

**MINUTES**

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

**MARCH 9, 2011**

**SPECIAL CLOSED SESSION MEETING – 6:00 P.M.  
SPECIAL MEETING – 6:15 P.M.**

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

**CALL TO ORDER**

MAYOR JANNEY called the Special Closed Session Meeting to order at 6:00 p.m.

**ROLL CALL**

Councilmembers present:	Spriggs, Bragg, King
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem Present:	Bilbray
Staff present:	City Manager Brown; City Attorney Lyon; City Clerk Hald

**CLOSED SESSION**

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

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(3)(A)  
No. of Cases: 2
- 2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to Government Code section 54956.9(c)  
No. of Cases: 1

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 6:01 p.m. and he reconvened the meeting to Open Session at 6:14 p.m. Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council met earlier in Closed Session, there was discussion on one case under Closed Session Item 1 where direction was given and there was no reportable action; and the other case under Closed Session Item 1 and Closed Session Item 2 have not yet been discussed.

**SPECIAL MEETING CALL TO ORDER**

MAYOR JANNEY called the Special Meeting to order at 6:15 p.m.

**ROLL CALL**

Councilmembers present: Spriggs, Bragg, King  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem Present: Bilbray  
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**PUBLIC COMMENT**

None.

**REPORTS**

CITY MANAGER BROWN stated Item No. 3 has been removed from the agenda.

**1. APPROVAL OF AN ASSIGNMENT BY THE REDEVELOPMENT AGENCY TO THE CITY OF IMPERIAL BEACH OF THE DISPOSITION AND DEVELOPMENT AGREEMENT (SEACOAST INN) BETWEEN THE IMPERIAL BEACH REDEVELOPMENT AGENCY AND IMPERIAL COAST, L.P. (0640-05)**

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the item due to the location of her previous place of employment and left Council Chambers at 6:17 p.m.

CITY MANAGER BROWN reported on the item.

**MOTION BY KING, SECOND BY BILBRAY, TO APPROVE RESOLUTION NOS. 2011-7020 AND R-11-252 APPROVING THE ASSIGNMENT OF THE SEACOAST INN DISPOSITION AND DEVELOPMENT AGREEMENT FROM THE REDEVELOPMENT AGENCY TO THE CITY OF IMPERIAL BEACH. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, SPRIGGS, BILBRAY, JANNEY**  
**NOES: COUNCILMEMBERS: NONE**  
**DISQUALIFIED: COUNCILMEMBERS: BRAGG (DUE TO A POTENTIAL CONFLICT OF INTEREST)**

COUNCILMEMBER BRAGG returned to Council Chambers at 6:29 p.m.

**2. AMENDMENT OF THE COOPERATION AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND THE REDEVELOPMENT AGENCY. (0640-05)**

CITY MANAGER BROWN introduced the item; noting that the two proposed amendments revise Exhibits 1 and 3 to the Cooperation Agreement; the amendments are: adding the cost for AECOM to complete the Commercial Zoning Review project and adding the cost for RECON to provide environmental and other public improvement work for the Bikeway Village project.

CITY ATTORNEY LYON clarified Exhibits 1 thru 4 need to be amended in order to effect the changes as indicated by the City Manager; and she recommended the following changes to Resolution Nos. 2011-7019 and R-11-251: Section 4 in each resolution needs to be changed to authorize Exhibits 1 thru 4 to be amended; and insert a new recital 5 after recital 4 in each resolution (and renumbering forward) that the Agency Chair and the City Manager are authorized to effectuate the prepayment of \$11.4 million to satisfy the Agency's obligations under the Cooperation Agreement.

**MOTION BY BILBRAY, SECOND BY KING, TO ADOPT RESOLUTION NOS. 2011-7019 AND R-11-251 REFLECTING THE CHANGES RECOMMENDED BY THE CITY ATTORNEY. MOTION CARRIED UNANIMOUSLY.**

**3. APPROVAL OF AN ASSIGNMENT BY THE REDEVELOPMENT AGENCY TO THE CITY OF IMPERIAL BEACH OF THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE IMPERIAL BEACH REDEVELOPMENT AGENCY AND AECOM TECHNICAL SERVICES, INCORPORATED FOR PREPARATION OF THE ENVIRONMENTAL DOCUMENTS FOR THE COMMERCIAL ZONING AMENDMENTS.**

Item removed.

CITY ATTORNEY LYON announced the two Closed Session items that were not discussed earlier have been removed from the agenda.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 6:54 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk