



A G E N D A



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

SEPTEMBER 23, 2009

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

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.

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.

PRESENTATIONS (1.1)

1.1* EAGLE PROJECT AWARD. (0410-30)

* No staff report.

CONSENT CALENDAR (2.1 - 2.5) - 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 5, 2009.

(Continued on Next Page)

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.

CONSENT CALENDAR (Continued)

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 69420 through 69553 with the subtotal amount of \$1,736,282.65; and Payroll Checks 41589 through 41683 for the pay period ending 08/27/09 with the subtotal amount of \$222,017.04; for a total amount of \$1,958,299.69.

2.3 RESOLUTION NO. 2009-6805 – AUTHORIZING STAFF TO RECEIVE SUMMARY BACKGROUND REPORTS. (0390-05)

City Manager's Recommendation: Adopt resolution.

2.4 LETTER IN SUPPORT OF THE REISSUANCE OF SECONDARY TREATMENT WAIVER FOR POINT LOMA WASTEWATER TREATMENT PLANT. (0620-75)

City Manager's Recommendation: Authorize the Mayor to sign and send the yet to be written JPA letter supporting the waiver and the letter attached to the staff report or a similar one when and if the Metro Commission/Metro Wastewater JPA requests letters of support.

2.5 RESOLUTION NO. 2009-6806 – AUTHORIZING SALE OF CERTAIN SURPLUS CITY EQUIPMENT. (0380-45)

City Manager's Recommendation: Adopt resolution.

ORDINANCES – PUBLIC HEARING/INTRODUCTION/FIRST READING & ADOPTION (3.1)

3.1 ORDINANCE NO. 2009-1091 – AN INTERIM ORDINANCE EXTENDING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD DURING A 45-DAY SPECIAL STUDY PERIOD FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS. (0610-95)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report;
3. Close the public hearing;
4. Mayor calls for the reading of the title of interim Ordinance No. 2009-1091, "AN INTERIM ORDINANCE EXTENDING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD DURING A 45-DAY SPECIAL STUDY PERIOD FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS";
5. City Clerk to read title of Ordinance No. 2009-1091;
6. Motion to dispense introduction, waive further reading of Ordinance No. 2009-1091, and adopt, by at least a four-fifths vote, Ordinance No. 2009-1091 by title only.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1 - 6.3)

6.1 RESOLUTION NOS. 2009-6807 AND R-09-194 – APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM. (0390-88)

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolutions.

(Continued on Next Page)

REPORTS (Continued)

6.2 COMMERCIAL ZONING REVIEW. (0610-95)

City Manager's Recommendation: Review the community involvement options and recommendations for the Commercial Zoning Review and provide comments and direction as necessary.

6.3 A REPORT RECOMMENDING THE ESTABLISHMENT OF A NEW ANIMAL CONTROL SERVICE. (0200-05)

City Manager's Recommendation: Provide direction in creating a new position for Animal Control and authorize staff to work with the City of Chula Vista in negotiating an agreement for kennel services and emergency afterhours call-out.

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.

Copies of this notice were provided on September 18, 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 September 18, 2009. Said meeting to be held at 6:00 p.m. September 23, 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 September 18, 2009 at 10:30 a.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 5, 2009

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

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

CLOSED SESSION

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

ROLL CALL BY CITY CLERK

Councilmembers present:	McCoy, King, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Bragg
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

CLOSED SESSION

MOTION BY 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: 1431 14th Street, Imperial Beach, CA 91932, APN: 633-231-01-00
Agency Negotiator: City Manager
Negotiating Parties: Pentecostal Church of God of America Southern California District Inc.
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1402 Hemlock Street, Imperial Beach, CA 91932, APN: 633-231-15-00
Agency Negotiator: City Manager
Negotiating Parties: Pentecostal Church of God of America Southern California District Inc.
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1010-1020 Georgia Street, Imperial Beach, CA 91932, APN: 627-210-13-00
Agency Negotiator: City Manager
Negotiating Parties: Magers, Keith B.
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1343-1347 Elder Avenue, Imperial Beach, CA 91932, APN: 627-210-14-00
Agency Negotiator: City Manager
Negotiating Parties: Kensinger Janis K. Revocable 2005 Trust 07-12-05
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1166 Holly Avenue, Imperial Beach, CA 91932, APN: 633-150-07-00
Agency Negotiator: City Manager
Negotiating Parties: Bonner Ruth N. Trust 06-30-97
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1151-1163 Grove Avenue, Imperial Beach, CA 91932, APN: 633-150-80-00
Agency Negotiator: City Manager
Negotiating Parties: Imperial Villa Apartments
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 1171-1175 Grove Avenue, Imperial Beach, CA 91932, APN: 633-150-81-00
Agency Negotiator: City Manager
Negotiating Parties: Cardenas, Rosa
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

MOTION CARRIED UNANIMOUSLY.

CITY MANAGER BROWN announced the first Closed Session item (817 Palm Avenue) will be tabled.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:01 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

REGULAR MEETING CALL TO ORDER

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

ROLL CALL

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

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

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

COUNCILMEMBER MCCOY suggested that staff look into an ordinance that governs medical marijuana.

CITY MANAGER BROWN responded an ordinance will be brought forward for City Council's consideration at the first meeting in September.

COUNCILMEMBER KING announced MTS was named Outstanding Public Transportation System of the year.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

ORDINANCES/PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1 - 2.7)

MOTION BY MCCOY, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.7. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the Regular Meeting of July 1, 2009 and the City Council Workshop meeting of July 21, 2009.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 69032 through 69189 with the subtotal amount of \$2,817,211.44; and Payroll Checks 41310 through 41385 for the pay period ending 07/02/09 with the subtotal amount of \$193,938.48; for a total amount of \$3,011,149.92.

- 2.3 RESOLUTION NO. 2009-6785 – AUTHORIZING AND EMPOWERING THE CITY OF CHULA VISTA TO EXECUTE ALL GRANT DOCUMENTS NECESSARY TO SECURE FY 2009-10 USED OIL BLOCK GRANT FUNDS. (0390-86)**
Adopted resolution.
- 2.4 RESOLUTION NO. 2009-6786 – RATIFYING THE INTERJURISDICTIONAL AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND VARIOUS CITIES FOR ANNUAL JUSTICE ASSISTANCE GRANT (JAG) APPLICATION SUBMITTED ON JUNE 29, 2009. (0390-88)**
Adopted resolution.
- 2.5 RESOLUTION NO. 2009-6787 – RATIFYING THE INTERJURISDICTIONAL AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND VARIOUS CITIES FOR THE STIMULUS JUSTICE ASSISTANCE GRANT (JAG) APPLICATION SUBMITTED ON JULY 9, 2009. (0390-88)**
Adopted resolution.
- 2.6 RESOLUTION NO. 2009-6788 – AMENDMENT TO THE MEMORANDUM OF AGREEMENT DATED MARCH 7, 1995 BETWEEN THE COUNTY OF SAN DIEGO AND PARTICIPATING CITIES AND JURISDICTIONS REGARDING THE IMPLEMENTATION, GOVERNANCE, METHOD OF FUNDING AND COSTS OF A REGIONAL RADIO SYSTEM PROVIDING COMMUNICATION SERVICES TO PUBLIC SAFETY AND PUBLIC SERVICE AGENCIES OPERATING IN SAN DIEGO COUNTY AND IMPERIAL COUNTY. (0210-10)**
Adopted resolution.
- 2.7 RESOLUTION NO. 2009-6789 – AUTHORIZATION TO NEGOTIATE AND EXECUTE A FIVE-YEAR AGREEMENT FOR A DOCUMENT MANAGEMENT SYSTEM FROM ADVANCED PROCESSING & IMAGING, INC. (0170-30)**
Adopted resolution.

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

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

A revised staff report and ordinance were submitted as Last Minute Agenda Information, as well as the following documents:

- a. Correspondence from Tim O’Neal, received July 31, 2009
- b. Saldana Bill AB 874 – Introduced
- c. Saldana Bill AB 874 – Amended
- d. Saldana Bill AB 874 – History & Status
- e. Saldana Bill AB 874 – Bill Analysis
- f. Saldana Bill AB 874 – CA Assembly Vote (PASSED 76 - 0)

CITY MANAGER BROWN introduced item.

ASSISTANT CITY ATTORNEY STOTLAND reviewed the revised staff report that was submitted as Last Minute Agenda Information; he stated that under current State law it is illegal

to operate a skate park unless everyone skating on it is required to wear helmets and pads; the City Council has no ability to lift these requirements; AB 874 (Saldaña), which is currently pending, would eliminate the requirement for skate park operators to require pads; however helmets would still be required; if AB 874 is approved, it would take effect in January 2011 and City Council would have the choice at that time to require pads or not; he also stated that under the current municipal code, helmets and pads are required; the proposed ordinance would not change this requirement; and he addressed questions regarding potential liability with having a skate park.

TIM O'NEAL expressed disappointment over the need for legislation; he questioned requirements for helmets and pads and who would determine a skateboard's speed.

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 Municipal Code Sections 9.10.030 and 9.10.040 and repealing section 9.10.050, Relating to Skateboard and Roller Skate Riding."

MOTION BY MCCOY, SECOND BY KING, TO WAIVE FURTHER READING AND DISPENSE WITH THE INTRODUCTION OF ORDINANCE NO. 2009-1088 BY TITLE ONLY AND CONDUCT 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.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1 - 6.3)

6.1 RESOLUTION NO. R-09-188 – AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH EPIC LAND SOLUTIONS, INC. FOR RELOCATION ASSISTANCE SERVICES. (0640-30)

COUNCILMEMBER KING announced that he may have a conflict of interest on the item and left Council Chambers at 6:32 p.m.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

MOTION BY BRAGG, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. R-09-188 – AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH EPIC LAND SOLUTIONS, INC. FOR RELOCATION ASSISTANCE SERVICES. MOTION CARRIED BY THE FOLLOWING VOTE:

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

COUNCILMEMBER KING returned to Council Chambers at 6:35 p.m.

6.2 UPDATE AND DIRECTION ON THE SILVER STRAND SHORELINE – IMPERIAL BEACH SHORELINE PROTECTION AND BEACH RENOURISHMENT PROJECT. (0220-70)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item; he recommended that the contract with Van Scoyoc Associates, Inc. be terminated since no federal funding was awarded to the Army Corps of Engineers Shoreline Protection/Beach Renourishment Project.

City Council expressed appreciation for Community Development Director Wade's efforts on the project and expressed disappointment with the lack of federal funding.

CONSENSUS OF CITY COUNCIL TO TERMINATE THE AGREEMENT WITH VAN SCOYOC ASSOCIATES, INC. FOR LOBBYING SERVICES FOR THE IMPERIAL BEACH-SILVER STRAND BEACH RESTORATION PROJECT.

6.3 PENSION REFORM ENDORSEMENT. (0370-95)

CITY MANAGER BROWN reported on the history of the State of California and local government retirement plan for employees; he stated that due to the pension programs being fiscally unsustainable and politically controversial, the San Diego City/County Managers Association (CCMA) support a modified level of retirement benefits for new city employees in the San Diego region; he reviewed the CCMA recommendations; and he recommended Council authorize Councilmember Bragg to support the recommendations of the CCMA at the League of California Cities meetings.

JACOB REGALADO, SEIU representative, requested that the item be tabled to allow the time to hold discussions with SEIU members and the City (additional speaking time donated by Dean Colahan).

CITY MANAGER BROWN clarified that the proposed two-tiered system does affect current employees.

DAVID GARCIAS spoke in opposition to the item.

MARY BLAIR spoke in opposition to the item.

KRISTINE WEISMANN opposed the item (did not wish to speak).

JOSE RAMOS opposed the item (did not wish to speak).

JOSE AGUIRRE opposed the item (did not wish to speak).

ANGEL GUERRERO opposed the item (did not wish to speak).

MARCO CORTEZ opposed the item (did not wish to speak).

MARCOS MORENO opposed the item (did not wish to speak).

City Council discussion ensued regarding the City's budget uncertainty and the inclusion of SEIU members in pension reform discussions; it was clarified that with a two-tiered system, new employees would be in a lower pension system and existing employees would not be affected; Council discussed the need to recognize these difficult economic times and the need to keep an open mind.

MIKE MURPHY, SEIU representative, expressed concern that there was little opportunity for comment.

MAYOR JANNEY responded that there has been ample time for comment and the agenda packet had been provided to the public several days prior to tonight's meeting.; he spoke about financial impacts to the City and employees due to projected increases in CalPERS rates; he reiterated that the proposal does not affect current employees, only new employees; current benefits cannot be taken away; and the need to pay attention to the economic situation.

CONSENSUS OF CITY COUNCIL TO TABLE THE ITEM AT THIS TIME AND TO HAVE THE CITY MANAGER WORK WITH SEIU ON THE ISSUE.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

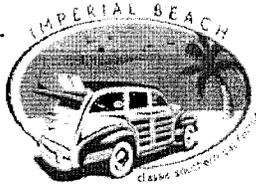
None.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 7:35 p.m.

James C. Janney, Mayor

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: September 23, 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
City of San Diego	69431	\$555,314.00	1 st Qtr FY2009-10 Metro Sewer
S.D.County Sheriff	69453	\$425,172.66	June 09 Law Enforcement Svcs.
County of San Diego	69530	\$397,084.90	RDA Pass Thru FY2008-2009

ENVIRONMENTAL IMPACT
Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
69420-69423	08/24/09	4,775.71
69424-69465	08/27/09	1,128,026.59
69466-69467	09/03/09	4,086.00
69468-69523	09/04/09	118,258.44
69524-69553	09/10/09	481,135.91

1,736,282.65

Payroll Checks:

41589-41683	P.P.E. 08/27/09	222,017.04
		<u>222,017.04</u>
	TOTAL	\$ <u>1,958,299.69</u>

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	
VOIDED	69420						
08/24/2009	69421	ALLIANT INSURANCE SERVICES	1193			2,412.14	
101-0000-209.01-13	07/23/2009	PPE 07/16/09	20090723		01/2010	451.45	
101-0000-209.01-14	07/23/2009	PPE 07/16/09	20090723		01/2010	524.93	
101-0000-209.01-14	08/06/2009	PR AP PPE 7/30/09	20090806		02/2010	101.85-	
101-0000-209.01-13	08/20/2009	PR AP PPE 8/13/09	20090820		02/2010	423.20	
101-0000-209.01-14	08/20/2009	PR AP PPE 8/13/09	20090820		02/2010	471.78	
101-1010-411.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	18.88	
101-1020-411.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	34.44	
101-1110-412.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	65.66	
101-1130-412.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	20.54	
101-1210-413.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	48.66	
101-1230-413.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	23.70	
101-3070-427.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	.63	
101-3080-428.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	.63	
101-1910-419.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	6.32	
101-3010-421.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	11.00	
101-3020-422.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	47.84	
101-3030-423.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	38.49	
101-3040-424.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	22.12	
101-5020-432.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	50.56	
101-5010-431.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	12.64	
101-5040-434.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	2.67	
101-6020-452.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	6.32	
101-6010-451.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	3.16	
101-6040-454.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	12.64	
245-1240-413.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	6.32	
405-1260-413.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	120.57	
405-5030-433.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	6.32	
601-5060-436.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	12.64	
601-5050-436.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	15.10	
501-1921-419.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	6.32	
502-1922-419.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	7.24	
503-1923-419.11-04	08/01/2009	AUGUST 2009	08-01-2009		02/2010	20.79	
101-0000-209.01-13	08/01/2009	AUGUST 2009	08-01-2009		02/2010	28.25-	
101-0000-209.01-14	08/01/2009	AUGUST 2009	08-01-2009		02/2010	48.68	
08/24/2009	69422	PREFERRED BENEFIT INS ADMIN IN	37			2,178.06	
101-0000-209.01-12	07/23/2009	PPE 07/16/09	20090723		01/2010	1,098.34	
101-0000-209.01-12	08/20/2009	PR AP PPE 8/13/09	20090820		02/2010	1,088.95	
101-0000-209.01-12	08/01/2009	AUGUST 2009	CP10142		02/2010	9.23-	
08/24/2009	69423	VISION PLAN OF AMERICA	785			185.51	
101-0000-209.01-18	07/23/2009	PPE 07/16/09	20090723		01/2010	87.81	
101-0000-209.01-18	08/20/2009	PR AP PPE 8/13/09	20090820		02/2010	87.81	
101-0000-209.01-18	08/21/2009	SEPTEMBER 2009	08-01-2009		02/2010	.11-	
101-1920-419.29-04	08/01/2009	SEPTEMBER 2009	08-01-2009		02/2010	10.00	
08/27/2009	69424	ADT SECURITY SERVICES, INC.	103			75.08	
101-6010-451.21-04	08/08/2009	SEPTEMBER 2009	98407128	010030	02/2010	75.08	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
08/27/2009	69425	ALPINE FENCE INC.	2144	3,750.00
248-1920-519.20-06	08/11/2009	CLEAN&GREEN-526 EMORY ST	12077	3,750.00
08/27/2009	69426	AMERICAN EXPRESS	1895	438.67
101-6010-451.30-02	08/04/2009	CAFE SUPPLIES	539715	128.32
101-1010-411.30-02	08/07/2009	BEVERAGES/DISPOSABLE WARE	51027603-01	310.35
08/27/2009	69427	AUNT ELLENS WATER	307	105.00
101-3020-422.27-02	06/15/2009	FD BOTTLED WATER	061509	105.00
08/27/2009	69428	BDS ENGINEERING INC	372	842.75
101-1230-413.20-06	08/06/2009	CITY BOUNDARY SURVEY 1/2	09-01	842.75
08/27/2009	69429	CVA SECURITY	797	60.00
101-1910-419.20-23	07/01/2009	JULY 2009	12141	30.00
101-1910-419.20-23	07/01/2009	JULY 2009 PUBLIC WORKS	12215	30.00
08/27/2009	69430	CHULA VISTA ELECTRIC CO	1859	711.73
503-1923-519.20-06	08/04/2009	PATCH CORDS INSTALLATION	873	531.73
101-1910-419.28-01	07/31/2009	ELECTRICAL SERVICES FOR F	5837003	180.00
08/27/2009	69431	CITY OF SAN DIEGO	896	555,314.00
601-5060-436.21-04	07/02/2009	09/10 1ST QTR METRO SEWER	515115	555,314.00
08/27/2009	69432	CLEAN HARBORS	913	716.54
101-5040-434.21-04	08/04/2009	JULY 2009	6Y0906657	716.54
08/27/2009	69433	COPY POST PRINTING	1371	75.55
101-3020-422.28-11	07/20/2009	BUS CARDS FOR T SANTOS	18643	75.55
08/27/2009	69434	COUNTY OF SAN DIEGO RCS	1065	7,179.60
101-1230-413.21-25	06/01/2009	MAY 2009	09CTOFIBN11	53.00
101-3010-421.21-25	06/01/2009	MAY 2009	09CTOFIBN11	2,325.50
101-3020-422.21-25	06/01/2009	MAY 2009	09CTOFIBN11	415.07
101-3030-423.20-06	06/01/2009	MAY 2009	09CTOFIBN11	762.03
101-1230-413.21-25	07/01/2009	JUNE 2009	09CTOFIBN12	53.00
101-3010-421.21-25	07/01/2009	JUNE 2009	09CTOFIBN12	2,325.50
101-3020-422.21-25	07/01/2009	JUNE 2009	09CTOFIBN12	344.50
101-3030-423.20-06	07/01/2009	JUNE 2009	09CTOFIBN12	901.00
08/27/2009	69435	COX COMMUNICATIONS	1073	1,526.30
503-1923-419.21-04	08/22/2009	08/25-09/24 INTERNET SVCS	09-15-2009	600.00
503-1923-419.21-04	07/22/2009	06/16-08/24 INTERNET SVCS	08-15-2009	926.30
08/27/2009	69436	ENVIRONMENTAL SYSTEMS RESEARCH	1413	700.60
503-1923-419.20-06	08/04/2009	10/12/09-10/11/10 ARCVIEW	92043108	700.60
08/27/2009	69437	FASTSIGNS	1847	22,534.25
408-1920-519.20-06	07/31/2009	SILVER STRAND PLAZA -P2	NC237-17553	22,534.25

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
08/27/2009	69438	GO-STAFF, INC.	2031	3,636.08
101-1020-411.21-01	08/04/2009	ROCHER, J W/E	08/02/09 64179	010027 02/2010 232.50
101-1020-411.21-01	08/11/2009	ROCHER, J W/E	08/09/09 64340	010027 02/2010 327.00
101-1020-411.21-01	08/18/2009	ROCHER, J W/E	08/16/09 64520	010027 02/2010 510.00
601-5050-436.21-01	08/11/2009	BARZEE, S W/E	08/09/09 64340	010056 02/2010 765.00
601-5050-436.21-01	08/18/2009	BARZEE, S W/E	08/16/09 64520	010056 02/2010 601.88
601-5060-436.21-01	08/18/2009	TRONCOSO, L W/E	08/16/09 64521	010148 02/2010 772.20
101-1020-411.21-01	07/21/2009	ROCHER, J W/E	07/19/09 63886	010027 01/2010 60.00
101-1020-411.21-01	07/28/2009	ROCHER, J W/E	07/26/09 64039	010027 01/2010 307.50
101-3020-422.21-01	07/28/2009	ROCHER, J	07/21/09 64039A	F01015 01/2010 60.00
08/27/2009	69439	GOOGLE, INC.	2009	717.27
503-1923-419.20-06	08/05/2009	AUGUST 2009	810068	010226 02/2010 717.27
08/27/2009	69440	HARLAN CONSTRUCTION	2074	2,708.73
408-1920-519.20-06	08/20/2009	FACADE IMPRVMT-10 EVERGR	08-20-2009	010320 02/2010 2,708.73
08/27/2009	69441	HDL COREN & CONE	88	2,025.00
101-1920-419.20-06	08/10/2009	JUL-SEP 09 PROPERTY TAX	0014882-IN	010241 02/2010 2,025.00
08/27/2009	69442	INTELLICEPT	1959	440.91
101-6040-454.28-01	06/26/2009	CAST BRONZE AS SEALIFR6.0	11626	12/2009 440.91
08/27/2009	69443	JESSOP & SON LANDSCAPING	479	3,052.83
101-6010-451.21-04	08/12/2009	AUGUST 2009	388324	010004 02/2010 3,052.83
08/27/2009	69444	KAMAN INDUS TECHNOLOGIES	583	313.62
601-5060-436.28-01	08/12/2009	PILLOW BLOCKS	L985686	010064 02/2010 313.62
08/27/2009	69445	MARCIA RASKIN	2116	2,754.25
101-1110-412.10-01	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 656.25
101-1130-412.10-01	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 656.25
405-1260-413.10-01	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 656.25
502-1922-419.10-01	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 656.25
101-1110-412.28-04	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 32.32
101-1130-412.28-04	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 32.31
405-1260-413.28-04	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 32.31
502-1922-419.28-04	08/24/2009	08/14/09-08/24/09	6	010054 02/2010 32.31
08/27/2009	69446	MASON'S SAW & LAWMOWER	923	71.73
501-1921-419.28-16	08/11/2009	FLAT IDLER PULLEY/AIR FIL	178276	010065 02/2010 71.73
08/27/2009	69447	MME EVENT PRODUCTIONS INC	1701	13,000.00
101-1920-419.21-04	08/25/2009	2009 ANNUAL CONCERT EVENT	1138	010325 02/2010 13,000.00
08/27/2009	69448	PARTNERSHIP WITH INDUSTRY	1302	2,429.30
101-6040-454.21-04	08/03/2009	P/E 07/31/09	GS02287	010050 02/2010 1,367.57
101-6040-454.21-04	08/18/2009	P/E 08/15/09	GS02312	010050 02/2010 1,061.73
08/27/2009	69449	PRUDENTIAL OVERALL SUPPLY	72	699.20
101-5020-432.25-03	08/05/2009	08/05/09 PW UNIFORMS	30029567	010049 02/2010 166.76

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-5020-432.25-03	08/12/2009	08/12/09 PW UNIFORMS	30031262	010049 02/2010 191.59
101-5020-432.25-03	08/19/2009	08/19/09 PW UNIFORMS	30032987	010049 02/2010 133.46
101-5020-432.25-03	07/29/2009	07/29/09 PW UNIFORMS	30027870	010049 01/2010 207.39
08/27/2009	69450	RCP BLOCK & BRICK INC	115	1,575.98
101-5010-431.30-02	07/22/2009	ASPHALT PATCH PALLETS	1273086	010084 01/2010 348.00
101-1910-519.20-06	07/24/2009	COBBLE PAVERS	8210384	010084 01/2010 1,227.98
08/27/2009	69451	REGIONAL TRAINING CENTER	130	2,100.00
101-1110-412.28-12	08/11/2009	CCMA DUES/BROWN, GARY	9746	010281 02/2010 700.00
101-5020-432.28-04	06/18/2009	PW TEAM BUILDING	9664	091205 12/2009 1,400.00
08/27/2009	69452	SAN DIEGO ASSOCIATION OF GOVER	254	13,937.00
405-1260-513.20-06	07/31/2009	REGIIONAL BEACH PROJECT 2	AR161509	010308 01/2010 13,937.00
08/27/2009	69453	SAN DIEGO COUNTY SHERIFF	882	425,172.66
101-3010-421.20-06	08/03/2009	JUNE 2009	08-03-2009	12/2009 411,546.23
212-3036-421.20-06	08/03/2009	JUNE 2009	08-03-2009	12/2009 15,956.25
101-0000-338.60-03	08/03/2009	JUNE 2009	08-03-2009	12/2009 2,329.82-
08/27/2009	69454	THE STAR NEWS	644	1,072.00
408-1920-519.20-06	08/07/2009	SURF MUSEUM INSERT	0200477-000	010316 02/2010 1,072.00
08/27/2009	69455	TOTAL TELCO SPECIALISTS, INC.	2149	2,210.00
101-1910-419.21-04	05/09/2009	MONOPALM MAINTENANCE	09-001	12/2009 2,210.00
VOIDED	69456-69462	U.S. BANK	1873	47,262.46
08/27/2009	69463	U.S. BANK	1873	47,262.46
101-3060-426.50-04	06/26/2009	EOC SATELITE PHONE #1	1746	010172 01/2010 1,604.90
101-3060-426.50-04	06/26/2009	SATELITE PHONE #2	1747	010172 01/2010 1,604.90
101-3060-426.50-04	06/26/2009	EOC HAM RADIO	41-183580	010172 01/2010 1,746.27
101-3035-423.20-06	06/19/2009	JRLG OFFICE TRAILER RENTA	146194	010178 01/2010 602.33
101-3035-423.30-02	06/24/2009	JRLG STORAGE ITEMS/ROPE	004286/0103458	010178 01/2010 77.13
101-3035-423.30-02	06/24/2009	WEEKENDER CANOPY/JRLG	036657	010178 01/2010 163.11
101-3035-423.30-02	06/24/2009	JRLG OFC SPARE KEYS	903	010178 01/2010 6.05
101-3035-423.25-03	06/29/2009	JRLG UNIFORM SHORTS	06005895	010178 01/2010 397.47
101-3020-422.30-02	07/07/2009	NOTEPAD FOR CHIEF	063549	010172 01/2010 2.18
101-3020-422.30-02	07/09/2009	POWER STRIP	647483	010172 01/2010 10.84
101-3020-422.30-02	07/02/2009	STATION SUPPLIES	157009	010176 01/2010 146.29
101-3035-423.30-02	07/01/2009	EQ TRAILER REPAIR ITEMS	033024/3041948	010178 01/2010 49.62
101-3035-423.25-03	07/05/2009	JRLG UNIFORM SHORTS	06010511	010178 01/2010 228.31
101-3035-423.28-04	07/07/2009	JRLG CAL STATE GAMES FEES	2507401621	010178 01/2010 220.00
101-3035-423.28-04	07/14/2009	JRLG KAYAKING	CCAC-W071409	010178 01/2010 240.00
101-3035-423.25-03	07/16/2009	CREDIT/RTND UNIFORMS	6005895	010178 01/2010 133.76-
101-3035-423.25-03	07/16/2009	CREDIT/RTND UNIFORMS	6010511	010178 01/2010 120.71-
101-1210-413.28-04	07/14/2009	WORKSHOP/BUANGAN	23974	010182 01/2010 280.00
101-1210-413.28-04	07/14/2009	GFOA REGISTRATION/BUANGA	270621	010182 01/2010 85.00
101-1020-411.21-06	06/26/2009	OFFICE SUPPLIES/ELECTIONS	479653500-001	010152 01/2010 52.57
101-1020-411.30-01	06/26/2009	OFFICE SUPPLIES/ELECTIONS	479653500-001	010152 01/2010 21.18
101-1110-412.28-04	06/24/2009	LUNCH MTG W/ATTY & ACM	000216	010162 01/2010 21.34
101-5010-431.30-02	06/23/2009	1/2 YARD OF CONCRETE	82073994-001	010187 01/2010 140.29

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-5010-431.30-02	06/30/2009	LYARD OF CONCRETE	82212169-001	010187	01/2010	179.44
501-1921-419.28-16	06/24/2009	AIR FILTER E-39	4-179756	010207	01/2010	152.95
101-3070-427.28-04	07/10/2009	CACEO SEMINAR/GARCIAS, D	07-10-2009	010159	01/2010	335.00
101-3070-427.28-04	07/10/2009	CACEO SEMINAR/SIMMONS, T	07-10-2009	010159	01/2010	335.00
405-1260-413.30-01	07/16/2009	SPRAY PAINT/RDA PROPERTIE	042694/8574190	010159	01/2010	17.19
101-6010-451.30-02	07/20/2009	CAFE ROOM	173870	010161	01/2010	320.99
101-1110-412.28-04	07/15/2009	LUNCH MTG W/ATTY & ACM	071854	010162	01/2010	29.65
501-1921-419.29-04	07/02/2009	CAR WASH	1-5496	010194	01/2010	8.00
101-6040-454.30-02	07/17/2009	TP	289891	010198	01/2010	489.46
101-6040-454.30-02	07/20/2009	CREDIT FOR RETND ITEMS	289891 CREDIT	010198	01/2010	428.28-
101-1910-419.30-02	07/08/2009	PAPER TOWELS	298633	010206	01/2010	84.22
101-1910-419.30-02	07/17/2009	PAPER TOWELS/TOILET PAPER	299118	010206	01/2010	96.25
405-5030-433.30-02	06/23/2009	PAINT	09328	010191	01/2010	58.14
101-6040-454.30-02	06/29/2009	GLOVES/SQUEEGE	035737/5014252	010197	01/2010	40.24
501-1921-419.50-04	06/23/2009	REPLACMNT DONOVAN TRAILER	0209	010209	01/2010	2,028.66
405-5030-433.30-02	07/01/2009	GRAFFITI SUPPLIES	094078/3241199	010191	01/2010	81.06
101-6040-454.30-02	07/06/2009	PAINT POLES/BURSHES-STOCK	041314/8193429	010191	01/2010	90.13
405-5030-433.30-02	07/13/2009	WORK BOOTS/MARTINEZ, D	013585311426	010191	01/2010	150.00
405-5030-433.30-02	07/13/2009	SUNBLOCK	3362	010191	01/2010	17.92
101-6040-454.30-02	07/14/2009	PAINT FOR PIER	077579/0590424	010197	01/2010	17.19
101-6040-454.30-02	07/17/2009	DOWELS/TP HOLDERS	043047/7029450	010197	01/2010	22.28
101-6040-454.30-02	07/21/2009	PALM/SEACOAST IRRIGATION	06023299-00	010197	01/2010	417.14
101-6040-454.30-02	07/21/2009	TIDELANDS TP	71403140	010197	01/2010	443.86
601-5060-436.28-13	07/14/2009	CWEA EXAM FEES	027418	010209	01/2010	307.00
601-5060-436.28-13	07/15/2009	REFUND -CWEA EXAM FEES	07-15-2009	010209	01/2010	307.00-
101-5020-432.28-04	07/18/2009	WATER&ICE-TIDELANDS CREW	6755030058110	010209	01/2010	43.29
101-5020-432.28-04	07/19/2009	WATER&ICE-TIDELANDS CREW	6755030063110	010209	01/2010	27.35
601-5060-436.30-02	06/24/2009	PS #8 SHORT HOSE	039216/0191526	010185	01/2010	8.12
601-5060-436.28-13	06/24/2009	NARANJO, J-CWEA RENEWAL	144601	010185	01/2010	66.00
601-5060-436.28-13	06/24/2009	RAMOS, J-CWEA RENEWAL	14602	010185	01/2010	61.00
101-1910-419.30-02	06/22/2009	CONVERTER BOX	058122	010188	01/2010	59.80
101-6020-452.30-02	06/23/2009	PORT A POTTIE	061184	010188	01/2010	629.67
405-5030-433.30-02	06/30/2009	CLEAR COAT/SPRAY PAINT	2907-1	010188	01/2010	261.58
101-5020-432.30-01	06/26/2009	LABEL	1115	010205	01/2010	58.70
601-5060-436.28-01	07/10/2009	GR SPARE PARTS	07-10-2009	010185	01/2010	961.46
601-5060-436.30-02	07/10/2009	PAINT PS #2, #8	7558-2	010185	01/2010	137.44
601-5060-436.28-01	07/14/2009	COIL STARTER	0056043	010185	01/2010	893.60
601-5060-436.30-02	07/15/2009	C/C DEODERANT & HAND CLEA	94257894	010185	01/2010	721.67
101-6020-452.30-02	07/08/2009	PAINT/MATERIALS-VET PK	018117/6597055	010188	01/2010	210.63
101-1910-419.30-02	07/13/2009	SEWER CLEAN OUT BOX	0154999	010188	01/2010	32.98
101-6020-452.30-02	07/15/2009	IRRIGATION SUPPLIES	865909-00	010188	01/2010	41.51
101-1910-519.20-06	07/20/2009	PLANTS FOR CIVIC CENTER	22333	010188	01/2010	918.61
101-1910-519.20-06	07/21/2009	WEED CONTROL/SAFETY GLASS	1704346-A-1	010188	01/2010	217.91
101-6020-452.30-02	07/21/2009	WEED CONTROL/SAFETY GLASS	1704346-A-1	010188	01/2010	123.47
101-5020-432.30-01	07/02/2009	MISC OFFICE SUPPLIES	07-02-2009	010205	01/2010	36.95
101-5020-432.29-02	07/06/2009	CR-REVERSAL OF SUBSCRPTIN	07-06-2009	010205	01/2010	38.99-
101-5020-432.29-02	07/16/2009	BONSAI PLANT	07-16-2009	010205	01/2010	93.89
101-1020-411.30-01	06/26/2009	SONY DVR	P099006800011	010151	01/2010	158.54
503-1923-419.21-04	06/22/2009	SOFTWARE	1839305	010183	01/2010	556.91
503-1923-419.30-22	06/24/2009	HOME DEPOT CABLE	049516/0571475	010183	01/2010	55.29

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-1020-411.29-02	07/13/2009	GREETING CARDS	00020101556890	010151 01/2010 13.78
405-1260-413.30-01	07/06/2009	OFFICE SUPPLIES	480341226-001	010156 01/2010 50.82
405-1260-413.30-01	07/06/2009	FILE CABINET	480341739-001	010156 01/2010 110.91
405-1260-413.30-01	07/08/2009	OFFICE SUPPLIES	480592795-001	010156 01/2010 18.20
405-1260-413.30-01	07/08/2009	CREDIT - OFFICE SUPPLIES	480593570-001	010156 01/2010 29.85-
101-3070-427.30-01	07/14/2009	OFFICE SUPPLIES	481249867-001	010156 01/2010 63.49
503-1923-419.28-04	07/09/2009	MISAC EMENT TRAINING/LOPE	46N7G3QFFER	010183 01/2010 375.00
503-1923-419.30-22	07/15/2009	SERVER MEMORY	121180	010183 01/2010 66.34
503-1923-419.30-22	07/15/2009	LABEL MAKER	1933	010183 01/2010 51.94
503-1923-419.30-22	07/15/2009	TV CONNECTOR	310813	010183 01/2010 48.14
503-1923-419.28-04	07/16/2009	IT MEETING VENDORS	081131	010183 01/2010 22.32
503-1923-419.30-22	07/28/2009	MEMORY	122238	010183 01/2010 31.54
101-1020-411.28-11	06/22/2009	MICROFICHE COPIES	19705	010158 01/2010 78.30
101-1230-413.30-01	06/23/2009	OFFICE SUPPLIES	6148	010158 01/2010 160.37
101-3030-423.28-04	06/05/2009	SDR ALERT MTG REFRESHMENT	355246	010177 01/2010 135.00
101-3030-423.28-04	06/20/2009	LG MEETING REFRESHMENTS	355248	010177 01/2010 240.00
101-3035-423.30-02	06/22/2009	PADDLE BOARD FINIS	43582	010177 01/2010 273.50
101-3035-423.20-06	06/06/2009	IBJRLG WEBSITE	374-C	010181 01/2010 1,500.00
101-3030-423.28-01	06/22/2009	WASH COMMAND VEHICLE	095229	010181 01/2010 9.99
101-3060-426.50-04	06/26/2009	WEATHER RADIO	41-183582	010181 01/2010 955.80
101-3030-423.30-02	06/30/2009	SUNSCREEN	093500	010181 01/2010 58.73
101-5040-434.30-02	06/18/2009	ANNUAL EPA TOXIC MAIN FEE	06-18-2009	010190 01/2010 215.00
245-1240-413.28-09	07/06/2009	MAILING BEACHWIND CONTRAC	017185	010158 01/2010 17.50
101-3030-423.25-03	07/01/2009	UNIFORM SUNGLASSES	00287926	010177 01/2010 278.40
101-3030-423.30-02	07/03/2009	PWC FUEL	195414	010177 01/2010 28.53
101-3030-423.30-02	07/03/2009	PWC FUEL	205158	010177 01/2010 15.50
101-3030-423.28-01	07/13/2009	PWC REPAIR	107309	010177 01/2010 545.19
101-3030-423.30-02	07/14/2009	PWC FUEL	151711	010177 01/2010 28.07
101-3030-423.25-03	07/15/2009	LIFEGUARD HATS	764490	010177 01/2010 384.16
101-3030-423.25-03	07/16/2009	SUNGLASSES/UNIFORM	0004196	010177 01/2010 64.10
101-3030-423.30-02	07/17/2009	91 OCTANE FOR PWC	105811	010177 01/2010 56.17
101-3030-423.30-02	07/07/2009	"KEEP OFF" STICKERS-TOWER	1298	010181 01/2010 360.00
101-3035-423.28-04	07/09/2009	JRLG WATER PARK ENTRY	03109	010181 01/2010 1,888.95
601-5050-436.30-02	07/13/2009	DRY WEATHER MONITORING IC	071072	010190 01/2010 2.49
101-3030-423.30-02	05/28/2009	MED SUPPLIES/GLOVES	0178744	010179 01/2010 132.46
101-3030-423.30-02	06/24/2009	TIMECARD RACK	479249404-001	010179 01/2010 216.92
101-3030-423.30-02	06/25/2009	HOOKS/LINKS LG PROJECT	032788/9562422	010179 01/2010 8.55
101-3030-423.30-02	06/26/2009	TOWER KEYS FOR LG'S	014450	010179 01/2010 60.03
101-3030-423.30-02	06/26/2009	RINSE TUBS FOR DIVE TEAM	055360/8595761	010179 01/2010 19.48
101-3030-423.30-02	06/26/2009	CREDIT-RTND HOOKS/LINKS	2569	010179 01/2010 8.55-
101-3030-423.28-04	06/22/2009	LG TRAINING-GOGGIN, M	038158	010180 01/2010 24.00
101-3030-423.25-03	06/22/2009	LG UNIFORM SUNGLASSES	7309725	010180 01/2010 449.25
101-3030-423.28-04	06/24/2009	LG TRAINING-WAY, A	06-24-2009	010180 01/2010 24.00
101-3030-423.28-04	06/24/2009	LG TRAINING-WIDLUND, B	06-24-2009	010180 01/2010 24.00
101-3030-423.28-04	06/24/2009	LG TRAINING-LARIMER, J	06-24-2009	010180 01/2010 24.00
101-3030-423.25-03	06/29/2009	SWIM TRUNKS	06005871	010180 01/2010 614.43
101-3030-423.30-02	07/01/2009	LAUNDRY SOAP	07-01-2009	010179 01/2010 28.25
101-3030-423.30-02	07/06/2009	MEDICAL SUPPLIES	00090210	010179 01/2010 80.65
101-3030-423.30-02	07/06/2009	PIER TOWER KEYS-LAW ENFOR	014703	010179 01/2010 60.03
101-3030-423.30-02	07/06/2009	MISC SUPPLIES	079420/8026654	010179 01/2010 51.44

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-3030-423.28-11	07/08/2009	INCIDENT REPORT CARDS	5846	010179 01/2010 203.33
101-3030-423.30-02	07/16/2009	MEDICAL SUPPLIES	08090768	010179 01/2010 165.60
101-3030-423.30-02	07/17/2009	CLEANING SUPPLIES	289844	010179 01/2010 236.73
101-3030-423.25-03	07/03/2009	SWIM TRUNKS	3570	010180 01/2010 147.50
101-3030-423.25-03	07/08/2009	LG UNIFORM PATCHES	438231	010180 01/2010 244.90
101-3030-423.30-02	07/09/2009	MERCHANDISE RETURN	837200535824288	010180 01/2010 9.67
101-3030-423.30-02	07/10/2009	91 OCTANE FOR PWC	150850	010180 01/2010 16.51
101-3030-423.30-02	07/10/2009	RTN SHIPPING POSTAGE	823841535339538	010180 01/2010 9.10
101-3030-423.30-02	07/11/2009	91 OCTANE FOR PWC	204140	010180 01/2010 19.70
101-3030-423.28-11	07/17/2009	SANDCASTLE OPS SUPPLIES	6205	010180 01/2010 20.67
101-6040-454.30-02	06/16/2009	PLEXIGLASS MIRROR SHIELDS	72808	010195 01/2010 96.00
101-6040-454.30-02	06/29/2009	PLYWOOD/CLAMPS/LIGHTBULBS	013134/5596048	010195 01/2010 87.94
101-6040-454.30-02	06/30/2009	ROOTER BIT/TPA/DOOR SHOES	005841/4562970	010195 01/2010 44.96
101-6040-454.30-02	06/30/2009	COPPER PIPE/FITTINGS	3192	010195 01/2010 152.37
101-1230-413.28-04	07/01/2009	CONF REGSTRTION/NAKAGAWA,	186MYHXVDU	010157 01/2010 450.00
408-1920-519.20-06	07/08/2009	CA COAST COMM MTG/GAS	111997	010157 01/2010 32.99
408-1920-519.20-06	07/09/2009	CA COAST COMM MTG/PRKNG	07-09-2009	010157 01/2010 4.50
408-1920-519.20-06	07/09/2009	CA COAST COMM MTG/MEAL	095166	010157 01/2010 11.36
408-1920-519.20-06	07/09/2009	CA COAST COMM MTG/LODGING	316078	010157 01/2010 49.80
408-1920-519.20-06	07/10/2009	CA COAST COMM MTG/GAS	9167358	010157 01/2010 31.00
101-6040-454.30-02	07/10/2009	SAFETY BOOTS/CELLANO, J	006319	010195 01/2010 150.00
101-6040-454.30-02	07/10/2009	SOD STAPLES/SHEARS	010562/4564290	010195 01/2010 21.67
101-6040-454.30-02	07/10/2009	SIMPLE GREEN	077617/4584339	010195 01/2010 16.28
101-6040-454.30-02	07/10/2009	THERMAL CUT OFFS/CONNECTR	772098	010195 01/2010 13.66
101-6040-454.30-02	07/15/2009	VOLT TICK	094266/9564908	010195 01/2010 16.28
101-6040-454.30-02	07/20/2009	VALVE/REPAIR KIT	137335	010195 01/2010 162.69
101-1010-411.30-01	06/22/2009	OFFICE SUPPLIES	479075054-001	010170 01/2010 16.73
101-1110-412.30-01	06/22/2009	OFFICE SUPPLIES	479075054-001	010170 01/2010 52.95
101-6030-453.30-02	06/26/2009	CHARIS FOR SENIOR CTR	2677468993605	010170 01/2010 270.84
101-6030-453.30-02	06/26/2009	CHAIRS FOR SENIOR CTR	2677468993983	010170 01/2010 270.84
101-1010-411.30-01	06/30/2009	PHOTO ALBUMS/IB PHOTOS	3708	010170 01/2010 44.01
101-6020-452.30-02	06/25/2009	PIPE FOR 13TH/1B, IRR SUP	51761146	010210 01/2010 132.82
101-6020-452.30-02	06/26/2009	2" RCV	51781232	010210 01/2010 199.30
101-6020-452.30-02	06/29/2009	2" UNION-PALM AVE/IRR SUP	51799246	010210 01/2010 161.93
101-1010-411.29-04	07/01/2009	COUNCIL DINNER 07/01/09	5706	010170 01/2010 119.63
101-1010-411.29-04	07/14/2009	GET WELL FLOWERS/LEVIEH,H	55286	010170 01/2010 72.05
101-1010-411.29-04	07/15/2009	COUNCIL DINNER 07/15/09	091052	010170 01/2010 11.57
101-1010-411.29-04	07/15/2009	COUNCIL DINNER 07/15/09	129516	010170 01/2010 76.00
101-6020-452.30-02	07/02/2009	RCV/FITTINGS	51842960	010210 01/2010 116.50
101-6020-452.30-02	07/09/2009	6 YDS MULCH	21742	010210 01/2010 326.18
101-6020-452.30-02	07/09/2009	2 RCV'S	51915874	010210 01/2010 398.59
101-6020-452.30-02	07/10/2009	6 YDS MULCH	21792	010210 01/2010 326.18
101-6020-452.30-02	07/13/2009	IRRIGATION SUPPLIES	51945886	010210 01/2010 283.46
101-6020-452.30-02	07/14/2009	CONDUIT, ELEC. FITTINGS	007732/0063241	010210 01/2010 16.79
101-5060-564.20-08	03/06/2009	MAP SCANS/PRINTING SVCS	5577721	010189 01/2010 91.37
101-6010-451.30-02	06/22/2009	CAFE SUPPLIES	047468	010164 01/2010 104.21
101-6010-451.30-02	06/24/2009	PROGRAM	6755060115260	010164 01/2010 10.35
101-6010-451.30-02	06/26/2009	OPERATION SUPPLIES	085236/8571778	010164 01/2010 26.03
501-1921-419.28-16	06/29/2009	TAILGATE HANDLE/LG TRUCKS	664821	010208 01/2010 25.63
101-6010-451.30-02	07/06/2009	EQUIPMENT	007434	010164 01/2010 58.67

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101-6010-451.30-02	07/09/2009	CAFE SUPPLIES	064952	010164 01/2010	238.78
101-6010-451.30-01	07/10/2009	OFFICE SUPPLIES	8525	010164 01/2010	50.18
408-5020-432.30-01	07/01/2009	OFFICE SUPPLIES	480079129-001	010189 01/2010	219.65
408-5020-432.30-01	07/01/2009	OFFICE SUPPLIES	480082895-001	010189 01/2010	222.92
408-5020-432.30-01	07/01/2009	OFFICE SUPPLIES	480084205-001	010189 01/2010	212.68
408-5020-432.30-01	07/01/2009	OFFICE SUPPLIES	480085054-001	010189 01/2010	232.33
501-1921-419.28-16	07/06/2009	BOBCAT PARTS	033384	010208 01/2010	406.70
501-1921-419.28-16	07/07/2009	AC PART #604	012414	010208 01/2010	64.14
501-1921-419.28-16	07/07/2009	PARTS FOR BOBCAT	032866	010208 01/2010	101.52
501-1921-419.30-02	07/14/2009	PROPANE & ACE SUPPLY	002331	010208 01/2010	101.38
501-1921-419.28-16	07/16/2009	PART FOR #630	044192	010208 01/2010	13.00
101-1920-419.30-02	06/23/2009	OFFICIAL SEAL LAPEL PINS	609101	010167 01/2010	520.00
101-5010-431.21-23	06/26/2009	BARRICADES W/LIGHTS-CONES	060998-00	010203 01/2010	949.94
101-6030-453.30-02	07/01/2009	SENIOR CTR T-SHIRTS	07-01-2009	010167 01/2010	330.78
101-6030-453.30-02	07/07/2009	CREDIT-SENIOR CTR T-SHIRT	07-07-2009	010167 01/2010	35.00-
502-1922-419.30-02	07/22/2009	HEADSET PER ERGO EVAL/BUA	HDS001291803	010167 01/2010	246.63
101-5010-431.30-02	07/07/2009	CHAIN & HOOKS FOR ROLLER	5269	010203 01/2010	50.49
101-1910-519.20-06	07/10/2009	1.75 YRD CONCRETE-XERASCA	82397042-001	010203 01/2010	314.01
101-1910-519.20-06	07/16/2009	1 1/4 YRD CONCRETE-CITY H	82508878-001	010203 01/2010	224.30
101-1910-419.28-01	06/22/2009	TOGGLE BOLTS/FLAPPER	07803	010192 01/2010	9.82
101-1910-419.28-01	06/23/2009	LIGHTS/SUPPLIES-FIREHOUSE	040809/1562097	010192 01/2010	16.51
101-1910-419.30-02	06/24/2009	PH DOOR REPAIR SUPPLIES	081113/0582556	010192 01/2010	53.71
101-6020-452.30-02	06/25/2009	SUPPLIES FOR TRAILER/DONO	022625/9562420	010192 01/2010	32.36
101-6020-452.30-02	06/26/2009	BALL HITCH FOR TRAILER/DO	094924/8582793	010192 01/2010	10.76
101-1910-519.20-06	07/01/2009	MONUMENT SIGN SUPPLIES	083711/3563173	010192 01/2010	46.26
101-1910-419.30-02	07/07/2009	PLUMBING REPAIR/SP RR	006253/7016193	010192 01/2010	16.24
101-1910-419.30-02	07/07/2009	TOILET SUPPLIES-SHERIFF D	022613/7572998	010192 01/2010	13.35
101-1910-419.30-02	07/07/2009	FAUCET BUTTONS/WAX RING	137008	010192 01/2010	71.06
101-6020-452.30-02	07/07/2009	FAUCET BUTTONS/WAX RING	137008	010192 01/2010	11.18
101-6040-454.30-02	07/07/2009	FAUCET BUTTONS/WAX RING	137008	010192 01/2010	60.19
101-1910-419.30-02	07/08/2009	PLUMBING SUPPLIES/SP PK	051219/6564007	010192 01/2010	27.41
101-6020-452.30-02	07/15/2009	CH LANDSCAPE SUPPLIES	51973575	010192 01/2010	241.97
101-1130-412.28-07	06/15/2009	ACM EMPLOYMENT AD	24154658	010160 01/2010	400.00
101-1920-419.30-02	06/24/2009	ID SYSTEM/EMPL ID'S	586402	010160 01/2010	891.00
502-1922-419.30-02	06/29/2009	DOC HOLDER/FOOT REST	15022003	010160 01/2010	115.16
101-1010-411.30-02	07/02/2009	CITY COUNCIL MTG SUPPLIES	480030555001	010160 01/2010	68.43
101-1130-412.29-02	07/15/2009	EMP PARTY INVITATIONS	W1601010	010160 01/2010	103.72
101-3040-424.21-01	07/15/2009	INTERVIEW PANEL LUNCH	07-15-2009	010160 01/2010	24.42
101-3070-427.21-01	07/15/2009	INTERVIEW PANEL LUNCH	07-15-2009	010160 01/2010	24.42
101-6040-454.30-02	06/19/2009	WEED CONTROL	833580	010196 01/2010	209.00
101-6040-454.30-02	06/22/2009	PAINT SUPPLIES	050994/2023576	010196 01/2010	222.31
101-1910-419.28-13	06/24/2009	REFND-ST ELEV FEES	G020211 SD	010196 01/2010	210.00-
101-1910-419.28-13	06/24/2009	STATE ELEVATOR FEES	G020211 SD	010196 01/2010	105.00
101-6040-454.30-02	06/25/2009	ANIT-GRAFFITI PAINT	2805-7	010196 01/2010	235.40
101-1910-419.28-13	06/26/2009	STATE ELEVATOR FEES	G020211 SD	010196 01/2010	210.00
101-6040-454.30-02	06/29/2009	PAINT SUPPLIES	035707/5014173	010196 01/2010	112.52
101-6040-454.30-02	06/30/2009	PLAZA HISTORICAL FLAGS	49777	010196 01/2010	329.08
101-1910-419.30-02	07/08/2009	SAFETY CTR/PAN, CORDS, PUNE	006182/6597053	01/2010	94.29
101-6040-454.30-02	07/08/2009	SAFETY CTR/PAN, CORDS, PUNE	006182/6597053	010196 01/2010	156.38
101-6040-454.30-02	07/08/2009	SAFETY CTR/PAN, CORDS, PUNE	006182/6597053	010196 01/2010	81.51

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-1910-419.30-02	07/08/2009	REFND-SAFETY CTR FANS/COR	6243132	01/2010 94.29-
101-6040-454.30-02	07/09/2009	PROTECTIVE GLOVES	0184284	010196 01/2010 276.16
101-6040-454.30-02	07/13/2009	TRASH BAGS/TOWEL DISPENSE	Q542L-00	010196 01/2010 920.76
101-6040-454.30-02	07/13/2009	DISINFECTANT/URINAL BLOCK	289735	010196 01/2010 782.13
101-6040-454.30-02	07/14/2009	PAPER ROLL TOWELS	71391096	010196 01/2010 74.69
101-0000-209.01-03	06/24/2009	CEJA, E EMP COMP LOAN	BBY01-289572010	01/2010 324.48
101-0000-209.01-03	07/06/2009	POSADA, M EMP COMP LOAN	BBY01-292416005	01/2010 184.86
101-0000-209.01-03	07/06/2009	POSADA, M EMP COMP LOAN	W47011988	01/2010 1,809.29
101-0000-221.01-03	07/16/2009	WATER TRUCK RENTAL/SANDCA	4515493-001	01/2010 412.15
08/27/2009	69464	VAN SCOYOC ASSOCAITES, INC.	2093	
405-1260-413.20-06	07/31/2009	JULY 09 MONTHLY RETAINER	32116	010321 01/2010 3,350.00
08/27/2009	69465	WELLS FARGO BANK, N.A.	1597	
735-0000-221.03-04	07/27/2009	ASSESSMNT DIST #71 DUE	07-27-2009	01/2010 5,467.50
735-0000-221.03-01	07/27/2009	ASSESSMNT DIST #71 DUE	07-27-2009	01/2010 1,467.50
09/03/2009	69466	COUNTY RECORDER	1818	
405-1260-513.10-01	09/02/2009	DPW YARD PROJECT	MF950	03/2010 2,043.00
09/03/2009	69467	COUNTY RECORDER	1818	
245-1240-513.10-01	09/02/2009	HOUSING ELEMENT	MF692	03/2010 2,043.00
09/04/2009	69468	AFLAC	120	
101-0000-209.01-13	09/03/2009	PR AP PPE 082709	20090903	03/2010 461.30
09/04/2009	69469	AGRICULTURAL PEST CONTROL	123	
101-1910-419.21-04	08/25/2009	AUGUST 2009	199118	010126 02/2010 190.00
101-1910-419.21-04	07/28/2009	JULY 2009	123728	010126 01/2010 95.00
09/04/2009	69470	AT&T	2052	
503-1923-419.27-04	07/20/2009	3372571583448	755048	01/2010 3,797.32
503-1923-419.27-04	07/20/2009	3393431504727	753422	01/2010 356.13
101-1110-412.27-04	07/15/2009	6194230314983	742763	01/2010 178.07
101-5040-434.27-04	07/15/2009	6194231074813	742764	01/2010 106.31
101-5040-434.27-04	07/15/2009	6194231675716	742765	01/2010 15.81
601-5060-436.27-04	07/15/2009	6194232231359	742766	01/2010 15.81
101-3020-422.27-04	07/17/2009	6194237246664	745679	01/2010 15.33
101-3020-422.27-04	07/15/2009	6194238222636	742767	01/2010 74.65
101-3020-422.27-04	07/15/2009	6194238225966	742768	01/2010 21.18
101-1920-419.27-04	07/15/2009	6194238300966	742769	01/2010 159.26
101-5020-432.27-04	07/15/2009	6194238311966	742770	01/2010 828.23
101-3030-423.27-04	07/15/2009	6194238322966	742771	01/2010 358.01
101-1130-412.27-04	07/15/2009	6194238617297	742772	01/2010 229.98
503-1923-419.27-04	07/11/2009	6194243481712	729127	01/2010 74.51
101-6030-453.27-04	07/11/2009	6194247077654	729128	01/2010 35.57
101-3020-422.27-04	07/17/2009	6194247359125	745680	01/2010 81.97
101-6010-451.27-04	07/22/2009	6195750336814	756960	01/2010 77.25
101-3020-422.27-04	07/22/2009	6195750361567	756961	01/2010 16.16
601-5060-436.27-04	07/17/2009	6195751351887	746227	01/2010 16.13
				01/2010 14.37

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101-1010-411.27-04	07/17/2009		6196281352138	745681 01/2010	62.19
101-1230-413.27-04	07/17/2009		6196281356950	745682 01/2010	180.52
101-3040-424.27-04	07/17/2009		6196281357370	745683 01/2010	79.23
101-3070-427.27-04	07/17/2009		6196281359503	745681 01/2010	44.98
101-1210-413.27-04	07/17/2009		6196281361675	745685 01/2010	237.75
101-6010-451.27-04	07/17/2009		6196281385578	745686 01/2010	207.80
101-3035-423.27-04	07/17/2009		6196281419922	745687 01/2010	23.89
101-3010-421.27-04	07/13/2009		6196281485966	738127 01/2010	41.42
101-1920-419.27-04	07/17/2009		6196282018442	745688 01/2010	25.55
601-5060-436.27-04	07/15/2009		C602221236777	742762 01/2010	219.26
09/04/2009	69471	AT&T / SBC DATACOMM	1854		3,838.29
503-1923-519.20-06	08/10/2009	PROJ COORDINATION-INSTALL	319-003324	010019 02/2010	75.00
503-1923-519.20-06	08/10/2009	INSTALLATION	319-003325	010019 02/2010	1,200.00
503-1923-519.20-06	08/24/2009	MULTILAYER IMAGE UPGRADE	319-003489	010212 02/2010	2,563.29
09/04/2009	69472	BDS ENGINEERING INC	372		2,080.50
101-0000-221.01-02	08/06/2009	JULY 2009 PLAN CHECK	09-02F	02/2010	248.50
101-0000-221.01-02	08/06/2009	JULY 2009 PLAN CHECK	09-02F	02/2010	497.00
101-0000-221.01-02	08/06/2009	JULY 2009 PLAN CHECK	09-02F	02/2010	383.00
101-0000-221.01-02	08/06/2009	JULY 2009 PLAN CHECK	09-02F	02/2010	817.50
101-1230-413.20-06	08/06/2009	JULY 09 PLAN CHECK	09-02F	02/2010	134.50
09/04/2009	69473	BEDROCK BOULDERS	2106		2,162.66
101-1910-419.30-02	07/24/2009	SAND	39896	F01010 01/2010	38.66
101-1910-519.20-06	08/18/2009	LANDSCAPING MATERIAL	40880	010312 02/2010	2,124.00
09/04/2009	69474	CALIF ELECTRIC SUPPLY	609		84.12
101-6040-454.30-02	07/08/2009	BALLAST/PLAZA LIGHTS	1069-591296	090094 01/2010	84.12
09/04/2009	69475	CVA SECURITY	797		60.00
101-1910-419.20-23	09/01/2009	SEP 09 EOC	12767	010123 03/2010	30.00
101-1910-419.20-23	09/01/2009	SEP 09 PW	12831	010123 03/2010	30.00
09/04/2009	69476	COLONIAL LIFE & ACCIDENT	941		147.74
101-0000-209.01-13	09/03/2009	PR AP PPE 082709	20090903	03/2010	147.74
09/04/2009	69477	COUNTY OF SAN DIEGO	1055		5,213.10
101-3010-421.21-04	08/24/2009	JULY 2009 PARKING PENALTY	07/09	02/2010	5,213.10
09/04/2009	69478	COX COMMUNICATIONS	1073		125.12
101-6010-451.29-04	08/09/2009	08/13-09/12 SPORTS PARK	09-02-2009	010139 02/2010	125.12
09/04/2009	69479	CREATIVE BENEFITS INC FSA	1108		309.18
101-0000-209.01-11	09/03/2009	PR AP PPE 082709	20090903	03/2010	309.18
09/04/2009	69480	CULLIGAN WATER CO. OF SAN DIEG	1112		18.00
101-1230-413.30-02	08/17/2009	SEPTEMBER 2009	04089805	010138 02/2010	18.00
09/04/2009	69481	DEPARTMENT OF CORRECTIONS AND	169		2,468.91
101-6040-454.21-04	08/17/2009	JUNE 2009	1800025275	090146 02/2010	2,468.91

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
09/04/2009	69482	EDCO DISPOSAL CORPORATION	1205			128.96
408-1920-519.20-06	08/31/2009	AUG 2009 WASTE SVC	08-31-2009	010330	02/2010	128.96
09/04/2009	69483	EPIC LAND SOLUTIONS, INC.	2105			7,191.80
408-1920-519.20-06	08/27/2009	P/E 07/31/09 PALM AVE REL	0709-0190	010328	02/2010	7,191.80
09/04/2009	69484	FASTSIGNS	1847			225.00
408-1920-519.20-06	08/21/2009	FACADE IMPRVMT-SILVER ST	NC237-18032	010142	02/2010	225.00
09/04/2009	69485	FILIPINAS FERNANDEZ	2			150.00
101-0000-221.02-01	07/01/2009	REFUND JRLG FEES/NOT ABLE	8		02/2010	150.00
09/04/2009	69486	GO-STAFF, INC.	2031			2,784.75
601-5050-436.21-01	08/25/2009	BARZEE, J W/E 08/23/09	64696	010056	02/2010	708.75
601-5060-436.21-01	08/25/2009	TRONCOSO, L W/E 08/23/09	64697	010148	02/2010	943.80
101-1020-411.21-01	08/25/2009	ROCHER, J W/E 08/23/09	64696	010027	02/2010	360.00
601-5060-436.21-01	09/01/2009	TRONCOSO, L W/E 08/30/09	64866	010148	03/2010	772.20
09/04/2009	69487	GREGORY WADE	1506			60.57
101-1230-413.28-04	09/01/2009	LUNCH MTG REIMBURSMENT	1444		03/2010	60.57
09/04/2009	69488	GRINDLINE SKATEPARKS, INC.	2141			10,660.00
101-6010-551.20-06	07/01/2009	SKATEPK-PROJ START/VISIT	3656	010310	01/2010	4,575.00
101-6010-551.20-06	07/31/2009	SKATEPARK SURVEYS	3675	010310	01/2010	6,085.00
09/04/2009	69489	HEARTLAND FIRE TRAINING FACILI	1			495.00
101-3020-422.28-04	07/07/2009	09/10 ZONE TRAINING	907070B		02/2010	495.00
09/04/2009	69490	I B FIREFIGHTERS ASSOCIATION	214			242.00
101-0000-209.01-08	09/03/2009	PR AP PPE 082709	20090903		03/2010	242.00
09/04/2009	69491	ICMA RETIREMENT TRUST 457	242			5,365.62
101-0000-209.01-10	09/03/2009	PR AP PPE 082709	20090903		03/2010	5,365.62
09/04/2009	69492	IMPERIAL BEACH CHAMBER OF COMM	1505			550.00
101-0000-221.01-03	08/06/2009	REFUND FACILITY USE FEES	6124		02/2010	550.00
09/04/2009	69493	JET GRAPHICS, INC.	2022			499.60
101-1210-413.28-11	08/07/2009	BL SECURITY PAPER W/SEAL	103513-C	010239	02/2010	499.60
09/04/2009	69494	KIWANIS CLUB OF IMPERIAL BEACH	639			667.00
101-0000-221.01-03	08/06/2009	REFUND FACILITY USE FEES	7049		02/2010	667.00
09/04/2009	69495	LINDLEY FAMILY TRUST	1			200.00
101-1920-419.21-04	08/18/2009	2009 ANNUAL CONCERT EVENT	08-18-2009		02/2010	200.00
09/04/2009	69496	MICHAL PIASECKI CONSULTING	1795			7,492.50
405-1260-513.20-06	08/31/2009	AUG 2009 PW	114	010074	02/2010	5,602.50
601-5050-436.20-06	08/31/2009	ENVIRONMENTAL AUG 08	115	010074	02/2010	1,890.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
09/04/2009	69497	MIKE MCGRANE	1939				547.65
503-1923-419.28-13	09/03/2009	ADOBE LICENSE PURCHASE	RC-847784-33		03/2010		547.65
09/04/2009	69498	MME EVENT PRODUCTIONS INC	1701				5,120.00
101-1920-419.21-04	08/26/2009	09 ANNUAL CONCERT/BAL DUE	1138	010325	02/2010		5,120.00
09/04/2009	69499	MOBILE HOME ACCEPTANCE CORPORA	1533				299.06
408-5020-432.25-01	08/24/2009	09/07-10/09 PW TRAILER RE	147517	010146	02/2010		299.06
09/04/2009	69500	MORGAN CONSTRUCTION	1937				12,920.00
248-1920-519.20-06	08/18/2009	CLEAN&GREEN-1249 8TH ST	08-18-2009		02/2010		12,920.00
09/04/2009	69501	OLLIE ANGEL SKATESHOP	1				1,000.00
408-1920-519.20-06	08/31/2009	9TH/PALM RELOCATION	08-31-2009		02/2010		1,000.00
09/04/2009	69502	PADRE JANITORIAL SUPPLIES	1430				310.63
101-1910-419.30-02	08/24/2009	TISSUE/PAPER TOWELS	291355	010080	02/2010		310.63
09/04/2009	69503	RANCHO AUTO & TRUCK PARTS	1685				262.70
501-1921-419.28-16	08/06/2009	CREDIT/RETN WRONG PARTS	61667	010072	02/2010		5.31-
501-1921-419.28-16	08/10/2009	REFLEX TRUCK SHOCK	61962	010072	02/2010		94.37
501-1921-419.28-16	08/10/2009	CR RETURNED SHOCK	62016	010072	02/2010		83.63-
501-1921-419.28-16	08/20/2009	WIX FILTERS	63036	010072	02/2010		72.03
501-1921-419.28-16	08/21/2009	RADIATOR	63167	010072	02/2010		185.24
09/04/2009	69504	RECLAIMED AGGREGATES, INC.	2137				100.00
101-5010-431.29-04	07/31/2009	4 TRUCKS TO RECYCLE	9873	010087	01/2010		100.00
09/04/2009	69505	ROBERT BACKER & ASSOCIATES	1620				550.00
408-1920-519.20-06	08/26/2009	PAWN SHOP LEASEHOLD UPDAT	08-26-2009	010333	02/2010		550.00
09/04/2009	69506	RYAN NEEDLES DBA VAN VON VINYL	1951				886.31
101-1920-419.21-04	08/20/2009	BANNERS	658	010334	02/2010		886.31
09/04/2009	69507	SAN DIEGO GAS & ELECTRIC	1399				19,894.26
101-3020-422.27-01	08/07/2009	10087869371 06/30-07/30	08-25-2009		02/2010		35.19
101-1910-419.27-01	08/07/2009	10087869371 06/30-07/30	08-25-2009		02/2010		139.27
101-5010-431.27-01	08/07/2009	10088604389 06/26-07/28	08-25-2009		02/2010		37.46
101-3020-422.27-01	08/07/2009	19807697764 06/30-07/30	08-25-2009		02/2010		4,154.59
601-5060-436.27-01	08/07/2009	52635219238 06/26-07/28	08-25-2009		02/2010		5.58
101-6020-452.27-01	08/07/2009	56497714749 07/01-07/31	08-25-2009		02/2010		9.56
101-5010-431.27-01	08/07/2009	56497714749 07/01-07/30	08-25-2009		02/2010		7,637.34
101-5010-431.27-01	08/07/2009	85075178464 07/01-07/31	08-25-2009		02/2010		102.78
601-5060-436.27-01	08/07/2009	85075178464 07/01-07/31	08-25-2009		02/2010		87.45
101-6020-452.27-01	08/07/2009	85075178464 07/01-07/31	08-25-2009		02/2010		955.45
601-5060-436.27-01	08/07/2009	85417701270 07/01-07/31	08-25-2009		02/2010		5,462.34
101-5020-432.27-01	08/07/2009	91692992261 06/26-07/28	08-25-2009		02/2010		1,267.25
09/04/2009	69508	SEIU LOCAL 221	1821				1,635.21
101-0000-209.01-08	09/03/2009	PR AP PPE 082709	20090903		03/2010		1,635.21

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09/04/2009	69509	SKS INC.	412			10,282.56	
501-1921-419.28-15	08/13/2009	1082 G REG/101 G DIESEL	1228086-IN	010101	02/2010	3,282.98	
501-1921-419.28-15	08/20/2009	1162.2 G REG/327 G DIESEL	1228194-IN	010101	02/2010	4,017.45	
501-1921-419.28-15	08/27/2009	150 G DIESEL/986.1 G REGU	1228335-IN	010101	02/2010	2,982.13	
09/04/2009	69510	SPRINT	2040			561.62	
101-3030-423.27-05	07/18/2009	06/15/09-07/14/09	699898810-020		01/2010	258.49	
101-3030-423.27-05	08/18/2009	07/15/09-08/14/09	699898810-021		01/2010	303.13	
09/04/2009	69511	SPRINT	1966			681.12	
101-1020-411.27-05	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	73.11	
101-1230-413.27-05	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	95.11	
101-3020-422.27-05	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	147.22	
101-5020-432.27-05	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	72.71	
503-1923-419.27-05	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	252.98	
503-1923-419.30-02	07/29/2009	06/26/09-07/25/09	527638813-020		01/2010	39.99	
09/04/2009	69512	SPRINT	2040			150.62	
101-3020-422.27-05	07/29/2009	06/26/09-07/25/09 MDC CRD	594768811-020		01/2010	150.62	
09/04/2009	69513	STAPLES ADVANTAGE	2114			406.29	
101-1210-413.30-01	08/03/2009	BATTERIES/ENVELOPES	96759287	010015	02/2010	88.40	
101-1210-413.30-01	08/20/2009	COPY PAPER/CORDLESS MOUSE	97109395	010015	02/2010	317.89	
09/04/2009	69514	SURFRIDER FOUNDATION	2			657.00	
101-0000-221.01-03	08/06/2009	REFUND DEPOSIT/CLEANING	6993		02/2010	657.00	
09/04/2009	69515	THE BOXING ZONE	2			75.00	
101-0000-325.73-06	08/06/2009	REFUND SPECIAL EVENT FEES	6987		02/2010	75.00	
09/04/2009	69516	THE HILITE GROUP INC.	2145			1,275.00	
248-1920-519.20-06	08/27/2009	CLEAN&GREEN-963 FLORENCE	2009482	010329	02/2010	700.00	
248-1920-519.20-06	08/26/2009	CLEAN & GREEN-951 4TH ST	2009481	010331	02/2010	575.00	
09/04/2009	69517	THYSSENKRUPP ELEVATOR	663			410.56	
101-3030-423.20-06	09/01/2009	SEPTEMBER 2009	1037041668	010043	03/2010	205.28	
101-3030-423.20-06	07/01/2009	JULY 2009	1037039754	010043	01/2010	205.28	
09/04/2009	69518	TRAFFIC CONTROL SERVICE INC.	684			408.00	
101-5010-431.21-23	08/13/2009	YELLOW TRAFFIC PAINT	932878	010077	02/2010	102.00	
101-5010-431.21-23	08/13/2009	YELLOW TRAFFIC PAINT	933014	010077	02/2010	306.00	
09/04/2009	69519	UNION BANK OF CALIFORNIA	735			875.00	
101-1920-419.29-04	08/13/2009	MAY-JUL 09 QRTLY BANK FEE	560450	090555	12/2009	875.00	
09/04/2009	69520	UNITED WAY OF SAN DIEGO COUNTY	1483			70.00	
101-0000-209.01-09	09/03/2009	PR AP PPE 082709	20090903		03/2010	70.00	
09/04/2009	69521	WEST COAST ARBORISTS	820			1,100.00	
101-6020-452.21-04	08/13/2009	TREE MAINT SVC-495 10TH S	60550	010131	02/2010	1,100.00	

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ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
09/04/2009	69522	WHITE CAP CONSTRUCTION SUPPLY	1434				101.81
101-5010-431.30-02	08/18/2009	SEALANT/GROUT/		15030696	010071	02/2010	101.81
09/04/2009	69523	WIDLUND BRYAN	2150				9.00
101-3035-423.28-04	08/18/2009	PARKING REIMBURSEMENT		691144		02/2010	9.00
09/10/2009	69524	AMERICAN-MARSH PUMPS	2083				3,497.40
601-5060-436.28-01	08/13/2009	PS8 REBUILD PARTS		INV-33450		02/2010	3,497.40
09/10/2009	69525	ARROWHEAD MOUNTAIN SPRING WATE	1340				56.03
101-5020-432.30-02	08/22/2009	AUGUST 2009		09H0026726646	010046	02/2010	56.03
09/10/2009	69526	AT&T	2052				3,143.86
503-1923-419.27-04	08/20/2009	3372571583448		814744		02/2010	356.13
503-1923-419.27-04	08/20/2009	3393431504727		813118		02/2010	178.01
101-1110-412.27-04	08/15/2009	6194230314983		802247		02/2010	109.78
101-5040-434.27-04	08/15/2009	6194231074813		802248		02/2010	15.80
101-5040-434.27-04	08/15/2009	6194231675716		802249		02/2010	15.81
601-5060-436.27-04	08/15/2009	6194232231359		802250		02/2010	15.32
101-3020-422.27-04	08/17/2009	6194237246664		805241		02/2010	82.05
101-3020-422.27-04	08/15/2009	6194238222636		802251		02/2010	21.33
101-3020-422.27-04	08/15/2009	6194238225966		802252		02/2010	154.88
101-1920-419.27-04	08/15/2009	6194238300966		802253		02/2010	323.14
101-5020-432.27-04	08/15/2009	6194238311966		802254		02/2010	367.17
101-3030-423.27-04	08/15/2009	6194238322966		802255		02/2010	221.01
101-1130-412.27-04	08/15/2009	6194238617297		802256		02/2010	72.55
503-1923-419.27-04	08/11/2009	6194243481712		788384		02/2010	36.65
101-6030-453.27-04	08/11/2009	6194247077654		788385		02/2010	78.60
101-3020-422.27-04	08/17/2009	6194247359125		805242		02/2010	75.47
101-6010-451.27-04	08/22/2009	6195750336814		816599		02/2010	16.14
101-3020-422.27-04	08/22/2009	6195750361567		816600		02/2010	16.14
601-5060-436.27-04	08/17/2009	6195751351887		805789		02/2010	14.40
101-1010-411.27-04	08/17/2009	6196281352138		805243		02/2010	61.68
101-1230-413.27-04	08/17/2009	6196281356950		805244		02/2010	183.17
101-3040-424.27-04	08/17/2009	6196281357370		805245		02/2010	77.54
101-3070-427.27-04	08/17/2009	6196281359503		805246		02/2010	45.05
101-1210-413.27-04	08/17/2009	6196281361675		805247		02/2010	234.54
101-6010-451.27-04	08/17/2009	6196281385578		805248		02/2010	57.17
101-3035-423.27-04	08/17/2009	6196281419922		805249		02/2010	27.77
101-3010-421.27-04	08/13/2009	6196281485966		797408		02/2010	41.43
101-1920-419.27-04	08/17/2009	6196282018442		805250		02/2010	25.71
601-5060-436.27-04	08/15/2009	C602221236777		802246		02/2010	219.42
09/10/2009	69527	BAY CITY ELECTRIC WORKS	369				7,003.35
601-5060-436.21-04	08/21/2009	INSTALL SWITCH GENERATOR		W73087		02/2010	7,003.35
09/10/2009	69528	BDS ENGINEERING INC	372				842.75
101-5010-431.20-06	08/06/2009	07/23/09-07/29/09 13TH/PA		09-01	010318	02/2010	842.75
09/10/2009	69529	CALIFORNIA AMERICAN WATER	612				2,402.98
101-6040-454.27-02	09/04/2009	05-0092998-9 07/01-09/01		09-23-2009		03/2010	568.22

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101-3030-423.27-02	09/04/2009	05-0093917-8	07/01-09/01	09-23-2009	03/2010	231.80
101-5010-431.27-02	09/04/2009	05-0094000-2	07/01-09/01	09-23-2009	03/2010	32.08
101-5010-431.27-02	09/04/2009	05-0094041-6	07/01-09/01	09-23-2009	03/2010	25.62
101-5010-431.27-02	09/04/2009	05-0094076-2	07/01-09/01	09-23-2009	03/2010	61.09
101-5010-431.27-02	09/04/2009	05-0094163-8	07/01-09/01	09-23-2009	03/2010	51.42
101-5010-431.27-02	09/04/2009	05-0094234-7	07/01-09/01	09-23-2009	03/2010	25.62
101-5010-431.27-02	09/04/2009	05-0094268-5	07/01-09/01	09-23-2009	03/2010	202.96
101-5010-431.27-02	09/04/2009	05-0094293-3	07/01-09/01	09-23-2009	03/2010	35.31
101-5010-431.27-02	09/04/2009	05-0094304-8	07/01-09/01	09-23-2009	03/2010	278.04
101-5010-431.27-02	09/04/2009	05-0094973-0	07/01-09/01	09-23-2009	03/2010	667.22
101-6020-452.27-02	07/20/2009	05-0114612-0	05/14-07/15	08-10-2009	01/2010	137.92
101-5010-431.27-02	07/20/2009	05-0115949-5	05/14-07/15	08-10-2009	01/2010	11.96
101-5010-431.27-02	07/20/2009	05-0115950-3	05/14-07/15	08-10-2009	01/2010	21.31
101-5010-431.27-02	07/20/2009	05-0116368-7	05/14-07/15	08-10-2009	01/2010	21.31
101-6020-452.27-02	07/20/2009	05-0117419-7	05/14-07/15	08-10-2009	01/2010	8.89
245-1240-413.27-02	07/21/2009	05-0536445-5	05/15-07/16	08-10-2009	01/2010	22.21
09/10/2009	69530	COUNTY OF SAN DIEGO	1143			397,084.90
301-0000-201.00-00	08/17/2009	COUNTY REVENUE ENTITLEMEN	08-17-2009		02/2010	73,491.26
301-0000-201.00-00	08/17/2009	COUNTY REVENUE ENTITLEMEN	08-17-2009		02/2010	11,674.13
302-0000-201.00-00	08/17/2009	COUNTY REVENUE ENTITLEMEN	08-17-2009		02/2010	279,754.32
302-0000-201.00-00	08/17/2009	COUNTY REVENUE ENTITLEMEN	08-17-2009		02/2010	32,165.19
09/10/2009	69531	D3 EQUIPMENT	1124			185.22
501-1921-419.28-16	08/20/2009	FILTERS	S73460	010090	02/2010	185.22
09/10/2009	69532	EDAW, INC	1804			15,656.50
405-1260-513.20-06	08/18/2009	07/04-07/31/09 MIXED USE	1457028	080317	02/2010	15,656.50
09/10/2009	69533	FASTENAL	909			65.23
601-5060-436.30-02	08/19/2009	PAINT PENS	CACHU20211	010062	02/2010	17.94
601-5060-436.30-02	08/25/2009	SHOVEL SQUARE	CACHU20265	010062	02/2010	38.17
501-1921-419.30-02	08/26/2009	SANDPAPER	CACHU20272	010062	02/2010	9.12
09/10/2009	69534	GENE'S AUTOMOTIVE	1014			412.52
501-1921-419.28-01	09/02/2009	A/C SYSTEM CHECK	69995	010092	03/2010	412.52
09/10/2009	69535	GRAINGER	1051			995.66
101-6040-454.30-02	08/18/2009	LAMP	9058230088	010076	02/2010	55.07
601-5060-436.30-02	08/19/2009	TYLENOL	9059561408	010076	02/2010	17.81
601-5060-436.30-02	08/24/2009	SUMP PUMP	9062748570	010076	02/2010	422.82
601-5060-436.30-02	09/03/2009	PUMP	9070075313	010076	03/2010	252.51
101-6020-452.30-02	09/03/2009	RED STRIPING PAINT	9070075321	010076	03/2010	42.48
601-5060-436.30-02	09/03/2009	GLOVES	9070902912	010076	03/2010	117.02
501-1921-419.28-16	08/21/2009	FILTER REPLACEMENT	9060536381	010076	02/2010	28.77
101-1910-419.30-02	08/31/2009	LAMPS	9067408345	010076	02/2010	59.18
09/10/2009	69536	HDL COREN & CONE	88			975.00
101-1210-413.20-06	08/20/2009	SALES TAX 1ST QTR 09/10	0015616-IN	010241	02/2010	975.00
09/10/2009	69537	J & T NAILS	1			9,803.75
408-1920-519.20-06	08/31/2009	9TH/PALM RELOCATION	08-31-2009		02/2010	7,694.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
408-1920-519.20-06	08/31/2009	9TH/PALM RELOCATION	08-31-2009	02/2010 2,109.75
09/10/2009 69538	KEYSER MARSTON ASSOC INC	620		1,506.88
405-1260-413.20-06	08/20/2009	JUL 09 9TH&PALM MIXED USE	0021163	02/2010 1,506.88
09/10/2009 69539	KOA CORPORATION	611		8,153.00
405-1260-513.20-06	07/31/2009	06/22-07/19/09 ECO BKWAY	JAG4F9XX28	01/2010 8,153.00
09/10/2009 69540	MALCOM W. JONES	863		2,575.00
408-1920-519.20-06	08/18/2009	SURFBOARD BENCHES	IB-2009-2	02/2010 2,575.00
09/10/2009 69541	MASON'S SAW & LAWNMOWER	923		49.20
501-1921-419.28-16	08/27/2009	PIVOT WASHER/REWIND SPRING	180034	010065 02/2010 49.20
09/10/2009 69542	NEXTEL OF CALIFORNIA	1465		2,154.02
101-3070-427.27-05	07/29/2009	06/26/09-07/25/09	896132755-024	02/2010 36.59
101-1010-411.27-05	07/29/2009	06/26/09-07/25/09	896132755-024	02/2010 32.60
101-5020-432.27-05	07/29/2009	06/26/09-07/25/09	896132755-024	02/2010 266.43
101-5020-432.21-25	07/29/2009	06/26/09-07/25/09	896132755-024	02/2010 640.22
101-3020-422.27-05	07/29/2009	06/26/09-07/25/09	896132755-024	02/2010 97.80
101-3070-427.27-05	08/29/2009	07/26/09-08/25/09	896132755-025	02/2010 36.59
101-1010-411.27-05	08/29/2009	07/26/09-08/25/09	896132755-025	02/2010 32.80
101-5020-432.27-05	08/29/2009	07/26/09-08/25/09	896132755-025	02/2010 266.43
101-5020-432.21-25	08/29/2009	07/26/09-08/25/09	896132755-025	02/2010 646.76
101-3020-422.27-05	08/29/2009	07/26/09-08/25/09	896132755-025	02/2010 97.80
09/10/2009 69543	NINYO & MOORE	2151		5,500.00
408-1920-519.20-06	08/17/2009	GEOTECHNICAL EVAL 9TH/PAL	143221	010335 02/2010 5,500.00
09/10/2009 69544	ONE SOURCE DISTRIBUTORS	1071		14.52
601-5060-436.30-22	08/21/2009	POCKET FUSE PULLER	S3169029.001	010066 02/2010 14.52
09/10/2009 69545	PERVO PAINT CO.	8		59.76
101-5010-431.21-23	08/12/2009	GRAFFITI PAINT	16869	010083 02/2010 59.76
09/10/2009 69546	PBS & J	1606		3,159.35
101-5060-564.20-08	08/20/2009	JULY 09 WATER QULTY MONIT	1053423	010147 02/2010 3,159.35
09/10/2009 69547	PROTECTION ONE	69		264.18
601-5060-436.20-23	08/20/2009	SEPTEMBER 2009	74044307	010007 02/2010 264.18
09/10/2009 69548	RCP BLOCK & BRICK INC	115		1,626.17
101-1910-519.20-06	08/18/2009	COBBLE PAVERS	8210883	010084 02/2010 993.69
101-1910-519.20-06	08/29/2009	COBBLE PAVER/MASONRY SAND	8211013	010084 02/2010 632.48
VOIDED 09/10/2009 69549	SDGE	289		13,272.62
101-6020-452.27-01	08/03/2009	0175 275 3776 07/01-07/31	08-18-2009	01/2010 321.94
101-5010-431.27-01	08/03/2009	0824 329 2041 07/01-07/31	08-18-2009	01/2010 434.24
101-6020-452.27-01	08/03/2009	2081 689 1273 07/01-07/31	08-18-2009	01/2010 258.48
101-6010-451.27-01	08/03/2009	2081 692 3399 07/01-07/31	08-18-2009	01/2010 6.35

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-6020-452.27-01	08/03/2009	2083 847 9032	07/01-07/31	08-18-2009 01/2010 60.66
101-6010-451.27-01	08/03/2009	3206 700 9265	07/01-07/31	08-18-2009 01/2010 57.79
101-6020-452.27-01	08/03/2009	5456 692 8951	07/01-07/31	08-18-2009 01/2010 43.77
101-6020-452.27-01	08/03/2009	6921 003 2109	07/01-07/31	08-18-2009 01/2010 599.71
101-5010-431.27-01	08/03/2009	7706 795 7872	07/01-07/31	08-18-2009 01/2010 12.03
101-6020-452.27-01	08/03/2009	9327 898 1346	07/01-07/31	08-18-2009 01/2010 292.07
101-5010-431.27-01	08/03/2009	9476 001 6989	07/01-07/31	08-18-2009 01/2010 321.03
101-6010-451.27-01	08/03/2009	9956 693 6272	07/01-07/31	08-18-2009 01/2010 324.42
405-1260-413.27-01	07/31/2009	0440 533 7641	06/30-07/30	08-15-2009 01/2010 370.79
101-5010-431.27-01	07/31/2009	0646 753 1938	06/30-07/30	08-15-2009 01/2010 9.56
101-5010-431.27-01	07/31/2009	1694 231 2432	06/30-07/30	08-15-2009 01/2010 31.81
101-5010-431.27-01	07/29/2009	1912 409 2723	06/26-07/28	08-13-2009 01/2010 9.56
101-6010-451.27-01	08/03/2009	2081 689 7619	07/01-07/31	08-18-2009 01/2010 462.89
101-5010-431.27-01	08/03/2009	2741 969 9359	06/30-07/31	08-18-2009 01/2010 149.55
215-6026-452.27-01	08/03/2009	2819 871 6315	06/30-07/31	08-18-2009 01/2010 1,920.81
101-5010-431.27-01	07/31/2009	3062 843 3719	06/30-07/30	08-15-2009 01/2010 12.65
101-5010-431.27-01	08/03/2009	3448 930 9646	06/30-07/30	08-18-2009 01/2010 9.56
405-1260-413.27-01	07/31/2009	4275 017 0316	06/30-07/30	08-15-2009 01/2010 15.14
405-1260-413.27-01	07/31/2009	5400 017 7777	06/30-07/31	08-15-2009 01/2010 9.56
101-5010-431.27-01	07/31/2009	5280 340 6641	06/26-07/28	08-15-2009 01/2010 123.71
101-5010-431.27-01	07/31/2009	5576 188 0541	06/26-07/28	08-15-2009 01/2010 9.56
601-5060-436.27-01	07/31/2009	8773 823 6424	06/30-07/30	08-15-2009 01/2010 1,034.70
405-1260-413.27-01	07/31/2009	8774 937 7894	06/30-07/30	08-15-2009 01/2010 56.12
405-1260-413.27-01	08/07/2009	9424 632 2704	06/30-07/30	08-22-2009 01/2010 18.96
101-6020-452.27-01	09/01/2009	0175 275 3776	07/31-08/31	09-16-2009 02/2010 201.81
101-5010-431.27-01	09/01/2009	0824 329 2041	07/31-08/31	09-16-2009 02/2010 461.45
101-6020-452.27-01	09/01/2009	2081 689 1273	07/31-08/31	09-16-2009 02/2010 359.24
101-6010-451.27-01	09/01/2009	2081 692 3399	07/31-08/31	09-16-2009 02/2010 8.07
101-6020-452.27-01	09/01/2009	2083 847 9032	07/31-08/31	09-16-2009 02/2010 68.30
101-6010-451.27-01	09/01/2009	3206 700 9265	07/31-08/31	09-16-2009 02/2010 46.64
101-6020-452.27-01	09/01/2009	5456 692 8951	07/31-08/31	09-16-2009 02/2010 44.91
101-5010-431.27-01	09/01/2009	7706 795 7872	07/31-08/31	09-16-2009 02/2010 12.53
101-6020-452.27-01	09/01/2009	9327 898 1346	07/31-08/31	09-16-2009 02/2010 396.14
101-5010-431.27-01	09/01/2009	9476 001 6989	07/31-08/31	09-16-2009 02/2010 328.75
101-6010-451.27-01	09/01/2009	9956 693 6272	07/31-08/31	09-16-2009 02/2010 246.15
405-1260-413.27-01	08/10/2009	4275 017 0316	07/30-08/05	08-25-2009 01/2010 2.10
405-1260-413.27-01	08/06/2009	5400 017 7777	07/31-08/05	08-21-2009 01/2010 1.91
405-1260-413.27-01	08/31/2009	0440 533 7641	07/30-08/28	09-15-2009 02/2010 304.78
101-5010-431.27-01	08/31/2009	0646 753 1938	07/30-08/28	09-15-2009 02/2010 9.63
101-5010-431.27-01	08/31/2009	1694 231 2432	07/30-08/28	09-15-2009 02/2010 31.20
101-5010-431.27-01	08/27/2009	1912 409 2723	07/28-08/26	09-11-2009 02/2010 9.63
101-6010-451.27-01	09/01/2009	2081 689 7619	07/31-08/31	09-16-2009 02/2010 437.32
101-5010-431.27-01	09/01/2009	2741 969 9359	07/31-08/31	09-16-2009 02/2010 150.67
215-6026-452.27-01	09/01/2009	2819 871 6315	07/31-08/31	09-16-2009 02/2010 1,934.74
101-5010-431.27-01	08/31/2009	3062 843 3719	07/30-08/28	09-15-2009 02/2010 12.74
101-5010-431.27-01	09/02/2009	3448 930 9646	07/30-08/28	09-17-2009 02/2010 9.63
101-5010-431.27-01	08/27/2009	5280 340 6641	07/28-08/26	09-11-2009 02/2010 118.65
101-5010-431.27-01	08/27/2009	5576 188 0541	07/28-08/26	09-11-2009 02/2010 9.63
601-5060-436.27-01	08/31/2009	8773 823 6424	07/30-08/28	09-15-2009 02/2010 1,014.13
405-1260-413.27-01	08/31/2009	8774 937 7894	07/30-08/28	09-15-2009 02/2010 54.67

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405-1260-413.27-01	09/01/2009	9424 632 2704 07/30-08/28	09-16-2009	02/2010 19.78
09/10/2009	69551	SPRINT	2040	149.97
101-3020-422.27-05	08/29/2009	07/26/09-08/25/09 MDC CRD	594768811-021	02/2010 149.97
09/10/2009	69552	SPRINT	2040	289.45
101-1230-413.27-05	08/29/2009	07/26/09-08/25/09	527638813-021	02/2010 83.30
101-3020-422.27-05	08/29/2009	07/26/09-08/25/09	527638813-021	02/2010 72.91
101-5020-432.27-05	08/29/2009	07/26/09-08/25/09	527638813-021	02/2010 72.71
503-1923-419.27-05	08/29/2009	07/26/09-08/25/09	527638813-021	02/2010 20.54
503-1923-419.30-02	08/29/2009	07/26/09-08/25/09	527638813-021	02/2010 39.99
09/10/2009	69553	WEST GROUP CTR	826	236.64
101-1020-411.28-14	09/01/2009	AUG 2009	818960565	010317 03/2010 118.32
101-1020-411.28-14	08/01/2009	JULY 2009	818780686	010317 02/2010 118.32

DATE RANGE TOTAL * 1,736,282.65 *



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: SEPTEMBER 23, 2009

ORIGINATING DEPT.: FINANCE DEPARTMENT *M2*

**SUBJECT: RESOLUTION AUTHORIZING STAFF TO RECEIVE
SUMMARY BACKGROUND REPORTS**

BACKGROUND:

The City Code requires an investigation of operators of certain types of businesses to assure no prior history of criminal activity. Part of this investigation is accomplished through the State Department of Justice. The State of California requires a resolution authorizing certain staff members to receive the results of this background review and specifying the classifications that will require an investigation.

DISCUSSION:

The State Penal Code allows cities, counties, and districts to access summary criminal history for licensing purposes. The State requires that the City Council adopt a resolution specifically naming the staff position that will receive the results, specifying which licensing classifications need an investigation and stating that the results will not be disseminated to a private entity. The Finance Department is the lead department for issuing business licenses and other regulatory requirements. This report requests the City Council to authorize the Finance Director to receive summary background information for specified types of licenses; Solicitor/Peddler, Ice Cream Truck Vendor, Cabaret/Live Entertainment Owner, Tattoo Parlor Owner, Massage Establishment Owner, Massage Technician, Secondhand Dealer/Pawn Broker Owner and Bingo Game Owner. *In addition the State requires that the City Council adopt a resolution using the new state code 11105 (b) (11) & 13300 (b) (11). These changes were made as of June 30, 2009.*

FISCAL ANALYSIS:

The cost of the background review is the responsibility of the applicant. There is no cost to the City for the background search.

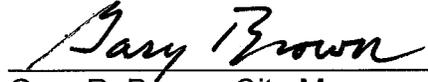
DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council:

1. Receive this report.
2. Adopt resolution authorizing the Finance Director to receive background reports

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary R. Brown, City Manager

Attachment:

1. Resolution 2009-6805

RESOLUTION NO. 2009-6805

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR LICENSING AND CERTIFICATION PURPOSES

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties and districts to access state and local summary criminal history information for licensing purposes; and

WHEREAS, Penal Code Sections 11105(b)(11) authorizes cities, counties, and districts to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigations; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from licensing based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Code Sections 11105(b)(11) and 13300(b)(11) require the City Council to specifically authorize access to summary criminal history information for licensing purposes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Imperial Beach authorizes the Finance Director to access state and federal level summary criminal history information for licensing of Solicitors/Peddlers, Ice Cream Truck Vendors, Cabaret/Live Entertainment Owners, Tattoo Parlor Owners, Massage Establishment Owners, Massage Technicians, Secondhand Dealers/Pawn Broker owners and Bingo Game Owners purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED that the City Council of the City of Imperial Beach shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for licensing; except that such conviction may be disregarded if it is determined that mitigating circumstances exist, or that the conviction is not related to the license in question.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 23rd day of September, by the following roll call vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2009-6805 – A Resolution of the City Council of the City of Imperial Beach, California, AUTHORIZING THE ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR LICENSING AND CERTIFICATION PURPOSES.

CITY CLERK

DATE



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: September 23, 2009
ORIGINATING DEPT.: OFFICE OF THE CITY MANAGER
SUBJECT: LETTER IN SUPPORT OF THE REISSUANCE OF SECONDARY TREATMENT WAIVER FOR POINT LOMA WASTEWATER TREATMENT PLANT

BACKGROUND:

In August the Coastal Commission rejected the Secondary Treatment Waiver for the Point Loma Wastewater Treatment Plant despite Coastal Commission staff's recommendation to approve it. (Attached is the Executive Summary of the 170 page staff report.) The Coastal Commission will consider this topic again at its October meeting.

Ms. Lori Peoples, Board Secretary to the Metro Commission/ Metro Wastewater JPA, said there is uncertainty about the next steps the Coastal Commission may take, and therefore members of the JPA are asked to authorize letters and comments of support when requested by Metro.

Scott Huth informed me that the JPA will probably be drafting a letter of support for all members to sign as well as a letter that each member could send individually.

ENVIRONMENTAL ANALYSIS:

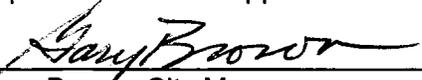
The letter of support does not need environmental analysis. The effects of granting the waiver appear to be satisfactory because the Coastal Commission staff reports that EPA's independent Technical Evaluation "determined that San Diego's discharges continue to meet the applicable Clean Water Act standards for a waiver." Also, the Regional Water Quality Control Board approved the waiver on June 10, 2009.

FISCAL IMPACT:

If San Diego had to meet secondary treatment standards, the total charges to Imperial Beach customers would increase from about \$2.2 million today to approximately \$3.9 million due to an estimated capital outlay of \$1.5 billion and operating costs. (See attachment)

CITY MANAGER'S RECOMMENDATION:

Authorize the Mayor to sign and send the yet to be written JPA letter supporting the waiver and the attached letter or a similar one when and if the Metro Commission/Metro Wastewater JPA requests letters of support.



 Gary Brown, City Manager

Attachments:

1. Draft Letter from Mayor Janney to Chair Neely and Commissioners
2. September 1, 2009 Letter from Mayor Sanders to Chair Neely and Commissioners
3. Chart- Projected Cost of Secondary Treatment Per Agency
4. Executive Summary of the Coastal Commission Staff Report
5. Metro Wastewater JPA Memorandum
6. January 17, 2007 City Council and Redevelopment Agency Minutes - Item 7.8
7. January 31, 2007 Letter from Mayor Janney to Chair Henry Abarbanel
8. September 16, 2009 Letter from San Diego City Attorney Jan Goldsmith to Mark Delaplaine at the California Coastal Commission

September 15, 2009

Chairperson Neely and Commissioners
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Subject: Reissuance of the Permit for the Point Loma Wastewater Treatment Plant

Dear Chairperson Neely and Commissioners,

The City Council of Imperial Beach supports the City of San Diego's request for the Coastal Commission to approve the reissuance of the secondary water treatment waiver for the Point Loma Wastewater Treatment Plant. We believe the waiver is environmentally responsible and will allow San Diego to use ratepayer funds in a prudent manner during the term of the permit. Granting the waiver will also be consistent with your staff's recommendation of August 13, 2009.

In the longer term we hope that San Diego will continue its work to enhance the region's capacity to use reclaimed water and identify future opportunities to increase recycling of water.

Our support for the use of reclaimed water should not in any way be interpreted as support for delaying or rejecting the waiver.

Please approve the Secondary Treatment Waiver for the Point Loma Wastewater Treatment Plant. Thanks in advance for moving ahead on this topic.

Sincerely,

James C. Janney
Mayor
City of Imperial Beach



JERRY SANDERS
MAYOR

September 1, 2009

Chairperson Neely and Commissioners
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Subject: Consistency Certification No. CC-043-09
Reissuance of the Permit for the Point Loma Wastewater Treatment Plant

Dear Chairperson Neely and Commissioners:

On August 13, the Coastal Commission voted to reject the tentative permit for the Point Loma Wastewater Treatment Plant. The Commission based its decision on its view that the City of San Diego should be at secondary treatment, a water quality consideration outside of the Commission's jurisdictional limits. It is the City's contention that such a position is not an appropriate basis upon which to object to the City's request.

The tentative permit was issued by the United States Environmental Protection Agency (EPA) after a thorough review of voluminous data concerning the Point Loma plant and the quality of the offshore marine environment. According to the EPA, the data conclusively demonstrate that the discharges from the Point Loma treatment plant are not materially impacting the marine environment and that the marine conditions and the terms of the permit are consistent with the requirements of the Clean Water Act. The permit has since been approved by the California Regional Water Quality Control Board, and fully supported by the Commission's own staff, which recommended its approval by the Commission.

We believe there is no legal or scientific basis for the Coastal Commission's objection. Therefore, we intend to immediately file an appeal with the Secretary of Commerce, and to use every other legal means available to overturn this decision, including litigation.

Additionally, the City is prepared to re-submit our application. We continue to work very closely with the Coastal Commission staff to determine the best approach for the City's application to be resubmitted and heard again by the Commission.

Chairperson Neely and Commissioners
September 1, 2009
Page Two

As Mayor of San Diego, it is my responsibility to ensure that ratepayer funds are utilized in a manner that maximizes public benefit. The City's ongoing commitment to advance the use of reclaimed water, through the existing infrastructure as well as a newly commissioned study to identify future opportunities to increase recycling of wastewater, while continuing to invest in additional water quality measures are deserving of the public's resources, while unnecessary changes to the Point Loma plant are not.

Sincerely,


JERRY SANDERS
Mayor


JAN I. GOLDSMITH
City Attorney

Projected Cost of Secondary Treatment Per Agency

	AGENCY	Estimated Additional Annual Cost of Secondary					Current Annual	Total Annual
		Debt Service (b) \$ 86,323,000	Pay-go Financed (c) \$ 21,597,000	Total Financing \$ 107,920,000	Add. O&M (h) \$ 38,000,000	Total Annual \$ 145,920,000	2010 Billings \$ 191,642,316	W/Secondary \$ 337,562,316
% Per 2010 Billings								
9.599%	CHULA VISTA	\$ 8,285,952	\$ 2,073,048	\$ 10,359,000	\$ 3,647,535	\$ 14,006,536	\$18,395,319	\$ 32,401,855
1.178%	CORONADO	\$ 1,016,497	\$ 254,316	\$ 1,270,812	\$ 447,469	\$ 1,718,282	\$2,256,685	\$ 3,974,967
0.381%	DEL MAR	\$ 328,978	\$ 82,307	\$ 411,285	\$ 144,819	\$ 556,104	\$730,352	\$ 1,286,456
0.022%	EAST OTAY MESA	\$ 18,609	\$ 4,656	\$ 23,265	\$ 8,192	\$ 31,457	\$41,314	\$ 72,771
4.339%	EL CAJON	\$ 3,745,509	\$ 937,082	\$ 4,682,592	\$ 1,648,800	\$ 6,331,392	\$8,315,259	\$ 14,646,651
1.159%	IMPERIAL BEACH	\$ 1,000,537	\$ 250,323	\$ 1,250,860	\$ 440,444	\$ 1,691,304	\$2,221,254	\$ 3,912,558
2.537%	LA MESA	\$ 2,190,073	\$ 547,930	\$ 2,738,003	\$ 964,086	\$ 3,702,089	\$4,862,095	\$ 8,564,184
1.652%	LAKESIDE/ALPINE	\$ 1,426,192	\$ 356,816	\$ 1,783,008	\$ 627,820	\$ 2,410,828	\$3,166,233	\$ 5,577,061
1.138%	LEMON GROVE	\$ 981,941	\$ 245,670	\$ 1,227,611	\$ 432,257	\$ 1,659,868	\$2,179,968	\$ 3,839,836
2.623%	NATIONAL CITY	\$ 2,264,104	\$ 566,452	\$ 2,830,556	\$ 996,675	\$ 3,827,230	\$5,026,448	\$ 8,853,678
0.512%	OTAY	\$ 441,930	\$ 110,566	\$ 552,495	\$ 194,541	\$ 747,036	\$981,111	\$ 1,728,147
3.289%	PADRE DAM	\$ 2,838,887	\$ 710,256	\$ 3,549,143	\$ 1,249,698	\$ 4,798,841	\$6,302,502	\$ 11,101,343
1.591%	POWAY	\$ 1,373,343	\$ 343,594	\$ 1,716,937	\$ 604,555	\$ 2,321,493	\$3,048,905	\$ 5,370,398
3.206%	SPRING VALLEY	\$ 2,767,387	\$ 692,368	\$ 3,459,755	\$ 1,218,224	\$ 4,677,978	\$6,143,768	\$ 10,821,746
0.426%	WINTERGARDENS	\$ 367,645	\$ 91,981	\$ 459,626	\$ 161,840	\$ 621,466	\$816,195	\$ 1,437,661
33.650%	SUBTOTAL PAs	\$ 29,047,585	\$ 7,267,364	\$ 36,314,950	\$ 12,786,954	\$ 49,101,904	\$64,487,408	\$ 113,589,312
			\$ -					
66.350%	SAN DIEGO	\$ 57,275,415	\$ 14,329,636	\$ 71,605,050	\$ 25,213,046	\$ 96,818,096	\$127,154,908	\$ 223,973,004
	TOTAL	\$ 86,323,000	\$ 21,597,000	\$ 107,920,000	\$ 38,000,000	\$ 145,920,000	\$ 191,642,316	\$ 337,562,316

Assumptions:

- a) \$1.5 billion total project costs
- b) San Diego finances 80% of project cost
- c) 20% pay-go is financed by JPA
- d) 5% interest rate for each debt issue
- e) 3% cost of issuance for each debt issue
- f) 1 year debt service reserve funded in each issue
- g) Debt has 30 year term
- h) O&M increased by \$38 million

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200



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STAFF REPORT AND RECOMMENDATION

ON CONSISTENCY CERTIFICATION

Consistency Certification No.	CC-043-09
Staff:	MPD-SF
File Date:	7/21/2009
3 Months:	12/21/2009
6 Months:	3/21/2010
Commission Meeting:	8/13/2009

APPLICANT: City of San Diego

**PROJECT
LOCATION:**

E.W. Blom Point Loma Wastewater Treatment Plant (WTP),
 City of San Diego, with ocean outfall discharge point 4.5 miles
 offshore of Point Loma, San Diego (Exhibit 1)

**PROJECT
DESCRIPTION:**

Reissuance of Secondary Treatment Waiver

**FEDERAL AGENCY
AND PERMIT:**

Environmental Protection Agency (EPA) Reissuance, under
 Section 301(h) of the Clean Water Act, of a modified National
 Pollutant Discharge Elimination System (NPDES) Permit for
 Wastewater Treatment Plant Discharges

**SUBSTANTIVE FILE
DOCUMENTS:**

See page 41.

Staff Recommendation: Concurrence. Motion is on page 15.

EXECUTIVE SUMMARY

Under the federal Clean Water Act, wastewater discharges from publicly owned treatment works (POTWs) are required to receive at least secondary treatment. However, Clean Water Act Section 301(h), sometimes referred to as the "ocean waiver" provision of the

Clean Water Act, gives the EPA Administrator (with the concurrence of the Regional Water Quality Control Board (RWQCB)) the authority to grant a waiver from otherwise applicable secondary treatment requirements for suspended solids (SS), biochemical oxygen demand (BOD), and pH. In this case, such a waiver would authorize the City of San Diego to continue to discharge effluent receiving less than full secondary treatment in terms of suspended solids (SS) and biochemical oxygen demand (BOD). Secondary treatment would result in removal of 85% of both SS and BOD. The City's proposed limits under the waiver would be 80% removal of SS and 58% removal of BOD. Secondary treatment waivers are jointly issued by EPA and the RWQCB, and the waivers need to be renewed every five years.

In reviewing past secondary treatment waiver and waiver renewal requests for the Cities of San Diego, Morro Bay, and Goleta, and Orange County,¹ the Commission has generally concurred with consistency certifications and found no conflict between such waivers and the applicable water quality and marine resource policies of the Coastal Act, especially when: (1) adequate monitoring is in place (stringent monitoring is required for dischargers receiving waivers); and (2) EPA and the appropriate RWQCB have determined that the discharger's effluent complies with the applicable Clean Water Act and Ocean Plan requirements. More recently, Morro Bay, Goleta, and Orange County have committed to upgrade to secondary, although interim waivers may still be needed before secondary treatment is fully implemented. Thus, in California, the City of San Diego is the only municipal ocean discharger of wastewater that has not either achieved or committed to implementing full secondary treatment.

In its review of the City of San Diego's last renewal of its secondary treatment waiver (CC-10-02), the Commission initially objected to the City's consistency certification, on April 8, 2002. The Commission's action occurred prior to RWQCB action on the waiver, and the Commission identified three areas of concern that it believed needed to be addressed in order for the discharges to be consistent with applicable Coastal Act policies: (1) reductions in permitted levels of mass emissions; (2) meaningful commitments for water reclamation; and (3) additional monitoring provisions.

Acting two days later, the RWQCB adopted several of the Commission's recommendations; the RWQCB reduced the total permitted mass emission loadings by 6.7% in the NPDES permit, and separate from the NPDES permit: (a) requested annual reports from its staff on the City's progress towards implementing water reclamation; and (b) instructed its staff to review (and prepare for future RWQCB adoption) modifications to the monitoring program, including specific provisions for deep ocean receiving stations, human pathogens, and long term trends.

¹ See pages 12-15 of this report for a fuller discussion of past Commission reviews of such waivers.

The City petitioned for review of the RWQCB action by the State Water Resources Control Board (SWRCB). The City also resubmitted its consistency certification to the Commission (CC-28-02). On August 15, 2002, the SWRCB ordered the mass emission limits to be returned to the originally-drafted level (i.e., eliminating the 6.7% reduction for the first four years). The SWRCB found that the RWQCB had failed to justify reducing the mass emission limits.

The City then clarified that the consistency certification that the City had resubmitted to the Commission was for the waiver as modified and ordered by the SWRCB. On September 9, 2002, the Commission concurred with this resubmitted consistency certification (CD-028-02). The Commission found:

Given the SWRCB analysis on the mass emission levels and the RWQCB measures to address water reclamation and future monitoring improvements, as well as the available monitoring evidence of the lack of adverse effects of past discharges on the marine environment and the continuation of the stringent monitoring throughout the term of the permit, the City's discharges would be consistent with the water quality, marine resources, commercial and recreational fishing, and public access and recreation policies (Sections 30230, 30231, 30234, 30234.5, 30213, and 30220) of the Coastal Act.

For the current submittal, EPA's independent Technical Evaluation determined that San Diego's discharges continue to meet the applicable Clean Water Act standards for a waiver. On June 10, 2009, the RWQCB approved the waiver (in adopting Tentative Order No. R9-2009-0001 and NPDES Permit No. CA0107409). EPA's and the RWQCB's analyses further document that the discharges would meet California Ocean Plan standards for at least the 5-year life of the permit. The City has improved its monitoring efforts since the last Commission review in 2002, and the monitoring results for the past seven years support the City's claim that the discharges comply with secondary treatment waiver requirements and California Ocean Plan standards, which contain policies comparable to the marine resource, fishing, and recreation protection policies of the Coastal Act. The stringent monitoring as required under Section 301(h) will be continued. The City has also upgraded its facilities, improved wastewater reclamation facilities, and maintained mass emission levels below the levels initially required recommended by the Commission and required by the RWQCB (prior to SWRCB reinstatement of the higher permit levels). Given all these factors and requirements, the City's discharges under the renewal of the secondary treatment waiver would be consistent with the water quality, marine resources, commercial and recreational fishing, and public access and recreation policies (Sections 30230, 30231, 30234, 30234.5, 30213, and 30220) of the Coastal Act.

September 1, 2009

MEMORANDUM

TO: Board of Directors, Metro Wastewater JPA **CLIENT-MATTER NO.:** 60409.00001
FROM: Paula de Sousa, General Counsel
RE: Metro JPA: California Coastal Commission's Objection to Consistency Certification for Point Loma Wastewater Treatment Plant

This memorandum provides an executive summary of:

- (1) The process for approval of a modified permit under the provisions of the federal Clean Water Act;
- (2) The status of the City of San Diego's (City) application for a modified permit for the Point Loma Wastewater Treatment Plant (WTP) and Outfall; and
- (3) The procedural "next steps" available to City for its application for a modified permit under the requirements of Section 301(h) of the Clean Water Act, in light of the California Coastal Commission's (Commission) action.

Additionally, immediately following the executive summary please find a detailed review and summary of (i) the significance of the Commission's objection to the consistency certification and the applicable standard of review in reaching its decision, and (ii) the procedures for appealing the California Coastal Commission's objection and the standard of review on appeal.

EXECUTIVE SUMMARY

I. PROCESS FOR APPROVING A MODIFIED PERMIT UNDER THE FEDERAL CLEAN WATER ACT

A. Environmental Protection Agency/ Regional Water Quality Control Board's Role in the City's Application for a Modified Permit.

Wastewater discharges from publicly owned treatment works are required under section 301(b)(1)(B) of the federal Clean Water Act (CWA) to receive at least secondary treatment. (33 U.S.C. § 1311(b)(1)(B).) The "ocean waiver" provision in section 301(h) of the CWA, however, permits the EPA Administrator (with concurrence from the Regional Water Quality Control Board (RWQCB)) to grant a modified permit, waiving the secondary treatment requirements for suspended solids, biochemical oxygen demand, and pH. To qualify for modified permit, certain conditions must be met, such as the grant of a modified permit will not result in any

CITY HALL/CITY CLERK OFFICE
2009 SEP - 3 P 2:43

increase in the discharge of toxic pollutants or otherwise impair the integrity of receiving waters based on the California Ocean Plan's water quality standards.¹

B. Coastal Commission's Role in the City's Application for a Modified Permit.

Under section 307(c)(3)(A) of the Coastal Zone Management Act (CZMA) (16 U.S.C. § 1456(c)(3)(A)), the Commission is required to review the City's decision that a grant of a modified permit is consistent with the policies of the California Coastal Act before the EPA, with concurrence from the RWQCB, may issue the modified permit. This requires one of the following to occur:

1. The Commission concurs with a consistency certification prepared by the applicant that the activity is consistent with the California Coastal Management Program (CCMP), including the coastal zone management policies in Chapter 3 of the California Coastal Act (California Public Resources Code, § 30200 *et. seq.*);
2. The Commission's concurrence is conclusively presumed; or
3. The Secretary of Commerce (Secretary), on appeal from a Commission objection, overrides the objection.

As such, EPA cannot grant a modified permit to the City until the Commission concurs with the City's consistency certification or the Secretary overrides the Commission's objection on appeal.

II. STATUS OF CITY'S APPLICATION FOR A MODIFIED PERMIT

A. EPA.

In its tentative decision document (TDD) issued on December 2, 2008, EPA determined that the City's discharges continue to meet the applicable CWA standards for a modified permit.

B. EPA and RWQCB.

On June 10, 2009 the RWQCB approved the modified permit by adopting Tentative Order No. R9-2009-0001 and Draft National Pollutant Discharge Elimination System (NPDES) Permit No. CA0107409. EPA and the RWQCB found that the discharges from the WTP would meet California Ocean Plan standards for at least the 5-year life of the permit, which contain policies similar to the policies of

¹ The City has been operating under a "special exception" to the section 301(h) waiver under section 301(j)(5), enacted in 1994. That exception expressly allowed the City to apply for a modification to the secondary treatment requirement with respect to biological oxygen demand and total suspended solids in the effluent discharged into marine waters on the condition that the City implement a wastewater reclamation program meeting certain criteria.

California Coastal Act, and that the City has improved its monitoring efforts since the last Commission review of the permit in 2002. The EPA, however, cannot issue the modified permit without the Commission's concurrence or the Secretary of Commerce overrides the Commission's objection.

C. Coastal Commission.

At its meeting on August 13, 2009, the Commission declined to follow staff's recommendation to concur with a consistency certification for the reissuance of a modified permit by the EPA to the City for the WTP and Outfall.

III. PROCEDURAL NEXT STEPS

A. Commission Considerations of Findings to Support its Decision to Decline to Follow Staff's Recommendation.

We understand that the Commission will, at its October 7-9, 2009 meetings in Oceanside, consider and potentially adopt finding supporting its August 13, 2009 action declining to follow staff's recommendation to concur with a consistency certification for the reissuance of a modified permit. If recent Commission actions on other issues serve as an example, the Commission's consideration of these required findings may be delayed to a subsequent Commission meeting date.

B. Appeal of Commission's Decision.

The Commission must issue a written objection to the consistency certification to the City within six months from the City's application (January 21, 2010), at the latest, or at least provide a reason for its delay within three months (October 21, 2009). Within 30 days from receipt of that objection, the City may appeal the Commission's decision to the Secretary.

While it is unclear whether the Commission's action on August 13, 2009 triggers the timeline for an appeal to the Secretary or whether the appeal timeline is triggered by some subsequent Commission action, we believe that it would be reasonable for the City to file a notice of intent to appeal in advance of the Commission's October meetings.

DETAILED ANALYSIS

I. INTRODUCTION

On August 13, 2009, the California Coastal Commission (Commission) declined to follow staff's recommendation to concur with a consistency certification for the reissuance of a modified permit by the Environmental Protection Agency (EPA) to the City of San Diego (City) for the Point Loma Wastewater Treatment Plant (WTP) and Outfall. Federal law requires the Commission to review the City's decision that the modified permit is consistent with the policies of the California Coastal Act before the EPA, with concurrence from the Regional Water Quality Control Board (RWQCB), may issue the modified permit.

The Commission's decision could result in the City having to spend approximately \$1.5 billion to upgrade the WTP (exclusive of financing costs). Members of the Metro Wastewater JPA (JPA), all of which are signatories to the Regional Wastewater Disposal Agreement with the City, will bear approximately 35% of any costs associated with the WTP upgrades if required.

II. LEGAL AND FACTUAL BACKGROUND

A. Modified Permit.

Wastewater discharges from publicly owned treatment works are required under section 301(b)(1)(B) of the federal Clean Water Act (CWA) to receive at least secondary treatment. (33 U.S.C. § 1311(b)(1)(B).) The "ocean waiver" provision in section 301(h) of the CWA, however, permits the EPA Administrator (with concurrence from the RWQCB) to grant a modified permit, waiving the secondary treatment requirements for suspended solids, biochemical oxygen demand, and pH. To qualify for a modified permit, certain conditions must be met, such as the grant of a modified permit will not result in any increase in the discharge of toxic pollutants or otherwise impair the integrity of receiving waters based on the California Ocean Plan's water quality standards.²

In its tentative decision document (TDD) issued on December 2, 2008, EPA determined that the City's discharges continue to meet the applicable CWA standards for a modified permit. On June 10, 2009 the RWQCB approved the modified permit by adopting Tentative Order No. R9-2009-0001 and Draft National Pollutant Discharge Elimination System (NPDES) Permit No. CA0107409. EPA and the RWQCB found that the discharges from the WTP would meet California Ocean Plan standards for at least the 5-year life of the permit, which contain policies similar to the policies of California Coastal Act, and that the City has improved its monitoring efforts since the last Commission review of the permit in 2002.

² The City has been operating under a "special exception" to the section 301(h) modified permit requirements under section 301(j)(5), enacted in 1994. That exception expressly allowed the City to apply for a modification to the secondary treatment requirement with respect to biological oxygen demand and total suspended solids in the effluent discharged into marine waters on the condition that the City implement a wastewater reclamation program meeting certain criteria.

B. Consistency Review by Commission.

Under section 307(c)(3)(A) of the Coastal Zone Management Act (CZMA) (16 U.S.C. § 1456(c)(3)(A)), an applicant for a federal license or permit for an activity that reasonably can be expected to affect land or water uses in the coastal zone cannot implement the activity until either (1) the Commission concurs with a consistency certification prepared by the applicant that the activity is consistent with the California Coastal Management Program (CCMP), including the coastal zone management policies in Chapter 3 of the California Coastal Act (California Public Resources Code, § 30200 *et. seq.*); (2) the Commission's concurrence is conclusively presumed; or (3) the Secretary of Commerce (Secretary), on appeal from a Commission objection, overrides the objection. As such, EPA cannot issue a modified permit to the City until the Commission concurs with the City's consistency certification or the Secretary overrides the Commission's objection on appeal.

III. COMMISSION'S ACTION

A. Commission Staff Recommendation.

Commission staff recommended that the Commission concur with the City's consistency certification based on the information submitted by the City as well as supporting analysis from EPA and the RWQCB. The Commission staff report (Pages 38-39) states that EPA's analysis shows that "the discharges from the outfall do not appear to be resulting in any significant reduction in light transmissivity, any biologically significant changes in benthic community structure in the vicinity of the outfall (beyond the zone of initial dilution), or any significant changes in fish populations or fish diseases in the area." Staff further found that the RWQCB's Order and NPDES Permit document that the discharges would meet California Ocean Plan standards and that stringent monitoring would be continued. Also, the Commission staff report noted that the City has upgraded its facilities since the modified permit was originally granted, such as additional wastewater reclamation facilities and reduction of total mass emission levels. Therefore, staff found that the City's discharges would be consistent with the water quality and marine resources policies of the Coastal Act as well as the commercial fishing and recreation policies.

B. Commission's Objection to Consistency Certification - Hearing.

The Commission, by an 8 to 1 vote, declined to follow staff's recommendation and objected to the City's consistency certification that the modified permit would comply with the policies of the Coastal Act. Even though EPA and the RWQCB determined that WTP would meet the applicable water quality standards, several Commissioners expressed concerns with regard to allowing the City to continue operating under the modified permit. The Commission did not conditionally concur with the consistency certification based on enforceable policies of the CCMP (as it is allowed to do under 15 C.F.R. § 930.4), but instead the Commission objected to the consistency certification outright.³ Likewise, the Commissioners did not provide specific direction to the City regarding any additional measures the City could take to comply with the Coastal Act. Commission staff noted that EPA would likely issue an "administrative extension" while awaiting the results of an appeal to the Secretary.

³ Conditional concurrences are not issued as frequently as objections.

C. Written Objection.

The period for Commission review began on July 21, 2009, when the City submitted its request for a consistency certification.⁴ “At the earliest practicable time,” the Commission must notify the City and the federal permitting agency (EPA) in writing of its objection to the consistency certification. (15 C.F.R. § 930.62(a).) EPA can conclusively presume Commission concurrence with a consistency certification if the Commission has not acted within six months following commencement of review. (15 C.F.R. § 930.62(a).) If the Commission has not issued a decision within three months, then it must notify the City and EPA of the status of the mater and the basis for further delay. (15 C.F.R. § 930.62(b).)

The Commission may describe any alternative measures, if they exist, that would allow the Commission to concur with the consistency certification. (15 C.F.R. § 930.63.) If the Commission objection is based on a finding that the City has not supplied the information either required by 15 C.F.R. § 930.58 (e.g., detailed description of the proposal and coastal effects and data or other information) or otherwise necessary to asses the activity’s consistency with the CCMP, the Commission must identify the necessary information and the reason it is necessary to assess consistency with the CCMP. (*Ibid.*)

The Commission objection must include a statement informing the City of a right to appeal the objection to the Secretary. (15 C.F.R. § 930.63(e).) The City has 30 days from receipt of the Commission’s objection letter to file an appeal. (15 C.F.R. § 930.125(a).) Copies of the appeal must be sent to EPA and the Commission. (*Ibid.*) Following receipt of the Commission objection to the consistency certification, EPA cannot reissue the modified permit unless the objection is overturned by the Secretary on appeal.⁵

It is unclear whether Commission’s action on August 13, 2009 triggers the timeline for an appeal to the Secretary or whether the appeal timeline is triggered by some subsequent Commission action (e.g., the anticipated Commission action in October on findings supporting its August 13th decision).

IV. CHALLENGING COMMISSION’S ACTION

A. Appeal to Secretary of Commerce.

1. Briefing and Public Review Period.

Within 30 days of submitting the notice of appeal, the City must submit to the Secretary its principal brief and appendix containing the record on appeal. (15 C.F.R. § 930.127(a).) Within 60 days of the appellant’s filing of the notice of appeal, the Commission must submit to the Secretary

⁴ Note that the review period began when the application was deemed complete. We are not aware of any delays in this determination.

⁵ “No license or permit shall be granted by the Federal agency until the state or its designated agency has concurred with the applicant’s certification or until, by the state’s failure to act, the concurrence is conclusively presumed, unless the Secretary, on his own initiative or upon appeal by the applicant, finds, after providing a reasonably opportunity for detailed comments from the Federal agency involved and from the state, that the activity is consistent with the objectives of this title or is otherwise necessary in the interest of national security.” (16 U.S.C. § 1456(c)(3)(A).)

its principal brief accompanied by a supplemental appendix, if any. (Ibid.) Not later than 20 days after the City's receipt of the Commission's brief, the City may submit to the Secretary a reply brief accompanied by a supplemental appendix, if any. (Ibid.)

The Secretary must provide public notice of the appeal within 30 days after receipt of the notice of appeal by publishing a notice in the Federal Register and in a publication of general circulation in the immediate area of the coastal zone likely to be affected by the proposed activity. (15 C.F.R. § 930.128(a).) The Secretary must provide a 30-day period for the public and interested federal agencies to comment on the appeal. (15 C.F.R. § 930.128(b).)

The Secretary may hold a public hearing in response to a request or on the Secretary's own initiative. (15 C.F.R. § 930.128(d).) A request for a public hearing must be filed with the Secretary within 30 days of the publication of the notice in the Federal Register. (Ibid.) A hearing reopens the public and federal agency comment period and closes such period 10 days after the hearing. (Ibid.)

2. Decision.

The Secretary must close the decision record not later than 160 days after the date that the Secretary's notice of appeal is published in the Federal Register. (15 C.F.R. § 930.130(a)(1).) This period may be stayed under certain circumstances allowing the Secretary additional time to gather information. (15 C.F.R. § 930.130(a)(2).)

Not later than 60 days after the date of publication of a Federal Register notice stating when the decision record for an appeal has been closed, the Secretary must issue a decision or publish a notice explaining why a decision cannot be issued at that time. (15 C.F.R. § 930.130(b).) The Secretary must issue a decision not later than 15 days thereafter. (Ibid.) This decision is the "final agency action." (15 C.F.R. § 930.130(c).)

3. Standard of Review.

On appeal, the Secretary must sustain the Commission's objection unless:

1. *The activity is consistent with the objectives or purposes of the CZMA, meaning that either (a) or (b) are satisfied:*
 - a. i. The activity furthers the national interest, as articulated in sections 302 or 303 of the CZMA, in a significant or substantial matter (15 C.F.R. § 930.121(a)).⁶

⁶ Section 302 states that a national interest exists "in the effective management, beneficial use, protection, and development of the coastal zone." Section 303 sets forth Congress' declaration of policy regarding the coastal zone, including, for example, the following national interests:

- Preserve, protect, develop, and where possible, restore or enhance, the resources of the coastal zone;
- Manage coastal development to improve, safeguard, and restore the quality of coastal waters, and protect natural resources and existing uses of those waters; and

- ii. The national interest furthered by the activity outweighs the activity's adverse coastal effects, when those effects are considered separately or cumulatively (15 C.F.R. §§ 930.121(b)).

and

- iii. There is no reasonable alternative available consistent with the CCMP (including the California Coastal Act) (15 C.F.R. § 930.121(c)).

or

- b. The Project is necessary in the interest of national security. (16 U.S.C. § 1456(c)(3)(A).)⁷

4. Other Possible Relief - Dismissal or Remand.

~~If the Secretary determines that the Commission's consistency objection does not comply with section 307 of the CZMA (coordination and cooperation with federal agencies) and the regulations for the CZMA, the Secretary must override the objection and may make this determination as a threshold matter. (15 C.F.R. § 930.129(b).) Also, the Secretary may remand the appeal to the Commission for reconsideration of the activity's consistency with the enforceable policies of the CCMP if significant new information relevant to the Commission's objection, not previously provided to the Commission during its consistency review, is submitted to the Secretary. (15 C.F.R. § 930.129(d).) If the Commission continues to object, then the Secretary must process the appeal. (*Ibid.*)~~

5. Effect of Secretary's Decision.

If the Secretary overrides the Commission's objection, EPA may reissue the secondary modified permit. (16 U.S.C. § 1456(c)(3)(A); 15 C.F.R. § 930.130(e).) Otherwise, EPA is prohibited from reissuing the modified permit. (*Ibid.*)

B. Judicial Review

1. Exhaustion of Administrative Remedies.

-
- Priority consideration being given to coastal-dependent uses and orderly processes for siting major facilities related to . . . the location, to the maximum extent practicable, of new commercial and industrial developments in or adjacent to areas where such development already exists.

⁷ These two grounds are independent and an affirmative finding on either is sufficient to override. (*Decision and Findings by the U.S. Secretary of Commerce in the Consistency Appeal of the Foothill/Eastern Transportation Corridor Agency*, at p. 12 (Dec. 18, 2008).)

BEST BEST & KRIEGER
ATTORNEYS AT LAW

The City will likely exhaust its administrative remedies by filing and pursuing an appeal with the Secretary challenging the Commission's objection to the consistency certification before seeking judicial relief.

2. Standard of Review.

If the Secretary refuses to override the Commission's objection to the consistency certification, then the City may file a writ of mandamus action in court challenging the Secretary's action. Review of the Secretary's decision would be conducted on the administrative record. The court may set the Secretary's action aside if the decision was arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with the law. (*Millennium Pipeline Co., L.P. v. Gutierrez* (2006) 424 F.Supp.2d 168, 174 [citations].) The court would determine whether the Secretary considered the relevant factors and whether or not it made a clear error of judgment. (*Ibid.*)

V. CONCLUSION

The Commission must issue a written objection to the consistency certification to the City ~~within six months from the City's application (January 21, 2010), at the latest, or at least provide a~~ reason for its delay within three months (October 21, 2009). Within 30 days from receipt of that objection, the City may appeal the Commission's decision to the Secretary.

7.8 POINT LOMA TREATMENT FACILITY. (0620-75)

City Manager Brown introduced the item

MAYOR PRO TEM WINTER reported that at the recent Metro Commission meeting several of the cities had not received information on the Point Loma Treatment facility or have not taken a position on the issue; she requested that City Council continue its position that supports the options presented to the Metro Commission at their January 11, 2006 meeting: 1) Continue enhanced ocean monitoring program; 2) Continue technical studies on optimizing the secondary treatment alternatives for Point Loma; 3) Use the established State and Federal environmental review process under CEQA (EIR) and NEPA (EIS) as a method to guide the future decisions regarding modified permits (waivers) for Point Loma; and 4) Pursue Consent Decree.

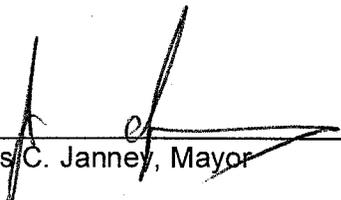
MOTION BY MCLEAN, SECOND BY MCCOY, TO DIRECT MAYOR PRO TEM WINTER TO PRESENT CITY COUNCIL'S SUPPORT OF THE FOUR FOLLOWING OPTIONS AT THE FEBRUARY 2007 METRO COMMISSION MEETING: 1) CONTINUE ENHANCED OCEAN MONITORING PROGRAM; 2) CONTINUE TECHNICAL STUDIES ON OPTIMIZING THE SECONDARY TREATMENT ALTERNATIVES FOR POINT LOMA; 3) USE THE ESTABLISHED STATE AND FEDERAL ENVIRONMENTAL REVIEW PROCESS UNDER CEQA (EIR) AND NEPA (EIS) AS A METHOD TO GUIDE THE FUTURE DECISIONS REGARDING MODIFIED PERMITS (WAIVERS) FOR POINT LOMA; AND 4) PURSUE CONSENT DECREE. MOTION CARRIED UNANIMOUSLY.

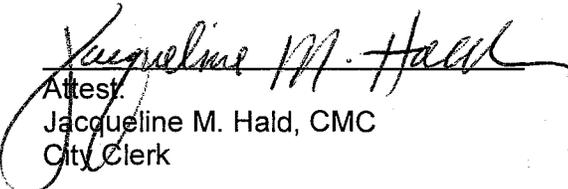
REPORTS OF MAYOR AND COUNCILMEMBERS

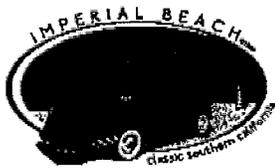
None.

ADJOURNMENT

The meeting adjourned at 8:46 p.m.


James C. Janney, Mayor


Attest.
Jacqueline M. Hald, CMC
City Clerk



City of Imperial Beach, California

www.cityofib.com

OFFICE OF THE MAYOR

January 31, 2007

Henry Abarbanel, Chair
San Diego Metropolitan Wastewater Joint Powers Authority
P.O. Box 719003
Santee, CA 92072-9003

RE: Policy on Secondary Treatment/Waiver for the Point Loma Wastewater Treatment Plant

Dear Chair Abarbanel:

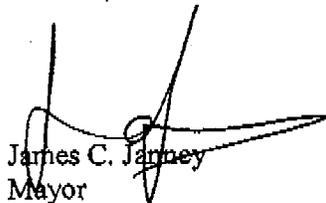
On January 17, 2006, our City Council discussed the four options under consideration by the Metro Commission for future policy direction on the Point Loma Wastewater Treatment Plant.

It was our unanimous thinking that it is prudent to use the state and federal processes under CEQA and NEPA as a method to guide the future decision regarding modified permits (waivers) for Point Loma, and to pursue a consent decree. Further, we consider it worthwhile to continue enhanced ocean monitoring and technical studies on optimizing the secondary treatment alternatives for Point Loma.

In summary, we believe all four options are worthy endeavors and worthy of the Commission's careful consideration.

Thank you for the opportunity to comment on the future of the Point Loma Plant.

Sincerely,



James C. Jarney
Mayor

cc: City Council

MARY JO LANZAFAME
ASSISTANT CITY ATTORNEY

THOMAS C. ZELENY
CHIEF DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO

JAN I. GOLDSMITH
CITY ATTORNEY

CIVIL DIVISION
1200 THIRD AVENUE, SUITE 1100
SAN DIEGO, CALIFORNIA 92101
TELEPHONE (619) 533-5800
FAX (619) 533-5856

September 16, 2009

Mr. Mark Delaplaine
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Subject: City of San Diego – NPDES Permit No. CA0107409
Consistency Certification

Dear Mr. Delaplaine:

Please consider this letter as the City of San Diego's resubmission of its request for the Coastal Commission to review the City's application to renew NPDES Permit No. CA0107409 for the Point Loma Wastewater Treatment Plant. The San Diego Regional Water Quality Control Board unanimously approved the City's application by Order No. R9-2009-0001 on June 10, 2009.

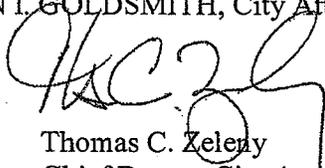
This request is being resubmitted as a result of discussions with Coastal Commission staff and pursuant to Section 307(c)(3) of the federal Coastal Zone Management Act. The City hereby certifies that the proposed activity complies with the California Coastal Management Program and will be conducted in a manner consistent with this program.

Please contact me or Alan Langworthy at (619) 758-2300 if you have any questions regarding this request.

Sincerely,

JAN I. GOLDSMITH, City Attorney

By



Thomas C. Zeleny
Chief Deputy City Attorney

cc: Mayor Jerry Sanders
San Diego City Council
Jan Goldsmith, City Attorney
Jim Barrett, Public Utilities Director
Alan Langworthy, Deputy Director



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: SEPTEMBER 23, 2009
ORIGINATING DEPT.: FINANCE DEPARTMENT *MB*
SUBJECT: SALE OF SURPLUS PROPERTY

BACKGROUND:

From time to time, Staff determines the need to dispose of obsolete and surplus property. I.B.M.C. Chapter 3.04.050 states:

“The purchasing officer shall have the following powers and duties:

...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;”

City of Imperial Beach Resolution No. 90-3828 authorized the Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting.

DISCUSSION:

At this time, the City of Imperial Beach has accumulated a number of equipment items that are recommended for transfer to a surplus or unused supplies and equipment category. The supplies and equipment listed in Exhibit A are recommended for this designation.

FISCAL ANALYSIS:

Salvage Value.

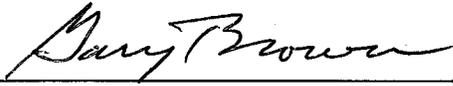
DEPARTMENT RECOMMENDATION:

Staff recommends adoption of attached resolution that:

1. declares the items listed in Exhibit A, Equipment Inventory List for County Auction to be surplus and/or unused and hereby directs the Finance Director to dispose of same through the San Diego county Division of Purchasing and contracting or as otherwise authorized by the City Manager;

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2009-6806 with Exhibit A – Inventory List for County Auction

RESOLUTION NO. 2009-6806

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT AND APPROVING EXECUTION OF THE USED EQUIPMENT DONATION AGREEMENT WITH CAMP SURF

WHEREAS, I.B.M.C. Chapter 3.04.050 states: "The purchasing officer shall have the following powers and duties:

...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;" and

WHEREAS, the City Council of the City of Imperial Beach on October 3, 1990, adopted Resolution No. 90-3828 authorizing its Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting; and

WHEREAS, the City Council of the City of Imperial Beach now desire to declare the items of equipment shown on Exhibit "A" attached hereto as surplus or unsuitable for City use.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Imperial Beach that:

1. The above recitals are true and correct.
2. The City Council of the City of Imperial Beach declares the items of equipment shown on Exhibit "A" (attached hereto), surplus and/or unused and hereby directs the Finance Director to dispose of same as follows:
 - Items in Exhibit "A" through the San Diego County Division of Purchasing and Contracting or as otherwise authorized by the City Manager.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 23rd day of September 2009, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

**IMPERIAL BEACH
INVENTORY LIST
FOR COUNTY AUCTION**

	MAKE	MODEL	DESCRIPTION	VEHICLE or SERIAL IDENTIFICATION NUMBER	EQUIPMENT NO.	LICENSE NO.
1989	Diamond	Trailer	18'	DC9UL11231099279	#118	E-327416
1997	Ford	Truck	F-250	1FTHF25HDVEC18574	#616	E-020930
1995		Truck	F-250	1FTHF25H85LA91743	#115	E376688

RECEIVED BY _____
PRINT NAME

RECEIVED BY _____
SIGNATURE

DATE _____



AGENDA ITEM NO. 3.1

**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: September 23, 2009

ORIGINATING DEPT.: CITY ATTORNEY

SUBJECT: AN INTERIM ORDINANCE EXTENDING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD DURING A 45-DAY SPECIAL STUDY PERIOD FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS

BACKGROUND:

On August 19, 2009, the City Council enacted a moratorium for a forty-five day period to study Cooperatives, Collectives and other forms of Marijuana dispensaries. During this period, the City staff and City Attorney's office began the review of these issues. The scope of a City's ability to regulate in this area is a subject of intense debate and two appellate court decisions on the scope of the law have come out in the last forty days. Currently, another decision involving the City of Anaheim, discussed below, is also pending. Due to the complexity of the issues and the lack of uniformity in regulations throughout the state, an extension to the moratorium is being requested.

Prior to the adoption of the first moratorium, the City Attorney's office received inquiries from City staff regarding enacting a moratorium on medical marijuana dispensaries in the City of Imperial Beach. These requests came at a time when a number of local cities have passed similar moratoria, including Chula Vista, National City, Santee, Escondido, and Oceanside. These Cities have either extended their initial moratoria or are planning to do so in the near future.

This report briefly outlines the legal framework for regulating medical marijuana in California, the conflict between state and federal law, and how the conflict between the state and federal government has left cities in the unfortunate position of making legislative decisions without clearly defined legal authority. The legal status of medical marijuana dispensaries is the subject of intense debate at the current time. This report also discusses how moratoria work, so that if the Council proceeds with a moratorium, it can better understand the process ahead.

DISCUSSION:

In 1996, the voters of the State of California passed Proposition 215, the Compassionate Use Act. Under the initiative, patients and their "primary caregivers" may possess or cultivate marijuana for the patient's medical use if the patient has an oral or written doctor's "recommendation." State law also prohibits doctors from being punished for making a "recommendation" for medicinal use of marijuana.

The initiative applies to people with cancer, AIDS, several other enumerated conditions, and "any other illness" that medicinal marijuana can relieve. People have asserted the right to use marijuana for everything from life-threatening cancer to minor injuries.

The Legislature has attempted to clarify issues, but this effort only addressed a portion of the pending questions. In 2003, the Legislature enacted Senate Bill 420, the Medical Marijuana Program Act ("MMPA"). The MMPA created a voluntary identification card program, under which patients and qualified primary caregivers could apply for identification cards. Every county health department was obligated to give these cards out under certain conditions. A person could still possess medicinal marijuana without a card, and people could possess marijuana illegally even if the person has a card, but the card could serve as an additional piece of evidence for police and prosecutors to consider when evaluating whether a person's marijuana possession is legal or not. This identification card program was the one that San Diego County had unsuccessfully challenged in court.

The Legislature also passed laws allowing patients and qualified caregivers to grow marijuana "collaboratively or collectively" (Health & Safety Code section 11362.775) and the Legislature said it was permissible to have a qualified primary caregiver who "receives compensation for actual expenses, including reasonable compensation incurred for services provided to an eligible qualified patient or person with an identification card to enable that person to use marijuana under this article, or for payment for out-of-pocket expenses incurred in providing those services, or both..." (Health & Safety Code section 11362.765).

Nonetheless, California's medical marijuana laws contain provisions showing the Legislature's intent to keep medical marijuana from being diverted to non-medical purposes. Attorney General Jerry Brown has issued guidelines about how a "cooperative" or "collective" can be operated. A copy of these guidelines may be found at http://ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf. (Attachment "2") The Attorney General has very strictly defined how a cooperative or collective can distribute medical marijuana to its members. Further, without opining on its legality, the Board of Equalization has held that marijuana sales are taxable.

An appeals court, in a published opinion, has provided some guidance about how local governments can zone medical marijuana dispensaries. The case, involving the City of Corona, involved a dispensary opening up business in a zone where dispensaries were not authorized. It had obtained a business license from the city by lying about the nature of its business on its license application. The appellate court said that a city could pursue injunctions to prevent dispensaries acting in a non-permitted zone from operating. Since the code section discussing what is allowed in the zone did not specifically allow medical marijuana dispensaries, the court ordered the dispensary shut down. As will be discussed below, however, the Corona case left a number of questions unanswered. Most importantly, the court did not consider what happens if a city completely bans marijuana collectives or cooperatives even though they are expressly allowed by state law.

In summary, under state law, people may work cooperatively or in a collective to provide medical marijuana to patients, but under very narrow restrictions. Cities have the authority to zone this activity, but whether that authority extends to completely banning medical marijuana cooperatives or collectives approved by state law remains unsettled.

Federal Law

Federal law generally prohibits the possession, sale, giving, or transportation of controlled substances, including marijuana. It does not include an exception for medical marijuana, and people using medical marijuana permitted by California law can still be prosecuted federally for possessing that marijuana.

Federal law supersedes local laws on marijuana that are inconsistent with federal law. In two cases, the United States Supreme Court has said as much, and has done so with lopsided majorities.

The Attorney General's guidelines (and one California appellate court) explain that California has avoided facing its conflict with federal law because medical marijuana in California is not, strictly speaking, legal; rather, it is just something the state will not prosecute. The federal government has not pressed the point, however, so it is difficult at this point to say whether the Attorney General got this right or not.

Even if the Attorney General's guidelines are right about California's law allowing use of medical marijuana being acceptable under federal law, this does not offer much help when figuring out whether a city can actually authorize dispensaries. The Attorney General's guidelines appear to acknowledge that a law that would legalize or authorize marijuana use would conflict with, and be trumped by, federal law. This may well explain why the Legislature has imposed administration of medical marijuana as an unfunded mandate upon counties and cities rather than assuming responsibility on its own for its administration.

Pending Legal Developments

There are four pending legal developments that may help clarify what cities can or cannot do with marijuana collectives or collaborations. First, it is not yet clear whether the federal government will use the power it has to aggressively fight medical marijuana cooperatives or collectives. Under the Bush administration, law enforcement regularly raided medical marijuana dispensaries and issued prosecutions for violating federal law. Under the Obama administration, Attorney General Eric Holder has said that federal law enforcement agents would not raid dispensaries authorized by state law. However, since almost no dispensary can comply with the California Attorney General's strict guidelines, the statement does not really clarify what the federal government's approach will be. As time goes on, and with the eventual appointment of a permanent United States Attorney for our region, the federal government may possibly clarify its position.

Second, a case is pending in an appellate court considering whether cities have the authority to ban medical marijuana. The City of Anaheim completely banned medical marijuana, and was rewarded with a lawsuit. A Superior Court judge held that Anaheim could not completely ban marijuana collaborations or collectives since they were specifically authorized by state law. Anaheim has appealed the ruling, and the case is set for oral argument in September (no date

yet set), with an opinion due by late December. This case will hopefully better clarify what, if any, limits a city can place on dispensaries.

Third, recent appellate decisions have helped clarify the CUA's definition of "serious illness" and "primary caregiver". These definitions are critical in helping the City determine the scope of its regulations, if it chooses the regulatory path. Ordinances around the state have conflicting provisions on the scope of coverage and the meaning of these terms. These recently decided cases need to be analyzed to help determine the scope of any regulatory program.

Fourth, three initiatives involving the regulation and taxation of marijuana are pending review at the Attorney General's Office and proponents will soon start gathering signatures to place them on the ballot in 2010, although it is unclear whether they would be on the primary or general election ballot. If any of these initiatives pass, marijuana would be legalized under state law, and not just for medical purposes. This will bring the conflict with federal law into starker relief, and probably in a manner that cannot be so easily ignored by the federal government.

What Can the City Do About Medical Marijuana?

Some cities, viewing medical marijuana as a positive development, have taken a laissez faire approach to them, and Oakland has even specifically allowed them and imposed a tax on them. However, by expressly legalizing or authorizing dispensaries, cities may well be violating federal drug laws.

Other cities have recognized that dispensaries are frequently burglarized, frequently are used for general drug peddling rather than as real medical providers, and are often run by people with lengthy criminal histories and who have onsite weapons and other drugs. This has led some cities, like Anaheim, to ban them. Without taking either of these risky and possibly illegal approaches, cities have two options: do nothing, or impose a moratorium.

Doing nothing is a legitimate option. The city has a zoning ordinance on the books. If a medical marijuana cooperative is specifically permitted in a particular zone, it may operate there. If not, it may not operate there.

As stated above, Imperial Beach has received inquiries about opening dispensaries, and there was even an appeal on the subject on the agenda for August 19, 2009. At that meeting, the Council unanimously agreed that Marijuana Dispensaries are not a current allowed use under the City's Zoning Code. Since medical marijuana is not permitted in any zone, it may be the functional equivalent of a ban. The question of whether Imperial Beach has the legal authority to enact a ban may be answered in the Anaheim case.

How Do Moratoria Work?

Government Code section 65858 allows cities to enact urgency ordinances temporarily banning a particular type of land use or other activity under narrow circumstances. **Enacting a moratorium will require a four-fifths vote of the Council.**

Under section 65858, when a matter may affect the health, safety, or welfare of the City and the city needs time to study its options and proposals for regulating a particular form of land use or permitting and regulatory scheme, a city may enact an urgency measure imposing a moratorium on new licenses and permits.

Extending the Moratorium

As noted above, the Council has already imposed a 45-day moratorium. No less than ten days before that moratorium expires, staff must, per Government Code section 65858, present a report discussing what steps staff has taken in order to study the subject of the moratorium. This staff report meets those requirements.

If the initial 45-day moratorium is not sufficient, the Council may extend the moratorium for up to ten months and fifteen days extra. At the end of that first extension, the Council could extend the moratorium by yet another year. At the end of that second extension, the Council should have adopted an appropriate set of ordinances to address the problem the moratorium had banned.

Initial Report on Progress

During the first time period, the City staff and the City Attorney's office have consulted on the various options. As part of this process, the City Attorney's office has investigated the regulatory policies of many cities throughout the state. Of those cities that regulate Marijuana Dispensaries, the scope of regulation varies. In the opinion of the City Attorney's office, most do not attempt to strictly enforce the "primary caregiver" definition in the Compassionate Use Act. The dispensaries allowed are essentially businesses who sell to "primary caregivers" and patients with doctor's approval. Whether an authorized collective may use this approach is legally questionable. More time is needed to sort out this legal issue and determine how the Initiative may be enforced by the City.

The City Attorney's office is looking at all possibilities from a ban to full regulation. If the regulatory path is chosen, there are several issues the Ordinance will have to address. The first is following the guidance of the Compassionate Use Act which is stricter than most of the municipal ordinances reviewed to date. Second, is how to establish a regulatory program that does not place too big a burden on existing staff. Finally, what form the City's rules will take (*i.e.* land use based regulations, health & safety oriented permit process or a combination of both).

Conclusion

If it is this Council's desire to extend the moratorium, it should approve, by no less than a four-fifths majority, the accompanying ordinance. This will enact an extension of the 45-day moratorium for an additional ten months and fifteen days during which staff may continue its study of whether and how to regulate medical marijuana dispensaries.

ENVIRONMENTAL DETERMINATION:

This project is exempt from the California Environmental Quality Act (CEQA) because it is not a project as defined in Section 15378.

FISCAL IMPACT:

This ordinance has an unknown fiscal impact on the City.

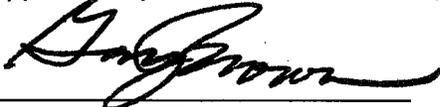
DEPARTMENT RECOMMENDATION:

Staff Recommends the Mayor and City Council:

1. Declare the public hearing open;
2. Receive this report;
3. Close the public hearing;
4. Mayor calls for the reading of the title of Ordinance No. 2009-1091 "AN INTERIM ORDINANCE EXTENDING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD DURING A 45-DAY SPECIAL STUDY PERIOD FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS";
5. City Clerk to read title of Ordinance No. 2009-1091; and
6. Motion to dispense introduction, waive further reading, and adopt, by at least a four-fifths vote, Ordinance No. 2009-1091 by title only.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Ordinance No. 2009-1091
2. California Attorney General Guidelines

ORDINANCE NO. 2009-1091

AN INTERIM ORDINANCE EXTENDING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD DURING A 45-DAY SPECIAL STUDY PERIOD FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS

WHEREAS, in 1996, the voters of the state of California approved Proposition 215 (codified as Health and Safety Code section 11362.5 et seq., and entitled "The Compassionate Use Act of 1996"); and

WHEREAS, the intent of Proposition 215 was to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under state law; and

WHEREAS, as a result of Proposition 215, individuals have established medical marijuana dispensaries in various cities; and

WHEREAS, there is no state regulation or standard on the cultivation and/or distribution of medical marijuana and each local jurisdiction may establish local guidelines in accord with unique local concerns; and

WHEREAS, several California cities wherein medical marijuana dispensaries have been established have experienced an increase in crime, such as burglary, robbery, loitering around the dispensaries, an increase in pedestrian and vehicular traffic and noise in the vicinity of the dispensaries, and the sale of illegal drugs, including the illegal resale of marijuana from dispensaries, in the areas immediately surrounding such medical marijuana dispensaries; and

WHEREAS, in October 2005, the State Board of Equalization instituted a policy that allows medical marijuana dispensaries to obtain a seller's permit, thus enabling the state to collect sales tax on medical marijuana sales; and

WHEREAS, in 2005, five California cities (Rocklin, Roseville, Oakland, Hayward and Fairfax) were polled by the City of Concord regarding secondary effects of medical marijuana dispensaries in the cities, and such secondary effects included street dealers attempting to sell to patrons entering the dispensaries; smoking marijuana in public areas; driving while under the influence of marijuana; attempted burglaries of marijuana establishments; robberies of clients patronizing establishments; adverse impacts on neighboring businesses; physicians writing prescriptions for any patron regardless of medical infirmity; nuisance behavior of patrons; and illegal drug sales from dispensaries. The City of Davis prepared a report of secondary impacts which included similar experiences; and

WHEREAS, in February 2006, a clinic in Tustin was shut down by the police after an undercover officer was able to buy marijuana without a prescription, and in July 2006, several dispensaries were raided in San Diego and San Marcos for selling marijuana to persons without a prescription; and

WHEREAS, in July 2007, narcotics agents shut down Natures Medicinal, Inc., a medical marijuana dispensary in the city of Bakersfield and an employee of that clinic pleaded guilty in 2008 to conspiring to distribute and possess with intent to distribute approximately 188 pounds of marijuana; and

WHEREAS, in May 2008 a CHP officer was critically injured and another motorist killed in Ventura after an individual drifted onto the shoulder and struck the officer during a traffic stop. The driver was charged with driving while intoxicated, and an investigation into the incident found that he had a large amount of marijuana in the vehicle that he had purchased from a dispensary in Compton; and

WHEREAS, in March 2009, the U.S. Attorney General stated that federal law enforcement officials would ease enforcement at California medical marijuana establishments; and

WHEREAS, the City of Imperial Beach has not adopted rules and regulations specifically applicable to the establishment and operation of dispensaries and the inability of the City to regulate these establishments in a manner that will protect the general public, homes and businesses adjacent to and near such businesses, and the patients or clients of such establishments; and

WHEREAS, based on the adverse secondary impacts experienced by other cities and the lack of any regulatory program in the City of Imperial Beach regarding the establishment and operation of medical marijuana dispensaries, it is reasonable to conclude that negative effects on the public health, safety, and welfare may occur in Imperial Beach as a result of the proliferation of medical marijuana dispensaries and the lack of appropriate regulations governing the establishment and operation of such facilities; and

WHEREAS, the Imperial Beach Municipal Code does not expressly include regulations specifically addressing medical marijuana dispensaries; and

WHEREAS, the establishment of a medical marijuana dispensary in the City will result in a direct and immediate threat to the public health, safety and welfare because the City does not currently regulate the location and operation of medical marijuana dispensaries and does not have a regulatory program in effect that will appropriately regulate the location, establishment, and operation of medical marijuana dispensaries in the City; and

WHEREAS, the City Council of the City of Imperial Beach, acting pursuant to Government Code section 65858, enacted Ordinance 2009-1090, creating a 45-day moratorium on medical marijuana dispensaries at its meeting of August 19, 2009; and

WHEREAS, based on testimony received and the information contained in the Staff Report, this 45-day period was insufficient to allow staff to fully consider and present a final proposal to the City Council; obtain approval from the Coastal Commission (if necessary) for a new regulatory scheme to regulate; and address the potential secondary negative effects of medical marijuana dispensaries, including potential environmental review; and

WHEREAS, the initial study period was used to gather information from cities around the state to determine how best to respond to the issues involving regulating a product with serious primary and secondary impacts on the community; and

WHEREAS, the initial study period has included review of several recent judicial decisions which impacts the scope of potential regulation requiring staff to analyze the matter further before bringing forward options to the City Council; and

WHEREAS, the initial study period included an analysis of issues and in all likelihood any proposed regulations would include review and approval by the California Coastal Commission thereby requiring an extension of the review period to include the Coastal Commission approval process.

NOW, THEREFORE, the City Council of the City of Imperial Beach does hereby ordain as follows:

SECTION 1. Findings and Determination. The City Council of the City of Imperial Beach ("City") does hereby find and determine that:

- (a) The City, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote, preserve, and protect the public health, safety, and general welfare of its citizens; and
- (b) There is concern over the proliferation of medical marijuana dispensaries in San Diego County, the seemingly unregulated status of these dispensaries, the allegations (often upheld in court) that many dispensaries are distributing marijuana for non-medical purposes, the prevalence of burglaries at medical marijuana dispensaries and the associated burden on local law enforcement, and the secondary effects associated with controlled substance distributions run by unlicensed personnel; and
- (c) There is concern that the City's existing land use and zoning regulations do not explain with sufficient clarity how they control the location and operation of medical marijuana dispensaries and as a consequence do not

adequately protect the health, safety, and general welfare of the citizens of Imperial Beach from the actual and potential impacts arising from those establishments; and

- (d) There is concern that these types of medical marijuana dispensaries are operating without paying their fair share of the expenses that they would impose on the City of Imperial Beach; and
- (e) The Council wishes to study the potential effects of restricting the operation of medical marijuana dispensaries, considering all available options ranging from banning such dispensaries to determining appropriate location and operating requirements to considering how such businesses could pay the revenue necessary to address unintended or secondary consequences of their operation within the city limits; and
- (f) The Council has determined that there is a current and immediate threat to the public health, safety, or general welfare of the City's citizens in allowing essentially unregulated medical marijuana dispensaries to obtain licenses and operate within the City and that granting permits to such dispensaries would result in a threat to public safety, health, and general welfare during the term of the study of additional regulations of medical marijuana dispensaries; and
- (g) The current 45-day study period is inadequate to allow for the necessary study of the effects of medical marijuana dispensaries on the commercial areas of the City and of proposed regulatory measures, and therefore an extension of the moratorium in order to provide additional time for study and review of the issues is required.

SECTION 2. Emergency Measures.

- (a) No business licenses, use permits, or zoning approvals for any Medical Marijuana Dispensary within the City shall be approved, authorized, or granted, until such time as the City Council of the City of Imperial Beach has conducted an appropriate study of the effect of Medical Marijuana Dispensaries on the character of the City and the effect they may have on factors possibly including property values, density and effective utilization of property in Imperial Beach, the health, safety, and welfare of the community, and the legality and wisdom of various regulatory approaches toward Medical Marijuana Dispensaries, which study is intended to occur within a reasonable time.
 - (1) "Medical Marijuana Dispensary" means any person, business, organization, or land use involving or at any time engaged in the distribution of marijuana or related products within the City of Imperial Beach, whether for medical purposes or otherwise.

- (b) Applications that have been submitted to the City but are not deemed complete, as of the effective date of Ordinance 2009-1090, shall be subject to this Interim Ordinance.

SECTION 3. Severability. The City Council of the City of Imperial Beach hereby declares that should any section, paragraph, sentence, phrase, term, or word of this Interim Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this Interim Ordinance irrespective of any such portion declared invalid.

SECTION 4. Effective Date; Expiration; Extension. Pursuant to California Government Code Section 65858, this interim ordinance is an urgency measure of the City Council of the City of Imperial Beach and shall take effect immediately upon passage. This Interim Ordinance shall remain in force and effect for a period of ten (10) months and fifteen (15) days from the date of the expiration of the time period established in Ordinance No. 2009-1090, adopted on August 19, 2009 and shall, thereafter, expire unless and until the City Council has extended this Interim Ordinance by a four-fifths (4/5) vote of the City Council prior to its expiration, all in accordance with Section 65858. The immediate effective date of this Interim Ordinance is necessary to preserve and protect the public health, safety, or welfare of the residents of the City of Imperial Beach.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the City Council of the City of Imperial Beach held on September 23, 2007 by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

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

APPROVED AS TO FORM:

**JAMES P. LOUGH
CITY ATTORNEY**

EDMUND G. BROWN JR.
Attorney General



DEPARTMENT OF JUSTICE
State of California

**GUIDELINES FOR THE SECURITY AND NON-DIVERSION
OF MARIJUANA GROWN FOR MEDICAL USE**
August 2008

In 1996, California voters approved an initiative that exempted certain patients and their primary caregivers from criminal liability under state law for the possession and cultivation of marijuana. In 2003, the Legislature enacted additional legislation relating to medical marijuana. One of those statutes requires the Attorney General to adopt “guidelines to ensure the security and nondiversion of marijuana grown for medical use.” (Health & Saf. Code, § 11362.81(d).¹) To fulfill this mandate, this Office is issuing the following guidelines to (1) ensure that marijuana grown for medical purposes remains secure and does not find its way to non-patients or illicit markets, (2) help law enforcement agencies perform their duties effectively and in accordance with California law, and (3) help patients and primary caregivers understand how they may cultivate, transport, possess, and use medical marijuana under California law.

I. SUMMARY OF APPLICABLE LAW

A. California Penal Provisions Relating to Marijuana.

The possession, sale, cultivation, or transportation of marijuana is ordinarily a crime under California law. (See, e.g., § 11357 [possession of marijuana is a misdemeanor]; § 11358 [cultivation of marijuana is a felony]; Veh. Code, § 23222 [possession of less than 1 oz. of marijuana while driving is a misdemeanor]; § 11359 [possession with intent to sell any amount of marijuana is a felony]; § 11360 [transporting, selling, or giving away marijuana in California is a felony; under 28.5 grams is a misdemeanor]; § 11361 [selling or distributing marijuana to minors, or using a minor to transport, sell, or give away marijuana, is a felony].)

B. Proposition 215 - The Compassionate Use Act of 1996.

On November 5, 1996, California voters passed Proposition 215, which decriminalized the cultivation and use of marijuana by seriously ill individuals upon a physician’s recommendation. (§ 11362.5.) Proposition 215 was enacted to “ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person’s health would benefit from the use of marijuana,” and to “ensure that patients and their primary caregivers who obtain and use marijuana for

¹ Unless otherwise noted, all statutory references are to the Health & Safety Code.

medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction.” (§ 11362.5(b)(1)(A)-(B).)

The Act further states that “Section 11357, relating to the possession of marijuana, and Section 11358, relating to the cultivation of marijuana, shall not apply to a patient, or to a patient’s primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or verbal recommendation or approval of a physician.” (§ 11362.5(d).) Courts have found an implied defense to the transportation of medical marijuana when the “quantity transported and the method, timing and distance of the transportation are reasonably related to the patient’s current medical needs.” (*People v. Trippet* (1997) 56 Cal.App.4th 1532, 1551.)

C. Senate Bill 420 - The Medical Marijuana Program Act.

On January 1, 2004, Senate Bill 420, the Medical Marijuana Program Act (MMP), became law. (§§ 11362.7-11362.83.) The MMP, among other things, requires the California Department of Public Health (DPH) to establish and maintain a program for the voluntary registration of qualified medical marijuana patients and their primary caregivers through a statewide identification card system. Medical marijuana identification cards are intended to help law enforcement officers identify and verify that cardholders are able to cultivate, possess, and transport certain amounts of marijuana without being subject to arrest under specific conditions. (§§ 11362.71(e), 11362.78.)

It is mandatory that all counties participate in the identification card program by (a) providing applications upon request to individuals seeking to join the identification card program; (b) processing completed applications; (c) maintaining certain records; (d) following state implementation protocols; and (e) issuing DPH identification cards to approved applicants and designated primary caregivers. (§ 11362.71(b).)

Participation by patients and primary caregivers in the identification card program is voluntary. However, because identification cards offer the holder protection from arrest, are issued only after verification of the cardholder’s status as a qualified patient or primary caregiver, and are immediately verifiable online or via telephone, they represent one of the best ways to ensure the security and non-diversion of marijuana grown for medical use.

In addition to establishing the identification card program, the MMP also defines certain terms, sets possession guidelines for cardholders, and recognizes a qualified right to collective and cooperative cultivation of medical marijuana. (§§ 11362.7, 11362.77, 11362.775.)

D. Taxability of Medical Marijuana Transactions.

In February 2007, the California State Board of Equalization (BOE) issued a Special Notice confirming its policy of taxing medical marijuana transactions, as well as its requirement that businesses engaging in such transactions hold a Seller’s Permit. (<http://www.boe.ca.gov/news/pdf/medseller2007.pdf>.) According to the Notice, having a Seller’s Permit does not allow individuals to make unlawful sales, but instead merely provides a way to remit any sales and use taxes due. BOE further clarified its policy in a

June 2007 Special Notice that addressed several frequently asked questions concerning taxation of medical marijuana transactions. (<http://www.boe.ca.gov/news/pdf/173.pdf>)

E. Medical Board of California.

The Medical Board of California licenses, investigates, and disciplines California physicians. (Bus. & Prof. Code, § 2000, et seq.) Although state law prohibits punishing a physician simply for recommending marijuana for treatment of a serious medical condition (§ 11362.5(c)), the Medical Board can and does take disciplinary action against physicians who fail to comply with accepted medical standards when recommending marijuana. In a May 13, 2004 press release, the Medical Board clarified that these accepted standards are the same ones that a reasonable and prudent physician would follow when recommending or approving any medication. They include the following:

1. Taking a history and conducting a good faith examination of the patient;
2. Developing a treatment plan with objectives;
3. Providing informed consent, including discussion of side effects;
4. Periodically reviewing the treatment's efficacy;
5. Consultations, as necessary; and
6. Keeping proper records supporting the decision to recommend the use of medical marijuana.

(http://www.mbc.ca.gov/board/media/releases_2004_05-13_marijuana.html.)

Complaints about physicians should be addressed to the Medical Board (1-800-633-2322 or www.mbc.ca.gov), which investigates and prosecutes alleged licensing violations in conjunction with the Attorney General's Office.

F. The Federal Controlled Substances Act.

Adopted in 1970, the Controlled Substances Act (CSA) established a federal regulatory system designed to combat recreational drug abuse by making it unlawful to manufacture, distribute, dispense, or possess any controlled substance. (21 U.S.C. § 801, et seq.; *Gonzales v. Oregon* (2006) 546 U.S. 243, 271-273.) The CSA reflects the federal government's view that marijuana is a drug with "no currently accepted medical use." (21 U.S.C. § 812(b)(1).) Accordingly, the manufacture, distribution, or possession of marijuana is a federal criminal offense. (*Id.* at §§ 841(a)(1), 844(a).)

The incongruity between federal and state law has given rise to understandable confusion, but no legal conflict exists merely because state law and federal law treat marijuana differently. Indeed, California's medical marijuana laws have been challenged unsuccessfully in court on the ground that they are preempted by the CSA. (*County of San Diego v. San Diego NORML* (July 31, 2008) --- Cal.Rptr.3d ---, 2008 WL 2930117.) Congress has provided that states are free to regulate in the area of controlled substances, including marijuana, provided that state law does not positively conflict with the CSA. (21 U.S.C. § 903.) Neither Proposition 215, nor the MMP, conflict with the CSA because, in adopting these laws, California did not "legalize" medical marijuana, but instead exercised the state's reserved powers to not punish certain marijuana offenses under state law when a physician has recommended its use to treat a serious medical condition. (See *City of Garden Grove v. Superior Court (Kha)* (2007) 157 Cal.App.4th 355, 371-373, 381-382.)

In light of California's decision to remove the use and cultivation of physician-recommended marijuana from the scope of the state's drug laws, this Office recommends that state and local law enforcement officers not arrest individuals or seize marijuana under federal law when the officer determines from the facts available that the cultivation, possession, or transportation is permitted under California's medical marijuana laws.

II. DEFINITIONS

A. **Physician's Recommendation:** Physicians may not prescribe marijuana because the federal Food and Drug Administration regulates prescription drugs and, under the CSA, marijuana is a Schedule I drug, meaning that it has no recognized medical use. Physicians may, however, lawfully issue a verbal or written recommendation under California law indicating that marijuana would be a beneficial treatment for a serious medical condition. (§ 11362.5(d); *Conant v. Walters* (9th Cir. 2002) 309 F.3d 629, 632.)

B. **Primary Caregiver:** A primary caregiver is a person who is designated by a qualified patient and "has consistently assumed responsibility for the housing, health, or safety" of the patient. (§ 11362.5(e).) California courts have emphasized the consistency element of the patient-caregiver relationship. Although a "primary caregiver who consistently grows and supplies . . . medicinal marijuana for a section 11362.5 patient is serving a health need of the patient," someone who merely maintains a source of marijuana does not automatically become the party "who has consistently assumed responsibility for the housing, health, or safety" of that purchaser. (*People ex rel. Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1390, 1400.) A person may serve as primary caregiver to "more than one" patient, provided that the patients and caregiver all reside in the same city or county. (§ 11362.7(d)(2).) Primary caregivers also may receive certain compensation for their services. (§ 11362.765(c) ["A primary caregiver who receives compensation for actual expenses, including reasonable compensation incurred for services provided . . . to enable [a patient] to use marijuana under this article, or for payment for out-of-pocket expenses incurred in providing those services, or both, . . . shall not, on the sole basis of that fact, be subject to prosecution" for possessing or transporting marijuana].)

C. **Qualified Patient:** A qualified patient is a person whose physician has recommended the use of marijuana to treat a serious illness, including cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief. (§ 11362.5(b)(1)(A).)

D. **Recommending Physician:** A recommending physician is a person who (1) possesses a license in good standing to practice medicine in California; (2) has taken responsibility for some aspect of the medical care, treatment, diagnosis, counseling, or referral of a patient; and (3) has complied with accepted medical standards (as described by the Medical Board of California in its May 13, 2004 press release) that a reasonable and prudent physician would follow when recommending or approving medical marijuana for the treatment of his or her patient.

III. GUIDELINES REGARDING INDIVIDUAL QUALIFIED PATIENTS AND PRIMARY CAREGIVERS

A. State Law Compliance Guidelines.

1. **Physician Recommendation:** Patients must have a written or verbal recommendation for medical marijuana from a licensed physician. (§ 11362.5(d).)

2. **State of California Medical Marijuana Identification Card:** Under the MMP, qualified patients and their primary caregivers may voluntarily apply for a card issued by DPH identifying them as a person who is authorized to use, possess, or transport marijuana grown for medical purposes. To help law enforcement officers verify the cardholder's identity, each card bears a unique identification number, and a verification database is available online (www.calmmp.ca.gov). In addition, the cards contain the name of the county health department that approved the application, a 24-hour verification telephone number, and an expiration date. (§§ 11362.71(a); 11362.735(a)(3)-(4); 11362.745.)

3. **Proof of Qualified Patient Status:** Although verbal recommendations are technically permitted under Proposition 215, patients should obtain and carry written proof of their physician recommendations to help them avoid arrest. A state identification card is the best form of proof, because it is easily verifiable and provides immunity from arrest if certain conditions are met (see section III.B.4, below). The next best forms of proof are a city- or county-issued patient identification card, or a written recommendation from a physician.

4. Possession Guidelines:

a) **MMP:**² Qualified patients and primary caregivers who possess a state-issued identification card may possess 8 oz. of dried marijuana, and may maintain no more than 6 mature or 12 immature plants per qualified patient. (§ 11362.77(a).) But, if "a qualified patient or primary caregiver has a doctor's recommendation that this quantity does not meet the qualified patient's medical needs, the qualified patient or primary caregiver may possess an amount of marijuana consistent with the patient's needs." (§ 11362.77(b).) Only the dried mature processed flowers or buds of the female cannabis plant should be considered when determining allowable quantities of medical marijuana for purposes of the MMP. (§ 11362.77(d).)

b) **Local Possession Guidelines:** Counties and cities may adopt regulations that allow qualified patients or primary caregivers to possess

² On May 22, 2008, California's Second District Court of Appeal severed Health & Safety Code § 11362.77 from the MMP on the ground that the statute's possession guidelines were an unconstitutional amendment of Proposition 215, which does not quantify the marijuana a patient may possess. (See *People v. Kelly* (2008) 163 Cal.App.4th 124, 77 Cal.Rptr.3d 390.) The Third District Court of Appeal recently reached a similar conclusion in *People v. Phomphakdy* (July 31, 2008) --- Cal.Rptr.3d ---, 2008 WL 2931369. The California Supreme Court has granted review in *Kelly* and the Attorney General intends to seek review in *Phomphakdy*.

medical marijuana in amounts that exceed the MMP's possession guidelines. (§ 11362.77(c).)

c) **Proposition 215:** Qualified patients claiming protection under Proposition 215 may possess an amount of marijuana that is “reasonably related to [their] current medical needs.” (*People v. Trippet* (1997) 56 Cal.App.4th 1532, 1549.)

B. Enforcement Guidelines.

1. **Location of Use:** Medical marijuana may not be smoked (a) where smoking is prohibited by law, (b) at or within 1000 feet of a school, recreation center, or youth center (unless the medical use occurs within a residence), (c) on a school bus, or (d) in a moving motor vehicle or boat. (§ 11362.79.)

2. **Use of Medical Marijuana in the Workplace or at Correctional Facilities:** The medical use of marijuana need not be accommodated in the workplace, during work hours, or at any jail, correctional facility, or other penal institution. (§ 11362.785(a); *Ross v. RagingWire Telecomms., Inc.* (2008) 42 Cal.4th 920, 933 [under the Fair Employment and Housing Act, an employer may terminate an employee who tests positive for marijuana use].)

3. **Criminal Defendants, Probationers, and Parolees:** Criminal defendants and probationers may request court approval to use medical marijuana while they are released on bail or probation. The court's decision and reasoning must be stated on the record and in the minutes of the court. Likewise, parolees who are eligible to use medical marijuana may request that they be allowed to continue such use during the period of parole. The written conditions of parole must reflect whether the request was granted or denied. (§ 11362.795.)

4. **State of California Medical Marijuana Identification Cardholders:** When a person invokes the protections of Proposition 215 or the MMP and he or she possesses a state medical marijuana identification card, officers should:

a) Review the identification card and verify its validity either by calling the telephone number printed on the card, or by accessing DPH's card verification website (<http://www.calmmp.ca.gov>); and

b) If the card is valid and not being used fraudulently, there are no other indicia of illegal activity (weapons, illicit drugs, or excessive amounts of cash), and the person is within the state or local possession guidelines, the individual should be released and the marijuana should not be seized. Under the MMP, “no person or designated primary caregiver in possession of a valid state medical marijuana identification card shall be subject to arrest for possession, transportation, delivery, or cultivation of medical marijuana.” (§ 11362.71(e).) Further, a “state or local law enforcement agency or officer shall not refuse to accept an identification card issued by the department unless the state or local law enforcement agency or officer

has reasonable cause to believe that the information contained in the card is false or fraudulent, or the card is being used fraudulently.” (§ 11362.78.)

5. **Non-Cardholders:** When a person claims protection under Proposition 215 or the MMP and only has a locally-issued (i.e., non-state) patient identification card, or a written (or verbal) recommendation from a licensed physician, officers should use their sound professional judgment to assess the validity of the person’s medical-use claim:

a) Officers need not abandon their search or investigation. The standard search and seizure rules apply to the enforcement of marijuana-related violations. Reasonable suspicion is required for detention, while probable cause is required for search, seizure, and arrest.

b) Officers should review any written documentation for validity. It may contain the physician’s name, telephone number, address, and license number.

c) If the officer reasonably believes that the medical-use claim is valid based upon the totality of the circumstances (including the quantity of marijuana, packaging for sale, the presence of weapons, illicit drugs, or large amounts of cash), and the person is within the state or local possession guidelines or has an amount consistent with their current medical needs, the person should be released and the marijuana should not be seized.

d) Alternatively, if the officer has probable cause to doubt the validity of a person’s medical marijuana claim based upon the facts and circumstances, the person may be arrested and the marijuana may be seized. It will then be up to the person to establish his or her medical marijuana defense in court.

e) Officers are not obligated to accept a person’s claim of having a verbal physician’s recommendation that cannot be readily verified with the physician at the time of detention.

6. **Exceeding Possession Guidelines:** If a person has what appears to be valid medical marijuana documentation, but exceeds the applicable possession guidelines identified above, all marijuana may be seized.

7. **Return of Seized Medical Marijuana:** If a person whose marijuana is seized by law enforcement successfully establishes a medical marijuana defense in court, or the case is not prosecuted, he or she may file a motion for return of the marijuana. If a court grants the motion and orders the return of marijuana seized incident to an arrest, the individual or entity subject to the order must return the property. State law enforcement officers who handle controlled substances in the course of their official duties are immune from liability under the CSA. (21 U.S.C. § 885(d).) Once the marijuana is returned, federal authorities are free to exercise jurisdiction over it. (21 U.S.C. §§ 812(c)(10), 844(a); *City of Garden Grove v. Superior Court (Kha)* (2007) 157 Cal.App.4th 355, 369, 386, 391.)

IV. GUIDELINES REGARDING COLLECTIVES AND COOPERATIVES

Under California law, medical marijuana patients and primary caregivers may “associate within the State of California in order collectively or cooperatively to cultivate marijuana for medical purposes.” (§ 11362.775.) The following guidelines are meant to apply to qualified patients and primary caregivers who come together to collectively or cooperatively cultivate physician-recommended marijuana.

A. Business Forms: Any group that is collectively or cooperatively cultivating and distributing marijuana for medical purposes should be organized and operated in a manner that ensures the security of the crop and safeguards against diversion for non-medical purposes. The following are guidelines to help cooperatives and collectives operate within the law, and to help law enforcement determine whether they are doing so.

1. **Statutory Cooperatives:** A cooperative must file articles of incorporation with the state and conduct its business for the mutual benefit of its members. (Corp. Code, § 12201, 12300.) No business may call itself a “cooperative” (or “co-op”) unless it is properly organized and registered as such a corporation under the Corporations or Food and Agricultural Code. (*Id.* at § 12311(b).) Cooperative corporations are “democratically controlled and are not organized to make a profit for themselves, as such, or for their members, as such, but primarily for their members as patrons.” (*Id.* at § 12201.) The earnings and savings of the business must be used for the general welfare of its members or equitably distributed to members in the form of cash, property, credits, or services. (*Ibid.*) Cooperatives must follow strict rules on organization, articles, elections, and distribution of earnings, and must report individual transactions from individual members each year. (See *id.* at § 12200, et seq.) Agricultural cooperatives are likewise nonprofit corporate entities “since they are not organized to make profit for themselves, as such, or for their members, as such, but only for their members as producers.” (Food & Agric. Code, § 54033.) Agricultural cooperatives share many characteristics with consumer cooperatives. (See, e.g., *id.* at § 54002, et seq.) Cooperatives should not purchase marijuana from, or sell to, non-members; instead, they should only provide a means for facilitating or coordinating transactions between members.

2. **Collectives:** California law does not define collectives, but the dictionary defines them as “a business, farm, etc., jointly owned and operated by the members of a group.” (*Random House Unabridged Dictionary*; Random House, Inc. © 2006.) Applying this definition, a collective should be an organization that merely facilitates the collaborative efforts of patient and caregiver members – including the allocation of costs and revenues. As such, a collective is not a statutory entity, but as a practical matter it might have to organize as some form of business to carry out its activities. The collective should not purchase marijuana from, or sell to, non-members; instead, it should only provide a means for facilitating or coordinating transactions between members.

B. Guidelines for the Lawful Operation of a Cooperative or Collective:

Collectives and cooperatives should be organized with sufficient structure to ensure security, non-diversion of marijuana to illicit markets, and compliance with all state and local laws. The following are some suggested guidelines and practices for operating collective growing operations to help ensure lawful operation.

1. **Non-Profit Operation:** Nothing in Proposition 215 or the MMP authorizes collectives, cooperatives, or individuals to profit from the sale or distribution of marijuana. (See, e.g., § 11362.765(a) [“nothing in this section shall authorize . . . any individual or group to cultivate or distribute marijuana for profit”].

2. **Business Licenses, Sales Tax, and Seller’s Permits:** The State Board of Equalization has determined that medical marijuana transactions are subject to sales tax, regardless of whether the individual or group makes a profit, and those engaging in transactions involving medical marijuana must obtain a Seller’s Permit. Some cities and counties also require dispensing collectives and cooperatives to obtain business licenses.

3. **Membership Application and Verification:** When a patient or primary caregiver wishes to join a collective or cooperative, the group can help prevent the diversion of marijuana for non-medical use by having potential members complete a written membership application. The following application guidelines should be followed to help ensure that marijuana grown for medical use is not diverted to illicit markets:

- a) Verify the individual’s status as a qualified patient or primary caregiver. Unless he or she has a valid state medical marijuana identification card, this should involve personal contact with the recommending physician (or his or her agent), verification of the physician’s identity, as well as his or her state licensing status. Verification of primary caregiver status should include contact with the qualified patient, as well as validation of the patient’s recommendation. Copies should be made of the physician’s recommendation or identification card, if any;
- b) Have the individual agree not to distribute marijuana to non-members;
- c) Have the individual agree not to use the marijuana for other than medical purposes;
- d) Maintain membership records on-site or have them reasonably available;
- e) Track when members’ medical marijuana recommendation and/or identification cards expire; and
- f) Enforce conditions of membership by excluding members whose identification card or physician recommendation are invalid or have expired, or who are caught diverting marijuana for non-medical use.

4. **Collectives Should Acquire, Possess, and Distribute Only Lawfully Cultivated Marijuana:** Collectives and cooperatives should acquire marijuana only from their constituent members, because only marijuana grown by a qualified patient or his or her primary caregiver may lawfully be transported by, or distributed to, other members of a collective or cooperative. (§§ 11362.765, 11362.775.) The collective or cooperative may then allocate it to other members of the group. Nothing allows marijuana to be purchased from outside the collective or cooperative for distribution to its members. Instead, the cycle should be a closed-circuit of marijuana cultivation and consumption with no purchases or sales to or from non-members. To help prevent diversion of medical marijuana to non-medical markets, collectives and cooperatives should document each member's contribution of labor, resources, or money to the enterprise. They also should track and record the source of their marijuana.

5. **Distribution and Sales to Non-Members are Prohibited:** State law allows primary caregivers to be reimbursed for certain services (including marijuana cultivation), but nothing allows individuals or groups to sell or distribute marijuana to non-members. Accordingly, a collective or cooperative may not distribute medical marijuana to any person who is not a member in good standing of the organization. A dispensing collective or cooperative may credit its members for marijuana they provide to the collective, which it may then allocate to other members. (§ 11362.765(c).) Members also may reimburse the collective or cooperative for marijuana that has been allocated to them. Any monetary reimbursement that members provide to the collective or cooperative should only be an amount necessary to cover overhead costs and operating expenses.

6. **Permissible Reimbursements and Allocations:** Marijuana grown at a collective or cooperative for medical purposes may be:

- a) Provided free to qualified patients and primary caregivers who are members of the collective or cooperative;
- b) Provided in exchange for services rendered to the entity;
- c) Allocated based on fees that are reasonably calculated to cover overhead costs and operating expenses; or
- d) Any combination of the above.

7. **Possession and Cultivation Guidelines:** If a person is acting as primary caregiver to more than one patient under section 11362.7(d)(2), he or she may aggregate the possession and cultivation limits for each patient. For example, applying the MMP's basic possession guidelines, if a caregiver is responsible for three patients, he or she may possess up to 24 oz. of marijuana (8 oz. per patient) and may grow 18 mature or 36 immature plants. Similarly, collectives and cooperatives may cultivate and transport marijuana in aggregate amounts tied to its membership numbers. Any patient or primary caregiver exceeding individual possession guidelines should have supporting records readily available when:

- a) Operating a location for cultivation;
- b) Transporting the group's medical marijuana; and
- c) Operating a location for distribution to members of the collective or cooperative.

8. **Security:** Collectives and cooperatives should provide adequate security to ensure that patients are safe and that the surrounding homes or businesses are not negatively impacted by nuisance activity such as loitering or crime. Further, to maintain security, prevent fraud, and deter robberies, collectives and cooperatives should keep accurate records and follow accepted cash handling practices, including regular bank runs and cash drops, and maintain a general ledger of cash transactions.

C. **Enforcement Guidelines:** Depending upon the facts and circumstances, deviations from the guidelines outlined above, or other indicia that marijuana is not for medical use, may give rise to probable cause for arrest and seizure. The following are additional guidelines to help identify medical marijuana collectives and cooperatives that are operating outside of state law.

1. **Storefront Dispensaries:** Although medical marijuana “dispensaries” have been operating in California for years, dispensaries, as such, are not recognized under the law. As noted above, the only recognized group entities are cooperatives and collectives. (§ 11362.775.) It is the opinion of this Office that a properly organized and operated collective or cooperative that dispenses medical marijuana through a storefront may be lawful under California law, but that dispensaries that do not substantially comply with the guidelines set forth in sections IV(A) and (B), above, are likely operating outside the protections of Proposition 215 and the MMP, and that the individuals operating such entities may be subject to arrest and criminal prosecution under California law. For example, dispensaries that merely require patients to complete a form summarily designating the business owner as their primary caregiver – and then offering marijuana in exchange for cash “donations” – are likely unlawful. (*Peron, supra*, 59 Cal.App.4th at p. 1400 [cannabis club owner was not the primary caregiver to thousands of patients where he did not consistently assume responsibility for their housing, health, or safety].)

2. **Indicia of Unlawful Operation:** When investigating collectives or cooperatives, law enforcement officers should be alert for signs of mass production or illegal sales, including (a) excessive amounts of marijuana, (b) excessive amounts of cash, (c) failure to follow local and state laws applicable to similar businesses, such as maintenance of any required licenses and payment of any required taxes, including sales taxes, (d) weapons, (e) illicit drugs, (f) purchases from, or sales or distribution to, non-members, or (g) distribution outside of California.



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: SEPTEMBER 23, 2009

ORIGINATING DEPT.: PUBLIC WORKS *HAL*

SUBJECT: RESOLUTION NOS. 2009-6807 AND R-09-194 – APPROVING
THE APPLICATION FOR GRANT FUNDS FROM THE
RECREATIONAL TRAILS PROGRAM

BACKGROUND: Recently staff became aware of the Federal Recreational Trails Program (RTP) call for grant applications. The RTP is a state-administered local assistance program of the U.S. Department of Transportation's Federal Highway Administration (FHWA). Within the State of California the Department of Parks and Recreation is authorized to administer the program. The RTP provides funds to the States to develop and maintain Recreational Trails and trail-related facilities for both non-motorized and motorized recreational trail uses. The RTP provides funds annually. Congress authorized \$85 million in the RTP nationwide for FFY 2009. The maximum amount of the RTP funds allowed for each project is 88% of the total project cost. The applicant is responsible for obtaining a match amount that is at least 12% of the total project cost. Applications must be postmarked or delivered no later than October 1, 2009. There is no maximum or minimum limit on the grant request amount.

DISCUSSION: At City Council's direction, staff has been working on a Capital Improvement Program project that would construct a new public access to the Bayshore Bikeway at the north end of 10th Street. The project would relocate the industrial use of the proposed access area to the south side of the Public Works Facility at 495 10th Street. With the relocation of industrial uses, the new access would provide a bikeway spur from 10th Street to the Bayshore Bikeway; provide for parking for the bikeway users and birdwatchers; restore the surrounding improvements to native habitat; and provide a valuable link to the South Bay Refuse Master Plan program recently adopted by the U.S. Fish and Wildlife Service.

Due to the reduced Redevelopment Agency (RDA) income from the economic down turn and the threat of the State taking of RDA funds to balance the State budget, the construction money originally allocated for this project has been withdrawn. The construction drawings are nearly complete – anticipated completion by November 2009. The CEQA has been completed and adopted. The coastal commission review is currently scheduled for adoption in November 2009. Thus the project is essentially "shovel ready."

Staff is prepared to submit an application for a grant for the construction of the new Bayshore Bikeway access improvements and the relocation of the industrial uses to the south side of the Public Works facility. However to apply for this grant, a resolution of support must accompany the grant application.

ENVIRONMENTAL DETERMINATION:

Submission of grant application is not subject to CEQA.

FISCAL IMPACT:

The estimated construction cost for the project described above is \$400,000 to \$500,000.

Grant application is for \$352,000 to \$440,000.

City's match would be \$48,000 to \$60,000

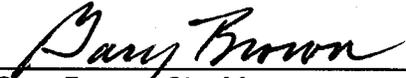
City's match would be from Redevelopment funds.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Adopt Resolution Nos. 2009-6807 and R-09-194 – Authorizing the Public Works Director to submit a RTP grant application for the purpose of providing bicycle and pedestrian access to the Bayshore Bikeway, new parking for the new Bayshore bikeway access, and relocation of industrial uses at the new access and parking to the south side of the Public Works facility – 495 10th Street.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2009-6807
2. Resolution No. R-09-194

RESOLUTION NO. 2009-6807

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM

WHEREAS, the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application before submission of said Application to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project.

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

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant's general plan or the equivalent planning documents; and
3. Certifies that the said Applicant has or will have available prior to commencement of any work on the Project included in the Application, sufficient funds to operate and maintain the Project; and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provision contained in the Contract shown in the Procedural Guide; and
5. Appoints the Public Works Director as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project; and
6. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations and guidelines.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 23rd day of September 2009, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

RESOLUTION NO. R-09-194

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM

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WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application before submission of said Application to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project.

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

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant's general plan or the equivalent planning documents; and
3. Certifies that the said Applicant has or will have available prior to commencement of any work on the Project included in the Application, sufficient funds to operate and maintain the Project; and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provision contained in the Contract shown in the Procedural Guide; and
5. Appoints the Public Works Director as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project; and
6. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations and guidelines.

PASSED, APPROVED, AND ADOPTED by the Redevelopment Agency of the City of Imperial Beach at its meeting held on the 23rd day of September 2009, by the following vote:

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

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, CMC
SECRETARY



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL/CHAIR AND
MEMBERS OF THE REDEVELOPMENT AGENCY/DESIGN
REVIEW BOARD

FROM: GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

MEETING DATE: SEPTEMBER 23, 2009

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

SUBJECT: COMMERCIAL ZONING REVIEW – REVIEW PROCESS

BACKGROUND:

On June 24, 2009, a combined City Council and Design Review Board (DRB) workshop was held to present the results and recommendations of the City's Commercial Zoning Review. At this workshop, the consultant team headed by EDAW/AECOM Inc. (EDAW), presented specific recommendations for zoning amendments based upon the review of the City's commercial zones. During the 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 28, 2009, another City Council/DRB Workshop was held. This workshop was attended by over 70 members of the community many of whom raised concerns about the Commercial Zoning Review and, more specifically, about the process for reviewing the potential draft zoning amendments to the City's Commercial Zoning and General Plan.

DISCUSSION:

Based upon input from the Community at the workshop held on July 28th, the City Council directed staff to return to with options for the next steps or process to be undertaken to review the proposed or recommended changes to the City's Commercial Zoning. With the input received from the last workshop, staff has worked closely with EDAW to outline these options. They are as follows:

OBJECTIVES:

- Reach out to a diversity of community members to obtain feedback on the potential draft zoning amendments.
- Provide comprehensive information about the background and substance of the potential draft zoning amendments.

COMMUNITY INVOLVEMENT OPTIONS:

The following involvement options can be used to achieve these objectives. This list is intended as a “menu” of options, allowing the City Council to create a program that will best serve the community’s needs.

- **Small group meetings and presentations:** For a six-week period, staff will contact local organizations and neighborhood groups to set up small meetings to discuss the potential draft zoning amendments. These meetings could occur out in the community or at City Hall depending upon the preferences of individual groups. This offer to attend/hold meetings would be open to all community members and would be widely publicized.
- **Saturday morning open house:** Following the meetings described above, the project team could host an open house at City Hall on a Saturday morning (or any other convenient time and place for the community). Community members would have the opportunity to obtain information about the potential draft zoning amendments, ask questions in small groups or one-on-one with project team members, and provide feedback in an informal setting.
- **Public workshops:** Up to four public workshops could be held in different locations to present the potential draft zoning amendments and obtain feedback in a more formal setting. It is the project team’s opinion that the two options listed above would be more effective in engaging a greater diversity and number of community members than holding more public workshops.

CITY COUNCIL REVIEW AND INVOLVEMENT:

Staff suggests the following:

- A working session to review the draft zoning amendments in detail and ask questions of the project team and staff, to be conducted during community outreach described above.
- Following conclusion of the community outreach, another City Council working session to review the community input and provide direction to staff on the potential draft zoning amendments to move forward as “proposed” and for public review and processing.
- The City Council could entertain temporarily suspending their policy that prevents individual City Council members from attending the smaller community meetings and/or public workshops described above. This would allow the City Council members to directly hear input. The role of the City Council at these types of community meetings would be to listen and observe, but not participate in the community discussions.

DESIGN REVIEW BOARD INVOLVEMENT:

Staff suggests that a follow-up meeting with the Design Review Board during the community involvement described above, to answer questions and receive input, specifically relating to prototype design and design impacts of the potential draft zoning amendments.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This proposed process for potential draft zoning amendment review and discussion is not subject to CEQA.

FISCAL IMPACT:

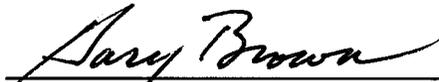
A proposed contract amendment for additional community outreach and workshop services will be required and presented to the City Council/Redevelopment Agency for consideration subsequent to direction from the City Council on September 23, 2009.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council review the community involvement options and recommendations for the Commercial Zoning Review and provide comments and direction as necessary.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments: **None.**



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: September 23, 2009

ORIGINATING DEPT.: PUBLIC SAFETY *rb.*

SUBJECT: A REPORT TO THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, RECOMMENDING THE ESTABLISHING OF A NEW ANIMAL CONTROL SERVICE

BACKGROUND:

The City of Imperial Beach contracts with the City of Chula Vista for animal control services. These services include a part time animal control officer for city patrolling, kennel services, and other administrative assistance with animal enforcement.

The current contract has expired and the City of Chula Vista Animal Control Department has informed staff of an increase of its rates. The impact to the City of Imperial Beach is a 40% increase effective July 1, 2009. The reasoning for this increase is the City of Chula Vista is changing the cost method by using kennel intake counts and calls for service as opposed to a straight contract rate. Currently we pay \$150,000 annually. Under the new formula we would pay an estimated amount of \$216,000 depending on the intake counts and calls for service.

DISCUSSION:

The intake count for Imperial Beach in Fiscal Year 2008-2009 totals 577 animals of which 295 are cats, 237 are dogs, and 45 are other animals. Under the current contract rate we pay \$150,000 annually which equates to \$256 per animal. Under the new formula we would pay \$375 per animal. There are redemption fees that total about \$16,000 which reduces the cost to \$200k or \$347 per animal. (Redemption fees are the monies collected once an animal is claimed by owner.) Imperial Beach also receives \$14,000 annually for licenses and \$27,000 is received from the Port of San Diego for animal control services.

Alternative

Staff is proposing hiring our own Animal Control Officer (ACO) and utilizing the City of Chula Vista for its kennel and intake services. The benefits to hiring our own officer are two-fold. Better control of the number of animals transported to the Chula Vista shelter, thus reducing the intake costs, and the ability to be proactive in the community. Each animal would be evaluated by the officer and if determined to

be in healthy condition could be held within our own kennels for a period of 24 hours. Having our own full time officer would give the City the ability to promote programs such as spay and neuter. The officer could also become familiar with the community and ensure proper licensing of animals. A full time officer would also allow for temporary kennel services within our city. Currently our part-time ACO is not under the direct supervision of the Public Safety Director and does not make it feasible for additional services and the implementation of these cost saving activities. The officer could tend to the animals during the day and provide a more convenient service to residents by having their animals held locally. Instead of having to pay an \$80 fee for the animal in Chula Vista, there would be no cost to residents while in our temporary kennels.

Additionally any spare time could be used performing other safety activities such as licensing and parking enforcement. Overall this would lower the kennel costs for Chula Vista and potentially increase revenue. The Imperial Beach ACO would require the one-week 832 PC Course (Section 832 California Penal Code- Powers of Arrest) in order to issue parking citations.

The County of San Diego Animal Control Services Department has declined to bid for the provision of services to the City of IB due to the current fiscal instability of the state and local economy. This refusal includes their shelter facilities. The City of Coronado is currently incapable of handling the intake numbers of Imperial Beach and cannot provide ACO services.

Program Description

The Imperial Beach Animal Control Program will consist of year-round animal control services including dog and cat impoundment, a feral cat reduction program, animal removal, dead animal pick-up and disposal, animal care outreach, promoting adoption, and licensing and vaccination program.

The Animal Control Officer (ACO) will be a full time position with a flexible schedule to cover patrol and special assignments as needed. The Imperial Beach Public Safety Department will manage the program and will be supervised by the Department Director. The ACO will have experience in dealing with animals and the certification necessary to perform the required duties. The ACO will be uniformed and fully equipped. The City of Imperial Beach currently has an Animal Control vehicle which is used by our contracted ACO from Chula Vista and listed in our current vehicle replacement schedule.

After hours call-out

After hours or emergency call-out will be provided on an overtime basis by the City ACO. The employee will respond from home in a reasonable time frame. During periods when the city ACO is not available the Chula Vista ACO will be called in to cover the call. Chula Vista has agreed to provide emergency coverage on an overtime per hour call out rate with a 2 hour minimum with a "Call Back Fee" of \$50. (An average call would be \$118.00 with two hours of overtime at \$34 per hour and \$50 for the "Call Back Fee")

Dispatching

During the ACO regular duty hours dispatching will occur through the 911 system via the Sheriffs Department (as is currently done) and by cellphone (blackberry) and pager notification. After hours call outs will be made by cell phone pager and home phone.

Kennel Services

Animals will be taken to Chula Vista Animal Shelter when their guardians have not been identified. The shelter will medically treat the animal if needed. The cost for this service is approximately \$375 per animal.

Potential Revenue Generating

We anticipate an increase in redemption and license fees once the ACO becomes familiar with the animals in the community. There may also be an increase in the issuance of administrative citations for loose and unlicensed animals. The City could also increase the annual license fee to better reflect the cost for service.

If this program is adopted staff will return for approval of the new ACO position and an agreement with the City of Chula Vista. The new agreement will include kennel services and call out for service fee after hours and when our ACO is not available.

FISCAL IMPACT:

Service	City of Imperial Beach	City of Chula Vista
Animal Control Officer Salary and Benefits	\$ 71,870	\$ 76,655
Kennel Services	\$139, 178*	\$139,378
Start-up Costs Uniforms Operating supplies Cell Phone/Pager Training Community Outreach	\$4,500	\$0
Total	\$215,548	\$216,833

*The goal is to reduce the cost of kennel services by having our own ACO.

The Fiscal Year Budgets for 2009-2011 list the cost for Animal Control services at \$209,700.

DEPARTMENT RECOMMENDATION:

Provide staff direction in creating a new position for Animal Control and authorize staff to work with the City of Chula Vista in negotiating an agreement for Kennel Services and emergency after hour's call-out.

CITY MANAGER'S RECOMMENDATION:

Approve staff's recommendation.



Gary Brown, City Manager

Attachments: 1

1. Proposed Costs from the City of Chula Vista

Imperial Beach

Direct Costs	FTE	Base Salary	10 Budget	% Kennel	% Control	Total	Kennel	Control
Animal Care Facility Manager (6001)	1	\$98,599	\$98,599	90%	10%	100%	\$88,739	\$9,860
Animal Control Officer Supv (6001)	1	\$50,854	\$50,854	0%	100%	100%	\$0	\$50,854
Animal Control Officer (6001)	1	\$48,218	\$48,218	0%	100%	100%	\$0	\$48,218
Animal Control Officer (6001)	2	\$48,776	\$97,552	0%	100%	100%	\$0	\$97,552
Animal Control Officer (6001)	1	\$46,453	\$46,453	0%	100%	100%	\$0	\$46,453
Animal Adoption Counselor (6001)	0.5	\$48,474	\$24,237	100%	0%	100%	\$24,237	\$0
Animal Adoption Counselor (6001)	0.75	\$46,166	\$34,625	100%	0%	100%	\$34,625	\$0
Animal Adoption Counselor (6001)	0.5	\$40,877	\$20,439	100%	0%	100%	\$20,439	\$0
Sr. Animal Care Assistant (6001)	2	\$44,518	\$89,035	100%	0%	100%	\$89,035	\$0
Animal Care Assistant (6001)	1	\$40,569	\$40,569	100%	0%	100%	\$40,569	\$0
Animal Care Assistant (6001)	1	\$37,078	\$37,078	100%	0%	100%	\$37,078	\$0
Animal Care Assistant (6001)	1	\$40,647	\$40,647	100%	0%	100%	\$40,647	\$0
Animal Care Assistant (6001)	1	\$36,516	\$36,516	100%	0%	100%	\$36,516	\$0
Animal Care Assistant (6001)	1	\$36,115	\$36,115	100%	0%	100%	\$36,115	\$0
Sr Office Specialist (6001)	1	\$43,872	\$43,872	90%	10%	100%	\$39,485	\$4,387
Office Specialist (6001)	0.5	\$39,883	\$19,942	90%	10%	100%	\$17,947	\$1,994
Office Specialist (6001)	3	\$39,883	\$119,649	90%	10%	100%	\$107,684	\$11,965
Registered Vet Tech (6001)	1	\$44,662	\$44,662	100%	0%	100%	\$44,662	\$0
Registered Vet Tech (6001)	1	\$41,131	\$41,131	100%	0%	100%	\$41,131	\$0
Veterinary Assistant (6001)	1	\$34,276	\$34,276	100%	0%	100%	\$34,276	\$0
Hourly Wages (6005)			\$99,397	90%	10%	100%	\$89,457	\$9,940
Total Salaries & Wages			\$1,103,867	75%	25%	100%	\$822,644	\$281,223
Total Overtime			\$29,125	10%	90%	100%	\$2,913	\$26,213
Total Benefits			\$612,527	75%	25%	100%	\$456,479	\$156,048
Other Professional Services (6301)			\$4,796	100%	0%	100%	\$4,796	\$0
Other Contractual Services (6401)			\$247,000	100%	0%	100%	\$247,000	\$0
Laundry and Cleaning (6499)			\$10,372	50%	50%	100%	\$5,186	\$5,186
Specialized Services (6501)			\$4,000	100%	0%	100%	\$4,000	\$0
Cellular Phone Service (6506)			\$4,100	0%	100%	100%	\$0	\$4,100
Promotional Expense (6521)			\$5,186	50%	50%	100%	\$2,593	\$2,593
Advertising (6522)			\$5,186	50%	50%	100%	\$2,593	\$2,593
Printing and Binding (6531)			\$4,045	50%	50%	100%	\$2,023	\$2,023
Photography/Bluprnt (6532)			\$519	50%	50%	100%	\$260	\$260
Phone Service (6571)			\$12,701	100%	0%	100%	\$12,701	\$0
Gas and Electric (6572)			\$36,826	100%	0%	100%	\$36,826	\$0
Trash Collec and Disp (6573)			\$1,280	100%	0%	100%	\$1,280	\$0
Water (6574)			\$11,971	100%	0%	100%	\$11,971	\$0
Fleet Maint Charges (6641)			\$30,044	0%	100%	100%	\$0	\$30,044
Equip Replcmnt Chgs (6642)			\$0	0%	100%	100%	\$0	\$0
Office Supplies (6801)			\$3,630	100%	0%	100%	\$3,630	\$0
Medical & Lab Supplies (6833)			\$141,360	100%	0%	100%	\$141,360	\$0
Book, Publications, Maps (6846)			\$519	50%	50%	100%	\$260	\$260
Small Tools (6861)			\$1,245	100%	0%	100%	\$1,245	\$0
Wearing Apparel (6881)			\$4,149	50%	50%	100%	\$2,075	\$2,075
Food Products (6882)			\$102,579	100%	0%	100%	\$102,579	\$0
Other Commodities (6883)			\$19,900	50%	50%	100%	\$9,950	\$9,950
Mats to Main-Bldgs & Grounds (6911)			\$4,149	100%	0%	100%	\$4,149	\$0
Credit Card Trans Fee (7021)			\$2,429	100%	0%	100%	\$2,429	\$0
Total Supplies & Services			\$657,986	91%	9%	100%	\$598,904	\$59,082
TOTAL BUDGET			\$2,403,505				\$1,880,939	\$522,566

CWOH @ 26.9% of Salaries and Wages

\$221,291 \$75,649

TOTAL CHARGEABLE COSTS

\$2,102,231 \$598,215

SUMMARY

Kennel @ 6.63% (proportioned based on percentage of animals taken in)
 Control @ 12.81% (proportioned based on percentage of dispatch calls received)
Total Annual Contract Cost

FY 10
 \$139,378
 \$76,655
\$216,033