



A G E N D A

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



DECEMBER 17, 2008

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

**CLOSED SESSION MEETING – 5:00 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 LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: Nadine G. Braudaway vs. City of Imperial Beach

Case No. 37-2007-00076449-CU-EI-SC

Pursuant to Government Code Section 54956.9(a)

Name of Case: Emma Magana vs. City of Imperial Beach

Case No. 37-2007-00076925-CU-PO-CTL

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(b)

Number of Potential Cases: 2

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

COMMUNICATIONS FROM CITY STAFF

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.

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)

None.

CONSENT CALENDAR (2.1 - 2.6) - 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 joint meeting of the City Council and Design Review Board meeting of October 8, 2008.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 67599 through 67754 with the subtotal amount of \$957,145.17; and Payroll Checks 40444 through 40501 for the pay period ending 11/20/08 with the subtotal amount of \$152,386.04; for a total amount of \$1,109,531.21.

2.3 ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)

City Manager's Recommendation: Appoint Councilmember Lorie Bragg as Mayor Pro Tempore for a one-year period pursuant to rotational requirements and be seated at the first Council meeting in January pursuant to requirements as stated under Council Policy No. 112.

2.4 RESOLUTION NO. R-08-165 – APPROVING STREET IMPROVEMENTS, RDA PHASE 3 (CIP S04-108) CHANGE ORDER NO. 3 WITH NASLAND ENGINEERING. (0720-25)

City Manager's Recommendation: Adopt resolution.

2.5 RESOLUTION NO. 2008-6704 – AMENDING THE FY 2008-09 BUDGET TO ADD AN ADDITIONAL PART-TIME RESIDENTIAL FIRE/SAFETY INSPECTOR AND DESIGNATE \$10,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE. (0330-30 & 0520-05)

City Manager's Recommendation: Adopt resolution.

2.6 RESOLUTION NO. 2008-6705 – APPROVING A SIDE LETTER AGREEMENT WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF GENERAL SERVICES FOR INCREASED FOOTPRINT. (0150-20 & 0910-50)

City Manager's Recommendation: Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 ORDINANCE NO. 2008-1075 – MAKING CERTAIN CLARIFYING CHANGES TO TITLE 2 OF THE IMPERIAL BEACH MUNICIPAL CODE. (0410-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1075, an Ordinance of the City Council of the City of Imperial Beach, California, making certain clarifying changes to Title 2 of the Imperial Beach Municipal Code; and
3. City Clerk reads title of Ordinance No. 2008-1075; and
4. Motion to dispense the second reading and adopt Ordinance No. 2008-1075 by title only.

PUBLIC HEARINGS (5.1 - 5.4)

5.1 RESOLUTION NO. 2008-6702 – FORMATION OF AN UNDERGROUND UTILITY DISTRICT – ELM AVENUE AND 7TH STREET UTILITY UNDERGROUND DISTRICT – CIP PROJECT NO. S08-901. (0810-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt resolution.

5.2 THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) FY 2008-09 BUDGET AND ACCEPT AGREED UPON PROCEDURES REVIEW FOR FY 2005-06 AND 2006-07, AND ANNUAL ACTIVITIES REPORT FOR FY 2005-06, 2006-07 AND 2007-08. (0465-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public testimony and accept the written and verbal report from the BID Board on the FY 2005-06 and 2006-07 Agreed Upon Procedures Review, FY 2005-06, 2006-07, 2007-08 Activity Reports, and FY 2008-09 budget as presented;
3. Close public hearing; and
4. Accept the Agreed Upon Procedures Review and Activity Reports, and approve the BID FY 2008-09 budget.

5.3 KEVIN HILL, FOR I.B. BEAUTIFUL (APPLICANT)/SILVER STRAND PLAZA, LLC (OWNER); APPROVING ADMINISTRATIVE COASTAL PERMIT (ACP 080033), CONDITIONAL USE PERMIT (CUP 080034), DESIGN REVIEW CASE (DRC 080035), SITE PLAN REVIEW (SPR 080036) TO PROVIDE A CERTIFIED FARMER'S MARKET LOCATED AT 600 PALM AVENUE (SILVER STRAND PLAZA) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 985. (0130-30 & 0600-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6701, approving Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

5.4 SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM ("SCOUP") COASTAL DEVELOPMENT PERMIT (CP 080052) MF 996. (0220-70)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6698, approving a Regular Coastal Permit (CP 080052) for the SCOUP project, which makes the necessary findings and provides protocols, parameters, and conditions of approval in compliance with local and state requirements.

REPORTS (6.1 - 6.5)

6.1 PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN. (0620-90 & 0640-90)

City Manager's Recommendation:

1. Consider the presentation and provide comments;
2. Direct staff and MIG to proceed to develop a final draft Palm Avenue Commercial Corridor Master Plan after incorporating public comments from the third community meeting; and
3. Direct staff and MIG to present the draft Palm Avenue Commercial Corridor Master Plan at the appropriate time.

6.2 RESOLUTION NO. R-08-166 – AMENDMENT TO THE CAPITAL IMPROVEMENT BUDGET FY 2004-09 – DEVELOPMENT OF 9TH STREET & PALM AVENUE SHOPPING CENTER FOR \$3,262,000 AND AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTIES LOCATED AT 741 THRU 849 PALM AVENUE (APN 626-250-04, 05 & 06) AND 735 PALM AVENUE (APN 626-250-003). (0480-10 & 0640-20)

City Manager's Recommendation: Adopt resolution.

6.3 RESOLUTION NO. 2008-6703 – AWARDED CONTRACT FOR DAHLIA AVENUE AND 5TH STREET OVERLAY CIP PROJECT. (0720-25)

City Manager's Recommendation:

1. Receive report and
2. Adopt resolution.

6.4 ANNUAL CITY COUNCIL REPRESENTATION ASSIGNMENTS. (0410-50)

City Manager's Recommendation:

1. Mayor appoint/change City Council Representation Assignments for 2009 in accordance with Chapter 2.18.010.C of the I.B.M.C. and
2. City Council approve Mayor's appointments and changes to City Council Representation Assignments for 2009.

6.5 2009 CITY COUNCIL MEETING AND WORKSHOP CALENDAR. (0410-05)

City Manager's Recommendation: Approve the 2009 City Council Calendar which includes City Council Strategic Workshops on January 13 and 14, 2009, and City Council quarterly workshops on April 21, 2009, July 21, 2009 and October 13, 2009. Staff further recommends rescheduling the September 16, 2009 City Council meeting to September 23, 2009 and canceling the January 6, 2010 City Council meeting.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

MAYOR/COUNCIL REPORTS ON ASSIGNMENTS AND COMMITTEES

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 December 12, 2008 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 December 12, 2008. Said meeting to be held at 5:00 p.m. December 17, 2008, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on December 12, 2008 at 1:00 p.m.

Jacqueline M. Hald, CMC
City Clerk

DRAFT

Item No. 2-1

MINUTES

**JOINT MEETING OF THE
IMPERIAL BEACH CITY COUNCIL
REDEVELOPMENT AGENCY
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY**

AND

DESIGN REVIEW BOARD

OCTOBER 8, 2008

**Community Room
(Behind Council Chambers at City Hall)
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

WORKSHOP MEETING

MEETING CALL TO ORDER BY MAYOR

MAYOR JANNEY called the Workshop meeting to order at 6:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Winter, McLean, Bragg
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	McCoy

Boardmembers present:	Bowman, Lopez, Phillips, Schaaf
Boardmembers absent:	None
Board Chairperson present:	Nakawatase

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald, Recording Secretary Barclay
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AGENDA CHANGES

None.

PUBLIC COMMENT

MAYA LANDSBERG spoke in support for a Children's Day in Imperial Beach.

REPORTS (1A - 1)

1A. RESOLUTION NO. R-08-162 – APPROVING CHANGE ORDER NO. 3 TO THE OLD PALM AVENUE STREETScape IMPROVEMENT PROJECT (CIP R04-201) AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AGREEMENT WITH FABRICATION ARTS, FOR THE CONSTRUCTION AND INSTALLATION OF SURFBOARD SCULPTURES. (0620-20 & 0720-25)

MAYOR PRO TEM MCCOY and COUNCILMEMBER WINTER announced they had potential conflicts of interest on the item as their residences are within 500 feet of the project and left the Community Room at 6:03 p.m.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

MOTION BY BRAGG, SECOND BY MCLEAN TO ADOPT RESOLUTION NO. R-08-162 – APPROVING CHANGE ORDER NO. 3 TO THE OLD PALM AVENUE STREETScape IMPROVEMENT PROJECT (CIP R04-201) AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AGREEMENT WITH FABRICATION ARTS, FOR THE CONSTRUCTION AND INSTALLATION OF SURFBOARD SCULPTURES. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	BOARDMEMBERS:	MCLEAN, BRAGG, JANNEY
NOES:	BOARDMEMBERS:	NONE
ABSENT:	BOARDMEMBERS:	NONE
DISQUALIFIED:	BOARDMEMBERS:	WINTER, MCCOY (DUE TO POTENTIAL CONFLICTS OF INTEREST)

1. DRAFT PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN. (0620-90 & 0640-90)

CITY MANAGER BROWN gave a brief background on project. Staff and consultants have been working on this project for quite a long time. Meetings held with interested stakeholders and open public meetings. Tonight will be a presentation of some exciting ideas related to the long range development and changes along Palm Avenue; from 13th west to 7th Street.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave background on the item before introducing the consultant. The Palm Avenue Commercial Corridor Master Plan came out of several different objectives/areas that the council directed staff to focus on for master planning efforts, and this was one of them. Obviously the most important commercial corridor in our city; the largest and the most commercially zoned property. It is a six lane highway, traveled at quite high speeds. It is a challenge, at best, for a pedestrian to navigate this corridor. Some of the land uses associated with it are primarily automotive related uses. The objective in looking at this area, from staff's perspective and from some of the input we had from the Big Picture/Vision Plan back in 2000 was to look at ways in which ways this area could become more of a main street for the city. A more vibrant commercial corridor, which is more pedestrian friendly, slower traffic speeds and would provide for a better mix of uses to serve not only the community but the region as well. Become more of a main street and not just a thoroughfare to which people drive through to get to other destinations in the area. Focal point for commercial, retail and other types of development, such as mixed use. To make it a destination. Vision since 2000 and even before with the General Plan in 1994. With that direction, staff looked at putting together a Commercial Corridor Master Plan; successfully made an application for a grant with Caltrans, a

community based transportation planning grant, for \$150,000.00. Redevelopment Agency monies were contributed in the amount of \$50,000.00. A selection process was done to select the current consultant, Moore Iacofano and Goltsman, Inc. (MIG). Mukul Malhotra and Andy Pendoley from MIG were present as well as Ryan Zellers with KOA (traffic consultant). The project manager is staff member Elizabeth Cumming.

Consultant representative Mukul Malhotra of MIG gave a detailed power point report as to the process of findings thus far for the project.

The process started by holding community outreach meetings. Stakeholder meetings were held with business owners, key staff members, along with Caltrans staff to make sure findings could be implemented. There have been two public workshops held thus far, first one in February 2008 which included approximately 20 people and the second workshop was held in August 2008 with approximately 25-30 people in attendance. MIG received good feedback from both of these workshops.

Feedback from workshops included:

Key assets, opportunities to build upon and vision (The Big Picture). Ground reality - what can we really achieve. Need good mix use/multiple destinations – not all the commercial corridors have this. Vision of area? Same as City heard during the Big Picture process in October 2000.

- Create destination
- Neighborhood/pedestrian friendly/active
- Landscape – unique sense of identity
- Also help business owners – creating right context for positive commercial development to happen

Key assets:

- Build on unique small beach community/character
- Public involvement – for project to work, need strong community involvement
- Political approval – for project to work, need political commitment
 - There are clearly issues, but need to look at issues as opportunities to really transform the area. Improving the image and identity to making sure that the public right of way that exists now can become more enriching for the pedestrian.

Public Right of Way:

- More enriching for pedestrian
 - Key challenge – children/handicapped

Signage:

- Better signage – needed especially on the Eastern end. Some sort of celebration that you are entering the City of Imperial Beach

Traffic:

- Need to address full on
- State Route, not just a city street
- City and region wide responsibility
- Goal: Improve the traffic and the pedestrian connectivity but not killing off traffic

MIG worked with five planning strategies:

1. Create design corridor – distinctive city destination – downtown, local, family friendly,

local business friendly and incentives to attract businesses

2. Balance circulation – connectivity. Connect to the neighborhoods on north and south. Palm Avenue should connect, not separate these areas. Not just about cars – equally important about the people, transit uses, bicyclists, mothers who walk with their kids. Accommodate all the users including the cars. Signage to help to find key destinations
3. Develop context for increased desirable uses – most important from urban design standpoint. Improve sidewalks with trees, buffer from fast moving traffic. Localize part of main street and still let main traffic through. Create park or plaza
4. Encourage ecological use – plants and storm water
5. Create an implemental plan – break into separate “sections/phases”. Work with existing businesses and stakeholders to get right funding sources and solutions

Concept – three key features

1. Context sensitive – take into account what are the opportunities that exist – traffic, business, sidewalks
2. Well connected – connect pedestrian and bicyclists to neighborhoods north and south of corridor
3. Identity – special place, main downtown area. Distinctive – should feel this is a key corridor of the city

MIG divided the Palm Avenue Commercial Corridor into four key sectors:

1. 13th & Florida – East End
2. Florida to Delaware – Midtown
3. Delaware to 7th – Park Sector
4. 7th & Rainbow – West End

At this time design concepts were shown

East End – this is the gateway to the City – enter and exit Imperial Beach. Build upon median improvements. Need to maintain six lanes but opportunities to do bulb outs and contiguous bike lanes. Make small but significant changes. Key points:

1. Create iconic gateway (eastern end)
2. Keep Caltrans design standards (12’ travel lanes) - maintain existing six lanes of traffic and parking but create bike lanes
 - Currently lanes are 15’, Caltrans only requires 12’, adding up the extra 3’ per lane end up with 18’ feet that could be used for extra pedestrian area and bike lanes
3. Key bulb outs – create groves of trees – creates pause point for pedestrians
4. Use drought tolerant. Low maintenance landscaping, but still can create a unique streetscape

Midtown Sector – key points:

1. Opportunity to decrease traffic lanes in this section
2. Boulevard setting – median in middle
3. Still maintain traffic signal at 10th Street (north and south direction)
4. Continue shared bike lanes within local access roads
5. Create local access road/frontage road on side of main thorough fare
6. Safer feel/buffer by putting in side medians, new row of trees
7. Buses go through main lanes but stops at key intersections

Park Sector – currently six lanes on north side, four lanes on south side. Traffic island serving autos, not city. Key points:

1. Streamline overall circulation to enhance existing open space experience
2. Make it easier to find Old Palm Avenue area
3. Keep four lanes, add additional left turn lane to Old Palm area
4. Make a large traffic island – get open space back and still allow traffic flow
5. Still allow bike lanes – route along 7th to continue to eco bike route - 2 options
 - Use car lane
 - Dedicated bike lane – have to see if that is possible
6. Creates gateway opportunity thru landscaped park
7. Could make open space passive – all grass, like Coronado – or make inviting, bring lunch crowd
8. Sensitive - Use drought tolerant plants

West End Sector: Key points:

1. Distinct identity from other corridors – deep setbacks that exist now
2. Keep existing 2 lanes of traffic
3. Keep green street
4. Create bike lane
5. Propose something more natural – not many businesses so good opportunity to create nice landscape, lush, low maintenance, can use slope to create sculptural statement too

Ryan Zellers of KOA Corporation (Traffic Engineers of project) talked about traffic and circulation.

- Nine intersections – AM and PM peak hour analysis done
- Want to be in A-D Range (level of service) – existing conditions currently B & C range
- If project done, all levels will improve – currently inefficiencies with traffic signal coordination
- 13th & Palm – maybe need an extra left turn lane – would be level E without some kind of mitigation such as an extra turn lane
- Lesser traffic on West end
- East end – more traffic comes on
- Maintain capacity on far East end
- Midtown area – chance to reduce travel lanes
- Far western lanes, very little traffic
- Project would make level of service be in the A-D range, which is acceptable – meeting general capacity needs, but close to capacity
- Main issue: Traffic calming/slowing – which will happen through this scenario

COMMENTS

DESIGN REVIEW BOARD MEMBER SUMMARIZED COMMENTS:

PHELPS: Very visionary for the future of the city and it's commercial corridor. Very impressed, especially frontage road element, would like to go even to 13th. 7th & Rainbow area – may have to look at that – reorient people on how to use that, the Triangle Park area – expect a lot of discussion on that.

LOPEZ: Overall good. Use 75 to Coronado everyday – Orange Avenue in Coronado two lanes. Would like two lanes all the way through (Palm) then dispersing out to the 5. Didn't like two lanes going around Triangle Park. Could use that extra space for commercial aspects – display their wares or pop outs/outdoor seating. Landscaping to buffer that.

BOWMAN: Concerns with Palm Avenue currently - doesn't flow well, lengthy signals. Would like to see coordination of signals which allow traffic to move more. Some traffic now moving off of Palm Avenue to avoid waits at lights. Like the concept of the landscaping and pedestrian friendly concepts shown. Concerned about parking lots in front of businesses that is there currently – not sure how this will lend to friendly feel. Samples shown show businesses right up to sidewalks. Need connector between Rainbow and 3rd.

SCHAAF: Like identity of city but having hard time visualizing how to get people to come to Old Palm with new park area. Smooth flow not seen – left hand turn. Like trying to slow traffic, and adding landscape. See a few car lots and a lot of bars now. Would like to see new landscaping create walking and shopping.

NAKAWATASE: Like pedestrian friendliness increase. Concern with Triangle Park – westbound – left onto 7th and right onto Palm – could be horribly congested. Could bottleneck traffic. Really, really like entry arch idea – entry marker currently ground level – like idea of arch. Bold and visual.

CITY COUNCIL MEMBER SUMMARIZED COMMENTS:

WINTER: Create sense of place – entry way, you know you've arrived. Glad to hear people refer to Old Palm – possible rename that section "Old Palm Avenue". Easier to say Palm to Old Palm.

Recognize "as is" condition – strip malls with parking lots – hope to move away from that.

Midtown sector – walkability ultimate traffic calmer – captive audience. Smaller individual strip mall – isolated – some say park here only for specific business. Does not encourage people to go to all businesses in area. Frontage road/side road – can see what's there and walk past business. Catalyst to move business forward. Ahead of curve – was on sub committee, for 9th and Palm, fairly old design – parking behind – asked to have entry on corner, told no. When new development comes in, vision not just to meet existing. What is it going to look like in 10, 20, 30 years? Are they meeting vision?

Love designs and ideas – idea of getting traffic in and out in separate lanes good. Types of business – creating sense of place – park sector – don't have offices or office space in that area. Look for retail/office mix. Mix of businesses. Comprehensive – not just landscape and design.

Challenges – what can we do to help existing businesses – work with them – assist them to make business as viable. Like viability, safety, walk ability.

McLEAN: Want commercial infrastructure. This is going to be the way to do it.

Turn lanes – consideration issue.

Concern – 7th & Palm – getting to waterfront and getting out.

Dedicated bike lanes – are they going to be painted?

9th & Palm, Florida & 13th – currently crossing is dangerous – appreciate medians – look at signage – light.

Access between Bayshore Bikeway and beach – signs and lanes need to be clearly marked.

BRAGG: I am excited to see this. Like phased approach – tackling the Midtown section – looking to claim a destination.

Like reduction of travel lanes and speed – put emphasis on businesses.

Light at 10th Street has been a request of business community for a long time. Family friendly business – not many. Safety for pedestrians - key issue – 9th & Palm always see someone almost hit, in wheelchair – treacherous at best.

Landscape design liked – right not we're grappling with cell towers. Could some of these trees be faux trees with cell sites – maybe putting them on Palm Avenue. Liked before and after pictures of Cathedral City shown – it can be done.

Most challenging – Park sector – confusing - always hard to give directions. Easing into Old Palm Avenue – good distinction to make.

Preference of phasing – Midtown sector first, Park sector second.

Relocation of Post Office to Palm – these types of businesses to Palm Avenue good – helps create walkability, sense of destination.

McCOY: Where does San Diego end and Imperial Beach begin? This says it – archway – sense of place. Currently corridor says historic, but not worth preserving. Love design elements, xeriscaping. Need to reduce cost of use of natural resources.

Bulk of traffic of 50,000 at 13th & Palm – is from the base. Love idea of reducing the speed on Palm – chance to take it back. This is our community. This is really important.

Fast food places – other coastal cities have strict design feature – distinctly for that community – really important.

Would like to see undergrounding as many utilities as possible.

Post Office moving to Palm Avenue – requires pressure on current congress person.

JANNEY: Agree on Midtown sector – biggest bang for your buck – mixed use, height – but currently on “freeway”. Could bring revenue stream. Need to buffer them from “freeway”. Can't take lanes completely away.

Eastern end – not too many changes, West end, more esthetic.

Midtown – eliminate alleys coming out. Breaks up street too many times. Better access – more bulb outs. Buses in main lanes good idea – they are noisy. They hurt from the mixed use development standpoint.

New entrance – maybe something other than arch that could say Imperial Beach. There are artists that could come up with something that says Imperial Beach, something different.

Park sector – don't see how it's going to work. Need to start over on this section. Makes it hard to get into town/beach. Park nice but cuts off beach access. Traffic pattern needs to work. Make it the easiest for travelers heading to beach – not the 19,000 going to Coronado.

Palm Avenue corridor growth – need better idea than parking lot in front. Could build out to the streets. Need to move forward, step forward.

Really don't like Park sector at all. Bike access doesn't work that well. Think outside the box.

Alleyways break up street. Don't need them.

Make more flowing streets, walking, riding bike, driving.

FURTHER DISCUSSION BY DESIGN REVIEW BOARD AND CITY COUNCIL MEMBERS

WINTER: Alleys – critical element on Midtown sector – remove alleys. Huge bearing on plan itself – some areas have alleys both ways so they are crossing – maybe convert them to promenade type area. Needs focus. Could add to parking. Huge bearing on plan itself.

McCOY: Tiny piece by Triangle Park – is very dangerous. Need to fix.

NAKAWATASE: Delaware area – Triangle Park – needs to be removed – very dangerous – bad.

JANNEY: This is why the Triangle Park needs to be redone completely. Just isn't working – even with new concept.

NAKAWATASE: Imperial Beach Blvd. used to be a 40 mph, four lane thoroughfare. No stop signs from 9th to the beach. Then they put in stop signs and bulb outs and it slowed things but people stopped driving it. This could happen on Palm Avenue too. If we are able to increase pedestrian traffic on Palm Avenue, it will change the business type. Really support Midtown sector idea.

JANNEY: (Public Works Director) Hank Levien has an idea of how to incorporate Elm Avenue into some sort of a parkway, if traffic continues to shift that way.

NAKAWATASE: Elm Avenue is currently the only non main street over 25 mph – and the locals know it and use it. After 4:00 p.m. they are on Elm.

LOPEZ: Main entrance to get to beach is off of Rainbow – maybe make it one way. Right hand turn to the residents' area.

NAKAWATSE: Didn't see build out at Rainbow intersections.

LOPEZ: Rainbow intersection as important as 13th.

PHELPS: Maybe more study on traffic circulation at Rainbow. Triangle Park could affect this. Encourage people from west, as well as traffic calming. Thought or design to work into a roundabout? Glorietta traffic circle?

LOPEZ: Something like the Birdrock area in La Jolla – Glorietta calming – works quite well.

JANNEY: This is more of a traffic triangle round about. Yes, goal is to slow traffic. To get Caltrans to agree must accommodate traffic.

PUBLIC COMMENT (SUMMARIZED)

ED SPRIGGS: Resident for eight years, member of Tidelands Advisory Committee and Tourism Committee. Impressed with level of discussion. Hit all perspectives and developments. Need emphasis on the entry way. Consensus seems to be that the East end/Midtown sections should be phase 1 – would define Imperial Beach from San Diego. Should pay attention to street.

How do we work with the private sector with public improvements? Have you had a separate session with business owners/Chamber of Commerce? City should have a strategy with private development. What will work to make them make the investments or facilitate getting right types of business.

PUBLIC COMMENT CLOSED

DISCUSSION

JANNEY: Commercial Zoning Review – that is addressing those issues with businesses. Quite a few of the businesses and chamber members have attended those meetings.

WADE: Mukul would like to respond to some of the comments.

MALHOTRA: Biggest issue seems to be the Park sector. Comments are good – gives more direction to refine concepts, including gateway and Midtown areas.

Park sector – tried lots of things. All agree want to create strong connection of Old Palm and Palm – two different environments. Palm Avenue will never achieve the intimate character of Old Palm Avenue. One way to look at it, smooth transition or creating a plaza with open space – come together – two distinctive corridors. Another way to look at it - straight left – this is a forced but conscious move – where do the corridors meet? They meet at the main plaza/open space. The marker – the open space you have in the city – ends Old Palm and ends commercial part of Palm Avenue.

Could close it off completely – huge traffic impacts. But if one open space, round about, people could go around this open space. Don't want to design just for people going to Coronado. First responsibility to people of Imperial Beach. Not a traffic island, but landscaped open space. One option is a small transition. Second option, very recognized, major change.

JANNEY: Understand how difficult this area is. Is this the best way to get people coming from east to come to our ocean side.

LOPEZ: Upper corner – intersection – maybe a little more hardscape. Heading west from the east, may just go right through it. 7th from Palm, maybe more of a narrow crossing, force people coming to the west to have to make the turn.

WADE: Dramatic departure – most difficult part of this plan – perfect solution – not sure figured out. Won't fix it tonight. Would need to revisit. West bound towards beach – transition should be enhanced, brainless. We will go back and look at this issue.

BROWN: Flow should be that the ones coming from the east just end up on Seacoast Drive and would have to think about having to go north. Be as straight as possible on Palm heading west. One lane north, if we could convince Caltrans, fine.

NAKAWATASE: If hard turn needed to Old Palm/beaches, Rainbow is underutilized. Two lanes southbound, one northbound lanes, traffic mitigated processes to protect residential area and would bypass Triangle Park.

The City Staff and consultant team of MIG said they would take all comments/discussion under consideration and continue to work on the design concept for the Palm Avenue Commercial Corridor Master Plan.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:10 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk

Shirley Nakawatase, Chairperson

Tina Barclay
Recording Secretary



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: December 17, 2008

ORIGINATING DEPT.: Michael McGrane
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	67615	\$484,836.00	Metro Wastewater 2 nd Qtr2008-09
Portillo Concrete	67647	\$185,151.60	Progress Payment-Old Palm Streetscape

ENVIRONMENTAL IMPACT

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

WARRANT # DATE AMOUNT

Accounts Payable:

67599-67668	11/20/08	776,291.32
67669-67706	11/26/08	87,916.93
67707-67754	12/04/08	92,936.92
		\$ 957,145.17

Payroll Checks:

40444-40501	P.P.E. 11/20/08	<u>152,386.04</u>
		<u>152,386.04</u>
	TOTAL	\$ <u>1,109,531.21</u>

FISCAL IMPACT:

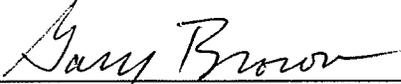
Warrants are issued from budgeted funds.

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
11/20/2008	67599	A FINE TOUCH	1867	4,858.00
408-1920-519.20-06	11/18/2008	1293-1299 IB BLVD-FACADE	11-18-2008	090553 05/2009 4,858.00
11/20/2008	67600	AL-BAR WOODWORKING	2036	1,000.00
248-1920-519.20-06	11/10/2008	866 7TH ST/CLEAN & GREEN	11-10-2008	090549 05/2009 1,000.00
11/20/2008	67601	AMERICAN EXPRESS	1895	540.15
101-6010-451.30-01	10/12/2008	NIKON CAMERA-SPORTS PARK	545834	090414 04/2009 193.92
101-1010-411.30-02	10/17/2008	COFFEE & OFFICE SUPPLIES	32386956-01	090414 04/2009 170.23
101-1110-412.30-02	10/17/2008	COFFEE & OFFICE SUPPLIES	32386956-01	090414 04/2009 27.90
101-1130-412.30-02	10/17/2008	COFFEE & OFFICE SUPPLIES	32386956-01	090414 04/2009 196.35
101-1010-411.30-02	10/20/2008	MISC. NOT CLASSIFIED	100136529	090414 04/2009 72.49-
101-1110-412.30-01	10/23/2008	MOUSE PAD BLACK	100136950	090414 04/2009 3.21
101-1130-412.29-04	10/28/2008	FINANCE CHARGE - OCT 08	10-28-2008	090414 04/2009 21.03
11/20/2008	67602	SOUTHCOAST HEATING & A/C	1554	475.00
101-1910-419.21-04	11/13/2008	REPLACE TSTAT-2ND FLR A/C	260377	090117 05/2009 475.00
11/20/2008	67603	APCD COUNTY OF SAN DIEGO	248	365.00
101-1910-419.21-04	10/14/2008	RENEWAL FEES 2008/2009	97113745	090530 04/2009 365.00
11/20/2008	67604	AT&T	291	126.70
101-1920-419.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 3.49
101-3070-427.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 9.02
101-1210-413.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 44.77
101-5020-432.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 58.60
101-1020-411.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 9.14
101-6030-453.27-04	11/01/2008	030 480 7925 001	11-26-2008	05/2009 1.68
11/20/2008	67605	BARRETT ENGINEERED PUMPS	356	754.25
601-5060-436.28-01	11/06/2008	AIR PUMP WISA	063793	090089 05/2009 754.25
11/20/2008	67606	BAY CITY ELECTRIC WORKS	369	456.25
101-1910-419.21-04	09/13/2008	SEP 08 PREVENTATIVE MAINT	W65363	090120 03/2009 456.25
11/20/2008	67607	BDS ENGINEERING INC	372	5,288.50
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 370.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 445.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 130.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 240.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 647.50
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 610.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 725.00
101-0000-221.01-02	10/02/2008	SEPT 08 PLAN CHECK	08-02H	05/2009 626.00
101-0000-221.01-02	11/19/2008	OCTOBER 2008 PLAN CHECK	08-02I	05/2009 480.00
101-0000-221.01-02	11/05/2008	OCTOBER 2008 PLAN CHECK	08-02I	05/2009 830.00
101-0000-221.01-02	11/05/2008	OCTOBER 2008 PLAN CHECK	08-02I	05/2009 185.00
11/20/2008	67608	BLUEPRINT CONSTRUCTION, INC.	2032	2,500.00
408-1920-519.20-06	10/14/2008	CHAVEZ-FACADE IMPROVEMENT	10-14-2008	090550 04/2009 2,500.00

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11/20/2008	67609	BOB HOFFMAN VIDEO PRODUCTION	457				50.00
101-1010-411.21-04	11/05/2008	CONSULTATION FOR NEW PC F	30749	F09057	05/2009		50.00
11/20/2008	67610	BOYCE INDUSTRIES INC	486				7,167.86
101-1910-419.28-01	11/04/2008	AIR COMPRESSOR REPAIR/FD	50519	090039	05/2009		385.00
101-6040-454.30-02	10/29/2008	PRESSURE WASHER	50469	090428	04/2009		6,782.86
11/20/2008	67611	CALIF ELECTRIC SUPPLY	609				402.88
408-1920-519.20-06	06/24/2008	FACADE IMPROVEMENT-MICKIE	1069-561634	090548	01/2009		402.88
11/20/2008	67612	CALIFORNIA AMERICAN WATER	612				8,657.32
101-6040-454.27-02	11/13/2008	05-0092998-9 09/02-11/03	12-02-2008		05/2009		416.52
101-3030-423.27-02	11/13/2008	05-0093917-8 09/02-11/03	12-02-2008		05/2009		163.08
101-5010-431.27-02	11/13/2008	05-0094000-2 09/02-11/03	12-02-2008		05/2009		46.76
101-5010-431.27-02	11/13/2008	05-0094041-6 09/02-11/03	12-02-2008		05/2009		57.06
101-5010-431.27-02	11/13/2008	05-0094076-2 09/02-11/03	12-02-2008		05/2009		80.25
101-5010-431.27-02	11/13/2008	05-0094163-8 09/02-11/03	12-02-2008		05/2009		54.50
101-5010-431.27-02	11/13/2008	05-0094234-7 09/02-11/03	12-02-2008		05/2009		41.60
101-5010-431.27-02	11/13/2008	05-0094268-5 09/02-11/03	12-02-2008		05/2009		59.64
101-5010-431.27-02	11/13/2008	05-0094293-3 09/02-11/03	12-02-2008		05/2009		69.96
101-5010-431.27-02	11/13/2008	05-0094304-8 09/02-11/03	12-02-2008		05/2009		395.92
101-5010-431.27-02	11/13/2008	05-0094973-0 09/02-11/03	12-02-2008		05/2009		402.28
601-5060-436.27-02	11/13/2008	05-0101092-0 09/04-11/05	12-02-2008		05/2009		26.99
101-5020-432.27-02	11/13/2008	05-0102217-2 09/04-11/05	12-02-2008		05/2009		271.79
101-6020-452.27-02	11/13/2008	05-0102503-5 09/04-11/05	12-02-2008		05/2009		538.71
101-5010-431.27-02	11/13/2008	05-0102729-6 09/04-11/05	12-02-2008		05/2009		1,983.59
101-6020-452.27-02	11/13/2008	05-0106225-1 09/05-11/06	12-02-2008		05/2009		19.23
101-6020-452.27-02	11/13/2008	05-0106249-1 09/05-11/06	12-02-2008		05/2009		34.74
101-6020-452.27-02	11/13/2008	05-0106336-6 09/05-11/06	12-02-2008		05/2009		34.74
101-6020-452.27-02	11/13/2008	05-0106337-4 09/05-11/06	12-02-2008		05/2009		21.82
101-6020-452.27-02	11/13/2008	05-0109756-2 09/10-11/10	12-02-2008		05/2009		198.64
101-5010-431.27-02	11/14/2008	05-0110529-0 09/11-11/11	12-03-2008		05/2009		16.64
101-6020-452.27-02	11/14/2008	05-0111454-0 09/11-11/11	12-03-2008		05/2009		24.45
101-1910-419.27-02	11/14/2008	05-0111478-9 09/11-11/11	12-03-2008		05/2009		156.61
101-6020-452.27-02	11/14/2008	05-0111479-7 09/11-11/11	12-03-2008		05/2009		3,187.00
101-5010-431.27-02	11/14/2008	05-0111480-5 09/11-11/11	12-03-2008		05/2009		354.80
11/20/2008	67613	CDW GOVERNMENT INC	725				3,116.25
503-1923-419.28-13	09/19/2008	RNW MULTI-PROT	LTK7279	090330	03/2009		3,116.25
11/20/2008	67614	CITY CLERK'S ASSOCIATION OF CA	818				165.00
101-1020-411.28-12	11/19/2008	CITY CLERK ASSOC DUES 08/	12-31-2008	090547	05/2009		165.00
11/20/2008	67615	CITY OF SAN DIEGO	896				484,836.00
601-5060-436.21-04	10/15/2008	METRO WASTEWATER	497231	090205	04/2009		484,836.00
11/20/2008	67616	CLEAN HARBORS	913				1,937.00
101-5040-434.21-04	10/30/2008	OCTOBER 2008	6Y0837692	090097	04/2009		1,937.00
11/20/2008	67617	CONSTRUCTION RESIDUE RECYCLING	1009				380.00
101-5010-431.29-04	10/31/2008	CONCRETE MIX	2267	090013	04/2009		240.00

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11/20/2008 67618	COPY POST PRINTING	1371		55.57
601-5050-436.30-02	10/24/2008	BUS CARDS/HELMER, C	17505	090537 04/2009 55.57
11/20/2008 67619	CORPORATE EXPRESS OFFICE	1038		55.06
101-1210-413.30-01	11/05/2008	LABELS/ELEC LETTER OPENER	91488163	090009 05/2009 55.06
11/20/2008 67620	COUNTY RECORDER	1818		50.00
101-0000-221.01-02	11/13/2008	NOE - 1223 CALIFORNIA ST	MF 989	05/2009 50.00
11/20/2008 67621	COUNTY RECORDER	1818		50.00
101-0000-221.01-02	11/13/2008	NOE - 602 7TH ST	MF 990	05/2009 50.00
11/20/2008 67622	COUNTY RECORDER	1818		50.00
101-5010-431.29-04	11/14/2008	NOE-SR 75 PARKING STRIPIN	11-17-2008	05/2009 50.00
11/20/2008 67623	COX COMMUNICATIONS	1073		711.21
601-5050-436.21-04	10/30/2008	OCTOBER 2008	11-25-2008	090194 05/2009 179.00
101-6010-451.29-04	11/09/2008	OCT/NOV 08 SPORTS PARK	12-03-2008	090521 05/2009 107.21
503-1923-419.20-06	11/09/2008	OCT/NOV 2008 -OPTICAL INT	12-03-2008	090527 05/2009 425.00
11/20/2008 67624	DEPARTMENT OF CORRECTIONS AND	169		3,836.49
101-6040-454.21-04	10/27/2008	SEPTEMBER 2008	21383037	090146 04/2009 3,836.49
11/20/2008 67625	DEPARTMENT OF JUSTICE	1154		288.00
101-1130-412.21-04	11/07/2008	OCTOBER 08	707768	090101 05/2009 288.00
11/20/2008 67626	DG LANDSCAPE	1167		2,625.00
101-5010-431.29-04	11/13/2008	OCTOBER 08 MONTHLY MAINT	904	090082 05/2009 1,875.00
101-6020-452.21-04	11/12/2008	WEED CONTROL-IB BLVD NOV	905	090427 05/2009 750.00
11/20/2008 67627	EAGLE NEWSPAPER	1204		2,413.75
101-1230-562.20-08	08/07/2008	PALM AVE COMMERCIAL CORRI	42831	090083 02/2009 148.80
405-1260-513.20-06	08/07/2008	PALM AVE COMMERCIAL CORRI	42831	090083 02/2009 37.20
101-1230-562.20-08	08/14/2008	PALM AVE COMM CORRIDOR	43092	090083 02/2009 114.40
405-1260-513.20-06	08/14/2008	PALM AVE COMM CORRIDOR	43092	090083 02/2009 28.60
101-0000-221.01-02	08/07/2008	LEGAL ADVERTISING	42831	05/2009 81.25
101-0000-221.01-02	08/07/2008	LEGAL ADVERTISING	42831	05/2009 65.00
101-5040-434.28-07	10/01/2008	LEGAL ADVERTISING	44601	090538 04/2009 100.00
202-5016-531.20-06	07/03/2008	LEGAL ADVERTISING	41845B	090083 01/2009 75.00
202-5016-531.20-06	07/10/2008	LEGAL ASVERTISING	42048	090083 01/2009 75.00
405-1260-513.20-06	07/10/2008	LEGAL ASVERTISING	42048	090083 01/2009 50.00
405-1260-513.20-06	07/17/2008	LEGAL ADVERTISING	42240	090083 01/2009 50.00
405-1260-513.20-06	07/24/2008	LEGAL ADVERTISING	42436A	090083 01/2009 50.00
405-1260-513.20-06	07/31/2008	LEGAL ADVERTISING	42617	090083 01/2009 50.00
101-1020-411.28-07	08/14/2008	LEGAL ADVERTISING	43092	090434 02/2009 41.25
101-1020-411.28-07	08/28/2008	LEGAL ADVERTISING/PH DISP	43450	090434 02/2009 261.25
101-1920-419.21-04	08/21/2008	08 CONCERT ADVERTISING	43264	090545 02/2009 227.00
101-1920-419.21-04	08/27/2008	08 CONCERT ADVERTISING	43336	090545 02/2009 732.00

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101-1920-419.21-04	08/28/2008	08 CONCERT ADVERTISING	73450	090545 02/2009 227.00
11/20/2008	67628	EL TAPATIO INC	1407	334.02
101-1010-411.29-04	11/10/2008	COUNCIL DINNER 10/15/2008	1799	05/2009 117.18
101-1010-411.29-04	11/03/2009	COUNCIL DINNER 11/05/2008	1843	05/2009 88.89
101-1010-411.29-04	11/17/2008	COUNCIL MEETING FOOD CATE	1869	F09059 05/2009 127.95
11/20/2008	67629	FIRE ETC	924	248.69
101-3020-422.25-03	09/21/2008	AIRBOSS/RUFFIAN	9745	090534 03/2009 248.69
11/20/2008	67630	GENE'S AUTOMOTIVE	1014	40.00
501-1921-419.28-01	11/10/2008	SMOG NO CERT #143	67521	090045 05/2009 40.00
11/20/2008	67631	GOOGLE, INC.	2009	693.75
503-1923-419.20-06	11/05/2008	NOVEMBER 2008	576665	090399 05/2009 693.75
11/20/2008	67632	GRAINGER	1051	308.99
101-1910-419.30-02	11/03/2008	BULBS FOR SAFETY CENTER	9771250330	090071 05/2009 89.61
101-6020-452.30-02	11/06/2008	SPRAY PAINT/SANITIZER	9773691127	090071 05/2009 54.02
101-6040-454.30-02	10/27/2008	HYDRAULIC DOOR CLOSER	9765764049	090071 04/2009 108.08
101-6020-452.30-02	10/28/2008	SPRAY PAINT	9766208673	090071 04/2009 27.28
101-6040-454.30-02	10/29/2008	UTILITY HINGE	9767241327	090071 04/2009 30.00
11/20/2008	67633	HDL COREN & CONE	88	2,025.00
101-1920-419.20-06	11/13/2008	OCT - DEC 08 PROPERTY TAX	0014200-IN	090535 05/2009 2,025.00
11/20/2008	67634	HORIZON HEALTH EAP	90	400.89
101-1130-412.20-06	11/10/2008	NOVEMBER 2008	031379	090029 05/2009 400.89
11/20/2008	67635	ICMA DUES RENEWAL	239	1,368.00
101-1110-412.28-12	11/05/2008	BROWN, G 2009 ICMA DUES	202830-2009	090540 05/2009 1,368.00
11/20/2008	67636	J. SIMMS AGENCY	1883	1,250.00
101-1920-419.20-06	10/29/2008	OCTOBER 2008	2339	090027 04/2009 1,250.00
11/20/2008	67637	JOSE SANCHEZ	2007	48.33
101-3010-421.20-06	11/01/2008	REIMBURSE SHERIFF MEALS	3792	05/2009 48.33
11/20/2008	67638	KONICA MINOLTA BUSINESS SOLUTI	1522	5,509.00
101-1230-413.28-01	10/31/2008	NOV 08-NOV 09 CD-SER/SUPP	211185947	090523 04/2009 1,277.00
101-3020-422.28-01	10/31/2008	SEP 08-SEP 09 FD SER/SUPP	211185948	090523 04/2009 1,273.00
101-1210-413.28-01	10/31/2008	SEP 08-SEP 09 FIN SER/SUP	211185949	090523 04/2009 1,273.00
101-1010-411.28-01	10/31/2008	NOV 08-NOV 09 CM SER/SUPP	211185945	090524 04/2009 421.50
101-1020-411.28-01	10/31/2008	NOV 08-NOV 09 CM SER/SUPP	211185945	090524 04/2009 421.50
101-1110-412.28-01	10/31/2008	NOV 08-NOV 09 CM SER/SUPP	211185945	090524 04/2009 421.50
101-1130-412.28-01	10/31/2008	NOV 08-NOV 09 CM SER/SUPP	211185945	090524 04/2009 421.50
11/20/2008	67639	LLOYD PEST CONTROL	814	286.00
101-1910-419.20-22	10/09/2008	OCTOBER 08 CITY HALL	1734835	090152 04/2009 31.00
101-1910-419.20-22	10/09/2008	OCTOBER 08 FIRE DEPT	1734836	090152 04/2009 31.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
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101-1910-419.20-22	10/09/2008	OCTOBER 08 SHERIFF DEPT	1735091	090152 04/2009 31.00
101-1910-419.20-22	10/21/2008	OCTOBER 08 SPORTS PARK	1720089	090152 04/2009 45.00
101-1910-419.20-22	10/21/2008	OCTOBER 08 PW DEPT	1722714	090152 04/2009 47.00
101-1910-419.20-22	10/21/2008	OCTOBER 08 SAFETY CENTER	1723140	090152 04/2009 54.00
101-1910-419.20-22	10/10/2008	OCTOBER 2008	1735200	090152 04/2009 47.00
11/20/2008 67640		MRP ROOFING	2030	
248-1920-519.20-06	11/14/2008	379 EBONY -CLEAN & GREEN	1147	090552 05/2009 10,480.00
11/20/2008 67641		MIRA MESA GLASS & SCREEN, INC.	2023	
408-1920-519.20-06	11/05/2008	FACADE IMPROVEMENT	14175	090551 05/2009 1,250.00
408-1920-519.20-06	10/17/2008	FACADE IMPRVMT	14007	090551 04/2009 2,500.00
11/20/2008 67642		NASLAND ENGINEERING	1656	
405-1260-513.20-06	10/31/2008	OCT 08-DATE ST END	86736	090544 04/2009 5,852.00
11/20/2008 67643		NEW PIG CORPORATION	1246	
601-5050-436.30-02	11/03/2008	ABS SOCKS	4423739-00	090531 05/2009 372.37
11/20/2008 67644		NEXTEL OF CALIFORNIA	1465	
101-3020-422.27-05	07/29/2008	06/26/08-07/25/08	896132755-012	05/2009 4,544.66
101-5020-432.21-25	07/29/2008	06/26/08-07/25/08	896132755-012	05/2009 97.35
101-5020-432.27-05	07/29/2008	06/26/08-07/25/08	896132755-012	05/2009 443.19
101-1010-411.27-05	07/29/2008	06/26/08-07/25/08	896132755-012	05/2009 266.90
101-3070-427.27-05	07/29/2008	06/26/08-07/25/08	896132755-012	05/2009 64.90
101-3020-422.27-05	08/29/2008	07/26/08-08/25/08	896132755-013	05/2009 59.65
101-5020-432.21-25	08/29/2008	07/26/08-08/25/08	896132755-013	05/2009 97.38
101-5020-432.27-05	08/29/2008	07/26/08-08/25/08	896132755-013	05/2009 872.96
101-1010-411.27-05	08/29/2008	07/26/08-08/25/08	896132755-013	05/2009 274.83
101-3070-427.27-05	08/29/2008	07/26/08-08/25/08	896132755-013	05/2009 64.92
101-3020-422.27-05	09/28/2008	08/26/08-09/25/08	896132755-014	04/2009 36.55
101-5020-432.21-25	09/29/2008	08/26/08-09/25/08	896132755-014	04/2009 97.38
101-5020-432.27-05	09/29/2008	08/26/08-09/25/08	896132755-014	04/2009 667.33
101-1010-411.27-05	09/29/2008	08/26/08-09/25/08	896132755-014	04/2009 270.92
101-3070-427.27-05	09/29/2008	08/26/08-09/25/08	896132755-014	04/2009 65.32
101-3020-422.27-05	10/29/2008	09/26/08/-10/25/08	896132755-015	04/2009 36.55
101-5020-432.21-25	10/29/2008	09/26/08/-10/25/08	896132755-015	04/2009 97.35
101-5020-432.27-05	10/29/2008	09/26/08/-10/25/08	896132755-015	04/2009 662.04
101-1010-411.27-05	10/29/2008	09/26/08/-10/25/08	896132755-015	04/2009 267.08
101-3070-427.27-05	10/29/2008	09/26/08/-10/25/08	896132755-015	04/2009 65.62
11/20/2008 67645		ONE SOURCE DISTRIBUTORS INC	1470	
101-6020-452.28-01	10/28/2008	BALLAST ASSEMBLY	S3002828.001	090539 04/2009 390.89
11/20/2008 67646		PARTNERSHIP WITH INDUSTRY	1302	
101-6040-454.21-04	11/04/2008	PERIOD ENDING 10/31/2008	SBG01413	090086 05/2009 1,251.51
11/20/2008 67647		PORTILLO CONCRETE INC	1485	
101-1260-595.20-10	10/29/2008	OLD PALM STREETScape	0807-1522	090317 04/2009 185,151.60
408-1920-519.20-06	10/29/2008	OLD PALM STREETScape	0807-1522	090317 04/2009 146,834.10

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ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
101-1260-595.20-10	10/29/2008	OLD PALM STREETScape		0807-1522	090317	04/2009	424.12
408-1920-519.20-06	10/29/2008	OLD PALM STREETScape		0807-1522	090317	04/2009	138.38
11/20/2008	67648	PRO LINE PAINT COMPANY	52				32.28
101-5010-431.30-02	10/14/2008	RUST CONVRSN CTG		6762-6	090070	04/2009	32.28
11/20/2008	67649	PRUDENTIAL OVERALL SUPPLY	72				862.43
101-5020-432.25-03	11/05/2008	11/05/08 PW UNIFORMS		8796948	090085	05/2009	162.77
101-5020-432.25-03	11/12/2008	PW UNIFORMS 11/12/08		8818019	090085	05/2009	536.89
101-5020-432.25-03	11/19/2008	PW UNIFORMS 11/19/08		8838465	090085	05/2009	162.77
11/20/2008	67650	QUICK CRETE PRODUCTS CORP	80				4,070.80
101-6040-454.30-02	11/05/2008	WASTE CONTAINERS		0082805-IN	090331	05/2009	3,497.57
101-6040-454.30-02	11/05/2008	BENCH-MODERN SERIES		0082806-IN	090429	05/2009	573.23
11/20/2008	67651	RANCHO AUTO & TRUCK PARTS	1685				815.17
501-1921-419.28-16	10/15/2008	WATER PUMP/HOSE		27603	090064	04/2009	49.05
501-1921-419.28-16	10/15/2008	IGNITION LOCK & TUMBLER		27604	090064	04/2009	47.81
501-1921-419.28-16	10/16/2008	FILTERS/MIRROR/SPARK PLUG		27734	090064	04/2009	41.25
501-1921-419.28-16	10/23/2008	W39 DH9948		28641	090064	04/2009	64.71
501-1921-419.28-16	10/27/2008	SEALS/TRANSMISSION FILTER		28995	090064	04/2009	67.66
501-1921-419.28-16	10/27/2008	FRONT WHEEL SEAL		29003	090064	04/2009	8.23
501-1921-419.28-16	10/30/2008	BRAKE FLUID/CLEAN-FILTERS		29384	090064	04/2009	165.55
501-1921-419.28-16	11/04/2008	STARTER-TRUCK #600		29859	090064	05/2009	80.51
501-1921-419.28-16	11/05/2008	TRANSMISSION FILTER		30011	090064	05/2009	73.70
501-1921-419.28-16	11/05/2008	HEATER CORE		30059	090064	05/2009	46.31
501-1921-419.28-16	10/29/2008	CREDIT -RETURNED SEALS		29276	090064	04/2009	7.07-
101-1910-419.30-02	10/30/2008	W INVERTER		29387	090064	04/2009	48.43
601-5060-436.28-01	10/31/2008	MINI FRL COMBO/INVERTER		29574	090064	04/2009	129.03
11/20/2008	67652	RBF CONSULTING	1756				.00
407-1262-413.20-06	12/22/2006	11/01/06-11/30/06		6111270	070418	12/2007	1,186.75
407-1262-413.20-06	11/24/2008	11/01/06-11/30/06		6111270		05/2009	1,186.75-
11/20/2008	67653	SD COUNTY VECTOR CONTROL PROGR	1802				85.91
101-1110-412.20-06	11/10/2008	MOSQUITO DISEASE CONTROL		SD10016-08/09	F09055	05/2009	85.91
11/20/2008	67654	SHARP REES-STEALY MEDICAL CNTR	390				464.00
101-1130-412.21-04	11/08/2008	MATOUSEK, JUSTIN		206	090105	05/2009	69.00
101-1130-412.21-04	11/08/2008	CORTEZ, MARCO		206	090105	05/2009	69.00
101-1130-412.21-04	11/08/2008	HELMER, CHRISTOPHER		206	090105	05/2009	80.00
101-1130-412.21-04	11/08/2008	MATTHEWS, DAWN		206	090105	05/2009	69.00
101-6040-454.21-04	11/08/2008	JELKS, VAUGHN		206	090525	05/2009	69.00
101-6040-454.21-04	11/08/2008	ROBERTS, WOODROW		206	090525	05/2009	69.00
101-6040-454.21-04	11/08/2008	DUMAS, JARROD		206	090525	05/2009	39.00
11/20/2008	67655	SIMPLEX GRINNELL LP	408				862.16
101-1230-413.30-02	11/05/2008	TIME-DATE STAMP W/DISPLAY		64048373	090435	05/2009	862.16
11/20/2008	67656	SKS INC.	412				3,711.62
501-1921-419.28-15	10/29/2008	1,092 G REG/300.5 G DIESE		1222679-IN	090063	04/2009	3,711.62

PROGRAM: GM350L
CITY OF IMPERIAL BEACH

FROM 11/20/2008 TO 12/04/2008

BANK CODE 00

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11/20/2008	67657	SLOAN ELECTRIC COMPANY	417				400.00
601-5060-436.21-04	11/12/2008	PUMP STATION SVC CALL	0054803	090079	05/2009		400.00
11/20/2008	67658	SOUTH WEST SIGNAL	488				150.00
101-5010-431.21-04	10/31/2008	OCTOBER 2008	48969	090019	04/2009		150.00
11/20/2008	67659	SPRINT	2040				2,084.50
101-3030-423.27-05	08/18/2008	07/15/08-08/14/08 LG-CELL	699898810-009		03/2009		213.95
101-3030-423.27-05	09/18/2008	08/15/08-09/14/08 LG-CELL	699898810-010		03/2009		279.01
101-1020-411.27-05	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		72.56
101-1230-413.27-05	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		79.33
101-3020-422.27-05	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		72.56
503-1923-419.30-02	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		881.85
101-5020-432.27-05	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		72.76
101-3020-422.27-05	07/29/2008	06/26/08-07/25/08	527638813-008		03/2009		72.76
101-1020-411.27-05	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		63.77
101-1230-413.27-05	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		67.65
101-3020-422.27-05	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		63.77
101-3020-422.27-05	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		63.77
503-1923-419.30-02	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		16.99
101-5020-432.27-05	08/29/2008	07/26/08-08/25/08	527638813-009		03/2009		63.77
11/20/2008	67660	SUNGARD PUBLIC SECTOR USER'S G	2039				195.00
101-1210-413.28-12	11/17/2008	2009 MBRSHD DUES -SUNGARD	IMPBSUGA2009		05/2009		195.00
11/20/2008	67661	THE SCOREBOARD	1				600.00
101-1920-419.29-04	11/10/2008	SPORTS PARK - CATERING	11-10-2008		05/2009		600.00
11/20/2008	67662	THYSSENKRUPP ELEVATOR	663				191.85
101-3030-423.20-06	11/01/2008	NOVEMBER 2008	1037032797	090238	05/2009		191.85
11/20/2008	67663	UNION TRIBUNE	738				112.00
245-1240-413.28-07	10/13/2008	RDA LEGAL ADS	0010132356	090542	04/2009		112.00
11/20/2008	67664	UNITED RENTALS	744				625.42
206-6025-552.28-01	09/03/2008	LIFT RENTAL	76172512-001	090536	03/2009		625.42
11/20/2008	67665	WAXIE SANITARY SUPPLY	802				957.92
101-6040-454.30-02	11/05/2008	LINERS/TISSUE	70951857	090060	05/2009		957.92
11/20/2008	67666	WEST GROUP CTR	826				118.32
101-1020-411.28-14	11/01/2008	OCTOBER 2008	817069713	090235	05/2009		118.32
11/20/2008	67667	WHITE CAP CONSTRUCTION SUPPLY	1434				348.72
101-5010-431.30-02	11/14/2008	NAILS/WOOD STAKES	15019491	090020	05/2009		348.72
11/20/2008	67668	XEROX CORPORATION	861				899.53
101-1920-419.20-17	11/08/2008	OCTOBER 2008	036702467	090195	05/2009		899.53
11/26/2008	67669	A FINE TOUCH	1867				450.00
408-1920-519.20-06	11/18/2008	FACADE IMPVMNT-1293/1299	11-18-2008	090622	05/2009		450.00

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11/26/2008	67670	ADT SECURITY SERVICES, INC.	103	70.44		
101-6010-451.21-04	11/08/2008	DECEMBER 2008	82406555	090103	05/2009	70.44
11/26/2008	67671	AFLAC	120	434.35		
101-0000-209.01-13	11/26/2008	PAYROLL SUMMARY	20081126		05/2009	434.35
11/26/2008	67672	ALLIANT INSURANCE SERVICES	1193	2,666.00		
101-0000-209.01-13	10/16/2008	AP PPE 10/09/08	20081016		04/2009	424.30
101-0000-209.01-14	10/16/2008	AP PPE 10/09/08	20081016		04/2009	551.75
101-0000-209.01-13	10/30/2008	PPE 10/23/08	20081030		04/2009	424.30
101-0000-209.01-14	10/30/2008	PPE 10/23/08	20081030		04/2009	551.75
101-1010-411.11-04	11/26/2008	NOVEMBER 2008	11-01-2008		05/2009	18.43
101-1020-411.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	38.26
101-1110-412.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	91.97
101-1130-412.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	22.81
101-1210-413.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	54.06
101-1230-413.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	26.33
101-3070-427.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	.70
101-3080-428.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	.70
101-1910-419.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
101-3010-421.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	12.21
101-3020-422.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	49.63
101-3030-423.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	42.75
101-3040-424.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	24.57
101-5020-432.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	56.16
101-5010-431.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	17.55
101-5040-434.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	4.56
101-6020-452.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
101-6010-451.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
101-6040-454.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	14.04
245-1240-413.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
405-1260-413.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	129.35
405-5030-433.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
601-5060-436.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	17.55
601-5050-436.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	20.01
501-1921-419.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
502-1922-419.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	7.02
503-1923-419.11-04	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	23.16
101-0000-209.01-14	11/01/2008	NOVEMBER 2008	11-01-2008		05/2009	.04-
11/26/2008	67673	AT&T	291	499.71		
101-3020-422.27-04	10/13/2008	030 290 1325 001	11-08-2008		04/2009	101.83
101-3030-423.27-04	10/13/2008	030 290 2293 001	11-08-2008		04/2009	120.98
101-3035-423.27-04	10/21/2008	030 326 8685 001	11-16-2008		04/2009	31.22
101-1010-411.27-04	10/25/2008	030 357 0352 001	11-20-2008		04/2009	24.82
101-1230-413.27-04	10/25/2008	030 357 0356 001	11-20-2008		04/2009	107.75
101-1130-412.27-04	10/25/2008	030 357 0371 001	11-20-2008		04/2009	58.01
101-1110-412.27-04	11/01/2008	030 480 7968 001	11-26-2008		04/2009	26.29
101-6010-451.27-04	10/13/2008	030 485 6799 001	11-08-2008		04/2009	28.81

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503-1923-419.27-04	10/29/2008	337-257-1583-442	T8646238		04/2009	348.01
503-1923-419.27-04	10/29/2008	339-343-1504-722	T8677452		04/2009	173.99
101-1110-412.27-04	10/23/2008	619-423-0314-978	T8653437		04/2009	114.96
101-5040-434.27-04	10/23/2008	619-423-1074-808	T8653438		04/2009	16.03
101-5040-434.27-04	10/23/2008	619-423-1675-711	T8653440		04/2009	16.03
601-5060-436.27-04	10/23/2008	619-423-2231-354	T8653442		04/2009	15.51
101-3030-423.27-04	10/24/2008	619-423-7246-659	T8658597		04/2009	102.66
101-3020-422.27-04	10/23/2008	619-423-8222-631	T8653448		04/2009	20.18
101-3020-422.27-04	10/23/2008	619-423-8225-961	T8653449		04/2009	246.64
101-1920-419.27-04	10/23/2008	619-423-8300-961	T8653450		04/2009	262.96
101-5020-432.27-04	10/23/2008	619-423-8311-961	T8653451		04/2009	381.32
101-3030-423.27-04	10/23/2008	619-423-8322-961	T8653452		04/2009	255.54
101-1130-412.27-04	10/23/2008	619-423-8617-292	T8653453		04/2009	80.24
503-1923-419.27-04	10/16/2008	619-424-3481-707	T8623918		04/2009	30.10
101-6030-453.27-04	10/16/2008	619-424-7077-649	T8623922		04/2009	78.17
101-3020-422.27-04	10/24/2008	619-424-7359-120	T8658598		04/2009	77.12
101-6010-451.27-04	10/29/2008	619-575-0336-809	T8682800		04/2009	81.01
101-3020-422.27-04	10/29/2008	619-575-0361-562	T8682801		04/2009	16.03
101-1010-411.27-04	10/24/2008	619-628-1352-133	T8658710		04/2009	71.03
101-1230-413.27-04	10/24/2008	619-628-1356-945	T8658711		04/2009	191.01
101-3040-424.27-04	10/24/2008	619-628-1357-365	T8658712		04/2009	84.23
101-3070-427.27-04	10/24/2008	619-628-1359-498	T8658713		04/2009	48.60
101-1210-413.27-04	10/24/2008	619-628-1361-670	T8658714		04/2009	239.06
101-6010-451.27-04	10/24/2008	619-628-1385-573	T8658716		04/2009	44.02
101-3035-423.27-04	10/24/2008	619-628-1419-917	T8658717		04/2009	25.05
101-3010-421.27-04	10/22/2008	619-628-1485-961	T8642776		04/2009	42.72
101-1920-419.27-04	10/24/2008	619-628-2018-437	T8658718		04/2009	24.47
601-5060-436.27-04	10/23/2008	C60-222-1236-444	T8656453		04/2009	233.22
11/26/2008	67675	COLONIAL LIFE & ACCIDENT	941			147.74
101-0000-209.01-13	11/26/2008	PAYROLL SUMMARY	20081126		05/2009	147.74
11/26/2008	67676	COUNTY OF SAN DIEGO	1055			7,597.20
101-3010-421.21-04	11/19/2008	PARKING PENALTY ASSESSMNT	10/08		01/2009	2,229.20
101-3010-421.21-04	11/19/2008	PARKING PENALTY ASSESSMNT	07/08		01/2009	2,354.50
101-3010-421.21-04	11/19/2008	PARKING PENALTY ASSESSMNT	08/08		01/2009	1,641.50
101-3010-421.21-04	11/19/2008	PARKING PENALTY ASSESSMNT	09/08		01/2009	1,372.00
11/26/2008	67677	COUNTY RECORDER	1818			50.00
101-0000-221.01-02	11/24/2008	1534-1548 SEACOAST DRIVE	MF 987		01/2009	50.00
11/26/2008	67678	CREATIVE BENEFITS INC FSA	1108			310.50
101-0000-209.01-11	11/26/2008	PAYROLL SUMMARY	20081126		05/2009	310.50
11/26/2008	67679	CULLIGAN WATER CO. OF SAN DIEG	1112			18.00
101-1210-413.30-02	11/17/2008	DEC 08 COOLER RENTAL	01961893	090147	05/2009	18.00
11/26/2008	67680	GOBY DIV'N CHARTER BOAT SERVIC	1566			400.00
101-3030-423.28-04	10/29/2008	COASTAL CHARTER LG TRNG	1008-6		01/2009	400.00

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
11/26/2008 405-5030-433.30-02	67681 08/26/2008	DUNN EDWARDS CORPORATION PAINT	1197	2069006185	090087	02/2009	254.66 254.66
11/26/2008 101-1210-413.20-06	67682 11/20/2008	HDL COREN & CONE 4TH QUARTER SALES TAX '08	88	0014823-IN	090535	05/2009	975.00 975.00
11/26/2008 101-0000-209.01-08	67683 11/26/2008	I B FIREFIGHTERS ASSOCIATION PAYROLL SUMMARY	214	20081126		05/2009	222.00 222.00
11/26/2008 101-0000-209.01-10	67684 11/26/2008	ICMA RETIREMENT TRUST 457 PAYROLL SUMMARY	242	20081126		05/2009	4,708.73 4,708.73
11/26/2008 101-1010-411.30-02 101-1010-411.29-04	67685 11/18/2008 11/18/2008	IMPERIAL BEACH TROPHIES COUNCIL NAME PLATES- JIM AWARD FOR MAYDA WINTER	319	2310 2311	F09060 F09061	05/2009 05/2009	126.07 29.09 96.98
11/26/2008 101-5010-431.20-06 101-1210-413.20-06	67686 07/15/2008 07/15/2008	IMS INFRASTRUCTURE MANAG. SERV PAVEMENT CONDITION ASSESS PAVEMENT CONDITION ASSESS	1954	13107-6 13107-6		01/2009 01/2009	4,700.00 2,350.00 2,350.00
11/26/2008 101-1920-419.20-06	67687 11/05/2008	J. SIMMS AGENCY TV MONITORING FOR SEP 08	1883	2349	F09056	05/2009	217.00 217.00
11/26/2008 101-6010-451.21-04	67688 11/21/2008	JESSOP & SON LANDSCAPING NOVEMBER 2008	479	388315	090148	05/2009	3,052.83 3,052.83
11/26/2008 601-5060-436.21-04	67689 11/21/2008	JR FILANC CONSTRUCTION COMPAN PUMP SUCTION LINE	1496	1522-F	090546	05/2009	4,977.00 4,977.00
11/26/2008 501-1921-419.28-16	67690 11/12/2008	MASON'S SAW & LAWMOWER GUARD ASSY/WASHERS/NUTS	923	149028	090051	05/2009	39.63 39.63
11/26/2008 408-5020-432.25-02	67691 11/23/2008	MOBILE HOME ACCEPTANCE CORPORA 12/07/08-01/06/09 PW TRAI	1533	142477	090207	05/2009	296.31 296.31
11/26/2008 101-1230-562.20-08 405-1260-513.20-06	67692 10/06/2008 10/06/2008	MIG AUGUST 2008 AUGUST 2008	1881	0025454 0025454	080423 080423	04/2009 04/2009	31,220.51 24,976.41 6,244.10
11/26/2008 408-1920-519.20-06	67693 11/15/2008	NASLAND ENGINEERING OLD PALM AVE-P/E 11/15/08	1656	86778	090514	05/2009	5,251.28 5,251.28
11/26/2008 101-1210-413.29-04	67694 11/06/2008	PITNEY BOWES(PURCHASE POWER) POSTAGE FINANCE CHARGES	1369	12-03-2008	F09058	05/2009	54.62 54.62
11/26/2008 101-0000-209.01-12 101-0000-209.01-12 101-0000-209.01-12	67695 10/16/2008 10/30/2008 11/01/2008	PREFERRED BENEFIT INS ADMIN IN AP PPE 10/09/08 PPE 10/23/08 NOVEMBER 2008	37	20081016 20081030 CP9366		04/2009 04/2009 05/2009	2,296.22 1,118.23 1,118.23 59.76

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
11/26/2008	67696	SBC DATA COMM	329	892.50
101-1920-532.50-04	11/17/2008	CON-SOP-C28/SECURITY BUND	276-317606	090237 05/2009 446.25
601-5060-536.50-04	11/17/2008	CON-SOP-C28/SECURITY BUND	276-317606	090237 05/2009 446.25
11/26/2008	67697	SDGE	289	5,218.90
101-6020-452.27-01	10/30/2008	0175 275 3776 09/30-10/29	11-14-2008	04/2009 294.08
101-5010-431.27-01	10/29/2008	0646 753 1938 09/29-10/28	11-13-2008	04/2009 9.56
101-5010-431.27-01	10/29/2008	1694 231 2432 09/29-10/28	11-13-2008	04/2009 24.92
101-5010-431.27-01	10/28/2008	1912 409 2723 09/25-10/24	11-12-2008	04/2009 9.56
101-6020-452.27-01	10/30/2008	2081 689 1273 09/30-10/29	11-14-2008	04/2009 301.08
101-6010-451.27-01	10/30/2008	2081 689 7619 09/30-10/29	11-14-2008	04/2009 331.66
101-6010-451.27-01	10/30/2008	2081 692 3399 09/30-10/29	11-14-2008	04/2009 8.78
101-6020-452.27-01	10/31/2008	2083 847 9032 09/30-10/29	11-15-2008	04/2009 61.15
101-5010-431.27-01	11/03/2008	2741 969 9359 09/30-10/31	11-18-2008	04/2009 143.72
215-6026-452.27-01	11/03/2008	2819 871 6315 09/30-10/31	11-18-2008	04/2009 1,883.14
101-5010-431.27-01	10/29/2008	3062 843 3719 09/29-10/28	11-13-2008	04/2009 17.68
101-6010-451.27-01	10/30/2008	3206 700 9265 09/30-10/29	11-14-2008	04/2009 54.89
101-5010-431.27-01	10/29/2008	3448 930 9646 09/29-10/28	11-13-2008	04/2009 9.70
101-5010-431.27-01	10/27/2008	5280 340 6641 09/25-10/24	11-11-2008	04/2009 116.59
101-6020-452.27-01	10/30/2008	5456 692 8951 09/30-10/29	11-14-2008	04/2009 39.23
101-5010-431.27-01	10/27/2008	5576 188 0541 09/25-10/24	11-11-2008	04/2009 9.56
101-6020-452.27-01	10/30/2008	6921 003 2109 09/30-10/29	11-14-2008	04/2009 232.95
101-5010-431.27-01	10/30/2008	7706 795 7872 09/30-10/29	11-14-2008	04/2009 11.65
601-5060-436.27-01	10/29/2008	8773 823 6424 09/29-10/28	11-13-2008	04/2009 1,145.70
101-6020-452.27-01	10/30/2008	9327 898 1346 09/30-10/29	11-14-2008	04/2009 347.46
101-6010-451.27-01	10/30/2008	9956 693 6272 09/30-10/29	11-14-2008	04/2009 165.84
11/26/2008	67698	SEIU LOCAL 221	1821	1,418.85
101-0000-209.01-08	11/26/2008	PAYROLL SUMMARY	20081126	05/2009 1,418.85
11/26/2008	67699	SPRINT	2040	1,776.20
101-3030-423.27-05	10/18/2008	09/15/08-10/14/08 LG-CELL	699898810-001	04/2009 360.55
101-3030-423.27-05	11/18/2008	10/15/08-11/14/08 LG-CELL	699898810-012	04/2009 453.59
101-1020-411.27-05	11/29/2008	08/26/08-09/25/08	527638813-010	04/2009 72.57
101-1230-413.27-05	09/29/2008	08/26/08-09/25/08	527638813-010	04/2009 82.43
101-3020-422.27-05	09/29/2008	08/26/08-09/25/08	527638813-010	04/2009 72.77
101-3020-422.27-05	09/29/2008	08/26/08-09/25/08	527638813-010	04/2009 72.57
503-1923-419.30-02	09/29/2008	08/26/08-09/25/08	527638813-010	04/2009 106.59
101-5020-432.27-05	09/29/2008	08/26/08-09/25/08	527638813-010	04/2009 72.88
101-1020-411.27-05	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 72.76
101-1230-413.27-05	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 79.79
101-3020-422.27-05	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 72.56
101-3020-422.27-05	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 72.56
503-1923-419.30-02	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 112.01
101-5020-432.27-05	10/29/2008	09/26/08-10/25/08	527638813-011	04/2009 72.57
11/26/2008	67700	TELEVIDEO SAN DIEGO	1668	532.49
504-1924-519.20-06	09/29/2008	A/V SYSTEMS-TROUBLESHOOT/	503501	070421 03/2009 5,279.11
101-1920-532.20-06	08/31/2008	MINI CONDENSER/FLOOR MOUN	540400	070421 02/2009 406.49

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
504-1924-519.20-06	08/31/2008	MINI CONDENSER/FLOOR MOUN	540400	070421 02/2009 .88
101-1920-532.20-06	05/30/2008	A/V SYSTEMS PROGRESS BILL	503500	070421 01/2009 1.00
504-1924-519.20-06	05/30/2008	A/V SYSTEMS PROGRESS BILL	503500	070421 01/2009 1,595.01
504-1924-519.20-06	04/27/2007	CREDIT FOR OVERPAYMENT	063781	03/2009 6,750.00-
11/26/2008 67701	UNION BANK OF CALIFORNIA	735		875.00
101-1920-419.29-04	11/16/2008	AUG-SEP 08 BANKING FEES	505898	090555 05/2009 875.00
11/26/2008 67702	UNITED WAY OF SAN DIEGO COUNTY	1483		25.00
101-0000-209.01-09	11/26/2008	PAYROLL SUMMARY	20081126	05/2009 25.00
11/26/2008 67703	VISION PLAN OF AMERICA	785		185.51
101-0000-209.01-18	10/16/2008	AP PPE 10/09/08	20081016	04/2009 106.65
101-0000-209.01-18	10/30/2008	PPE 10/23/08	20081030	04/2009 116.38
101-0000-209.01-18	11/01/2008	DECEMBER 2008	11-20-2008	05/2009 47.52-
101-1920-419.29-04	11/01/2008	DECEMBER 2008	11-20-2008	05/2009 10.00
11/26/2008 67704	VISUAL ASYLUM	1757		1,750.00
101-1920-419.21-04	11/24/2008	IB NEWSLETTER REDESIGN	08-163-D	090558 05/2009 875.00
405-1260-413.20-06	11/24/2008	IB NEWSLETTER REDESIGN	08-163-D	090623 05/2009 875.00
11/26/2008 67705	WAXIE SANITARY SUPPLY	802		95.52
101-3030-423.30-02	10/17/2008	ROOM FRESHENER AEROSOL	70919728	F09054 04/2009 95.52
11/26/2008 67706	WEST COAST APPLIANCE SERVICES,	2045		1,978.00
248-1920-519.20-06	11/18/2008	FURNACE/THERMOSTAT	10150	090556 05/2009 1,978.00
12/04/2008 67707	AGRICULTURAL PEST CONTROL	123		190.00
101-1910-419.21-04	08/26/2008	AUGUST 2008	98607	090118 02/2009 95.00
101-1910-419.21-04	11/25/2008	NOVEMBER 2008	105877	090118 05/2009 95.00
12/04/2008 67708	ALTERNATIVE ENERGY TECHNOLOGIE	1971		4,753.79
248-1920-519.20-06	09/17/2008	CLEAN & GREEN/QUINN	7022975CI	090627 03/2009 4,753.79
12/04/2008 67709	SOUTHCOAST HEATING & A/C	1554		389.00
101-1910-419.21-04	11/24/2008	CIRCUIT BOARD REPLACEMENT	261915	090117 05/2009 389.00
12/04/2008 67710	APEX ROOFING	2013		5,415.00
248-1920-519.20-06	11/24/2008	570 ELM /CLEAN & GREEN	527	090628 05/2009 5,415.00
12/04/2008 67711	ARROWHEAD MOUNTAIN SPRING WATE	1340		86.58
101-5020-432.30-02	11/22/2008	NOVEMBER 2008	08K0026726646	090081 05/2009 86.58
12/04/2008 67712	BANC OF AMERICA LEASING	1723		199.64
101-3030-423.20-06	11/22/2008	JANUARY 2009	010711733	090189 05/2009 199.64
12/04/2008 67713	BLUEPRINT CONSTRUCTION, INC.	2032		2,300.00
408-1920-519.20-06	11/10/2008	CHAVEZ/FACADE IMPRVMT	11-10-2008	090526 05/2009 2,300.00
12/04/2008 67714	CALIF ELECTRIC SUPPLY	609		556.92
101-6040-454.30-02	11/07/2008	BALLASTS	1069-577589	090094 05/2009 72.01

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-6040-454.30-02	11/17/2008	REPLACEMENT LENS	1069-576158	090094 05/2009 484.91
12/04/2008 67715	CALIFORNIA COMMERCIAL ASPHALT	590		164.05
101-5010-431.30-02	10/31/2008	CONCRETE MIX	80540	090012 04/2009 164.05
12/04/2008 67716	CALIFORNIA ENV CONTROLS INC	642		449.24
601-5060-436.28-01	11/18/2008	THERMOSTAT	1773	090069 05/2009 172.78
601-5060-436.28-01	11/14/2008	GR-25113-034, RELAY	1770	090069 05/2009 276.46
12/04/2008 67717	CVA SECURITY	797		120.00
101-1910-419.20-23	12/01/2008	DECEMBER 2008	9907	090149 06/2009 30.00
101-1910-419.20-23	12/01/2008	DECEMBER 2008	9957	090149 06/2009 30.00
101-1910-419.20-23	11/01/2008	NOVEMBER 2008	9615	090149 05/2009 30.00
101-1910-419.20-23	11/01/2008	NOVEMBER 2008	9669	090149 05/2009 30.00
12/04/2008 67718	COGNITECH, INC.	2021		8,740.00
213-3037-421.50-04	11/26/2008	VIDEO INVESTIGATOR 4.0	INV-1108003	090519 05/2009 8,740.00
12/04/2008 67719	CORPORATE EXPRESS OFFICE	1038		82.03
101-1210-413.30-01	11/18/2008	OFFICE SUPPLIES	91768247	090009 05/2009 82.03
12/04/2008 67720	COUNTY OF SAN DIEGO RCS	1065		7,036.00
101-1230-413.21-25	11/01/2008	OCTOBER 2008	09CTOFIBN04	090402 05/2009 53.00
101-3010-421.21-25	11/01/2008	OCTOBER 2008	09CTOFIBN04	090402 05/2009 2,325.50
101-3020-422.21-25	11/01/2008	OCTOBER 2008	09CTOFIBN04	090402 05/2009 344.50
101-3030-423.20-06	11/01/2008	OCTOBER 2008	09CTOFIBN04	090402 05/2009 874.50
101-1230-413.21-25	12/01/2008	NOVEMBER 2008	09CTOFIBN05	090402 03/2009 53.00
101-3010-421.21-25	12/01/2008	NOVEMBER 2008	09CTOFIBN05	090402 03/2009 2,325.50
101-3020-422.21-25	12/01/2008	NOVEMBER 2008	09CTOFIBN05	090402 03/2009 344.50
101-3030-423.20-06	12/01/2008	NOVEMBER 2008	09CTOFIBN05	090402 03/2009 715.50
12/04/2008 67721	COUNTY RECORDER	1818		50.00
101-0000-221.01-02	12/01/2008	933 SEACOAST DRIVE	MF 974	06/2009 50.00
12/04/2008 67722	D.A.R. CONTRACTORS	1122		347.00
101-3050-425.20-06	11/03/2008	OCTOBER 2008	0010059	090401 05/2009 347.00
12/04/2008 67723	DESIGNER BOTANICALS	1792		3,251.09
408-1920-519.20-06	11/26/2008	VERIZON RDA LNDSCP PROJ	2279	090415 05/2009 3,251.09
12/04/2008 67724	EAGLE NEWSPAPER	1204		650.26
101-1020-411.28-07	10/01/2008	LEGAL ADVERTISING	44602	090434 04/2009 221.26
101-1920-419.28-07	10/01/2008	DISPLAY ADS/SPRT PK-EXPO	44602	090554 04/2009 429.00
12/04/2008 67725	EDAW, INC	1804		19,686.94
405-1260-513.20-06	11/17/2008	OCT 08 MIXED USE ZONING	1457019	080317 05/2009 19,686.94
12/04/2008 67726	FABULOUS INVESTMENTS	4		1,167.00
101-0000-221.01-05	11/26/2008	BOND REFUND	TEP 08-36	06/2009 1,167.00
12/04/2008 67727	FLO-GROVE LLC	4		6,125.00
101-0000-221.01-05	11/25/2008	BOND REFUND	TEP 08-29	06/2009 6,125.00

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR	TRN AMOUNT
12/04/2008	67728	FLO-SYSTEMS, INC.	946	1,920.77	
601-5060-436.28-01	11/13/2008	WEMCO PUMP	F10133-8D526	090432 05/2009	1,920.77
12/04/2008	67729	GO-STAFF, INC.	2031	1,057.50	
101-3020-422.21-01	11/18/2008	ROCHER, J W/E 11/15/2008	57723	090520 05/2009	210.00
101-3020-422.21-01	11/25/2008	ROCHER, J W/E 11/22/2008	57910	090520 05/2009	270.00
101-3020-422.21-01	12/02/2008	ROCHER, J W/E 11/29/08	58087	090520 06/2009	307.50
101-3020-422.21-01	11/11/2008	ROCHER, J W/E 11/08/2008	57530	090520 05/2009	270.00
12/04/2008	67730	GRAINGER	1051	404.70	
101-1910-419.30-02	11/10/2008	LAMP	9776510936	090071 05/2009	144.68
601-5060-436.30-02	11/13/2008	PROTECTIVE GLOVES	9779733931	090071 05/2009	90.04
101-6020-452.30-02	11/25/2008	GLOVES/FUSES/SANITIZER	9788547850	090071 05/2009	144.35
101-6040-454.30-02	10/30/2008	UTILITY HINGE	9768491475	090071 04/2009	25.63
12/04/2008	67731	HANSON AGGREGATES INC.	48	2,225.96	
101-5010-431.30-02	11/17/2008	CONCRETE	474350	090015 05/2009	1,109.23
101-5010-431.30-02	10/30/2008	CONCRETE MIX	473665	090015 04/2009	1,116.73
12/04/2008	67732	JAMES BOYCHUCK	4	2,325.00	
101-0000-221.01-05	11/24/2008	BOND REFUND	TEP 08-37	06/2009	2,325.00
12/04/2008	67733	JOANNE NORDEN	2047	473.85	
101-6030-453.28-06	11/09/2008	REIMBURSE MILEAGE	11-09-2008	05/2009	473.85
12/04/2008	67734	MASON'S SAW & LAWMOWER	923	59.51	
501-1921-419.28-16	11/21/2008	SWITCH-PTO	149991	090051 05/2009	59.51
12/04/2008	67735	MICHAEL FRANCIS	1515	67.00	
101-3030-423.28-04	11/19/2008	REIMBURSE -EMT RECERT	395929	06/2009	17.00
101-3030-423.28-04	11/11/2008	REIMBURSE - LIVESCAN FEES	1081	06/2009	50.00
12/04/2008	67736	MICHAL PIASECKI CONSULTING	1795	3,645.00	
101-1210-413.20-06	11/02/2008	OCTOBER 08 GASB 34 SUPPOR	76	090068 05/2009	3,600.00
601-5050-436.20-06	12/01/2008	NOV 08 ENVIRONMENTAL	80	090068 06/2009	45.00
12/04/2008	67737	MOFFATT & NICHOL	1995	1,830.20	
405-1260-413.20-06	11/26/2008	09/28/08-10/25/08	46665	090326 05/2009	1,830.20
12/04/2008	67738	NEXTEL OF CALIFORNIA	1465	1,121.93	
101-3070-427.27-05	11/29/2008	10/26/08-11/25/08	896132755-016	05/2009	36.44
101-1010-411.27-05	11/29/2008	10/26/08-11/25/08	896132755-016	05/2009	64.90
101-5020-432.27-05	11/29/2008	10/26/08-11/25/08	896132755-016	05/2009	267.13
101-5020-432.21-25	11/29/2008	10/26/08-11/25/08	896132755-016	05/2009	656.11
101-3020-422.27-05	11/29/2008	10/26/08-11/25/08	896132755-016	05/2009	97.35
12/04/2008	67739	PADRE JANITORIAL SUPPLIES	1430	705.59	
101-6040-454.30-02	11/14/2008	LEMON STRIKE DIS	280390-1	090088 05/2009	64.65
101-6040-454.30-02	11/21/2008	CLEANING SUPPLIES	280935	090088 05/2009	48.62

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-1910-419.30-02	11/25/2008	JANITORIAL SUPPLIES	280913	090088 05/2009 564.65
101-6040-454.30-02	11/25/2008	HD BOWL CLNR	280935-1	090088 05/2009 27.67
12/04/2008	67740	PARTNERSHIP WITH INDUSTRY	1302	
101-6040-454.21-04	11/19/2008	PERIOD ENDING 11/15/2008	SBG01422	090086 05/2009 1,099.02
12/04/2008	67741	PITNEY BOWES INC(INVOICE PAYME	271	
101-1920-419.25-02	12/03/2008	JAN 09 - MAR 09 PSD RENTA	325064	090511 06/2009 206.88
12/04/2008	67742	PMI	23	
501-1921-419.30-02	11/19/2008	SAFETY GLOVES	0155877	090058 05/2009 204.85
101-6040-454.30-02	11/04/2008	DIAMOND GRIP LARGE	0154290	090058 05/2009 183.43
12/04/2008	67743	RBF CONSULTING	1756	
405-1260-513.20-06	10/31/2008	SEPT 08-PW YARD IMPRVMENTS	8090822	070418 04/2009 240.00
12/04/2008	67744	RICHARD HIDALGO	1462	
101-3030-423.30-02	10/16/2008	CA SLSA MEETING-HIDALGO /	869631	06/2009 100.00
12/04/2008	67745	ROBERT STABENOW	199	
101-3030-423.28-12	11/13/2008	USLA MEMBERSHIP/STABENOW	97	06/2009 50.00
12/04/2008	67746	RZ PURE WATER	1	
101-3030-423.30-02	09/15/2008	BOTTLED WATER	09-15-2008	06/2009 212.50
12/04/2008	67747	SAFTEY KLEEN SYSTEMS	246	
501-1921-419.29-04	11/25/2008	BRAKE CLEANER	0037804125	090059 05/2009 247.61
12/04/2008	67748	SKS INC.	412	
501-1921-419.28-15	11/20/2008	1,042.5G REG/99.5G DIESEL	1223144-IN	090063 05/2009 2,210.42
501-1921-419.28-15	11/06/2008	1,250 GALLONS FUEL	1222844-IN	090063 05/2009 3,012.12
501-1921-419.28-15	11/13/2008	977 GAL REG/300 GAL DIESE	1222969-IN	090063 05/2009 2,772.38
501-1921-419.28-15	11/26/2008	900 GAL REG FUEL	1223265-IN	090063 05/2009 1,521.41
12/04/2008	67749	SWC - CROWN COVE AQUATIC CENTE	1595	
101-3020-422.20-06	11/03/2008	HCP CARD PROCESSING	CCAC110108	090447 05/2009 15.00
12/04/2008	67750	SPRINT	2040	
101-1020-411.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 487.63
101-1230-413.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 72.56
101-3020-422.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 76.05
101-3020-422.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 72.57
101-3020-422.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 72.76
503-1923-419.30-02	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 119.51
101-5020-432.27-05	11/29/2008	11/26/08-11/25/08	527638813-012	05/2009 74.18
12/04/2008	67751	SPRINT	2040	
101-3020-422.27-05	11/29/2008	11/26/08-11/25/08 MDC CRD	594768811-012	05/2009 145.16
12/04/2008	67752	UNDERGROUND SERVICE ALERT OF	731	
601-5060-436.21-04	12/01/2008	NOVEMBER 2008	1120080302	090011 06/2009 25.50

PREPARED 12/09/2008, 16:58:48
PROGRAM: GM350L
CITY OF IMPERIAL BEACH

A/P CHECKS BY PERIOD AND YEAR
FROM 11/20/2008 TO 12/04/2008

PAGE 16
BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
12/04/2008	67753	VISUAL ASYLUM	1757			2,500.00
408-1920-519.20-06	10/15/2008	IB PALM FLYER & SIGN DESI	08-139-T	090625	04/2009	2,500.00
12/04/2008	67754	WAXIE SANITARY SUPPLY	802			106.46
601-5060-436.30-02	11/19/2008	FLOOR/RUBBER SQUEEGEE	70976547	090060	05/2009	106.46
DATE RANGE TOTAL *						957,145.17 *



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: JACQUELINE M. HALD, CITY CLERK

SUBJECT: ROTATION OF MAYOR PRO TEMPORE DUTIES

BACKGROUND:

Imperial Beach Municipal Code 2.10.010 states the City Council shall, at the next meeting after the first meeting in December, choose one of its members as Mayor Pro Tempore. The Mayor Pro Tempore shall serve on a rotating basis as provided in Council Policy 112. Councilmember Lorie Bragg is next in line to serve in this position pursuant to the policy.

DISCUSSION:

If the Mayor is absent or unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act. The Mayor Pro Tempore has all of the powers and duties of the Mayor (Imperial Beach Municipal Code Section 2.10.020).

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Not a project as defined by CEQA.

FISCAL IMPACT:

None.

DEPARTMENT RECOMMENDATION:

Appoint Councilmember Lorie Bragg as Mayor Pro Tempore for a one-year period pursuant to rotational requirements and be seated at the first Council meeting in January pursuant to requirements as stated under Council Policy No. 112.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. I.B.M.C. 2.10.010 and 2.10.020
2. City Council Policy No. 112

Imperial Beach Municipal Code[Up](#) [Previous](#) [Next](#) [Main](#) [Collapse](#) [Search](#) [Print](#) [No Frames](#)[Title 2. ADMINISTRATION AND PERSONNEL](#)**Chapter 2.10. MAYOR PRO TEMPORE**

2.10.010. Selection of Mayor pro tempore—Term.

The City Council shall, at the next meeting after the first meeting in December, choose one of its members as Mayor pro tempore. The Mayor pro tempore shall serve on a rotating basis as provided in City Council policy, or until the expiration of the normal term as set forth in this title. (Ord. 829 (part), 1990)

2.10.020. Duties of Mayor pro tempore.

If the Mayor is absent or unable to act, the Mayor pro tempore shall serve until the Mayor returns or is able to act. The Mayor pro tempore has all of the powers and duties of the Mayor. (Ord. 829 (part), 1990)

**CITY OF IMPERIAL BEACH
COUNCIL POLICY**

SUBJECT:	POLICY NUMBER	EFFECTIVE DATE	PAGE
Rotation of Mayor Pro Tempore Duties	112	3/4/92	1 of 1

ADOPTED BY: Resolution 92-4085 **DATED:** March 4, 1992

On March 4, 1992, the City Council resolved to establish the following policy:

1. The mayor pro tempore will be selected, and have the powers and duties, as specified in Section 2.10 of the Imperial Beach Municipal Code.
2. The mayor pro tempore will be seated at the first council meeting in January.
3. The mayor pro tempore shall serve on a rotating basis so that each councilmember serves one (1) year as mayor pro tempore during his/her four (4) year term.
4. The councilmember chosen to be mayor pro tempore each year will be the councilmember on the top of the rotation list, which will be established and maintained as follows:
 - a. After each election, the rotation list will be established as follows (in line to serve as mayor pro tempore from top to bottom):
 - (1) Current councilmember (One who has not served as mayor pro tempore).
 - (2) Councilmember Elect (One with most votes from previous election).
 - (3) Councilmember Elect.
 - (4) Current councilmember (One who just completed one (1) year as mayor pro tempore).
 - b. After a councilmember serves one (1) year as mayor pro tempore, he/she will go to the bottom of the list and the others will move up one (1) spot.
 - c. Newly elected/re-elected councilmembers will be placed on the list, after the current councilmember who has not served as mayor pro tempore, in order of votes received.



**STAFF REPORT
IMPERIAL BEACH REDEVELOPMENT AGENCY**

TO: CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: GARY BROWN, EXECUTIVE DIRECTOR

MEETING DATE: DECEMBER 17, 2008

ORIGINATING DEPT.: PUBLIC WORKS *HAL*

SUBJECT: RESOLUTION APPROVING STREET IMPROVEMENTS, RDA PHASE 3 (CIP S04-108) CHANGE ORDER NO. 3 WITH NASLAND ENGINEERING

BACKGROUND:

On September 17, 2008, City Council adopted resolution no. R-08-158 awarding change order no. 2 to Nasland Engineering, Street Improvements, RDA Phase 3 for a new Professional Services Agreement price of \$287,279.50. This change order was to enable the division of the Street Improvements, RDA Phase 3 into two segments – Street Improvements, RDA Phase 3A and Street Improvements, RDA Phase 3B. On November 19, 2008, City Council awarded Street Improvements, RDA Phase 3A construction contract to Sim J. Harris, Inc. at a contract price of \$945,000.02.

DISCUSSION:

In the initial award of the Nasland Engineering Professional Services Agreement, the scope of work purposely did not include construction staking costs. These services include: to perform calculations and supervision and to provide construction staking for the project including one set for stakes for site control, saw-cutting, storm drain pipe and inlets, curbs locations at 25' on center on Silverstrand Blvd. and Seacoast Drive, driveways, cross gutters, and pedestrian ramps. Nasland Engineering has submitted change order no. 3 to provide for these services at a cost of \$17,500. Staff finds that the cost for this service to be consistent with the services provided.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA. This project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302©: Replacement or Reconstruction of Existing Utility Systems and Facilities.

FISCAL IMPACT:

Adopted Budget for both Street Improvements RDA Phase 3A and Street Improvements RDA Phase 3B:

Gas Tax	\$ 34,936
RDA Bond (non-housing)	\$1,979,000
RDA Tax Increment (non-housing)	\$ 397,178
Metropolitan Transit Development Board Transportation Development Act	\$ 83,000
Prop 1B	\$ 445,680
TOTAL	\$2,939,794

Expenditures / Obligations as of December 2008 for both Street Improvements RDA Phase 3A and Street Improvements RDA Phase 3B:

Nasland Engineering Contract with Change 3	\$304,779.50
• Original contract	\$246,162.00
• Change Order No. 1	\$ 4,507.50
• Change Order No. 2	\$ 36,610.00
• Change Order No. 3	\$ 17,500.00
City Expenses	\$ 41,000.00
TOTAL	\$ 345,779.50

Expenditures / Obligations with the award of the contract to the lowest responsive bidder:

Nasland Engineering + City Expenses	\$ 345,799.50
Sim J. Harris, Inc.	\$ 945,000.02
Total Expenses & Obligations	\$1,290,799.52

Award of change order no. 3 to Nasland Engineering will leave \$1,648,994.48 remaining for Street Improvement RDA CIP Phase 3B. Staff believes the remaining funds are sufficient to complete Street Improvements RDA CIP Phase 3B when advertised in the future.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Adopt attached resolution approving Change Order No. 3 with Nasland Engineering and authorizing the City Manager to sign the change order for the additional \$17,500 for Staking Services.

EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, Executive Director

Attachments:

1. Resolution No. R-08-165

RESOLUTION NO. R-08-165

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING STREET IMPROVEMENTS, RDA PHASE 3 (CIP S04-108) CHANGE ORDER NO. 3 WITH NASLAND ENGINEERING

WHEREAS, on September 17, 2008, City Council adopted resolution no. R-08-158 awarding change order no. 2 to Nasland Engineering, Street Improvements, RDA Phase 3 for a new Professional Services Agreement price of \$287,279.50; and

WHEREAS, change order no. 2 was to enable the division of the Street Improvements, RDA Phase 3 into two segments – Street Improvements, RDA Phase 3A and Street Improvements, RDA Phase 3B; and

WHEREAS, on November 19, 2008, City Council awarded Street Improvements, RDA Phase 3A construction contract to Sim J. Harris, Inc. at a contract price of \$945,000.02; and

WHEREAS, in the initial award of the Nasland Engineering Professional Services Agreement, the scope of work purposely did not include construction staking costs; and

WHEREAS, these services include: to perform calculations and supervision and to provide construction staking for the project including one set for stakes for site control, saw-cutting, storm drain pipe and inlets, curbs locations at 25' on center on Silverstrand Blvd. and Seacoast Drive, driveways, cross gutters, and pedestrian ramps; and

WHEREAS, Nasland Engineering has submitted change order no. 3 to provide for these services at a cost of \$17,500; and

WHEREAS, staff finds that the cost for this service to be consistent with the services provided; and

WHEREAS, there are sufficient funds available within the adopted budget to cover change order no. 3.

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

1. The above recitals are true and correct.
2. Change Order No. 3 to the Nasland Engineering Professional Services Agreement for Street Improvements RDA Phase 3 is approved.
3. The City Manager is authorized and directed to sign Change Order No. 3 approving the additional work in the Change Order.

PASSED, APPROVED, AND ADOPTED by the Redevelopment Agency of the City of Imperial Beach at its meeting held on the 17th day of December 2008, by the following roll call vote:

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

JAMES C. JANNEY
CHAIRPERSON

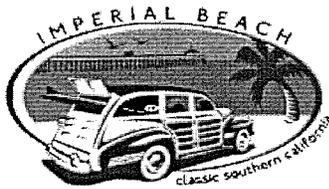
ATTEST:

JACQUELINE M. HALD, CMC
SECRETARY

I, Secretary of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. R-08-165 – A Resolution of the Redevelopment Agency of the City of Imperial Beach, California, Approving Street Improvements, RAD Phase 3 (CIP S04-108) Change Order No. 3 With Nasland Engineering

CITY CLERK

DATE



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: DECEMBER 17, 2008

ORIGINATING DEPT.: TOM RITTER, ASSISTANT CITY MANAGER *TR*

SUBJECT: ADOPT RESOLUTION NO. 2008-6704 AMENDING THE FY 2008-09 BUDGET TO ADD AN ADDITIONAL PART-TIME RESIDENTIAL FIRE/SAFETY INSPECTOR AND DESIGNATE \$10,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE

BACKGROUND:

It is the responsibility of the City Manager to recommend to the Council revisions to the City's Classification and Salary Schedule as necessitated for the efficient and effective operation of the City.

In 2005 the City adopted a \$50.00 annual fee to conduct fire/safety inspections of all single family and multi-family rental units in the City. Within the last year the City has made a concerted effort to bring all unlicensed rental units into compliance. This has resulted in the City nearly doubling the number of single family rental properties to inspect since April of 2008, which currently stands at 870 single family units. We expect this number to continue to increase as the City brings all non-owner occupied units into compliance with the municipal code requirement for all businesses in the City to obtain a business license. Staff estimates there will be over 1,600 single family rental units to inspect each year when all the units in the City are brought into compliance with the municipal code.

DISCUSSION:

The City currently employs one part-time Fire Safety Inspector II (that oversees commercial inspections) and one part-time Residential Fire Safety Inspector that conducts residential and multi-family inspections. Due to the dramatic increase in the number of residential inspections required each year staff is recommending that an additional part-time Residential Fire Safety Inspector be hired at this time. The cost of this additional part-time position will be covered by the fire/safety inspection fee that will be paid by those units being brought into compliance and paying the appropriate fire inspection fees.

In the future the City may need to increase the Residential Fire Safety Inspector staff even further if our estimates as to the total number of properties that will be brought into compliance over the next year holds true. Currently, part-time Residential Fire Safety Inspectors earn from \$17.01 - \$21.71 per hour with no benefits. Because this additional position only needs to be budgeted for the remaining six months of FY 08-09, an additional \$10,000 should be sufficient until the next two year budget is adopted.

ENVIRONMENTAL IMPACT

None.

FISCAL IMPACT:

\$10,000 to be allocated from undesignated reserves will be offset by additional revenue collected from fire inspection fees.

DEPARTMENT RECOMMENDATION:

Adopt Resolution No. 2008-6704 amending the FY 2008-09 budget to add an additional part-time Residential Fire/Safety Inspector and designate \$10,000 from undesignated reserves for this purpose.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6704

RESOLUTION NO. 2008-6704

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AMENDING THE FY 2008-09 BUDGET TO ADD AN ADDITIONAL PART-TIME RESIDENTIAL FIRE/SAFETY INSPECTOR AND DESIGNATE \$10,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE

WHEREAS, it is the responsibility of the City Manager to recommend to the City Council revisions to the budget as necessitated for the efficient and effective operation of the City; and

WHEREAS, the City has made a concerted effort to bring unlicensed single family rental units into compliance with the municipal code, nearly doubling the number of single family rental properties to inspect since April of 2008; and

WHEREAS, the City expects the current 870 licensed single family units to increase to approximately 1,600 over the next year, requiring the services of an additional part-time Residential Fire Safety Inspector.

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

1. That the above recitations are true and correct.
2. That the City Council hereby approves Resolution 2008-6704 amending the FY 2008-09 budget to add an additional part-time Residential Fire/Safety Inspector and designate \$10,000 from undesignated reserves for this purpose.
3. That the City Council authorizes amending the 2006/2007 budget as follows:

	<u>Budget Code</u>	<u>Department Description</u>	<u>Amount</u>
Transfer from:	101-0000-253-00-00	General Fund Balance	\$10,000
Transfer to:	101-3020-422-10-02	Fire – Salaries part-time	\$10,000

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of December 2008, by the following roll call vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD
CITY CLERK



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: PUBLIC SAFETY
SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A SIDE LETTER AGREEMENT WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF GENERAL SERVICES FOR INCREASED FOOTPRINT

BACKGROUND:

The City of Imperial Beach leases the Imperial Beach Police Station building and adjacent lot area, including parking, to the San Diego County Sheriff's Department. In 2006 the County installed new modular trailers for use by the Sheriff's station employees. The new trailers occupy additional square footage increasing the footprint 952 square feet to 4,488. The police station building office space is 2,857 square feet for a new total square footage of 7,345.

DISCUSSION:

The City has concluded negotiations with the County of San Diego Department of General Services - Real Estate Services Division and has agreed to pay an additional \$264.66 per month. This amount is calculated at \$0.278 per square foot at 952 sf.

ENVIRONMENTAL IMPACT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The County currently pays the City \$1,778 per month. The new total rent will be \$2,042.66 per month. The recalculated rent is effective from September 1, 2008.

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2008-6705 and approve a side letter agreement with the County of San Diego Department of General Services.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

A handwritten signature in black ink, appearing to read "Gary Brown", is written over a solid horizontal line.

Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6705
2. Letter from the County of San Diego Department General Services

RESOLUTION NO. 2008-6705

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A SIDE LETTER AGREEMENT WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF GENERAL SERVICES FOR INCREASED FOOTPRINT

WHEREAS, the City of Imperial Beach leases the Imperial Beach Police Station building and adjacent lot area, including parking, to the San Diego County Sheriff's Department; and

WHEREAS, in 2008 the County installed new modular trailers for use by the Sheriff's station employees; and

WHEREAS, the new trailers occupy additional square footage increasing the trailers' footprint 952 square feet from 3,536 to 4,488; and

WHEREAS, the City has concluded negotiations with the County of San Diego Department of General Services - Real Estate Services Division that has agreed to pay an additional \$264.66 per month; and

WHEREAS, the City is satisfied with this agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach that the City Manager is hereby authorized to enter into a side letter agreement (attached as "Exhibit A"), with the County of San Diego Department of General Services for an increased area occupied by trailers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 17th day of December 2008 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. 2008-6705 – A Resolution of the City Council of the City of Imperial Beach, California, APPROVING A SIDE LETTER AGREEMENT WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF GENERAL SERVICES FOR INCREASED FOOTPRINT.

CITY CLERK

DATE



County of San Diego

APRIL F. HEINZE, P.E.
Director
(858) 694-2527
FAX (858) 694-8929

DEPARTMENT OF GENERAL SERVICES

5555 OVERLAND AVE., STE. 2240, SAN DIEGO, CA 92123-1294

FACILITIES OPERATIONS
(858) 694-3610
FLEET MANAGEMENT
(858) 694-2876
MAIL SERVICES
(858) 694-3018
PROJECT MANAGEMENT
(858) 694-2040
REAL ESTATE SERVICES
(858) 694-2291

December 10, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Gary Brown, City Manager
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

SHERIFF, IMPERIAL BEACH STATION – 825 IMPERIAL BEACH BOULEVARD,
IMPERIAL BEACH; COUNTY CONTRACT NO. 33457-E

Dear Mr. Brown:

In August 2008, Real Estate Services Division recalculated the land area occupied by five Sheriff office trailers at the above-referenced location. The recalculated land area is approximately 4,488 square feet, an increase of 952 square feet, stated in the lease agreement.

The City of Imperial Beach and the County have agreed to increase the monthly rent by \$264.66 (\$0.278 x 952 square feet per month) to compensate for the increased area. This rental rate increase shall be effective as of September 1, 2008. Your rent check for January 2009 will include the back rent for the 2008 annual increase effective April 1, 2008, and the recalculated rent effective September 1, 2008.

Please indicate your approval with the understanding by signing this letter as indicated on the second page and returning it to Mr. Fipp at the following address:

**Mr. Robert J. Fipp, Project Manager
Real Estate Services Division
5555 Overland Avenue, Bldg. 2, Suite 2110
San Diego, CA 92123**

Mr. Gary Brown, City Manager
December 10, 2008
Page 2

Should you need to discuss this matter further, please call Robert Fipp, Project Manager,
Real Estate Services, at (858) 694-2314.

Sincerely,


JOHN CROSS, Deputy Director
Real Estate Services Division

JK:rjf:rlk

APPROVED:

By: _____
GARY BROWN, City Manager
City of Imperial Beach

Date: _____



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER
MEETING DATE: December 17, 2008
ORIGINATING DEPT.: CITY ATTORNEY
SUBJECT: Ordinance No. 2008-1075 Making Clarifying Changes to Title 2 of the Imperial Beach Municipal Code

BACKGROUND:

As part of the clean up of the City Code, the City Clerk and the City Attorney are periodically forwarding changes to the Municipal Code. These changes are clean up measures in Title 2 of the Municipal Code.

DISCUSSION:

The attached Ordinance is a general clean up measure intended to make changes in Title 2. These changes are recommended to bring the Title up to date on the current structure of Imperial Beach administrative practice and to clarify various provisions.

City Council conducted the first reading at the City Council meeting of December 3, 2008.

City Manager:

Under Chapter 2.04, this ordinance makes clarifying changes to provisions for the office of City Manager. The amendments are clarifications to make clear that the City Manager position is subject to the general laws of the State of California and the Municipal Code. Under Section 2.04.050 the City Council may designate a qualified person to assume the functions of the City Manager. In the absence of a City Council designation, the City Manager may designate the Assistant City Manager or a Department Head to assume his/her duties during a temporary absence. However, in the absence of any designation, the Assistant City Manager will assume the duties of the City Manager during any temporary absence.

Section 2.04.020 of this ordinance clarifies that residency within the City at the time of appointment is not required as a condition of employment, nor is residency a requirement for continued employment.

Under Section 2.04.06(5), the City Manager is required to attend all meetings of the City Council, or in his absence, to appoint a designee to attend in his place. The exception to this would be should his/her removal from office be under consideration by the Council, in which case the Ralph M. Brown Act controls attendance.

Section 2.04.060(13) is amended to reflect devotion of work time duties to the City.

Section 2.04.060(17) adds Council adopted administrative policy to other duties.

Mayor's Duties:

Two changes are made to Chapter 2.08 regarding the duties of the Mayor. First, a subsection is removed which allows the Mayor to supervise personnel. Under the Council/Manager form of government, the supervision of City personnel falls under the City Manager's authority. Second, it is clarified that the Mayor's position is a part-time position, not a full-time position.

Commissions, Boards and Committees:

Under Section 2.18.020, the staggered terms of the offices of commissioners is removed. This section was fully implemented at the end of 1998. Chapter 2.20 is also modified to change the title from "City Commissions" to "Commissions, Boards and Committees" to better reflect the application of the chapter. This chapter is clarified to add boards and standing committees in a manner that is consistent with the Ralph M. Brown Act. Also, certain procedural aspects regarding the recording of minutes and noticing requirements pursuant to the Ralph M. Brown Act are clarified to make them consistent with current City practice.

The Parks and Recreation Commission chapter is also repealed. Currently, the City does not have a Parks and Recreation Commission.

Council Procedures:

Under Section 7, the provisions regarding the Mayor's allotment of time to individual speakers is modified consistent with Council direction given at its meeting of August 6, 2008. This additional language states as follows:

The Mayor's allotment of time to any speaker may be increased or decreased by a majority vote of the quorum.

This change implements current practice and is meant to clarify Section 2.12.150(A)(10).

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:

None.

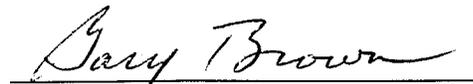
DEPARTMENT RECOMMENDATION:

City Attorney recommends the Mayor and City Council:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1075, an Ordinance of the City Council of the City of Imperial Beach, California, making certain clarifying changes to Title 2 of the Imperial Beach Municipal Code.
3. City Clerk to read Ordinance No. 2008-1075; and
4. Motion to dispense the second reading and adopt Ordinance No. 2008-1075 by title only.

CITY MANAGER RECOMMENDATION:

To approve City Attorney's Recommendation.



Gary Brown, City Manager

Attachments:

1. Ordinance No. 2008-1075, an Ordinance of the City Council of the City of Imperial Beach, California making certain clarifying changes to Title 2 of the Imperial Beach Municipal Code.

ORDINANCE NO. 2008-1075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA MAKING CERTAIN CLARIFYING CHANGES TO TITLE 2 OF THE IMPERIAL BEACH MUNICIPAL CODE

WHEREAS, Title 2 of the Imperial Beach Municipal Code contains references that are out of date to Commissions that are no longer in existence (Parks & Recreation and Youth Commissions); and

WHEREAS, the City Council desires to clarify the code by deleting the references to now-defunct Commissions; and

WHEREAS, provisions relating to the Mayor, City Manager, Commission appointment schedules are either out dated or in need of clarification.

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

SECTION 1: Chapter 2.04 (City Manager) is hereby amended to read as follows:

2.04.010. Office created--Appointment.

The office of the city manager is created and established under the laws of the State of California for general law cities and the requirements of this municipal code. The city manager shall be appointed by the city council solely on the basis of his executive and administrative qualifications and ability and shall hold office for and during the pleasure of the city council.

2.04.020. Residency.

Residence in the city at the time of appointment shall not be required as a condition of appointment. Residency in the city shall not be a condition for continued employment.

2.04.030. Eligibility of former councilmembers.

No person elected as a councilmember of the city shall, subsequent to such election, be eligible for appointment as a city manager until after one year has elapsed since such council member has ceased to be a member of the city council.

2.04.040. Bond.

The city manager shall furnish a corporate surety bond, to be approved by the city council in such sum as may be determined by the city council, and which shall be conditioned on a faithful performance of the duties imposed upon the city manager as

prescribed in this chapter. Any premium for such bond shall be a proper charge against the city.

2.04.050. Absence--Performance of duties.

In the case of an extended absence or disability of the city manager, the city council may designate some duly qualified person to perform the duties of the city manager during the period of absence or disability of the city manager, subject, however, to such person furnishing a corporate surety bond conditioned on a faithful performance of the duties required to be performed as set forth in Section 2.04.040. In the absence of a City Council designation, the City Manager may also designate the Assistant City Manager or a Department Head to perform the duties of the City Manager during a temporary absence. In the absence of any designation, the Assistant City Manager shall assume the duties of the office for the period of the City Manager's absence or inability to perform the duties of the office.

2.04.060. Powers and duties.

A. The city manager shall be the administrative head of the city government under the policy direction and control of the city council, except as otherwise provided in this chapter. He/she shall be responsible for the efficient administration of all the affairs of the city, which are under his/her control.

B. In addition to his general powers as administrative head, and not as a limitation thereon, it shall be his/her duty and he/she shall have the following powers:

1. Enforcement of Laws. To see that the laws of the state pertaining to the city and all laws and ordinances of the city are duly enforced and that all franchises, permits and privileges granted by the city are faithfully observed;
2. Personnel Administration. To control, order and give directions to all heads of departments and to subordinate officers and employees of the city under his/her jurisdiction, except the city attorney;
3. Officer and Employee Promotion and Demotion. To appoint, remove, promote and demote any and all officers and employees of the city except the city attorney;
4. Departments and Divisions Supervision. To exercise control over and supervise in general all departments and divisions of the city government and all appointive officers and employees thereof, including the city clerk and the city treasurer, but not including the city attorney;
5. Council Meeting Attendance. To attend all gatherings of the city council or to appoint a designee to attend in his or her stead, except when his/her removal is under consideration by the city council, whereby the Ralph M. Brown Act shall govern attendance;

6. Legislation. To recommend to the city council for adoption such measures and ordinances as he deems necessary or expedient;
7. Financial Advisement. To keep the city council at all times fully advised as to the financial conditions and needs of the city;
8. Budgeting. To prepare and submit to the city council the annual budget and to administer it after adoption;
9. Purchasing. To purchase or cause to be purchased all supplies for the departments or divisions of the city;
10. Investigations. To make investigation into the affairs of the city and any department or division thereof and any contract or the proper performance of any obligation running to the city;
11. Complaints. To investigate all complaints in relation to matters concerning the administration of the government of the city and in regard to the services maintained by public utilities in the city, and to see that all franchises, permits and privileges granted by the city are faithfully observed;
12. Supervision of Public Property. To execute general supervision over all public buildings, public parks, streets and other public property which are under the control and jurisdiction of the city council;
13. Devotion of Time. To devote his/her work time duties to the city;
14. Reports and Recommendations. To make reports and recommendations as may be desirable or as requested by the city council;
15. Civic Leadership. To provide leadership for civic movements designated to benefit residents of the city when so authorized by the city council;
16. Lien Contracts. In accordance with Section 40602 of the Government Code of the State of California, the city manager is authorized to sign lien contracts for and on behalf of the city; and
17. Other Duties. To perform such other duties and exercise such other powers as may be delegated to him/her from time to time by ordinance, resolution, council adopted administrative policy_or other action of the city council, and to hold and perform the duties thereof at the pleasure of the city council.

2.04.070. Ex officio member of boards, commissions, and committees.

The city manager shall be an ex officio member of all boards, commissions and committees appointed by the mayor and the city council pursuant to law, with a right to participate in all deliberations and actions but without a vote.

2.04.080. Cooperation with other officials.

It shall be the duty of all the subordinate officers, including the city clerk, city treasurer, and the city attorney to cooperate with and assist the city manager in administering the affairs of the city efficiently, economically and harmoniously so far as may be consistent with their duties as prescribed by law, administrative policy and ordinances of the city.

2.04.090. Relationship to council.

The City Council and its members shall deal with the administrative services of the City only through the City Manager, except for the purpose of inquiry; and neither the City Council nor any members thereof shall give orders to any subordinates of the City Manager.

2.04.100. Removal--Procedure.

A. The removal of the City Manager shall be only upon a three-member vote of the whole Council of the City. In case of his/her intended removal by the Council, the City Manager shall be furnished with a written notice stating the Council's intention to remove him/her and the reasons therefor, at least thirty days before the effective date of his/her removal.

B. Within seven days after delivery to the City Manager of such notice, he/she may by written notification to the City Clerk request a public hearing before the Council. Thereafter, the Council shall fix a time for the public hearing which shall be held at its usual meeting place, but before the expiration of the thirty-day period, and at which time the City Manager shall appear and be heard.

C. After furnishing the City Manager with written notice of intended removal, the City Council may suspend him/her from duty, but his/her compensation shall continue until his/her removal by a resolution of the Council passed subsequent to the aforesaid public hearing.

D. In removing the City Manager, the City Council shall use its uncontrolled discretion and its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing, the purpose of which is for the City Manager to publicly present to the City Council his/her grounds for opposition to removal prior to its action.

2.04.110. Removal--Limitation.

A. Notwithstanding the provisions of Section 2.04.100, the City Manager shall not be removed from office during or within the period of the longer of ninety days or the period stated in the City Manager's contract, if a period is stated, next succeeding any

general municipal election held in the City at which election a member of the City Council is elected.

B. The purpose of this provision is to allow any newly elected member to the City Council or a reorganized City Council to observe the actions and ability of the City Manager in the performance of the powers and duties of his office.

C. After the expiration of said period mentioned in 2.04.110(A), above, the provisions of Section 2.04.100 as to the removal of the City Manager shall apply and be effective.

2.04.120. Compensation.

A. The City Manager shall receive such compensation as the City Council shall from time to time determine and fix by resolution, and such compensation shall be a proper charge against such funds of the City as the City Council shall designate.

B. The City Manager shall be reimbursed for all sums necessarily incurred or paid by him in the performance of his duties, or incurred when traveling on business pertaining to the City under direction of the City Council. Reimbursement shall only be made, however, when a verified itemized claim, setting forth the sums expended for which the reimbursement is requested, is presented to the City Council and by the City Council duly approved and allowed.

SECTION 2: Section 2.08.030 shall be amended to read as follows:

2.08.030 Mayor's duties.

The Mayor, as a member of the City Council, shall perform all the functions and have all of the powers and rights of a duly elected Councilmember. In addition to those powers and duties, the Mayor shall have the power and duty:

A. To report to the City Council annually and from time to time on the affairs of the City and to recommend for its consideration such matters as he/she deems necessary;

B. To be official head of the City for all political and ceremonial purposes;

C. To assume the primary, but not the exclusive responsibility, for interpreting to the people the policies, programs and needs of the City Government and for informing the people of any major change in policy or program. The Mayor may represent the City in any and all matters involving other governmental agencies; provided, that no act, promise, commitment or agreement entered into or committed by

the Mayor shall be binding upon the City unless duly authorized or ratified by the City Council;

D. To represent the City in all regional public agencies which require an elected City Official, unless otherwise determined by the City Council;

E. To perform such other duties consistent with the office as may be prescribed by state law or delegated to the Mayor or imposed on the Mayor by the City Council if not inconsistent with state and federal law; and

F. In general, to exercise the function as Mayor of the City during the hours and times as shall be necessary to discharge the duties imposed upon the Mayor in a capacity which will be considered to be part-time.

SECTION 3: 2.18.020 (Staggered Terms of Office) is hereby repealed.

SECTION 4: Chapter 2.20 (City Commissions) shall be amended to have a new title: "Commissions, Boards and Committees."

SECTION 5: Chapter 2.20 (City Commissions) shall be further amended to read as follows:

Chapter 2.20 Commissions, Boards and Committees

2.20.010 Record of Proceedings.

All commissions, boards and standing committees of the city shall prepare minutes of all of their proceedings and, in addition, all such commission, board and standing committee proceedings shall be electronically recorded. It shall be the responsibility of each commission, board or standing committee recording secretary to assure that minutes are filed with the city clerk on the first working day after the minutes are approved by the commission, board or standing committee and to assure that all electronic recordings of commission proceedings are deposited with the city clerk on the first working day following such recording.

2.20.020 Notice of Meetings.

All commissions, boards or standing committees of the city are declared to be subject to the provisions of the Ralph M. Brown Act contained in the California Government Code or any amendments thereto. An original copy of the notice shall be filed by the City Clerk in the official records of the City.

SECTION 6: Chapter 2.32 (Recreation and Park Commission) of the Imperial Beach Municipal Code is hereby repealed.

SECTION 7: Section 2.12.150 (A)(10) is hereby amended to read as follows:

10. Time Limits. The Mayor may limit a person's speaking time to a reasonable period (typically three minutes for individuals) so that the business of the City Council is performed expeditiously and unnecessary repetition is avoided. The Mayor's allotment of time to any speaker may be increased or decreased by a majority vote of the quorum. Further time may be granted to the person addressing the City Council by the Mayor or by a majority vote of the City Council from a person or persons who are present when the speaker addresses the City Council for no more than a total of six minutes. Individuals donating their time waive their individual time to speak on the matter.

11. Additional Opportunity to Address the Council. Subject to the needs of the City Council to expeditiously perform its business and to avoid repetitive testimony, a person may be permitted by the Mayor to address the City Council more than once on any particular item. No person may address the City Council more than once on an item until all persons present and wishing to address the City Council have been provided the opportunity to do so. The Mayor may limit a person's additional speaking time and may not permit repetitive testimony from any person.

SECTION 8: This ordinance shall become effective no sooner than thirty (30) days following its passage and adoption by the City Council.

SECTION 9: The City Council of the City of Imperial Beach hereby declares that should any section, paragraph, sentence, phrase, term or word of this 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 Ordinance irrespective of any such portion declared invalid.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, held the 3rd day of December 2008; and thereafter **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 17th day of December 2008, by the following roll call vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

JIM JANNEY, MAYOR

Approved As To Form:

James P. Lough, City Attorney

ATTEST:

**JACQUELINE M. HALD
CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Ordinance No. 2008-1075 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA MAKING CERTAIN CLARIFYING CHANGES TO TITLE 2 OF THE IMPERIAL BEACH MUNICIPAL CODE

CITY CLERK

DATE



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: DECEMBER 17, 2008 *HAL*

ORIGINATING DEPT.: PUBLIC WORKS

SUBJECT: PUBLIC HEARING REGARDING FORMATION OF AN UNDERGROUND UTILITY DISTRICT – ELM AVENUE AND 7TH STREET UTILITY UNDERGROUND DISTRICT – CIP PROJECT NO. S08-901

BACKGROUND:

The Five-Year Capital Improvement Program Budget Fiscal Year 2004/2005 through Fiscal Year 2008/2009 adopted by Resolution No. 2005-6089 and as amended December 7, 2005 – Resolution No. 2005-6253 and February 6, 2008 – Resolution No. 2008-6574 - included "Utility Under Grounding Project (Elm Avenue)" - CIP S08-901. On July 16, 2008, City Council directed staff to proceed with the development of a Utility Underground District to include Elm Avenue (7th Street to 3rd Street) and 7th Street (Palm Avenue to Encina Avenue).

By Resolution No. 2008-6691 City Council provided notice and set December 17, 2008, for a public hearing to be held by the City Council, City of Imperial Beach to ascertain whether the public health, safety or welfare required the removal of overhead utilities and their installation underground along Elm Avenue (between 7th Street and 3rd Street) and 7th Street (between Palm Avenue and Encina Avenue). At such hearing all interested persons were to be given an opportunity to be heard. All affected property owners were notified of the time and place of this hearing both by individual letters of notification and by insertion of a public hearing notice in the Imperial Beach Eagle Times newspaper.

DISCUSSION:

City of Imperial Beach Municipal Code, Chapter 13.08 establishes the regulations and procedures for the removal of overhead utility facilities and the installation of underground facilities in underground utility districts. Chapter 13.08 provides that City Council may from time to time call public hearings to ascertain whether the public health, safety, or general welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City.

If after any such public hearing, the Council finds that the public health, safety, and welfare requires such removal and such underground installation within a designated area, the Council shall by resolution, declare such area an Underground Utility District and order such removal and such underground installation.

Resolution No. 2008-6691 called a public hearing for this date to determine whether the public health, safety, or general welfare requires the formation of an underground utility district – Elm Avenue and 7th Street Underground Utility District.

The proposed resolution makes the required findings and determinations pursuant to Chapter 13.08 of the Imperial Beach Municipal Code and designates the area shown in Exhibit A to the resolution as the “Elm Avenue and 7th Street Utility Underground District.”

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Expenditure of 20A Fund moneys allocated for Underground Utility Conversion Projects. The expenditures may approach \$2,000,000 and may require an advance of future allocations if the project is constructed before Fiscal Year 2012/13.

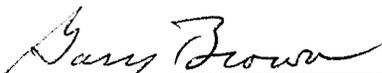
Expenditure of \$200,000 for the installation of street lighting within the district. Current CIP budget allocations is \$20,000 from Gas Tax fund. Additional street light installation and staff administration funding will be requested in the Fiscal Year 2009/2010 through Fiscal Year 2014/2015 CIP budget submission.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Conduct public hearing and hear public testimony concerning the formation of an underground utility district in Elm Avenue (between 7th Street and 3rd Street) and 7th Street (between Palm Avenue and Encina Avenue).
3. Approve and adopt the proposed resolution.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6702
2. Exhibit A to Resolution No. 2008-6702

RESOLUTION NO. 2008-6702

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ESTABLISHING THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT – ELM AVENUE AND 7TH STREET UTILITY UNDERGROUND DISTRICT – CIP PROJECT NO. S08-901

WHEREAS, by Resolution No. 2008-6691, a public hearing was called for on December 17, 2008, at the hour of 6:00 p.m. in the Council Chambers of City Hall, Imperial Beach, California, to ascertain whether the public health, safety or welfare requires the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service, within that area of the City of Imperial Beach as more particularly shown on attached Exhibit "A" entitled "Elm Avenue and 7th Street Underground Utility District," copies of which are on file in the office of the City Clerk and attached hereto and incorporated herein; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and utilities concerned in the manner and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard.

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

1. The City Council does hereby find and determine that the public health, safety and general welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antennae television or similar or associated service within the area set forth above and that pursuant to Chapter 13.08 of the Imperial Beach Municipal Code, the above described area is hereby declared to be an underground utility district in the City of Imperial Beach, and is designated as the "Elm Avenue and 7th Street Underground Utility District." Attached hereto, marked Exhibit "A", and hereby incorporated as a part of this Resolution is a map delineating the boundaries of said District.
2. The City Council further shall by subsequent resolution fix the date upon which the property in the District must be ready to receive underground service, and shall, by subsequent resolution order the removal of all poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antennae television or similar or associated service.
3. The City Clerk is hereby instructed to notify all affected utilities and all affected persons owning real property within the amended area of the "Elm Avenue and 7th Street Underground Utility District" of the adoption of this Resolution within ten (10) days after effective date of this resolution. The City Clerk shall further notify said property owners of the necessity that if they or any person occupying such property desire to continue to receive electric, communication, community antennae television or similar or associated service they shall provide at their own expense all necessary facility changes on their premises so as to receive underground service from the lines located underground of the supplying utility company subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California (as of the date of adoption of this Resolution) and subject to all other applicable requirements of State law and City Ordinances. Such notification shall be made in the manner prescribed by Chapter 13.08, Section 13.08.110 of the Imperial Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 17th day of December 2008, by the following roll call vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

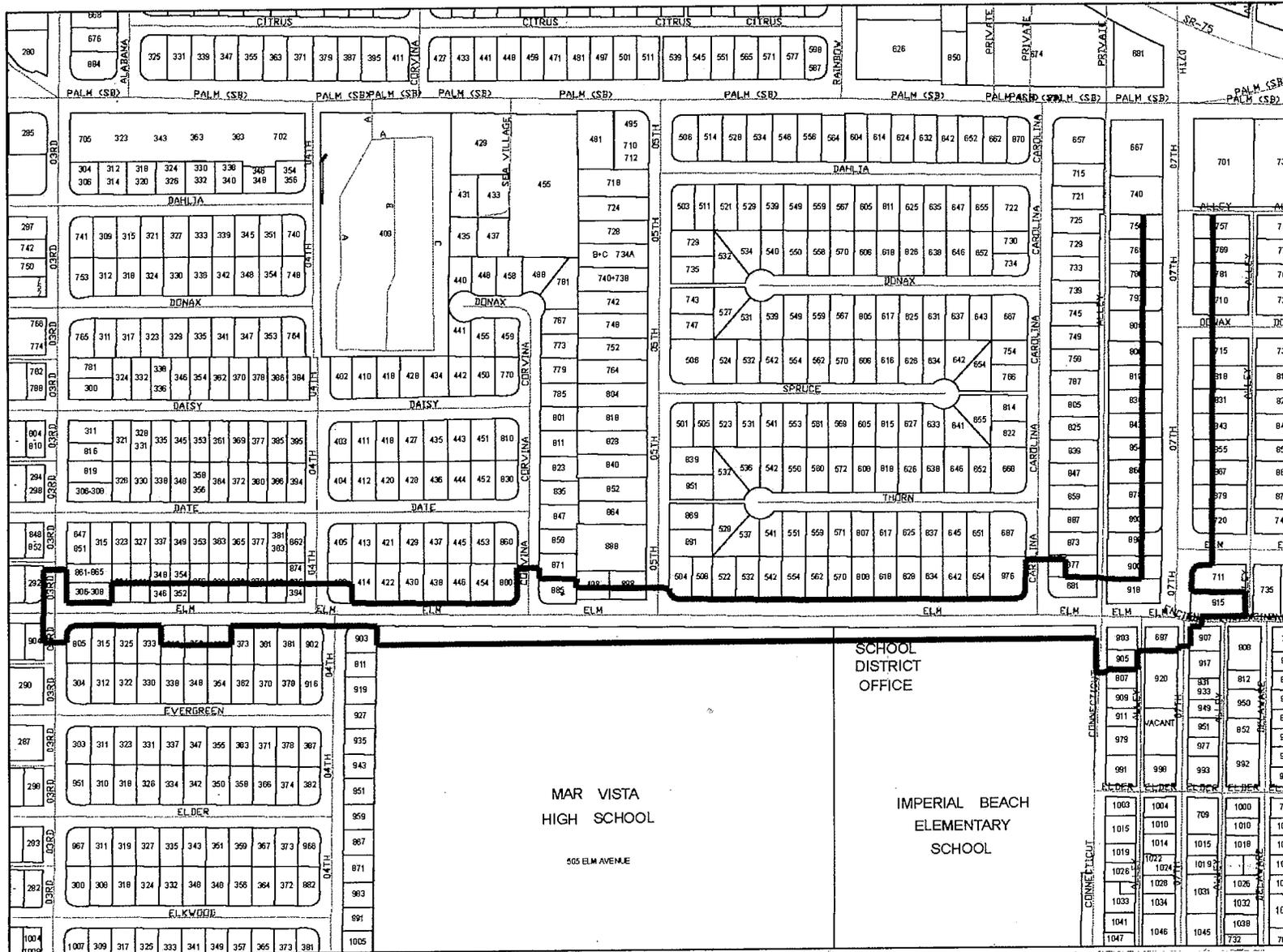
JACQUELINE M. HALD, CMC
CITY CLERK

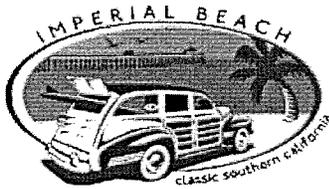
I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2008-6702 – A Resolution of the City Council of the City of Imperial Beach, California, Establishing the Formation of an Underground Utility District – Elm Avenue and 7th Street Utility Underground District – CIP Project No. S08-901

CITY CLERK

DATE

ELM AVENUE AND 7TH STREET UNDERGROUND UTILITY DISTRICT





**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: DECEMBER 17, 2008

ORIGINATING DEPT.: TOM RITTER, ASSISTANT CITY MANAGER *TR*

SUBJECT: PUBLIC HEARING FOR THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) FY 08/09 BUDGET AND ACCEPT AGREED UPON PROCEDURES REVIEW FOR FY 05-06 AND 06-07, AND ANNUAL ACTIVITIES REPORT FOR FY 05-06, 06-07 AND 07-08

BACKGROUND:

The Imperial Beach Business Improvement District was established in 1997 and collects approximately \$27,500 in annual assessments for the benefit of the District. The City collects a BID assessment of as low as \$65 per year for industrial businesses and as high as \$600 for financial institutions.

In 2005 the City Council approved revisions to the BID agreement including changing the fiscal year to September 1 through August 31 and modifying the requirement for an Audit to an "Agreed Upon Procedures" review.

The last BID budget approved by the City was for FY 05-06. Since the BID did not bring forward a budget for approval by the City for FY 06-07 and 07-08 the Agreement provides carrying forward the approved FY 05-06 budget as the default budget to continue their operations. In addition, the BID is only now submitting its "Agreed Upon Procedures Review" for FY 05-06 and 06-07, and Activity Reports for FY 05-06, 06-07, and 07-08.

DISCUSSION:

In general the BID should complete the following tasks each year:

1. Submit a budget to the City by August 1 of each year.
2. Submit an activity/progress report by August 1 of each year.
3. Submit an "Agreed Upon Procedures Review" within 120 days of the end of each fiscal year.

As noted in the attached letter from the BID these activities have not taken place or been on time the last three fiscal years. In an effort to correct these deficiencies the BID is now submitting the following for the Council's consideration:

1. Budget for FY 08-09
2. Activity reports for FY 05-06, 06-07, and 07-08.
3. "Agreed Upon Procedures Review" for FY 05-06 and 06-07 (note they have a CPA under contract to conduct the FY 07-08 Review).

The "Agreed Upon Procedures Review" notes BID expenditures of \$14,542 in FY 05-06 and \$18,440 FY 06-07, well below the budgeted amount of \$37,505. It reported no exceptions to the BID Agreement regarding cash receipts and revenues, reconciliations, and BID assessment payments made by the City and received by the BID. Under the category of disbursements and expenditures it was noted that the BID exceeded its budgeted amount of \$4,400 for the Paint the Box program by \$2,729 dollars in FY 05-06. Although this amount exceeded the BID budgeted authority for this line item the Agreement does allow up to 15% of the approved budget to be shifted at the discretion of the BID's Board of Directors. As the BID Board did not take a formal action approving this fund transfer, it was a technical violation and the Board will need to monitor its budgetary expenditures closer in the future.

In an effort to encourage timely reporting from the BID in the future, the City will withhold BID assessment payments until any outstanding reports are submitted, and formally put the BID on notice in writing when the terms of the Agreement are not being met. Representatives from the BID will be on hand to give a brief report and answer any questions the Council may have regarding the "Agreed Upon Procedures Report", Activity Reports, and FY 08-09 Budget.

ENVIRONMENTAL IMPACT

Not a project as defined by CEQA.

FISCAL IMPACT:

Minimal costs associated with the collection/disbursement of the BID assessment by the City.

DEPARTMENT RECOMMENDATION:

1. Open the Public Hearing.
2. Receive public testimony and accept the written and verbal report from the BID Board on the FY 05-06 and 06-07 Agreed Upon Procedures Review, FY 05-06, 06-07, 07-08 Activity Reports, and FY 08-09 budget as presented.
3. Close Public Hearing.
4. Accept the Agreed Upon Procedures Review and Activity Reports, and approve the BID FY 08-09 budget.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary R. Brown, City Manager

Attachments:

1. Letter from BID to City
2. FY 08-09 Proposed Budget
3. BID Activities Report for FY 05-06, 06-07, and 07-08
4. CPA Agreed Upon Procedures Review report
5. BID Administration Agreement with the City



ATTACHMENT 1

October 28, 2008

Tom Ritter
Assistant City Manager
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

Dear Mr. Ritter:

The BID is in receipt of an Agreed Upon Audit Procedures for FY 05/06 and 06/07 (attached) as required by the Agreement between the Imperial Beach Business Improvement District Association/Chamber of Commerce and the City of Imperial Beach for administration service of the Imperial Beach Business Improvement District (BID). As stated in the Agreed Upon Procedures findings, we are pleased to report all disbursements were properly accounted for and made within the terms of the agreement between the BID and the City.

However, as identified in the management letter from Nakawatase & Company several significant procedural issues need to be addressed by the BID including:

Lack of the annual activity and progress reports submitted to the City before August 1 of each year (for FY 05/06 & FY 06/07).

Lack of annual budget submitted for review and approval by the City before August 1 of each year (for FY 06/07 & FY 07/08).

A \$2,729.11 expenditure over the budgeted line item of \$4,400 in FY 05/06 for the Paint the Box program (\$4,400 budget - \$7,128.11 expenditure = \$2,729.11 overage).

To address these outstanding issues we are providing the following information for your consideration:

Activity reports for FY 05/06, 06/07, and 07/08 (see attached reports).

Per Section 3.6 of the Agreement, which states, "In the event the budget is not approved by the City by September 1, the Association activities may continue into the new fiscal year carrying forward the previous year's budget" we request that the 05/06 budget to be carried forward as the default budget for FY 06/07 and FY 07/08 considering these fiscal periods are in the past.

702 Seacoast Drive
Imperial Beach, CA 91932
Phone 619-424-3151 - Fax 619-424-3008
E-mail: ibchamber@yahoo.com www.IB-Chamber.com



Founded 1951

We recognize the expenditure for the Paint the Box program exceeded the approved budget by \$2,729.11 in FY 05/06. However, since this was a bona fide expenditure of the BID and it did not exceed 15% of the approved budget of \$37,505.00 we believe this expenditure was appropriate given Section 3.3 of the Agreement which states, "No more than fifteen (15%) of the funds identified in the approved budget may be shifted at the discretion of the Association's Board of Directors. Any changes in the budget above the fifteen (15%) amount must first be considered and approved by the City." However, since the BID Board did not take a formal action approving this excess expenditure, it was a violation and the Board will strive to take all appropriate action regarding excess budget expenditures in the future.

The BID Board recognizes the importance of complying with the Agreement between the BID and the City and to that end has arranged for Nakawatase & Company to conduct the Agreed Upon Procedures Review for FY 07/08.

Finally, please review and approve the attached budget for FY 08/09. We feel this budget complies with our responsibilities over the expenditure of BID funds for the promotion and beautification of the District.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Van Zandt".

Jack Van Zandt

President

Imperial Beach Business Improvement District

Attachments:

1. Letter from Nakawatase & Company regarding agreed upon procedures review
2. Activity listing for FY 05/06, 06/07, and 07/08
3. Proposed Budget for FY 08/09

Budget

Business Improvement District

9/1/2008 - 08/31/2009

Income	Budget	Actual	Difference (\$)	Difference (%)
BID Fees	27,500		(27,500)	0.0%
Taste of IB	2,000		(2,000)	0.0%
Grants	1,000		(1,000)	0.0%
Bizz Buzz	1,450		(1,450)	0.0%
Beginning Balance	33,195		(33,195)	0.0%
Total Income	\$ 65,145	\$0		0.0%
Expense	Budget	Actual	Difference (\$)	Difference (%)
Bank Fees	\$ 100		\$ (100)	0.0%
BID Fees			\$ -	0.0%
1/2 to IBCOC	13,750		\$ (13,750)	0.0%
General Promotions	6,000		\$ (6,000)	0.0%
Special Events Promotions	6,000		\$ (6,000)	0.0%
Improvement Projects	5,000		\$ (5,000)	0.0%
Office Supplies	500		\$ (500)	0.0%
Paint the Box/Special Proj.	3,000		\$ (3,000)	0.0%
Postage	700		\$ (700)	0.0%
Printing & Reproduction	500		\$ (500)	0.0%
Taste of Imperial Beach	2,800		\$ (2,800)	0.0%
Beautification/Special Proj	5,000		\$ (5,000)	0.0%
Website/Special Proj.	2,000		\$ (2,000)	0.0%
Reserves/Misc.	19,795		\$ (19,795)	0.0%
Total Expenses	\$65,145	\$0		0.0%
Net Income	Budget	Actual	Difference (\$)	Difference (%)
	\$0	\$0		0.0%



**Re: The Business Improvement District Activities Report for:
2005-2006 / 2006-2007 / 2007-2008**

The B.I.D. meets monthly on the first Monday at 9:00 a.m. Jack Van Zandt is our current Chair and Vice Chair Mike Osborne. The meetings are generally well attended with ten to fifteen members present. We are joined by Assistant City Manager Tom Ritter and Councilman Fred McLean. From time to time we also have members from the Redevelopment Agency join us.

We have several on going projects. Our major project at the present time is the "Paint the Box" which has been ongoing for over three years. This program pays local artists a modest fee for original artistic designs which relate to our beach community painted on public utility boxes around the commercial part of the City. The program also tracks the boxes and refreshes any paintings which become worn or defaced. At the present time we have 168 boxes numbered.

The BID sponsors the Business for Business Program which assists start up as well as long term businesses by providing information in all areas of business from obtaining a business license to zoning and sign ordinance. Travis Brazil Chairs this Committee and works along side Tom Ritter.

The BID sponsors the Annual Taste of I.B. The number of businesses participating was somewhat disappointing in 2008 due to local economic conditions, but very beneficial to those who did participate. We expect to do more advertising in 2009 to encourage growth in this event.

Recently the BID designed and printed 10,000 brochures which were distributed throughout the City and also to Military Facilities in and around the area, pointing out services available in Imperial Beach as well as places to shop, play and worship.

The BID works closely with the Chamber in production of the annual map of the City as well as the Imperial Beach Telephone Book.

We have been for several months working on completing a project at Triangle Park which will allow banners for all community and civic events to be placed in a manner which will be both informational and attractive.

The BID is supporting the potential Farmers Market and has been given a start up donation of \$2,000.

Our most recent completed project was the upgrading of the Organizational Marque at the corner of Palm Avenue and 13th Street.

We publish a b-monthly Biz Buzz Newsletter which goes out to all BID members as well as members of the Chamber of Commerce.

NAKAWATASE & COMPANY

Certified Public Accountant

923 Seacoast Drive • Imperial Beach, CA 91932-2401

(619) 423-7093 • FAX 423-8857

ATTACHMENT 4

**Chamber of Commerce
Imperial Beach Business Improvement District Association
702 Seacoast Drive
Imperial Beach, CA 91932**

October 8, 2008

We have performed the procedures described below, which were agreed to by the Imperial Beach Business Improvement District Association, a division of the Imperial Beach Chamber of Commerce (the BID) and the City of Imperial Beach (the City), solely to assist you in evaluating the complying with the agreed upon procedures for the fiscal periods ended June 30, 2006 and July 31, 2007, in the areas addressed. The BID's Board is responsible for its financial records, internal controls and compliance with the City's Agreement dated July 6, 2005. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified parties in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Cash Receipts and Revenues

- We inspected all of the recorded receipts to determine if these receipts were properly described and classified in the accounting records in accordance with the BID's policies and procedures and City's requests.
- We inspected all of the recorded receipts to determine if these receipts were recorded in the proper fiscal year.
- We made inquiries and performed substantive procedures to determine if revenue collection and retention or remittances were supported by budget.
- We investigated changes in the budget and actual funds to ensure that revenues were classified properly in the BID's accounting records.
- We made inquiries of management pertaining to the BID's

policies for accountability and security over documents issued for money.

- We found no exceptions as a result of the procedures.

2. Disbursements and Expenditures

- We inspected all of the disbursements to determine if these disbursements were properly described and classified in the accounting records in accordance with the BID's policies and procedures and regulations, were bona fide disbursements of the BID, and were paid in conformity with the Agreement dated July 6, 2005 (partial copy of said agreement following).

- We inspected all of the disbursements to determine if these disbursements were recorded in the proper fiscal year.

- We compared current year expenditures to those of the Budget. The expenses for the "Paint the Box" program was budgeted at \$4,400 for the period ended July 31, 2007 and actual expenditures were \$7,129

3. Reconciliations

- We obtained monthly reconciliations prepared by the BID for the periods ended June 30, 2005 and July 31, 2006 and inspected selected reconciliations of balances in the BID's accounting records to those actual bank statements.

- We found no exceptions as a result of the procedures.

4. Schedule of City of Imperial Beach Assistance

- We obtained a copy of the schedule of the City's assessments to the BID for the periods ended June 30, 2006 and July 31, 2007. These amounts agreed to the receipts deposited into the BID's checking account.

- We found no exceptions as a result of the procedures.

5. Non Financial Procedures

- Section 1.7 of the BID Operating Agreement calls for “annual activity and progress reports to the City on or before the 1st of August”. There was no correspondence in the BID files provided for review that showed compliance with this provision.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion on the specified elements, accounts, or items. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Imperial Beach Business Improvement District and the City of Imperial Beach and is not intended to be and should not be used by anyone other than these specified parties.

Nakawatase & Co, CPA

Nakawatase & Co, CPA

Agreed Upon Procedures of the Imperial Beach Business Improvement District/The Imperial Beach Chamber of Commerce and the City of Imperial Beach

*Consistent with the purpose of the Imperial Beach Business Improvement District and with the approved annual budget, the Association shall:

1. Implement the activities as specified in the BID Ordinance, such activities may include:
 - a. The acquisition, construction or maintenance of parking facilities for the benefit of the District.
 - b. Decoration of any public place in the District.
 - c. Promotion of public events, which are to take place on or in public places in the District.
 - d. Furnishing of music in any public place in the District.
 - e. The general promotion of business activities in the District.
2. Stimulate demand for goods and services available within the District.
3. Facilitate the beautification of public places within the District.
4. Facilitate cultural enhancement within the District.
5. Prepare an annual budget for submission to, review and approval by the City as specified in the Agreement.
6. Open an account in a financial establishment to deposit and transact all Association financial business consistent with the implementation of the District. All interest generated on the deposit of such funds shall be expended by the Association for the purposes herein specified.
7. Submit annual activity and progress reports to the City on or before the 1st of August, and provide the City with other information as requested.
8. Consult the City Council concerning changes in assessments, boundaries of the BID Ordinance.
9. Retain the records relative to this agreement for three years. Upon termination of this agreement, said records shall be turned over to the City; copies of the records may be kept by the Association.

*Excerpts from the Agreement dated July 6, 2005

Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
Business Improvement District (BID) Operating Agreement
FY 2005/2006 (Period September 1, 2005 - August 31, 2006)

	Sep-05	Oct-05	Nov-05	Dec-05	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	FY 05/06 Actual	FY 05/06 Budget	FY 05/06 Variance
Revenues															
BID Payments from City of IB	\$ -	\$ 1,717.00	\$ -	\$ -	\$ 10,607.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,237.75	\$ -	\$ 23,562.25	\$ 28,000.00	\$ (4,437.75)
Miscellaneous Revenues	\$ -	\$ 70.00	\$ 350.00	\$ -	\$ 250.00	\$ -	\$ -	\$ -	\$ 250.00	\$ 300.00	\$ -	\$ 250.00	\$ 1,470.00	\$ -	\$ 1,470.00
Total Revenues	\$ -	\$ 1,787.00	\$ 350.00	\$ -	\$ 10,857.50	\$ -	\$ -	\$ -	\$ 250.00	\$ 300.00	\$ 11,237.75	\$ 250.00	\$ 25,032.25	\$ 28,000.00	\$ (2,967.75)
Expenses															
Miscellaneous/Projects	\$ -	\$ 74.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 74.00	\$ 16,550.00	\$ 16,476.00
Supplies	\$ -	\$ 83.84	\$ -	\$ -	\$ -	\$ -	\$ 8.62	\$ -					\$ 92.46	\$ 355.00	\$ 262.54
BizBuz Newsletter	\$ -		\$ 52.75	\$ 74.00	\$ -	\$ -	\$ 9.26	\$ -		\$ 11.29	\$ 78.00		\$ 225.30	\$ 600.00	\$ 374.70
Taste of IB	\$ 64.65	\$ 129.84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 194.49	\$ 600.00	\$ 405.51
Paint the Box		\$ 1,285.00	\$ 1,875.00	\$ 2,101.61	\$ 272.50	\$ 432.50	\$ 325.00	\$ -	\$ 42.50	\$ 310.00	\$ 250.00	\$ 235.00	\$ 7,129.11	\$ 4,400.00	\$ (2,729.11)
Christmas Bows	\$ -	\$ -	\$ -	\$ 175.66	\$ -	\$ -	\$ -	\$ -					\$ 175.66	\$ -	\$ (175.66)
IB Chamber	\$ -	\$ 919.31	\$ -	\$ -	\$ 5,303.75	\$ -	\$ -	\$ -		\$ 378.00			\$ 6,601.06	\$ 14,000.00	\$ 7,398.94
Tree Trimming	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50.00	\$ 50.00	\$ 1,000.00	\$ 950.00
Total Expenses	\$ 64.65	\$ 2,491.99	\$ 1,927.75	\$ 2,351.27	\$ 5,576.25	\$ 432.50	\$ 342.88	\$ -	\$ 42.50	\$ 699.29	\$ 328.00	\$ 285.00	\$ 14,542.08	\$ 37,505.00	\$ 22,962.92
Per Statement	\$ 64.65	\$ 2,491.99	\$ 1,927.75	\$ 2,351.27	\$ 5,576.25	\$ 432.50	\$ 342.88	\$ -	\$ 42.50	\$ 699.29	\$ 328.00	\$ 285.00			
Variance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			

Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
 Business Improvement District (BID) Operating Agreement
 FY 2005/2006 (Period September 1, 2005 - August 31, 2006)

<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Payee</u>
2202	9/13/2005	\$ 64.65	Sir Speedy
2203	10/7/2007	\$ 49.03	?
2205 *	10/3/2005	\$ 85.00	Victoria Mulligan
2206	10/3/2005	\$ 15.00	Imperial Beach Art Guild
2207	10/7/2005	\$ 490.00	David Williams
2208	10/7/2005	\$ 80.81	O.A.P. Packaging
2209	10/21/2005	\$ 83.84	Office Depot
2210	10/26/2004	\$ 74.00	?
2211	10/26/2005	\$ 710.00	David Williams
2212	10/25/2005	\$ 146.12	IB Chamber of Commerce
2213	10/25/2005	\$ 773.19	IB Chamber of Commerce
2214	11/11/2005	\$ 460.00	David Williams
2215	11/11/2005	\$ 196.61	Deb Janney
2216	11/15/2005	\$ 52.75	Jessie Allen
2217	11/22/2005	\$ 1,415.00	David Williams
2218	11/29/2005	\$ 175.66	Deb Janney
2219	12/13/2005	\$ 74.00	Deb Janney
2220	12/13/2005	\$ 910.00	David Williams
2221	12/22/2005	\$ 995.00	David Williams
2223 *	1/4/2006	\$ 45.00	Imperial Beach Art Guild
2224	1/4/2006	\$ 170.00	Victoria Mulligan
2225	1/4/2006	\$ 42.50	Brian Bell
2226	1/4/2006	\$ 42.50	Pattie Stutika
2227	1/4/2006	\$ 5,303.75	IB Chamber of Commerce
2228	2/23/2006	\$ 402.50	David Williams
2229	2/24/2006	\$ 8.62	Deb Janney
2230	2/27/2006	\$ 30.00	David Williams
2231	3/3/2006	\$ 180.00	David Williams
2232	3/14/2006	\$ 9.26	Stacey Long
2233	3/30/2006	\$ 145.00	David Williams
2234	6/2/2006	\$ 110.00	David Williams
2235	6/13/2006	\$ 200.00	David Williams
2236	6/20/2006	\$ 11.29	Bonded Painting
2237	6/20/2006	\$ 78.00	IB Chamber of Commerce
2238	6/20/2006	\$ 300.00	IB Chamber of Commerce
2239	6/28/2006	\$ 78.00	Postmaster
2240	7/11/2006	\$ 80.00	David Williams
2241	7/25/2006	\$ 170.00	David Williams
2242	8/11/2006	\$ 50.00	Kathy Navarro
2244 *	8/24/2006	\$ 110.00	David Williams
2245	8/25/2006	\$ 125.00	David Williams

Total Disbursement \$ 14,542.08

**Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
Business Improvement District (BID) Operating Agreement
FY 2005/2006 (Period September 1, 2005 - August 31, 2006)**

1. Check #2204, #2222, and #2243 did not appear on the bank statements for the audit period 09/01/05 through 08/31/06. Need to confirm that these two checks were voided per a check register held by Treasurer Deb Janney.
2. Need to review check register for last check issued as of August 31, 2006, the last day of the audit period.
3. There were two checks issued and cleared the bank for which we have no record of the payee. These checks are:

2203	10/7/2007	\$	49.03
2210	10/26/2004	\$	74.00

These checks are for an "immaterial" dollar amount but should still be confirmed to satisfy the City's audit.

4. The entity received \$23,562.25 during the period being reviewed. These have to be confirmed with the City's H.T.E. system. We requested this information from the City's Assistant City Manager Tom Ritter on 09/06/08.
5. The total BID collections, received through the City's Business License billing system, need to be reviewed to compare "cash" vs. "accrual" BID revenues for the FY 05/06.
6. The top two payees receiving disbursements from the BID Account are:

David Williams	\$ 6,532.50
IB Chamber	\$ 6,601.06
7. Paint the Box program was budgeted at \$4,400, actual expenditures were \$7,129.11 - requires budget adjustment.
8. Except for the Paint the Box program, the BID budget was expended on "eligible" projects under the BID agreement.
9. Section I.7. of the BID Operating Agreement calls for "annual activity and progress reports to the City on or before the 1st of August". There was no correspondence in the BID files provided for review that showed compliance with this provision.
10. As of June 30, 2006, revenues were \$2,967.75 under budget and expenses were also \$22,962.92 under budget.

Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
Business Improvement District (BID) Operating Agreement
FY 2006/2007 (Period September 1, 2006 - August 31, 2007)

	Sep-06	Oct-06	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	FY 06/07 Actual	FY 06/07 Budget	Variance
Revenues															
BID Payments from City of IB	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,585.75		\$ -	\$ 2,319.00	\$ -	\$ 25,904.75	\$ 28,000.00	\$ (2,095.25)
Miscellaneous Revenues	\$ 35.00	\$ 2,110.00	\$ -	\$ -	\$ 250.00	\$ -	\$ 105.00	\$ 295.00	\$ 955.00	\$ -	\$ 115.00	\$ -	\$ 3,865.00	\$ -	\$ 3,865.00
Total Revenues	\$ 35.00	\$ 2,110.00	\$ -	\$ -	\$ 250.00	\$ -	\$ 105.00	\$ 23,880.75	\$ 955.00	\$ -	\$ 2,434.00	\$ -	\$ 29,769.75	\$ 28,000.00	\$ 1,769.75
Expenses															
Miscellaneous/Projects	\$ -	\$ -	\$ 84.59	\$ -	\$ -	\$ -	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 284.59	\$ 16,550.00	\$ 16,265.41
Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51.84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51.84	\$ 355.00	\$ 303.16
BizBuz Newsletter	\$ -	\$ 78.00	\$ -	\$ -	\$ 78.00	\$ -	\$ 78.00	\$ -	\$ 78.00	\$ 82.00	\$ 82.00	\$ -	\$ 476.00	\$ 600.00	\$ 124.00
Taste of IB	\$ 75.00	\$ 456.50	\$ 220.06	\$ 116.00	\$ 1,954.43	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,821.99	\$ 600.00	\$ (2,221.99)
Paint the Box	\$ 75.00	\$ 90.00	\$ 130.00	\$ -	\$ -	\$ -	\$ 130.00	\$ -	\$ 205.00	\$ 1,135.00	\$ 60.00	\$ -	\$ 1,825.00	\$ 4,400.00	\$ 2,575.00
Christmas Bows	\$ -	\$ -	\$ 1,187.82	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,187.82	\$ -	\$ (1,187.82)
IB Chamber	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,792.87	\$ -	\$ -	\$ -	\$ -	\$ 11,792.87	\$ 14,000.00	\$ 2,207.13
Tree Trimming	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Total Expenses	\$ 150.00	\$ 624.50	\$ 1,622.47	\$ 116.00	\$ 2,032.43	\$ -	\$ 459.84	\$ 11,792.87	\$ 283.00	\$ 1,217.00	\$ 142.00	\$ -	\$ 18,440.11	\$ 37,505.00	\$ 19,064.89
Per Statement	\$ 150.00	\$ 624.50	\$ 1,622.47	\$ 116.00	\$ 2,032.43	\$ -	\$ 459.84	\$ 11,792.87	\$ 283.00	\$ 1,217.00	\$ 142.00	\$ -			
Variance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			

Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
 Business Improvement District (BID) Operating Agreement
 FY 2006/2007 (Period September 1, 2006 - August 31, 2007)

<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Payee</u>
2246 *	9/7/2006	\$ 75.00	David Williams
2248	9/19/2006	\$ 75.00	City of Imperial Beach
2249	10/10/2006	\$ 76.50	Sir Speedy
2250	10/5/2006	\$ 20.00	Smiley's
2251	9/27/2006	\$ 210.00	Aspect Studio
2252	9/29/2006	\$ 78.00	Postmaster
2253	10/2/2006	\$ 90.00	David Williams
2254	10/16/2006	\$ 75.00	Sweet Time Celebrations
2255	10/16/2006	\$ 75.00	Imperial Beach Sun
2256	10/23/2006	\$ 24.76	Deb Janney
2257	10/27/2006	\$ 79.30	OAP
2258	10/27/2006	\$ 1,187.82	OAP
2259 *	11/6/2006	\$ 116.00	Eagle Times
2261	11/30/2006	\$ 130.00	David Williams
2262 *	11/30/2006	\$ 116.00	Eagle Times
2264	12/12/2006	\$ 51.84	Deb Janney
2265	1/4/2007	\$ 78.00	Postmaster
2266	1/9/2007	\$ 1,098.08	ABCOC-General Acct
2267	1/9/2007	\$ 23.68	ABCOC-General Acct
2268	1/9/2007	\$ 387.90	ABCOC-General Acct
2269	1/9/2007	\$ 200.00	ABCOC-General Acct
2270	1/9/2007	\$ 244.77	IBCOC-General Acct
2271	3/5/2007	\$ 78.00	Postmaster
2272 *	3/6/2007	\$ 200.00	IB Beautiful
2274	3/21/2007	\$ 130.00	David Williams
2275	4/10/2007	\$ 11,792.87	IB Chamber of Commerce
2276	5/4/2007	\$ 78.00	Postmaster
2277	5/4/2007	\$ 205.00	David Williams
2278	6/12/2007	\$ 345.00	David Williams
2279	6/12/2007	\$ 82.00	Postmaster
2280	6/30/2007	\$ 790.00	David Williams
2281	7/12/2007	\$ 82.00	Postmaster
2282	7/18/2007	\$ 60.00	David Williams
Total Checks		\$ 18,355.52	
Per Summary07		\$ 18,440.11	
Variance		\$ (84.59)	Deluxe Check Order 11/02/07

**Agreed Upon Procedures - City of Imperial Beach "Audit Provisions"
Business Improvement District (BID) Operating Agreement
FY 2006/2007 (Period September 1, 2006 - August 31, 2007)**

1. Check #2204, #2222, and #2243 are likely VOID checks from FY 05/06 audit period, they still do not appear on the bank statements statements for the audit period 09/01/06 through 08/31/07. There is a need to confirm that these checks are VOID per the check register held by the BID Treasurer.
2. Need to review check register for last check issued as of August 31, 2007, the last day of the audit period.
3. The entity received \$25,904.75 during the period being reviewed. These amounts were confirmed with the City's H.T.E. system. The BID accounts are maintained on the "cash basis" of accounting. No reconciliation was performed by fiscal year.
4. The top two payees receiving disbursements from the BID Account are:

David Williams	\$ 1,825.00
IB Chamber	\$ 11,792.87
5. Paint the Box program was budgeted at \$4,400, actual expenditures were \$1,825
6. Deleted
7. Section I.7. of the BID Operating Agreement calls for "annual activity and progress reports to the City on or before the 1st of August". There was no correspondence in the BID files provided for review that showed compliance with this provision. The BID did not submit a budget for FY 06/07 as Section I.5 requires, "Prepare an annual budget for submission to, review and approval by the City as specified in Section III of Agreement
8. As of June 30, 2007, revenues were \$1,769.75 over budget and expenses were \$19,064.89 under budget.

AGREEMENT BETWEEN THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ASSOCIATION/CHAMBER OF COMMERCE AND THE CITY OF IMPERIAL BEACH FOR ADMINISTRATION SERVICE OF THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT

This agreement entered into this 6th day of July 2005, by and between the **IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ASSOCIATION/CHAMBER OF COMMERCE**, a California non-profit corporation, (hereinafter referred to as **Association**), and the **CITY OF IMPERIAL BEACH**, (hereinafter referred to as **City**).

WITNESSETH:

WHEREAS, there exists as a newly formed group of business merchants and professionals, an organization known as the Imperial Beach Business Improvement District Association/Chamber of Commerce (**Association**) established as a non-profit corporation under the laws of the State of California; and

WHEREAS, the City Council of the City of Imperial Beach California has passed and approved Ordinance No. 96-907 whereby establishing the Imperial Beach Business Improvement District (hereinafter referred to as the "Imperial Beach Business Improvement District" or simply "**District**") as provided for in Ordinance No. 96-907 (hereinafter referred to as the ("**BID Ordinance**"); and

WHEREAS, it is the desire of the City Council of the City to enter into an agreement with the **Association** to provide for administration and implementation of the **District**, as provided for in the **BID Ordinance**.

NOW, THEREFORE, it is agreed by and between the **Association** as follows:

Section I ASSOCIATION RESPONSIBILITIES

Consistent with the purpose of the Imperial Beach Business Improvement District and with the approved annual budget, the **Association** shall:

1. Implement the activities as specified in the **BID Ordinance**, such activities may include:
 - a. The acquisition, construction or maintenance of parking facilities for the benefit of the **District**.
 - b. Decoration of any public place in the **District**.
 - c. Promotion of public events, which are to take place on or in public places in the **District**.
 - d. Furnishing of music in any public place in the **District**.

- e. The general promotion of business activities in the **District**.
2. Stimulate demand for goods and services available within the **District**.
3. Facilitate the beautification of public places within the **District**.
4. Facilitate cultural enhancement within the **District**.
5. Prepare an annual budget for submission to, review and approval by the **City** as specified in Section III of this **Agreement**.
6. Open an account in a financial establishment to deposit and transact all **Association** financial business consistent with the implementation of the **District**. All interest generated on the deposit of such funds shall be expended by the **Association** for the purposes herein specified.
7. Submit annual activity and progress reports to the **City** on or before the 1st of August, and provide the **City** with other information as requested.
8. Consult the City Council concerning changes in assessments, boundaries of the **BID Ordinance**.
9. Retain the records relative to this agreement for three (3) years. Upon termination of this agreement, said records shall be turned over to the **City**; copies of the records may be kept by the **Association**.

Section II CITY RESPONSIBILITIES

The **City** shall:

1. Collect all additional charges or assessments due under this ordinance at the same time and in the same manner as the business license tax.
2. Distribute to the **Association** all funds collected by the **BID Ordinance**, excluding any delinquent assessment penalties or interest collected.
3. Review and approve the **Association's** annual budget, submitted to the **City** pursuant to Section II as provided herein. The **City's** review may include recommended modifications to said budget. It is the intent of this **Agreement** to recognize that (1) the **Association** and **BID Ordinance** are a result of an initiative generated by business people located within the **Imperial Beach Business Improvement District**, for their benefit, (2) that the businesses and individuals within the District are more closely concerned with and knowledgeable of the needs and the operations of the **Imperial Beach Business Improvement District**, and (3) to the extent consistent with the Streets and Highway Code Section 36503, the City

shall not unreasonably withhold approval of the Association's proposed budget.

4. Pay to the **Association** all funds to be collected pursuant to the **BID Ordinance**. Such payment shall be forwarded to the **Association** on a monthly basis. The monthly payment will reflect the total dollar amount of BID assessments collected during the previous thirty days.
5. Not initiate any changes in the **District** boundaries, assessments or charges as prescribed in the **BID Ordinance** of limit or increase the amount of revenue to be collected pursuant to said ordinance, without first consulting with the **Association**.
6. Grant to the **Association** the discretion to expend funds to carry out this Agreement so long as the expenditures remain consistent with this **Agreement**, the **BID Ordinance** and the approved budget.
7. Not contract with any other group or organization to represent or implement the **Business Improvement District** pursuant to the **BID Ordinance**.
8. By July 1st, provide the Association with an estimate of revenues to be received pursuant to the **BID Ordinance** for use by the **Association** in preparing the ensuing years budget.
9. On a monthly basis, provide the **Association** a listing of new businesses within the **District**. The **Association** may review the delinquency list after it is prepared.

Section III BUDGET

On or before August 1 of each year, the **Association** shall submit for **City** review and approval, an annual fiscal year budget for the implementation of the **Agreement**. Said budget shall include:

1. a. An estimate of revenue to be received pursuant to the **BID Ordinance** to be provided by **City** staff as provided herein.
- b. An estimate of anticipated revenues, and revenues applied for, by the **Association**.
- c. Identification of proposed expenditures including but not limited to expenses for:
 - A. Administration/Operations
 - B. Parking Improvements
 - C. Beautification/Special Projects
 - D. General Promotions
 - E. Special Events Promotions/Advertising
 - F. Reserves/Miscellaneous

- d. A narrative description of the **Association's** proposed activities within the fiscal year in implementing the approved budget, including a listing of goals and objectives achieved in the prior year and to be pursued in the upcoming fiscal year.
 - e. A narrative summary of the **Association's** annual activities, including a description of accomplishments in implementation of goals and objectives.
 - e. A listing of all assets of the **Association** and estimated value of those assets related to business improvement district activities.
2. The budget may allocate no more than five percent (5%) of BID revenues for discretionary use of the **Association's** Board of Directors.
 3. No more than fifteen percent (15%) of the funds identified in the approved budget may be shifted at the discretion of the **Association's** Board of Directors. Any changes in the budget above the fifteen percent (15%) amount must first be considered and approved by the **City**.
 4. Nothing in this **Agreement** shall preclude the **City** from assisting the **Association** financially or in any other means available to the **City** in the implementation of the **District**.
 5. Said budget may include the proposed expenditure of revenues of the Association from sources other than the revenue received pursuant to the **BID Ordinance**. The expenditure of such other revenue shall not require the review or approval by the **City** and must be included in the budget document as a convenience to the **Association**.
 6. In the event the budget is not approved by the **City** by September 1, the **Association's** activities may continue into the new fiscal year carrying forward the previous year's budget.
 7. The budget shall be consistent with this **Agreement** and the **BID Ordinance**.

Section IV TERM OF AGREEMENT

The effective date of this **Agreement** shall be July 6, 2005 and shall terminate September 1, 2006.

Section V EXTENSION OF AGREEMENT

On the first day of September 2006 and annually thereafter, the termination date of this **Agreement** shall be extended for a period of one (1) year unless either party gives notice to the other as set forth herein.

Section VI NOTICE OF NON-EXTENSION

At least a one (1) year written notice of non-extension shall be given. The **City** shall mail notice to the **Association** at:

The **Association** shall mail notice to the City at: 825 Imperial Beach Boulevard, Imperial Beach, California 91932.

Said notice shall simply state that the party is exercising its rights under the **Agreement** not to extend the **Agreement**.

Section VII DISESTABLISHMENT

This **Agreement** shall terminate automatically if the **District** is disestablished. Funds received by the **City** but not distributed to the **Association** shall be paid to the **Association** and expended for purposes identified in the last adopted budget. Any surplus funds of the **Association** shall be returned to the **City** and refunded to paying businesses through a credit on future business license taxes.

Section VIII ADMINISTRATION OF AGREEMENT

The City Manager is hereby designated to administer this **Agreement** on behalf of the **City** and is hereby authorized to make any determination on behalf of the **City** necessary for implementation of the provisions of this **Agreement**.

Section IX AUDITS

Annually, at its expense, the Association shall submit for review all of its financial records to a Certified Public Accountant (CPA) for completion of an Agreed Upon Procedures engagement, with the resulting report submitted to the City Manager within 120 days of the fiscal year ending August 31st. The scope of this report shall be limited to the review of BID receipts and disbursements and the annually adopted BID budget, to ensure compliance with the BID Operating Agreement.

At any time during normal business hours and as often as the City deems necessary, the Association shall make available to the City for examination at reasonable locations within the City all data and records to all matters covered by this agreement. The Association will permit the City to make, or contract with a CPA at Association expense, to audit all invoices, materials, payrolls, records of personnel, and other data and media relating to all matters covered in this

agreement. When findings of the Agreed Upon Procedures or audit indicate that **Agreement** requirements are not being met, upon such written notification, **Association** agrees to take appropriate corrective action immediately.

Section X TITLE TO EQUIPMENT

Any equipment acquired with funds under this **Agreement** shall be deemed the property of the **Association** with the following exceptions: (1) If the governing of the BID should be transferred to another association board of directors. Under said circumstances, the successor association would assume title for said equipment; or, (2) In the event the original **Association** should cease to exist, ownership of said equipment which requires maintenance and care would be transferred to the **City**.

Section XI INSURANCE

The **Association** shall take out and maintain throughout the period of this **Agreement**, Comprehensive General Liability Insurance with minimum limits of \$300,000 combined single limit (CSL), \$300,000 bodily injury per occurrence and \$100,000 property damage per occurrence covering all bodily injury and property damage arising out of its operation under this **Agreement**.

The **Association** shall provide automobile insurance covering all bodily injury and property liability incurred during the performance of this **Agreement** with minimum coverage of \$100,000 for property damage per accident, \$250,000 for bodily injury for each person, and not less than \$500,000 for bodily injury per accident; or \$300,000 per accident combined single limit (CSL).

The **Association** shall throughout the period of this Agreement maintain in full force and effect a policy of Worker's Compensation Insurance covering all of its employees and volunteers.

Said policy shall name the **City** and an additional insured and shall constitute primary insurance as to the **City**, its officers, agents and employees, so that any other policies held by the **City** shall not contribute to any loss under said insurance. Said policy shall provide for thirty (30) days prior written notice to the **City** of cancellation or material change.

Certificates of other sufficient proof that these insurance provisions have been complied with must be filed with the City Clerk within 30 days of execution of this **Agreement**.

If the **Association** does not keep such insurance in full force and effect, the **City** may, upon receiving notice of cancellation of said insurance, elect to terminate this **Agreement** effective on the date said insurance coverage is terminated.

Section XII INDEMNIFICATION

The **Association** agrees to indemnify, defend and save harmless the **City**, its officers, agents and employees, from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, material men, laborers, and other person, firm or supplies in connection with the performance of this **Agreement** and for any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the **Association** in the performance of this **Agreement**.

The **City** agrees to indemnify, defend and save harmless the **Association**, its officers, agents and employees, from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, material men, laborers, and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this **Agreement** for any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the **City** in performance of this **Agreement**.

Section XIII CONFLICT OF INTEREST

The City may determine that the Association is subject to a conflict of interest code and is required to complete one or more statements of economic interest disclosing relevant financial interests. Upon the City's request, the Association shall submit the necessary documentation.

Section XIV COMPLIANCE WITH LAW

- a. All work done under this **Agreement** shall be done in compliance with the applicable provisions of the federal and state laws and any regulations promulgated thereunder.
- b. The **Association** agrees to comply with all state or local licensing standards; all applicable accrediting standards and any other standards or criteria established by the state or local laws to assure quality of service.
- c. This **Agreement** shall be governed and construed in accordance with the laws of the State of California.

Section XV COMPLETE AGREEMENT

This **Agreement** contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this **Agreement** shall be deemed to exist or to bind any of the parties hereto. This **Agreement** supersedes all previous agreements, if any, between the parties.

Section XVI AMENDMENTS

An amendment may be made by mutual consent between the **City** and the **Association** to this **Agreement**. Such request for an amendment shall be forwarded to the

opposite party by the party requesting such amendment, in writing, specifying in detail the requested amendments to be considered and a written statement as to the reason for such amendment. Such amendment request shall be considered by the governing body of both the City and the Association as soon as possible.

Any alterations, variations, modifications or waivers of provisions to this Agreement shall be valid only when reduced to writing duly signed and attached to the original of this Agreement.

Section XVII ASSIGNABILITY

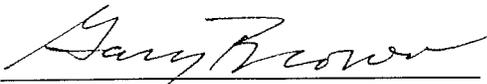
The Association shall not assign any interest in this Agreement without the prior written consent of the City, and any attempted assignment without such consent shall be void.

IN WITNESS WHEREOF, this Agreement is executed by the parties.

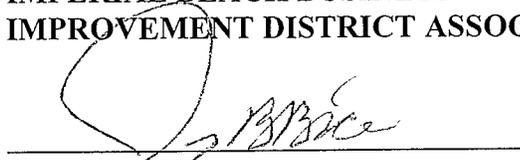
DATE: July 6, 2005

CITY OF IMPERIAL BEACH:

IMPERIAL BEACH BUSINESS
IMPROVEMENT DISTRICT ASSOCIATION:

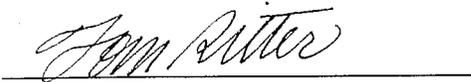


City Manager



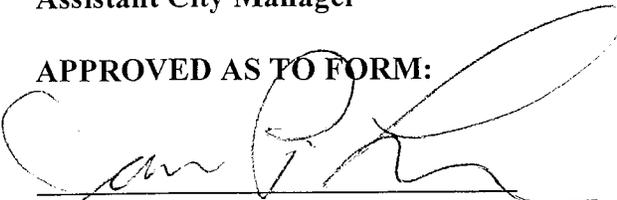
Chairperson

APPROVED AS TO CONTENT:



Assistant City Manager

APPROVED AS TO FORM:



City Attorney

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AGENDA ITEM NO. 5.3



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: DECEMBER 17, 2008

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR *GW*
JIM NAKAGAWA, AICP, CITY PLANNER
TYLER FOLTZ, ASSOCIATE PLANNER *TF*

SUBJECT: *John* PUBLIC HEARING: KEVIN HILL, FOR I.B. BEAUTIFUL (APPLICANT)/SILVER STRAND PLAZA, LLC (OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 080033), CONDITIONAL USE PERMIT (CUP 080034), DESIGN REVIEW CASE (DRC 080035), SITE PLAN REVIEW (SPR 080036) TO PROVIDE A CERTIFIED FARMER'S MARKET LOCATED AT 600 PALM AVENUE (SILVER STRAND PLAZA) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 985.

PROJECT DESCRIPTION/BACKGROUND:

This is an application (MF 985) originally submitted on June 25, 2008, for an Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036) to provide a certified Farmer's Market in the parking lot between the two northern driveways on the west property line at 600 Palm Avenue (Silver Strand Plaza; APN 625-140-14-00 & 625-140-19-00) in the C-1 (General Commercial) Zone. The commercial plaza has 18 existing businesses. Property management has expressed that the existing businesses support the proposed Farmer's Market.



The proposed Farmer's Market is certified by the San Diego County Agricultural Commission and County of San Diego Department of Environmental Health. It would take place every Friday from 2pm-7pm in the summer, and 1pm-6pm in the winter. The hours of operation include set-up and take-down of the market. The market will consist of approximately thirty-one (31) vendors. The vendors include the following: no less than seven (7) farmer vendors located under 18'x18' canopies; seven (7) pre-packaged vendors located under 18'x18' canopies; six (6) food vendors located under 10'x18' canopies; six (6) art/crafts vendors located under 10'x10' canopies; no more than two (2) non-profit vendors located under 10'x10' canopies; and three (3) miscellaneous commercial retail vendors located under various canopy sizes.

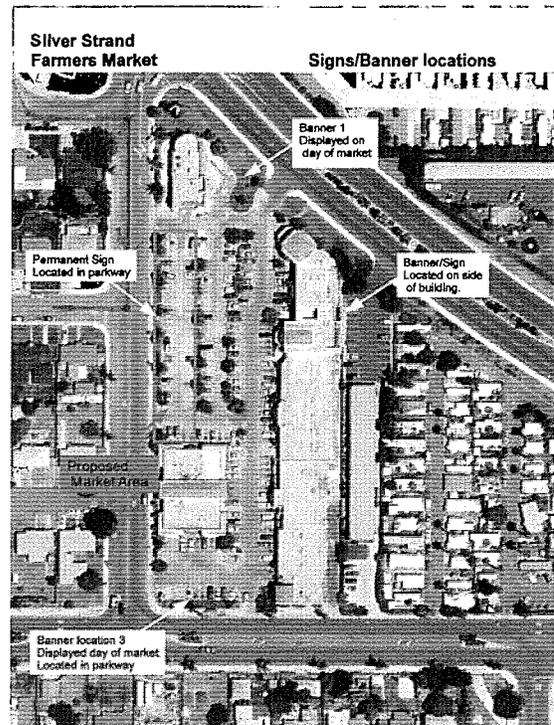
The market would be operated by one manager and two assistant managers. The duties of management would include the opening and closing of the market, enforcement of all health and safety requirements, verification of vendor permits/certification, market cleanliness, supervision of any volunteers, traffic/parking, best management practices training to staff/volunteers/vendors, supervision of security patrol, and provision of customer service. In addition, a security patrol of no less than two individuals shall be provided for each market event to ensure that the residential character of the neighborhood to the west is not negatively impacted/disturbed in any way.

The proposed Farmer's Market would benefit the local neighborhood because of the variety of retail goods available for purchase, and would also benefit low-income families because of the market's participation in the Women, Infants, and Children (WIC) and Electronic Benefit Transfer (EBT) programs.

The mission statement of the Farmer's Market is to "provide the community with a safe, family-friendly gathering place to go for the freshest, local fruits and vegetables available and provide the opportunity for citizens to learn more about healthy eating. The market will be a fun, educational and community building event."

PROJECT EVALUATION/DISCUSSION:

Visual Quality Issues: The only aesthetic elements of the proposed Farmer's Market are signs and canopies. A signage plan is still under staff review, and shall be presented to the Design Review Board and City Council at a later date. Aside from temporary banner(s), no signage will be allowed for this project until plans are reviewed and approved. Canopies shall be provided individually by the market vendors, will be subject to City review and regulation, must only be viewable during the hours of operation, and must have State Fire Marshal seals attached.



General Plan/Zoning Consistency: The General Plan designation for the proposed location is General Commercial. Land-Use Policy L-4 of the Land Use Element states that commercial land use in the General Commercial areas shall provide uses to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in this designation will be community and neighborhood serving retail and office uses such as markets, specialty stores, professional offices, personal service department stores, restaurants, liquor store, hardware stores, etc. The proposed project is consistent with the General Plan land use designation.

The site is located in the C-1 (General Commercial) Zone. Imperial Beach Municipal Code (IBMC) 19.26.020 (General Commercial Zone Permitted Uses) lists stores, shops, and retail businesses/service establishments as permitted uses in the C-1 zone. Businesses are typically required to conduct all activity entirely inside of a building. However, per IBMC 19.72.040, certain businesses that normally conduct all or part of their business outside of businesses may be exempt from this requirement by determination of the planning commission (City Council). The market is a temporary outdoor event that would take place over a period of approximately five hours, once a week, and is consistent with the intent of the General Plan and Zoning Code. Because the proposed use is temporary in nature, and no new construction would take place, the addition of new parking spaces or landscaping would not be required.

Though no new construction would take place, an impact to the parking/traffic to the existing commercial plaza has been reviewed. IBMC 19.48 states that existing parking spaces shall not be reduced, and shall be permanently available and maintained for parking purposes. No parking spaces will be removed for the proposed project; however, approximately 60 spaces will be made temporarily unavailable once a week during the market's hours of operation. The spaces will be used for vendor parking and canopy space. The commercial plaza has 185 existing parking spaces. Parking tabulations of the commercial plaza during the proposed market hours of operation was conducted over nine occasions and show an average of approximately 55 of the 185 spaces being occupied. On average, 70 parking spaces would be available within the commercial plaza for the duration of the market's hours of operation (60 used for the market, 55 for customers to the plaza). In addition, barricades will temporarily be placed around the proposed project location for the duration of the market's hours of operation, which will temporarily block access to the center driveway off of Rainbow Drive. This will ensure safety for market customers so that traffic will not run through the market and endanger pedestrians. Four other driveways will still be available throughout the commercial plaza so that access throughout the plaza will not be affected. The availability of parking and driveway access for the market's temporary duration should not create a significant impact. Should event parking or access become a problem for the existing business plaza, the market shall be suspended until further analysis and a solution is provided and approved by the Community Development Department. Such analysis may involve a traffic control plan, traffic study, environmental analysis, and mitigation measures.

All business conducted at the proposed market will be consistent with the General Plan and Zoning Code. All businesses/vendors/live entertainment will be required to obtain appropriate certificates, business licenses, and permits, and shall be subject to all safety, building, and municipal codes.

Unless necessity warrants an early review, the conditional use permit shall be reviewed by City Council towards the end, or after the first year of operation. The purpose of the review is to provide/modify conditions deemed necessary or helpful to the market's duration.

Storm Water Regulations: The proposed project must comply with water quality/urban runoff requirements. The project must comply with Best Management Practices (BMP) which will include the following: provision of on-site brooms, mops, rags, cat litter, etc.; notification of any spills to market management for proper care; a trash receptacle to be used for any debris/trash for all vendors; proper recycling for all recyclable materials; no water, liquids, or materials shall be disposed of down the storm drain, street, or sidewalk; any vendor cooking with oil or other fluids will at all times have a protective covering placed on the ground directly under the source of the fluid with the intent to capture grease spills; any spills shall be cleaned properly; all trash and debris shall be properly disposed, contained, or recycled; no trash/debris shall remain at the close of each market event. The parking lot center rain gutter drain will be positively blocked from any liquid discharge from the parking lot to Rainbow Drive. The positive water stop will consist of plastic lined sandbag barrier across the drainage gutter adjacent to the Rainbow Drive sidewalk. The positive water stop will be positioned immediately before the Farmer's market set up and removed immediately after the Farmer's market tear down. All vendors shall receive a copy of the BMP's, and receive training for proper disposal and pollution control prior to the event.

Surrounding Zoning and Land Use

North:	C-1	Commercial
South:	R-1-6000	Residential
East:	C-1	Commercial
West:	R-1-6000	Residential

ENVIRONMENTAL STATUS: This project may be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15304 (d) (minor alterations to land).

COASTAL JURISDICTION: The project is located in the Coastal Zone and the City will need to consider evaluating the project with respect to conformity with coastal permit findings.

FISCAL ANALYSIS:

Project Account Number 080033 has been created for processing of this application.

DESIGN REVIEW BOARD (DRB) RECOMMENDATION:

The Design Review Board will be presented with a signage plan when staff review is complete.

DEPARTMENT RECOMMENDATION:

1. Open the public hearing and entertain testimony.
2. Close the public hearing.
3. Adopt Resolution No. 2008-6701, approving Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown
City Manager

Attachments:

1. Resolution No. 2008-6701
2. Plans/Project Information
3. Parking tabulations

c: file MF 985
Kevin Hill, I.B. Beautiful, 960 Cypress Avenue, Imperial Beach, CA 91932
Norman and Sandra Kramer, Silver Strand Plaza, LLC, P.O. Box 571990, Tarzana, CA 92675
Hank Levien, Public Works Director
Ed Wilczak, Building Official
Frank Sotelo, Public Safety
California Coastal Commission, Diana Lilly, Coastal Program Analyst, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-1735

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RESOLUTION NO. 2008-6701

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 080033), CONDITIONAL USE PERMIT (CUP 080034), DESIGN REVIEW CASE (DRC 080035), SITE PLAN REVIEW (SPR 080036) TO PROVIDE A CERTIFIED FARMER'S MARKET LOCATED AT 600 PALM AVENUE (SILVER STRAND PLAZA) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 985.

APPLICANT: KEVIN HILL, FOR I.B. BEAUTIFUL

WHEREAS, on December 17, 2008, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider the merits of approving or denying an application for an Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036) to provide a certified Farmer's Market located at 600 Palm Avenue (Silver Strand Plaza) in the C-1 (General Commercial) Zone (APN 625-140-14-00 & 625-140-19-00) in the C-1 (General Commercial) Zone, a site legally described as follows:

Parcel 1:

All that portion of the West Half of Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 19, Township 18 South, Range 2 West, San Bernadino Base and Meridian, in the City of Imperial Beach, County of San Diego, State of California, according to United States Government Survey, lying Westerly of the Easterly 66.00 feet thereof, lying Easterly of the Westerly 34.00 feet thereof, and lying Northerly of the Southerly 50.00 feet thereof.

Excepting from the property described above, any portion thereof, lying Northerly of the Southerly line of the road as granted to the State of California, by deed recorded July 12, 1943 in book 1534, page 7 of Official Records.

Parcel 2:

All those portions of the Block 6 of South Coronado, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 229, filed in the Office of the County Recorder of San Diego County, August 23, 1887, together with a portion of Folks Avenue, now vacated and closed to public use, being described as follows:

All that portion of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 19, Township 18 South, Range 2 West, San Bernardino Base and Meridian in the City of Imperial Beach, County of San Diego, State of California, according to United States Government Survey, lying Southwesterly of the Southwesterly line of State Highway XI-SD-199-A, as described in deed to the State of California, recorded June 19, 1943 as File/Page No. 36172, in Book 1506, Page 365 of Official Records.

Excepting from the property described in Parcel 2 above the Westerly 34.00 feet thereof, and

Also excepting therefrom that portion lying within the boundaries of land conveyed to the State of California, by deed recorded January 13, 1954 as File/Page No. 4954, in Book 5110, Page 400 of Official Records, and described as follows:

Beginning at the intersection of the Southwesterly line of the 100.00 foot strip of land described in deed to the State of California, recorded June 19, 1943 in Book 1506, Page 365 of Official Records, with the Easterly line on that parcel of land described in deed to the County of San Diego, recorded in Book 2441, Page 323 of Official Records; thence from a tangent which bears South $40^{\circ}36'47''$ East along said Southwesterly line being a curve to the left with a radius of 2310.00 feet through an angle of $0^{\circ}44'39''$ a distance of 30.00 feet; thence leaving said Southwesterly line South $69^{\circ}32'57''$ West 21.04 feet to a point on said Easterly line; thence along said Easterly line North $0^{\circ}04'22''$ East 30.00 feet to the Point of Beginning.

Further excepting therefrom that portion described as follows:

Beginning at the intersection of the Southwesterly right of way line of State Highway Route 75 (formerly XI-SD-199-A) said right of way line being described in deed to the State of California, recorded June 19, 1943 in Book 1506, Page 365 of Official Records of said County, with the Southerly line of Parcel 4590-1 described in deed to the State of California, recorded January 13, 1954 in Book 5110, Page 400 of Official Records of said County; thence Southeasterly along said Southwesterly right of way line, being a curve to the left, having a radius of 2310 feet through a central angle of $0^{\circ}33'03''$ an arc distance of 22.21 feet; thence leaving said Southwesterly line from a tangent which bears South $40^{\circ}05'06''$ West along a curve to the left having a radius of 60.00 feet through a central angle of $39^{\circ}53'28''$ an arc distance of 41.83 feet; thence North $89^{\circ}06'54''$ West 1.49 feet to the Easterly line of Westerly 34.00 feet of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 19, Township 18 South, Range 2 West, San Bernardino Meridian; thence along said Easterly line and its Northerly prolongation thereof North $0^{\circ}06'43''$ East (Record North $0^{\circ}04'22''$) 54.79 feet to the Southerly line of said Parcel. 4590-1; thence along said Southerly line North $69^{\circ}34'48''$ East (record North $69^{\circ}32'57''$ East) 0.77 feet to the Point of Beginning.

WHEREAS, the City Council finds that the project is consistent with the General Plan/Local Coastal Plan and is in substantial compliance with Policy L-4 of the Land Use Element of the General Plan/Local Coastal Plan, which promotes businesses to meet the local demand for commercial goods and services; and

WHEREAS, the City Council finds that the project is consistent with the C-1 (General Commercial) Zone of the Zoning Ordinance, which promotes businesses to meet the local demand for commercial goods and services; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15304 (d) (minor alterations to land); and

WHEREAS, the City Council considered the information contained in the staff reports on this case and public testimony received on this case; and

WHEREAS, the City Council further offers the following findings in support of its decision to conditionally approve the project:

CONDITIONAL USE PERMIT FINDINGS:

1. **The proposed use at the particular location is necessary or desirable to provide a service or facility, which will contribute to the general well being of the neighborhood or community.**

The use is an outdoor certified Farmer's Market which will offer residents an environment in which they may purchase retail goods. The project is located in an area with regularly scheduled bus stops which encourage the use of public transportation. Women, Infants, and Children (WIC) and Electronic Benefit Transfer (EBT) payments will be accepted in an effort to meet the needs of all residents. The event will generate foot traffic to support other businesses within the shopping center, and will provide an outdoor alternative for local residents.

2. **The proposed use will not, under any circumstances, of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.**

The use is a weekly outdoor certified Farmer's Market which will offer residents an opportunity to purchase retail goods. The market will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because the market will operate in accordance with the conditions imposed by the City, which include observance of best management practices and public safety.

3. **The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in the same zone.**

The project site is subject to C-1 (General Commercial) zoning regulations. The C-1 zone allows for a variety of commercial uses including retail stores and food shops. The use is a weekly certified Farmer's Market which will offer residents an outdoor retail environment to purchase retail goods similar to those offered by other commercial uses in the C-1 zone. The market will be required to comply with all regulations and conditions included as part of the approved permit.

- 4. The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The project site is subject to the General Commercial (C-1 Zone) land use regulations, which provides for land to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in this designation be community and neighborhood serving retail and office uses such as markets, specialty stores, professional offices, department stores, restaurants, liquor stores, hardware stores, etc.

SITE PLAN REVIEW FINDINGS:

- 5. The proposed use does not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the neighborhood, and is not detrimental or injurious to the value of property and improvements in the neighborhood.**

The use is a weekly outdoor certified Farmer's Market which will offer residents an opportunity to purchase retail goods. The market will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because the market will operate in accordance with the conditions imposed by the City, which include observance of best management practices and public safety.

- 6. The proposed use will not adversely affect the General Plan/Local Coastal Plan.**

The proposed Farmer's Market is consistent with the C-1 (General Commercial) Zone which promotes businesses meet local demand for commercial goods and services.

- 7. The proposed use is compatible with other existing and proposed uses in the neighborhood.**

The subject site is in an existing commercial plaza which provides retail goods for local demand. The proposed project is compatible with the established commercial uses as no physical changes are proposed to the existing structures.

- 8. The location, site layout and design of the proposed use properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.**

The Farmer's Market is located in approximately 60 parking spaces in an existing under-utilized parking lot with 185 parking spaces near Palm Avenue, Highway 75, and Rainbow Drive. The property has five driveways, and one would be temporarily closed for the hours of the market's operation on Fridays. The remaining four driveways would provide adequate access throughout the commercial plaza. The neighborhood may enjoy the market without having to utilize motorized transportation.

9. The combination and relationship of one proposed use to another on the site is properly integrated.

The Farmer's Market will be consistent with the established commercial uses in the plaza.

10. Access to and parking for the proposed use will not create any undue traffic problems.

The Farmer's Market is located in approximately 60 parking spaces in an existing under-utilized parking lot with 185 parking spaces near Palm Avenue, Highway 75, and Rainbow Drive. The remaining 125 parking spaces will be available for customers. Parking surveys at the project site show a minimum 42 to a maximum of 89 parking spaces being used at the hours of operation for the proposed Farmer's Market. The property has five driveways, and one would be temporarily closed for the hours of the market's operation on Fridays. The remaining four driveways would provide adequate access throughout the commercial plaza. The neighborhood may enjoy the market without having to utilize motorized transportation. If event parking becomes a problem for the existing business plaza, the market shall be suspended until further analysis and solution is provided and approved by the Community Development Department. A traffic study, environmental analysis, and mitigation measures may be necessary.

11. The project complies with all applicable provisions of Title 19.

The project will comply with all relevant criteria set forth in Title 19, Zoning.

DESIGN REVIEW FINDINGS:

12. The project is consistent with the City's Design Review Guidelines.

A signage plan is the only aspect that must be reviewed for design. The signage shall be reviewed at a later date and shall be reviewed by staff, the Design Review Board, and City Council. The design of the project shall be consistent with the City's Design Policy D-8 (Project Design) of the General Plan as per Design Review Compliance checklist adopted by the Design Review Board.

COASTAL PERMIT FINDINGS:

13. The proposed development conforms to the Certified Local Coastal Plan including Coastal Land Use Policies.

Shore Processes and Shore Protection

The project is not located near the beach, and shore processes and protection would not be impacted.

Public Access

The market is a temporary use that will take place once a week and should have no significant impact to public access.

Coastal/Scenic View

The market is a temporary use that will take place once a week and should have no significant impact to the coastal/scenic view.

14. **For all development seaward of the nearest public highway to the shoreline, the proposed development meets standards for public access and recreation of Chapter Three of the 1976 Coastal Act and regulations promulgated thereunder.**

The subject site is not located between the ocean and the first public road, which, in most cases, is Seacoast Drive. No issue regarding public access to the beach is identified for this project.

15. **The proposed development meets the minimum relevant criteria set forth in Title 19, Zoning.**

The project will comply with all relevant criteria set forth in Title 19, Zoning.

16. **For all development involving the construction of a shoreline protective device, a mitigation fee shall be collected which shall be used for beach sand replenishment purposes. The mitigation fee shall be deposited in an interest bearing account designated by the Executive Director of the California Coastal Commission and the City Manager of Imperial Beach in lieu of providing sand to replace the sand and beach area that would be lost due to the impacts of any protective structures.**

This finding does not apply since the project site is not adjacent to the oceanfront that would require shore protection.

NOW, THEREFORE, BE IT RESOLVED that Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036) to provide a certified Farmer's Market located at 600 Palm Avenue (Silver Strand Plaza) in the C-1 (General Commercial) Zone (APN 625-140-14-00 & 625-140-19-00) in the C-1 (General Commercial) Zone is hereby **approved** by the City Council of the City of Imperial Beach subject to the following:

CONDITIONS OF APPROVAL

PLANNING

1. A signage plan shall be provided reviewed by staff, the Design Review Board, and City Council.
2. The market's hours of operation shall only take place on the approved day, Friday, at the approved times (Summer: 2pm-7pm; Winter: 1pm-6pm). Adjustment of hours of operation shall be requested and approved by the Community Development Department.
3. Market manager shall ensure that the market is in compliance with all state, county, all local laws and regulations.
4. The market shall be completely deconstructed and cleaned at the end of each market operation.
5. A security patrol of no less than two individuals shall be provided at each market event to ensure that the residential character of the neighborhood to the west is not negatively impacted/disturbed in any way.

6. If event parking becomes a problem for the existing business plaza, the market shall be suspended until further analysis and solution is provided and approved by the Community Development Department. A traffic study, environmental analysis, and mitigation measures may be necessary.
7. Canopies are subject to City review and regulation.
8. Market layout shall be in substantial compliance with plans dated June 25, 2008, on file in the office of the Community Development Department and with the conditions required herein.
9. Market vendors shall have all appropriate certificates, business licenses, and permits.
10. No more than 31 market vendors shall be allowed (approximately 7 Farmer vendors; 7 pre-packaged vendors; 6 food vendors; 6 arts/crafts vendors; no more than 2 non-profit vendors; 3 misc. commercial vendors). No less than seven (7) farmer vendors shall be provided. An increase to the overall amount of market vendors shall be reviewed by the Community Development Department for consideration. All vendors shall not sell/provide services that are not consistent with the General Plan and Zoning Code.
11. Any live entertainment must obtain appropriate permits.
12. Approval of this permit shall not waive compliance with any portion of the International Building Code and Municipal Code in effect at the time a permit is issued or inspection is performed.
13. All negative balances in the project account (080033) shall be paid prior to any permit issuance, final inspection, and market operation.
14. Approval of Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036) for this project is valid for a one-year **vesting** period from the date of approval, to **expire** on **December 17, 2009**. Conditions of approval must be satisfied, permits issued, and use in reliance must have commenced prior to this date, unless a time extension is granted by the City prior to expiration.
15. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement accepting said conditions.
16. Unless necessity warrants an early review, the conditional use permit shall be reviewed by City Council towards the end, or after, the first year of operation. The purpose of this review is to provide/modify conditions deemed to be necessary or helpful to the market's operation.
17. Failure to comply with a condition, standard or law is grounds for revocation of the conditional use permit.

PUBLIC WORKS

18. Signage, decorations or other ornamentation / information may not be suspended from, or attached to any trees, signs or other facilities in the public right-of-way. Please note that the CALTRANS right-of-way is along the S.R. 75 side of the event area. The CALTRANS right-of-way may extend 16-feet or more from the paved surface of the highway. Any signage in the CALTRANS right-of-way will require CALTRANS approval.
19. Parking regulations compliance is required. (i.e. No parking in red zones and Restricted time limit parking be honored.)
20. If traffic entrance / exit from the event area become a public safety problem, applicant shall provide a traffic control plan and have it approved by the City within 1-week of identification of the problem, either by the applicant or the City.
21. The parking lot center rain gutter drain will be positively blocked from any liquid discharge from the parking lot to Rainbow Drive. The positive water stop will consist of plastic lined sandbag barrier across the drainage gutter adjacent to the Rainbow Drive sidewalk. The positive water stop will be positioned immediately before the Farmers Market set up and removed immediately after the Farmers Market tear down.
22. Maintenance of the approved Storm Water Pollution Prevention Best Management Practices shall always be in place/provided.
23. No other public services will be provided to the applicant for this event.
24. Market management will have on site brooms, mops, rags, cat litter, etc.
25. If a spill occurs, all vendors are required to notify market management immediately.
26. All vendors are required to have a trash receptacle and be responsible for removing any debris or trash that is generated by them.
27. Cans, bottles, paper, and card board, or any other recyclable material, shall be properly recycled.
28. No water, or any liquid or material, will be disposed of down the storm drain, street, or sidewalk.
29. Any vendor who cooks using oil or other fluids will at all times have a protective covering placed on the ground directly under the source of the fluid with the intent to capture grease spills. If a substance comes in contact with the parking lot pavement, it will be cleaned, and the towels will be washed with hot soap water.
30. All trash and other debris will be picked up, contained or recycled. All trash will be removed for the premises at the closure of the event.
31. All vendors shall receive a copy of Farmer's Market Best Management Practices and, a copy of the City of Imperial Beach Best Management Practices for businesses brochure.

32. All personnel and vendors involved with the Farmer's Market will receive, prior to the event, training on good housekeeping practices and the importance of pollution control with special emphasis to those who are cooking.

PUBLIC SAFETY

33. Market Vendors: All vendors to be in compliance with the California Fire Code (CFC) 2007 edition and City of Imperial Beach Municipal Code.
34. Emergency Access: Access to be maintained through the area with a minimum clear width of 20 feet and a vertical clearance of 13 feet 6 inches. Fire Department equipment must have access to all businesses and structures within the area.
35. Fire Hydrants: Shall not be blocked or obstructed at any time.
36. Tents/Canopies: Tents having an area in excess of 200 square feet and or canopies in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated areas, are to be used, they shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. *Permit charge is sixty (\$60.00) dollars.*
37. Fire Extinguishers: Minimum of one 2A:10BC fire extinguisher is required for every three vendor (non-cooking) booths, travel distance not to exceed 40 feet. Fire extinguisher is to be clearly marked and easily accessible to each booth operator. Vendors with cooking operations utilizing cooking appliances such as deep fat fryers, griddles, stoves, woks or similar appliance and/or are using butter, grease, oil or fats shall have a minimum of one 6 liter class "K" fire extinguisher. Other cooking and/or heating devices, such as barbeques cookers/smokers, require a minimum of one 2A:20BC fire extinguisher. All fire extinguishers shall have a current California State Fire Marshal tag securely attached.
38. Electrical Cords: Extension cords, power cables must be of an approved type, and appropriately rated and sized for the intended use, amperage and length. Cords, cables are required to be rated for outdoor use. Electrical cords and cables are not allowed on sidewalks. An approved protective ramp or other device shall protect any electrical cords or cables that are exposed to pedestrian or vehicle traffic. All electrical cords and/or cables used must comply with the 2008 National Electrical Code.
39. Power Taps (Strips): All electrical appliances/devices must be plugged directly into an approved power tap which is polarized or grounded type, equipped with overcurrent protections (circuit breaker reset), and shall be listed in accordance with UL 1363. Providing an approved power tap appliance is the responsibility of every vendor using electricity.
40. Cooking or Heating Appliances: All cooking and heating appliance are to be of an approved type and in good working conditions. All cooking and heating devices must be vented to the outside by an approved means. Where vents or flues are used, all portions of the canopy or tent shall be no less than 12 inches from the flue or vent. Cooking and heating appliance shall not be places in close proximity to tent or canopy walls, netting, covers etc.

41. Propane: All vendors utilizing propane shall maintain all tanks in a secure and upright position at all times. The use of approved tank stands is recommended. Bulk storage of propane tanks must be in a preapproved location with approved signage and security.
42. Cooking Booths: Where cooking appliances are present, canopies shall be flame-retardant treated with an approved State Fire Marshal seal attached. Individual canopies or groups of canopies totaling 400 square feet shall be separated by a minimum of 20 feet from other canopies or tents.
43. Charcoal: The use of charcoal and lighter fluid is prohibited and shall not be used for any reason.
44. Smoking and Open Flames: Smoking or open flame devices such as candles, tike troches etc. shall not be permitted within or adjacent to canopies or tents.
45. Fuel Powered Equipment: Generators shall have a 2A:10BC rated fire extinguisher mounted near the equipment, within the operator's control.
46. Fire Safety Inspection: Is to be conducted by the Fire Department prior to opening event to the public for the first time. Fire Safety Inspections will be conducted at 6 – 12 months intervals.

APPEAL PROCESS UNDER THE CALIFORNIA CODE OF CIVIL PROCEDURE (CCP):
The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of December 2008, by the following roll call vote:

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

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, CMC
CITY CLERK

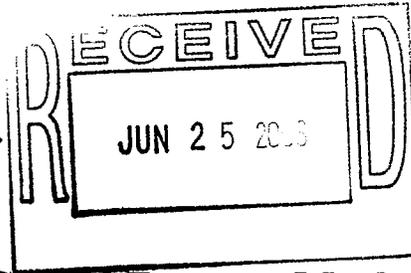
I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2008-6701 - A Resolution of the City Council of the City of Imperial Beach, California, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 080033), CONDITIONAL USE PERMIT (CUP 080034), DESIGN REVIEW CASE (DRC 080035), SITE PLAN REVIEW (SPR 080036) TO PROVIDE A CERTIFIED FARMER'S MARKET LOCATED AT 600 PALM AVENUE (SILVER STRAND PLAZA) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 985.

CITY CLERK

DATE



I.B. Beautiful, Inc.
Neighbors helping neighbors



Silver Strand Farmers Market

Mission Statement

Our goal is to provide the community with a safe, family-friendly gathering place to go for the freshest, local fruits and vegetable available and provide the opportunity for citizens to learn more about healthy eating. The market will be a fun, educational and community-building event.

Market Certification

San Diego County Agricultural Commission
County of San Diego Department of Environmental Health

Proposed Market Schedules

Summer:	1:00 – 1:30 p.m.	Lot closed/vendor setup
	1:30 – 5:30 p.m.	Market open
	5:30 – 6:00 p.m.	Market ends/lot reopens
Winter:	12:00 – 12:30 p.m.	Lot closed/vendor setup
	12:30 – 5:00 p.m.	Market open
	5:00 – 5:30 p.m.	Market ends/lot reopens

Market Management

The market will be operated by 1 manager and 2 assistant managers. Their duties include:

- Opening and closing of market
- Enforce all San Diego County Agricultural and Environmental Health requirements
- Verify all vendors have appropriate permits/certificates
- Market is operated in a safe and clean environment
- Supervision of market volunteers
- Parking and traffic issue

Market Vendors

Estimated number of vendors: 31

All vendors are required to have shade structures or market umbrellas

Farmers: Produce, Organic Produce, Plants and Flowers. All vendors must have appropriate certificates for their category.

Pre-Packaged Vendors: All items must be made in commercial kitchens approved by the County of San Diego Department of Environmental Health and all required certificates.

Food Vendors: Ready-to-eat and prepared-at-market food vendors must meet all San Diego Department of Environmental Health requirements and all required certificates.

Art/Crafts Vendors: Half items sold must be handmade items the other half can be for resale items. All vendors must have copy of California Sellers Permit.

Nonprofit: Nonprofit groups must meet all requirements of and be certified by the Federal Regulations for Nonprofit 'organizations.

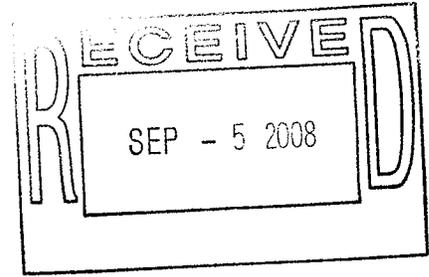
Other/Commercial: To be determined by market management.

Entertainment: Musicians, dancers, youth and ethnic groups, drama clubs, school groups and others.

<u>Vendor</u>	<u># of Vendors</u>	<u>Vendor Fee</u>	<u>Vendor Space</u>
Farmer	7	\$15/8% gross	18'x18'
Pre-Packaged	7	\$20.00	18'x18'
Food	6	\$20.00	10'x18'
Arts/Crafts	6	\$25.00	10'x10'
Non-profit	2	\$18.00	10'x10'
Comm./Other	3	\$35.00	Varies

Market Parking

Please see attached parking report.



September 5, 2008

Tyler Foltz
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

RE: Silver Strand Farmers Market C.U.P.

Dear Mr. Foltz,

This letter is to provide additional information requested to complete the Silver Strand Certified Farmers Market CUP application. Please review the following:

Statement of Evidence supporting Section 19.82.040

- A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;**

The proposed use is an outdoor Certified Farmers Market which will offer residents an environment in which they may purchase retail goods, such as fresh fruits and vegetables, freshly prepared as well as prepackaged foods, and live entertainment. The project will be located in the Silver Strand Shopping Center with regularly scheduled bus stops adjacent or nearby, which will encourage the use of public transportation. The site also provides a high degree of visibility from State Route 75, which will encourage commuters and residents of nearby communities to stop and visit Imperial Beach. Sales Tax revenue generated by the market will contribute to the economic health of the city. The Certified Farmers Market will also accept WIC and EBT payments in an effort to meet the needs of all residents. The weekly event will also generate foot traffic to support other businesses within the shopping center in addition to creating an economic synergy to attract customers and encouraging them to visit other local retailers and businesses. Therefore, the proposed use at the Silver Strand Shopping Center is necessary to provide an outdoor retail alternative for local residents, and will make a desirable contribution to the well-being of the community.

- B. That such use will not, under the circumstances of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;**

The proposed use is a weekly outdoor Certified Farmers Market which will offer residents an opportunity to purchase retail goods. The Certified Farmers Market will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because the market will operate in accordance with the conditions imposed by both the City of Imperial Beach Department of Public Works, and the Fire Department, including observance of Best Management Practices and the provision of additional fire and security apparatus. The outdoor farmers market will be a temporary weekly event, operating for a few hours on a single day, and will not produce or use noxious or hazardous materials.

- C. That the proposed use will comply with the regulations and conditions specified in this title for such use and for other permitted uses in the same zone; and**

The proposed site is subject to the C1-General Commercial (C1-GC) zoning regulations. The C1-GC regulations allow a variety of commercial uses including retail food stores and restaurants, and any other retail business or service establishment which the planning commission finds to be consistent with the purposes of the regulations. The proposed conditional use permit will authorize a weekly Certified Farmers Market which will offer residents an outdoor retail environment for the purchase of retail goods similar to those offered by other allowed commercial uses. In addition, the Certified Farmers Market will comply with all regulations and conditions included as part of the approved use permit.

- D. That the granting of such conditional use will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The project site is designated as General Commercial (GC) in the City of Imperial Beach General Plan and Coastal Plan. The intent of the GC designation is to provide for land to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. Further, it is intended that the dominant type of commercial activity in this designation will be community and neighborhood serving retail and office, such as markets, specialty stores, professional offices, personal service department stores, restaurants, liquor stores, hardware stores, etc.

The project site is subject to the C1-General Commercial Zoning regulations, the purpose of which is to provide areas for businesses to meet the local demand for commercial goods and services. It is intended that the dominant type of commercial activity in the C-1 zone will be community and neighborhood serving retail and office uses.

The proposed project is a conditional use permit to allow the operation of a weekly outdoor Certified Farmers Market which will provide the local residents of Imperial Beach with an opportunity to purchase commercial goods such as fresh locally grown fruits and vegetables, freshly prepared food and prepackaged foods, arts and crafts, and enjoy live entertainment. Therefore, the proposed use will be in harmony with the purpose and intent of the C1-GC regulations, and the City of Imperial Beach General Plan and Coastal Plan.

1. Market Schedule

- A. Every Friday
- B. Summer: 2 p.m.-7 p.m.
- C. Winter: 1 p.m.-6 p.m.
- D. These hours may be adjusted seasonally as the market becomes more established.

2. Market Management Duties

- A. The market manager ensures the market operates in compliance with state, county and local laws and health regulations. The market manager also completes office duties related to planning, record-keeping and correspondence for the market.
- B. Oversee the set-up, operation and shut-down of the farmers market.
- C. Ensure the market site is clean at the end of each market day
- D. Recruit farmers and other producers to participate
- E. Collect payment from vendors at the end of each market day
- F. Supervise the (2) assistant market managers and any volunteers
- G. Ensure market staff, volunteers and vendors adhere to BMP
- H. Supervise security patrol of nearby neighborhood
- I. Provide customer service supervise staffing of market info booth

3. There are 18 businesses located in the Silver Strand Plaza

4. Canopy Structures

- A. Each vendor is responsible for providing their own canopy
- B. All canopy structures must have State Fire Marshal seal attached
- C. Market management will approve all canopy structures

5. Banners

Palm Ave Banners

- A. Eleven 30"x 94" banners *see attached sample banners*
- B. Banners will be installed on street lamp post located on Old Palm Ave between Fifth Street and Carolina Street *see attached banner map*
- C. Banners will be rotated once a year to reflect seasonal market time changes
- D. Maintenance and rotation of banners will be the responsibility of I.B. Beautiful.

Silver Strand Plaza Banners

- A. Seven 30" x 60" banners *see attached sample banners*
- B. Two 30"x 94"
- C. One 8' x 6' banner installed on northeast wall of plaza near Hwy 75
- D. Banners will be installed on parking lot light poles *see attached banner map*
- E. Banner maintenance and rotations will be the responsibility of I.B. Beautiful.

6. Best Management Practices

All vendors will receive a copy of Silver Strand Farmers Market Best Management practices and, a copy of the City of Imperial Beach BMP for business brochure. All personnel and vendors involved in the Silver Strand Farmers Market will receive, prior to the event, training on good housekeeping practices and the importance of pollution control with special emphasis to those who are cooking.

- 1. Market management will have on site brooms, mops, rags, cat litter, etc.
- 2. If a spill occurs, all vendors are required to notify market management immediately.
- 3. All vendors are required have a trash receptacle and be responsible for removing any debris or trash that is generated by them.
- 4. Every effort will be made to assure that cans, bottles, paper and card board will be properly recycled.
 - A. No water or any other liquid will be disposed of down the storm drain, street or sidewalk.
 - B. Any vendor who cooks using oil or other fluids will at all times have a protective covering (tarp) placed on the ground directly under the source of the fluid with the intent to capture grease spills. If such event occurs and a substance comes in contact with the parking lot pavement it will be cleaned dup the towels and washed with hot soapy water
 - C. All trash and other debris will be picked up, contained or recycled. All trash will be removed for the premises at the closure of the event.

7. Traffic

If traffic entrance/exit from the event becomes a public safety problem the Silver Strand Farmers Market will provide a traffic control plan and have it approved by the city within 1-week of identification of the problem.

If you have any questions or require additional information you may contact me at 619-737-7844 or via khill67@cox.net

Sincerely,

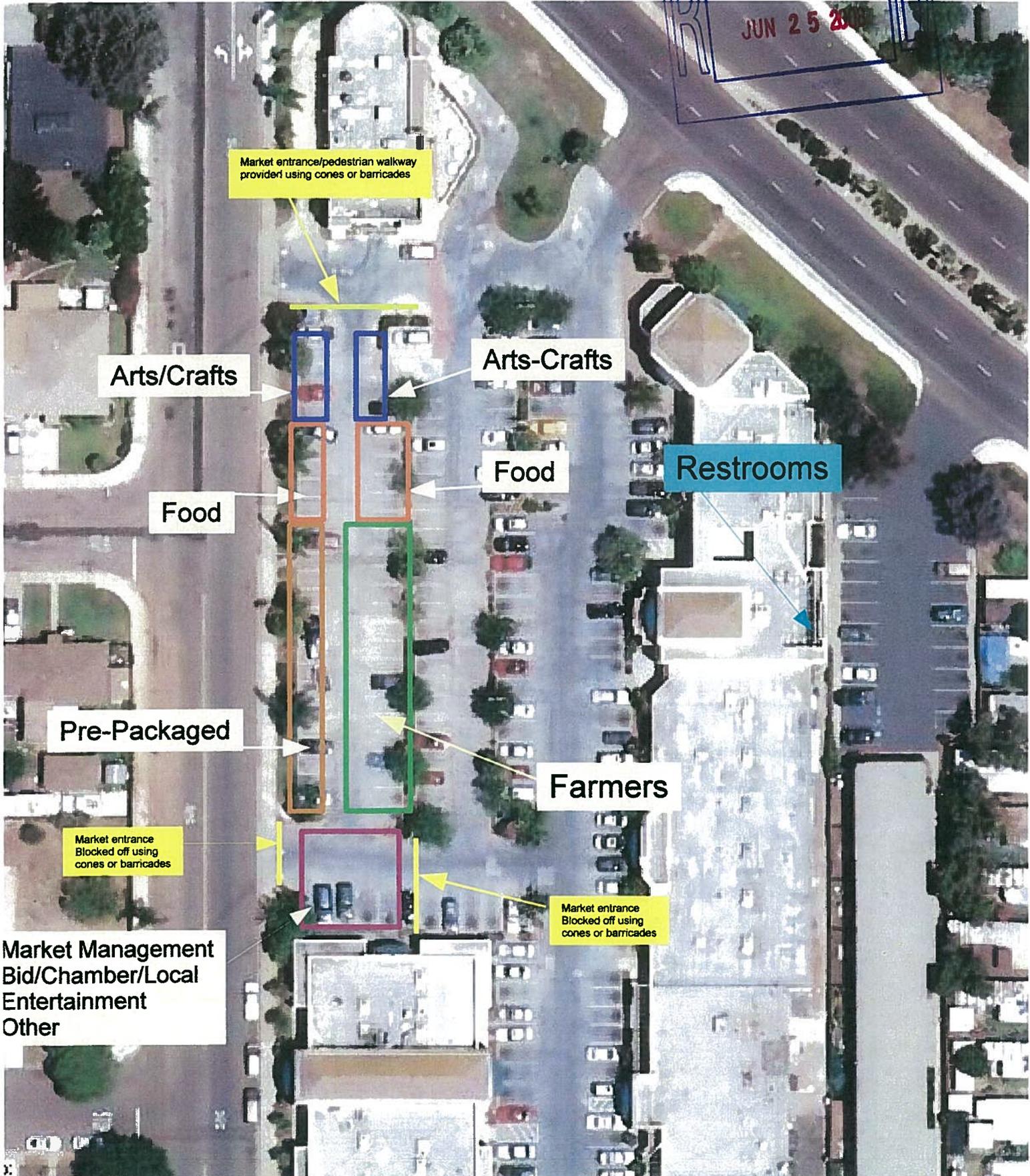


Kevin Hill
I.B. Beautiful Board member

cc: Jerry Selby, Redevelopment Coordinator
Elizabeth Cumming, Assistant Project Manager

Silver Strand Farmers Market

Market Set-up Plan



Market entrance/pedestrian walkway provided using cones or barricades

Arts/Crafts

Arts-Crafts

Food

Food

Restrooms

Pre-Packaged

Farmers

Market entrance Blocked off using cones or barricades

Market entrance Blocked off using cones or barricades

Market Management
Bid/Chamber/Local
Entertainment
Other

Silver Strand Farmers Market

Signs/Banner locations



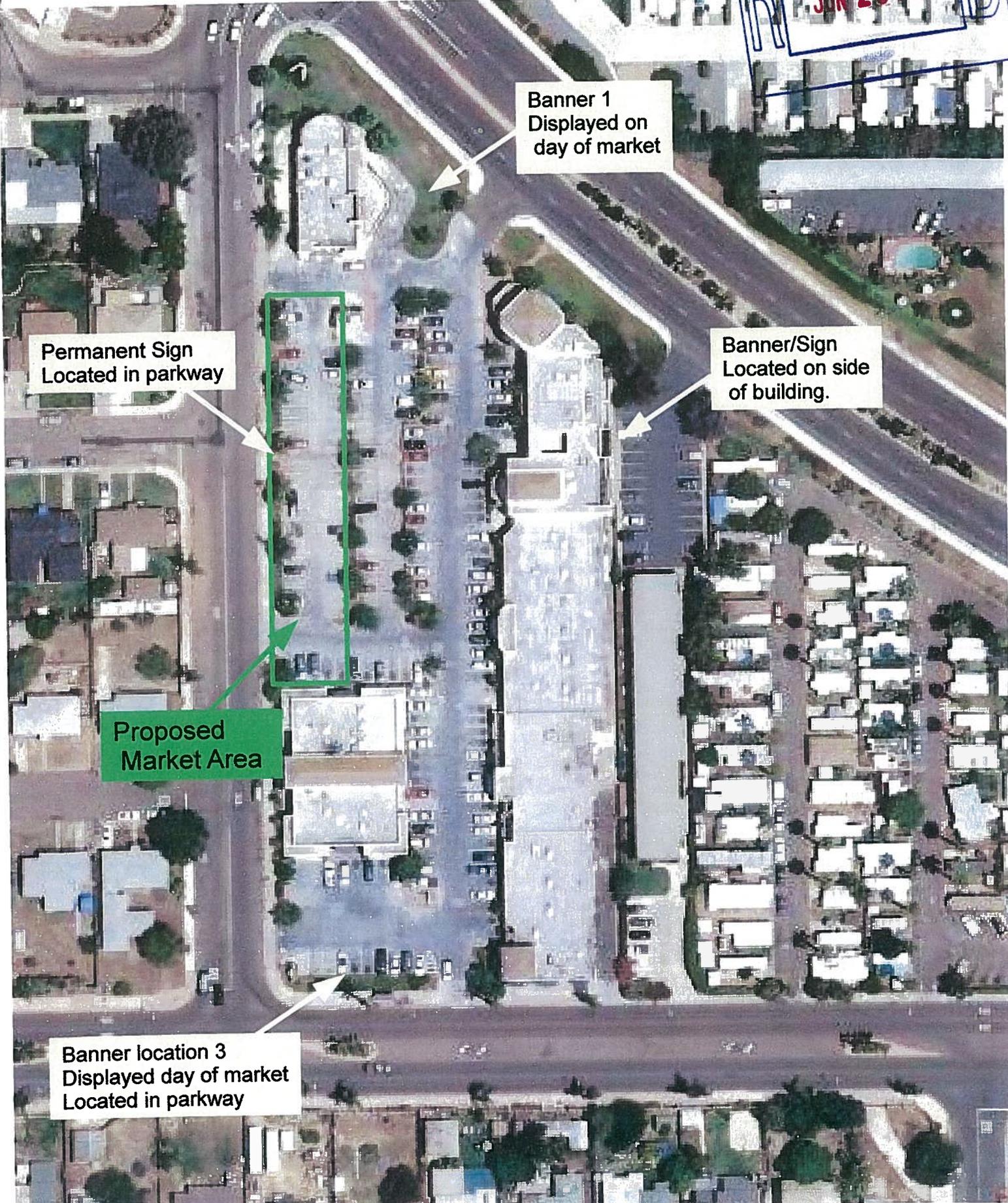
Banner 1
Displayed on
day of market

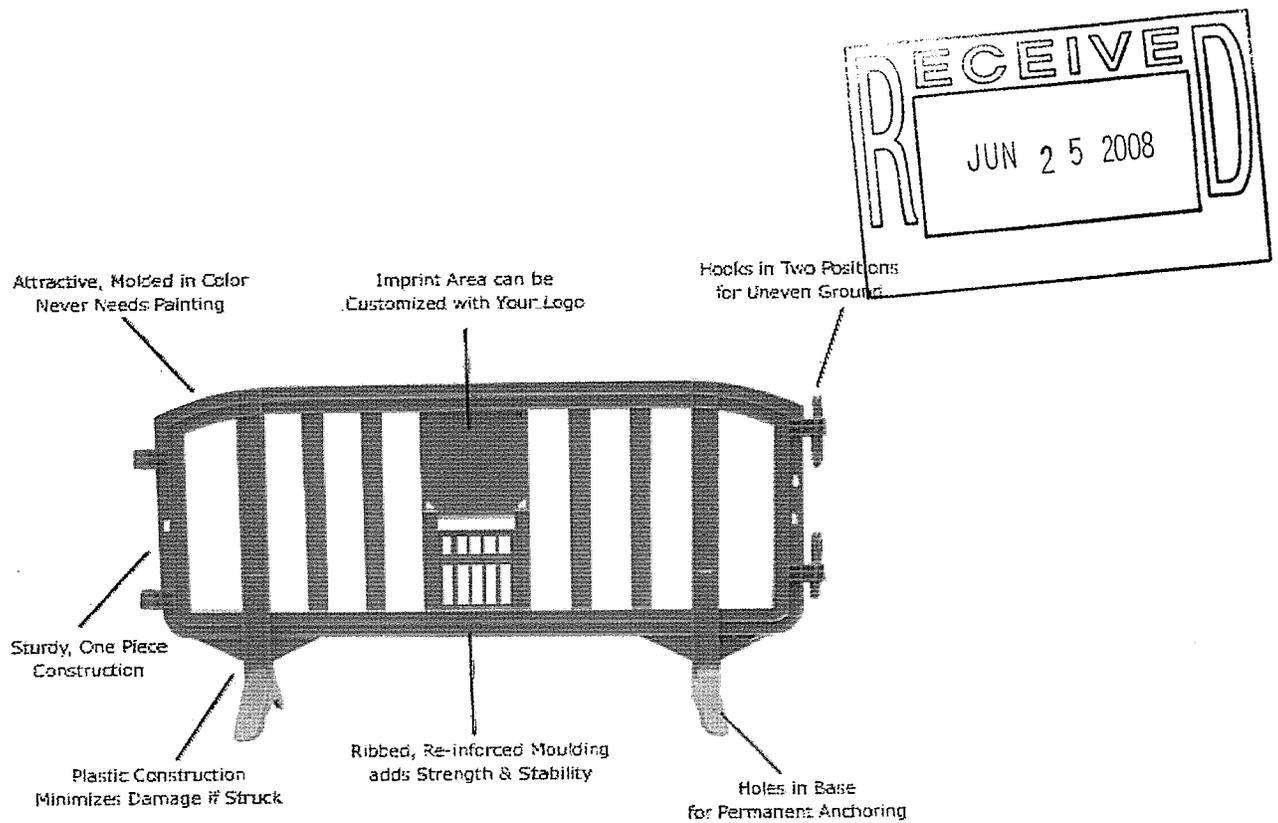
Permanent Sign
Located in parkway

Banner/Sign
Located on side
of building.

Proposed
Market Area

Banner location 3
Displayed day of market
Located in parkway

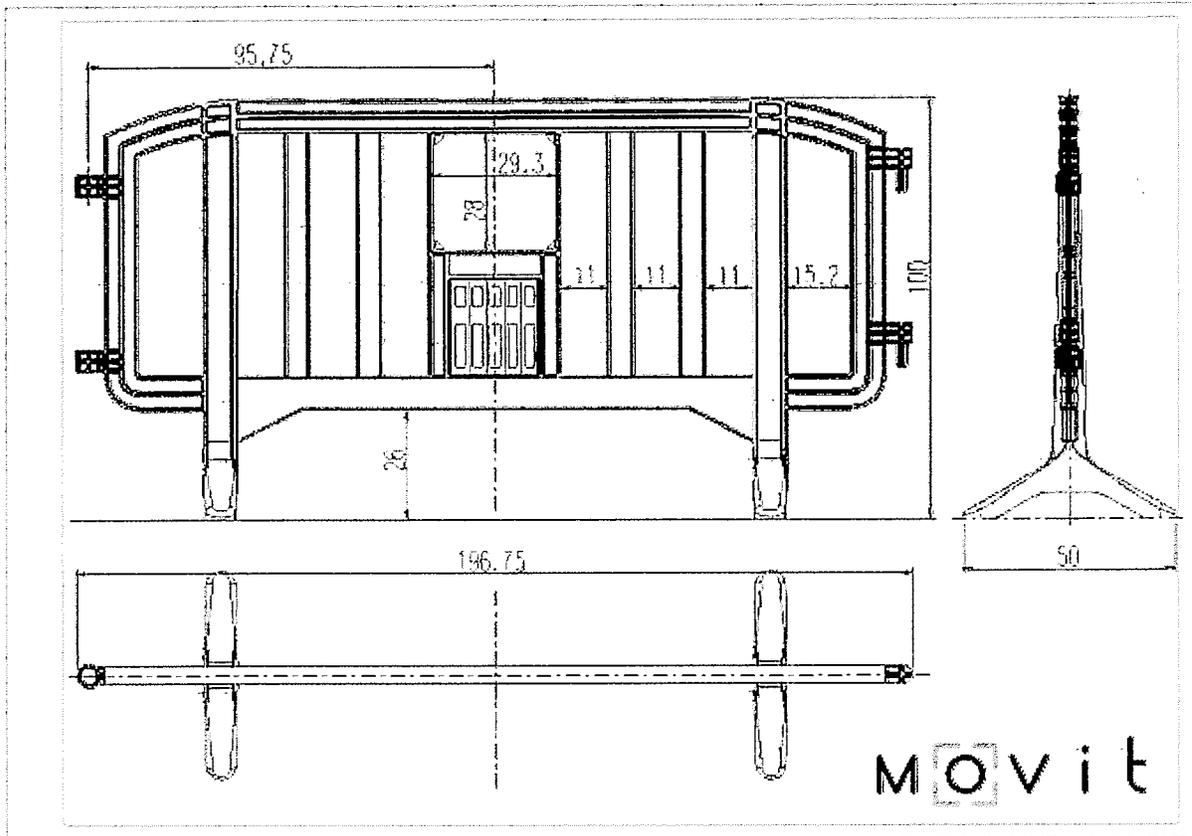




- **6 standard colors**
- **Logo display area**
- **Custom colors available**

- **Portable, durable, easy to move**
- **Practical for both indoor and outdoor use**
- **Stacks compactly for storage and transport**

- **Color is molded in to the plastic, there is no need to paint**
- **Ribbed re-inforced molding**
- **Has holes in the base for permanent anchoring**

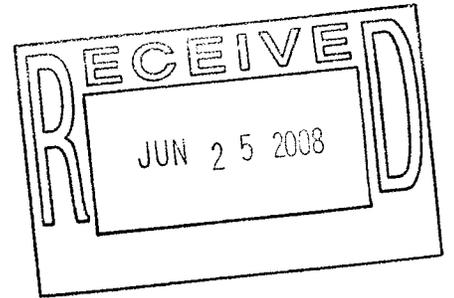


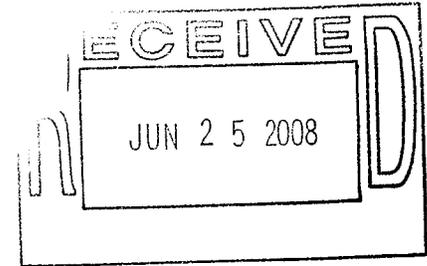
Length: 6 1/2' (78")
Width: 1.5" (3.8cm)

Height: 3.3' (39")
Weight: 26.5 lbs

Cost: \$137.00

Move it Barricades 888-436-1232





**Silver Strand Plaza
Preliminary Parking Report
Friday, 5/2/08**

Currently, the Silver Strand Plaza has an abundance of free parking. This basic report is designed to provide total parking information as well as specifics of the parking area to be used for IB Beautiful's Farmers Market

- Total parking spaces: 185
- Parking spaces requested for market: 60
- Total handicap spaces impacted by market: 0
- Size of parking spaces: 8 feet wide by 12 feet deep
- Driveways into the Plaza: 5
- Driveways to be closed for the market: 1
- Current usage: 25-60%

Based on the details provided above, it is apparent that there is ample parking available at the Silver Strand Plaza located at 600 Palm Avenue, Imperial Beach, CA 91932. In addition to the under-utilized parking inside the Plaza, there also exists an additional 15-20 street parking spaces along the plaza's side of the street, thereby still not affecting the residential street parking. Wouldn't it be great to have so much interest in the Farmer's Market that we ran out of parking?!

As the onsite property manager for the Silver Strand Plaza, I have noted over the past 6 months a percentage of parking spaces are never used or rarely used. I have attached pictures taken on various days and during various times showing the ebb and flow and used vs. usable parking space.

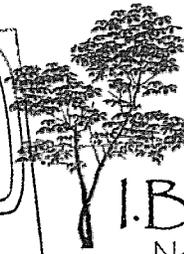
Please feel free to contact me if you need clarification or have any questions.

Kindest regards,

Diane Schmoltdt
Property Manager
Silver Strand Plaza
858-692-4957 (cell)
Dianejoy2@yahoo.com

September 29, 2008

Tyler Foltz
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932



I.B. Beautiful, Inc.
Neighbors helping neighbors

RE: Silver Strand Farmers Market C.U.P.-Parking Report

Dear Mr. Foltz,

This letter is to provide additional information requested to complete the Silver Strand Certified Farmers Market CUP application. Please review the following:

Parking Report

- Total parking spaces: 185
- Parking spaces requested for market: 60
- Size of parking spaces: 8 feet wide by 12 feet deep
- Driveways into the Plaza: 5
- Driveways to be closed for the market: 1
- Current usage: 25-60%
- 20 parking spaces on Rainbow 5 spaces removed due to fire rules

Parked Car Survey

<u>Time</u>	<u>Abandoned Street</u>	<u>Parked Street</u>	<u>Parked Lot</u>
12:00 p.m.	1	0	56
1:00 p.m.	1	2	50
2:00 p.m.	1	2	59
3:00 p.m.	1	2	53
4:00 p.m.	1	2	64
5:00 p.m.	1	0	52
6:00 p.m.	1	4	48

54.57 average

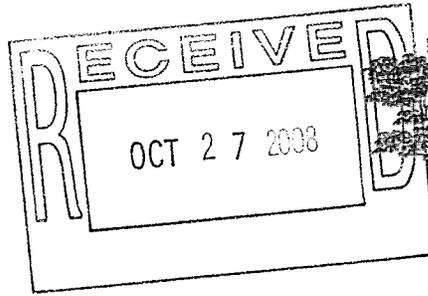
If you have any questions or require additional information you may contact me at 619-737-7844 or via khill67@cox.net

Sincerely,

Kevin Hill
I.B. Beautiful Board member

October 27, 2008

Tyler Foltz
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932



I.B. Beautiful, Inc.
Neighbors helping neighbors

RE: Silver Strand Farmers Market C.U.P.-Parking Report

Dear Mr. Foltz,

This letter is to provide additional information requested to complete the Silver Strand Certified Farmers Market CUP application. Please review the following:

Parked Car Survey

	<u>Time</u>	<u>Street</u>	<u>Lot</u>		<u>Time</u>	<u>Street</u>	<u>Lot</u>	
10/3/2008	12:00	2	52	10/10/2008	12:00	1	50	51.86 avg.
	1:00	1	48		1:00	3	54	
	2:00	0	56		2:00	2	49	
	3:00	2	50		3:00	1	53	
	4:00	1	62		4:00	2	58	
	5:00	1	55		5:00	1	52	
6:00	3	45	6:00	2	47			
10/17/2008	12:00	1	89	10/24/2008	12:00	0	59	52.85 avg.
	1:00	3	65		1:00	2	52	
	2:00	2	75		2:00	1	50	
	3:00	2	52		3:00	2	48	
	4:00	2	60		4:00	2	60	
	5:00	1	47		5:00	1	52	
6:00	3	46	6:00	3	49			

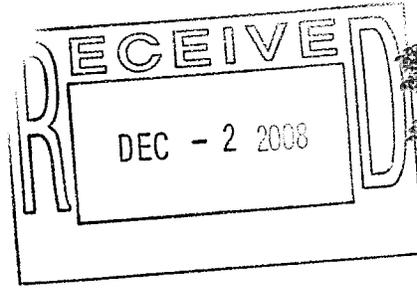
If you have any questions or require additional information you may contact me at 619-737-7844 or via khill67@cox.net

Sincerely,

Kevin Hill
I.B. Beautiful Board member

December 2, 2008

Tyler Foltz
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932



I.B. Beautiful, Inc.
Neighbors helping neighbors

RE: Silver Strand Farmers Market C.U.P.-Parking Report

Dear Mr. Foltz,

This letter is to provide additional information requested to complete the Silver Strand Certified Farmers Market CUP application. Please review the following:

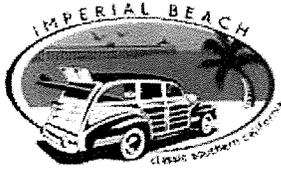
Parked Car Survey

	<u>Time</u>	<u>Street</u>	<u>Lot</u>		<u>Time</u>	<u>Street</u>	<u>Lot</u>	
10/31/2008	12:00	1	55	11/07/2008	12:00	3	52	52.96 avg.
	1:00	1	60		1:00	1	58	
	2:00	0	46		2:00	0	47	
	3:00	1	51		3:00	2	50	
	4:00	0	59		4:00	1	60	
	5:00	0	49		5:00	2	54	
6:00	2	48	6:00	2	49			
11/14/2008	12:00	0	70	11/21/2008	12:00	1	60	56.14 avg.
	1:00	1	61		1:00	3	57	
	2:00	1	50		2:00	0	49	
	3:00	2	58		3:00	3	67	
	4:00	1	57		4:00	1	61	
	5:00	1	50		5:00	3	53	
6:00	3	42	6:00	4	46			

If you have any questions or require additional information you may contact me at 619-737-7844 or via khill67@cox.net

Sincerely,

Kevin Hill
I.B. Beautiful Board member



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
JIM NAKAGAWA, AICP, CITY PLANNER

SUBJECT: PUBLIC HEARING: SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM ("SCOUP") COASTAL DEVELOPMENT PERMIT (CP 080052) MF 996

PROJECT DESCRIPTION / BACKGROUND:

The City Council received a presentation at its meeting of January 9, 2008 of the Sand Compatibility and Opportunistic Use Program (SCOUP) and its Mitigated Negative Declaration (MND). The City Council on August 6, 2008 approved the SCOUP and its final MND (Resolution No. 2008-6661).



The SCOUP was developed in consultation with State and Federal resource agencies and provides protocols and templates for a regional opportunistic sand replenishment program and is intended to streamline regulatory approval of small beach nourishment projects. The purpose of the project is to capitalize on opportunities to obtain beach-quality sand from construction, development, or dredging projects in the region when it becomes available. Approval of and subsequent receipt of permits would allow quick and efficient placement of material as it becomes available in the next five years provided it meets the criteria identified in the Sand Compatibility and Opportunistic Use Program (SCOUP). Applications for associated permits would be resubmitted in order to extend beyond the initial five year period. This efficiency makes opportunistic material a viable sand source. The project will be implemented at sites in specific beach locations in the cities of Encinitas, Solana Beach, Coronado, and Imperial Beach. Each site would be monitored over time so that the program may be modified as needed, with City Council consent, to maintain minimal environmental impacts (maximum environmental sensitivity) while maximizing nourishment of the littoral zone. On April 2, 2008, the City Council authorized the execution of a contract with Moffatt & Nichol Engineers to process the necessary permits to execute projects under the SCOUP. Moffatt & Nichol are currently preparing the permit applications for the initial five-year permits.

Offseason placement is acceptable for the 11-25% fines, but this fines fraction is not acceptable during the summer season from March 1 to September 14 due to bird foraging. The fines fraction acceptable during the breeding season is 10% or less.

Placement during the period of March 1 to May 31 is restricted to minimize impacts to invertebrate recruitment and grunion spawning. Specifically, up to 25,000 cubic yards (with $\leq 10\%$ fines) may be placed each month within this time period. Placement can only occur over periods of two weeks maximum per month. Placement can also only occur over discreet areas of the beach rather than over the entire beach area. A different placement site would be used each event and have a minimum spacing of 150 feet between placement sites, and located such that subsequent placements would not require vehicle disturbance of previously used sites.

Placement during the period of June 1 to September 14 would only be allowed for the area south of Imperial Beach Boulevard with appropriate monitoring in coordination with California Department of Fish and Game, National Marine Fisheries Service, and the United States Fish and Wildlife Service. The same placement restrictions as described above for the period between March 1 and May 31 that avoids repetitive placement in the same location also would apply to placement during June 1 and September 14.

Opportunistic sand sources would primarily be from construction projects within the city limits and the Tijuana River Estuarine Research Reserve. Some projects currently identified include a hotel and parking garage proposed at 800 Seacoast Drive, between Date Avenue and Daisy Avenue, which would replace the existing Seacoast Inn and may generate a moderate amount of material within the 5 year project lifespan. Under this scenario, approximately 15,000 cubic yards would be graded for the parking garage, but would have to be tested to determine the amount of available potential beach nourishment material. The new hotel will be sited 35 feet back from the beach, thereby creating more space for a sandy beach area. There is another potential beachfront hotel development at Seacoast Drive and Imperial Beach Boulevard, which could provide a source for beach material. In addition, the Tijuana River Valley Debris and Sedimentation Detention Basins (Tijuana River Valley basins), Goat Canyon sediment basins would be potential sources for sand if deemed as opportunistic sand for placement. The Tijuana River Valley basins were recently created and are associated with the restoration efforts of the Tijuana Estuary. Clearing of these basins could yield sources of high-quality sand on a frequent basis and approximately 60,000 cubic yards would potentially be captured in these basins. This material would only be utilized if chemical testing confirms it is not contaminated and the material meets other suitability criteria.



Source: Moffatt & Nichol, 2005 and Thomas Bros.



Figure 20
Haul Route
City of Imperial Beach

Opportunistic Beach Fill Program at Four Beaches Draft MND
P:\2009\05080668 SCOUP 4 MND\6\Graphical Figures\Fig7 haul IB.Rt11 (ready) 3/22/06

As mentioned, permit applications to regulatory agencies are currently being prepared. SCOUP Permits will be needed from:

- California Regional Water Quality Control Board
- US Army Corps of Engineers
- San Diego Unified Port District
- City of Imperial Beach

Monitoring will be implemented by the City of Imperial Beach and the other three cities as opportunistic projects are performed. The SCOUP plan also recommends reporting and provides a sample reporting template that may be modified by each city as appropriate. Project design features are also defined to address truck operations and other operational procedures to avoid impacts (e.g. specific haul routes, traffic control plan, etc.). Monitoring for the following will be performed after each project:

- Beach profile
- Surfing conditions
- Turbidity
- Sediment grain size/gradation
- Traffic
- Biological resources including grunion and endangered and threatened species
- Hazards and hazardous materials

ENVIRONMENTAL IMPACT:

A Final Mitigated Negative Declaration (MND) has been adopted for the SCOUP pursuant to CEQA (SCH# 2008021046) by the City Council on August 6, 2008. It is posted on the City's website. This coastal development permit will consider and incorporate the previous SCOUP MND by reference (CEQA Guidelines 15150).

FISCAL IMPACT:

Funding for SCOUP was provided by the Department of Boating and Waterways (DBW) and the participating jurisdictions. DBW contributed \$20,000 to the initial project cost of \$48,290. The remaining cost was split evenly among the cities that paid \$7,072.50 each. Additional funding is anticipated to be needed in FY 2009-2010 to conduct required mitigation and monitoring. Future funding needs will be determined once all permits are secured and mitigation and monitoring obligations are known and costs quantified. Consultant services for processing the required permits for this project are expected to cost approximately \$37,000. It is expected that RDA tax increment (Resolution No. 2008-6611 and Resolution No. R-08-144) and/or grant monies could be used to fund this effort.

COASTAL JURISDICTION: The project is located in the jurisdiction of the San Diego Unified Port District and in the Appeal Jurisdiction of the California Coastal Commission, as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map, and, as such, is appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

2007 Regional Beach Monitoring Program Annual Report



Plate 1. Imperial Beach Receiver Site, April 2001 through November 2007

OTHER REQUIRED ENTITLEMENTS:

Moffatt and Nichol (authorized to provide professional contract services on April 2, 2008 per City Council Resolution No. 2008-6610) submitted applications on behalf of the City of Imperial Beach with the Port District for a coastal development permit, Sections 404 and 10 permits with the Army Corps of Engineers, and a Section 401 Certification with the San Diego Regional Water Quality Control Board.

TIDELANDS ADVISORY COMMITTEE (TAC) RECOMMENDATION:

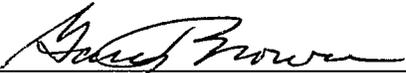
On December 8, 2008, the Tidelands Advisory Committee (TAC) recommended approval (Stalheim/Pilgrim: 6-0-1) of the SCOUP coastal development permit (CPR 080052) to the City Council. The TAC stipulated in the motion that the City, whenever possible, put out a 30 day notice prior to the project's beginning and also that there would be departmental monitoring of the off loading during sand placement so that the City could halt the placement if there was any visual evidence of problems with the sand.

DEPARTMENT RECOMMENDATION:

1. Declare the public hearing open;
2. Receive public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6698, approving a Regular Coastal Permit (CP 080052) for the SCOUP project, which makes the necessary findings and provides protocols, parameters, and conditions of approval in compliance with local and state requirements.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6698
 2. August 13, 2008 Letter from Moffatt and Nichol with Project Description
 3. December 8, 2008 Letter to TAC from Serge Dedina of Wildcoast
- c: file MF 996 SCOUP
Brian P. Leslie, Moffatt & Nichol, 1660 Hotel Circle North, Suite 200, San Diego, CA 92108
Serge Dedina, Wildcoast, 925 Seacoast Drive, Imperial Beach, CA 91932
California Coastal Commission, Diana Lilly, Coastal Program Analyst, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-1735
Shelby Tucker, SANDAG, 401 B Street, Suite 800, San Diego, CA 92101-4231

ATTACHMENT 1

RESOLUTION NO. 2008-6698

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE COASTAL DEVELOPMENT PERMIT (CP 080052) FOR THE IMPERIAL BEACH SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (“SCOUP”) MF 996

WHEREAS, on December 17, 2008, the City Council of the City of Imperial Beach held a duly advertised public hearing to consider the merits of approving or denying an application for a Regular Coastal Permit (CP 080052) to deposit a maximum total of 75,000 cubic yards per year of sand material with each project limited to a maximum of 25,000 cubic yards on a placement footprint from Imperial Beach Boulevard south approximately 2,300 feet pursuant to the protocols, templates, and parameters of the Imperial Beach Sand Compatibility and Opportunistic Use Program (SCOUP) previously adopted by the City Council (Resolution No. 2008-6661) on August 6, 2008; and

WHEREAS, the SCOUP, developed by the San Diego Association of Governments (SANDAG), is a component of the California Coastal Sediment Management Master Plan development which began in 2004 and is a collaborative effort between the California Resources Agency and the U.S. Army Corps of Engineers to develop an integrated strategy for nourishing the State’s beaches; and

WHEREAS, a rigorous and comprehensive mitigation and monitoring program will be implemented by Imperial Beach as opportunistic projects are performed because the SCOUP sets forth such protocols; and

WHEREAS, the City has retained the professional services of Moffatt and Nichol Consultants (Resolution No. 2008-6610) to obtain requisite regulatory permits and approvals from the Regional Water Quality Control Board, the US Army Corps of Engineers, the San Diego Unified Port District and the City of Imperial Beach; and

WHEREAS, the City Council finds that the project is consistent with General Plan (Parks, Recreation, and Access Element) Policy P-12 where this beach replenishment project will maintain and enhance the environmental integrity of the beach; and

WHEREAS, the City Council finds that the project is consistent with General Plan (Safety Element) Policy S-11 where the City of Imperial Beach through this project is coordinating with SANDAG and other coastal cities in implementing a regional beach replenishment program; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as a Mitigated Negative Declaration (MND) had been prepared for the previously-approved SCOUP, was routed for a 30-day public review and comment period from February 11, 2008 to March 11, 2008, submitted to the State Clearinghouse (SCH#

2008021046) for agency review and a final MND was adopted (Resolution No. 2008-6661) on August 6, 2008; and

WHEREAS, the City Council hereby adopts and incorporates the previously-approved MND for the SCOUP (CEQA Guidelines Section 15150) for this SCOUP coastal development permit (CP 080052) and finds that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis; that the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; that revisions in the project plans or proposals made by or agreed to by the project applicant, pursuant to CEQA Guidelines Section 15070(b)(1), would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and that, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) there is no substantial evidence that the project as proposed, as conditioned, or as revised, will have a significant effect on the environment; and

WHEREAS, the City Council further offers the following findings in support of its decision to conditionally approve the project:

COASTAL PERMIT FINDINGS:

1. The proposed development conforms to the Certified Local Coastal Plan including Coastal Land Use Policies.

Shore Processes and Shore Protection

The subject site is situated within the Silver Strand Littoral Cell (SSLC), representing a coastal compartment which contains a complete cycle of littoral (beach) sedimentation, including sand sources, transport pathways and sediment sinks. Recent Army Corps of Engineers studies indicate that erosion problems are most noticeable in Imperial Beach and at Playas de Tijuana.

The City of Imperial Beach has approximately 17,600 feet of shoreline, approximately 12,000 feet or 68% of which is either publicly owned or has direct vertical or lateral access. This includes 6,000 linear feet of sandy beach owned by the State of California within the Border Field State Park in the extreme southwest corner of the City. This project does not propose development but rather proposes beach sand replenishment. The project is not expected to alter lateral beach access or any portion of beach area for public recreation uses but rather enhances lateral beach access consistent with the certified Local Coastal Plan as described per page P-15 of the Parks, Recreation, and Access Element.

Public Access

The subject site is located on the beach, surf zone, and near shore area south of Imperial Beach Boulevard, west of Seacoast Drive for about 2300 feet. People reach the beach in the vicinity of the site at the Admiralty Way, Beech Avenue, Cortez Avenue, Descanso Avenue, and Encanto Avenue street ends.

The project is in conformity with the public access and public recreation policies in the certified Local Coastal Program and Chapter 3 of the Coastal Act, commencing with Section 30200, because:

- a) This beach sand replenishment project does not consist of development that would impact vertical or lateral access to the beach;
- b) Improved lateral coastal access is being provided by having beach sand deposited along the beach that at times has fluctuated in size (per page P-15 of the Parks, Recreation, and Access Element) due to seasonal tidal activity.

Coastal View Access

Since this project is a beach sand replenishment activity with no development proposed, coastal views would be retained. As sand is deposited in the beach berm, surf zone, or near shore areas, tidal activity would work the sand into the existing beach.

Scenic Views: Since this project is a beach sand replenishment activity with no development proposed, scenic views would be retained. As sand is deposited in the beach berm, surf zone, or near shore areas, tidal activity would work the sand into the existing beach.

- 2. For all development seaward of the nearest public highway to the shoreline, the proposed development meets standards for public access and recreation of Chapter Three of the 1976 Coastal Act and regulations promulgated thereunder.**

The subject site is located on the beach, surf zone, and near shore area south of Imperial Beach Boulevard, west of Seacoast Drive for about 2300 feet. However, no development is proposed with this beach sand replenishment project and no impacts to public access would occur. Rather, this sand replenishment project enhances lateral public access.

- 3. The proposed development meets the minimum relevant criteria set forth in Title 19, Zoning.**

This beach sand replenishment project is located in the PF (Public Facilities) Zone. Public and/or municipal recreation facilities (Section 19.24.020) are allowed in this zone. Since no buildings are proposed, site plan review would not be necessary. This project complies with the process requirements of Section 19.87.240.A.1.b as a coastal development permit (CP 080052) has been obtained from the City Council for this beach sand maintenance activity.

- 4. For all development involving the construction of a shoreline protective device, a mitigation fee shall be collected which shall be used for beach sand replenishment purposes. The mitigation fee shall be deposited in an interest bearing account designated by the Executive Director of the California Coastal Commission and the City Manager of Imperial Beach in lieu of providing sand to replace the sand and beach area that would be lost due to the impacts of any protective structures.**

The project does not include the construction of a vertical seawall. This project is in fact a sand replenishment project that mitigates for other development along the beach that may have or have had an impact on beach sand retention.

NOW, THEREFORE, BE IT RESOLVED, that Regular Coastal Permit (CP 080052) proposing to deposit a maximum total of 75,000 cubic yards per year of sand material with each project limited to a maximum of 25,000 cubic yards on a placement footprint from Imperial Beach Boulevard south approximately 2,300 feet pursuant to the protocols, templates, and parameters of the Imperial Beach Sand Compatibility and Opportunistic Use Program (SCOUP) previously adopted by the City Council (Resolution No. 2008-6661) on August 6, 2008, is hereby **approved** by the City Council of the City of Imperial Beach subject to the following:

CONDITIONS OF APPROVAL:

A. PLANNING:

1. Sand placement activity shall be in accordance with the protocols, templates, and parameters of the Imperial Beach Sand Compatibility and Opportunistic Use Program (SCOUP) and plan including monitoring actions previously adopted by the City Council (Resolution No. 2008-6661) on August 6, 2008.
2. The project shall comply with the mitigation measures as provided in the final Mitigated Negative Declaration (SCH# 2008021046) and with the Mitigation, Monitoring and Reporting Program (MMRP) for the previously-approved SCOUP MND (Resolution No. 2008-6661).
3. Prior to implementation of the SCOUP project, applicant shall obtain the requisite:
 - a. Section 10 and Section 404 permits from the US Army Corps of Engineers,
 - b. Section 401 Certification from the San Diego Regional Water Quality Control Board, and
 - c. Coastal Development Permit from the San Diego Unified Port District.
4. Approval of this request shall not waive compliance with any portion of the Municipal Code in effect at the time a permit is issued.
5. The applicant shall provide municipal/departmental monitoring of the candidate sand during sand off-loading so that the City could halt the sand placement if there was any visual evidence of problems with the sand.
6. Applicant shall when possible provide notification to affected persons in the receiver site area at least 30 days prior to commencement of a specific sand placement project.
7. **Expiration Date.** Approval of Regular Coastal Permit (CP 080052) to deposit a maximum total of 75,000 cubic yards per year of sand material with each project limited to a maximum of 25,000 cubic yards on a placement footprint from Imperial Beach Boulevard south approximately 2,300 feet pursuant to the protocols, templates, and parameters of the Imperial Beach Sand Compatibility and Opportunistic Use Program (SCOUP) previously adopted by the City Council (Resolution No. 2008-6661) on August 6, 2008 in the PF (Public Facilities) Zone is valid for one year from the date of final action, to **expire on December 17, 2009**, unless an appeal is filed to or by the California Coastal Commission. Any such appeal will stay the expiration date until the case is resolved and the permit will expire 2 years from the date the Commission acts on the appeal. In the event that no appeal is filed, conditions of approval must be satisfied, permits issued, and substantial construction or use in reliance must have commenced prior to the expiration date or a time extension is granted by the City pursuant to such a request for extension by the applicant.

8. The applicant or applicant's representative shall, pursuant to Section 711.4 of the California Fish and Game Code, pay to the San Diego County Clerk a \$50 documentary handling fee at the time the Notice of Determination is filed by the City, which is required to be filed with the County Clerk within five working days after project approval becomes final (Public Resources Code Section 21152).

B. ENVIRONMENTAL MITIGATION MEASURES:

Biological Resources:

9. At least 30 days prior to placement, divers shall be deployed to determine the presence or absence of Pismo clams.
10. Applicant to coordinate with the US Fish and Wildlife Service and monitor during construction if sand placement would occur during the California least tern breeding season from April 1 to September 15.
11. Two to three weeks prior to any sand placement during predicted grunion run, conduct baseline grunion survey. If grunion are found within the project area during the breeding season of March 1 to September 15:
 - a. The location of the grunion would be mapped and the number present would be estimated (e.g. by Walker Scale,
 - b. The monitor would communicate monitoring results to the resource agencies the day following the survey and agree upon an action,
 - c. If the number is substantial, then placement would be modified to either adjust the footprint upshore or downshore, or redirect all sand placement above the spring high tide line,
 - d. If the number were not substantial, then the activity may proceed.

Hydrology and Water Quality/Hazardous Materials:

12. The applicable Stormwater Management Plan (SWMP) or Stormwater Pollution and Prevention Plan (SWPPP) or Spill Prevention, Containment and Countermeasures Plan (SPCCP) shall be prepared for the construction job that would be the source of material.

Appeal Process under the California Code of Civil Procedure (CCP): The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 17th day of December 2008, by the following roll call vote:

AYES:	COUNCILMEMBERS:	
NOES:	COUNCILMEMBERS:	
DISQUALIFIED:	COUNCILMEMBERS:	MCLEAN (DUE TO POTENTIAL CONFLICTS OF INTEREST)

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

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

APPROVED AS TO FORM:

James P. Lough

JAMES P. LOUGH, CITY ATTORNEY

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2008-6698 – A Resolution of the City Council of the City of Imperial Beach, California, APPROVING THE COASTAL DEVELOPMENT PERMIT (CP 080052) FOR THE IMPERIAL BEACH SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (“SCOUP”). MF. 996.

CITY CLERK

DATE

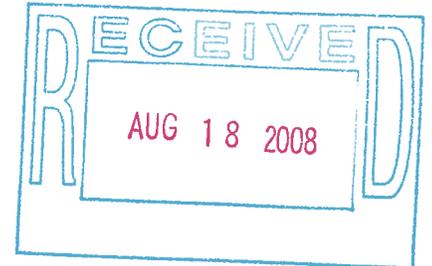


1660 Hotel Circle North, Suite 200
San Diego, CA 92108
(619) 220-6050
Fax (619) 220-6055

ATTACHMENT 2

August 13, 2008

Jim Nakagawa
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932



Attn: Jim Nakagawa

Subj: Coastal Development Permit Application
Imperial Beach Restoration Program
M&N File: 6611

Dear Mr. Nakagawa:

This package is an application for Coastal Development Permit for the Imperial Beach Opportunistic Beach Restoration Program pursuant to 33 CFR 330.1(e)(1). The applicant, the City of Imperial Beach, is proposing this program as a means to counteract erosion, increase recreational activities, and restore the beach habitat for shore birds and grunion. The program consists of placing a total maximum of 75,000 cubic yards per year (cy/yr) of sand on the designated City beach fill site.

APPLICANT City of Imperial Beach
Gregory Wade, Community Development Director
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

PROGRAM PLACEMENT SITE LOCATION

The program placement site is located along approximately 2,300 feet of Imperial Beach, extending from Imperial Beach Boulevard to the north to the southern end of Seacoast Drive as shown in Figures 1 and 2 of the attached Project Description. Three beach fill designs are proposed as part of the program, which include beach berm, surf-zone, and nearshore placements. A fill site of 1,450 feet in length within this footprint has been identified as a receiving beach if material is found to be suitable for dry beach placement in the form of a beach berm. Nearshore and surf-zone placements are proposed to take place anywhere within the 2,300 linear-foot stretch of beach.



The rate of sand placement on the beach for the proposed program is designed to replicate nature as closely as possible as natural sediment delivery to the coast occurs during the wet season (fall and winter); therefore, projects occurring during the summer months would have strict percent fines restrictions and would be very limited (maximum 5,000 cy / month) as shown in Table 1. Projects occurring during winter months would have looser percent fines restrictions and greater volumes could be deposited.

Seasonal project restrictions for the proposed program are outlined in Table 1 below:

Table 1: Project Restrictions

Time Period	Restrictions
Sept 15 th – Feb 28 th	11 – 25 % fines = up to 25,000 cy/yr
Mar 1 st – May 31 st	Grunion monitoring may be required if habitat is suitable for spawning; would allow up to 25,000 cy/month (maximum placement of 14 days/month) with a 10 % fines maximum at a minimum distance of 150 ft. between placements.
Jun 1 st – Sept 14 th	Placement would require coordination with USFWS and each project to send out notification; may require least tern and snowy plover monitoring, Pismo clams, and may require grunion monitoring if habitat is suitable for spawning.

More detail regarding the allowable percent fines and placement timing are included in the Project Description, which is included in this submittal.

CEQA COMPLIANCE AND ENVIRONMENTAL IMPACTS

The City of Imperial Beach has prepared a Final Mitigated Negative Declaration (April 2008) jointly with the cities of Encinitas, Coronado, and Imperial Beach, which addresses the environmental impacts from the implementation of the proposed program. The document found that all impacts resulting from implementation of the proposed program would be mitigated to below a level of significance.

The City of Imperial Beach will monitor the operation for turbidity, grunion, surfing impacts, and shoreline response for each beach fill project. If monitoring indicates potentially adverse impacts during construction, the project will be modified appropriately and mitigation measures will be enforced.

REGULATORY COMPLIANCE

Applications have been concurrently submitted for a Coastal Development Permit (CDP) from the San Diego Unified Port District, a Sections 404 and 10 Permit from the



City of Imperial Beach
Jim Nakagawa
August 13, 2008
Page 3

U.S. Army Corps of Engineers and a Section 401 Certification from the Regional Water Quality Control Board. Copies of these applications are enclosed.

Thank you for consideration of this permit application. Please contact me at (619) 220-6050 with any questions or comments.

Sincerely,

Brian Leslie
Project Manager

Encls.

CC: Chris Webb, M&N
Gregory Wade, City of Imperial Beach

Imperial Beach Opportunistic Beach Restoration Program Project Description

General

Beach nourishment provides erosion control, recreational benefits, and habitat enhancement. The purpose of the project is to capitalize on opportunities to obtain beach-quality sand from construction, development, or dredging projects in the region when it becomes available. Approval of the CEQA document and subsequent receipt of permits would allow quick and efficient placement of material as it becomes available in the next five years. This efficiency makes opportunistic material a viable sand source. The project would be implemented between Imperial Beach Boulevard to the southern end of Seacoast Drive (Figure 1). The site would be monitored over time so that the program may be modified, with agency consent, to maintain minimal environmental impacts (maximum environmental sensitivity) while maximizing nourishment of the littoral zone.

Background

The San Diego Association of Governments (SANDAG) currently supports the California Department of Boating and Waterways and the California Sediment Management Workgroup (CSMW) in development of the California Coastal Sediment Management Master Plan (Sediment Master Plan).¹ One of the goals of the Sediment Master Plan and related studies is to develop a process that helps to manage sand on a regional or littoral cell basis.² The intent of this program is to establish a process whereby opportunistic material with both optimum and less-than-optimum sand can be evaluated for compatibility and placed on a predetermined beach receiver site under a 5-year program as part of sediment management. Appropriate environmental clearance and permits would be prepared in advance so that when materials become available, there is minimal delay in placement. Similar programs have been, and are being established elsewhere in California. Jurisdictions implementing opportunistic programs include the cities of San Clemente, Oceanside, and Carlsbad. A joint opportunistic beach fill program effort also occurred along the south-central coast (Santa Barbara and Ventura counties).

A Final Mitigated Negative Declaration (MND) for the San Clemente Beach Replenishment Program was approved by the City of San Clemente in December 2002, an MND was approved by the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) joint powers agency for the Santa Barbara/Ventura county project in 2001. The City of Oceanside approved the Final MND for the Sand Compatibility and Opportunistic Use Program (SCOUP) in December 2008. A joint Environmental Assessment/MND for the Carlsbad Opportunistic Program was issued for public review in January 2006 and approved by the Planning Commission in May 2006.

¹ Information about the CSMW and Sediment Master Plan can be found at <http://dbw.ca.gov/csmw/sedimentmasterplan.htm>.

² A littoral cell is defined as a reach of shoreline in which all sediment transport processes are related. In theory, it has zero alongshore sediment flow past its updrift and downdrift boundaries. It may contain several sand sources and sinks (Kamphuis 2000).

Additionally, the U.S. Army Corps of Engineers (ACOE) Los Angeles District issued a Public Notice in November 2004 regarding the issuance of a Regional General Permit (RGP) for streamlining beach nourishment activities in Los Angeles. The MND for the ACOE RGP was finalized in early 2006. All of these documents have been referenced in the preparation of the MND for this project.

SANDAG and the CSMW sponsored and managed preparation of the SCOUP for statewide implementation with a pilot project within the San Diego region (http://dbw.ca.gov/CSMW/PDF/Final_SCOUP_Master_Plan.pdf). SCOUP has been implemented in six steps as follows:

1. Establish a process for use of optimum³ and less-than-optimum⁴ sand-size material;
2. Establish a method to characterize beach and source sand for compatibility;
3. Identify economically feasible source areas;
4. Identify appropriate receiver sites and, if appropriate, storage sites;
5. Identify appropriate placement techniques; and
6. Complete CEQA/NEPA compliance for the pilot project.

All these steps have been completed and are documented in the SCOUP Plan (Moffatt & Nichol 2006). The City of Oceanside was identified as a pilot project site for steps 4 through 6. No opportunistic beach nourishment has yet occurred at the Oceanside location. Currently the City of Oceanside is in the process of securing permits to implement their first project in 2008.

Four additional receiver sites for opportunistic sand have been identified as appropriate receiver sites in San Diego County, located within the cities of Encinitas, Solana Beach, Coronado, and Imperial Beach. A Draft MND was prepared to accomplish step 6 for these locations. Permits must be obtained prior to implementation and the cities of Encinitas, Solana Beach, Coronado, and Imperial Beach would be responsible for pursuing the permits associated with the receiver sites. This project description outlines the proposed program in the City of Imperial Beach.

The proposed project is consistent with the SCOUP Plan. The following discussion provides details about the proposed opportunistic sand placement site.

Receiver Site

The City of Imperial Beach is located approximately 12.5 miles south of downtown San Diego along the Pacific Coast. As shown in Figure 2, the footprint would be located between Imperial Beach Boulevard and the southern end of Seacoast Drive. Oceanfront homes line the back of the beach.

³ Optimum beach fill material is material that is compatible with the dry beach portion of the beach profile. The fines fraction of the grain size of this material can be within 10 percent of that of the existing dry beach sediments, which typically range from 0 percent to 5 percent fines. Therefore, optimum beach fill material may in some cases contain up to 15 percent fines.

⁴ Less-than-optimum beach fill material is material that is not compatible with the dry beach, but is compatible with material within the nearshore portion of the receiver site. The fines fraction should be within 10 percent of that of the existing nearshore sediments that exist along a profile. Typically, the percent fines of the nearshore portion of a beach profile in California can range from 5 percent to 35 percent fines. Therefore, less-than-optimum beach fill material may contain between 15 percent and 45 percent fines in some cases.

The Imperial Beach Fishing Pier extending from Evergreen Avenue are the only structures located on the beach along with some portable lifeguard towers. The staging area would be located within a heavily urbanized area in the Port of San Diego parking lots near Dahlia Avenue and Elkwood Avenue.

The proposed haul route for trucks would traverse an area of concentrated urban development in Imperial Beach along Coronado Boulevard, Imperial Beach Boulevard, and Palm Avenue. Sea Coast Drive supports a mixture of business and commercial development as well as residences.

Project Characteristics

The following section provides project details for the Imperial Beach receiver site regarding (1) sand quantities and qualities, (2) beach fill design, and (3) haul routes, stockpile locations and operations. This section is followed by a description of the monitoring program commitments to be implemented during the 5-year period covered by this program. During this time period, monitoring results would be used to further refine and optimize the program as appropriate.

(1) Sand Quantities and Qualities

Evaluating opportunistic sources to determine if they are appropriate for beach nourishment is a process based upon sediment characterization and comparison protocols. Sand material is anticipated to be from local contributions, that is, using surplus sand from upland construction, development, or dredging projects and placing it at specified beach locations to supplement ongoing beach nourishment activities in the region. Typical sources could range from relatively small construction projects which may produce 2,000 to 4,000 cubic yards (cy) of sand to larger projects producing 50,000 cy of sand or more. The City would require sampling of the material and would analyze it prior to placing it on the beach. Chemical and grain size testing would be required of all sources. Any sample not meeting these predetermined standards would be rejected. Among the criteria for determining suitable beach sand are requirements that the material:

- Cannot be suspected of containing hazardous chemicals based on EPA Tier I or II assessment;
- Must be free of trash and debris based on visual inspection;
- Must reasonably match the color of natural beach sand after exposure to the marine environment;
- Must be less than 10 percent manufactured sand;
- Must be a minimum of 90 percent sand, with a percent sand content within 10 percent of the grain size envelope of the beach profile; and
- Must not form a hardpan after placement.

The rate of sand placement on the beach is also proposed to replicate nature as closely as possible. Natural sediment delivery to the coast occurs during the wet season (fall and winter); therefore, the majority of the beach fill volume is proposed to occur in the fall and winter seasons - September through May, or Labor Day to Memorial Day. This time period is also referred to as "low beach use season" because it has less human usage compared to summer months.

Coastal watersheds naturally yield sediment from rain runoff in the wet season and the coastal zone is acclimated to this seasonal turbidity pattern.

Placement of sand material would be limited at the receiver sites during the summer months (June through August, or Memorial Day through Labor Day) also referred to as the “high beach use season”. This season has the highest beach usage for recreation but is also the most active construction season. Restricting all sand placements to occur only outside of the high beach use season could result in substantial missed opportunities.

In addition, there are particular allowances and seasonal restrictions for the beach fill site during the spring season for intertidal species and foraging birds. Table 1 below summarizes all the allowances and restrictions throughout the year.

**Table 1
Summary of Opportunistic Beach Nourishment Placement Allowances and Seasonal Restrictions**

Method of Placement Allowed	
Receiver Site Length (approximate)	2,300 ft.
Beach Berm	Yes
Surf Zone	Yes
Nearshore	Yes, with pre-construction confirmation that no sensitive resources are present.
Maximum Quantities Allowed Given % Fines	
Maximum Annual Volume	75,000 cy
0 – 10%	75,000 maximum per year, with 25,000 maximum per project
11 – 25% Nearshore placement only	
Timing and Duration for Placement	
Monday – Friday, no holidays or weekends	During typical construction hours (7:00 a.m. to dusk)
Seasonal Restrictions for Placement	
Sept 15th – Feb 28th	11 – 25 %fines = up to 25,000 cy/yr
Mar 1st – May 31st	Grunion monitoring may be required if habitat suitable for spawning; would allow up to 25,000 cy/month (maximum placement of 14 days/month) with a 10 % fines maximum at a minimum distance of 150 ft. between placements.
Jun 1st – Sept 14th	Placement would require coordination with USFWS and each project to send out notification; may require least tern and snowy plover monitoring, Pismo clams, and may require grunion monitoring if habitat suitable for spawning.

The project consists of placing up to a maximum total of 75,000 cy/yr of sand material at the Imperial Beach site for fines up to 25 percent during the offseason. Each project would be limited to a maximum of 25,000 cy. The RBSP footprint was from Admiralty Way south approximately 2,300 feet. As part of that project, 120,000 cy were placed in this location.

Offseason placement is acceptable for the 11-25% fines, but this fines fraction is not acceptable during the summer season from March 1st to September 14th due to bird foraging. The fines fraction acceptable during the breeding season is 10% or less.

Placement during the period of March 1st to May 31st is restricted to minimize impacts to invertebrate recruitment and grunion spawning. Specifically, up to 25,000 cy (with $\leq 10\%$ fines) may be placed each month within this time period. Placement can only occur over periods of two weeks maximum per month. Placement can also only occur over discreet areas of the beach rather than over the entire beach area. A different placement site would be used each event and have a minimum spacing of 150 feet between placement sites, and located such that subsequent placements would not require vehicle disturbance of previously used sites.

Placement during the period of June 1st to September 14th would only be allowed for the area south of Imperial Beach Boulevard with appropriate monitoring in coordination with CDFG, NMFS, and the USFWS. The same placement restrictions as described above for the period between March 1st and May 31st which avoid repetitive placement in the same location also would apply to placement during June 1st and September 14th.

Opportunistic sand sources would primarily be from construction projects within the city limits and the Tijuana River Estuarine Research Reserve. Some projects currently identified include a hotel and parking garage proposed at 800 Seacoast Drive, between Date Avenue and Daisy Avenue, which would replace an existing hotel and may generate a moderate amount of material within the 5 year project lifespan. Under this scenario, approximately 15,000 cy would be graded for the parking garage, but would have to be tested to determine the amount of available potential beach nourishment material. The newer hotel would be sited as much as 40 feet back from the beach, thereby creating more space for a sandy beach area. There is another potential beachfront hotel development at Seacoast Drive and Imperial Beach Boulevard, which could provide a source for beach material. In addition, the Tijuana River Valley Debris and Sedimentation Detention Basins (Tijuana River Valley basins), Goat Canyon sediment basins would be potential sources for sand material if deemed appropriate. The Tijuana River Valley basins were recently created and are associated with the restoration efforts of the Tijuana Estuary. Clearing of these basins could yield sources of high-quality sand on a frequent basis and approximately 60,000 cy would potentially be captured in these basins. This material would only be utilized if chemical testing confirms it is not contaminated and the material meets other suitability criteria.

(2) Beach Fill Design

Each sandy beach site is restricted for placement between March 1 and May 31 to avoid potentially significant impacts to invertebrates and grunion. Cobbly beaches do not provide suitable habitat for grunion or invertebrate recruitment, so these restrictions do not apply.

Placement must initially be placed farthest away from the access point. Subsequent placements must be spaced 150 feet apart, and placed farthest from the accessway first, then placed progressively closer to the accessway. Avoidance of repetitive placement in the same location would minimize interference with seasonal recruitment of beach invertebrate populations and would avoid direct impacts to invertebrates after they recruit to placement locations. A similar placement strategy also would be employed during June 1 and September 15 for those sites where placement may be permitted during that time with concurrence from the USFWS (e.g., Imperial Beach).

The three beach fill designs for the City of Imperial Beach project include beach berm, surf zone placement, and near-shore placement. The project footprint for the City of Imperial Beach is shown in Figure 2. Sand placement is proposed between Imperial Beach Boulevard to the southern end of Seacoast Drive. The RBSP footprint was approximately 2,300 feet in length, starting at Admiralty Way and heading south.

The cross-section views for these three options are illustrated in Figures 3a, 3b and 3c. The beach berm placement is proposed to be within a surface layer with a finished surface elevation of +10 feet MLLW and will create a 120-foot berm. This would occur approximately 50 to 375 feet offshore and generally slope towards the ocean at approximately 20:1.

The maximum dimensions for surf zone placement would be a 2- to 3-foot-high mound placed near the +2 foot MLLW topographic contour or lower, depending on conditions at the time of placement. It would likely extend along the length of the project site approximately 250 to 300 feet offshore.

The nearshore placement is proposed to be from -10 to -25 MLLW and approximately 550 feet to 2,000 feet offshore along the entire length of the footprint.

(3) Haul Routes, Stockpiling, and Operations

The following discussion includes descriptions of the haul routes, stockpile locations if applicable, and operation times for each of the receiver sites. Sand would be delivered by truck to its respective receiver site and it is assumed that the material would be generated locally by construction projects. Rather than sand being trucked to upland disposal sites, it would be trucked immediately to the receiver site. During any placement of beach sand, the City of Imperial Beach must coordinate the proposed haul route with other projects that may impact the identified haul route.

The proposed haul route for trucks from the construction sites to the receiving beach site would include Coronado Boulevard, Imperial Beach Boulevard, and Seacoast Drive as shown in Figure 4. Beach access points include Elm Avenue, Descanso Avenue, and the southernmost end of Seacoast Drive. Admiralty Avenue is also included as an option to access the beach as an entry and exit point; however, it would require constructing a temporary berm to allow trucks to get to and from the beach. This option, although not ideal, is still a possible access point. These entry and exit points allow trucks to access the beach and deposit their load for disbursement by earthmoving equipment. The location of these access points also allow for flexibility in truck movement to gain access from the north and exit the beach to the south or vice versa.

In addition, for construction sites within a block from the beach (i.e. Seacoast Inn) or other developments on the beach north of the pier, trucks hauling opportunistic sand material could be driven south on the beach to Imperial Beach Boulevard at off-peak use hours and during the off-peak season. However, it should be noted that this would only be allowed for projects located along the beachfront and within a block from the beach. The beach itself is not designated as a proposed haul route.

The staging area would be located in the Port of San Diego parking lots near Dahlia Avenue and Elkwood Avenue, which are subject to Port of San Diego’s approval. Equipment in these parking lots identified as staging areas are also subject to Port of San Diego’s approval. Trucks would be in queue along Imperial Beach Boulevard north of the Tijuana Estuary.

Table 2 summarizes the number of truck trips given maximum sand quantities. Table 3 summarizes the number of truck trips for sand materials received from a typical construction project. These values are based on a truck capacity of 14 cy and the values assume eight hours are available daily to truck material from a source site.

**Table 2
Proposed Maximum Number of Truck Trips and Frequency**

Receiver Site & Maximum Annual Quantity (cy)	Project Duration (weeks)	Number of Trucks (14 cy per truck)	Monthly Trips	Weekly Trips	Daily Trips	Hourly Trips	Time Interval (minutes)
Imperial Beach 75,000	15	5,357	630	158	32	4	15

Source: Moffatt & Nichol 2007.

**Table 3
Proposed Typical Number of Truck Trips and Frequency**

Receiver Site & Quantity (cy)	Duration (weeks)	Number of Trucks (14 cy per truck)	Monthly Trips	Weekly Trips	Daily Trips	Hourly Trips	Time Interval (minutes)
Imperial Beach 25,000	5	1,786	595	149	30	4	16

Note: Quantities for Imperial Beach were based upon figures submitted by City staff.

Source: Moffatt & Nichol 2007.

Based upon the maximum total of 75,000 cy per year, it is estimated that an approximate total of 32 truck trips would be required per working day for a project duration of 15 weeks and assuming 5 working days out of each week for approximately 8 hours each day. The more typical sand quantity would be placed in 5 weeks (Table 4). Sand placement may occur outside the high beach use season. As previously mentioned, during any placement of beach sand, proposed haul routes must be coordinated with other projects (i.e., The Old Palm Avenue Revitalization Project and Seacoast Drive Streetscape Project) in Imperial Beach that may impact identified haul routes.

The City would finalize a public outreach element of the project to incorporate a problem reporting method. One component would be a telephone number and website for complaints, comments, and questions. This contact information would be posted prominently at the site. Input from that log of complaints, comments, and questions would be used to improve project operations throughout the project life.

Monitoring Program

Monitoring involves sediment sampling, beach profiles, surfing conditions, turbidity, and sensitive biological resources. Monitoring elements would be dictated by project specific features such as schedule and/or placement method. The types of monitoring relative to the project phase are summarized in Table 4 and the details are discussed in the Draft MND (EDAW 2008). These monitoring requirements are based upon the SCOUP Plan (M&N 2006) and monitoring implemented during the RBSP (AMEC 2002, 2005).

**Table 4
Overview of Monitoring Program**

Design Characteristics	Monitoring Description
Pre-Construction Baseline Monitoring	
Beach Profiles	Between 1 year and 30 days prior project
Surf Conditions	½ month prior, 3 times per week over 14 days
Turbidity	n/a
Grunion	If habitat is suitable and project is scheduled between March 1 st and September 15 th , then 2 to 3 weeks prior to construction before and/or during predicted grunion run closest to project initiation.
Western snowy plover	Dependant upon coordination with resource agencies if there is placement between March 1 st and September 15 th .
CA least tern	Dependant upon coordination with resource agencies if there is placement between April 1 st and September 15 th .
Nearshore Sensitive Resources	Up to 30 days prior to project – Pismo clams (divers to determine the presence/absence and if present, then boundaries of receiver site would be adjusted)
Sediment Gradation	Yes, only one survey prior to first sand placement event for nearshore and observe for Pismo clams as part of the permit process (transects and submit letter prior to placement to resource agencies regarding results and methods).
Construction Monitoring	
Beach Profiles	n/a
Surf Conditions	n/a
Turbidity	Daily during construction from a high vantage point on land. Daily during construction from a boat only for nearshore placement.
Grunion	If construction is scheduled between March 1 st and September 15 th , then every 2 weeks during spawning season. Monitoring is dictated by tides and lunar cycle.
Western snowy plover	Coordination with the resource agencies would determine if monitoring would be conducted during construction scheduled between March 1 st and September 15 th .
CA least tern	Coordination with the resource agencies would determine if monitoring would be conducted during construction scheduled between March 1 st and September 15 th for the western snowy plover and the California least tern.

Design Characteristics	Monitoring Description
Nearshore Sensitive Resources	n/a
Sediment Gradation	n/a (due to decreased volume with increase in % fines)
Post-Construction Monitoring	
Beach Profiles	Immediately after completion
Surf Conditions	1 month after, 3 times per week over 14 days
Turbidity	n/a
Grunion	n/a
Western snowy plover	n/a
CA least tern	n/a
Nearshore Sensitive Resources	n/a
Sediment Gradation	n/a
Post-Project Monitoring	
Beach Profiles	Over 1 year following construction with surveys at 6 months after and 1 year after
Surf Conditions	n/a
Turbidity	n/a
Grunion	n/a
Western snowy plover	n/a
CA least tern	n/a
Nearshore Sensitive Resources	n/a
Sediment Gradation	2 transects in wave wash zone during low tide approximately 0.5 mile apart between mean low and high tide during post-project and during Year 3 with pre-construction baseline established for all sites.

Source: SCOUP Plan, 2006; SAIC, April and September 2006; Moffat & Nichol and SAIC, December 2006.

Surfing Conditions

Placement of sand either on the beach or in the nearshore is likely to alter the beach profile and could affect surfing conditions. Sand deposition could cause waves to close-out over a long period of time (months) rather than peak, or result in a perpetual shorebreak at the beach rather than a nearshore bar for waves to break over. To determine any substantial change to surfing conditions a monitoring program would be instituted. Beginning 14 days prior to construction, surfing conditions at the site would be recorded by lifeguards between the hours of 8:00 a.m. and 9:00 a.m. at least three times per week. Observation forms would be completed to record date, wave height and direction, tide, wind, water temperature and clarity, number of surfers in the water, and qualitative observations of wave characteristics. Short interviews would be undertaken with local surfers at least weekly to obtain local perspective on the surf conditions. The same monitoring would occur for 14 days after construction was complete. This program would be of particular importance in the first few years of activity at each site to help determine how the various placement options and material types would be reflected in the nearshore environment.

Turbidity

Turbidity would result from nearshore and surf zone placement, and may result from berm placement when material is placed in the intertidal zone. The duration of turbidity would relate to sediment grain size characteristics (particle settling rates) and placement volume, but would dissipate with distance and time after placement. Turbidity also may naturally result from storms, large waves, rip currents, and/or plankton blooms. Construction monitoring of water quality (i.e., potential turbidity impacts) would occur consistent with the Regional Water Quality Control Board (RWQCB) 401 Certification.

Turbidity monitoring requirements would likely vary depending on project volume, construction duration, proximity to sensitive resources, and schedule considerations. For example, project activities involving small volume placements as opportunities occur would produce only short term (on the order of a few days) increases in turbidity. Larger volume projects could result in elevated turbidity over weeks to months. The potential significance of prolonged turbidity would depend on proximity to sensitive resources.

Turbidity plumes would be monitored during surf zone or berm placement by an observer from any sort of vantage point on land. The observer would map and photograph the extent of turbidity and note whether the plume extends to sensitive aquatic habitats (e.g., surface kelp canopies, lagoon mouths, intertidal surfgrass beds). In addition, environmental conditions would be noted such as wind, weather, rain events, wave activity, rip currents, and plankton blooms, etc.

If construction occurs between March 1 and September 15 at sites within one to two miles of California least tern nesting sites, additional monitoring may be required (see Endangered and /or Threatened Species section below).

No devices to reduce turbidity would be necessary with surf zone or berm placement. In addition, all proposed sand sources would be clean, beach-quality sand material and beneficial for the environment and the public. Testing prior to placement would verify that the material meets acceptable criteria in regard to chemical composition, trash, color, and percent sand.

Grunion Monitoring

California grunion (*Leuresthes tenuis*) is a California Department of Fish and Game (CDFG) species of concern. The grunion spawning season generally is from March 15 to September 15, although spawning may sometimes occur in February and later September. Grunion spawn during middle-of-the-night spring high tides. The eggs incubate in the sand and hatch in approximately two weeks when the next spring high tide occurs. Although eroded, the receiver site is characterized as a sandy beach and has the potential to provide suitable grunion spawning habitat. Overall, the project would improve grunion spawning by adding sand to the beach and enhancing the habitat. While grunion is not listed as threatened or endangered, efforts are recommended to minimize impacts to this managed fish species.

Monitoring would be conducted by a qualified biological monitor if berm or surf zone placement is scheduled between March 15 and September 15. In addition, the biological monitor would pre-coordinate with CDFG and National Marine Fisheries Service (NMFS) prior to construction to review appropriate impact avoidance measures to be implemented in the event grunion spawning is observed and to clarify the agencies' preferences regarding communication and submittal of monitoring results.

Monitoring would include at a minimum a pre-construction survey to determine potential suitability for grunion spawning based on upper intertidal substrate characteristics (> 5 inches sand depth, lack of extensive cobble or other hard substrate cover) and beach width (i.e., upper intertidal sand habitat not inundated during neap high tides). The habitat suitability survey would be scheduled two to three weeks prior to the scheduled placement activity. If the habitat is judged to be unsuitable for grunion spawning, construction could proceed without the need for additional monitoring up until the next predicted grunion run. If the construction schedule spans more than one predicted grunion run period, additional habitat suitability surveys would be conducted prior to each predicted grunion run since suitability may vary seasonally (e.g., habitat may become more suitable between spring and summer due to natural sand accretion). The predicted grunion run periods would be based on the grunion calendar produced by the CDFG.

If habitat is judged to be potentially suitable for grunion spawning, night-time grunion monitoring would be conducted by a qualified monitor during the predicted grunion run prior to construction and/or for each predicted grunion run spanned by the construction period when suitable habitat is present. Night-time grunion monitoring would span three nights during the predicted grunion run and would be initiated on the second night after a new or full moon and continue on the next two nights. The monitoring period would extend from one hour before the peak high tide to two hours after the peak high tide (i.e., at least three hour duration monitoring period). If no grunions are observed, no further action would be necessary and sand placement could occur according to plan. If grunion occur within the project area, their location would be mapped and number present would be estimated (e.g. by Walker Scale). An appropriate protective measure (e.g., avoid mapped grunion area, redirect all sand placement above the spring high tide line) would be implemented and the monitor would communicate monitoring results and action taken to the resource agencies in accordance with pre-coordination decisions.

Endangered and/or Threatened Species

The Western snowy plover (*Charadrius alexandrinus nivosus*) is a threatened species that is resident to Southern California. The plover nests typically in flat, open areas with sandy or saline substrates, and forages on invertebrates in the intertidal and/or in association with kelp wrack. Snowy plovers typically forage and nest in areas where human activity is low or absent. Their breeding and nesting season extends from March 1 to September 15. The proposed receiver site is near known nesting sites located at Tijuana River Estuary.

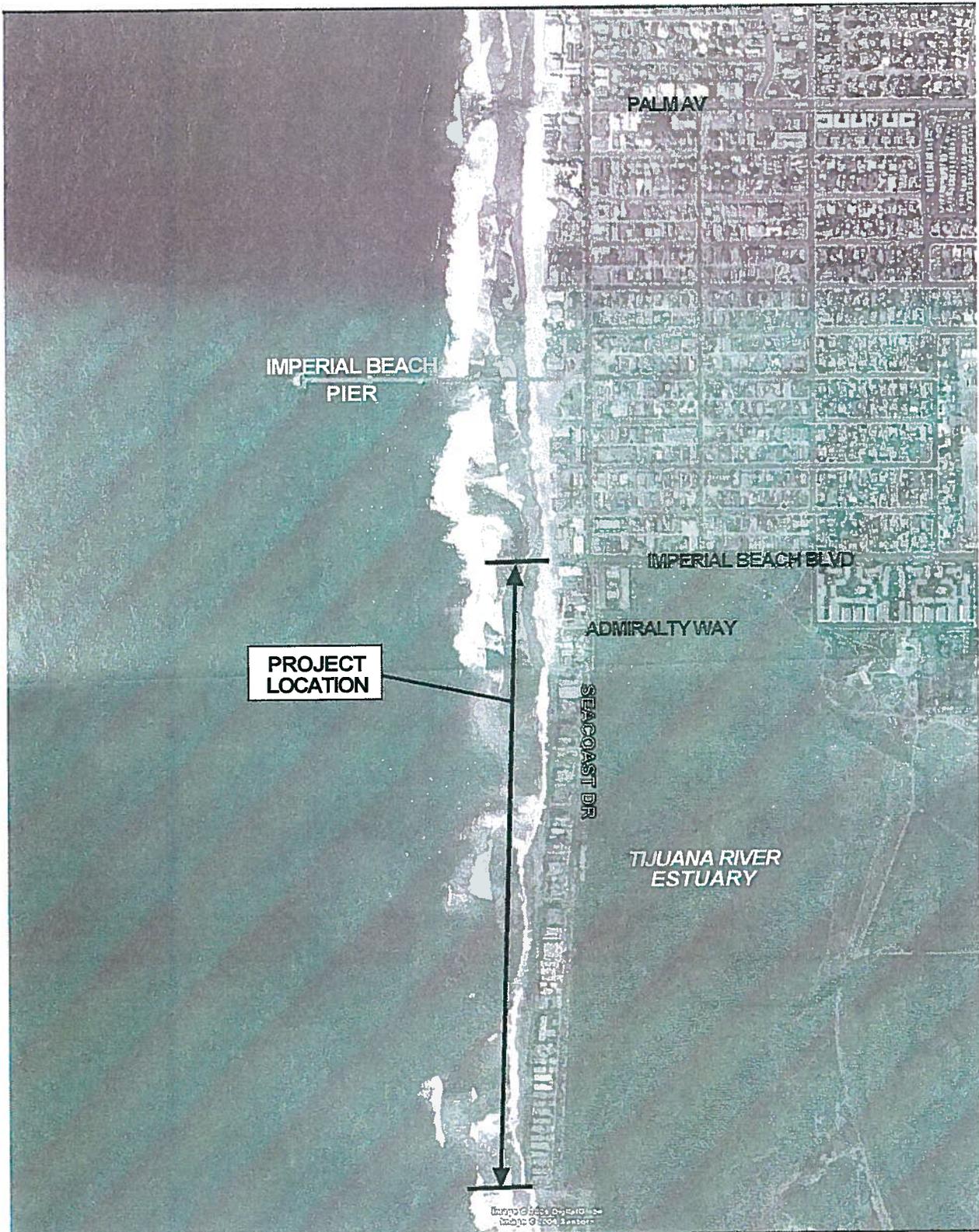
The California least tern (*Sterna antillarum browni*) and the California brown pelican (*Pelecanus occidentalis californianus*) may forage on fish outside the surf zone in the vicinity of the proposed project locations. The California least tern is a seasonal migrant that breeds and nests in San Diego County between April and the end of August. The proposed receiver site is near known nesting sites around the mouth of the Tijuana River Estuary.

Coordination with USFWS would be necessary and monitoring during construction may be required to avoid significant impacts if construction is scheduled between April 1 and September 15. Similar to the 2001 RBSP, monitoring may include observations of timing of nesting activity and the extent of turbidity plumes outside the surf zone where water transparency is reduced to less than three feet.

Additional Project Design Features

In addition to the monitoring program described above, which would document beach and offshore conditions before, during, and after project construction, the following design features would be implemented to minimize adverse effects to the general public:

- A flag man shall keep pedestrians a safe distance from the truck, notify beach users of the presence of the truck, and ensure that a clear and safe path is maintained. This system would be codified in the traffic control plan required to be prepared for each project site.
- Public streets used as the haul route shall be cleaned via street-sweeper every third day of truck delivery to the receiver site.
- Trucks shall only use haul routes approved by the city and shall be specified in the traffic control plan required to be prepared for each receiver site.
- A Spill Prevention, Containment and Countermeasures Plan (SPCCP) shall be prepared by the contractor prior to each project. The plan shall specify fueling procedures, equipment maintenance procedures, and containment and cleaning measures to be followed in the event of a spill. At a minimum, the plan shall include:
 - Use and refueling of equipment as necessary;
 - Details for handling and storage of construction and maintenance fluids (oils, antifreeze, fuels). Fluids shall be stored in closed containers (no open buckets or pans) and disposed of promptly and properly away from permeable areas to prevent contamination of the site; and
 - Immediate control, containment, and cleanup of fluids released because of spills, equipment failure (broken hose, punctured tank, etc.), or refueling, per federal and state regulations. All contaminated materials shall be disposed of promptly and properly to prevent contamination of the site. To reduce the potential for spills on the beach during refueling, refueling of portable equipment shall occur within a contained area. Where that is not possible, barriers shall be placed around the site where the fuel nozzle enters the fuel tank. The barriers shall be such that spills shall be contained and easily cleaned up. Refueling activities shall be monitored to ensure that spillage from overfilling, nozzle removal, or other action does not occur.

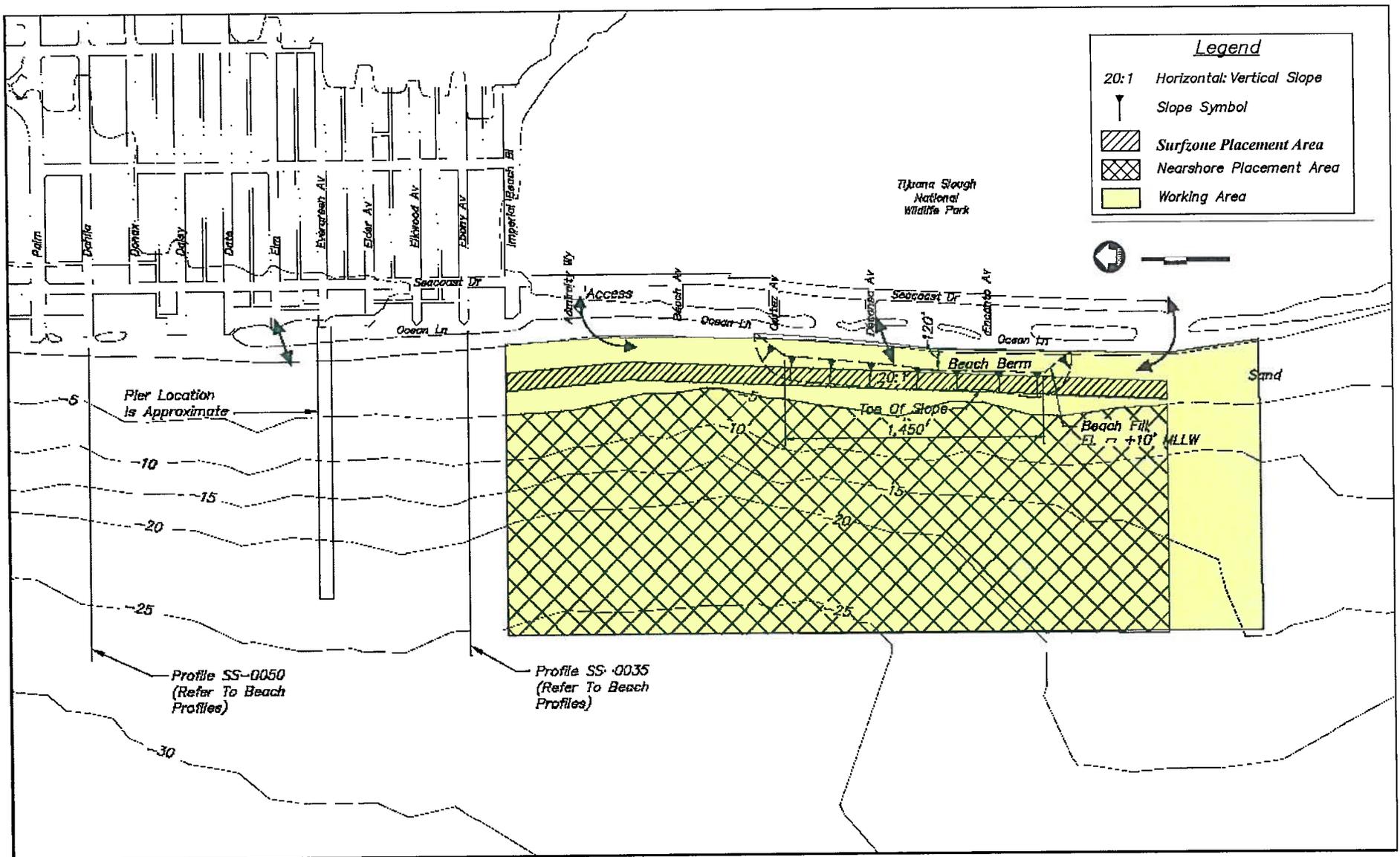


Sources: Google Earth 2006

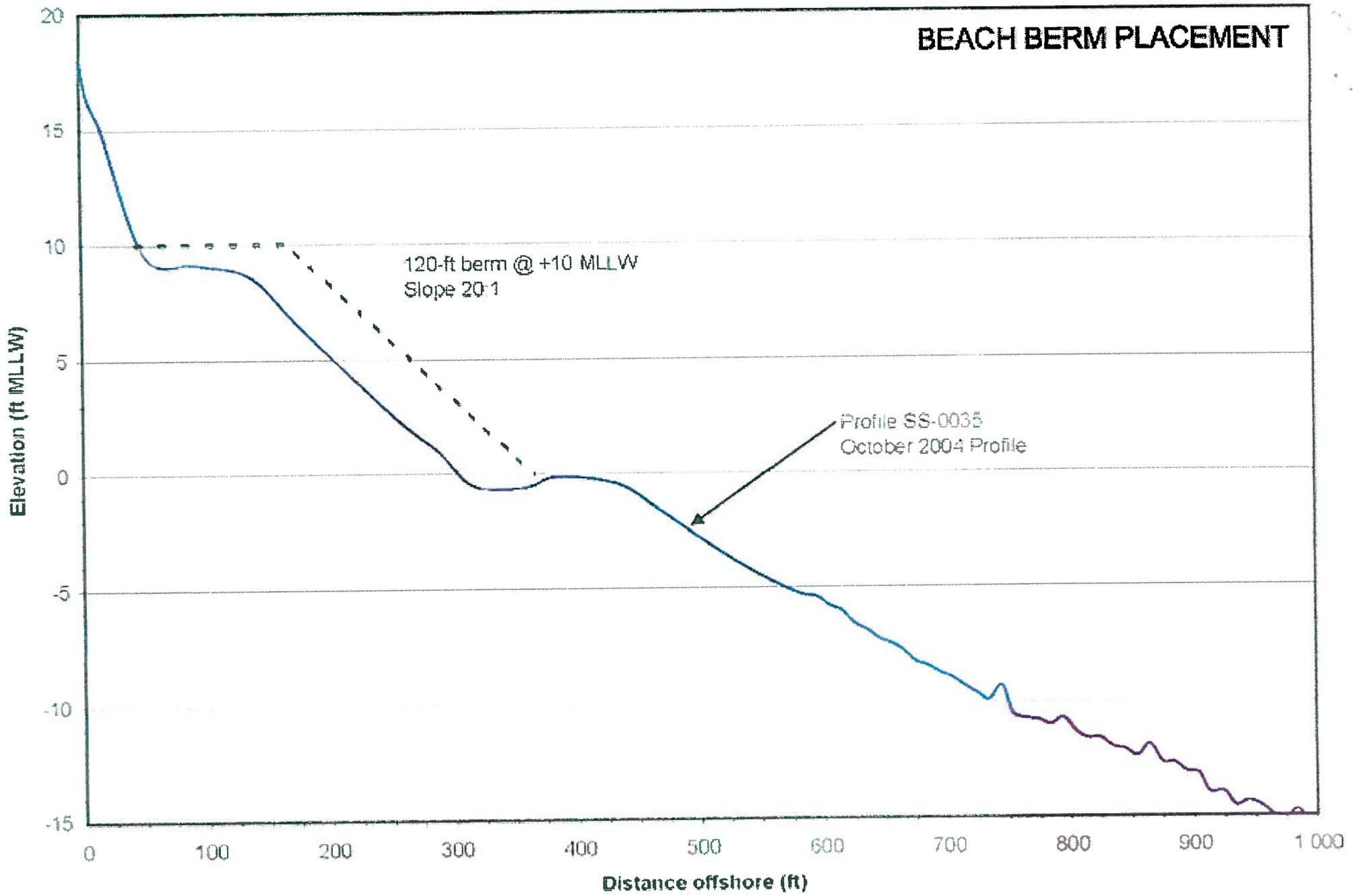


No Scale

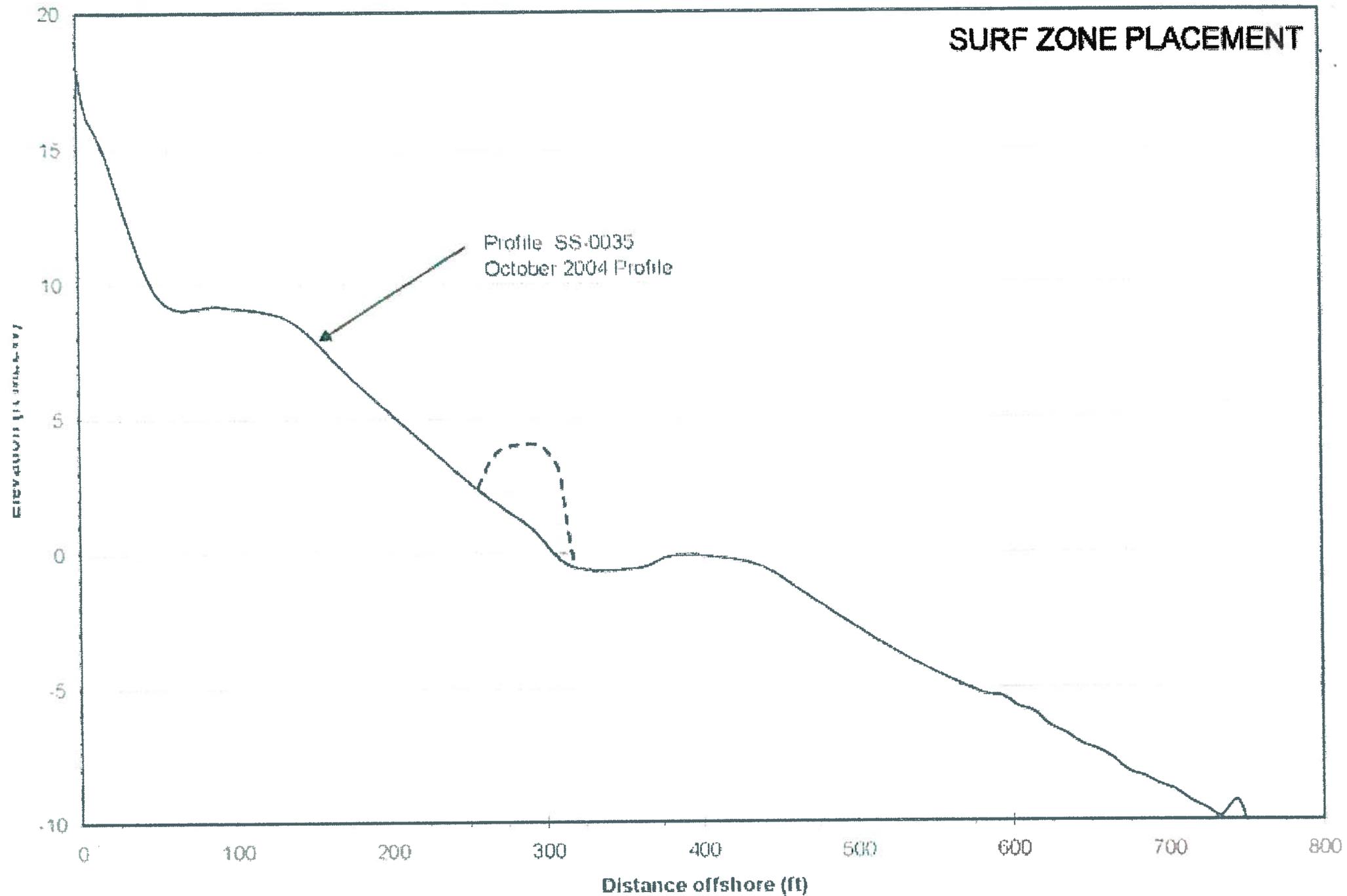
Figure 1
Project Location
City of Imperial Beach



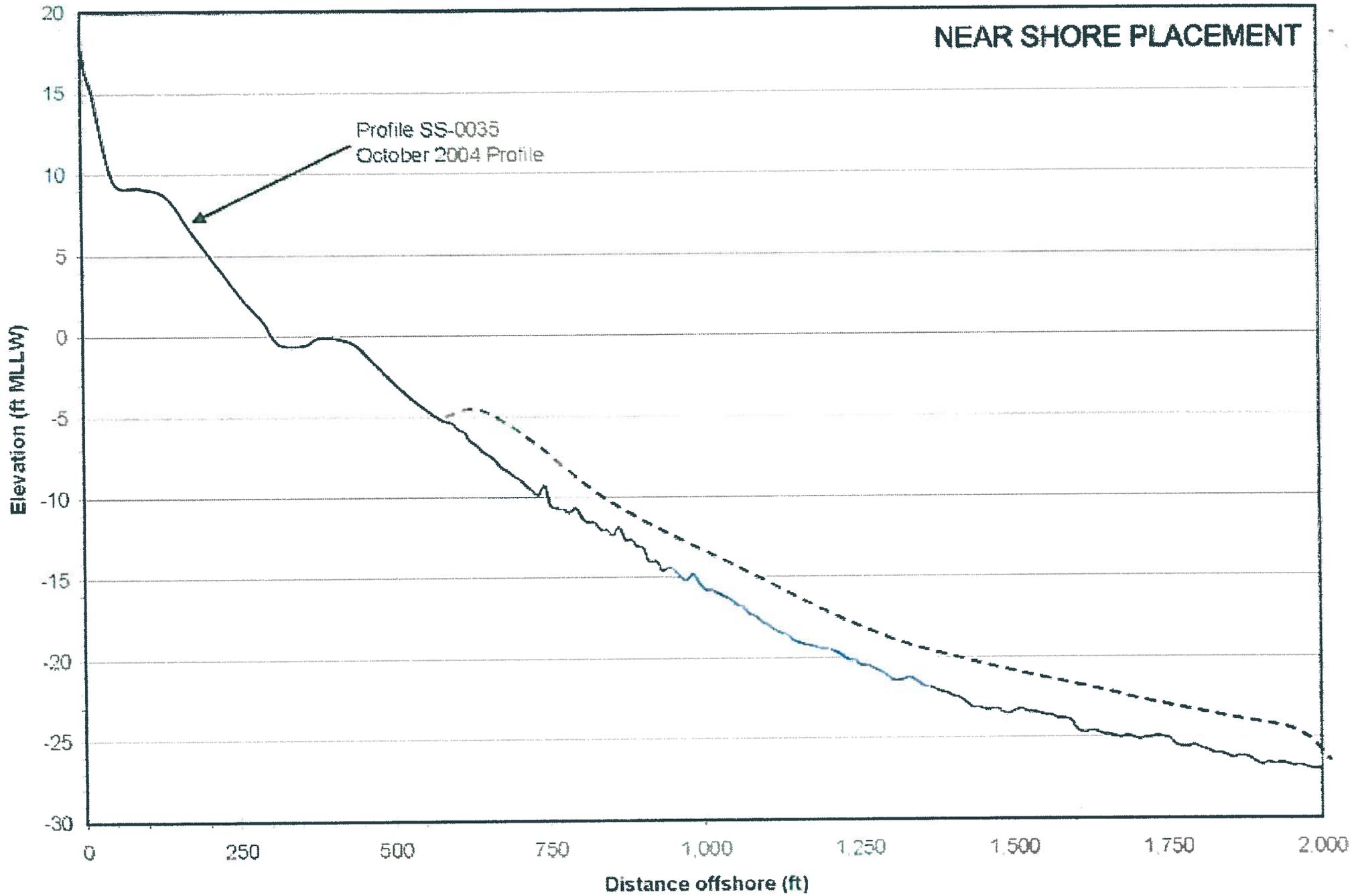
**Figure 2: Project Footprint
City of Imperial Beach**



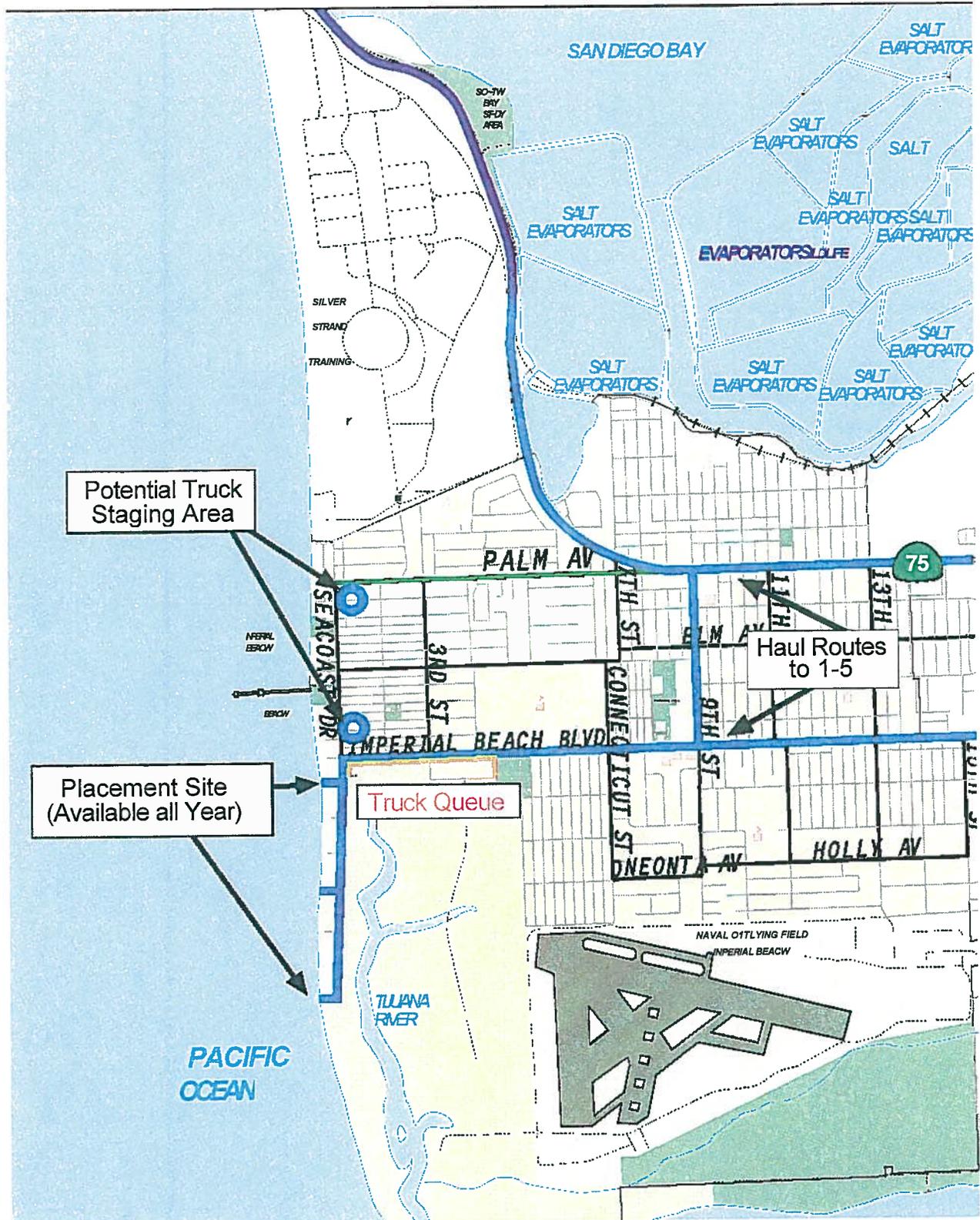
**Figure 3a: Beach Berm Placement Typical Cross-Section
City of Imperial Beach**



**Figure 3b: Surf Zone Placement Typical Cross-Section
City of Imperial Beach**



**Figure 3c: Near Shore Placement Typical Cross-Section
City of Imperial Beach**



Source: Moffatt & Nichol, 2005 and Thomas Bros.



Figure 4
Haul Route
City of Imperial Beach

ATTACHMENT 3

From: Serge Dedina [mailto:sdedina@wildcoast.net]

Sent: Monday, December 08, 2008 12:39 PM

To: Jim Nakagawa; Gary Brown

Cc: Beach Sand; Garth Murphy; Patricia and Mike McCoy; Phillips, Clay; Chad Nelsen; Mark Massara; Mercedes Sironi; Benjamin McCue; Marcela Gutierrez

Subject: WILDCOAST Letter/TAC 12-08-08 SCOUP PROJECT

December 08, 2008

From:

WILDCOAST

925 Seacoast Drive

Imperial Beach, CA 91932



To:

Debra Carey

Chair

Tidelands Advisory Committee

City of Imperial Beach, CA 91932

RE: SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (SCOUP) COASTAL DEVELOPMENT PERMIT (CP 080052) MF 996

Dear Ms. Carey:

Please use this as a letter to the Tidelands Advisory Committee meeting (12/08/08) regarding the proposed SANDAG SCOUP project for Imperial Beach.

The proposed SCOUP project is a preferred alternative to other more costly and environmentally damaging sand replenishment and dredge and fill projects that have been proposed by the City of Imperial Beach and other agencies such as the Army Corps of Engineers.

However, despite this, we are concerned about the potential impacts to sensitive biological resources, recreational activities, and public health from the proposed SCOUP project. Potential impacts could be mitigated, if there is sufficient public notification and involvement in identifying sources of sand that will be placed on the beach and locations of the dump sites in order to avoid placing toxic sand in unsuitable locations.

It is critical that the City of Imperial Beach and SANDAG adequately involve members of the Imperial Beach Beach Sand Stakeholder group in site selection and information sharing, so that the public can be informed on all aspects of the project. This is not been the case of past projects in which the public and the City of Imperial Beach are often the last to know about sand replenishment projects (e.g. Port of San Diego dredging projects and AOC project).

Since the City of Imperial Beach has the opportunity to cost effectively provide sand to our beaches through the SCOUP program, the City of Imperial Beach should immediately cancel all plans to spend up to \$70 million in federal monies on the proposed Army Corps of Engineers dredge and fill project that would effectively bankrupt the City and result in significant and unmitigable impacts to public health, sensitive biological resources, and recreational activities. The AOC project would cause irreparable harm to the federally protected wildlife refuge and RAMSAR site. In this time of severe national economic recession it is immoral to continue to plan to waste American taxpayer dollars on pork barrel projects such as the proposed Imperial Beach AOC project that would destroy sensitive

biological resources and harm public health and only benefit wealthy beachfront property owners. The AOC Imperial Beach projects is the result of the collusion between unelected City officials and secretive lobbyists such as Howard Marlowe and Steve Aceti and should be cancelled given the cost effective and locally funded SCOUP program.

WiLDCOAST recommends the following regarding the implementation of the SCOUP program in Imperial Beach:

1. Provide adequate notification of the public (at least one months notice via email and other methods) of all SCOUP related projects proposed for Imperial Beach so that there is adequate time to review project plans and provide public input.
 2. Prohibit the placement of SCOUP sand derived from any locations in which there is a question regarding sand suitability and toxicity.
 3. Meet with members of the Imperial Beach Beach Sand Stakeholder Group to identify possible locations for sand placement and possible ways to enhance recreational resources (e.g. Surfing etc) using SCOUP sand.
 4. Prohibit the placement of SCOUP within one mile of the ocean entrance to the Tijuana Estuary National Estuarine Research Reserve and the Tijuana Slough reef.
 5. Consult with State of California Fish and Game MLPA Regional Stakeholder Groups to make sure that SCOUP projects for Imperial Beach would not significantly damage biological resources such as seagrass beds identified as a significant statewide coastal and marine resource and areas that might be identified as part of a future MLPA reserve system in California.
- In summary, we believe that the City of Imperial Beach and SANDAG should commit to developing a new model for stakeholder involvement in Imperial Beach in order to help better plan these projects and make sure they are successful, and do not destroy sensitive biological resources, recreational activities or harm public health.

Sincerely,

Serge Dedina, Ph.D.
Executive Director

cc: President Elect Barack Obama
Senator Barbara Boxer
Senator Diane Feinstein
Senator John McCain
Senator Tom Coburn
Rep. Susan Davis
Garth Murphy, California MLPA RSG
Clay Phillips, TJRNERR
Dr. Mike McCoy, SWIA, California MLPA RSG member
Chad Nelson, Surfrider Foundation
Mark Massara, Sierra Club
All members: Imperial Beach Beach Sand Stakeholder Group
Jeff Knox, Tijuana River Citizen's Council



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
MEMBERS OF THE DESIGN REVIEW BOARD

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: DECEMBER 17, 2008

ORIGINATING DEPT.: GREG WADE, DIRECTOR COMMUNITY DEVELOPMENT
ELIZABETH CUMMING, ASSISTANT PROJECT MANAGER *EW*

SUBJECT: PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN

BACKGROUND:

In April 2004, the City Council directed staff to proceed with the development of the Palm Avenue Commercial Corridor Master Plan ("Master Plan"). In October 2005, staff submitted an application for a California Department of Transportation ("Caltrans") Community-Based Transportation Planning Grant and in May 2006, the City of Imperial Beach was notified that Caltrans approved the application and awarded also \$50,000 towards preparation of the Master Plan. In May 2007, a Request for Qualifications ("RFQ") was issued for a consultant team for the preparation of the Palm Avenue Commercial Corridor Master Plan and in September 2007, the City entered into an Agreement with Moore Iacofano Goltsman Inc. ("MIG") for the project.

To date MIG has completed a mobilization meeting, two staff meetings, two community workshops, and on October 8, 2008 conducted a joint City Council/Design Review Board meeting. At that meeting City Council and Design Review Board members had a number of comments following the presentation that required additional analysis. MIG has reviewed, studied and analyzed these comments and has incorporated the revisions into the proposed recommendations for the Palm Avenue Commercial Corridor Master Plan. The current draft includes the following revisions in response to the comments from City Council and the Design Review Board members:

- Provide a more linear, easy-to-navigate flow of traffic from westbound Palm Avenue to westbound Old Palm Avenue to better facilitate connectivity to Seacoast Drive.
- Address the potential loss of parking on the corridor due to proposed realignment of building to the edge of sidewalks.
- Identify specifically how traffic light coordination should be enhanced to maintain if not improve through traffic flow.
- Examine how bus ingress and egress and bus stop locations in the multi-way boulevard concept can be properly aligned to maximize traffic safety.
- Develop concept to block vehicle access to alleys and/or create pedestrian promenades.

DISCUSSION:

The purpose of the meeting is to present the revised draft Master Plan to the City Council/Redevelopment Agency. MIG will review the Overall Framework Planning Strategies, Urban Design concepts and proposed Streetscape and Design Alternatives. The Comments and recommendations from the City Council, the Redevelopment Agency and the Design Review Board for each sector will be incorporated into the presentation for the Third Community Workshop scheduled for Monday, January 12, 2009 where MIG will present a detailed overview of the draft of the Master Plan. Public comments from the third workshop will be worked into a final draft that will be reviewed by staff. The draft Final Master Plan will be presented to the City Council for their review and approval in February 2009.

ENVIRONMENTAL DETERMINATION:

This phase of the Master Plan is exempt from CEQA pursuant to CEQA Guidelines Section 15262 and pursuant to CEQA Guidelines Section 15306. If this Palm Avenue Commercial Corridor Master Plan Study is accepted by the City Council, the Council will then need to direct and authorize the preparation of required environmental documents to support the Plan as a Master Plan that may amend the City's general plan/local coastal plan, prompt a coastal development permit, site plan review, and design review for future capital improvements.

FISCAL IMPACT:

The City has received a \$150,000 Transportation Planning grant from the California Department of Transportation and \$50,000 was budgeted and available in the Fiscal Year 2007-2008 Capital Improvement Program Budget in Account Number 407126241132006.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

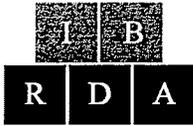
1. Consider the presentation and provide comments;
2. Direct Staff and MIG to proceed to develop a final draft Palm Avenue Commercial Corridor Master Plan after incorporating public comments from the third community meeting; and
3. Direct Staff and MIG to present the draft Palm Avenue Commercial Corridor Master Plan at the appropriate time.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager



*Imperial Beach
Redevelopment Agency*

AGENDA ITEM NO. 6.2

**STAFF REPORT
IMPERIAL BEACH REDEVELOPMENT AGENCY**

TO: CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: GARY BROWN, EXECUTIVE DIRECTOR

MEETING DATE: DECEMBER 17, 2008

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

SUBJECT: AMENDMENT TO THE CAPITAL IMPROVEMENT BUDGET FY 2004/2009 - DEVELOPMENT OF 9TH & PALM SHOPPING CENTER FOR \$3,262,000 TO AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTIES LOCATED AT 741 THRU 849 PALM AVENUE; APN 626-250-04,05,&06 AND 735 PALM AVENUE; APN 626-250-003.

BACKGROUND

The Imperial Beach Redevelopment Agency ("Agency") authorized staff to pursue the acquisition of properties located at 741 thru 849 Palm Avenue and 735 Palm Avenue ("Properties"), currently occupied by the vacant North Island Credit Union and the Miracle Shopping Center located in the C-1 General Commercial Zone. The properties were appraised and offer letters were prepared by the Agency's legal counsel and delivered to the owners of record.

The acquisition of these properties provides the Agency with the opportunity to achieve the Goals and Objectives of the Imperial Beach General Plan, the Palm Avenue/Commercial Avenue Redevelopment Plan and the Five-Year Implementation Plan, and the strategies and mission of the Economic Development Plan. Collectively the plans sought to improve large commercial properties in the Palm Avenue commercial corridor that would stimulate further improvements in the area; facilitate redevelopment

of the Palm and 9th Street Commercial Retail Properties; and strengthen the economic viability of Imperial Beach through expanded commercial retail activity.

DISCUSSION

The Properties combined are approximately 3.9 acres with an existing 3,935 square foot vacant structure on the North Island Credit Union site and three structures on Miracle Shopping Center site with approximately fifteen existing commercial occupants.

The proposed Purchase and Sale Agreement prices for the Properties are as follows:

<u>Property</u>	<u>Costs</u>
North Island Credit Union	\$1,600,000
Miracle Shopping Center	<u>\$9,662,000</u>
TOTAL	<u>\$11,262,000</u>

The purchase would be contingent upon the completion of an updated Phase 1 and a Phase 2 environmental study. If the acquisition of the properties is approved, the Agency would not take possession until after January 1, 2009.

ENVIRONMENTAL IMPACT

The acquisition of real property is not a “project” as defined by the California Environmental Quality Act (CEQA).

FISCAL IMPACT

The funding sources for the proposed acquisition and potential post-acquisition costs will be a combination of Tax Increment Non-Housing funds and Tax Allocation Non-Housing Bond proceeds. If the proposed acquisition is approved, subsequent action on the budget line items will be needed.

Currently, the Agency has budgeted approximately \$8.0 million to purchase the properties. By the attached resolution, the Capital Improvement Budget FY 2004/2009 – Development of 9th & Palm Shopping Center item will be amended and increased by \$3,262,000.

DEPARTMENT RECOMMENDATIONS

Staff recommends that the Redevelopment Agency:

1. Amend the Capital Improvement Budget FY 2004/2009 – Development of 9th & Palm Shopping Center and increase it by \$3,262,000;
2. Authorize the Executive Director to execute a Purchase and Sale Agreement for the acquisition of real property located at 735 Palm Avenue for \$1,600,000; and
3. Authorize the Executive Director to execute a Purchase and Sale Agreement for the acquisition of real property located at 741 thru 849 Palm Avenue for \$9,662,000.

EXECUTIVE DIRECTOR'S RECOMMENDATION

Approve Department recommendation.



Gary Brown, Executive Director

ATTACHMENTS

1. Resolution R-08-166

REDEVELOPMENT RESOLUTION NO. R-08-166

A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY TO AMEND THE CAPITAL IMPROVEMENT BUDGET FY04/09 AND AUTHORIZE THE ACQUISITION OF PROPERTIES LOCATED AT 741 THRU 849 PALM AVENUE; APN 626-250-04,05,&06 AND 735 PALM AVENUE; APN 626-250-003.

The Imperial Beach Redevelopment Agency ("the Agency") does hereby resolve as follows:

WHEREAS, the Imperial Beach Redevelopment Agency (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area [the "Project"]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to acquire certain properties located at 741 thru 849 Palm Avenue and 735 Palm Avenue, Imperial Beach (the "Property") for redevelopment; and

WHEREAS, the Acquisition of the Property by the Agency will benefit the Project and serve the Project's goals and objectives; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to amend the Capital Improvement Budget FY 2004/2009 – Development of 9th & Palm Shopping Center; and

WHEREAS, the payment of Redevelopment Agency funds for the acquisition of the Property will assist in the elimination of one or more blighted conditions inside the Project; and

WHEREAS, the Agency has duly considered all conditions of the proposed payment for the acquisition and believes that the payment by the Agency of the cost of the acquisition by the Agency is in the best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Agency, as follows:

1. That the Agency finds and determines that the acquisition of the Property is of benefit to the Project, that the Agency finds and determines that no other reasonable means for financing the proposed acquisition for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that proposed acquisition will assist in eliminating more blighting conditions inside the Project area.

2. That the Agency finds and determines that the acquisition of the Property is consistent with the Implementation Plan adopted for the Project by the Agency on June 21, 1994, as Document No. 2141, pursuant to California Health and Safety Code section 33490.

3. That the Agency amend the Capital Improvement Budget FY 2004/2009 – Development of 9th & Palm Shopping Center for \$3,262,000.

4. That the Agency authorizes the payment by the Agency for the acquisition of the Properties located at 741 thru 849 Palm Avenue and 735 Palm Avenue, Imperial Beach for an

amount up to \$11,262,000 and anticipates to be paid from Palm Avenue/Commercial Corridor Redevelopment Project area Tax Increment and Bond proceeds.

5. That the Executive Director of the Agency, or designee, is authorized to execute all necessary documents to carry out this acquisition.

6. That the total amount of the budget amendment shall be for THREE MILLION TWO HUNDRED SIXTY-TWO THOUSAND DOLLARS (\$3,262,000).

7. Authorize the Executive Director to execute a Purchase and Sale Agreement for the acquisition of real property located at 735 Palm Avenue for ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000); and

8. Authorize the Executive Director to execute a Purchase and Sale Agreement for the acquisition of real property located at 741 thru 849 Palm Avenue for NINE MILLION SIX HUNDRED SIXTY-TWO THOUSAND DOLLARS (\$9,662,000);

9. That the total amount of the payment for the properties shall not exceed ELEVEN MILLION TWO HUNDRED SIXTY-TWO THOUSAND DOLLARS (\$11,262,000).

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency of at its meeting held on the 17th day of December 2008 following roll call vote:

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

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Redevelopment Resolution No. R-08-166 – A Resolution of the Imperial Beach Redevelopment Agency of the City of Imperial Beach, California authorizing the Executive Director Or Designee to execute an Agreement for the Acquisition of 741 Thru 849 Palm Avenue and 735 Palm Avenue, Imperial Beach for amount not to exceed \$11,262,000.



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: PUBLIC WORKS *HAL*
SUBJECT: RESOLUTION AWARDING CONTRACT FOR "DAHLIA AVENUE & FIFTH STREET OVERLAY" CIP PROJECT (S08-106)

BACKGROUND:

The Five-Year Capital Improvement Program Budget Fiscal Year 2004/2005 through Fiscal Year 2008/2009 adopted by Resolution No. 2005-6089 and as amended December 7, 2005 – Resolution No. 2005-6253 and February 6, 2008 – Resolution No. 2008-2008-6574 - included "RTIP [Regional Transportation Improvement Program] Projects." The RTIP Projects CIP were Dahlia Avenue & Fifth Street Overlay" CIP project (S08-106) in Fiscal Year 2008/2009; Grove Avenue Overlay, sidewalk, curb & gutter repair in Fiscal Year 2009/2010; Delaware Avenue Overlay, curb and gutter repair in Fiscal Year in Fiscal Year 2010/2011; Elm Avenue storm drain installation (Florence to Florida) & Calla Avenue (532 Calla to Rainbow) in Fiscal Year 2011/2012; and 9th Street Overlay in Fiscal Year 2012/2013.

DISCUSSION:

RTIP Project – "Dahlia Avenue & Fifth Street Overlay" CIP (S08-106) project was advertised for requests for proposals on October 30, 2008, and weekly thereafter in the I.B. Eagle and Times newspaper and Construction Bid Board. The bid opening was Thursday, December 4, 2008, at 2:00 p.m.

The lowest responsive and qualified bidder for the "RTIP Projects - Dahlia Avenue & Fifth Street Overlay" CIP Project was Portillo Concrete, Inc. at a bid price of \$230,541.00. The lowest bidder was considered non-responsive due to bid errors by S & S Grading & Paving, Inc.

The contractors who submitted proposals along with their proposal bid amounts are as listed below:

- | | |
|---|--|
| 1. S & S Grading & Paving, Inc. | \$155,465.90 (non-responsive – see attachment 2) |
| 2. Portillo Concrete, Inc. | \$230,541.00 |
| 3. International Pavement Solutions, Inc. | \$233,087.30 |
| 4. Stammerrama General Engineering | \$235,726.00 |
| 5. Frank & Son Paving, Inc. | \$246,411.00 |
| 6. Southland Paving, Inc. | \$247,861.18 |

7. New Century Construction, Inc.	\$248,391.00
8. Kock Armstrong	\$252,619.40
9. ABC Construction Company, Inc.	\$253,690.50
10. J D Paving, Inc.	\$257,756.55
11. SRM Contracting & Paving	\$261,200.00
12. Kirk Paving, Inc.	\$262,327.47
13. Sim J. Harris, Inc.	\$269,000.00
14. Hazard Construction Company	\$275,613.00
15. Ramona Paving & Construction, Inc.	\$289,346.30
16. KC Equipment, Inc.	\$316,777.00

Engineer's Estimate for this project was \$207,189.75.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA. This project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302(c): Replacement or Reconstruction of Existing Utility Systems and Facilities.

FISCAL IMPACT:

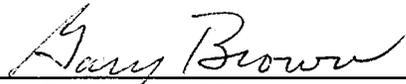
The adopted budget for the RTIP Projects – Dahlia Avenue & Fifth Street Overlay CIP project was \$642,400 from the Prop A funding. There are sufficient allocations of funds to construct the “Dahlia Avenue & Fifth Street Overlay” project.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Authorize the execution of a contract with the lowest responsive and qualified bidder.
3. Adopt the attached resolution authorizing the City Manager to execute a construction contract and purchase order with the lowest responsive and qualified bidder in the amount bid by the lowest responsive and qualified bidder.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



 Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6703
2. Letter from S & S Grading and Paving, Inc. dated December 8, 2008

RESOLUTION NO. 2008-6703**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AWARDING CONTRACT FOR "DAHLIA AVENUE & FIFTH STREET OVERLAY" CIP PROJECT (S08-106)**

WHEREAS, the Five-Year Capital Improvement Program Budget Fiscal Year 2004/2005 through Fiscal Year 2008/2009 adopted by Resolution No. 2005-6089 and as amended December 7, 2005 – Resolution No. 2005-6253 and February 6, 2008 – Resolution No. 2008-2008-6574 - included "RTIP [Regional Transportation Improvement Program] Projects." ; and

WHEREAS, the "RTIP Projects" were Dahlia Avenue & Fifth Street Overlay" CIP project (S08-106) in Fiscal Year 2008/2009; and

WHEREAS, RTIP Project – "Dahlia Avenue & Fifth Street Overlay" CIP (S08-106) project was advertised for requests for proposals on October 30, 2008, and weekly thereafter in the I.B. Eagle and Times newspaper and Construction Bid Board; and

WHEREAS, the bid opening was Thursday, December 4, 2008, at 2:00 p.m; and

WHEREAS, the lowest responsive and qualified bidder for the "RTIP Projects - Dahlia Avenue & Fifth Street Overlay" CIP Project was Portillo Concrete, Inc. at a bid price of \$230,541.00; and

WHEREAS, the lowest bid opened was from S & S Grading & Paving, Inc. at a bid price of \$155,465.90 and was found non-responsive; and

WHEREAS, Engineer's Estimate for this project was \$207,189.75.

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

1. The above recitals are true and correct.
2. The legislative body hereby rejects all proposals for bids except that identified as the lowest responsive and qualified bid. The bid of the lowest, responsive qualified bidder will be on file with the transcript of these proceedings and open for public inspection in the City Clerk Department on file as contract No. _____.
3. The Contractor shall not commence construction or order equipment until he has received a Notice to Proceed.
4. The works of improvement shall be constructed in the manner and form and in compliance with the requirements as set forth in the plans and specifications for the project.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 17th day of December 2008, 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. 2008-6703 – A Resolution of the City Council of the City of Imperial Beach, California, Awarding Contract for “Dahlia Avenue & Fifth Street Overlay” CIP Project (S08-106)

CITY CLERK

DATE

S & S
Grading and Paving, Inc.
Ca St. Lic. #709761

December 8, 2008

City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

RE: Dahlia Avenue and Fifth Street Overlay Project (S08-106)

SUBJECT: Bid Withdrawal, S & S Grading and Paving, Inc.

ATTENTION: Vicki Madrid, CIP Manager

In reviewing the bid results posted this morning, it is clear that our bid contains a substantial error. Specifically, our bids for Items number 3 and 4 (Pavement Grind - 2" Depth and Pavement Grind - 4" Depth) were submitted *without re-paving cost* by mistake. This mistake is obvious when our bid is compared on a item by item basis with the other bids - we are 70 to 80% below the next two bids on these two items. Our bid for these items only includes the cost of the grinding process; the cost of paving back prior to overlay paving was omitted by mistake.

We are hereby requesting permission to withdraw our bid because of this substantial and obvious error.

Thank You,



Steve Parmelee, President
S & S Grading and Paving, Inc



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: JACQUELINE M. HALD, CITY CLERK

SUBJECT: ANNUAL CITY COUNCIL REPRESENTATION ASSIGNMENTS

BACKGROUND & DISCUSSION:

Pursuant to Section 2.18.010.C of the Imperial Beach Municipal Code (I.B.M.C.), appointments to all commissions, boards and committees, except the planning commission and the personnel board, shall be made by the Mayor, with the approval of the City Council.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Not a project as defined by CEQA.

FISCAL IMPACT:

None.

DEPARTMENT RECOMMENDATION:

1. Mayor appoint/change City Council Representation Assignments for 2009 in accordance with Chapter 2.18.010.C of the I.B.M.C.
2. City Council approve Mayor's appointments and changes to City Council Representation Assignments for 2009.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. 2008 City Council Representation Assignment List

**2008 CITY OF IMPERIAL BEACH
CITY COUNCIL REPRESENTATION ASSIGNMENTS**

ATTACHMENT 1

<p>SOUTH BAY MAYORS AND CITY MANAGERS COMMITTEE: National City, Chula Vista, Coronado, and San Diego meet to discuss mutual concerns relating to South Bay.</p> <p>Primary - Mayor Janney 1st Alternate – Councilmember Winter 2nd Alternate – Mayor Pro Tem McCoy</p>	<p>Contact: City of Chula Vista Natalie Flores, Secretary to the Mayor, 691-5044</p> <p>Meetings: Usually 4th Monday of each month by the host city (rotated) at 12:00 noon for approximately one hour.</p>
<p>SD DIVISION, LEAGUE OF CALIFORNIA CITIES: A coalition of California cities meeting on issues of statewide concern.</p> <p>Primary – Councilmember Winter 1st Alternate – Mayor Janney</p>	<p>Contact: City of Vista Marci Kilian, City Clerk (760) 639-6125 x1062</p> <p>Location: Four Points Sheraton 8110 Aero Drive, San Diego, CA 92123</p> <p>Meetings: 2nd Monday of each month at lunchtime</p>
<p>SD DIVISION, LEAGUE OF CALIFORNIA CITIES - LEGISLATIVE SUB-COMMITTEE: A coalition of San Diego County cities that reviews and provides direction to the San Diego Division membership on bills pending before the Legislature.</p> <p>Primary – Councilmember Winter 1st Alternate – City Manager Brown</p>	<p>Contact: Catherine Hill, Regional Affairs Manager (619) 295-8282</p> <p>Location: Four Points Sheraton 8110 Aero Drive, San Diego, CA 92123</p> <p>Meetings: 2nd Monday of each month at lunchtime</p>
<p>LEAGUE OF CALIFORNIA CITIES - COASTAL CITIES INTEREST GROUP A coalition of California cities meeting on statewide coastal issues.</p> <p>Primary – Mayor Janney 1st Alternate – Mayor Pro Tem McCoy</p>	<p>Contact: Mary Creasey, Public Affairs Analyst League of California Cities 1400 K Street Sacramento, CA 95814 (916) 658-8243</p> <p>Location: TBD</p> <p>Meetings: TBD</p>
<p>METROPOLITAN TRANSIT SYSTEMS BOARD: Public transportation issues.</p> <p>Primary – Councilmember McLean 1st Alternate – Councilmember Bragg</p>	<p>Contact: Gail Williams, Clerk of the Board, 557-4515</p> <p>Location: 1255 Imperial Ave., Suite 1000 San Diego, CA 92101-7490 231-1466</p> <p>FAX: 234-3407</p> <p>Meetings: Typically 2nd & 4th Thursdays each month at 9:00 a.m. (Revised meeting schedule available) (\$150/meeting – not to exceed eight meetings)</p>
<p>SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) BOARD: The regional council of governments, which fosters cooperation on solving regional issues, such as transportation.</p> <p>Includes Regional Transportation Commission (RTC) meeting.</p> <p>Primary – Mayor Janney 1st Alternate – Mayor Pro Tem McCoy 2nd Alternate – Councilmember Winter</p>	<p>Contact: Deborah Gunn, Clerk of the Board</p> <p>Location: 401 B Street, Suite 800 First Interstate Plaza San Diego, CA 92101 699-1991</p> <p>FAX: 699-6905</p> <p>Meetings: Executive Committee: 2nd Friday of each month at 9:00 a.m. Policy Dev. Mtg.: 2nd Friday of each month at 10:00 a.m. Business Mtg.: 4th Friday of each month at 9:00 a.m. (\$175/meeting)</p>
<p>SANDAG – SHORELINE PRESERVATION WORKING GROUP: To advise SANDAG on issues related to the adopted Shoreline Preservation Strategy and opportunities for beach replenishment.</p> <p>Primary – Mayor Janney 1st Alternate – Councilmember Bragg</p>	<p>Contact: Shelby Tucker, SANDAG</p> <p>Location: 401 B Street, Suite 800 First Interstate Plaza San Diego, CA 92101 699-1916</p> <p>FAX: 699-1905</p> <p>Meetings: 1st Thursday of every other month, 11:30 a.m. to 1:00 p.m.</p>
<p>CHAMBER OF COMMERCE LIAISON:</p> <p>Primary – Councilmember McLean 1st Alternate – Mayor Janney</p>	<p>Contact: Stacey Long, Exec. Assistant, 424-3151</p> <p>Meetings: 2nd Wednesday of each month at 5:00 p.m. at APS Marine Services & Equipment 706-A Seacoast Dr.</p>

**2008 CITY OF IMPERIAL BEACH
CITY COUNCIL REPRESENTATION ASSIGNMENTS**

<p>METRO WASTEWATER COMMISSION/JPA: Oversees the sewage system for the San Diego area and makes decisions regarding financial expenditures relating to the sewage system.</p> <p>Primary – Councilmember Winter Alternate – Mayor Pro Tem McCoy</p> <p>AFFORD (Padre Dam) – Amy – (619) 258-4614</p>	<p>Contact: Teri Basta, Padre Dam, 258-4661 Location: 9192 Topaz Way, MOC II Auditorium San Diego, CA 92123 Meetings: Meets on the 1st Thursday of each month from 12:00 p.m. to 1:30 p.m. (150/day)</p>
<p>BAYSHORE BIKEWAY WORKING GROUP: Purpose is to promote improvements to the 26-mile bikeway around San Diego Bay.</p> <p>Primary – Councilmember McLean Alternate – Mayor Janney</p>	<p>Contact: Stephan Vance, SANDAG, 699-1924 Meetings: Quarterly, as needed</p>
<p>JOB CORPS LIAISON: Community Relations Council</p> <p>Primary – Councilmember Bragg Alternate – Mayor Janney</p>	<p>Contact: Frank Buttino, Business Community Liaison, 429-8500 x216 Location: 1325 Iris Ave., Building 60 Imperial Beach, CA 91932 Meetings: Once every quarter (notified in advance) at Culinary Arts Center at 11:30 a.m.</p>
<p>SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL: To encourage private investment in the South San Diego County region as well as to promote the cultural, educational, social, and geographic opportunities of the area.</p> <p>Primary – Councilmember McLean 1st Alternate – Councilmember Bragg</p>	<p>Contact: Cindy Gomper Graves, Exec. Director 424-5143 Location: South County EDC 1111 Bay Blvd. Ste. E Chula Vista, CA 91911 Meetings: 1st Tuesday of each month at 7:30 a.m. at the South County Regional Education Center 800 National City Blvd., National City</p>
<p>HEARTLAND COMMUNICATIONS FACILITY AUTHORITY JPA BOARD: A Joint Powers Authority between the Cities of El Cajon, Imperial Beach, La Mesa, Santee and Lemon Grove, and Fire Protection Districts San Miguel, Lakeside, East County, and Alpine.</p> <p>Primary – Councilmember Bragg 1st Alternate – Mayor Janney</p>	<p>Contact: Valerie Nellis 441-1623 vnellis@heartlandfire.net Location: Ronald Reagan Community Center 200 East Douglas, El Cajon Meetings: Held quarterly: 4th Thursday of January, April, July and October at 4:00 p.m. (\$100/meeting)</p>
<p>OTAY RIVER WATERSHED MANAGEMENT PLAN POLICY COMMITTEE: A Joint Exercise of Powers Agreement among the County of San Diego and the Cities of Chula Vista and Imperial Beach and the San Diego Unified Port District for the development of a watershed management plan for the Otay River. The Policy Committee shall provide direction to the Project Team for administering the JPA. Appointment to the Policy Committee shall be for a term not to exceed the appointee's current term in office.</p> <p>Primary – Councilmember Winter</p>	<p>Contact: Tracy Cline (858) 495-5513 tracy.cline@sdcounty.ca.gov Location: To be determined Meetings: Meet on an as needed basis</p>

CITY COUNCIL AD HOC COMMITTEES

Redevelopment of 9th and Palm Avenue Area
Mayor Janney
Councilmember Winter

Water Quality Matters
Mayor Janney
Councilmember Winter

CITY COUNCIL STANDING COMMITTEES

Military Affairs Subcommittee
Mayor Janney
Councilmember McLean



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: DECEMBER 17, 2008
ORIGINATING DEPT.: JACQUELINE M. HALD, CITY CLERK

SUBJECT: 2009 CITY COUNCIL MEETING AND WORKSHOP CALENDAR

BACKGROUND AND DISCUSSION:

After review of the calendar and holiday schedule for the year 2009, staff recommends the following:

- Schedule City Council Workshops on:
January 13, 2009 – Strategic Planning Workshop 9:00 a.m.
January 14, 2009 – Strategic Planning Workshop 9:00 a.m.
April 21, 2009 – City Council Workshop 9:00 a.m.
July 21, 2009 – City Council Workshop 9:00 a.m.
October 13, 2009 – City Council Workshop 9:00 a.m.
- Reschedule the September 16, 2009 City Council meeting to September 23, 2009 due to a conflict with the League of California Cities Annual Conference scheduled for September 16-19, 2009.
- Cancel the January 6, 2010 City Council meeting due to the City Furlough scheduled for December 24, 2009 through January 1, 2010.

Please note: The January 7, 2009 City Council meeting was cancelled by previous Council action on December 5, 2007.

FISCAL IMPACT:

None related to this report.

DEPARTMENT RECOMMENDATION:

Approve the attached 2009 City Council Calendar which includes City Council Strategic Workshops on January 13 and 14, 2009, and City Council quarterly workshops on April 21, 2009, July 21, 2009 and October 13, 2009. Staff further recommends rescheduling the September 16, 2009 City Council meeting to September 23, 2009 and canceling the January 6, 2010 City Council meeting.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Gary Brown, City Manager

Attachments:

1. Draft 2009 City Council Meeting Calendar
2. 2008/2009 City of Imperial Beach Holiday Schedule

2009

CITY OF IMPERIAL BEACH

2009

825 Imperial Beach Boulevard
Imperial Beach, CA 91932

January						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February						
S	M	T	W	TH	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	TH	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Council Meetings
- Quarterly Council Workshops
- City Hall Closed
- City Holidays

SPECIAL EVENTS

Sandcastle
IB Birthday
League Conference

July 17-19, 2009
July 18, 2009
September 16-19, 2009



City of Imperial Beach Holiday Schedule 2008/2009

2008 Holiday Schedule

Tuesday, November 11	Veterans Day	City Hall Offices Closed
Thursday, November 27	Thanksgiving Day	City Hall Offices Closed
Friday, November 28	Day After Thanksgiving	City Hall Offices Closed
Wednesday, December 24	Christmas Eve	City Hall Offices Closed
Thursday, December 25	Christmas Day	City Hall Offices Closed
December 26 thru 30	Furlough	City Hall Offices Closed for the Holidays
Wednesday, December 31	New Year's Eve	City Hall Offices Closed

2009 Holiday Schedule

Thursday, January 1	New Year's Day	City Hall Offices Closed
Monday, January 19	Martin Luther King Jr Day	City Hall Offices Closed
Monday, February 16	Presidents' Day	City Hall Offices Closed
Tuesday, March 31	Cesar Chavez Day	City Hall Offices Closed
Monday, May 25	Memorial Day	City Hall Offices Closed
Saturday, July 4	Independence Day	<i>Holiday Bank (9hr FT/7hr Perm-PT)</i>
Monday, September 7	Labor Day	City Hall Offices Closed
Wednesday, November 11	Veterans Day	City Hall Offices Closed
Thursday, November 26	Thanksgiving Day	City Hall Offices Closed
Friday, November 27	Day After Thanksgiving	City Hall Offices Closed
Thursday, December 24	Christmas Eve	City Hall Offices Closed
Friday, December 25	Christmas Day	City Hall Offices Closed
December 28 thru 30	Furlough	City Hall Offices Closed for the Holidays
Thursday, December 31	New Year's Eve	City Hall Offices Closed
Friday, January 1, 2010	New Year's Day	<i>Friday Closed – Holiday Bank (9hr FT/7hr Perm-PT)</i>