

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

APRIL 6, 2011

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

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

CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:00 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 BILBRAY, TO ADJOURN TO CLOSED SESSION UNDER:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 735 Palm Ave., Imperial Beach, CA 91932, APN 626-250-03

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

Property: 741 Palm Ave., Imperial Beach, CA 91932, APN 626-250-04

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

Property: 761-779 Palm Ave., Imperial Beach, CA 91932, APN 626-250-05

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

Property: 739-849 Palm Ave., Imperial Beach, CA 91932, APN 626-250-06

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957
Title: City Attorney

3. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager
Employee organizations: Imperial Beach Firefighters' Association (IBFA)
Service Employees International Union (SEIU), Local 2028
Unrepresented Employees
Management

MOTION CARRIED UNANIMOUSLY.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:01 p.m. and he reconvened the meeting to Open Session at 6:01 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced Items 1 and 3 were discussed, direction was given and no reportable action was taken; and Item 2 was continued to the next regular City Council meeting.

REGULAR MEETING CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY SPRIGGS, TO PULL CONSENT CALENDAR ITEM NOS. 2.3 AND 2.7 FROM THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED UNANIMOUSLY.

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

COUNCILMEMBER KING expressed concern about noise and environmental impacts due to the Navy's increased night war activities on the north side of town and helicopter encroachment over the residential areas on the south side of town; he spoke of the need for proper environmental reviews; he requested that the concerns be presented to the Military Affairs Committee and Admiral French; he also suggested that the issues be brought forward for City Council's consideration.

MAYOR JANNEY stated that he would do his best to meet with Admiral French on the issues raised.

COUNCILMEMBER BRAGG stated that she would like to attend the meeting with Admiral French and she suggested that Captain Lindsay attend a future City Council meeting to address the concerns raised.

MAYOR PRO TEM BILBRAY suggested that City inform Congresswoman Davis about Navy impacts in Imperial Beach.

COUNCILMEMBER SPRIGGS spoke in support for inviting Captain Lindsay to a future City Council meeting to address concerns.

MAYOR JANNEY reported on his attendance at a SANDAG meeting.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

DIEGO CHAVEZ AND EDWIN CASILLAS expressed concern about the treatment they received from Sheriff's Deputies while at the Skate Park.

PRESENTATIONS (1.1)

1.1 REPORT ON PORT DISTRICT ACTIVITIES FROM PORT COMMISSIONER MALCOLM. (0150-70)

PORT COMMISSIONER MALCOLM presented a Certificate of Appreciation to Public Works Director Levien in recognition of Eagle Scout Troop 53's outstanding craftsmanship and positive civic contribution to the City of Imperial Beach for the installation of a split rail fence at the Port of San Diego parking lot located at the southeast corner of Palm Ave. and Seacoast Drive; he also recognized Mr. Levien for his dedication to the community and for civic contributions made during his 16 years of service as a Scout Leader in the Boy Scouts of America Organization and for his contributions as Public Works Director for Imperial Beach; and he gave an update report on Port District activities.

CONSENT CALENDAR (2.1 - 2.6)

MOTION BY BRAGG, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.2, AND 2.4 THRU 2.6. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of January 26, 2011, the Workshop Meeting of February 9, 2011, and the two Special City Council Meetings of March 9, 2011.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 72860 through 72996 with the subtotal amount of \$932,893.43 and Payroll Checks 43668 through 43705 for the pay period ending 03/10/11 with the subtotal amount of \$148,329.87, for a total amount of \$1,081,223.30.

2.4 RESOLUTION NO. 2011-7023 – APPROVING THE ENGINEER'S REPORT FOR PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN A SPECIAL ASSESSMENT DISTRICT – AD-67M. (0345-10)

Adopted Resolution.

2.5 RESOLUTION NO. 2011-7024 – DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN A SPECIAL ASSESSMENT DISTRICT (AD 67-M) , AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON. (0345-10)

Adopted Resolution.

2.6 RESOLUTION NO. 2011-7026 – APPROVING THE FIFTH AMENDED EMPLOYMENT AGREEMENT WITH GARY BROWN, CITY MANAGER. (0530-60)

Adopted Resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5.1)

5.1 RESOLUTION NO. 2011-7025 – AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. (0390-55)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

MOTION BY KING, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2011-7025 – AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. MOTION CARRIED UNANIMOUSLY.

REPORTS (6.1-6.3)

6.1 RESOLUTION NO. R-11-254 – AUTHORIZING EXTENSION OF THE EXCLUSIVE NEGOTIATION AGREEMENT WITH HITZE DEVELOPMENT CORPORATION FOR THE AMERICAN LEGION AFFORDABLE HOUSING PROJECT AT 1268 PALM AVENUE. (0640-20)

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY reported on the item and showed a rendition of the project.

GINGER HITZKE gave an update report on the project.

KATHY BOURKE, Post Adjutant for Post 820 Imperial Beach, reported that on February 22, 2011, the general membership voted to move forward and to create a new development committee; the Post is interested in the project and she spoke in support for the extension.

MAYOR JANNEY announced he attended two town hall meetings on the project and spoke in support of the project.

MOTION BY JANNEY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-11-254 – AUTHORIZING EXTENSION OF THE EXCLUSIVE NEGOTIATION AGREEMENT WITH HITZE DEVELOPMENT CORPORATION FOR THE AMERICAN LEGION AFFORDABLE HOUSING PROJECT AT 1268 PALM AVENUE. MOTION CARRIED UNANIMOUSLY.

6.2 REPORT ON THE INTEGRATED SOLID WASTE MANAGEMENT SERVICES MAXIMUM FEE FOR FISCAL YEAR 2011/2012. (0270-40)

MAYOR JANNEY announced he has a conflict of interest on the item as he does business with EDCO and left Council Chambers at 7:03 p.m.

CITY MANAGER BROWN introduced the item; he stated that the proposed franchise fee increase can be discussed further at the budget workshop scheduled for next week.

CONSENSUS OF CITY COUNCIL TO INCLUDE THE INTEGRATED SOLID WASTE MANAGEMENT FRANCHISE FEE PROCESS IN THE FISCAL YEAR 2011/2012 BUDGET WORKSHOP PRESENTATION SCHEDULED FOR WEDNESDAY, APRIL 13, 2011.

MAYOR JANNEY returned to Council Chambers at 7:13 p.m.

6.3 WORKER’S COMPENSATION SELF INSURANCE RETENTION. (0190-60)

CITY MANAGER BROWN reported on the item; he noted that by increasing the self-insured level for worker’s compensation, premium costs would be reduced.

MOTION BY KING, SECOND BY BRAGG, TO CITY DIRECT STAFF TO INCREASE THE SELF-INSURED LEVEL FOR WORKER’S COMPENSATION CLAIMS FROM \$125,000 TO \$250,000. MOTION CARRIED UNANIMOUSLY.

ITEMS PULLED FROM THE CONSENT CALENDAR

2.3 RESOLUTION NO. 2011-7022 – DECLARING APRIL AS “ENVIRONMENTAL AWARENESS MONTH” IN THE CITY OF IMPERIAL BEACH. (0230-40)

MAYOR PRO TEM BILBRAY suggested letters regarding the ongoing battle with sewage issues be sent to legislative representatives and the President of the United States.

City Council expressed support for the preparation and transmittal of letters.

CITY MANAGER BROWN responded staff will prepare and send out the letters as requested.

MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2011-7022 – DECLARING APRIL AS “ENVIRONMENTAL AWARENESS MONTH” IN THE CITY OF IMPERIAL BEACH AND SEND LETTERS TO LEGISLATIVE REPS AND PRESIDENT. MOTION CARRIED UNANIMOUSLY.

2.7 CITY COUNCIL GOALS. (0100-10)

COUNCILMEMBER SPRIGGS stated since the new hotel is now under construction and will be operational within a couple of years, he suggested that the City Council take another look at priorities.

MAYOR JANNEY spoke in support for Councilmember Spriggs' suggestion and directed City Manager Brown to schedule a discussion on City Council goals on a future agenda.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 7:38 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, MMC
City Clerk