



A G E N D A



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

JUNE 17, 2009

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

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

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 1340 Holly Ave., Imperial Beach, CA 91932, APN 633-161-30-2, 3, 8, 10,
12, 14, 15, 17, &18

Agency Negotiator: City Manager

Negotiating Parties: Sand and Sea Capital, Inc.

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

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

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

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

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

PRESENTATIONS (1.1)

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

City Manager's Recommendation: Present the Recycle All-Star Award Certificate, \$100.00 check and used oil-recycling premiums to Estella Dorado.

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 May 20, 2009.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 68818 through 68854 with the subtotal amount of \$516,459.63 and Accounts Payable Numbers 68855 through 68884 with the subtotal amount of \$88,759.87; for a total amount of \$605,219.50.

2.3 RESOLUTION NO. 2009-6771 – AUTHORIZING RENEWAL OF THE AGREEMENT WITH PARTNERSHIPS WITH INDUSTRY FOR TIDELANDS MAINTENANCE SERVICES. (0920-20)

City Manager's Recommendation: Adopt resolution.

2.4 RESOLUTION NO. 2009-6773 – APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF IMPERIAL BEACH AND BDS ENGINEERING, INC. FOR CITY ENGINEERING SERVICES. (0700-05)

City Manager's Recommendation: Adopt resolution.

2.5 RESOLUTION NOS. 2009-6774 AND R-09-183 – AUTHORIZING AN AGREEMENT WITH MCDUGAL, LOVE, ECKIS, SMITH, BOEHMER & FOLEY FOR CITY ATTORNEY AND SPECIAL LEGAL SERVICES. (0440-30)

City Manager's Recommendation: Adopt resolutions.

ORDINANCES – PUBLIC HEARING/INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 ORDINANCE NO. 2009-1086 – ADOPTING THE REVISED SEWER SERVICE RATES FOR SANITARY SEWER SERVICE AND AMENDING SECTION 13.06.140.B OF CHAPTER 13.06 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SEWER SERVICE CHARGES - DESIGNATED. (0830-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2009-1086 – “An Ordinance of the City Council of the City of Imperial Beach, California, adopting the revised sewer service rates for sanitary sewer service and amending section 13.06.140.B of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges - designated;
3. City Clerk to read title of the Ordinance No. 2009-1086; and
4. Motion to dispense with the second reading and adopt Ordinance No. 2009-1086 by title only.

PUBLIC HEARINGS (5.1 - 5.2)

- 5.1 KAMAL NONA (OWNER)/STOSH THOMAS (ARCHITECT); CONDITIONAL USE PERMIT (CUP 060398), DESIGN REVIEW (DRC 060399), SITE PLAN REVIEW (SPR 060400) FOR TWO MIXED USE DEVELOPMENTS WITH TWO RETAIL COMMERCIAL SPACES AND TWO RESIDENTIAL UNITS FOR EACH DEVELOPMENT (FOUR COMMERCIAL AND FOUR RESIDENTIAL UNITS TOTAL) LOCATED AT 1120, 1122 13TH STREET AND 1150, 1152 13TH STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 863. (0600-20)**

City Manager's Recommendation:

1. Declare the continued public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2009-6772 – Approving Conditional Use Permit (CUP 060398), Design Review Case (DRC 060399) and Site Plan Review (SPR 060400), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

- 5.2 1257 EAST LANE – NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS. (0470-20)**

City Manager's Recommendation:

1. Declare the continued public hearing open;
2. Receive report and public testimony;
3. Consider:
 - a. If all the violations are abated, staff recommends the public hearing be closed, and the Council adopt Resolution No. 2009-6777 assessing \$9,600.00 in civil penalties and \$500.00 in administrative fees; or
 - b. If violations are not abated, staff recommends the public hearing be closed, and the Council adopt Resolution No. 2009-6777 assessing \$9,600.00 in civil penalties and \$500.00 in administrative fees. In addition, the Council authorizes staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by City forces or private contract.

REPORTS (6.1 - 6.7)

- 6.1 BIKEWAY VILLAGE – PROPOSAL FOR POSSIBLE REZONE AT 536 13TH STREET AND 535 FLORENCE STREET. (0600-20)**

City Manager's Recommendation: Receive the report and provide comments and/or direction as necessary. It is further recommended that the City Council support, in concept, the possible rezoning of the subject property for the purposes described in the staff report, subject to appropriate application and permit procedures.

- 6.2 UPDATE ON THE FINANCIAL STATUS OF THE CITY'S GENERAL FUND. (0310-10)**

City Manager's Recommendation: Receive and file report.

- 6.3 REPORT BACK ON THE ANNUAL FINANCIAL REPORT OF THE CITY OF IMPERIAL BEACH FOR THE YEAR ENDED JUNE 30, 2008. (0310-10)**

City Manager's Recommendation: Receive and file report.

- 6.4 APPROVAL OF THE 9TH & PALM RELOCATION PLAN FOR DISPLACED BUSINESSES. (0640-20 & 0640-30)**

City Manager's Recommendation: Approve the 9th & Palm Redevelopment Project Relocation Plan.

(Continued on Next Page)

REPORTS (Continued)

6.5 RESOLUTION NO. 2009-6776 – APPROVING AMENDMENT NO. 1 TO AGREEMENT BETWEEN SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF IMPERIAL BEACH FOR TIDELANDS MAINTENANCE SERVICES – AGREEMENT NO. 29-2006. (0150-70 & 0920-20)

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolution.

6.6 FAÇADE IMPROVEMENT PROGRAM. (0640-20)

City Manager's Recommendation: Review and comment on the guidelines.

6.7 RESOLUTION NO. 2009-6770 AND RESOLUTION NO. R-09-181 – AUTHORIZING THE REPLACEMENT OF BANNER POLES IN TRIANGLE AND VETERANS PARKS. (0920-60 & 0920-70)

City Manager's Recommendation: Adopt resolutions.

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 June 12, 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, Lisa Wolfson, Deputy 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 June 12, 2009. Said meeting to be held at 5:30 p.m. June 17, 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 June 12, 2009 at 12:00 p.m.

Lisa Wolfson
Deputy City Clerk