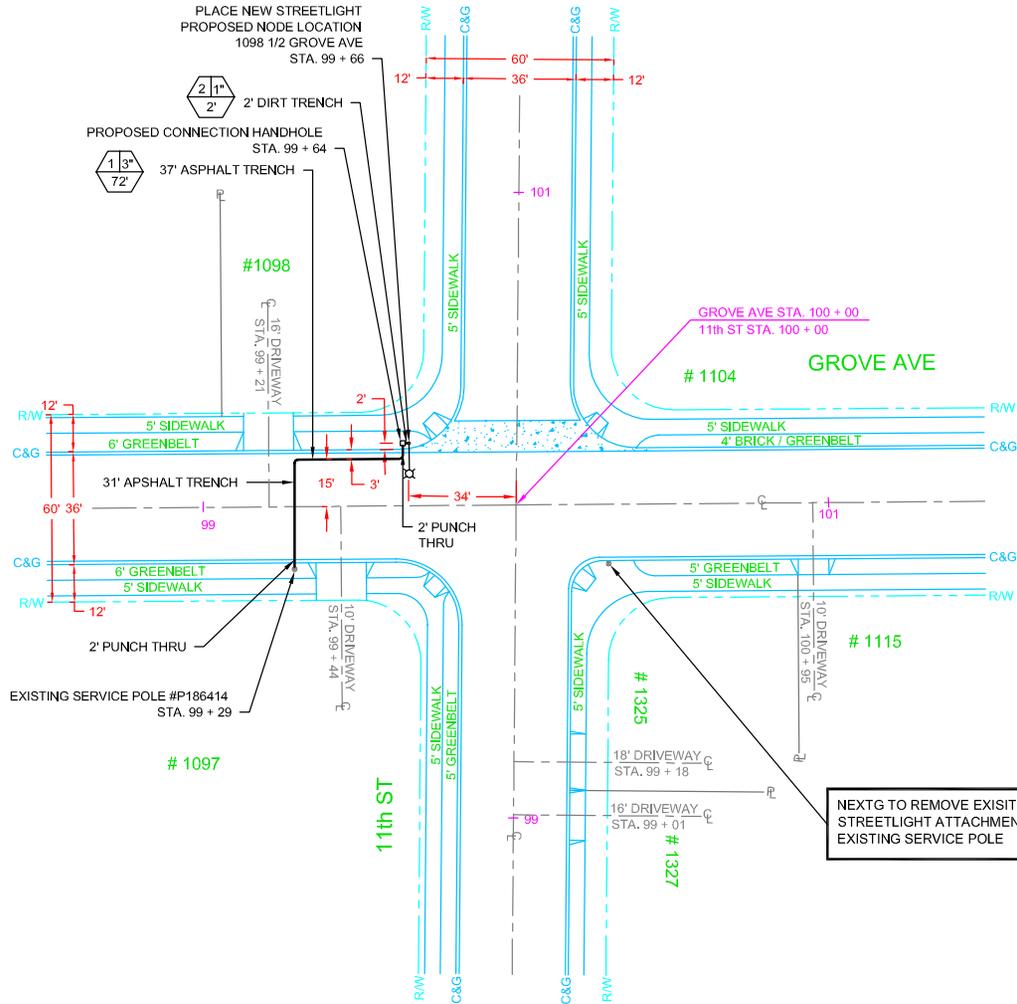
NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3300 MESSON AVE STE 204  
OCEANSIDE, CA 92058  
CONTACT: MIKE FRY  
PHONE: (619) 546-0610 EXT. 110  
EMAIL: MFR@COASTALCOMM.COM

PROJECT NAME: CRICKET  
DESIGN TYPE: NODE DESIGN  
T.B.G. MAP NO.: 1349-H1  
APN: 632-190-1900  
ENGINEERED BY: MIKE FRY DATE: 06/12/09  
DRAFTED BY: ANTHONY RANDALL DATE: 06/12/09  
ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m

LATITUDE: 32.5729  
LONGITUDE: -117.1102  
HEADEND: CHULA VISTA  
CRICKET ID: SND-001-349  
CRICKET BTS: 901  
SITE NO.: **CBM1008CA-SND-CV11m**  
LOCATION: ROW ADJACENT TO  
1098 GROVE ST  
CITY OF IMPERIAL BEACH, CA  
PLAN No.: SHEET 1 OF 6

**TITLE SHEET**

| FOOTAGE TOTALS |     |
|----------------|-----|
| ASPHALT TRENCH | 68' |
| PUNCH THRU     | 4'  |
| DIRT TRENCH    | 2'  |
| BORE           | 0   |
| TOTAL          | 74' |



**EQUIPMENT LEGEND**

- = RIGHT OF WAY
- = CENTERLINE
- = PROPERTY LINE
- = CURB & GUTTER
- = NEW STREETLIGHT
- = CONNECTION HANDHOLE

**NORTH**

SCALE 1" = 40'

NEXT TO REMOVE EXISTING STREETLIGHT ATTACHMENT ON EXISTING SERVICE POLE

**DIGALERT**

1-800-227-2600  
CALL AT LEAST TWO DAYS BEFORE YOU DIG

UNDERGROUND SERVICE ALERT  
TICKET # \_\_\_\_\_

**CCI TELECOMMUNICATIONS CONSULTANTS**

COASTAL COMMUNICATIONS  
3355 Mission Ave Ste 204  
Oceanside, Ca 92058  
(760) 754-9240

| CODE COMPLIANCE   |   |
|---|---|
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**PROJECT MANAGER**

NAME: NEXTG NETWORKS  
ADDRESS: 2103 WRIGHT AVE STE C9  
CITY, STATE, ZIP: LA VERNE, CA 91750  
CONTACT: TOM RASJAUSSEN  
PHONE: (951) 910-0022  
EMAIL: TRASJAUSSEN@NEXTGNETWORKS.NET

**CONTRACTOR**

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 10400 TREENA ST  
CITY, STATE, ZIP: SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTINGA  
PHONE: (615) 538-1655  
EMAIL: CHRIS.DOTINGA@HP.COM

**PROJECT TEAM**

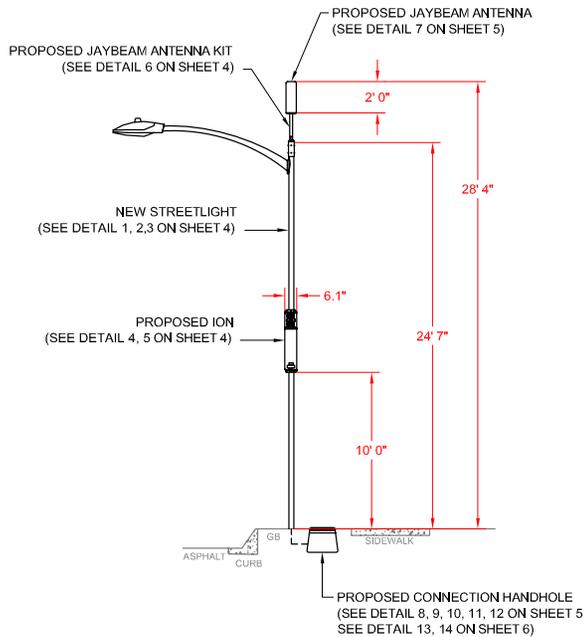
**FIBER MANAGER**

NAME: NEXTG NETWORKS  
ADDRESS: 2103 WRIGHT AVE STE C9  
CITY, STATE, ZIP: LA VERNE, CA 91750  
CONTACT: CHAD RASJAUSSEN  
PHONE: (951) 961-5595  
EMAIL: CRASJAUSSEN@NEXTGNETWORKS.NET

**NODE ENGINEER**

NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3355 MISSION AVE STE 204  
CITY, STATE, ZIP: OCEANSIDE, CA 92058  
CONTACT: MIKE FRY  
PHONE: (619) 544-0600 EXT. 110  
EMAIL: MIKE@COASTALCOMM.COM

|  |                                      |
|--|--------------------------------------|
| PROJECT NAME: CRICKET  | LATITUDE: 32.5729                    |
| DESIGN TYPE: NODE DESIGN   | LONGITUDE: -117.1102                 |
| T.B.G. MAP NO.: 1349-H1  | HEADEND: CHULA VISTA                 |
| APN: 632-190-1900  | CRICKET ID: SND-901-349              |
| ENGINEERED BY: MIKE FRY  | DATE: 06/12/09                       |
| DRAFTED BY: ANTHONY RANDALL  | DATE: 06/12/09                       |
| ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m                          | SITE NO.: <b>CBM1008CA-SND-CV11m</b> |
| LOCATION: ROW ADJACENT TO 1098 GROVE ST CITY OF IMPERIAL BEACH, CA |                                      |
| SITE PLAN  |                                      |
| PLAN No.:  | SHEET 2 OF 6                         |



**A NEW STREETLIGHT**

**LOOKING WEST**

SCALE  
N.T.S.



**B DIGITAL PHOTO**

**LOOKING NW**

SCALE  
N.T.S.

**MAKE READY**

NEW STREETLIGHT

**NEW CONSTRUCTION**

NEXTG TO PLACE NEW 24' 7" STREETLIGHT.  
 NEXTG TO MOUNT JAYBEAM ANTENNA ON TOP OF STREETLIGHT.  
 NEXTG TO MOUNT ION @ 10' 0" ABOVE GROUND LEVEL.  
 NEXTG TO PLACE FIBER A CONNECTION HANDHOLE / WTR 2' 0" WEST OF NEW POLE.  
 SDG&E TO PROVIDE SECONDARY POWER FROM SERVICE POLE # P186414.

**NOTES:**

PROPOSED TOP OF POLE: 24' 7"  
 TOP OF ANTENNA: 28' 4"  
 ANTENNA TYPE: JAYBEAM ANTENNA

SCALE  
N.T.S.



**1-800-227-2600**  
 CALL AT LEAST TWO DAYS  
 BEFORE YOU DIG

UNDERGROUND SERVICE ALERT  
 TICKET # \_\_\_\_\_

**SERVICE EQUIPMENT POLE PROFILE**



COASTAL COMMUNICATIONS  
 3355 Mission Ave Ste 234  
 Oceanside, Ca 92056  
 (760) 754-9240

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**PROJECT TEAM**

**FIBER MANAGER**

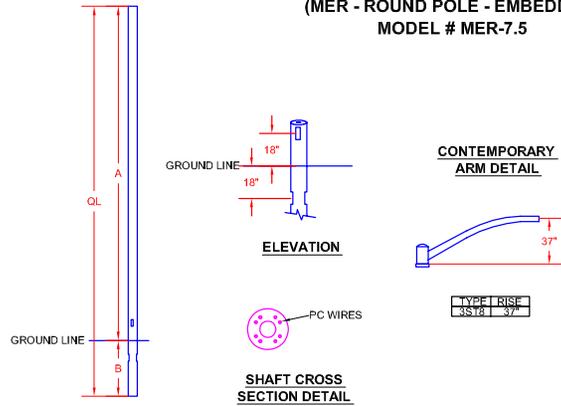
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 EMAIL: MIKE@COASTALCOMMINC.COM

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| DESIGN TYPE: NODE DESIGN   | LONGITUDE: -117.1102                 |
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| ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m                          | SITE NO.: <b>CBM1008CA-SND-CV11m</b> |
| <b>POLE PROFILE</b>  |                                      |
| LOCATION: ROW ADJACENT TO 1098 GROVE ST CITY OF IMPERIAL BEACH, CA |                                      |
| PLAN No.:  | SHEET 3 OF 6                         |

**AMERON CENTRECON SERIES**  
(MER - ROUND POLE - EMBEDDED)  
MODEL # MER-7.5



| CATALOG NUMBER | POLE HEIGHT "A" | BASE O.D.  | EMBEDDED DEPTH "B" | OVERALL LENGTH "C" | ULTIMATE O.D. (MAXIMUM WT. LBS.) | WEIGHT (LBS.) | MAXIMUM SPAN (FEET) |
|----------------|-----------------|------------|--------------------|--------------------|----------------------------------|---------------|---------------------|
| MR-7.5         | 24'-7"          | 8 x 8 1/2" | 4'-11"             | 23'-0"             | 15.0"                            | 950           | 12.0 - 6.0 - 6.5    |

1 SCALE N.T.S.

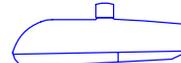
**M-250A POWR/DOOR LUMINAIRE**  
WITH CUTOFF OPTICS  
(100 WATT BULBS / LUMINAIRES)

**APPLICATION:**  
FOR RESIDENTIAL STREETS, ADDRESS ROADS, PARKING LOTS WHERE LIGHT TRESPASS COULD BE A PROBLEM

**SPECIFICATION FEATURES:**

- POWER / MODULE BALLAST ASSEMBLY
- FILTERED OPTICS
- UNIVERSAL TWO OR FOUR BOLT SUPPLIER
- DIE-CAST ALUMINUM HOUSING WITH ELECTROCOAT GRAY FINISH FRESH
- ADJUSTABLE OGUL BASE SOCKET (STREET SIDE) - E83 STANDARD
- ALGAS FINISH OMBREFLECTOR
- NO-TOOL PE REFRIGABLE
- PLUG-IN INHIBITOR AVAILABLE
- EXTERNAL PADLOCK TYPE STAINLESS STEEL BALL LATCH
- TRUE 90° CUTOFF - NO LIGHT ABOVE 90°
- MEETS IFC-2003 FOR FULL CUTOFF WITH FLAT GLASS
- STANDARD COMBINATION ISPS
- PLASTIC PEST GUARD STANDARD (NOT REQUIRED FOR 2 IN PIPE)

**LUMINAIRE**



PRODUCT ID#E: M03C  
WATTAGE: 100  
LIGHT SOURCE: HPS  
VOLTAGE: 120/208/240/277 MULTIVOLT  
BALLAST TYPE: HFF REACTOR OR LEG  
PE FUNCTION: REFRIGIBLE  
LENS TYPE: GLASS  
IES DISTRIBUTION TYPE: MEDIUM CUTOFF, TYPE II  
FILTER: FILTER GASKET

2 SCALE N.T.S.

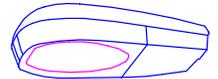
**M-400A POWR/DOOR LUMINAIRE**  
WITH CUTOFF OPTICS  
(250 WATT BULBS / LUMINAIRES)

**APPLICATION:**  
FOR STREET, HIGHWAY, AND PARKING LOT LIGHTING

**SPECIFICATION FEATURES:**

- POWER / MODULE BALLAST ASSEMBLY
- FILTERED OPTICS
- UNIVERSAL TWO OR FOUR BOLT SUPPLIER
- STANDARDIZED REFLECTOR
- TRAD MACH TUBES TYPE: HFF TERMINAL BOARD
- 2" PIPE MOUNTING ONLY WITH WECA
- DIE-CAST ALUMINUM HOUSING WITH ELECTROCOAT GRAY FINISH FRESH
- ADJUSTABLE OGUL BASE SOCKET (POLE SIDE) - E83 STANDARD
- ALGAS FINISH OMBREFLECTOR
- NO-TOOL PE REFRIGABLE
- PLUG-IN INHIBITOR AVAILABLE
- EXTERNAL PADLOCK TYPE STAINLESS STEEL BALL LATCH
- TRUE 90° CUTOFF - NO LIGHT ABOVE 90°
- MEETS IFC-2003 FOR FULL CUTOFF WITH FLAT GLASS

**LUMINAIRE**

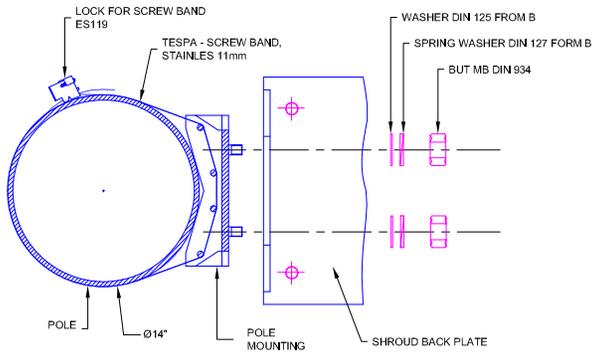


PRODUCT ID#E: M04C  
WATTAGE: 250-400  
LIGHT SOURCE: HPS  
VOLTAGE: 120/208/240/277 MULTIVOLT  
BALLAST TYPE: ALTORED  
PE FUNCTION: REFRIGIBLE  
LIGHTOR MOUNTING: PLUG IN BASE AND INHIBITOR  
IES DISTRIBUTION TYPE: MEDIUM CUTOFF, TYPE II  
FILTER: FILTER GASKET

3 SCALE N.T.S.

**POLE MOUNTING**

(STREETLIGHTS, TRAFFIC SIGNALS, & NEW POLES)



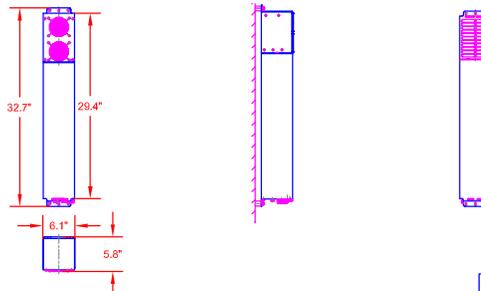
4 SCALE N.T.S.

**MIKOM MULTI OPERATOR REMOTE SINGLE / DUALBAND OPTICAL SYSTEM**

**MECHANICAL SPECIFICATIONS\***

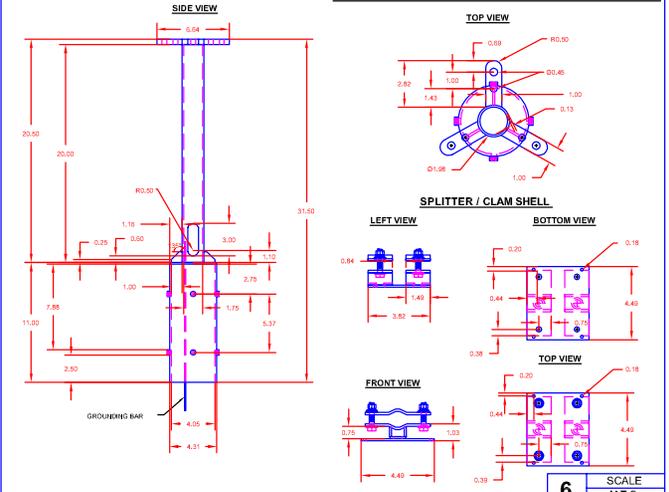
|          |   |
|----------|---|
| HEIGHT   | 831 mm (32.7")  |
| WIDTH    | 156 mm (6.1")   |
| DEPTH    | 147 mm (5.8")   |
| WEIGHT   | APPROX. 20 kg (40 lbs)  |
| MOUNTING | SPACING REQUIRED: 40 mm (2.0" AROUND UNIT. DO NOT BLOCK AIR INLET AND OUTLET. VERTICAL MOUNTING COMPULSORY. |

\*WITHOUT CONNECTORS



5 SCALE N.T.S.

**JAYBEAM ANTENNA KIT #0081**



6 SCALE N.T.S.



COASTAL COMMUNICATIONS  
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Oceanside, Ca 92056  
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CONTACT: MIKE FRY  
PHONE: (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

**PROJECT NAME: CRICKET**

**DESIGN TYPE: NODE DESIGN**

T.B.G. MAP NO.: 1349-H1  
HEADEND: CHULA VISTA  
APN: 632-190-1900  
ENGINEERED BY: MIKE FRY DATE:

DRAFTED BY: ANTHONY RANDALL DATE: 06/12/09

ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m

**DETAIL SHEET**

LATITUDE: 32.5729

LONGITUDE: -117.1102

HEADEND: CHULA VISTA

CRICKET ID: SND-901-349

CRICKET BTS: 901

SITE NO.: **CBM1008CA-SND-CV11m**

LOCATION: ROW ADJACENT TO 1099 GROVE ST CITY OF IMPERIAL BEACH, CA

PLAN No.: SHEET 4 OF 6

### JAYBEAM WIRELESS

MODEL #WB3X080X06F00  
(TRI-SECTOR ANTENNA)

TOP VIEW



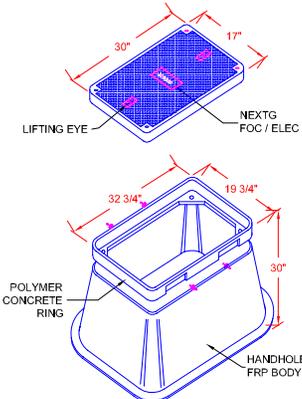
| ELECTRICAL SPECIFICATIONS  |  |                     |                     |
|----------------------------|--|---------------------|---------------------|
| Frequency:                 | 1710-1880 MHz                          | 1850-1990 MHz       | 1900-2170 MHz       |
| Gain:                      | 13.5 dBi (11.4 dBd)                    | 13.5 dBi (11.4 dBd) | 14.2 dBi (12.1 dBd) |
| Omni Gain:                 | 8.8 dBi (6.7 dBd)                      |                     |                     |
| Input Impedance:           | 50 ohms                                |                     |                     |
| VSWR:                      | <1.4:1                                 |                     |                     |
| Polarization:              | X-Pol                                  |                     |                     |
| Electrical Down tilt (x):  | 0°, 6°                                 |                     |                     |
| Azimuth Beamwidth:         | 74°                                    | 78°                 | 80°                 |
| Elevation Beamwidth:       | 15.0°                                  | 13.6°               | 13.0°               |
| 1st Upper Side-lobe:       | < -16 dB                               |                     |                     |
| Front to Back Ratio:       | < -18 dB                               |                     |                     |
| Intermodulation:           | < -147 dBc 3rd order for 20 W carriers |                     |                     |
| Input Power:               | 6 x 300W                               |                     |                     |
| Connector Type / Location: | 6 x 7/16 DIN Female / Radial           |                     |                     |
| Operating Temperature:     | -40° F (-40° C) to +140° F (+60° C)    |                     |                     |

| MECHANICAL SPECIFICATIONS             |  |
|---------------------------------------|--|
| Survival Wind Speed:                  | 125 mph (200 km/h, 56 m/s)                                     |
| Wind Loads (100mph, 160 km/h, 45m/s): | Front: 15 lbf (68 N)   |
| Antenna Weight and Dims (LxWxD):      | Weight: 13 lbs (6.6 kg) 24" x 7.5" Dia. (610 mm x 191 mm Dia.) |

7 SCALE N.T.S.

### 17" x 30" CONNECTION HANDHOLE

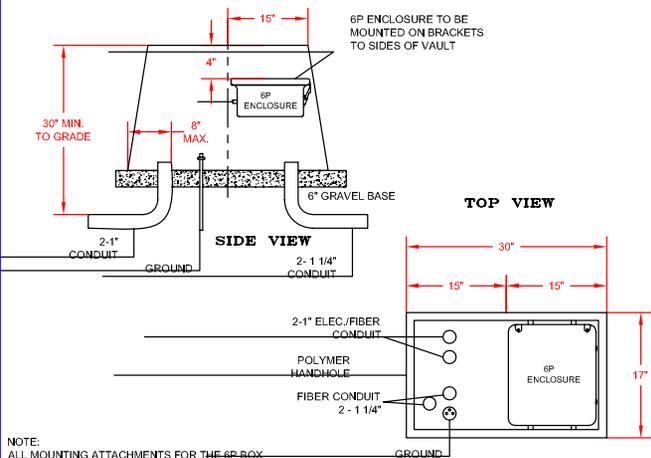
**COVER FEATURES:**  
 \* PW - 10,400 LBS. WHEEL LOAD ON 10" X 10" PLATE.  
 \* APPROX. WT. = 72 LBS.  
 \* POLYMER CONCRETE  
 \* ONE PIECE COVER  
 \* FOUR BOLT DOWN  
 \* COLOR: CONCRETE GREY  
 \* NON - SKID SURFACE  
 \* LABEL ID: NEXTG FOC / ELEC



**HANDHOLE FEATURES:**  
 \* POLYMER CONCRETE RING AND FIBERGLASS REINFORCED POLYMER BODY  
 \* COLOR OF RING: CONCRETE GREY  
 \* APPROX. WT. = 123 lbs.

8 SCALE N.T.S.

### CONNECTION HANDHOLE

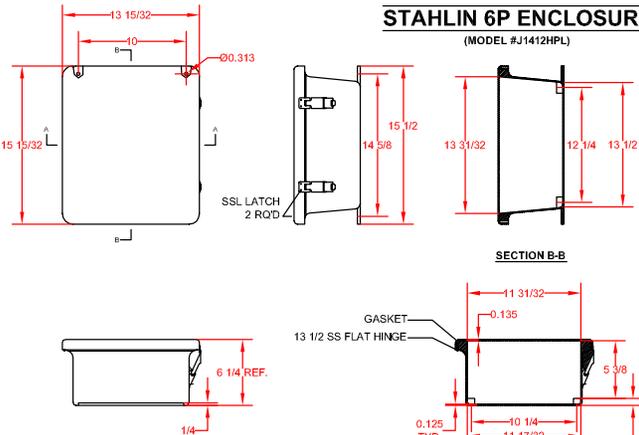


NOTE: ALL MOUNTING ATTACHMENTS FOR THE 6P BOX SHALL BE THROUGH EXTERNAL MOUNTING FLANGES INTEGRAL WITH BOX

9 SCALE N.T.S.

### STAHLIN 6P ENCLOSURE

(MODEL #J1412HPL)

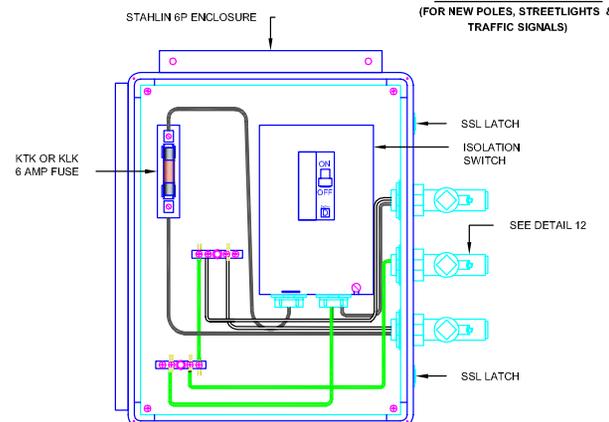


STAHLIN ENCLOSURE  
J SERIES  
6P ENCLOSURE  
MODEL # J1412HPL  
13.53 X 11.55 X 5.94

10 SCALE N.T.S.

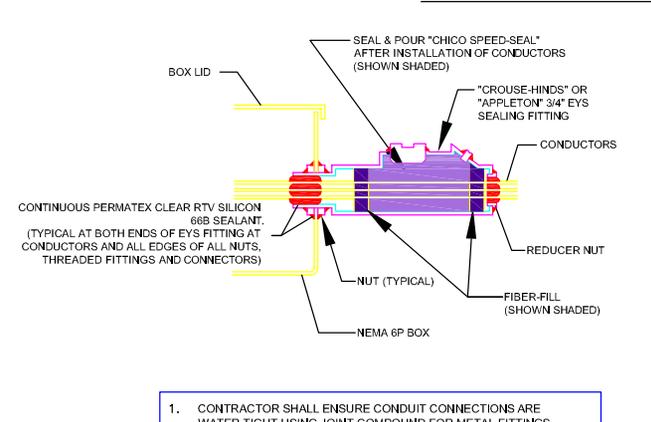
### WTR FUSE BOX

(FOR NEW POLES, STREETLIGHTS & TRAFFIC SIGNALS)



11 SCALE N.T.S.

### EYS SEALING FITTING



1. CONTRACTOR SHALL ENSURE CONDUIT CONNECTIONS ARE WATER TIGHT USING JOINT COMPOUND FOR METAL FITTINGS

12 SCALE N.T.S.



COASTAL COMMUNICATIONS  
3355 Mission Ave Ste 204  
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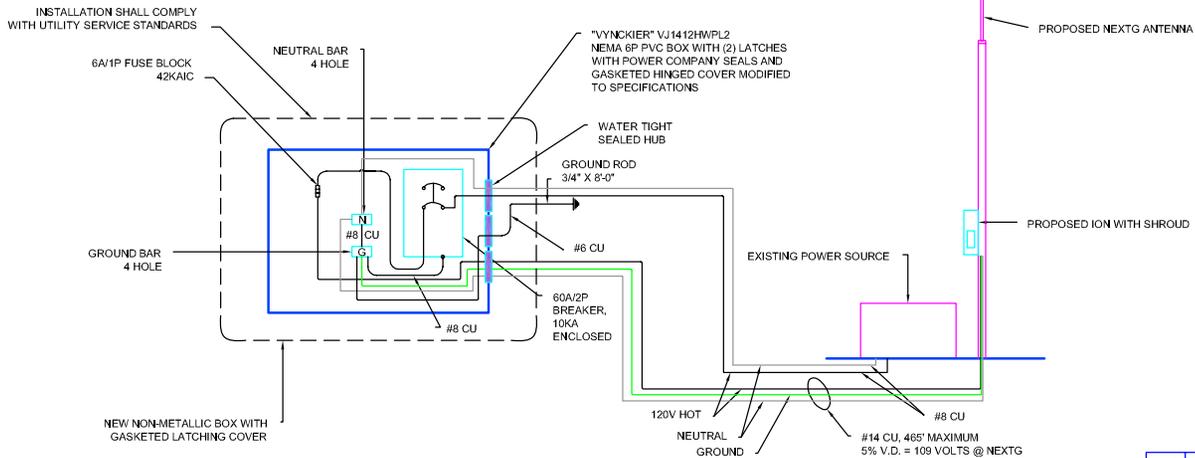
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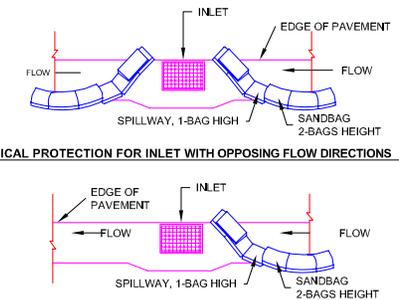
| PROJECT NAME: CRICKET                     |                | LATITUDE: 32.5729  |              |
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| T.B.G. MAP NO.: 1349-411                  |                | HEADEND: CHULA VISTA   |              |
| APN: 632-190-1900                         |                | CRICKET ID: SND-901-349  |              |
| ENGINEERED BY: MIKE FRY                   | DATE: 06/12/09 | CRICKET BTS: 901   |              |
| DRAFTED BY: ANTHONY RANDALL               | DATE: 06/12/09 | SITE NO.: <b>CBM1008CA-SND-CV11m</b>                               |              |
| ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m |                | LOCATION: ROW ADJACENT TO 1088 GROVE ST CITY OF IMPERIAL BEACH, CA |              |
| <b>DETAIL SHEET</b>                       |                | PLAN No.:  | SHEET 5 OF 6 |

**POWER SINGLE LINE DIAGRAM**



13 SCALE N.T.S.

**STORMDRAIN INLET PROTECTION**



- NOTES:**
1. INTENDED FOR SHORT - TERM USE.
  2. USE TO INHIBIT NON - STORM WATER FLOW.
  3. ALLOW FOR PROPER MAINTENANCE AND CLEANUP.
  4. BAGS MUST BE REMOVED AFTER ADJACENT OPERATION IS COMPLETED.
  5. NOT APPLICABLE IN AREAS WITH HIGH SILTS AND CLAYS WITHOUT FILTER FABRIC.

14 SCALE N.T.S.



COASTAL COMMUNICATIONS  
3355 Mission Ave Ste 234  
Oceanside, Ca 92056  
(760) 754-9240

- ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.
- |  |   |
|--|---|
| 1. CALIFORNIA ADMINISTRATIVE CODE (INCL TITLES 24 & 25)  | 5. ANS/IEEE 222-F LIFE SAFETY CODE NEPA-101 |
| 2. 2001 CALIFORNIA BUILDING CODE WHICH ADOPTS THE 1997 UBC, 200 UMC, 2000 UPC, AND THE 1999 NEC. | 6. UNIFORM PLUMBING CODE                    |
| 3. BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)   | 8. LOCAL BUILDING CODE                      |
| 4. UNIFORM MECHANICAL CODE   | 9. CITY/COUNTY ORDINANCES                   |
- CODE COMPLIANCE

**GENERAL CONTRACTOR NOTES**

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**PROJECT DESCRIPTION**

THIS PROJECT CONSISTS OF THE INSTALLATION OF ANTENNAS AND ASSOCIATED AUXILIARY EQUIPMENT FOR CRICKET COMMUNICATIONS. THE EQUIPMENT IS TO BE MOUNTED ON STREETLIGHTS, TRAFFIC SIGNALS, WOOD POLES AND STEEL POLES.

**PROJECT MANAGER**

NAME: NEXTO NETWORKS  
ADDRESS: 2325 WRIGHT AVE STE C3  
CITY, STATE, ZIP: LA VERNE, CA 91750  
CONTACT: TOM RASALUSSEN  
PHONE: (951) 916-0022  
EMAIL: TRASALUSSEN@NEXTO.NETWORKS.NET

**CONTRACTOR**

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 1040 TREBENA ST  
CITY, STATE, ZIP: SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTY/CA  
PHONE: (619) 538-1855  
EMAIL: CHRIS.DOTY@HP.COM/MINC.COM

**FIBER MANAGER**

NAME: NEXTO NETWORKS  
ADDRESS: 2325 WRIGHT AVE STE C3  
CITY, STATE, ZIP: LA VERNE, CA 91750  
CONTACT: CHAD RASALUSSEN  
PHONE: (951) 916-0022  
EMAIL: CRASALUSSEN@NEXTO.NETWORKS.NET

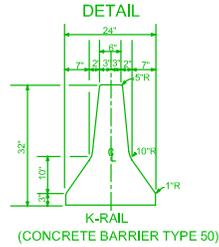
**NODE ENGINEER**

NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3355 MISSION AVE STE 234  
CITY, STATE, ZIP: OCEANSIDE, CA 92056  
CONTACT: MIKE FRY  
PHONE: (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

|  |                                      |
|--|--------------------------------------|
| PROJECT NAME: CRICKET  | LATITUDE: 32.5729                    |
| DESIGN TYPE: NODE DESIGN   | LONGITUDE: -117.1102                 |
| T.B.G. MAP NO.: 1349-411   | HEADEND: CHULA VISTA                 |
| APN: 632-190-1900  | CRICKET ID: SND-901-349              |
| ENGINEERED BY: MIKE FRY  | DATE: 06/12/09                       |
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| ELECTRONIC FILE NAME: CBM1008CA-SND-CV11m                          | SITE NO.: <b>CBM1008CA-SND-CV11m</b> |
| <b>DETAIL SHEET</b>  |                                      |
| LOCATION: ROW ADJACENT TO 1098 GROVE ST CITY OF IMPERIAL BEACH, CA |                                      |
| PLAN No.:  | SHEET 6 OF 6                         |

**SIGNS**

|  |             |  |           |
|--|-------------|--|-----------|
|  | W20-2       |  | W1-3(LT)  |
|  | W20-5(RT)   |  | W13-1     |
|  | W20-5(LT)   |  | G20-2     |
|  | W20-1       |  | R9-9      |
|  | W20-4       |  | R9-11a    |
|  | W21-5       |  | R9-10     |
|  | W3-4        |  | R4-7a     |
|  | W4-2(RT)    |  | C9A(CA)   |
|  | W1-4(LT)    |  | C30(CA)   |
|  | W1-4(RT)    |  | C30A(CA)  |
|  | W20-5(BIKE) |  | C30(BIKE) |
|  | R3-4        |  | C12(CA)   |



**SIGNAGE NOTES**

- AT LEAST ONE PERSON SHALL BE ASSIGNED TO FULL TIME MAINTENANCE OF TRAFFIC CONTROL DEVICES ON ALL NIGHT LANE CLOSURES.
- ALL WARNING SIGNS FOR NIGHT LANE CLOSURES SHALL BE ILLUMINATED OR REFLECTORIZED AS SPECIFIED IN THE SPECIFICATIONS.
- ALL ADVANCE WARNING SIGN INSTALLATIONS SHALL BE EQUIPPED WITH FLAGS FOR DAYTIME CLOSURES OF ALL MAJOR AND PRIME ARTERIALS. FLASHING BEACONS SHALL BE USED DURING NIGHT LANE CLOSURES.
- A 60"X24" "END ROAD WORK" SIGN SHALL BE PLACED AT THE END OF THE LANE CLOSURE UNLESS THE END OF THE WORK AREA IS OBVIOUS OR ENDS WITHIN A LARGER PROJECT LIMITS.
- ALL CONES USED FOR NIGHT LANE CLOSURES SHALL BE ILLUMINATED TRAFFIC CONES OR FITTED WITH 15" REFLECTIVE SLEEVES.
- FLASHING ARROW SIGNS SHALL BE USED PER FHWA MUTCD 2007 EDITION AS AMENDED BY THE MUTCD 2007 CALIFORNIA SUPPLEMENT. SILENT TYPE SHALL BE USED IN RESIDENTIAL AREAS.
- THE MAXIMUM SPACING BETWEEN CONES IN A TAPER OR A TANGENT SHALL BE APPROXIMATELY AS SHOWN IN TABLE 1.
- ADDITIONAL ADVANCE FLAGGERS SHALL BE REQUIRED WHEN TRAFFIC QUEUES DEVELOP. FLAGGER STATIONS FOR WORK AT NIGHT SHALL BE ILLUMINATED AS NOTED IN SECTION 602.02 OF THE MUTCD.
- PLACE C30 (CA) "LANE CLOSED" SIGN AT 600'-1000' INTERVALS THROUGHOUT EXTENDED WORK AREAS.
- ALL REQUIRED SIGNS THAT ARE TO BE LEFT IN PLACE OVER A WEEKEND OR HOLIDAY SHALL BE POST MOUNTED.
- CONSTRUCTION AREA TRAFFIC CONTROL DEVICES SHALL MEET THE PROVISIONS OF SECTION 12 OF THE MOST RECENT EDITION OF THE CALTRANS STANDARD SPECIFICATIONS.

**TABLE 1: TAPER LENGTHS, L<sub>1</sub>**

| APPROACH SPEED (M.P.H.) | MINIMUM TAPER LENGTH L <sub>1</sub> | MINIMUM NUMBER OF CONES FOR TAPER | MAXIMUM SPACING OF CONES ALONG TAPER (FEET) ± | MAXIMUM SPACING OF CONES ALONG TANGENT (FEET) ± |
|-------------------------|-------------------------------------|-----------------------------------|---|---|
| 25                      | 125                                 | 6                                 | 25  | 50  |
| 30                      | 180                                 | 7                                 | 30  | 60  |
| 35                      | 245                                 | 8                                 | 35  | 70  |
| 40                      | 320                                 | 9                                 | 40  | 80  |
| 45                      | 540                                 | 13                                | 45  | 90  |
| 50                      | 600                                 | 13                                | 50  | 100   |
| 55                      | 660                                 | 13                                | 55  | 110   |
| 60                      | 720                                 | 13                                | 60  | 120   |

\* BASED ON 12 FOOT WIDE LANE. THIS COLUMN IS ALSO APPROPRIATE FOR LANE WIDTHS LESS THAN 12 FEET.

**TABLE 3: SIGN SPACING, L<sub>3</sub>**

| APPROACH SPEED (M.P.H.) | MINIMUM DISTANCE IN FEET L <sub>3</sub> BETWEEN SIGNS* | FROM LAST SIGN TO TAPER |
|-------------------------|--|-------------------------|
| LESS THAN 25            | 100'   | 100'                    |
| 25 TO 40                | 350'   | 350'                    |
| GREATER THAN 40         | 500'   | 500'                    |

\* EXACT SPACING MAY VARY DUE TO FIELD CONDITIONS

**TRAFFIC CONTROL NOTES**

- WORK HOURS TO BE RESTRICTED TO \_\_\_\_\_ TO \_\_\_\_\_ UNLESS APPROVED OTHERWISE.
- PEDESTRIAN CONTROLS WILL BE PROVIDED AS SHOWN.
- PEDESTRIANS SHALL BE PROTECTED FROM ENTERING THE EXCAVATION BY PHYSICAL BARRIERS DESIGNED, INSTALLED, AND MAINTAINED TO THE SATISFACTION OF THE CITY ENGINEER.
- TEMPORARY "NO PARKING/TOW AWAY" SIGNS STATING THE DATE AND TIME OF PROHIBITION WILL BE POSTED 72 HOURS PRIOR TO COMMENCING WORK. CALL POLICE DISPATCH TO VALIDATE POSTINGS.
- ACCESS WILL BE MAINTAINED TO ALL DRIVEWAYS UNLESS OTHER ARRANGEMENTS ARE MADE.
- TRENCHES MUST BE BACKFILLED OR PLATED DURING NONWORKING HOURS UNLESS KRAIL BARRIERS ARE PROVIDED. KRAIL IS APPROVED ONLY WHEN SPECIFICALLY SHOWN ON THE APPROVED TRAFFIC CONTROL PLAN. PLATES SHALL HAVE GLEATS AND COLD MIX AT THE EDGES AS APPROVED BY THE CITY INSPECTOR.
- STRIPING WILL BE REPLACED BY THE CONTRACTOR WITHIN 24 HOURS IF REMOVED OR DAMAGED.
- WORK THAT DISTURBS NORMAL TRAFFIC SIGNAL TIMING OPERATIONS SHALL BE COORDINATED WITH THE CITY OF IMPERIAL BEACH. CONTACT STREETS DIVISION 72 HOURS PRIOR TO COMMENCING WORK.
- TRAFFIC SIGNALS SHALL REMAIN FULLY ACTUATED AT ALL TIMES UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER OR HIS REPRESENTATIVE. IF TRAFFIC SIGNAL LOOP DETECTORS ARE RENDERED INOPERATIVE BY THE PROPOSED WORK, VIDEO DETECTION SHALL BE USED TO PROVIDE ACTUATION.
- FLAGGERS SHALL BE EQUIPPED WITH A WHITE HARD HAT, AN ORANGE VEST, AND A "STOP/SLOW" PADDLE ON A 6 FOOT STAFF.
- ALL TRAFFIC CONTROL DEVICES MUST BE MAINTAINED 24 HOURS A DAY, 7 DAYS PER WEEK, BY THE CONTRACTOR.
- ALL TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 2007 EDITION AS AMENDED BY THE MUTCD 2007 CALIFORNIA SUPPLEMENT.
- TRAFFIC CONTROL PLAN SUBMITTALS ARE REQUIRED FOR EACH PHASE OF THE WORK IN THE DETAIL, FORMAT, AND QUALITY ILLUSTRATED ON THIS SHEET.
- ALL TRAFFIC CONTROL DEVICES SHALL BE REMOVED FROM VIEW OR COVERED WHEN NOT IN USE.
- THE CITY ENGINEER OR HIS REPRESENTATIVE HAS THE AUTHORITY TO INITIATE FIELD CHANGES TO INSURE PUBLIC SAFETY.
- ALL WORK AFFECTING BUS STOPS SHALL BE COORDINATED WITH CITY OF IMPERIAL BEACH TRANSIT DISTRICT. CONTRACTOR SHALL CALL TRANSIT DISTRICT AT LEAST 72 HOURS IN ADVANCE OF STARTING WORK.
- CHANGEABLE MESSAGE SIGNS SHALL BE USED IN ADVANCE OF TRAFFIC CONTROL ON MAJOR AND PRIME ARTERIALS, UNLESS OTHERWISE APPROVED. THESE SIGNS SHALL BE SHOWN ON THE TRAFFIC CONTROL PLAN.

**LEGEND**

- DIRECTION OF TRAVEL
- PAVEMENT ARROW
- PORTABLE SIGN
- TRAFFIC CONE/DELINEATOR
- TYPE II BARRICADE
- FLAGGER
- FLAG TREE
- FLASHING ARROW SIGN
- PORTABLE FLASHING BEACON (SEE SIGNAGE NOTE #5)
- K-RAIL (TYPE 50 CONCRETE BARRIER)
- CHANGEABLE MESSAGE SIGN

**TABLE 2: BUFFER SPACE, L<sub>2</sub>**

| APPROACH SPEED (M.P.H.) | LONGITUDINAL BUFFER SPACE L <sub>2</sub> (FEET) ±* |
|-------------------------|--|
| 25                      | 155  |
| 30                      | 200  |
| 35                      | 250  |
| 40                      | 305  |
| 45                      | 360  |
| 50                      | 425  |
| 55                      | 495  |
| 60                      | 570  |

\* SEE MUTCD TABLE 6E-101 FOR SUSTAINED DOWNGRADES STEEPER THAN 3% AND LONGER THAN 1 MILE.

SEE ATTACHED SHEETS

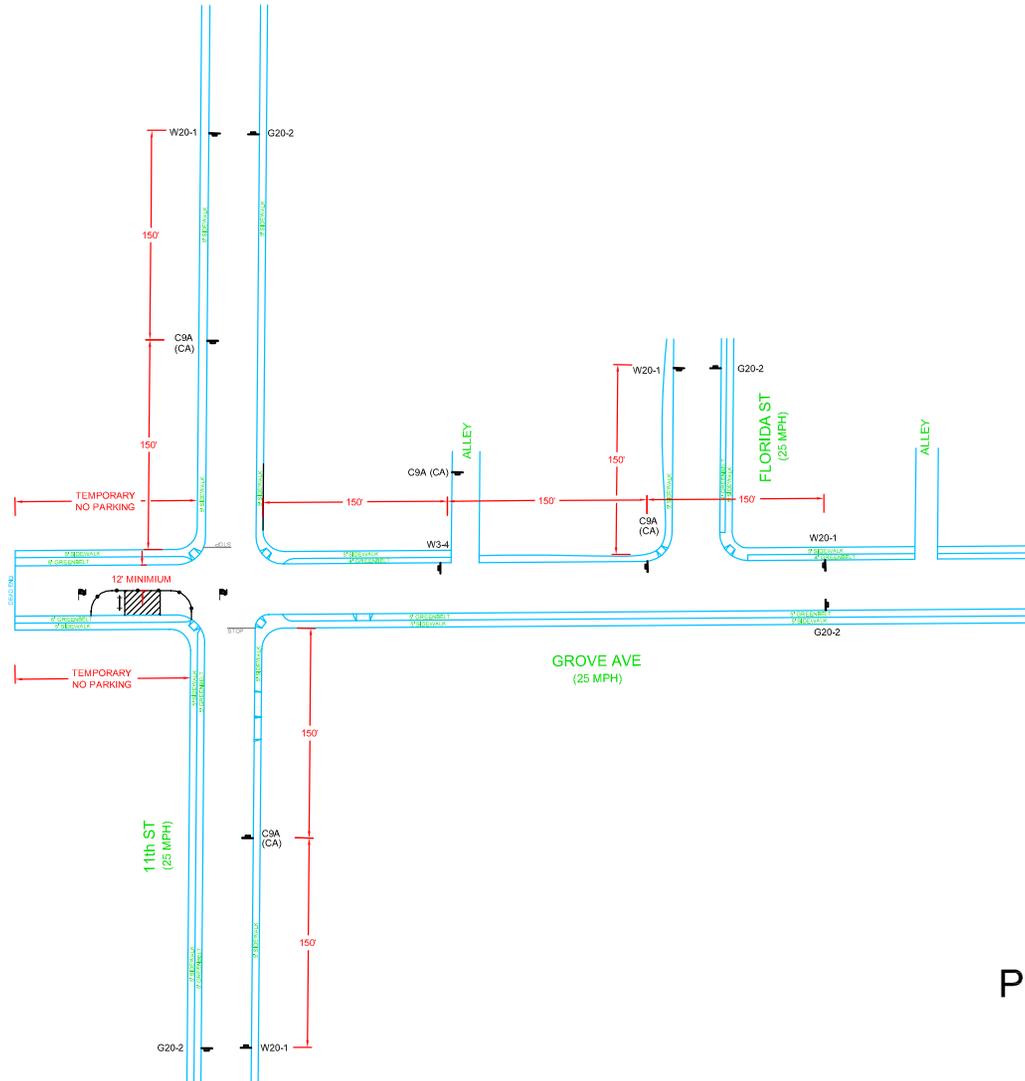


1-800-227-2600  
CALL AT LEAST TWO DAYS BEFORE YOU DIG

UNDERGROUND SERVICE ALERT

TICKET # \_\_\_\_\_

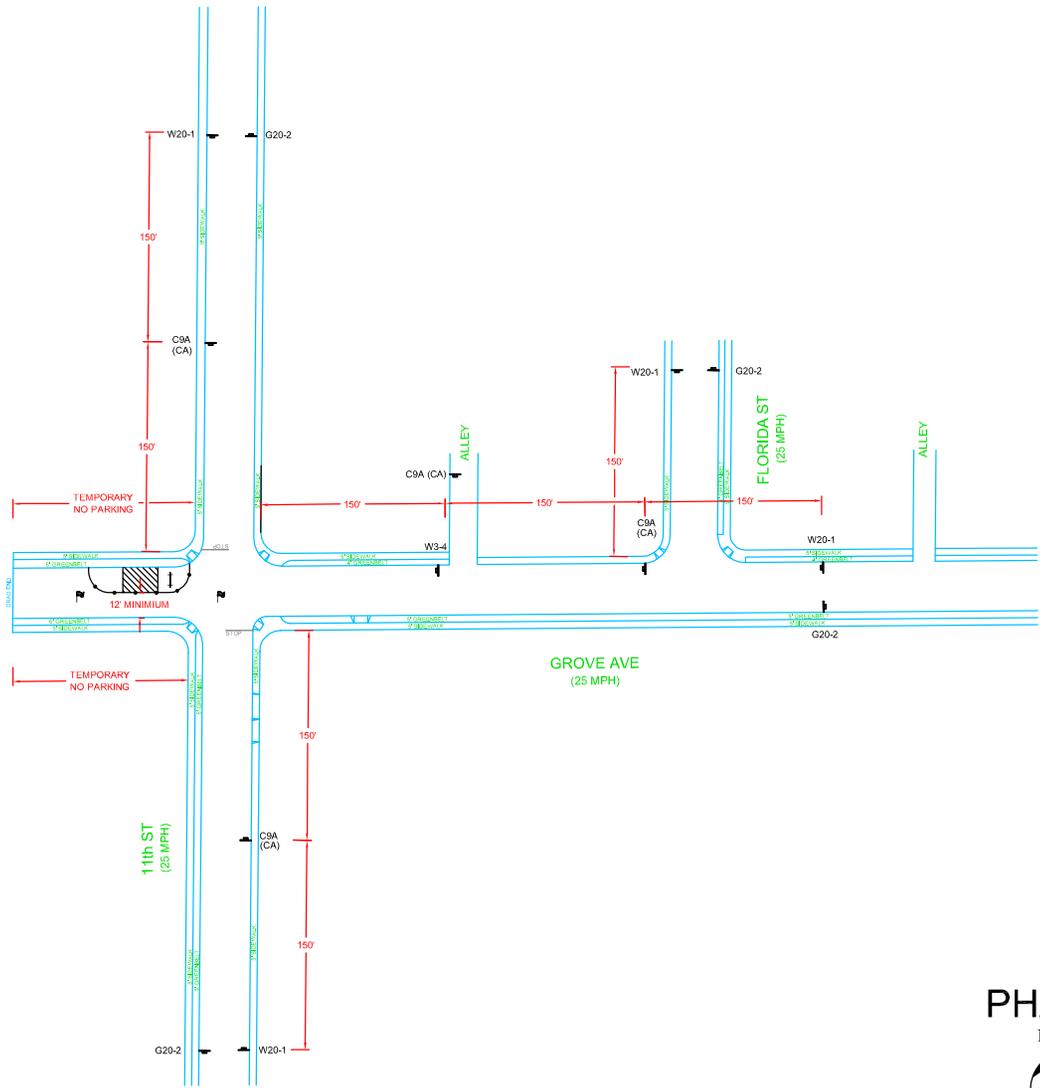
|   |  |   |
|---|--|---|
|   | <b>TRAFFIC CONTROL COVERSHEET FOR:</b><br><br>CBM1008CA-SND-CV11m<br>1098 GROVE ST |   |
|   | CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT              |   |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3365 Mission Ave Ste. 234<br>Oceanside, Ca 92008 |  | Tel: (760) 754-9240<br>Fax: (760) 754-9299                                      |
| FOR CITY ENGINEER: _____ DATE: _____  | DRAFTED BY: _____<br>T&L PAGE: _____<br>DATE: _____                                | SHEET 1 OF 3  |
| DISPOSITION BY: _____ APPROVED: _____ DATE: _____                                       | CONSTRUCTION SUPERVISOR: _____<br>CBM1008CA-SND-CV11m<br>T&L PAGE: _____           | CONTRACTOR: _____ DATE STARTED: _____<br>INSPECTOR: _____ DATE COMPLETED: _____ |



NOTE: 1 FLAGMEN SHALL MAINTAIN EYE CONTACT OR USE 2 WAY RADIOS.  
 2 FLAGMEN SHALL USE SLOW / STOP PADDLES.  
 3 CONTRACTOR SHALL MAINTAIN ACCESS TO DRIVEWAYS AT ALL TIMES.



|   |  |  |
|---|--|--|
| <br>NextG Networks | TRAFFIC CONTROL PLAN FOR:  |  |
|   | CBM1008CA-SND-CV11m<br>1098 GROVE ST   |  |
| CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT                                   |  |  |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3365 Mission Ave Ste. 234<br>Oceanside, Ca 92008                 | <br><small>Coastal Communications, Inc.</small> | Tel: (760) 754-9240<br>Fax: (760) 754-9299                           |
| FOR CITY ENGINEER: _____ DATE: _____  | DRAFTED BY: _____<br>T&L PAGE: 1388-111<br>DATE: 08/13/08  | CONSTRUCTION SUPERVISOR: _____<br>DATE: _____                        |
| DESCRIPTION BY APPROVED DATE FILMED<br>ORIGINAL CCI   | AS-BUILT: _____<br>CONTRACTOR: _____ DATE STARTED: _____<br>INSPECTOR: _____ DATE COMPLETED: _____                                   | CONSTRUCTION SUPERVISOR: _____<br>DATE: _____<br><b>SHEET 2 OF 3</b> |



NOTE: 1 FLAGMEN SHALL MAINTAIN EYE CONTACT OR USE 2 WAY RADIOS.  
 2 FLAGMEN SHALL USE SLOW / STOP PADDLES.  
 3 CONTRACTOR SHALL MAINTAIN ACCESS TO DRIVEWAY'S AT ALL TIMES.

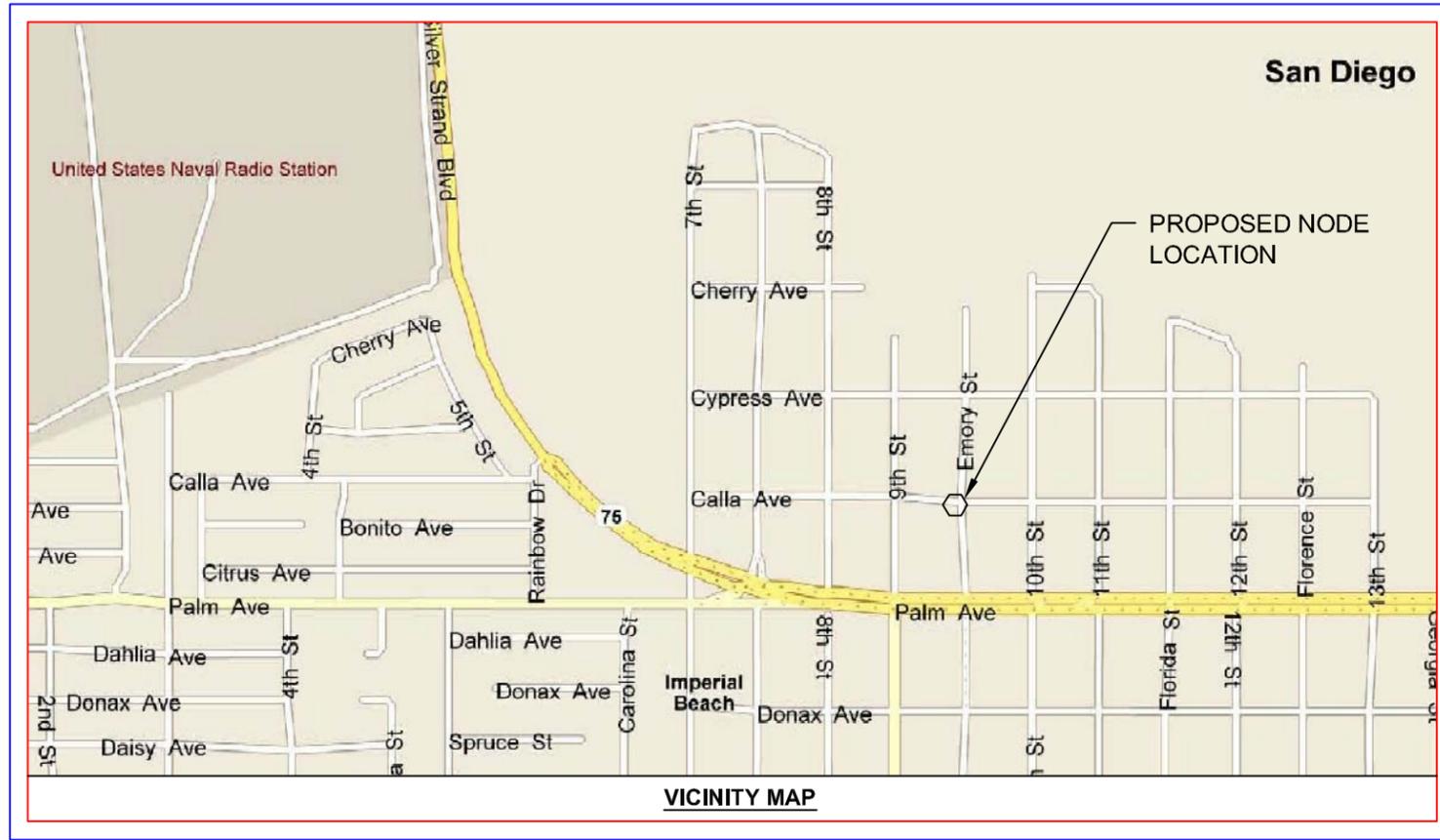


|   |                                      |  |
|---|--------------------------------------|--|
| <br>NextG Networks   | TRAFFIC CONTROL PLAN FOR:            |  |
|   | CBM1008CA-SND-CV11m<br>1098 GROVE ST |  |
| CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT   |                                      |  |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3365 Mission Ave Ste. 234<br>Oceanside, Ca 92068   |                                      |  |
| <br>COASTAL COMMUNICATIONS<br>Tel: (760) 754-6240<br>Fax: (760) 754-6299 |                                      | DRAFTED BY: _____<br>TBL PAGE: 138-111<br>DATE: 08/13/09 |
| FOR CITY ENGINEER   | DATE                                 |  |
| DESCRIPTION   | BY                                   | APPROVED DATE FILED                                      |
| ORIGINAL  | CCI                                  |  |
| ASBUILTS  |                                      |  |
| CONTRACTOR  | DATE STARTED                         |  |
| INSPECTOR   | DATE COMPLETED                       |  |
|   |                                      | CONSTRUCTION SUPERVISOR                                  |
|   |                                      | DATE   |
|   |                                      | TIME   |
|   |                                      | SHEET 3 OF 3   |



# CBM1008CA-SND-CV10m

ROW ADJACENT TO  
615 CALLA AVE  
CITY OF IMPERIAL BEACH, CA



GENERAL NOTES

- INDEMNIFICATION CLAUSE: THE CONTRACTOR AGREES AND SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY OF THE JOBSITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTIES. THAT THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONDITIONS. THE CONTRACTOR FURTHER AGREES TO DEFEND INDEMNITY AND HOLD CRICKET, REPRESENTATIVES, AND ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT
- PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL FULLY COMPLY WITH "CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH" ACT OF 1973 INCLUDING ALL REVISIONS AND AMENDMENTS THERETO.
- ALL WORK SHALL CONFORM TO THE LATEST EDITION OF GO 95, 128, AND THE STANDARD "SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION", AS ADOPTED BY THE CITY, COUNTY, OR STATE AS MODIFIED BY STANDARDS PLANS AND ADDENDUMS.
- THE EXISTENCE AND LOCATION OF UTILITIES AND OTHER AGENCIES FACILITIES AS SHOWN HEREON ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. OTHER FACILITIES MAY EXIST. THE CONTRACTOR SHALL VERIFY PRIOR TO THE START OF CONSTRUCTION AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY OR AGENCY FACILITIES WITHIN THE LIMITS OF WORK, WHETHER THEY ARE SHOWN ON THIS PLAN OR NOT.
- THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (800) 227-2600, AT LEAST TWO WORKING DAYS PRIOR TO THE START OF ANY EXCAVATION.
- THE CONTRACTOR SHALL NOTIFY THE CITY, COUNTY, OR STATE ENGINEER INSPECTION DEPARTMENT, AT LEAST TWO DAYS BEFORE START OF ANY WORK REQUIRING THEIR INVOLVEMENT.
- ALL WORK AREA AND STREET TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WORK AREA TRAFFIC CONTROL BOOK AND SPECIFICATIONS FROM THE CITY, COUNTY OR STATE.
- THE CITY, COUNTY OR STATE SHALL SPECIFY THE EXPIRATION PERIOD OF THE PERMIT FOR THE FINISHED GRADE AT ALL TIMES.
- THE MINIMUM COVER FOR ALL CONDUITS PLACED UNDERGROUND SHALL BE 24 INCHES TO THE FINISHED GRADE AT ALL TIMES.
- THE CONTRACTOR SHALL TUNNEL ALL CURB AND GUTTERS AND BORE ALL CONCRETE DRIVEWAYS AND WALKWAYS AT THE DIRECTION OF THE CITY, COUNTY, OR STATE INSPECTOR.
- ALL AC, AND / OR CONCRETE PAVEMENT SHALL BE REPLACED AT THE DIRECTION OF THE CITY, COUNTY, OR STATE ENGINEERS.
- ALL SHRUBS, PLANTS OR TREES THAT HAVE BEEN DAMAGED OR DISTURBED DURING THE COURSE OF THE WORK, SHALL BE REPLANTED AND / OR REPLACED SO AS TO RESTORE THE WORK SITE TO ITS ORIGINAL CONDITION.
- IF DAMAGED OCCURS TO THE CITY OR COUNTY FACILITIES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY, TRAFFIC CONTROL LIGHTING, AND STREET LIGHTING.
- AT LEAST TWO DAYS PRIOR TO THE COMMENCEMENT OF ANY WORK, NOTIFY THE POLICE TRAFFIC BUREAU AND THE FIRE DEPARTMENT.
- THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROCESSING OF ALL APPLICATION PERMIT FORMS ALONG WITH THE REQUIRED LIABILITY INSURANCE FORMS, CLEARLY DEMONSTRATING THAT CRICKET, THE CITY, COUNTY OR STATE IS ALSO INSURED WITH THE REQUIRED LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000.00 FOR THIS CONSTRUCTION PROJECT.
- VAULTS, PEDESTALS, CONDUITS AND OTHER TYPES OF SUBSTRUCTURE ARE EITHER SPECIFIED ON THIS PLAN OR WILL BE SPECIFIED BY THE CONSTRUCTION ENGINEER. ANY AND ALL DEVIATIONS FROM THE SPECIFIED TYPES OF MATERIAL MUST BE APPROVED BY THE SYSTEM ENGINEER, IN WRITING BEFORE INSTALLATION THEREOF.
- ALL U.G. CONDUIT MUST BE SCHEDULE 40 OR BETTER.
- CONDUIT REQUIREMENTS:  
UG-SCHEDULE 40 EXCEPT ALL RADIUS CONDUITS TO BE SCH. 80 RISERS-SCHEDULE 80 ALL CONDUIT MANDRELED & EQUIPPED WITH 3/8" PULL ROPE & MEASURING TAPE
- GROUND REQUIREMENTS:  
5/8" ROD-10' LENGTH #2 GROUND WIRE WOOD MOLDING, STAPLED EVERY 3' AND AT EACH END GROUNDS 2' FROM POLE
- POWER REQUIREMENT FOR 3 WIRE SERVICE 120/240V
- CONTRACTOR SHALL NOTIFY POWER COMPANY THREE DAYS PRIOR TO TRENCH EXCAVATION FOR CONDUIT INSPECTION.

| REV | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
|     |      |             |    |
|     |      |             |    |
|     |      |             |    |



1-800-227-2600  
CALL AT LEAST TWO DAYS BEFORE YOU DIG

UNDERGROUND SERVICE ALERT  
TICKET # \_\_\_\_\_

SHEET INDEX:

|              |              |
|--------------|--------------|
| TITLE SHEET  | SHEET 1 OF 6 |
| SITE PLAN    | SHEET 2 OF 6 |
| POLE PROFILE | SHEET 3 OF 6 |
| DETAIL SHEET | SHEET 4 OF 6 |
| DETAIL SHEET | SHEET 5 OF 6 |
| DETAIL SHEET | SHEET 5 OF 6 |

COASTAL COMMUNICATIONS  
3355 Mission Ave Ste. 234  
Oceanside, Ca 92058  
(760) 754-9240

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|   |   |
|---|---|
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| 2. 2001 CALIFORNIA BUILDING CODE WHICH ADOPTS THE 1997 UBV, 200 UMC, 2000 UPC AND THE 1999 NEC. | 6. UNIFORM PLUMBING CODE                    |
| 3. BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)  | 7. NATIONAL ELECTRIC CODE                   |
| 4. UNIFORM MECHANICAL CODE  | 8. LOCAL BUILDING CODE                      |
|   | 9. CITY/COUNTY ORDINANCES                   |

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PROJECT DESCRIPTION

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PROJECT MANAGER

NAME: NEXTG NETWORKS  
ADDRESS: 2125 WRIGHT AVE STE C9  
LA VERNE, CA 91750  
CONTACT: TOM RASMUSSEN  
PHONE: (951) 615-2822  
EMAIL: TRASMUSSEN@NEXTGNETWORKS.NET

CONTRACTOR

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 10400 TREENA ST  
SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTINGA  
PHONE: (951) 538-7556  
EMAIL: CHRIS.DOTINGA@HPCOMMINC.COM

PROJECT TEAM

FIBER MANAGER

NAME: NEXTG NETWORKS  
ADDRESS: 2125 WRIGHT AVE STE C9  
LA VERNE, CA 91750  
CONTACT: CHAD RASMUSSEN  
PHONE: (703) 349-5585  
EMAIL: CRASMUSSEN@NEXTGNETWORKS.NET

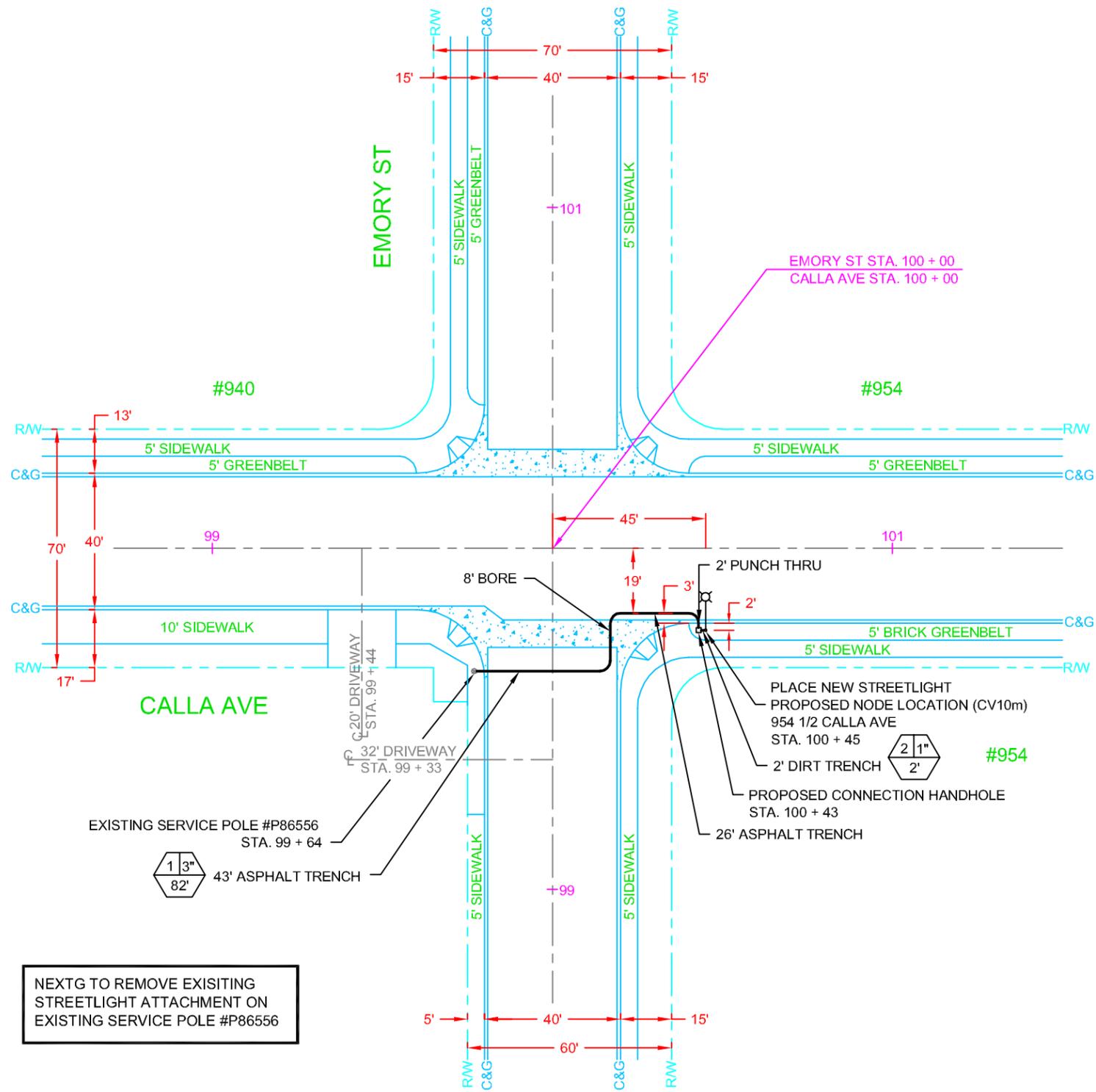
NODE ENGINEER

NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3355 MISSION AVE STE. 234  
OCEANSIDE, CA 92058  
CONTACT: MIKE FRY  
PHONE: (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

PROJECT NAME: CRICKET  
DESIGN TYPE: NODE DESIGN  
T.B.G. MAP NO.: 1329-G7  
APN: 626-151-24-00  
ENGINEERED BY: MIKE FRY  
DRAFTED BY: ANTHONY RANDALL  
ELECTRONIC FILE NAME: CBM1008CA-SND-CV10m

**TITLE SHEET**

LATITUDE: 32.58564  
LONGITUDE: -117.11298  
HEADEND: CHULA VISTA  
CRICKET ID: SAN-907-372  
CRICKET BTS: 907  
SITE NO.: **CBM1008CA-SND-CV10m**  
LOCATION: ROW ADJACENT TO 615 CALLA AVE CITY OF IMPERIAL BEACH, CA  
PLAN No.: SHEET 1 OF 6



**EQUIPMENT LEGEND**

- = SERVICE POLE
- RAW = RIGHT OF WAY
- CL = CENTERLINE
- C&G = CURB & GUTTER
- ⊙ = NEW STREETLIGHT
- = PROPOSED CONNECTION HANDHOLE

**NORTH**

SCALE 1" = 40'

NEXTG TO REMOVE EXISTING STREETLIGHT ATTACHMENT ON EXISTING SERVICE POLE #P86556

**DIGALERT**



1-800-227-2600  
CALL AT LEAST TWO DAYS BEFORE YOU DIG

UNDERGROUND SERVICE ALERT  
TICKET # \_\_\_\_\_

**CCI TELECOMMUNICATIONS CONSULTANTS**

COASTAL COMMUNICATIONS  
3355 Mission Ave Ste. 234  
Oceanside, Ca 92058  
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**PROJECT MANAGER**

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ADDRESS: 2125 WRIGHT AVE STE C9  
LA VERNE, CA 91750  
CONTACT: TOM RASMUSSEN  
PHONE: (951) 616-2822  
EMAIL: TRASMUSSEN@NEXTGNETWORKS.NET

**CONTRACTOR**

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 10400 TREENA ST  
SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTINGA  
PHONE: (951) 538-7656  
EMAIL: CHRIS.DOTINGA@HPCOMMINC.COM

**PROJECT TEAM**

**FIBER MANAGER**

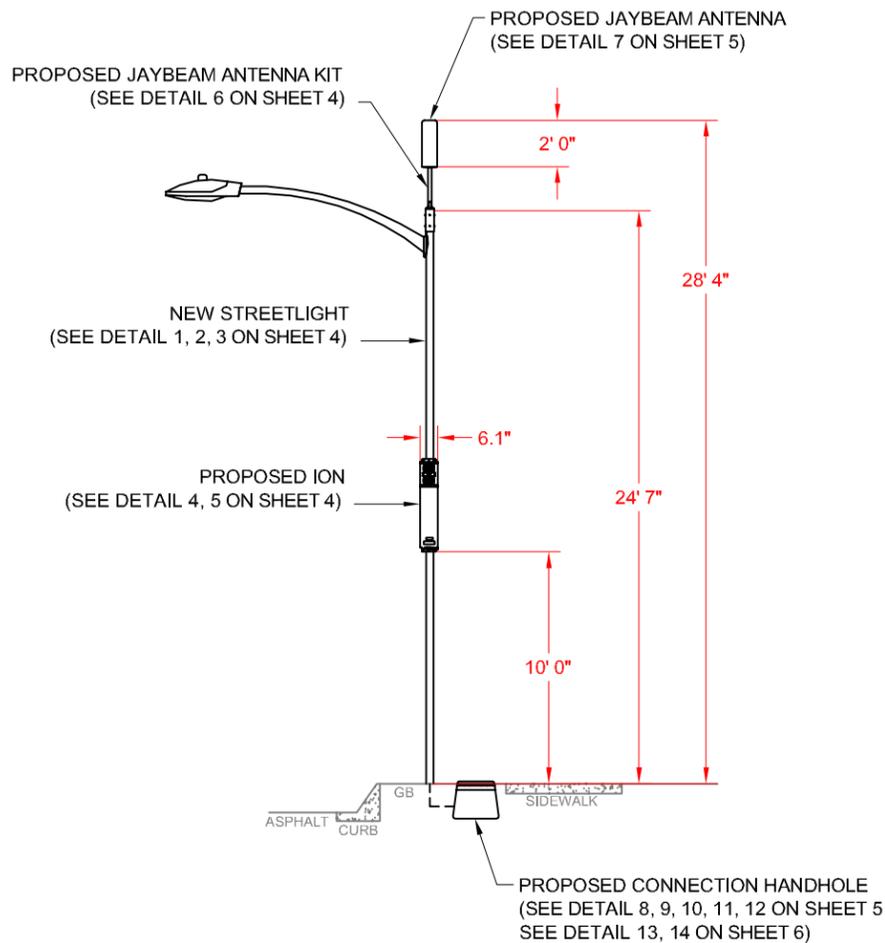
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CONTACT: CHAD RASMUSSEN  
PHONE: (703) 349-5585  
EMAIL: CRASMUSSEN@NEXTGNETWORKS.NET

**NODE ENGINEER**

NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3355 MISSION AVE STE. 234  
OCEANSIDE, CA 92058  
CONTACT: MIKE FRY  
PHONE: (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

|  |  |
|--|--|
| PROJECT NAME: CRICKET                      | LATITUDE: 32.58564   |
| DESIGN TYPE: NODE DESIGN                   | LONGITUDE: -117.11298  |
| T.B.G. MAP NO.: 1329-G7                    | HEADEND: CHULA VISTA   |
| APN: 626-151-24-00                         | CRICKET ID: SAN-907-372  |
| ENGINEERED BY: MIKE FRY DATE: 01/29/09     | CRICKET BTS: 907   |
| DRAFTED BY: ANTHONY RANDALL DATE: 01/29/09 | SITE NO.: <b>CBM1008CA-SND-CV10m</b>                               |
| ELECTRONIC FILE NAME: CBM1008CA-SND-CV10m  | LOCATION: ROW ADJACENT TO 615 CALLA AVE CITY OF IMPERIAL BEACH, CA |

**SITE PLAN**



**A NEW STREETLIGHT**      **LOOKING EAST**      SCALE N.T.S.



**B DIGITAL PHOTO**      **LOOKING SOUTH**      SCALE N.T.S.

**MAKE READY**

**NEW STREETLIGHT**

**NEW CONSTRUCTION**

NEXTG TO PLACE NEW 24' 7" STREETLIGHT.  
 NEXTG TO MOUNT JAYBEAM ANTENNA ON TOP OF NEW STREETLIGHT.  
 NEXTG MOUNT ION @ 10' 0" ABOVE GROUND.  
 NEXTG TO PLACE CONNECTION HANDHOLE 2' 0" WEST OF NEW STREETLIGHT.  
 SDG&E TO PROVIDE POWER FROM POLE #P86556.

**NOTES:**

PROPOSED TOP OF POLE: 24' 7"  
 TOP OF ANTENNA: 28' 4"  
 ANTENNA TYPE: JAYBEAM ANTENNA

SCALE  
N.T.S.

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UNDERGROUND SERVICE ALERT  
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**SERVICE EQUIPMENT POLE PROFILE**



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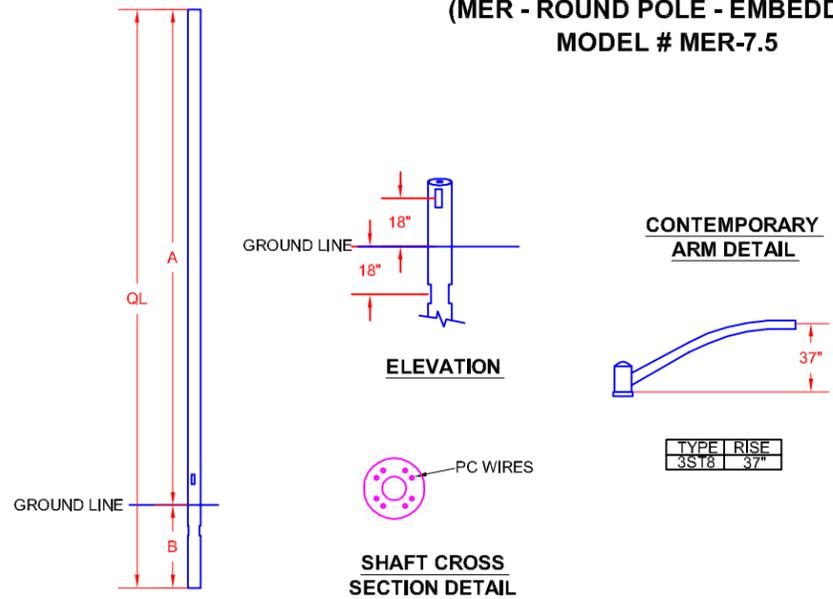
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 DESIGN TYPE: NODE DESIGN  
 T.B.G. MAP NO.: 1329-G7  
 APN: 626-151-24-00  
 ENGINEERED BY: MIKE FRY      DATE: 01/29/09  
 DRAFTED BY: ANTHONY RANDALL      DATE: 01/29/09  
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 LOCATION: ROW ADJACENT TO 615 CALLA AVE CITY OF IMPERIAL BEACH, CA  
 PLAN No.:      SHEET 3 OF 6

**AMERON CENTRECON SERIES**  
(MER - ROUND POLE - EMBEDDED)  
MODEL # MER-7.5



| CATALOG NUMBER | POLE HEIGHT "A" | BASE O.D. | EMBEDDED DEPTH "B" | OVERALL LENGTH "QL" | ULTIMATE G.L. MOMENT (FT. LBS.) | WEIGHT (LBS.) | MAXIMUM EPA/MPH (SQ.FT.) |
|----------------|-----------------|-----------|--------------------|---------------------|---------------------------------|---------------|--------------------------|
| MER-7.5        | 24'-7"          | 8'-9 1/8" | 4'-11"             | 29'-6"              | 19,910                          | 950           | 12.0 9.0 6.5             |

**1** SCALE  
N.T.S.

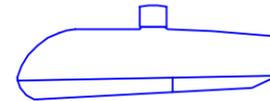
**M-250A POWR/DOOR LUMINAIRE**  
WITH CUTOFF OPTICS  
(100 WATT BULBS / LUMINAIRES)

**APPLICATION:**  
FOR RESIDENTIAL STREETS, ACCESS ROADS, PARKING LOTS WHERE LIGHT TRESPASS COULD BE A PROBLEM

**SPECIFICATION FEATURES:**

- POWER / MODULE BALLAST ASSEMBLY
- FILTERED OPTICS
- UNIVERSAL TWO OR FOUR BOLT SUPPITTER
- DIE-CAST ALUMINUM HOUSING WITH ELECTROCOAT GRAY PAINT FINISH
- ADJUSTABLE OGUL BASE SOCKET (STREET SIDE) - E30 STANDARD
- ALGLAS FINISH ON REFLECTOR
- NO-TOOL PE RECEPTACLE
- PLUG-IN IGNITOR AVAILABLE
- EXTERNAL PADDLE TYPE STAINLESS STEEL BAIL LATCH
- TRUE 90° CUTOFF - NO LIGHT ABOVE 90° (MEETS RPS-2000 FOR FULL CUTOFF) WITH FLAT GLASS
- STANDARD CONSTRUCTION IS IP55
- PLASTIC PEST GUARD STANDARD (NOT REQUIRED FOR 2 IN. PIPE)

**LUMINAIRE**



PRODUCT IDENT: M2AC  
WATTAGE: 10 x 100  
LIGHT SOURCE: HPS  
VOLTAGE: 120/208/240/277 MULTIVOLT  
BALLAST TYPE: HPF REACTOR OR LEG  
PE FUNCTION: RECEPTACLE  
LENS TYPE: GLASS  
IES DISTRIBUTION TYPE: MEDIUM, TYPE III  
FILTER: FILTER GASKET

**2** SCALE  
N.T.S.

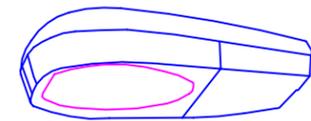
**M-400A POWR/DOOR LUMINAIRE**  
WITH CUTOFF OPTICS  
(250 WATT BULBS / LUMINAIRES)

**APPLICATION:**  
FOR STREET, HIGHWAY, AND PARKING LOT LIGHTING

**SPECIFICATION FEATURES:**

- POWER / MODULE BALLAST ASSEMBLY
- FILTERED OPTICS
- UNIVERSAL TWO OR FOUR BOLT SUPPITTER
- STANDARDIZED REFLECTOR
- "DEAD BACK" TUNNEL TYPE, FRP TERMINAL BOARD
- 2" PIPE MOUNTING ONLY WITH WDCA
- DIE-CAST ALUMINUM HOUSING WITH ELECTROCOAT GRAY PAINT FINISH
- ADJUSTABLE OGUL BASE SOCKET (HOUSE SIDE) - E30 STANDARD
- ALGLAS FINISH ON REFLECTOR
- NO-TOOL PE RECEPTACLE
- PLUG-IN IGNITOR AVAILABLE
- EXTERNAL PADDLE TYPE STAINLESS STEEL BAIL LATCH
- TRUE 90° CUTOFF - NO LIGHT ABOVE 90° (MEETS RPS-2000 FOR FULL CUTOFF) WITH FLAT GLASS

**LUMINAIRE**

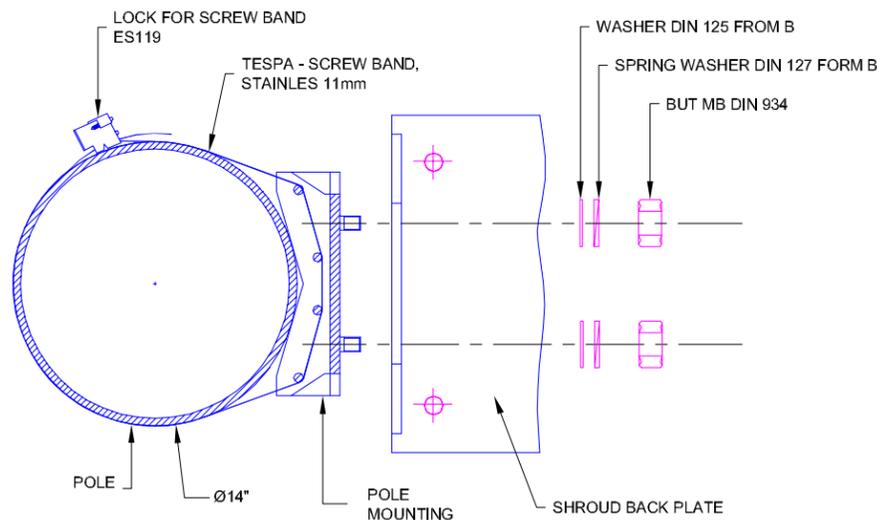


PRODUCT IDENT: MDCL  
WATTAGE: 25 x 250  
LIGHT SOURCE: HPS  
VOLTAGE: 120/208/240/277 MULTIVOLT  
BALLAST TYPE: AUTOREG  
PE FUNCTION: RECEPTACLE  
IGNITOR MOUNTING: PLUG IN BASE AND IGNITOR  
IES DISTRIBUTION TYPE: MEDIUM, CUTOFF, TYPE III  
FILTER: FILTER GASKET

**3** SCALE  
N.T.S.

**POLE MOUNTING**

(STREETLIGHTS, TRAFFIC SIGNALS, & NEW POLES)



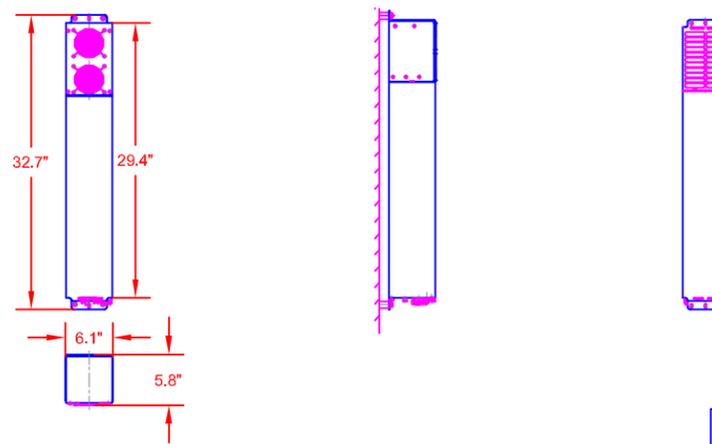
**4** SCALE  
N.T.S.

**MIKOM MULTI OPERATOR REMOTE SINGLE / DUALBAND OPTICAL SYSTEM**

**MECHANICAL SPECIFICATIONS\***

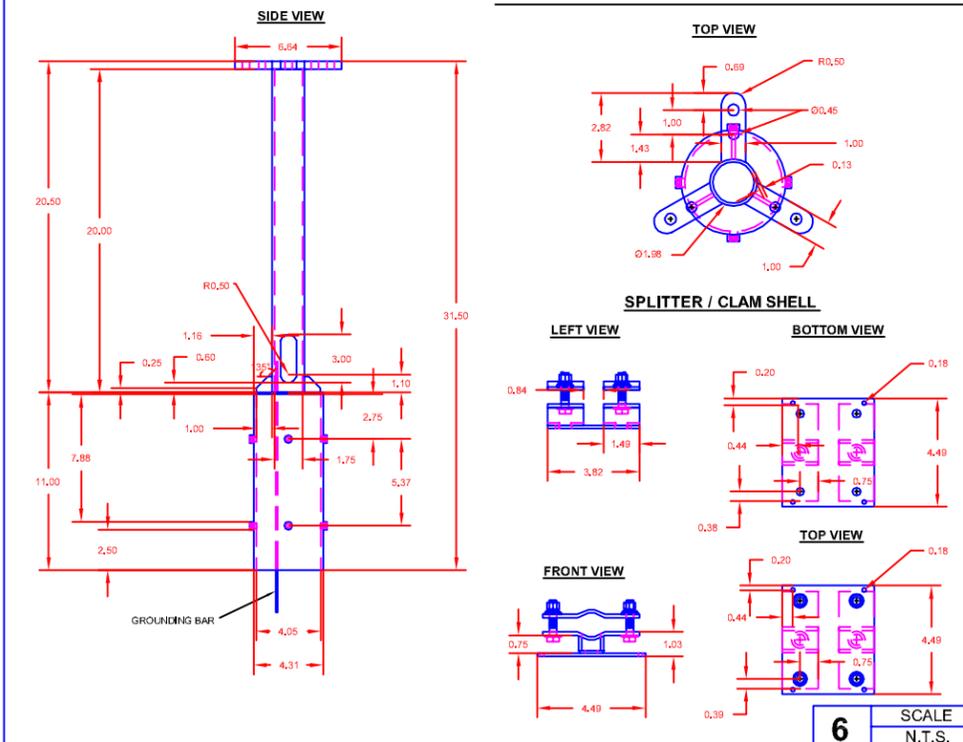
|          |  |
|----------|--|
| HEIGHT   | 831 mm (32.7")   |
| WIDTH    | 156 mm (6.1")  |
| DEPTH    | 147 mm (5.8")  |
| WEIGHT   | APPROX. 20 kg (40 lbs)   |
| MOUNTING | SPACING REQUIRED: 40 mm (2.0" AROUND UNIT. VERTICAL MOUNTING COMPULSORY. |

\*WITHOUT CONNECTORS



**5** SCALE  
N.T.S.

**JAYBEAM ANTENNA KIT #0081**



**6** SCALE  
N.T.S.



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ADDRESS: 3355 MISSION AVE STE. 234 OCEANSIDE, CA 92058  
CONTACT: MIKE FRY (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

PROJECT NAME: CRICKET

DESIGN TYPE: NODE DESIGN

T.B.G. MAP NO.: 1329-G7

APN: 626-151-24-00

ENGINEERED BY: MIKE FRY DATE: 01/29/09

DRAFTED BY: ANTHONY RANDALL DATE: 01/29/09

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**DETAIL SHEET**

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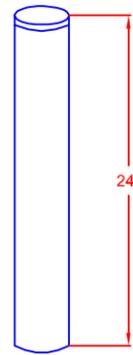
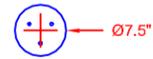
PLAN No.:

SHEET 4 OF 6

### JAYBEAM WIRELESS

MODEL #WB3X080X06Fx00  
(TRI-SECTOR ANTENNA)

TOP VIEW



| ELECTRICAL SPECIFICATIONS  |                                       |                     |                     |
|----------------------------|---------------------------------------|---------------------|---------------------|
| Frequency:                 | 1710-1880 MHz                         | 1850-1990 MHz       | 1900-2170 MHz       |
| Gain:                      | 13.5 dBi (11.4 dBd)                   | 13.5 dBi (11.4 dBd) | 14.2 dBi (12.1 dBd) |
| Omni Gain:                 | 8.8 dBi (6.7 dBd)                     |                     |                     |
| Input Impedance:           | 50 ohms                               |                     |                     |
| VSWR:                      | <1.4:1                                |                     |                     |
| Polarization:              | X-Pol                                 |                     |                     |
| Electrical DownTilt (x):   | 0°, 6°                                |                     |                     |
| Azimuth Beamwidth:         | 74°                                   | 78°                 | 80°                 |
| Elevation Beamwidth:       | 15.0°                                 | 13.6°               | 13.0°               |
| 1st Upper Sidelobe:        | <16 dB                                |                     |                     |
| Front to Back Ratio:       | <18 dB                                |                     |                     |
| Intermodulation:           | <-147 dBc 3rd order for 20 W carriers |                     |                     |
| Input Power:               | 6 x 300W                              |                     |                     |
| Connector Type / Location: | 6 x 7/16 DIN Female / Radial          |                     |                     |
| Operating Temperature:     | -40° F (-40° C) to +140° F (+60° C)   |                     |                     |

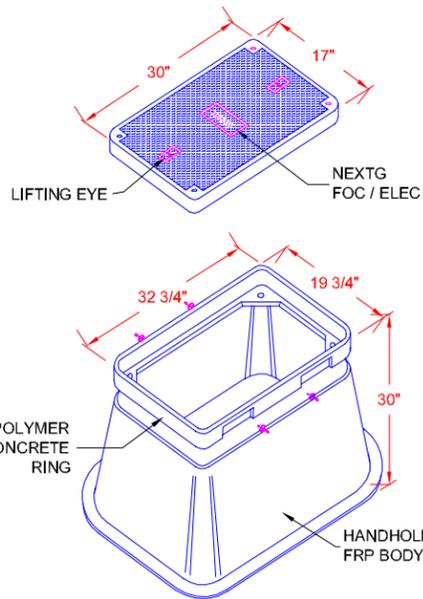
| MECHANICAL SPECIFICATIONS             |  |
|---------------------------------------|--|
| Survival Wind Speed:                  | 125 mph (200 km/h, 56 m/s)                                     |
| Wind Loads (100mph, 160 km/h, 45m/s): | Front: 15 lbf (68 N)   |
| Antenna Weight and Dims (LxWxD):      | Weight: 13 lbs (8.6 kg) 24" x 7.5" Dia. (610 mm x 191 mm Dia.) |

| MOUNTING KIT OPTIONS |             |
|----------------------|-------------|
| Pole Mounting Kit:   | WB3X-MKS-01 |

7 SCALE N.T.S.

### 17" x 30" CONNECTION HANDHOLE

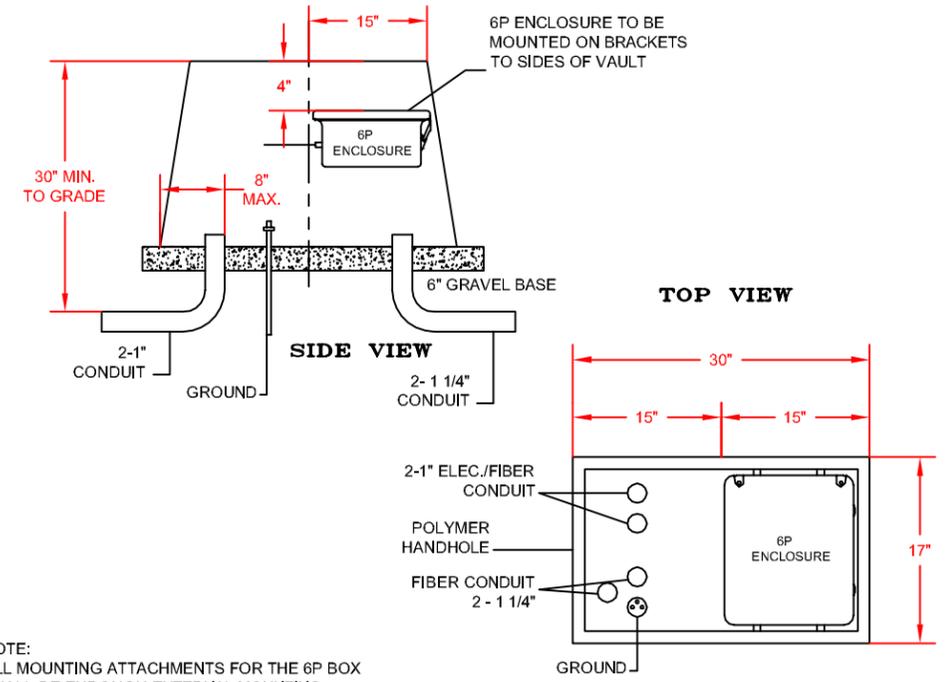
**COVER FEATURES:**  
 \* PW - 10,400 LBS. WHEEL LOAD ON 10" X 10" PLATE.  
 \* APPROX. WT. = 72 LBS.  
 \* POLYMER CONCRETE  
 \* ONE PIECE COVER  
 \* FOUR BOLT DOWN  
 \* COLOR: CONCRETE GREY  
 \* NON - SKID SURFACE  
 \* LABEL ID: NEXTG FOC / ELEC



**HANDHOLE FEATURES:**  
 \* POLYMER CONCRETE RING AND FIBERGLASS REINFORCED POLYMER BODY  
 \* COLOR OF RING: CONCRETE GREY  
 \* APPROX. WT. = 123 lbs.

8 SCALE N.T.S.

### CONNECTION HANDHOLE

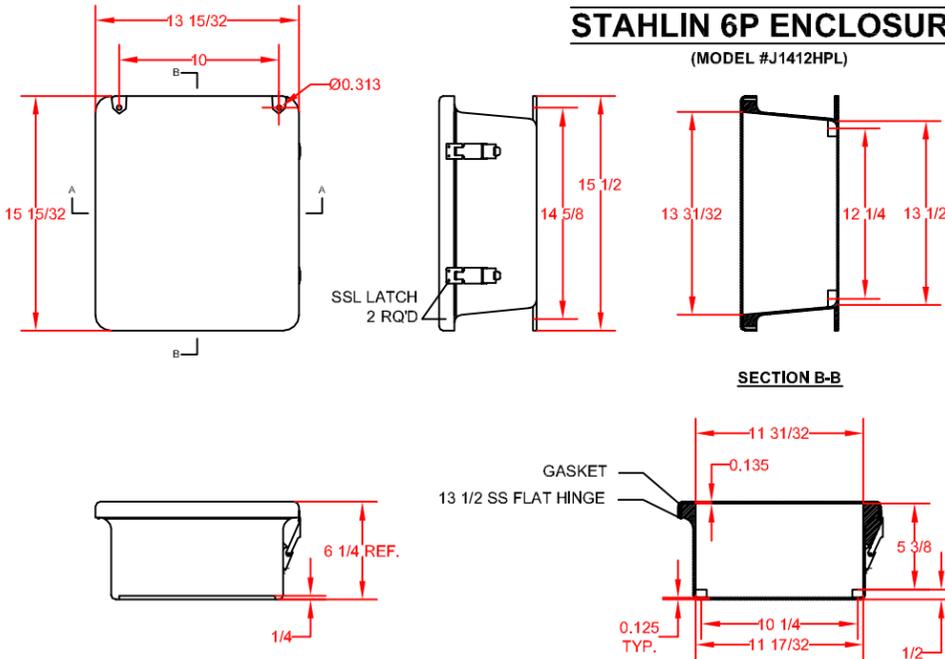


NOTE:  
 ALL MOUNTING ATTACHMENTS FOR THE 6P BOX SHALL BE THROUGH EXTERNAL MOUNTING FLANGES INTEGRAL WITH BOX

9 SCALE N.T.S.

### STAHLIN 6P ENCLOSURE

(MODEL #J1412HPL)

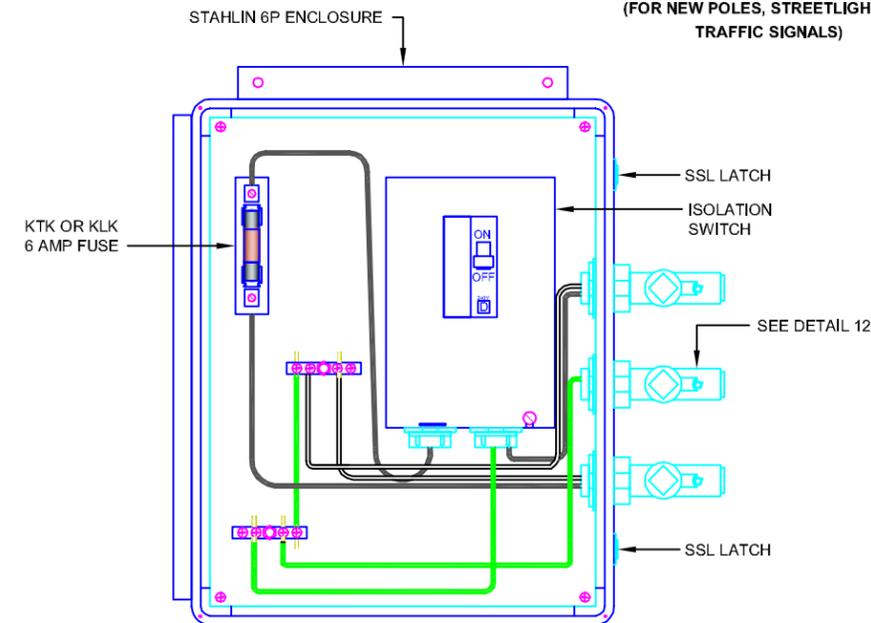


STAHLIN ENCLOSURE  
 J SERIES  
 6P ENCLOSURE  
 MODEL # J1412HPL  
 13.53 X 11.55 X 5.94

10 SCALE N.T.S.

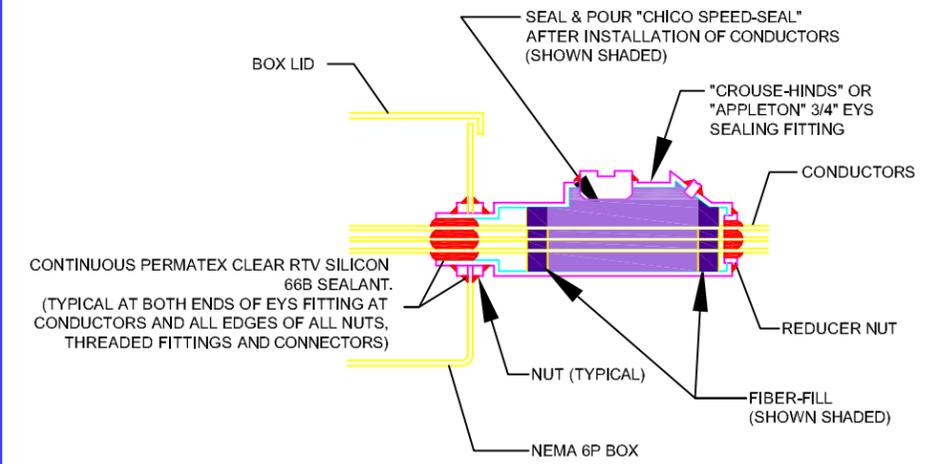
### WTR FUSE BOX

(FOR NEW POLES, STREETLIGHTS & TRAFFIC SIGNALS)



11 SCALE N.T.S.

### EYS SEALING FITTING



1. CONTRACTOR SHALL ENSURE CONDUIT CONNECTIONS ARE WATER TIGHT USING JOINT COMPOUND FOR METAL FITTINGS

12 SCALE N.T.S.



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 EMAIL: TRASMUSSEN@NEXTGNETWORKS.NET

#### CONTRACTOR

NAME: HP COMMUNICATIONS INC.  
 ADDRESS: 10400 TREENA ST  
 SAN DIEGO, CA 92131  
 CONTACT: CHRIS DOTINGA  
 PHONE: (951) 538-7556  
 EMAIL: CHRIS.DOTINGA@HPCOMMINC.COM

#### PROJECT TEAM

**FIBER MANAGER**  
 NAME: NEXTG NETWORKS  
 ADDRESS: 2125 WRIGHT AVE STE C9  
 LA VERNE, CA 91750  
 CONTACT: CHAD RASMUSSEN  
 PHONE: (703) 349-5585  
 EMAIL: CRASMUSSEN@NEXTGNETWORKS.NET

**NODE ENGINEER**  
 NAME: COASTAL COMMUNICATIONS  
 ADDRESS: 3355 MISSION AVE STE. 234  
 OCEANSIDE, CA 92058  
 CONTACT: MIKE FRY  
 PHONE: (760) 754-9240 EXT. 110  
 EMAIL: MIKE@COASTALCOMMINC.COM

#### PROJECT NAME: CRICKET

DESIGN TYPE: NODE DESIGN  
 T.B.G. MAP NO.: 1329-G7  
 APN: 626-151-24-00  
 ENGINEERED BY: MIKE FRY DATE: 01/29/09  
 DRAFTED BY: ANTHONY RANDALL DATE: 01/29/09  
 ELECTRONIC FILE NAME: CBM1008CA-SND-CV10m

#### PROJECT NAME: CRICKET

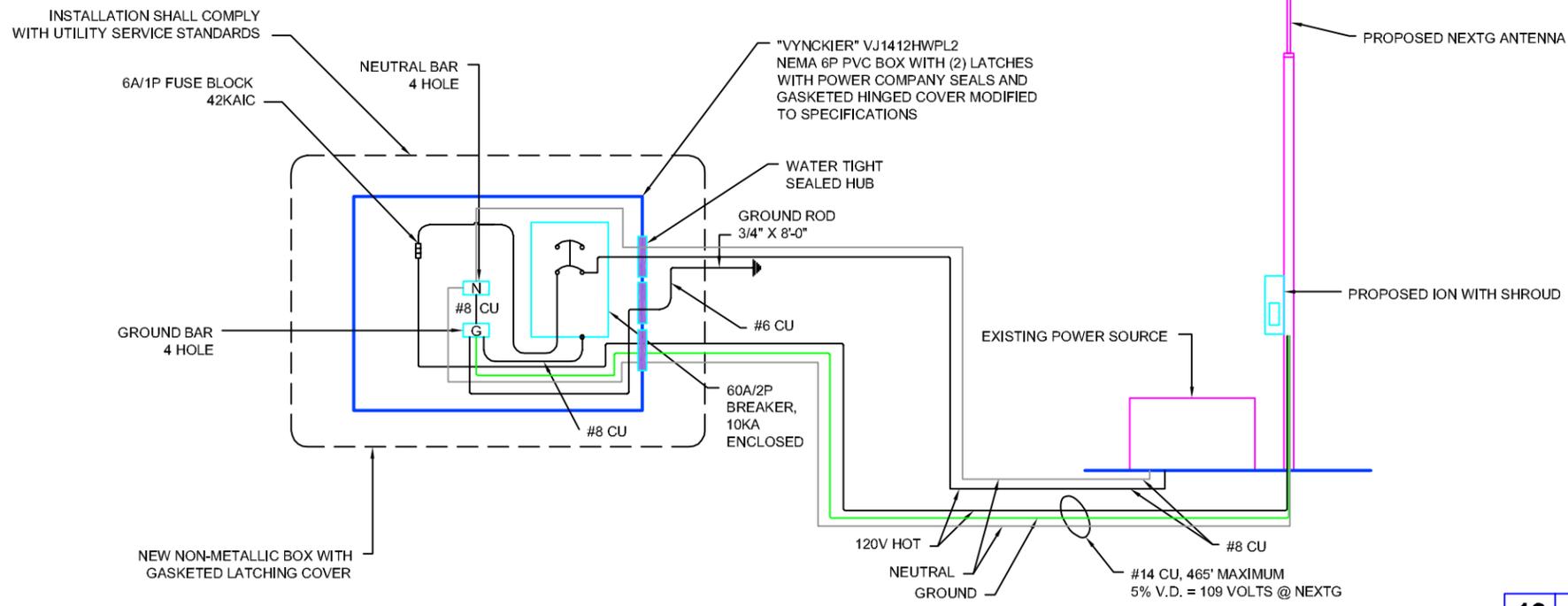
DESIGN TYPE: NODE DESIGN  
 T.B.G. MAP NO.: 1329-G7  
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 ENGINEERED BY: MIKE FRY DATE: 01/29/09  
 DRAFTED BY: ANTHONY RANDALL DATE: 01/29/09  
 ELECTRONIC FILE NAME: CBM1008CA-SND-CV10m

#### LATITUDE: 32.58564

LONGITUDE: -117.11298  
 HEADEND: CHULA VISTA  
 CRICKET ID: SAN-907-372  
 CRICKET BTS: 907  
 SITE NO.: **CBM1008CA-SND-CV10m**  
 LOCATION: ROW ADJACENT TO 615 CALLA AVE CITY OF IMPERIAL BEACH, CA  
 PLAN No.: SHEET 5 OF 6

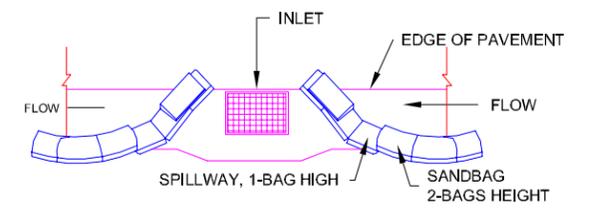
### DETAIL SHEET

**POWER SINGLE LINE DIAGRAM**

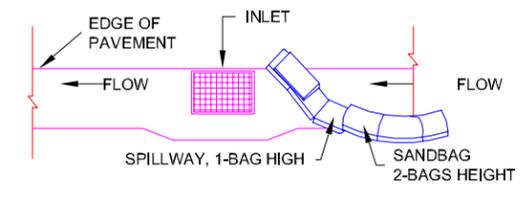


**13** SCALE N.T.S.

**STORMDRAIN INLET PROTECTION**



TYPICAL PROTECTION FOR INLET WITH OPPOSING FLOW DIRECTIONS



TYPICAL PROTECTION FOR INLET WITH SINGLE FLOW DIRECTION

**NOTES:**

1. INTENDED FOR SHORT - TERM USE.
2. USE TO INHIBIT NON - STORM WATER FLOW.
3. ALLOW FOR PROPER MAINTENANCE AND CLEANUP.
4. BAGS MUST BE REMOVED AFTER ADJACENT OPERATION IS COMPLETED.
5. NOT APPLICABLE IN AREAS WITH HIGH SILTS AND CLAYS WITHOUT FILTER FABRIC.

**14** SCALE N.T.S.



COASTAL COMMUNICATIONS  
3355 Mission Ave Ste. 234  
Oceanside, Ca 92058  
(760) 754-9240

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

|   |  |
|---|--|
| 1. CALIFORNIA ADMINISTRATIVE CODE (INCL TITLES 24 & 25)   | 5. ANS/DIA-222-F LIFE SAFETY CODE NEPA-101 |
| 2. 2001 CALIFORNIA BUILDING CODE WHICH ADOPTS THE 1997 UBV, 200 UMC, 2000 UPC AND THE 1999 NEC. | 6. UNIFORM PLUMBING CODE                   |
| 3. BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)  | 7. NATIONAL ELECTRIC CODE                  |
| 4. UNIFORM MECHANICAL CODE  | 8. LOCAL BUILDING CODE                     |
|   | 9. CITY/COUNTY ORDINANCES                  |

**CODE COMPLIANCE**

**GENERAL CONTRACTOR NOTES**

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AN CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**PROJECT DESCRIPTION**

THIS PROJECT CONSISTS OF THE INSTALLATION OF ANTENNAS AND ASSOCIATED AUXILIARY EQUIPMENT FOR CRICKET COMMUNICATIONS. THE EQUIPMENT IS TO BE MOUNTED ON STREETLIGHTS, TRAFFIC SIGNALS, WOOD POLES AND STEEL POLES.

**PROJECT MANAGER**

NAME: NEXTG NETWORKS  
ADDRESS: 2125 WRIGHT AVE STE C9 LA VERNE, CA 91750  
CONTACT: TOM RASMUSSEN (951) 815-2802  
EMAIL: TRASMUSSEN@NEXTGNETWORKS.NET

**CONTRACTOR**

NAME: HP COMMUNICATIONS INC.  
ADDRESS: 10400 TREENA ST SAN DIEGO, CA 92131  
CONTACT: CHRIS DOTINGA (951) 538-7656  
EMAIL: CHRIS.DOTINGA@HPCOMMINC.COM

**PROJECT TEAM**

**FIBER MANAGER**

NAME: NEXTG NETWORKS  
ADDRESS: 2125 WRIGHT AVE STE C9 LA VERNE, CA 91750  
CONTACT: CHAD RASMUSSEN (703) 349-5585  
EMAIL: CRASMUSSEN@NEXTGNETWORKS.NET

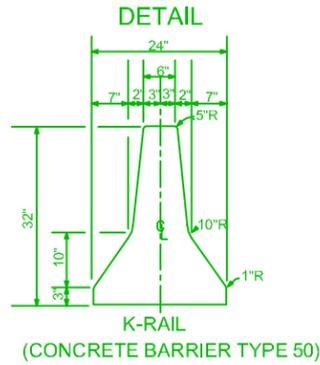
**NODE ENGINEER**

NAME: COASTAL COMMUNICATIONS  
ADDRESS: 3355 MISSION AVE STE. 234 OCEANSIDE, CA 92058  
CONTACT: MIKE FRY (760) 754-9240 EXT. 110  
EMAIL: MIKE@COASTALCOMMINC.COM

|                       |                     |
|-----------------------|---------------------|
| PROJECT NAME:         | CRICKET             |
| DESIGN TYPE:          | NODE DESIGN         |
| T.B.G. MAP NO.:       | 1329-G7             |
| APN:                  | 626-151-24-00       |
| ENGINEERED BY:        | MIKE FRY            |
| DATE:                 | 01/29/09            |
| DRAFTED BY:           | ANTHONY RANDALL     |
| ELECTRONIC FILE NAME: | CBM1008CA-SND-CV10m |
| <b>DETAIL SHEET</b>   |                     |

|              |  |
|--------------|--|
| LATITUDE:    | 32.58564   |
| LONGITUDE:   | -117.11298   |
| HEADEND:     | CHULA VISTA  |
| CRICKET ID:  | SAN-907-372  |
| CRICKET BTS: | 907  |
| SITE NO.:    | <b>CBM1008CA-SND-CV10m</b>                               |
| LOCATION:    | ROW ADJACENT TO 615 CALLA AVE CITY OF IMPERIAL BEACH, CA |
| PLAN No.:    | SHEET 6 OF 6   |

| SIGNS |             |  |           |
|-------|-------------|--|-----------|
|       | W20-2       |  | W1-3(LT)  |
|       | W20-5(RT)   |  | W13-1     |
|       | W20-5(LT)   |  | G20-2     |
|       | W20-1       |  | R9-9      |
|       | W20-4       |  | R9-11a    |
|       | W21-5       |  | R9-10     |
|       | W3-4        |  | R4-7a     |
|       | W4-2(RT)    |  | C9A(CA)   |
|       | W1-4(LT)    |  | C30(CA)   |
|       | W1-4(RT)    |  | C30A(CA)  |
|       | W20-5(BIKE) |  | C30(BIKE) |
|       | R3-4        |  | C12(CA)   |



### SIGNAGE NOTES

- AT LEAST ONE PERSON SHALL BE ASSIGNED TO FULL TIME MAINTENANCE OF TRAFFIC CONTROL DEVICES ON ALL NIGHT LANE CLOSURES.
- ALL WARNING SIGNS FOR NIGHT LANE CLOSURES SHALL BE ILLUMINATED OR REFLECTORIZED AS SPECIFIED IN THE SPECIFICATIONS.
- ALL ADVANCE WARNING SIGN INSTALLATIONS SHALL BE EQUIPPED WITH FLAGS FOR DAYTIME CLOSURES OF ALL MAJOR AND PRIME ARTERIALS. FLASHING BEACONS SHALL BE USED DURING NIGHT LANE CLOSURES.
- A G20-2 "END ROAD WORK" SIGN SHALL BE PLACED AT THE END OF THE LANE CLOSURE UNLESS THE END OF THE WORK AREA IS OBVIOUS, OR ENDS WITHIN A LARGER PROJECT LIMITS.
- ALL CONES USED FOR NIGHT LANE CLOSURES SHALL BE ILLUMINATED TRAFFIC CONES OR FITTED WITH 13" REFLECTIVE SLEEVES.
- FLASHING ARROW SIGNS SHALL BE USED PER FHWA MUTCD 2007 EDITION AS AMENDED BY THE MUTCD 2007 CALIFORNIA SUPPLEMENT. SILENT TYPE SHALL BE USED IN RESIDENTIAL AREAS.
- THE MAXIMUM SPACING BETWEEN CONES IN A TAPER OR A TANGENT SHALL BE APPROXIMATELY AS SHOWN IN TABLE 1.
- ADDITIONAL ADVANCE FLAGGERS SHALL BE REQUIRED WHEN TRAFFIC QUEUES DEVELOP. FLAGGER STATIONS FOR WORK AT NIGHT SHALL BE ILLUMINATED AS NOTED IN SECTION 6G.20 OF THE MUTCD.
- PLACE C30 (CA) "LANE CLOSED" SIGN AT 500'-1000' INTERVALS THROUGHOUT EXTENDED WORK AREAS.
- ALL REQUIRED SIGNS THAT ARE TO BE LEFT IN PLACE OVER A WEEKEND OR HOLIDAY SHALL BE POST MOUNTED.
- CONSTRUCTION AREA TRAFFIC CONTROL DEVICES SHALL MEET THE PROVISIONS OF SECTION 12 OF THE MOST RECENT EDITION OF THE CALTRANS STANDARD SPECIFICATIONS.

### TRAFFIC CONTROL NOTES

- WORK HOURS TO BE RESTRICTED TO \_\_\_\_\_ TO \_\_\_\_\_ UNLESS APPROVED OTHERWISE.
- PEDESTRIAN CONTROLS WILL BE PROVIDED AS SHOWN.
- PEDESTRIANS SHALL BE PROTECTED FROM ENTERING THE EXCAVATION BY PHYSICAL BARRIERS DESIGNED, INSTALLED, AND MAINTAINED TO THE SATISFACTION OF THE CITY ENGINEER.
- TEMPORARY "NO PARKING TOW AWAY" SIGNS STATING THE DATE AND TIME OF PROHIBITION WILL BE POSTED 72 HOURS PRIOR TO COMMENCING WORK. CALL POLICE DISPATCH TO VALIDATE POSTING.
- ACCESS WILL BE MAINTAINED TO ALL DRIVEWAYS UNLESS OTHER ARRANGEMENTS ARE MADE.
- TRENCHES MUST BE BACKFILLED OR PLATED DURING NON-WORKING HOURS UNLESS K-RAIL BARRIERS ARE PROVIDED. K-RAIL IS APPROVED ONLY WHEN SPECIFICALLY SHOWN ON THE APPROVED TRAFFIC CONTROL PLAN. PLATES SHALL HAVE CLEATS AND COLD MIX AT THE EDGES AS APPROVED BY THE CITY INSPECTOR.
- STRIPING WILL BE REPLACED BY THE CONTRACTOR WITHIN 24 HOURS, IF REMOVED OR DAMAGED.
- WORK THAT DISTURBS NORMAL TRAFFIC SIGNAL TIMING OPERATIONS SHALL BE COORDINATED WITH THE CITY OF IMPERIAL BEACH. CONTACT STREETS DIVISION 72 HOURS PRIOR TO COMMENCING WORK.
- TRAFFIC SIGNALS SHALL REMAIN FULLY ACTUATED AT ALL TIMES, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER OR HIS REPRESENTATIVE. IF TRAFFIC SIGNAL LOOP DETECTORS ARE RENDERED INOPERATIVE BY THE PROPOSED WORK, VIDEO DETECTION SHALL BE USED TO PROVIDE ACTUATION.
- FLAGGERS SHALL BE EQUIPPED WITH A WHITE HARD HAT, AN ORANGE VEST, AND A "STOP/SLOW" PADDLE ON A 5 FOOT STAFF.
- ALL TRAFFIC CONTROL DEVICES MUST BE MAINTAINED 24 HOURS A DAY, 7 DAYS PER WEEK, BY THE CONTRACTOR.
- ALL TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 2007 EDITION AS AMENDED BY THE MUTCD 2007 CALIFORNIA SUPPLEMENT.
- TRAFFIC CONTROL PLAN SUBMITTALS ARE REQUIRED FOR EACH PHASE OF THE WORK IN THE DETAIL, FORMAT, AND QUALITY ILLUSTRATED ON THIS SHEET.
- ALL TRAFFIC CONTROL DEVICES SHALL BE REMOVED FROM VIEW OR COVERED WHEN NOT IN USE.
- THE CITY ENGINEER OR HIS REPRESENTATIVE HAS THE AUTHORITY TO INITIATE FIELD CHANGES TO INSURE PUBLIC SAFETY.
- ALL WORK AFFECTING BUS STOPS SHALL BE COORDINATED WITH CITY OF IMPERIAL BEACH TRANSIT DISTRICT. CONTRACTOR SHALL CALL TRANSIT DISTRICT AT LEAST 72 HOURS IN ADVANCE OF STARTING WORK.
- CHANGEABLE MESSAGE SIGNS SHALL BE USED IN ADVANCE OF TRAFFIC CONTROL ON MAJOR AND PRIME ARTERIALS, UNLESS OTHERWISE APPROVED. THESE SIGNS SHALL BE SHOWN ON THE TRAFFIC CONTROL PLAN.

TABLE 1: TAPER LENGTHS, L<sub>1</sub>

| APPROACH SPEED (M.P.H.) | MINIMUM TAPER LENGTH L <sub>1</sub> * | MINIMUM NUMBER OF CONES FOR TAPER* | MAXIMUM SPACING OF CONES ALONG TAPER (FEET) ± | MAXIMUM SPACING OF CONES ALONG TANGENT (FEET) ± |
|-------------------------|---------------------------------------|------------------------------------|---|---|
| 25                      | 125                                   | 6                                  | 25  | 50  |
| 30                      | 180                                   | 7                                  | 30  | 60  |
| 35                      | 245                                   | 8                                  | 35  | 70  |
| 40                      | 320                                   | 9                                  | 40  | 80  |
| 45                      | 540                                   | 13                                 | 45  | 90  |
| 50                      | 600                                   | 13                                 | 50  | 100   |
| 55                      | 660                                   | 13                                 | 55  | 110   |
| 60                      | 720                                   | 13                                 | 60  | 120   |

\* BASED ON 12 FOOT WIDE LANE. THIS COLUMN IS ALSO APPROPRIATE FOR LANE WIDTHS LESS THAN 12 FEET.

TABLE 3: SIGN SPACING, L<sub>3</sub>

| APPROACH SPEED (M.P.H.) | MINIMUM DISTANCE IN FEET L <sub>3</sub> |                         |
|-------------------------|---|-------------------------|
|                         | BETWEEN SIGNS*                          | FROM LAST SIGN TO TAPER |
| LESS THAN 25            | 100'                                    | 100'                    |
| 25 TO 40                | 350'                                    | 350'                    |
| GREATER THAN 40         | 500'                                    | 500'                    |

\* EXACT SPACING MAY VARY DUE TO FIELD CONDITIONS

TABLE 2: BUFFER SPACE, L<sub>2</sub>

| APPROACH SPEED (M.P.H.) | LONGITUDINAL BUFFER SPACE L <sub>2</sub> (FEET) ±* |
|-------------------------|--|
| 25                      | 155  |
| 30                      | 200  |
| 35                      | 250  |
| 40                      | 305  |
| 45                      | 360  |
| 50                      | 425  |
| 55                      | 495  |
| 60                      | 570  |

\* SEE MUTCD TABLE 6E-101 FOR SUSTAINED DOWNGRADES STEEPER THAN 3% AND LONGER THAN 1 MILE.

### LEGEND

|  |                         |  |   |
|--|-------------------------|--|---|
|  | DIRECTION OF TRAVEL     |  | FLAG TREE   |
|  | PAVEMENT ARROW          |  | FLASHING ARROW SIGN                               |
|  | PORTABLE SIGN           |  | PORTABLE FLASHING BEACON<br>(SEE SIGNAGE NOTE #3) |
|  | TRAFFIC CONE/DELINEATOR |  | K-RAIL (TYPE 50 CONCRETE BARRIER)                 |
|  | TYPE II BARRICADE       |  | CHANGEABLE MESSAGE SIGN                           |
|  | FLAGGER                 |  |   |

SEE ATTACHED SHEETS

**DIGALERT**

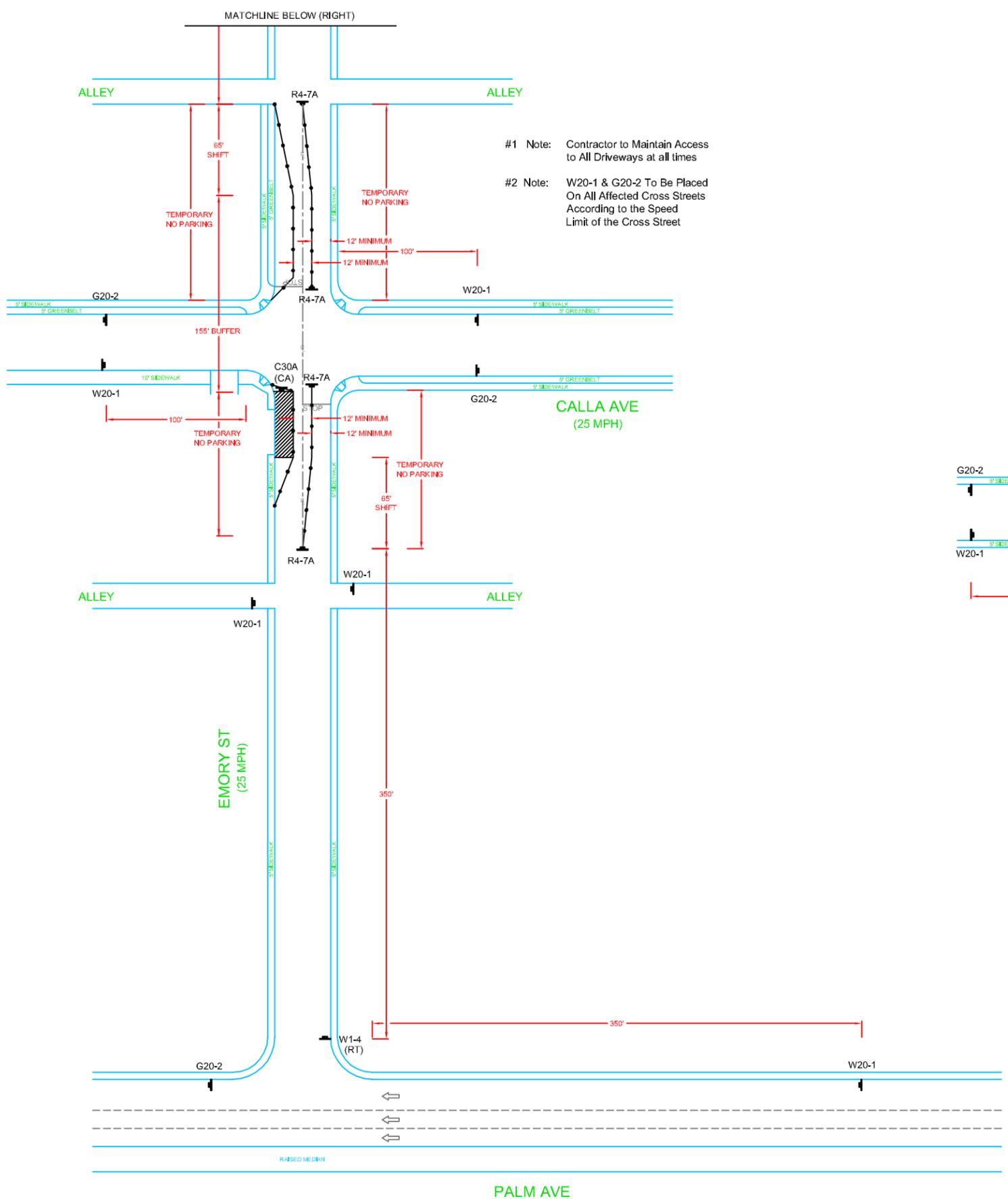


1-800-227-2600  
CALL AT LEAST TWO DAYS BEFORE YOU DIG

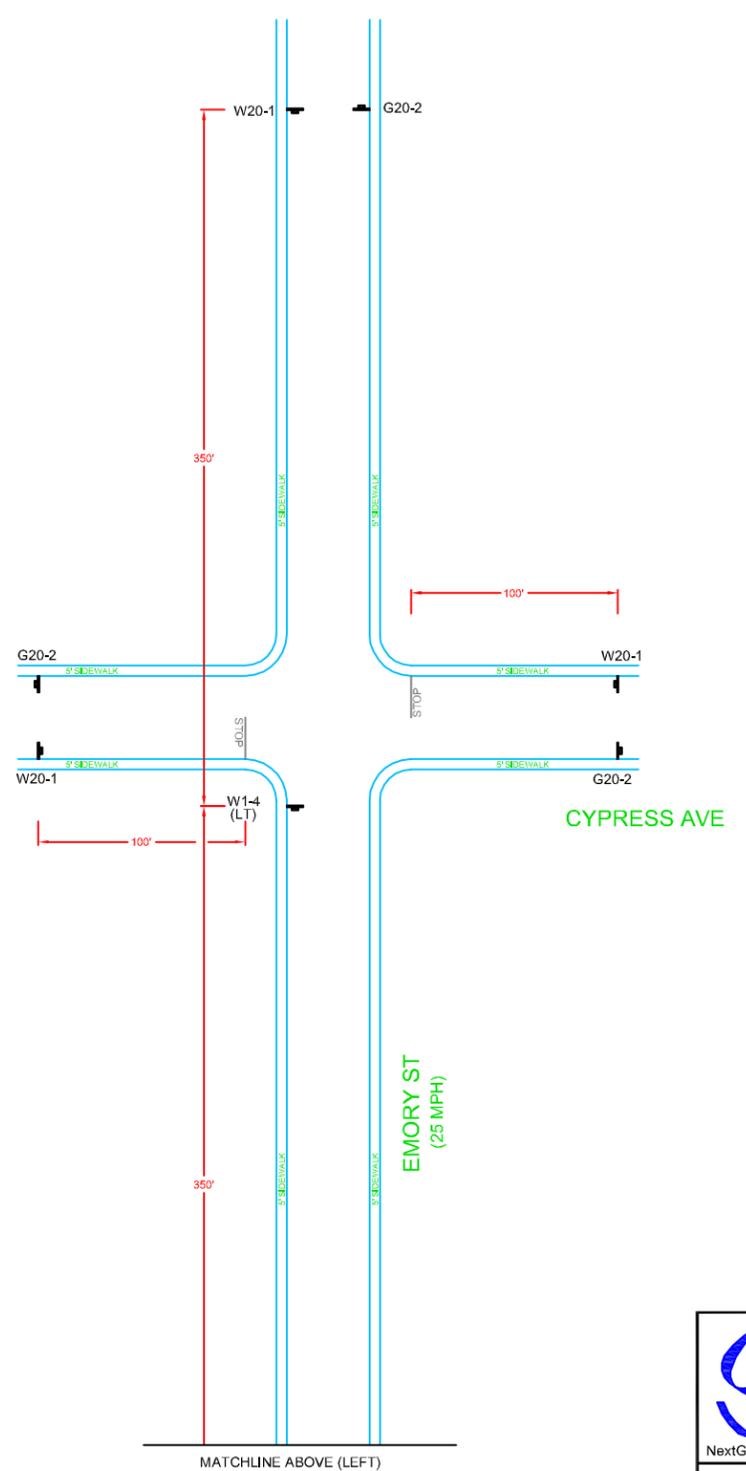
UNDERGROUND SERVICE ALERT

TICKET # \_\_\_\_\_

| NextG Networks  |     | TRAFFIC CONTROL COVERSHEET FOR:                |                |
|---|-----|--|----------------|
|   |     | CBM1008CA-SND-CV10m<br>615 CALLA AVE           |                |
| CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT                   |     |  |                |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3355 Mission Ave Ste. 234<br>Oceanside, Ca 92068 |     | <br>Tel: (760) 754-9240<br>Fax: (760) 754-9299 |                |
| FOR CITY ENGINEER _____   |     | DATE _____                                     |                |
| DESCRIPTION   |     | BY   | APPROVED       |
| ORIGINAL  | CCI |  |                |
| AS-BUILTS   |     | DATE STARTED                                   | DATE COMPLETED |
| CONTRACTOR _____  |     | INSPECTOR _____                                |                |
|   |     | 1 OF 4   |                |



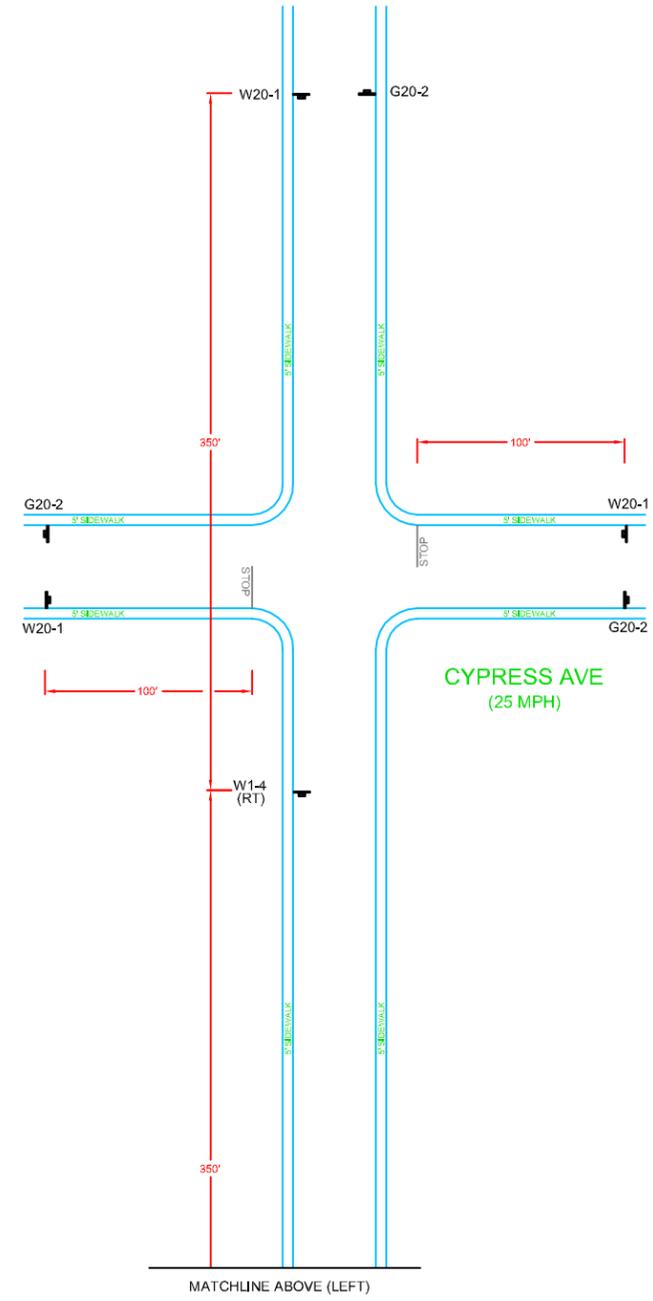
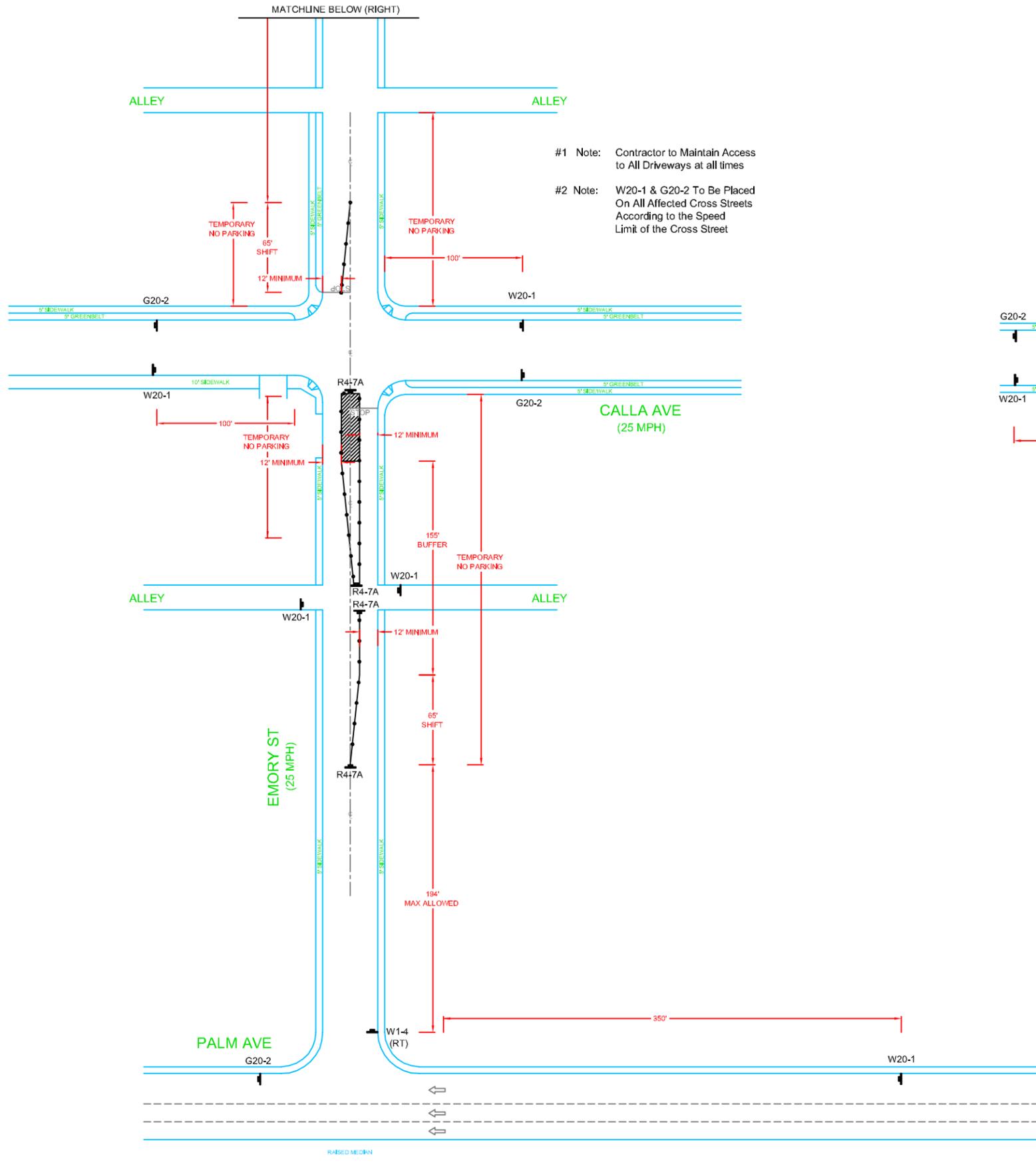
- #1 Note: Contractor to Maintain Access to All Driveways at all times
- #2 Note: W20-1 & G20-2 To Be Placed On All Affected Cross Streets According to the Speed Limit of the Cross Street



**PHASE I**  
NORTH

N.T.S.

|   | TRAFFIC CONTROL PLAN FOR:                  |   |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
|---|--|---|----------|--------|--------|----------|-----|--|--|--|-----------|--|--|--|--|--|----------------------------------|--|
|   | CBM1008CA-SND-CV10m<br>615 CALLA AVE       |   |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT   |  |   |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3355 Mission Ave Ste. 234<br>Oceanside, Ca 92058   |  | Tel: (760) 754-9240<br>Fax: (760) 754-9299                                  |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| FOR CITY ENGINEER _____   | DATE _____                                 | DRAFTED BY: <u>AF</u><br>T.S. PAGE: <u>1328-07</u><br>DATE: <u>08/13/09</u> |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| <table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>BY</th> <th>APPROVED</th> <th>DATE</th> <th>FILMED</th> </tr> </thead> <tbody> <tr> <td>ORIGINAL</td> <td>CCI</td> <td></td> <td></td> <td></td> </tr> <tr> <td>AS-BUILTS</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | DESCRIPTION                                | BY  | APPROVED | DATE   | FILMED | ORIGINAL | CCI |  |  |  | AS-BUILTS |  |  |  |  | TOM RASMUSSEN<br>CONSTRUCTION SUPERVISOR | CBM1008CA-SND-CV10m<br>FILE NAME |  |
| DESCRIPTION   | BY   | APPROVED  | DATE     | FILMED |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| ORIGINAL  | CCI  |   |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| AS-BUILTS   |  |   |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| CONTRACTOR _____<br>INSPECTOR _____   | DATE STARTED _____<br>DATE COMPLETED _____ | 2 OF 4  |          |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |



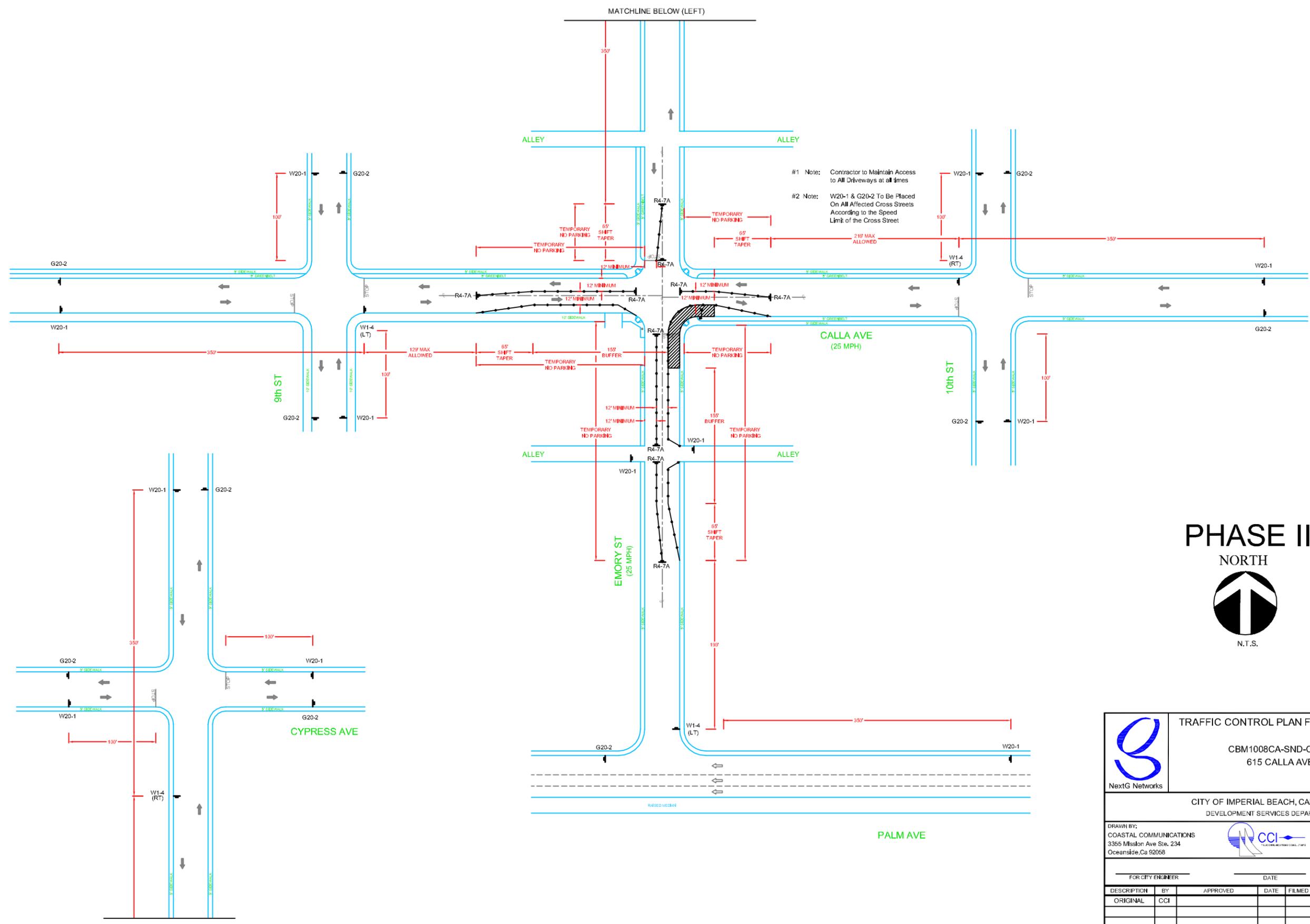
**PHASE II**

NORTH



N.T.S.

|   | TRAFFIC CONTROL PLAN FOR:                  |  |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
|---|--|--|--|--------|--------|----------|-----|--|--|--|-----------|--|--|--|--|--|----------------------------------|--|
|   | CBM1008CA-SND-CV10m<br>615 CALLA AVE       |  |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT   |  |  |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3355 Mission Ave Ste. 234<br>Oceanside, Ca 92068   |  | Tel: (760) 754-9240<br>Fax: (760) 754-9299             | DRAFTED BY: AF<br>T.B. PAGE: 1328-07<br>DATE: 08/13/09 |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| FOR CITY ENGINEER _____   | DATE _____                                 | DRAFTED BY: AF<br>T.B. PAGE: 1328-07<br>DATE: 08/13/09 |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
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| DESCRIPTION   | BY   | APPROVED   | DATE   | FILMED |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| ORIGINAL  | CCI  |  |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| AS-BUILTS   |  |  |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |
| CONTRACTOR _____<br>INSPECTOR _____   | DATE STARTED _____<br>DATE COMPLETED _____ | 3 OF 4   |  |        |        |          |     |  |  |  |           |  |  |  |  |  |                                  |  |



#1 Note: Contractor to Maintain Access to All Driveways at all times  
 #2 Note: W20-1 & G20-2 To Be Placed On All Affected Cross Streets According to the Speed Limit of the Cross Street

# PHASE III NORTH



N.T.S.

| <br>NextG Networks   | TRAFFIC CONTROL PLAN FOR:<br><br><b>CBM1008CA-SND-CV10m</b><br>615 CALLA AVE          |  |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |
|---|---|--|----------|--------|--------|----------|-----|--|--|--|-----------|--|--|--|--|---|---|
|   | CITY OF IMPERIAL BEACH, CALIFORNIA<br>DEVELOPMENT SERVICES DEPARTMENT                 |  |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |
| DRAWN BY:<br>COASTAL COMMUNICATIONS<br>3355 Mission Ave Ste. 234<br>Oceanside, Ca 92068   |  | Tel: (760) 754-9240<br>Fax: (760) 754-9299 |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |
| FOR CITY ENGINEER _____ DATE _____  | DRAFTED BY: <u>AF</u><br>T.S. PAGE: <u>1328-07</u><br>DATE: <u>08/13/09</u>           | TOM RASMUSSEN<br>CONSTRUCTION SUPERVISOR   |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |
| <table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>BY</th> <th>APPROVED</th> <th>DATE</th> <th>FILMED</th> </tr> </thead> <tbody> <tr> <td>ORIGINAL</td> <td>CCI</td> <td></td> <td></td> <td></td> </tr> <tr> <td>AS-BUILTS</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | DESCRIPTION   | BY   | APPROVED | DATE   | FILMED | ORIGINAL | CCI |  |  |  | AS-BUILTS |  |  |  |  | CONTRACTOR _____ DATE STARTED _____<br>INSPECTOR _____ DATE COMPLETED _____ | CBM1008CA-SND-CV10m<br>FILE NAME<br><b>4 OF 4</b> |
| DESCRIPTION   | BY  | APPROVED                                   | DATE     | FILMED |        |          |     |  |  |  |           |  |  |  |  |   |   |
| ORIGINAL  | CCI   |  |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |
| AS-BUILTS   |   |  |          |        |        |          |     |  |  |  |           |  |  |  |  |   |   |





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** OCTOBER 7, 2009  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR  
DAVID GARCIAS, CODE COMPLIANCE OFFICER

**SUBJECT:** 1230 13TH STREET – ORDER TO VACATE THE PREMISES, THE BUILDING DECLARED UNSAFE; UNFIT FOR HUMAN OCCUPANCY; AND A PUBLIC NUISANCE.

**BACKGROUND/DISCUSSION:**

On September 15, 2009, staff received photographs from the Sheriff's Department regarding 1230 13<sup>th</sup> Street. Sheriff's deputies reported that on September 10, 2009 during a law enforcement investigation regarding occupants of the property they observed unsanitary conditions inside the structure at 1230 13<sup>th</sup> Street, and they were concerned about the habitability of the unit for the tenants. The Sheriff's reported that the tenant stated the toilet in the bathroom did not work. The photographs were viewed by staff, and they did show substantial Municipal and Health & Safety Code violations.

On September 16, 2009, staff contacted the property owner, Patricia Eaton, to schedule an inspection of the property. When asked, the owner said she was unaware the toilet in the unit did not work. Staff contacted EDCO, and found out that the tenant had ordered a trash container, a 3-cubic yard bin.

On September 17, 2009, staff spoke with the property owner, and she said a plumber entered the unit, and repaired the toilet. Staff spoke with the plumber, "Jimmy Quick Plumbing", and he reported the problem with the toilet was broken parts inside the toilet tank not allowing it to flush. The plumber said he repaired the toilet, and it now worked.

On September 18, 2009, staff met with the property owner, and conducted the inspection of the inside of 1230 13<sup>th</sup> Street. Staff observed the following code violations:

1. **IBMC 8.50.040.B.** Defective or deteriorated flooring or floor supports.
2. **IBMC 8.50.040.A.1.** Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit.
3. **IBMC 8.50.040.F.** Inadequate Exits.
4. **CBC 1204.1.** Heating equipment required for interiors.
5. **IBMC 8.50.040.C.** Hazardous Wiring.
6. **IBMC 8.50.040.D.** Hazardous Plumbing.
7. **IBMC 15.06.010.** Building Permits – Required.
8. **IBMC 15.16.060.** Electrical Permits – Required.

During the inspection staff observed that the flooring in the bathroom was deteriorated to the sub floor, possibly including the floor joists creating an unsafe and dangerous condition. The

seal under the toilet was leaking, and the deteriorated floor was pooling with fluids. The Wall heater could not be verified to work, and is required in all habitable dwelling units. There were exposed electrical wiring, and improperly installed electrical outlets. There were broken bedroom doors creating an inadequate exit for egress.

Staff determined the building was unsafe, unfit for human occupancy, and created a public nuisance. Staff further determined the building needed to be vacated immediately. Staff notified the property owner. The property owner was cooperative and immediately relocated the tenant. The property owner also changed the locks on the doors, and secured all the openings to the vacant structure. The owner said their intention was to submit plans to the building department to correct all the violations, and remodel the house completely.

On September 18, 2009, staff posted a notice declaring the building to be unsafe, unfit for human occupancy, and creating a public nuisance. Staff personally served a copy of the notice to the property owner.

On October 1, 2009, staff sent a notice to the property owner notifying them of the public hearing scheduled for October 7, 2009, and verbally contacted the owner directly via telephone.

By the time of the October 7, 2009 City Council Meeting staff may have additional items to discuss.

#### **FISCAL ANALYSIS:**

Any person who is responsible for a public nuisance may be charged an administrative fee to cover the costs incurred by the City in enforcing this chapter. Current assessment of \$500.00 in administrative costs pursuant to Imperial Beach Municipal Code Sections 1.16.240, have accrued as follows:

1. Administrative Fee:           **\$500.00**

**ADMINISTRATIVE FEE: + 500.00**  
**TOTAL COSTS: \$ 500.00**

#### **DEPARTMENT RECOMMENDATION:**

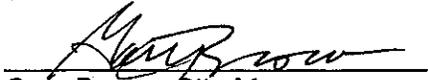
Staff recommends the Council close the public hearing, and concur with staff's decision ordering the premises vacated and declaring the structure at 1230 13<sup>th</sup> Street unsafe, unfit for human occupancy, and creating a public nuisance, and assessing the administrative fee of \$500.00 to cover the costs incurred by the City.

Staff Recommends the Mayor and City Council:

1. Open the public hearing.
2. Receive the report and entertain public testimony.
3. Staff recommends the Council close the public hearing, and consider adopting resolution #2009-6809 assessing the \$500.00 administrative fees, and concurring with staff's decision ordering the premises vacated and declaring the structure at 1230 13<sup>th</sup> Street unsafe, unfit for human occupancy, creating a public nuisance.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:      Resolution #2009-6809  
                         Notice – dated September 18, 2009

cc:                    Patricia R. Eaton  
                         861 "J" Avenue  
                         Coronado, CA 92118-2414



## RESOLUTION NO. 2009-6809

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND CONFIRMING THE ORDER TO VACATE THE PREMISES AND THE DECLARATION OF UNSAFE, UNFIT FOR HUMAN OCCUPANCY, PUBLIC NUISANCE CONDITION(S), REGARDING THE STRUCTURE AT 1230 13TH STREET IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT.**

**WHEREAS**, On September 15, 2009, staff received photographs from the Sheriff's Department regarding 1230 13<sup>th</sup> Street. Sheriff's deputies reported that on September 10, 2009 during a law enforcement investigation regarding occupants of the property they observed unsanitary conditions inside the structure at 1230 13<sup>th</sup> Street, and they were concerned about the habitability of the unit for the tenants. The Sheriff's reported that the tenant stated the toilet in the bathroom did not work. The photographs were viewed by staff, and they did show substantial Municipal and Health & Safety Code violations; and

**WHEREAS**, On September 16, 2009, staff contacted the property owner, Patricia Eaton, to schedule an inspection of the property. When asked, the owner said she was unaware the toilet in the unit did not work. Staff contacted EDCO, and found out that the tenant had ordered a trash container, a 3-cubic yard bin; and

**WHEREAS**, On September 17, 2009, staff spoke with the property owner, and she said a plumber entered the unit, and repaired the toilet. Staff spoke with the plumber, "Jimmy Quick Plumbing", and he reported the problem with the toilet was broken parts inside the toilet tank not allowing it to flush. The plumber said he repaired the toilet, and it now worked; and

**WHEREAS**, On September 18, 2009, staff met with the property owner, and conducted the inspection of the inside of 1230 13<sup>th</sup> Street. Staff observed the following code violations:

1. **IBMC 8.50.040.B.** Defective or deteriorated flooring or floor supports.
2. **IBMC 8.50.040.A.1.** Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit.
3. **IBMC 8.50.040.F.** Inadequate Exits.
4. **CBC 1204.1.** Heating equipment required for interiors.
5. **IBMC 8.50.040.C.** Hazardous Wiring.
6. **IBMC 8.50.040.D.** Hazardous Plumbing.
7. **IBMC 15.06.010.** Building Permits – Required.
8. **IBMC 15.16.060.** Electrical Permits – Required; and

**WHEREAS**, During the inspection staff observed that the flooring in the bathroom was deteriorated to the sub floor, possibly including the floor joists creating an unsafe and dangerous condition. The seal under the toilet was leaking, and the deteriorated floor was pooling with fluids. The Wall heater could not be verified to work, and is required in all habitable dwelling units. There were exposed electrical wiring, and improperly installed electrical outlets. There were broken bedroom doors creating an inadequate exit for egress; and

**WHEREAS**, Staff determined the building was unsafe, unfit for human occupancy, and created a public nuisance. Staff further determined the building needed to be vacated immediately. Staff notified the property owner. The property owner was cooperative and immediately relocated the tenant. The property owner also changed the locks on the doors, and secured all the openings to the vacant structure. The owner said their intention was to submit plans to the building department to correct all the violations, and remodel the house completely; and

**WHEREAS**, On September 18, 2009, staff posted a notice declaring the building to be unsafe, unfit for human occupancy, and creating a public nuisance. Staff personally served a copy of the notice to the property owner; and

**WHEREAS**, On October 1, 2009, staff sent a notice to the property owner notifying them of the public hearing scheduled for October 7, 2009, and verbally contacted the owner directly via telephone; and

**WHEREAS**, testimony was presented to the City Council at the public hearing on October 7, 2009 regarding conditions at 1230 13<sup>th</sup> Street; and

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

**SECTION 1:** The foregoing recitals are true and correct, and the City Council hereby concurs with the order to vacate the premises issued by the health officer/building official declaring the property to be unsafe, unfit for human habitation and assessing costs of abatement, an administrative fee.

**SECTION 2:** The cost of abatement is approved as follows:

**Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.**

Any person who is responsible for a public nuisance may be charged an administrative fee to cover the costs incurred by the City in enforcing this chapter. Current assessment of \$500.00 in administrative costs pursuant to Imperial Beach Municipal Code Sections 1.16.240, have accrued as follows:

1. Administrative Fee:           **\$500.00**

**ADMINISTRATIVE FEE: + 500.00**  
**TOTAL COSTS: \$ 500.00**

**SECTION 3:** The Five Hundred dollars (\$500.00) administrative fee is hereby assessed. The total amount of **\$500.00** shall be remitted to the City within 30 days of adoption of this Resolution and constitutes an assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the county recorder of notice of lien, shall be collected at the same time and in the same manner as ordinary municipal taxes, and is subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary municipal taxes.

**SECTION 4:** The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

**SECTION 5:** The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described property as shown in the last equalized assessment roll;

2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 7th day of October 2009, by the following roll call vote:

|                      |                        |
|----------------------|------------------------|
| <b>AYES:</b>         | <b>COUNCILMEMBERS:</b> |
| <b>NOES:</b>         | <b>COUNCILMEMBERS:</b> |
| <b>ABSENT:</b>       | <b>COUNCILMEMBERS:</b> |
| <b>DISQUALIFIED:</b> | <b>COUNCILMEMBERS:</b> |

\_\_\_\_\_  
**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 a true and correct copy of Resolution No. 2009-6809 – A Resolution of the City Council of the City of Imperial Beach, California, FINDING AND CONFIRMING THE ORDER TO VACATE THE PREMISES AND THE DECLARATION OF UNSAFE, UNFIT FOR HUMAN OCCUPANCY, PUBLIC NUISANCE CONDITION(S), REGARDING THE STRUCTURE AT 1230 13TH STREET IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT, AN ADMINISTRATIVE FEE.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE





09-446

The City of Imperial Beach

ATTACHMENT 2

BUILDING DIVISION  
825 Imperial Beach Blvd.  
Imperial Beach, California  
91932

Tel. (619) 628-1357  
Tel. (619) 628-0882  
Fax. (619) 424-4093

COMMUNITY DEV. DEPT.  
Tel. (619) 628-1356

INTERNET:  
<http://www.cityofib.com>

# DANGER

**THIS BUILDING IS DECLARED UNSAFE; UNFIT FOR HUMAN OCCUPANCY; AND A PUBLIC NUISANCE**

**IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING**

Correction of the violation(s) indicted below must be completed by: **Correction Date: October 18, 2009** Time: \_\_\_\_\_

**IMPORTANT INFORMATION:** By order of the Building Official this notice is declaring the structure(s) unsafe, unfit for human occupancy, and a public nuisance. It is unlawful for any person to occupy or reside in this structure. The Building Official will suspend or refuse to issue any building permits until all violations are corrected pursuant to Chapters 15.06, 8.50, and 8.30 of the Imperial Beach Municipal Code. The below described violations constitute a violation of the Imperial Beach Municipal Code. If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, an administrative citation may be issued.

**1st Administrative Citation - \$100 / 2nd Citation - \$200 / 3rd Citation - \$500 / 4th and Subsequent Citation(s) - \$1000**

These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City as specified by the Imperial Beach Municipal Code.

**Location:** 1230 13<sup>th</sup> Street, Imperial Beach, CA **APN.** 633-092-31-00 **DATE OF NOTICE:** Sept. 18, 2009

**Owner:** Eaton, Patricia R. **CONTRACTOR / BUSINESS:** \_\_\_\_\_

**Mailing Address:** 861 "J" Avenue, Coronado, CA 92118

**Code Section(s) Violated:**  IBMC 15.06 Bldg Permits - Required  IBMC 8.50.040.C. Hazardous Wiring

**Date Violation(s) Observed:** 9/18/09  IBMC 8.50.040.B. Defective or deteriorated flooring or floor supports.  IBMC 15.16.060. Electrical Permit - Required

**Corrections Required:** You must vacate the residence as soon as possible. The property must remain vacant until all the necessary repairs to abate the above listed violations are completed. Building and Electrical permits are required.

**ISSUING ENFORCEMENT OFFICER SIGNED FOR BUILDING OFFICIAL / TITLE:** Telephone: \_\_\_\_\_ Date: \_\_\_\_\_  
Officer's Name (Print): D. Garcias (619) 628-1359 September 18, 2009

✓ Recipient's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Note: Signing this notice acknowledges receipt only, and is not an admission of guilt.)

Notice Served:  In Person To: Patricia Eaton 9-18-09  Posted on Property  By Mail 10-1-09  Other

**IT IS UNLAWFUL TO REMOVE THIS NOTICE - SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION**  
SLDG - DANGER (9/2008) Page 1 of 2



# The City of Imperial Beach

**BUILDING DIVISION**  
825 Imperial Beach Blvd.  
Imperial Beach, California  
91932  
Tel. (619) 628-1357  
Tel. (619) 628-0882  
Fax. (619) 424-4093

**COMMUNITY DEV. DEPT.**  
Tel. (619) 628-1356

**INTERNET:**  
<http://www.cityofib.com>

Pursuant to Imperial Beach Municipal Code Chapters 1.12, 1.16, and 8.50, all buildings, structures, properties, or portions thereof which are determined by Authorized personnel to be substandard or unsafe are declared to be unsafe or substandard and are declared to be a public nuisance, and be abated by repair, rehabilitation, demolition, removal or cleaning.

The property located at the **1230 13th Street, Imperial Beach, CA 91932** must be cured of all violations on or before **October 7, 2009**. The City may also continue Public Nuisance Abatement proceedings against you and your property and will secure payment of such expense by assessment and lien, as provided by Imperial Beach Municipal Code Chapters 1.12, 1.16 and 8.50. Administrative fees of up to \$500.00 may be assessed.

The City of Imperial Beach City Council will consider this matter at its hearing on **October 7, 2009**, 6:00 PM at 825 Imperial Beach Boulevard, at which time the owner(s) of said property may appear and present reason why civil penalties and administrative costs may not be assessed, and why clearing or repair should not be required.

Date Posted: SEP 18 2009

CITY OF IMPERIAL BEACH

By: \_\_\_\_\_

Signed for City Manager/Title

CITY OF IMPERIAL BEACH  
CODE COMPLIANCE DIVISION



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** OCTOBER 7, 2009  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
 GREG WADE, DIRECTOR  
 DAVID GARCIAS, CODE COMPLIANCE OFFICER

**SUBJECT:** 1174 SEACOAST DRIVE – ORDER TO VACATE THE PREMISES, THE BUILDING DECLARED UNSAFE; UNFIT FOR HUMAN OCCUPANCY; AND A PUBLIC NUISANCE.

**BACKGROUND/DISCUSSION:**

On July 13, 2009, staff received a citizen complaint about code violations located at 1174 Seacoast Drive, Imperial Beach. Through record research it was determined that there was a three story structure on the property with five legal units and a detached cottage.

On August 17, 2009, September 22, 2009, September 28, 2009, and September 30, 2009 staff conducted inspections of the property. During these inspections staff observed there was no gas service to any of the units on the property. There were only two disconnected gas meters on the property, and it was observed that there were no heating fixtures such as wall heaters inside the rental units as is required in all habitable dwelling units. The plumbing for the gas lines was deteriorated, abandoned, and left in place. Tenants were found to still have disconnected, non operating gas stoves in the units, and they were using hot plates as an alternative cooking source. There were numerous hazardous and dangerous electrical violations such as exposed electrical wiring and improper and dangerously installed electrical connections and outlets. The showers/bathtubs in the units were altered and improperly constructed and created hazardous conditions with water intrusion into the structure. The stairs, guardrails, handrails, walkways, and supports were altered and deteriorated, and therefore created an unsafe and dangerous condition. In some locations the hardware securing the supports to the stairways and walkways had deteriorated and constituted a dangerous condition. Much of the wood on the walkways, stairways, and structure were termite infested, and had deteriorated substantially. The firefighting equipment on the property was not functioning and deteriorated. Staff found the three story structure had been altered to add an illegal sixth unit on the third floor and the detached cottage had no kitchen and was being occupied by a tenant. In all cases there was substantial evidence of illegal building, electrical, plumbing, and mechanical construction work with no evidence of Building Permits or inspections obtained, and with no compliance with any current or past codes. The following code violations were observed:

1. **IBMC 8.50.040.A.1.** Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit.
2. **IBMC 8.50.040.A.2.** Lack of or improper kitchen sink.

3. **IBC 8.50.040.B. Structural Hazards.**
4. **IBC 8.50.040.H. Improper Occupancy.**
5. **CBC 1204.1. Heating equipment required for interiors.**
6. **IBC 8.50.040.C. Hazardous Wiring.**
7. **IBC 8.50.040.D. Hazardous Plumbing.**
8. **IBC 8.50.040.E. Hazardous Mechanical Equipment.**
9. **IBC 8.50.040.F. Inadequate Exits.**
10. **IBC 8.50.040.G. Inadequate Fire Protection or Firefighting Equipment.**
11. **IBC 8.50.050.B. Termite Infestation.**
12. **IBC 15.06.010. Building Permits – Required.**
13. **IBC 15.16.060. Electrical Permits – Required.**
14. **IBC 15.32.060. Plumbing Permits – Required.**

On September 30, 2009, Staff posted the property with an order to vacate the premises. The building was declared unsafe and unfit for human occupancy constituting a public nuisance. A copy was sent to the property owner (McCann Family Trust) by both regular and certified mail.

On October 1, 2009, staff spoke with Al Deleo, the father of the owner. Deleo admitted he had no authority to rent out any units on the property, and he had no authority to do any repairs or modifications. Staff obtained the phone number of the property owners. Staff called and spoke with the owner of the property, Rosemarie McCann. The owner said she was unaware the property was being rented out. She also said the property was only supposed to be used as a vacation home for her father, Al Deleo, for his use only. After this conversation, staff met with a contractor at the property retained by the owner to secure the property by boarding up all the openings. Staff also spoke with an attorney representing the tenants.

On October 2, 2009, staff communicated to the property owner and the attorney representing the tenants that pursuant to California Health & Safety Code Section 17975 any tenant who is displaced or subject to displacement from a residential rental unit as a result of an order to vacate shall be entitled to receive relocation benefits from the owner. Further, staff communicated to the owner that if the property was not vacated immediately, staff may begin assessing fines against the property.

By the time of the October 7, 2009 City Council Meeting staff may have additional items to discuss.

**FISCAL ANALYSIS:**

Any person who is responsible for a public nuisance may be charged an administrative fee to cover the costs incurred by the City in enforcing this chapter. Current assessment of \$500.00 in administrative costs pursuant to Imperial Beach Municipal Code Sections 1.16.240, have accrued as follows:

1. Administrative Fee:           **\$500.00**

**ADMINISTRATIVE FEE: + 500.00**  
**TOTAL COSTS: \$ 500.00**

**DEPARTMENT RECOMMENDATION:**

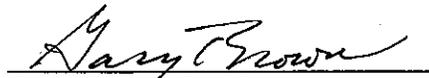
Staffs recommends the Council conduct the public hearing, and concur with staff's decision ordering the premises vacated and declaring the structure at 1174 Seacoast Drive unsafe and unfit for human occupancy and creating a public nuisance, and assessing the administrative fee of \$500.00 to cover the costs incurred by the City.

Staff Recommends the Mayor and City Council:

1. Open the public hearing.
2. Receive the report and entertain public testimony.
3. Staff recommends the Council close the public hearing, and consider adopting Resolution Number 2009-6810 assessing \$500.00 administrative fees, and concurring with staff's decision ordering the premises vacated and declaring the structure at 1174 Seacoast Drive unsafe and unfit for human occupancy and a public nuisance.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments: Resolution #2009-6810  
Notice – dated September 30, 2009  
Fire / Safety inspection notice – dated September 9, 2009

cc: McCann Family Trust  
2029 Caracol Ct  
Carlsbad, CA 92009-6118



## RESOLUTION NO. 2009-6810

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND CONFIRMING THE ORDER TO VACATE THE PREMISES AND THE DECLARATION OF UNSAFE AND UNFIT FOR HUMAN OCCUPANCY AND A PUBLIC NUISANCE CONDITION(S), REGARDING THE STRUCTURE AT 1174 SEACOAST DRIVE IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT.

**WHEREAS**, On July 13, 2009, staff received a citizen complaint about code violations located at 1174 Seacoast Drive, Imperial Beach. Through record research it was determined that there was a three story structure on the property with five legal units and a detached cottage; and

**WHEREAS**, On August 17, 2009, September 22, 2009, September 28, 2009, and September 30, 2009 staff conducted inspections of the property. During these inspections staff observed there was no gas service to any of the units on the property. There were only two disconnected gas meters on the property, and it was observed that there were no heating fixtures such as wall heaters inside the rental units as is required in all habitable dwelling units. The plumbing for the gas lines was deteriorated, abandoned, and left in place. Tenants were found to still have disconnected, non operating gas stoves in the units, and they were using hot plates as an alternative cooking source. There were numerous hazardous and dangerous electrical violations such as exposed electrical wiring and improper and dangerously installed electrical connections and outlets. The showers/bathtubs in the units were altered and improperly constructed and created hazardous conditions with water intrusion into the structure. The stairs, guardrails, handrails, walkways, and supports were altered and deteriorated, and therefore created an unsafe and dangerous condition. In some locations the hardware securing the supports to the stairways and walkways had deteriorated and constituted a dangerous condition. Much of the wood on the walkways, stairways, and structure were termite infested, and had deteriorated substantially. The firefighting equipment on the property was not functioning and deteriorated. Staff found the three story structure had been altered to add an illegal sixth unit on the third floor and the detached cottage had no kitchen and was being occupied by a tenant. In all cases there was substantial evidence of illegal building, electrical, plumbing, and mechanical construction work with no evidence of Building Permits or inspections obtained, and with no compliance with any current or past codes. The following code violations were observed:

1. **IBMC 8.50.040.A.1.** Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit.
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3. **IBMC 8.50.040.B.** Structural Hazards.
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9. **IBMC 8.50.040.F.** Inadequate Exits.
10. **IBMC 8.50.040.G.** Inadequate Fire Protection or Firefighting Equipment.
11. **IBMC 8.50.050.B.** Termite Infestation.
12. **IBMC 15.06.010.** Building Permits – Required.
13. **IBMC 15.16.060.** Electrical Permits – Required.
14. **IBMC 15.32.060.** Plumbing Permits – Required.

**WHEREAS**, On September 30, 2009, Staff posted the property with an order to vacate the premises. The building was declared unsafe and unfit for human occupancy constituting a public nuisance. A copy was sent to the property owner (McCann Family Trust) by both regular and certified mail; and

**WHEREAS**, On October 1, 2009, staff spoke with Al Deleo, the father of the owner. Deleo admitted he had no authority to rent out any units on the property, and he had no authority to do any repairs or modifications. Staff obtained the phone number of the property owners. Staff called and spoke with the owner of the property, Rosemarie McCann. The owner said she was unaware the property was being rented out. She also said the property was only supposed to be used as a vacation home for her father, Al Deleo, for his use only. After this conversation, staff met with a contractor at the property retained by the owner to secure the property by boarding up all the openings. Staff also spoke with an attorney representing the tenants; and

**WHEREAS**, On October 2, 2009, staff communicated to the property owner and the attorney representing the tenants that pursuant to California Health & Safety Code Section 17975 any tenant who is displaced or subject to displacement from a residential rental unit as a result of an order to vacate shall be entitled to receive relocation benefits from the owner. Further, staff communicated to the owner that if the property was not vacated immediately, staff may begin assessing fines against the property; and

**WHEREAS**, testimony was presented to the City Council at the public hearing on October 7, 2009 regarding conditions at 1174 Seacoast Drive; and

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

**SECTION 1:** The foregoing recitals are true and correct, and the City Council hereby concurs with the order to vacate the premises issued by the health officer/building official declaring the property to be unsafe and unfit for human habitation and a public nuisance and assessing costs of abatement, an administrative fee.

**SECTION 2:** The cost of abatement is approved as follows:

**Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.**

Any person who is responsible for a public nuisance may be charged an administrative fee to cover the costs incurred by the City in enforcing this chapter. Current assessment of \$500.00 in administrative costs pursuant to Imperial Beach Municipal Code Sections 1.16.240, have accrued as follows:

1. Administrative Fee:           **\$500.00**

**ADMINISTRATIVE FEE: + 500.00**  
**TOTAL COSTS: \$ 500.00**

**SECTION 3:** The Five Hundred dollars (\$500.00) administrative fee is hereby assessed. The total amount of **\$500.00** shall be remitted to the City within 30 days of adoption of this Resolution and constitutes an assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the county recorder of notice of lien, shall be collected at the same time and in the same manner as ordinary municipal taxes, and is subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary municipal taxes.

**SECTION 4:** The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

**SECTION 5:** The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described property as shown in the last equalized assessment roll;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 7th day of October 2009, by the following roll call vote:

|                      |                        |
|----------------------|------------------------|
| <b>AYES:</b>         | <b>COUNCILMEMBERS:</b> |
| <b>NOES:</b>         | <b>COUNCILMEMBERS:</b> |
| <b>ABSENT:</b>       | <b>COUNCILMEMBERS:</b> |
| <b>DISQUALIFIED:</b> | <b>COUNCILMEMBERS:</b> |

\_\_\_\_\_  
**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 a true and correct copy of Resolution No. 2009-6810 – A Resolution of the City Council of the City of Imperial Beach, California, FINDING AND CONFIRMING THE ORDER TO VACATE THE PREMISES AND THE DECLARATION OF UNSAFE AND UNFIT FOR HUMAN OCCUPANCY AND PUBLIC NUISANCE CONDITION(S), REGARDING THE STRUCTURE AT 1174 SEACOAST DRIVE IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT, AN ADMINISTRATIVE FEE.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE



City of Imperial Beach, Building Division, 825 Imperial Beach Blvd, Imperial Beach, CA 91932  
Building Division: Tel. (619) 628-1357; Fax. (619) 424-4093 / Community Dev. Dept. (619) 628-1356

#09-388

# DANGER

## NOTICE TO VACATE

**IT IS A MISDEMEANOR TO OCCUPY THIS BUILDING, OR TO REMOVE OR DEFACE THIS NOTICE. IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING AND IT MUST BE VACATED IMMEDIATELY.**

This Building is found to be in violation of City of Imperial Beach  
Municipal Code Chapter (s): 8.50. and 1.16, and Title 15

If the building, structure or property is in such condition as to make it immediately dangerous to the life, limb, property or safety of its occupants or the public, it shall be ordered to be vacated and a "Notice to Vacate" shall be issued.

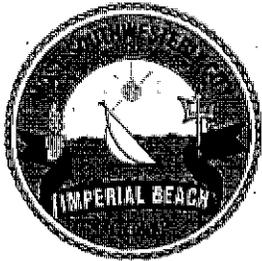
Location: 1174 Seacoast Dr, Imperial Beach, CA 91932 APN: 632-010-08-00

*Edward B. Wilczak*  
\_\_\_\_\_  
Building Official

*Mary Brown*  
\_\_\_\_\_  
City Manager

SEP 30 2009

**Date Notice Posted**



#09-388

The City of Imperial Beach

BUILDING DIVISION  
825 Imperial Beach Blvd.  
Imperial Beach, California  
91932  
Tel. (619) 628-1357  
Tel. (619) 628-0882  
Fax. (619) 424-4093

# DANGER

COMMUNITY DEV. DEPT.  
Tel. (619) 628-1356

INTERNET:  
<http://www.cityofib.com>

**THIS BUILDING IS DECLARED UNSAFE; UNFIT FOR HUMAN OCCUPANCY; AND A PUBLIC NUISANCE**

**IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING**

Correction of the violation(s) indicted below must be completed by: **Correction Date:** October 7, 2009 **Time:** \_\_\_\_\_

**IMPORTANT INFORMATION:** By order of the Building Official this notice is declaring the structure(s) unsafe, unfit for human occupancy, and a public nuisance. It is unlawful for any person to occupy or reside in this structure. The Building Official will suspend or refuse to issue any building permits until all violations are corrected pursuant to Title 15 and Chapters 8.50 and 1.16 of the Imperial Beach Municipal Code. The below described violations constitute a violation of the Imperial Beach Municipal Code. If you fail to correct the violations by the correction date, or re-violate anytime within 18 months, an administrative citation may be issued.  
**1st Administrative Citation - \$100 / 2nd Citation - \$200 / 3rd Citation - \$500 / 4th and Subsequent Citation(s) - \$1000**  
These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s) nor shall it bar further enforcement action by the City as specified by the Imperial Beach Municipal Code.

**Location:** 1174 Seacoast Dr, Imperial Beach, CA **APN.** 632-010-08-00 **DATE OF NOTICE:** Sept. 30, 2009

**Owner:** McCann Family Trust **CONTRACTOR / BUSINESS:** \_\_\_\_\_

**Mailing Address:** 2029 Caracol Ct. Carlsbad, CA 92009-6118

**Code Section(s) Violated:**  IBMC 15.06 Bldg Permits -- Required  IBMC 8.50.04.C. Hazardous Wiring  
**Date Violation(s) Observed:**  CBC 1204.1. Heating equipment required for Interiors.  IBMC 8.50.04.D. Hazardous Plumbing  
September 28, 2009

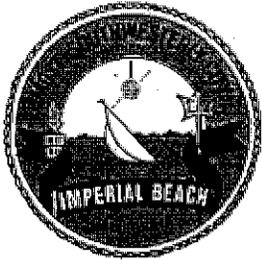
**Corrections Required:** You must vacate the residences immediately. The property must remain vacant until all the necessary repairs to abate the above listed violations. The vacant structure, all doorways, windows, and other openings shall be secured by all means acceptable to the building official. The building shall be secured by boarding up. <CONTINUED>

**ISSUING ENFORCEMENT OFFICER SIGNED FOR BUILDING OFFICIAL / TITLE:** Telephone: \_\_\_\_\_ Date: \_\_\_\_\_  
**Officer's Name (Print):** D. Garcias [Signature] (619) 628-1359 September 30, 2009

Recipient's Signature: \_\_\_\_\_  Date: \_\_\_\_\_

(Note: Signing this notice acknowledges receipt only, and is not an admission of guilt.)

Notice Served:  In Person To: \_\_\_\_\_  Posted on Property  By Mail  Other \_\_\_\_\_



# The City of Imperial Beach

**BUILDING DIVISION**  
825 Imperial Beach Blvd.  
Imperial Beach, California  
91932  
Tel. (619) 628-1357  
Tel. (619) 628-0882  
Fax. (619) 424-4093

**COMMUNITY DEV. DEPT.**  
Tel. (619) 628-1356

**INTERNET:**  
<http://www.cityofib.com>

Pursuant to Imperial Beach Municipal Code Chapters 1.12, 1.16, and 8.50, all buildings, structures, properties, or portions thereof which are determined by Authorized personnel to be substandard or unsafe are declared to be unsafe or substandard and are declared to be a public nuisance, and be abated by repair, rehabilitation, demolition, removal or cleaning.

The property located at the 1174 Seacoast Drive, Imperial Beach, CA 91932 must be cured of all violations on or before **October 7, 2009**. The City may also continue Public Nuisance Abatement proceedings against you and your property and will secure payment of such expense by assessment and lien, as provided by Imperial Beach Municipal Code Chapters 1.12, 1.16 and 8.50.

The City of Imperial Beach City Council will consider this matter at its hearing on **October 7, 2009**, 6:00 PM at 825 Imperial Beach Boulevard, at which time the owner(s) of said property may appear and present reason why civil penalties and administrative costs may not be assessed, and why clearing or repair should not be required.

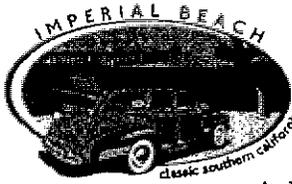
Date Posted: SEP 30 2009

CITY OF IMPERIAL BEACH

By: \_\_\_\_\_

Signed for City Manager/Title

CITY OF IMPERIAL BEACH  
CODE COMPLIANCE DIVISION



City of Imperial Beach  
 Code Compliance Division  
 825 Imperial Beach Blvd  
 Imperial Beach, CA 91932  
 Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Case No. 09-388

Case Type Code: RH

Administrative Citation

Notice of Violation

**CONTINUATION:**

| Location of Violation (Address):   |  | Assessor's Parcel Number: |
|--|--|---------------------------|
| 1174 Seacoast Dr. IB 91932   |  | 632-010-08                |
| Code Section(s) Violated   | Description of Violation(s) (See Reverse)  |                           |
| <input checked="" type="checkbox"/> 8.50.040.F. Inadequate Exits         | <input checked="" type="checkbox"/> 9.50.020: Drug Activity<br>in Rental<br>Housing. |                           |
| <input checked="" type="checkbox"/> 8.50.050.B. Termite Infestation      |  |                           |
| <input checked="" type="checkbox"/> UHC 505.5 Sanitation - Water Closets |  |                           |

**CORRECTIONS  
 REQUIRED:**

The Building must be ~~evac~~ vacated, further you shall:

- Obtain Building, Electrical, and Plumbing permits to repair the Electrical, ~~Plumbing~~ Plumbing, and Building Code Violations.
- Each unit is required to have heating, adequate Kitchens, and Water Closets.
- Abate all of the termite infestation.
- Abate the unsafe stairs, guard rails and handrails.
- Repair or Replace the Gas/Plumbing.

You must submit plans to abate the violations, and obtain all the necessary permits.

All ~~repair~~ repair work shall be done by a licensed contractor, and requires permits

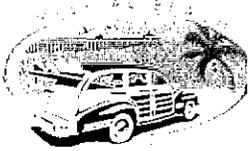
**ISSUING ENFORCEMENT OFFICER:**

Officer's Name (Print): D. Garcia

Telephone: (619) 628-1354

Date: 9/30/09

*fire protection – law enforcement - ocean/beach safety - disaster preparedness - animal control*



## THE CITY OF IMPERIAL BEACH

DEPARTMENT OF PUBLIC SAFETY  
865 IMPERIAL BEACH BOULEVARD, IMPERIAL BEACH, CALIFORNIA 91932  
(619) 423-8223 Fax (619) 628-1489

September 9, 2009

Charlotte Sullivan  
1174 Seacoast Dr. #C  
Imperial Beach, CA 91932

**Subject: 1174 Seacoast Dr. Annual Fire/Safety Inspection-preliminary inspection**

Dear Ms. Sullivan:

The Imperial Beach Fire Department conducted an annual Fire/Safety & Housing inspection at the above-mentioned property on 8/17/2009. During that time violations of the California Fire/Building Code and/or Uniform Housing Code were present. Please correct these violations within 30 days. In regards to the violations regarding permits, please obtain a permit from the City of Imperial Beach Building Department in 14 days.

**Violation(s) are as follows:**

1. Smoke detectors shall be placed in all sleeping areas and hallways leading to those areas and on every level of the structure. Provide smoke detectors in all sleeping areas and the hallways leading to those areas. CFC 907.2.10.1.2
2. Illegal additions not permitted. CBC 1019.2
  - Public records indicate that this property is zoned R2 residential for six (6) units. At the time of inspection seven (7) units were present. Illegal additions shall be removed or legalized through the permit process if applicable. The top unit is shown in our records as a single unit, but at the time of inspection two units were present. Restore the two units into one single unit or permit the second unit and provide the required secondary means of egress, as well as other safety features.

- Two (2) means of egress are required from the third floor. The two units on the third floor were initially designed as one larger unit equipped with two means of egress (which is correct). That single unit on the third floor had been divided into two units apparently without benefit of City permits, each equipped with just one exit (which is not correct). Upon inspection two units each provided with one egress staircase were present. Should you desire to keep two units there shall be two means of egress available to all residents of the third floor.
  - This requires actions from both the PLANNING DIVISION and BUILDING DEPARTMENT. Otherwise, the unit on the third floor shall be restored to a single unit fitted with two means of egress as originally approved.
  - **IMPORTANT:** Before any work is started the necessary permits shall be obtained. Permits are required by the City of Imperial Beach Building Department. Obtain permits before any maintenance is performed. The Building Department can be contacted at 619-628-0882. Public Counter hours are 7:30am to 9am & 3:30pm to 5pm Monday thru Friday. CBC 1019.2
3. Extension cords shall not be used as permanent wiring. Extension cords shall be used with portable appliances only. Therefore, remove extension cords. CFC 605.5
  4. Multi-plug adapters and power strips shall be polarized or grounded type and equipped with over-current protection. Therefore, remove all power strips and multi-plug adapters that are not fitted with over current protection. CFC 605.4.1
  5. All permanent electrical shall be replaced. Many of the electrical connections are hazardous and shall not be maintained in such a condition. Permanent electrical shall be performed by a licensed C-10 electrician under required permits. CFC 605.1
    - The water heater is not grounded and the electrical connection is illegal. This poses an immediate hazard and shall be removed.
    - The extension cords connected directly to the circuit breaker shall be removed.
    - Ceiling fan in the storage portion of the cottage is wired with stereo wire and shall be replaced with appropriate permanent wiring.

- Electrical panel is corroded and the service equipment deteriorated. Replace all components of the electrical equipment
  - Electrical panels shall have covers
  - All circuits breakers shall be labeled
  - All exterior electrical outlets shall be GFI protected and equipped with weather shields
6. The stairs and balcony shall be replaced entirely. Stairs handrails do not conform to current minimal safety standards. The minimum standard for handrails is 34-38 inches. Balcony guardrails shall measure a minimum 42 inches (in this occupancy). Stair treads do not conform to minimum required dimensions. This action requires a PERMIT. Permits are required by the City of Imperial Beach Building Department. Obtain permits before any maintenance is performed. The Building Department can be contacted at 619-628-0882. Public Counter hours are 7:30am to 9am & 3:30pm to 5pm Monday thru Friday.
7. Remove charcoal grills a to a minimum of 10 feet from any combustible surface. CFC 308.3.1
8. Remove the exterior motion light in front yard. Exterior light is approved for outdoor use; however electrical cords shall not run through the door from the cottage and shall be replaced by appropriate permanent wiring methods. CFC 605.5
9. Water heater safety. UHC 1001
- Water heater shall be grounded properly
  - Water heater installation requires a permit
  - Water heater requires seismic bracing
  - Water heater T&P valve must vent to the exterior and discharge shall be a minimum of six (6) inches from the ground
10. The fire department connections (FDC) shall be accessible. At the time of inspection the FDC was not easily assessable. The pipe ran vertically through the stair leading to the third unit. This is most likely the result of non-permitted construction and additions.
11. Discontinue storage of combustible materials under stairs. CFC 1009.5.3

- Discontinue storage of grills and other combustibles under stairs.
- Remove the combustibles from the storage area beneath the front stairs where the water heater is housed

**NOTE:**

- The standpipe system requires further inspection.
- Individual units require inspection
- This is a preliminary inspection only. Further actions may be required.

Thank you for complying with the City of Imperial Beach Fire and Municipal Codes. Should you have any questions please call me at 619-424-2227.

Respectfully,

Tom Dodsworth, Fire Inspector I  
Imperial Beach Fire Department

*fire protection – law enforcement - ocean/beach safety - disaster preparedness - animal control*



## **THE CITY OF IMPERIAL BEACH**

DEPARTMENT OF PUBLIC SAFETY  
865 IMPERIAL BEACH BOULEVARD, IMPERIAL BEACH, CALIFORNIA 91932  
(619) 423-8223 Fax (619) 628-1489

September 30, 2009

McCann Family Trust  
2029 Caracol Ct.  
Carlsbad, CA 92009-6118

**Subject: 1174 Seacoast Dr. Annual Fire/Safety Inspection-follow up to preliminary inspection**

Dear Sir or Madame:

The Imperial Beach Fire Department conducted an annual Fire/Safety & Housing inspection at the above-mentioned property on 8/17/2009. A follow-up inspection was conducted on 9-28-09 to inspect the interior of the units and get clarity about owner/property management information. All units with the exception of unit "D" and "F" were inspected. An additional inspection was performed on Wednesday, September 30, 2009 to inspect these units as well as make a determination as to the habitability of this structure.

**Violation(s) are as follows:**

1. Smoke detectors shall be placed in all sleeping areas and hallways leading to those areas and on every level of the structure. Provide smoke detectors in all sleeping areas and the hallways leading to those areas. Remove smoke detectors from kitchen areas. CFC 907.2.10.1.2
2. Illegal additions not permitted. CBC 1019.2
  - Public records indicate that this property is zoned R2 residential for six (6) units. At the time of inspection seven (7) units were present, four electrical meters were present, with a blank for an additional meter. Illegal additions shall be removed or legalized through the permit process if applicable. The top unit is shown in our records as a single unit, but at the time of inspection two units were present. Restore the two units into one single unit or

permit the second unit and provide the required secondary means of egress, as well as other safety features.

- Two (2) means of egress are required from the third floor. The two units on the third floor were initially designed as one larger unit equipped with two means of egress (which is correct). That single unit on the third floor had been divided into two units apparently without benefit of City permits, each equipped with just one exit (which is not correct). Upon inspection two units each provided with one egress staircase were present. Should you desire to keep two units there shall be two means of egress available to all residents of the third floor.
  - This requires actions from both the PLANNING DIVISION and BUILDING DEPARTMENT. Otherwise, the unit on the third floor shall be restored to a single unit fitted with two means of egress as originally approved.
  - **IMPORTANT:** Before any work is started the necessary permits shall be obtained. Permits are required by the City of Imperial Beach Building Department. Obtain permits before any maintenance is performed. The Building Department can be contacted at 619-628-0882. Public Counter hours are 7:30am to 9am & 3:30pm to 5pm Monday thru Friday. CBC 1019.2
3. Extension cords shall not be used as permanent wiring. Extension cords shall be used with portable appliances only. Remove the extension cord running along the floor, near the bathroom, to the computer in unit #E. CFC 605.5
  4. Rooms are required to have a secondary means of egress. In unit A, the sliding glass door acts as that secondary means of egress. Upon inspection, the door did not easily slide to the open position as intended. Restore door operation.
  5. Multi-plug adapters and power strips shall be polarized or grounded type and equipped with over-current protection. Therefore, remove all power strips and multi-plug adapters that are not fitted with over current protection. CFC 605.4.1
  6. All permanent electrical shall be replaced. Many of the electrical connections are hazardous and shall not be maintained in such a condition. Permanent electrical shall be performed by a licensed C-10 electrician under required permits. CFC 605.1

- The water heater is not grounded and the electrical connection is illegal. This poses an immediate hazard and shall be removed.
  - The extension cords connected directly to the circuit breaker shall be removed.
  - Ceiling fan in the storage portion of the cottage is wired with stereo wire and shall be replaced with appropriate permanent wiring.
  - Electrical panel is corroded and the service equipment deteriorated. Replace all components of the electrical equipment
  - Electrical panels shall have covers
  - In unit B, remove electrical wire running through the wall above the kitchen sink.
  - Bathrooms not fitted with a window shall have mechanical type ventilation.
  - All circuit breakers shall be labeled
  - All exterior electrical outlets shall be GFI protected and equipped with weather shields
  - Many of the light units within each dwelling space appear to be drop lines run directly through the interior wall
  - Unit A hazardous electrical wiring from the wall, above the oven
  - Remove the exterior motion light in front yard. Exterior light is approved for outdoor use; however electrical cords shall not run through the door from the cottage and shall be replaced by appropriate permanent wiring methods. CFC 605.5
  - Remove the motion sensor light in the rear of the property. This light unit is unpermitted and the romex wire is installed in an unsafe manner.
  - Remove all electrical extension cords on the roof. Remove all wires with illegal splices.
7. The stairs and balcony shall be replaced entirely. Stairs handrails do not conform to current minimal safety standards. The minimum standard for handrails is 34-38 inches. Balcony guardrails shall measure a minimum 42 inches. Stair treads do not conform to minimum required dimensions. The minimum head room under the balcony is not available or is this portion of the balcony built to code. These actions require a PERMIT. Permits are required by the City of Imperial Beach Building Department. Obtain permits before any maintenance is performed. The Building Department can be contacted at 619-628-0882. Public Counter hours are 7:30am to 9am & 3:30pm to 5pm Monday thru Friday. UHC 1001.3

8. Remove charcoal grills a to a minimum of 10 feet from any combustible surface. CFC 308.3.1
  
9. Water heater safety. UHC 1001.7
  - Water heater shall be grounded properly
  - Water heater installation requires a permit
  - Water heater requires seismic bracing
  - Water heater T&P valve must vent to the exterior and discharge shall be a minimum of six (6) inches from the ground
  
10. The standpipe is non-functioning. The standpipe requires service as per CCF T19/CFC. Additionally, due to modifications with the stairs and balcony and lack of required service intervals for the standpipe the entire arrangement is not to code nor would the standpipe pass a service test. The fire department connections (FDC) shall be accessible. At the time of inspection the FDC was not easily assessable. The pipe ran vertically through the stair leading to the third unit. This is most likely the result of non-permitted construction and additions. CCR T19
  
11. Discontinue storage of combustible materials under stairs. CFC 1009.5.3
  - Discontinue storage of grills and other combustibles under stairs.
  - Remove the combustibles from the storage area beneath the front stairs where the water heater is housed
  - Trim the palm tree located in the front yard. The palm leaves have become very dry and pose a fire hazard.
  
12. Interior wall coverings are not to code. The majority of the wall surfaces are covered with either OSB or closet doors. Drywall is required on both sides of the wall, minimum one-hour fire rated. Many of the bathrooms are not fitted with green board and have OSB in place instead; in some cases the OSB is painted. This is not an approved building construction practice. All shower enclosures are non-permitted modifications.
  
13. Units are not equipped with automatic heat. Automatic heat is required in all residential units.

14. Gas lines have been removed. Ovens are all gas-type appliances. Provide ovens that are electrical or gas type that are operational. UHC 1001.7
15. Trip hazards are present in many of the units, specifically where the bedrooms enter the bathrooms through the closet area. There exist two trip hazards possible where existing walls used to be. Restore areas in question to their original design. Interior walls shall be restored to their originally intended design with approved building materials.
16. Unit E the floor in the master bedroom is spongy and appears structurally unsound. UHC 1001.3
17. At no time shall any person enter the roof of the structure. At the time of inspection, beer bottles, rugs/blankets, etc. were present on the roof.
18. Unit E dead termites noticed in west facing window sill. Provide a certified termite inspector to conduct an inspection for structural integrity. Then provide the City of Imperial Beach with all copies, estimates, etc. from the termite inspection company.
19. Repair broken windows. There were broken windows observed outside unit D. UHC 1001.8
20. Hazardous plumbing identified in many of the units, specifically unit E. The drain in the bathroom is not to code and does not remove water from the shower in an approved manner. UHC 1001.6

**NOTE:**

- Units "D" and "F" still require inspection

**Summary:**

All items shall be complied with, until that time no resident/tenant shall inhabit this property. The structure is currently uninhabitable and not fit for humans to dwell there due to: lack of proper heating, electrical hazards, non-functioning standpipe, faulty construction of the egress components/lack of egress, and unsafe/hazardous plumbing.

No work shall be performed at this property until permits have been purchased through the City of Imperial Beach Building Department.

Thank you for complying with the City of Imperial Beach Fire and Municipal Codes. Should you have any questions please call me at 619-424-2227.

Respectfully,

Tom Dodsworth, Fire Inspector I  
Imperial Beach Fire Department



City of Imperial Beach  
 Fire Department  
 865 Imperial Beach Boulevard  
 Imperial Beach, CA 91932  
 Phone: (619) 423-8223 Fax: (619) 628-1489

## Fire Safety Inspection Report

Business Name & Address CAMCLOT 1174 SEACOAST DR Phone \_\_\_\_\_  
 Owner of Business & Address Charlotte Sullivan C Phone 619 565 2147  
 Owner of Building & Address JASON LAWRENCE Occ. Class R2 (owner)  
 Person to notify in case of Emergency \_\_\_\_\_ Phone \_\_\_\_\_  
 Fire Sprinkler \_\_\_\_\_ Fire Alarm \_\_\_\_\_ Knox Box A Business License \_\_\_\_\_

Violation To Be Corrected \* noted for 6 units - 7 on property - 2 on 2nd deck

### 1. Access

- ( ) a. Street Numbers- Must be in approved locations, clearly legible from the street and of contrasting color  
 Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches CFC 505.1
- ( ) b. Fire Lane Marking- red curbs/ white stencil face of curb NO PARKING FIRE LANE CFC 503.3
- ( ) c. Fire Apparatus Access Roads- shall not be obstructed in any manner, including the parking of vehicles R.E. CFC 503.4
- ( ) d. Fire Protection Equipment Obstruction- eliminate obstructions, maintain 3' clearance around hydrants, connections etc CFC 508.5.4/912.3
- ( ) e. Key Box- install an approved Knox rapid entry system (box, padlock, etc) CFC 506

### 2. Exits

- ( ) a. Blocked Exitways- exit doors & aisles must remain unobstructed at all times CFC 1024.6/1025.9.6/1028.2/1028.3
- ( ) b. Exit Must Open From Inside- exits must open from inside without key, or any special knowledge CFC 1008.1.8
- ( ) c. Exit Signs- provide exit signs to indicate exit path, minimum 6" letters with 3/4" stroke, illuminated. CFC 1011.5.1/1011.5.2
- ( ) d. Self Closing Doors- adjust/repair doors properly, remove stops on fire rated doors CFC 703.2/703.2.2/703.2.3
- ( ) e. Door Swing- doors must swing in the direction of travel CFC 1008.1.2
- ( ) f. Exit Door- exit access doors shall be marked and readily visible from any direction of egress travel. CFC 1011.1
- ( ) g. Means of Egress- discontinue combustible storage to exit, exit enclosures, under stairways etc. West 2nd CFC 315.2.2/1009.5.3
- ( ) h. Emergency Exit Lighting- provide emergency exit pathway lighting, minimum 1 foot-candle at floor CHILLS CFC 1006.1/1006.2
- ( ) i. Fire and Smoke Doors- shall not be blocked or obstructed or otherwise made inoperable CFC 703.2

### 3. Fire Protection Systems

- ( ) a. Storage- no storage is permitted closer than 24" below the ceiling (18" below sprinkler heads) CFC 315.2.1
- ( ) b. Padlock Control Valves- all control valves must be locked in the open position CFC 901.8.1
- ( ) c. Replace Missing/Damaged Components- replace all damaged/missing spare sprinklers, wrench, FDC caps CFC 901.6
- ( ) d. Hood System Service- hood extinguishing systems must be serviced semi annually by SFM licensed technician CFC 904.11.6.4
- ( ) e. Grease Filters- Kleenco hoods, filters, fans, ducts, etc. must be cleaned at frequent intervals CFC 904.11.6.3
- ( ) f. Fire Sprinkler System- must receive 5 year inspection and certification by SFM licensed technician CFC 901.6/901.6.1
- ( ) g. Smoke Detectors- required in all bedroom areas and hallways leading to all sleeping areas CFC 907.2.10.1.2

### 4. Fire Extinguishers

- ( ) a. Service Due- State fire Marshal licensed service is required annually CFC 906.2
- ( ) b. Provide an extinguisher- provide \_\_\_\_\_ extinguisher(s) minimum rating of 2A10BC or \_\_\_\_\_ CFC 906.3
- ( ) c. Cooking Appliances- provide \_\_\_\_\_ extinguisher(s) minimum rating of a 6 liter type K fire extinguisher CFC 904.3
- ( ) d. Mount Extinguisher- Mount extinguisher in an approved location between 3 1/2' to 5' above floor to top of extinguisher CFC 906.9

### 5. Electrical

- ( ) a. Discontinue the use- of extension cords and multi-plug adapters. CFC 605.5/605.4
- ( ) b. Remove Cords- remove power cords running through ceilings, walls, doorways CFC 605.4.5
- ( ) c. Repair Damaged Cords- replace entire cord with appropriate capacity, (splicing prohibited), replace damaged plug CFC 605.1
- ( ) d. Replace Damaged or Missing Components- electrical outlets, junction box plates, light switch cover plates CFC 605.6/605.1
- ( ) e. Circuit Breaker Blanks- install blanks for missing circuit breakers CFC 605.1
- ( ) f. Circuit Breaker Identification- identify each circuit breaker, and door to electrical room CFC 605.3.1
- ( ) g. Circuit Panel Clearance- maintain a minimum 30" clearance width, and a 78" height clearance in front of all panels CFC 605.3
- ( ) h. Repair Permanent Electrical- permanent electrical must be repaired by a licensed electrician under permit CFC 605.1
- ( ) i. Storage- no storage shall be allowed in electrical rooms, switchboard, or panel rooms CFC 315.2.3

### 6. General Fire Safety

- ( ) a. Combustible Storage- combustible storage shall not be stored in boiler, mechanical, or electrical rooms, you must maintain 30" minimum clearance around water heaters CFC 315
- ( ) b. Improve Housekeeping- maintain storage in a neat and orderly manner CFC 315.2
- ( ) c. Waste Accumulation Prohibited- combustible waste material shall not be accumulate in buildings or premises CFC 304.1
- ( ) d. Compressed Gas Cylinder Storage- gas cylinders must be secured at all times CFC 3005.3.3
- ( ) e. Flame Resistance- the fabric of temporary membrane structures, tents, canopies shall be composed of flame resistant material or shall be treated with a flame retardant in an approved manner CFC 2404.2
- ( ) f. Flame Resistance Interior Finishing, Draperies- shall meet required flame propagation performance criteria CFC 601
- ( ) g. Restore Fire Resistive Construction- restore fire resistive construction of walls and or ceilings CFC 705.1

### 7. Flammable Liquids / Hazardous Materials

- ( ) a. Storage- remove flammable liquids not stored in original containers or approved safety cans, properly labeled CFC 3404.3.1.1
- ( ) b. Flammable liquids Cabinet- Any flammable or combustible liquid(s) combined over 10 gallons must be stored in a flammable liquids cabinet. The flammable liquid cabinet must be of an approved design CFC 3404.3.4.4/3404.3.2.1
- ( ) c. Spill Control and Secondary Containment- is required for class I, II, III-A liquids and hazardous liquids/solids CFC 3403.4.2/704.2
- ( ) d. MSDS Sheets- Material safety data sheets shall be readily available on the premises for any hazardous materials CFC 2703.4
- ( ) e. Hazard Identification Signs- Clearly post NFPA 704 hazard identification sign CFC 2705.3

### 8. Other Violations

Noted: 1) REPLACE ALL STAIRS & BALCONIES - PERMITS REQUIRED  
STAIR MEASURED < 10" HANDRAIL < 34" GUARDRAIL < 34"  
2) REMOVE ELECTRICAL LIGHT/MOTION LIGHT OR PERMIT WITH APPROVED CORDS  
3) PERMIT WATER HEATER INSTALL, ELECTRICAL NOT GROUNDED WITH NOT BRACED, T&P NOT VENDED

Corrections shall be completed by: 30 DAYS Person Contacted: \_\_\_\_\_ Date 8/17/09  
 Inspector DODSWORTH Type of Inspection: New Business \_\_\_\_\_ Annual \_\_\_\_\_ Complaint  Other \_\_\_\_\_  
 Reinspection made on \_\_\_\_\_ Extension \_\_\_\_\_





AGENDA ITEM NO. 6.1

**STAFF REPORT  
IMPERIAL BEACH REDEVELOPMENT AGENCY**

**TO:** CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

**FROM:** GARY BROWN, EXECUTIVE DIRECTOR

**MEETING DATE:** OCTOBER 7, 2009

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*  
GERARD SELBY, REDEVELOPMENT COORDINATOR *GS*

**SUBJECT:** ADOPTION OF RESOLUTION NO. R-09-195 APPROVING A REQUEST FROM PACIFIC REALTY FOR FAÇADE IMPROVEMENT PROGRAM MATCHING FUNDS AT 280 PALM AVENUE.

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**BACKGROUND**

In September 2005, the Redevelopment Agency (the "Agency") approved the Façade Improvement Program ("Program"). Façade Improvement Grants are available up to \$10,000 per building and/or business. If an owner wishes to install additional improvements that would cost more than \$10,000, a matching grant is available up to a maximum of \$20,000. The Program splits the costs of these additional improvements with the owner. The Redevelopment Agency approves all matching grant requests.

**DISCUSSION**

The owner of the Pacific Realty Building located at 280 Palm Avenue submitted a Façade Improvement application to significantly rehabilitate the Pacific Realty Building. The scope of work proposed is to add a 69 square foot exterior entry tower to an existing wood frame structure, construct a code compliant rest room, modify the existing parapet, re-stucco the building exterior, install new windows, paint the exterior of the building, provide new landscaping, and install new signage. The proposed project was reviewed and approved by the City of Imperial Beach Design Review Board.

The initial funding provided to the Pacific Realty Building Façade Improvement was \$30,000, \$10,000 per the three office spaces. To date, the Façade Improvement Program has paid \$20,100 for the improvements and the owner has paid \$51,211. According to the applicant, the completion of the improvements will require an additional \$64,789 for a total owner investment of \$116,000.

As such, the owner is requesting additional funding from the Façade Improvement Program to

complete the project. The Façade Improvement Program allows an applicant to request matching grants. The matching grant requested from the Façade Improvement Program is \$30,000 or \$10,000 per office. The applicant's matching request is within the limits allowed under the Program. The Program allows a matching grant of up to \$20,000 for each \$10,000 grant and a \$10,000 investment by the owner. The amount is less than the maximum allowed by the Program and the applicant has contributed a considerable amount of funds to improvements ineligible for the Façade Improvement Program funds.

The Pacific Realty Building was in need of significant interior and exterior rehabilitation. The building owner's intention was to not only improve the utility of his building, but also to restore one of the first structures of Imperial Beach's original business district. The building owner's intent to fund larger scale improvements accomplishes one of the aims of Imperial Beach's redevelopment program: Partnering with the private sector for the improvement of private property. The hallmark of a successful redevelopment program is the leveraging of private investment with public dollars. The rehabilitation and the Façade Improvement of the Pacific Realty Building achieve that objective. The Owner and the Agency have partnered to create a sense of place and identity to the corner of 3<sup>rd</sup> and Palm, the entrance to Old Palm Avenue and the Outdoor Surf Museum, and to upgrade and enhance the overall vision for the City of Imperial Beach.

#### **ENVIRONMENTAL IMPACT**

Not a project as defined by CEQA.

#### **FISCAL IMPACT**

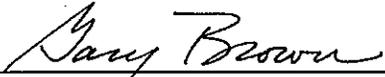
Funds are budgeted and available in the Fiscal Year 2009-2010 Façade Improvement Program Budget.

#### **DEPARTMENT RECOMMENDATION**

Staff recommends that the Redevelopment Agency approve the request for additional funds in the amount of \$30,000 to complete the façade improvements at the Pacific Realty Building, 280 Palm Avenue, and adopt Resolution No. R-09-195 authorizing the expenditure of these funds.

#### **EXECUTIVE DIRECTOR'S RECOMMENDATION**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, Executive Director

Attachments:

1. Resolution No. R-09-195

## RESOLUTION NO. R-09-195

**A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXPEND FUNDS NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000) FOR THE PACIFIC REALTY BUILDING FOR FAÇADE IMPROVEMENTS**

**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**, the Project provides for the development of procedural and financial mechanisms by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization and enhancement of the community; and

**WHEREAS**, the Project calls for the development of a program for making grants for the rehabilitation of properties in the Project; and

**WHEREAS**, the Façade Improvement Program is authorized as an alteration, improvement, modernization and rehabilitation implementation measure under the Agency's Five Year Implementation Plan intended to improve existing structures within the boundaries of the Agency's Redevelopment Project Areas; and

**WHEREAS**, the Façade Improvement Program is authorized by California Health & Safety Code Section 33021(a) to assist in the alteration, improvement, modernization, reconstruction and rehabilitation of existing structures in the Agency's Project Areas; and

**WHEREAS**, the Façade Improvement Program is consistent with the requirements of California Health & Safety Code Section 33022 in that the Program allows the continuance of existing structures in the Agency's Project Areas in a manner that will improve the appearance of the structures and, thereby, improve the quality of the immediate areas resulting in the elimination of blighting conditions;

**WHEREAS**, the Façade Improvement Program has been previously approved and authorized to make grants for façade improvements; and

**WHEREAS**, in order to carry out and implement the Façade Improvement Program, the Agency proposes to expend funds not to exceed SIXTY THOUSAND DOLLARS (\$60,000) with the Pacific Realty Building for additional façade improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Imperial Beach Redevelopment Agency as follows:

1. That the Façade Improvement Program is authorized by California Health & Safety Code Section 33021(a) to assist in the alteration, improvement, modernization, reconstruction and rehabilitation of existing structures in the Agency's Project Areas; and
2. That the Façade Improvement Program is consistent with the requirements of California Health & Safety Code Section 33022 in that the Program allows the continuance of existing structures in the Agency's Project Areas in a manner that will improve the appearance of the structures and, thereby, improve the quality of the immediate areas resulting in the elimination of blighting conditions; and

3. That the Agency finds and determines that the establishment of a Façade Improvement Program for the Project area is of benefit to the Project, City Council and the Redevelopment Agency of the City of Imperial Beach finds and determines that no other reasonable means for financing the proposed improvements for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that proposed improvements will assist in eliminating more blighting conditions inside the Project area; and
4. That the Agency authorizes the Executive Director or his designee to expend funds not to exceed \$60,000 for the Pacific Reality Building for façade improvements.

**PASSED, APPROVED, AND ADOPTED** by the Imperial Beach Redevelopment Agency at its meeting held on the 7<sup>th</sup> day of October 2009 following roll call vote:

**AYES:           BOARDMEMBERS:**  
**NOES:           BOARDMEMBERS:**  
**ABSENT:       BOARDMEMBERS:**

*James C. Janney*  
\_\_\_\_\_  
**JAMES C. JANNEY**  
**CHAIRPERSON**

**ATTEST:**

*Jacqueline M. Hald*  
\_\_\_\_\_  
**JACQUELINE M. HALD, CMC**  
**SECRETARY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Redevelopment Resolution No. R-09-195 – A Resolution of the Imperial Beach Redevelopment Agency, **AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXPEND FUNDS NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000) WITH THE PACIFIC REALTY BUILDING FOR FAÇADE IMPROVEMENTS.**

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE

# LAST MINUTE AGENDA INFORMATION

## 10/07/09 Regular Meeting

*(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the October 7, 2009 Regular meeting.)*

**ITEM NO.**      **DESCRIPTION**

|            |  |
|------------|--|
| <b>6.2</b> | <b>ARMY CORPS OF ENGINEERS NEARSHORE SAND DEPOSIT.</b><br>a. E-mail correspondence from Scott John of the Army Corps of Engineers, received October 2, 2009 (after posting of the agenda). |
|------------|--|

-----Original Message-----

From: Greg Wade  
Sent: Friday, October 02, 2009 12:44 PM  
To: Jacque Hald  
Cc: Gary Brown  
Subject: FW: Latest sand dredge - Last Minute Agenda Item

Jacque ~

The below email is from Scott John of the Army Corps of Engineers. It provides additional information and clarification regarding the elimination of Borrow Site B as a possible disposal site for their project.

Please provide as a last minute agenda item.

Greg Wade  
Community Development Director  
City of Imperial Beach  
Community Development Dept.  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932  
Phone: (619) 628-1354 - Fax: (619) 424-4093  
gwade@cityofib.org - www.cityofib.com

RECEIVED  
2009 OCT -2 P 2:40  
CITY MANAGER/PERSONNEL  
CITY CLERK OFFICES

-----Original Message-----

From: John, Scott M SPL [mailto:Scott.M.John@usace.army.mil]  
Sent: Friday, October 02, 2009 12:28 PM  
To: Greg Wade  
Subject: RE: Latest sand dredge

Greg -

Borrow site B has been eliminated as an option as a disposal site for the San Diego Harbor dredging project because of its depth. The EPA regulates all open ocean disposal activities and because they do not want clean, beach compatible sand being dumped into the ocean when it could be used for beach nourishment they did not allow us to utilize this borrow site. If the IB Shoreline Protection Project had funding we would have been able to use it as a temporary storage site for later use in beach replenishment activities, but because this is not the case would could not use this option.

Hope this helps, let me know if you need more,

Scott

a-1

10/7/09 Item No. 6.2  
Regular CC meeting  
Last Minute Agenda Item  
Submitted by Scott John



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** OCTOBER 7, 2009  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*  
**SUBJECT:** PROPOSED ARMY CORPS OF ENGINEERS NEARSHORE SAND DEPOSIT

**BACKGROUND:**

On January 14, 2009, City staff received a phone call from the Los Angeles District of the Army Corps of Engineers advising us of an impending San Diego Bay maintenance dredging project. Included as part of the project was the proposal to deposit up to 330,000 cubic yards of beach compatible sand in the nearshore just south of the Imperial Beach pier. Subsequently, staff requested that the Army Corps attend the February 4<sup>th</sup> City Council meeting so that the project could be presented to the City Council. On February 4, 2009, the City Council received a presentation of and supported implementation of the proposed project.

As reported last February, the project is a maintenance dredging project of the approach channel of San Diego Bay. The project would be carried out with the Army Corps Hopper Dredge "Essayons." This project differs from the 2004 San Diego San Diego Harbor Deepening Project in two major respects: the area to be dredged and the type of dredge being used. A "clam shell" dredge was used in 2004 that essentially scoops or grabs material from the ocean/bay floor and then places it into a separate barge for deposit at the receiver site. A "hopper dredge" is equipped with two "drag arms" that vacuum sand from the ocean floor through metal grates (that essentially act as sieves) into the dredge itself and then transports the material to the receiver site for deposition.

**DISCUSSION:**

The project was previously scheduled to commence in April of 2009, however, due to delays in obtaining the required San Diego County Air Pollution Control District (APCD) Air Quality Permit, the project was postponed. The Army Corps has since secured the APCD Air Quality Permit and is now prepared to commence the project on October 24, 2009. Another development with the project that has arisen relates to the dredge itself. Apparently, due to the deep draft of the dredge, there are minimum depth requirements that may make it difficult to deposit sand in the nearshore deposit site. The ability to do so, therefore, will depend upon the tides and amount of swell during the dredging operations. As such, an alternate deposit site was being investigated in the area known as "Borrow Site B" from the Army Corps Imperial Beach - Silver Strand Shoreline Project. The intent of this alternative disposal site was to allow

sand to be placed in this area now to provide additional beach compatible sediment within this Borrow Site to be available for Imperial Beach – Silver Strand Shoreline Project if and when it is constructed. However, because this site has not previously been used as a sediment disposal site, it has been eliminated as an alternative at this time. As such, the Army Corps expects to use only the originally proposed nearshore disposal site for this project.

The project is currently proposed to commence on or around October 24, 2009 and last for approximately 17 days.

There are two other local projects currently underway that may be impacted by the proposed placement of sediment in the near- or offshore disposal sites. They are the Scripps Institution of Oceanography Pollutant Transport and Dilution Experiment and the Fate and Transport Study. There is a meeting scheduled on October 13, 2009, to discuss the Army Corps project and its potential impacts on these two other projects. Staff will attend this meeting and will report back to the City Council at their meeting on October 21, 2009, with any new information regarding possible impacts to these other projects. Additionally, staff intends to present the proposed Army Corps project to the Tidelands Advisory Committee (TAC) at their meeting on Monday, October 12, 2009. Any comments or concerns expressed by the TAC will be presented to the City Council on October 21, 2009.

Staff from the Army Corps of Engineers will be available at the City Council hearing to provide additional, updated information and to respond to questions.

#### **ENVIRONMENTAL IMPACTS:**

An Environmental Assessment (EA) was prepared for this project and finalized after receipt of public comment. The EA found the project was designed and scheduled to avoid, minimize and mitigate the probable effects on the environment. Minimization measures will be implemented to avoid an adverse effect on water quality and threatened and endangered species. The newly proposed construction schedule will avoid occur outside the nesting season for Least Tern (April 1 to September 15) and outside of critical habitat for the Western Snowy Plover. Non-compatible sediment (unsuitable for placement on the beach) will not be dredged. A supplemental EA is currently being prepared to incorporate the alternative disposal site.

#### **FISCAL IMPACT:**

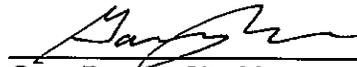
There is no direct fiscal impact to the City.

#### **DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council receive the report, comment and provide input as necessary, and tentatively support the project pending the outcome of the meetings on October 12 and October 13, 2009.

**CITY MANAGER'S RECOMMENDATION:**

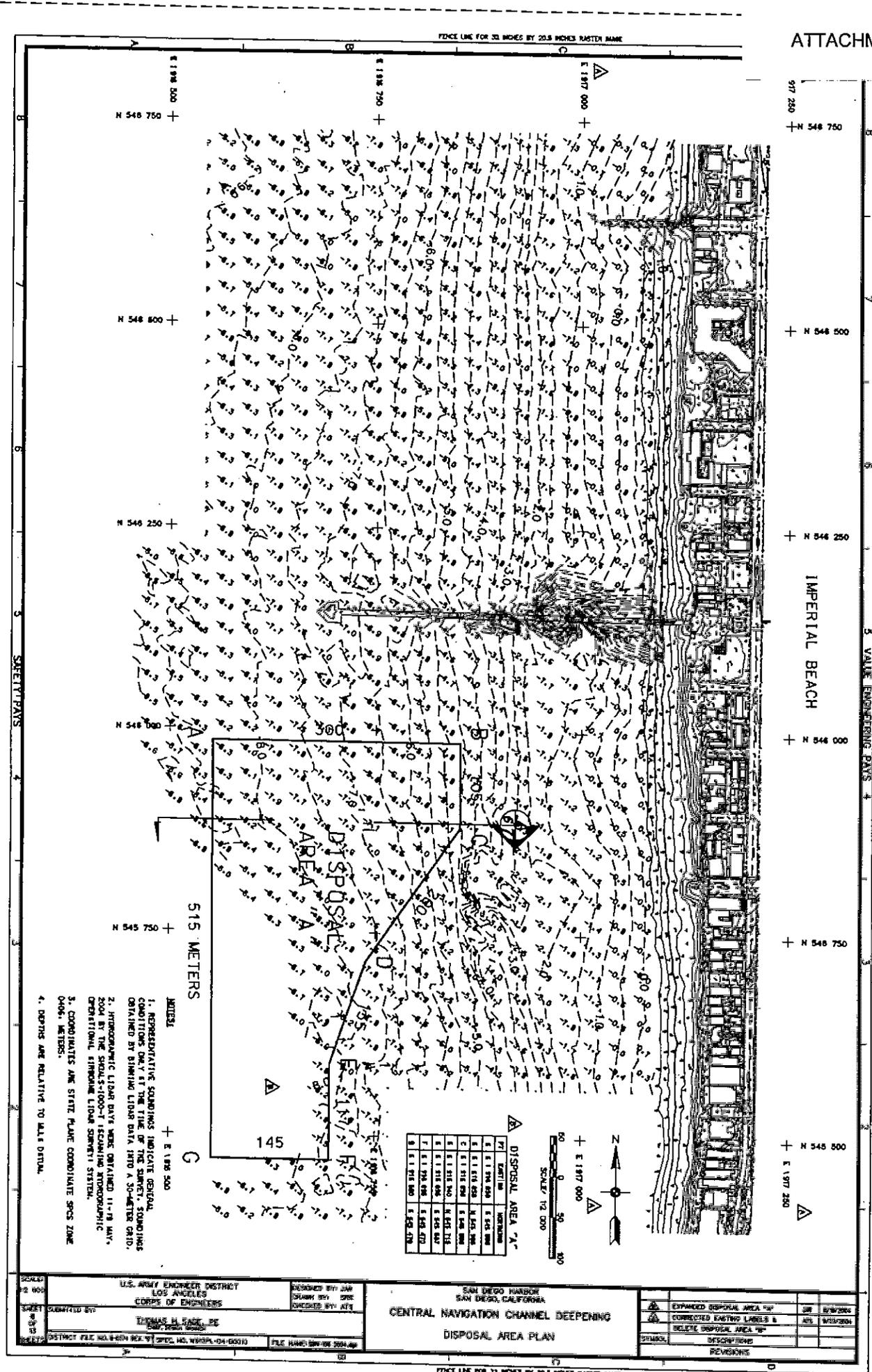
Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Nearshore Sand Deposit Site





515 METERS  
145

DISPOSAL AREA

NOTES:

1. REPRESENTATIVE SOUNDINGS INDICATE GENERAL CONDITIONS ONLY AT THE TIME OF THE SURVEY SOUNDINGS OBTAINED BY SHOOTING LIDAR DATA INTO A 30-METER GRID.
2. HYDROGRAPHIC LIDAR DATA WERE OBTAINED 11-19 MAY, 2004 BY THE SHOALS-1000-T SCANNING HYDROGRAPHIC OPERATIONAL SIMONS LIDAR SURVEY SYSTEM.
3. COORDINATES ARE STATE PLANE COORDINATE SPCS ZONE 0400, METERS.
4. DEPTHS ARE RELATIVE TO MLLW DATUM.

DISPOSAL AREA "A"

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|--|--|--|--|
| U.S. ARMY ENGINEER DISTRICT<br>LOS ANGELES<br>CORPS OF ENGINEERS | DESIGNED BY: JAC<br>DRAWN BY: JAC<br>CHECKED BY: JAC | SAN DIEGO HARBOR<br>SAN DIEGO, CALIFORNIA                  | EXPANDED DISPOSAL AREA "B"<br>CORRECTED EATING LABELS &<br>SCALE DISPOSAL AREA "B"<br>DISPOSAL AREA "B"<br>REVISIONS |
| DISTRICT FILE NO. 8-50N REC. 97 SPEC. NO. WSP/L-04-00010         | FILE NAME: 8W-06 2004.rvt                            | CENTRAL NAVIGATION CHANNEL DEEPENING<br>DISPOSAL AREA PLAN | DATE: 11/19/04<br>BY: JAC<br>DATE: 11/19/04<br>BY: JAC   |





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL/CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

**FROM:** GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

**MEETING DATE:** OCTOBER 7, 2009

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*

**SUBJECT:** ADOPTION OF RESOLUTION NO. R-09-196 AUTHORIZING A SECOND CONTRACT AMENDMENT WITH EDWA/AECOM IN THE AMOUNT OF \$50,000 FOR THE COMMERCIAL ZONING REVIEW

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**BACKGROUND:**

On January 17, 2007, the Redevelopment Agency and City Council authorized a contract with EDWA/AECOM to conduct a review of the City's Commercial Zones. On May 20, 2009, the Redevelopment Agency and City Council authorized a contract amendment in the amount of \$24,759 to provide additional funds to complete this extensive effort.

**DISCUSSION:**

At the joint Design Review Board/City Council workshop held on Wednesday, June 24<sup>th</sup>, the consultant team presented recommendations generated from the Commercial Zoning Review. At this workshop, concerns were raised about the extensive amount of information provided and about some of the specific recommendations being presented, particularly those involving proposed increases to building height and residential densities. As such, the City Council and Design Review Board (DRB) requested that additional workshops be conducted to go over the information in more detail and to allow for additional input from the City Council, DRB and the public.

On July 16, 2009, with contract budget nearing depletion and in an effort to keep the project moving forward, the City Manager authorized a contract amendment not to exceed \$15,000. Staff's intention at that time was to formally request a contract amendment after the workshop scheduled for July 28, 2009, which would have effectively replaced this City Manager contract authorization.

On July 28, 2009, the DRB/City Council held another workshop. Due to the large number of community members in attendance, many of whom raised concerns and opposition to some of the recommendations presented in the Commercial Zoning Review, staff and the consultant team did not present the information for discussion. At that meeting, the City Council directed staff to focus on the process for community involvement and City Council review and

consideration of the proposed recommendations as we move forward. The City Council directed staff to return with ideas for this process at the meeting of September 23, 2009. Because of the uncertainty regarding the review process, a contract amendment was not presented to the City Council/Redevelopment Agency for consideration.

At the City Council meeting on September 23, 2009, the City Council directed staff to return to the City Council at a Special Meeting to present the proposed recommendations with the intent of identifying those recommendations that can, in general, be considered for discussion (the "low hanging fruit") and those that potentially could be removed from consideration from the outset. Also up for discussion will be the identification of a process as well move forward.

City staff has discussed this direction with the consultant team, headed by EDAW/AECOM Inc. ("EDAW"). At this point, the contract budget is nearing depletion and must be replenished to keep moving forward. As there has not yet been established a clearly defined course of action or review process, staff is recommending a contract amendment in the amount of \$50,000 to keep the effort moving forward and to allow for a reasonable budget amount to accommodate as flexible a review process as possible.

At this time, the summary of project budget including all amendments is as follows:

| <b>Original Budget</b> | <b>First Budget Amendment</b> | <b>City Manager Amendment</b> | <b>Second Budget Amendment</b> | <b>Total Budget</b> |
|------------------------|-------------------------------|-------------------------------|--------------------------------|---------------------|
| \$250,000              | \$24,759                      | \$15,000                      | \$50,000                       | <b>\$339,759</b>    |

Staff believes that this budget amount will be sufficient to carry out the ensuing review process and complete the effort for the preparation of recommended amendments to the City's Commercial Zoning Regulations.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

This contract amendment is not subject to CEQA.

**FISCAL IMPACT:**

Redevelopment Agency (RDA) funds for the requested second contract amendment of \$50,000 are available in the RDA professional services budget and would be transferred into Capital Improvement Program (CIP) budget Project Number R05-203.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the Redevelopment Agency adopt Resolution No. R-09-196 authorizing a second contract amendment in the amount of \$50,000 with EDAW/AECOM for the Commercial Zoning Review.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

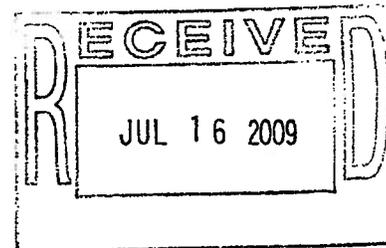
  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. City Manager Authorized Contract Amendment
2. Resolution No. R-09-196



EDAW Inc  
1420 Kettner Boulevard, Suite 500, San Diego, California 92101  
T 619.233.1454 F 619.233.0952 www.edaw.com



July 14, 2009

Mr. Gary Brown  
City Manager/Executive Director  
City of Imperial Beach  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

**Re: Imperial Beach Commercial Zoning Review Project  
Request for Amendment to Contract Dated February 28, 2007**

Dear Mr. Brown:

Per your direction, we are providing a request for an amendment to the EDAW contract dated February 28, 2007 and amended June 23, 2009. The amendment that is the subject of this letter will increase the total EDAW contract value up to \$15,000 for services conducted on a time and materials basis. In the event the City Council approves the proposed amended agreement dated July 13, 2009 on August 5, 2009, this agreement shall be null and void and the approved amended agreement shall govern.

Services under this agreement will be related to the following tasks, not-to-exceed \$15,000 on a time and materials basis.

- Prepare buildout estimates for existing and proposed zoning.
- Prepare for and facilitate joint City Council and Design Review Board workshop and conduct follow-up.

Thank you for considering this request and please call me with any questions. You can confirm your agreement to this amendment by signing this letter and returning it to us.

Yours sincerely,

Handwritten signature of Joan Isaacson.

Joan Isaacson  
Project Director

Handwritten signature of Bobbette Biddulph.

Bobbette Biddulph  
Principal

My signature below confirms our agreement to the budget amendment for Imperial Beach Commercial Zoning Review Project and authorizes EDAW to proceed on a time and materials basis not to exceed \$15,000.

Handwritten signature of Mr. Gary Brown.

Mr. Gary Brown  
City Manager/Executive Director

7/16/09  
Date



**RESOLUTION NO. R-09-196**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR/CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO A CONTRACT FOR PROFESSIONAL SERVICES WITH EDAW/AECOM INC. TO COMPLETE THE REVIEW OF THE CITY'S COMMERCIAL ZONING AND DEVELOPMENT REGULATIONS OF THE CITY'S GENERAL PLAN/LOCAL COASTAL PLAN AND ZONING ORDINANCE**

**WHEREAS**, the Redevelopment Agency and City of Imperial Beach (the "AGENCY/CITY") desired to conduct a Review of the City's Commercial Zoning and Development Regulations to maximize commercial/retail development opportunities within the City and to provide for better design and functionality of mixed use development projects; and

**WHEREAS**, on January 17, 2007, by Resolution No. R-07-115 the AGENCY/CITY authorized the Executive Director/City Manager to enter into a contract for consultant services with EDAW Inc. (the "CONSULTANT") to provide professional services for this effort; and

**WHEREAS**, the AGENCY/CITY previously allocated a total of \$250,000.00 to carry out this effort; and

**WHEREAS**, on May 20, 2009, the AGENCY/CITY authorized additional funds in the amount of \$24,759.00 for the CONSULTANT to complete this effort; and

**WHEREAS**, the AGENCY/CITY have determined that additional funds in the amount of \$50,000 are needed to provide additional workshops and public review.

**NOW, THEREFORE, BE IT RESOLVED** by the Redevelopment Agency of the City of Imperial Beach as follows:

1. Redevelopment Agency Resolution No. R-09-196 is hereby adopted transferring \$50,000.00 of undesignated RDA funds (Tax Increment, non-housing) to CIP Project No. R05-203 and authorizing the Executive Director/City Manager to AMEND the contract with EDAW Inc. in an amount not to exceed \$50,000.00 to complete the review of the City's Commercial Zoning and Development Regulations as provided for the City's General Plan/Local Coastal Plan and Zoning Ordinance.
2. Funds in the amount of \$50,000.00 are hereby transferred from Fund 405-0000-253.00-00 to Fund 407-1262-413-20-06.

**PASSED, APPROVED, AND ADOPTED** by the Redevelopment Agency of the City of Imperial Beach at its meeting held on the 7<sup>th</sup> day of October 2009, by the following roll call vote:

**AYES: BOARDMEMBERS:**  
**NOES: BOARDMEMBERS:**  
**ABSENT: BOARDMEMBERS:**

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**JAMES C. JANNEY**  
**CHAIRPERSON**

**ATTEST:**

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**JACQUELINE M. HALD, CMC**  
**SECRETARY**