



# A G E N D A

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



**MARCH 3, 2010**

**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**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957:

Title: City Manager

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

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

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

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

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

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

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

Property: 743-849 Palm Ave., Imperial Beach, CA 91932, APN 626-250-06

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

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

**(Continued on Next Page)**

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

**CLOSED SESSION (Continued)**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,  
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

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

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(3)(A):

Number of potential cases: 10 (Significant Exposure to Litigation)

**RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)**

**REGULAR MEETING CALL TO ORDER BY MAYOR**

**ROLL CALL BY CITY CLERK**

**PLEDGE OF ALLEGIANCE**

**AGENDA CHANGES**

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

**COMMUNICATIONS FROM CITY STAFF**

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

**PRESENTATIONS (1)**

None.

**CONSENT CALENDAR (2.1 - 2.3)** - *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 RATIFICATION OF WARRANT REGISTER. (0300-25)**

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 70417 through 70507 with the subtotal amount of \$137,066.52 and Payroll Checks 42275 through 42319 with the subtotal amount of \$146,390.51 for a total amount of \$283,457.03.

**2.2 RESOLUTION NO. 2010-6858 – TIME EXTENSION FOR IMPERIAL BEACH ECO-BICYCLE TRAFFIC CALMING COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055). MF 934. (0680-20)**

City Manager's Recommendation: Adopt Resolution No. 2010-6858, approving a time extension for Administrative Coastal Development Permit (ACP 080054) and Design Review (DRC 080055), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

**(Continued on Next Page)**

## **CONSENT CALENDAR (Continued)**

- 2.3 RESOLUTION NO. 2010-6857 – TIME EXTENSION FOR DOS DELMAR/ EDWIN JOHNSON (OWNER)/TIM MONAHAN OF NEWTRAC PACIFIC (APPLICANT)/JEFF FISCHFOGT (ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701. (0600-20)**

City Manager's Recommendation: Adopt Resolution No. 2010-6857, approving a one-year time extension for Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

## **ORDINANCES – INTRODUCTION/FIRST READING (3)**

None.

## **ORDINANCES – SECOND READING & ADOPTION (4.1)**

- 4.1 ORDINANCE NO. 2010-1098 – REQUIRING MANDATORY L.E.A.D. OR R.B.S.S. TRAINING FOR ABC ESTABLISHMENTS. (0240-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1098, "AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE";
3. City Clerk reads title of Ordinance No. 2010-1098; and
4. Motion to dispense second reading and adopt Ordinance No. 2010-1098 by title only.

## **PUBLIC HEARINGS (5)**

None.

## **REPORTS (6.1 - 6.9)**

***Item No. 6.1 will be discussed at 7:00 p.m. – TIME SPECIFIC***

- 6.1 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION. (0610-95)**

City Manager's Recommendation: City Council continue its discussion and provide direction and input on the specific recommendations presented. Staff further recommends that the City Council consider scheduling the proposed Land Use Table and Definitions for discussion at the second City Council meeting in March and provide any further specific direction on the next steps for consideration of the proposed recommendations.

- 6.2 DRAFT TEXT OF SKATE PARK RULES AND REGULATIONS SIGNAGE. (0920-40 & 0920-95)**

City Manager's Recommendation:

1. Receive report;
2. Review and comment on the draft text of the Skate Park Rules and Regulation signage;
3. Offer the community the opportunity to comment on the draft text of the Skate Park Rules and Regulation signage;
4. Approve the text or provide direction for a modified text; and
5. Direct staff to prepare a revision to the Imperial Beach Municipal Code such that the Code reflects the Skate Park Rules and Regulations, if necessary.

**(Continued on Next Page)**

**REPORTS (Continued)**

- 6.3 SILVER STRAND TRAINING COMPLEX DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS). (0620-80)**  
City Manager's Recommendation:  
1. Receive presentation; and  
2. Let staff know of any comments to submit on the DEIS.
- 6.4 PORT COMMISSIONER APPOINTMENT PROCESS. (0150-70)**  
City Manager's Recommendation:  
1. Decide whether to use the current or extended process (staff to return to City Council with a resolution for extended process), but in either case appoint a Commissioner no later than October 20, 2010; and  
2. Approve the Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.
- 6.5 RESOLUTION NO. 2010-6861 – MEMORANDUM OF UNDERSTANDING BETWEEN THE BOYS AND GIRLS CLUB OF IMPERIAL BEACH AND THE CITY OF IMPERIAL BEACH. (0130-08 & 0920-70)**  
City Manager's Recommendation: Adopt Resolution No. 2010-6861.
- 6.6 RESOLUTION NO. 2010-6855 – AUTHORIZING THE PURCHASE OF REPLACEMENT SEWER DIVISION EMERGENCY GENERATOR. (1140-05)**  
City Manager's Recommendation: Adopt Resolution No. 2010-6855.
- 6.7 RESOLUTION NO. R-10-211 – PROPOSED ADDITIONAL ALLOCATION OF \$762,500 FOR THE CLEAN AND GREEN PROGRAM. (0640-95)**  
City Manager's Recommendation: Adopt Resolution No. R-10-211, approving an amendment to the Clean and Green Program budget.
- 6.8 RESOLUTION NO. 2010-6860 – DESIGNATING LIMITED TIME PARKING ON 8TH STREET ADJACENT TO THE IMPERIAL BEACH BRANCH LIBRARY. (0760-05 & 0760-95)**  
City Manager's Recommendation:  
1. Receive report;  
2. Adopt Resolution No. 2010-6860.
- 6.9 AD HOC COUNCIL COMMITTEE TO WORK WITH SCHOOL SYSTEMS. (0410-50 & 1010-20)**  
City Manager's Recommendation:  
1. Discuss establishing an ad hoc committee to explore expanded recreational opportunities with the Sweetwater and South Bay School Systems.  
2. Appoint two Council members to the ad hoc committee.

**ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

**ADJOURNMENT**

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT [www.cityofib.com](http://www.cityofib.com).

Copies of this notice were provided on February 25, 2010 to the City Council, San Diego Union-Tribune, and I.B. Eagle & Times.

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 February 25, 2010. Said meeting to be held at 5:00 p.m. March 3, 2010, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on February 25, 2010 at 2:30 p.m.

\_\_\_\_\_  
Jacqueline M. Hald, CMC  
City Clerk



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** March 3, 2010

**ORIGINATING DEPT.:** Michael McGrane *mm*  
Finance Director

**SUBJECT:** RATIFICATION OF WARRANT REGISTER

**BACKGROUND:**

None

**DISCUSSION:**

As of April 7, 2004, all large warrants above \$100,000 will be separately highlighted and explained on the staff report.

**ENVIRONMENTAL IMPACT**

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

**WARRANT #                      DATE                      AMOUNT**

**Accounts Payable**

70417-70458	02/11/10	\$ 67,514.81
70459-70507-	02/19/10	69,551.71
<b>Sub-Total</b>		<b>\$ 137,066.52</b>

**Payroll Checks:**

42275-42319	P.P.E. 02/11/10	<u>146,390.51</u>
	<b>Sub-Total</b>	<b>\$ <u>146,390.51</u></b>
	<b>TOTAL</b>	<b>\$ <u>283,457.03</u></b>

**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 #	BANK CODE		CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
02/11/2010	70417	ACCOUNTEMPS	70			1,488.00	
101-1210-413.21-01	02/01/2010	DIAZ, E W/E	01/29/2010	30601728	010781 08/2010	960.00	
101-1210-413.21-01	01/27/2010	DIAZ, E W/E	01/22/2010	30593248	010781 07/2010	528.00	
02/11/2010	70418	ASHUR LIQUOR	2			85.00	
101-0000-203.22-00	02/05/2010	OL REFUNDS		0008479	08/2010	85.00	
02/11/2010	70419	AT&T	2052			3,010.34	
503-1923-419.27-04	01/20/2010		3372571583448	1122229	07/2010	355.96	
503-1923-419.27-04	01/20/2010		3393431504727	1120611	07/2010	177.99	
101-1110-412.27-04	01/15/2010		6194230314983	1109767	07/2010	102.80	
101-5040-434.27-04	01/15/2010		6194231074813	1109768	07/2010	15.88	
101-5040-434.27-04	01/15/2010		6194231675716	1109769	07/2010	15.88	
601-5060-436.27-04	01/15/2010		6194232231359	1109770	07/2010	15.40	
101-3020-422.27-04	01/17/2010		6194237246664	1112585	07/2010	71.77	
101-3020-422.27-04	01/15/2010		6194238222636	1109771	07/2010	22.22	
101-3020-422.27-04	01/15/2010		6194238225966	1109772	07/2010	149.57	
101-1920-419.27-04	01/15/2010		6194238300966	1109773	07/2010	268.98	
101-5020-432.27-04	01/15/2010		6194238311966	1109774	07/2010	352.60	
101-3030-423.27-04	01/15/2010		6194238322966	1109775	07/2010	210.62	
101-1130-412.27-04	01/15/2010		6194238617297	1109776	07/2010	71.05	
503-1923-419.27-04	01/11/2010		6194243481712	1094917	07/2010	32.81	
101-6030-453.27-04	01/11/2010		6194247077654	1094918	07/2010	77.93	
101-3020-422.27-04	01/17/2010		6194247359125	1112586	07/2010	75.40	
101-6010-451.27-04	01/22/2010		6195750336814	1124345	07/2010	16.25	
101-3020-422.27-04	01/22/2010		6195750361567	1124346	07/2010	16.25	
601-5060-436.27-04	01/17/2010		6195751351887	1113132	07/2010	14.65	
101-1010-411.27-04	01/17/2010		6196281352138	1112587	07/2010	61.62	
101-1230-413.27-04	01/17/2010		6196281356950	1112588	07/2010	179.29	
101-3040-424.27-04	01/17/2010		6196281357370	1112589	07/2010	75.67	
101-3070-427.27-04	01/17/2010		6196281359503	1112590	07/2010	44.20	
101-1210-413.27-04	01/17/2010		6196281361675	1112591	07/2010	227.31	
101-6010-451.27-04	01/17/2010		6196281385578	1112592	07/2010	56.66	
101-3035-423.27-04	01/17/2010		6196281419922	1112593	07/2010	18.98	
101-3010-421.27-04	01/13/2010		6196281485966	1104071	07/2010	41.41	
101-1920-419.27-04	01/17/2010		6196282018442	1112594	07/2010	24.79	
601-5060-436.27-04	01/15/2010		C602221236777	1109766	07/2010	216.40	
02/11/2010	70420	CALIFORNIA AMERICAN WATER	612			2,860.87	
601-5060-436.27-02	01/13/2010	05-0101092-0	11/04-01/08	02-01-2010	07/2010	12.31	
101-5020-432.27-02	01/13/2010	05-0102217-2	11/04-01/08	02-01-2010	07/2010	287.02	
101-6020-452.27-02	01/13/2010	05-0102503-5	11/04-01/08	02-01-2010	07/2010	246.49	
101-5010-431.27-02	01/13/2010	05-0102729-6	11/04-01/08	02-01-2010	07/2010	912.21	
215-6026-452.27-02	01/14/2010	05-0402959-6	11/03-01/12	02-02-2010	07/2010	892.64	
101-6020-452.27-02	01/13/2010	05-0102504-3	11/04-01/08	02-01-2010	07/2010	8.88	
101-6020-452.27-02	01/14/2010	05-0106255-1	11/09-01/11	02-02-2010	07/2010	25.18	
101-6020-452.27-02	01/14/2010	05-0106249-1	11/09-01/11	02-02-2010	07/2010	12.33	
101-6020-452.27-02	01/14/2010	05-0106336-6	11/09-01/11	02-02-2010	07/2010	15.52	
101-6020-452.27-02	01/14/2010	05-0106337-4	11/09-01/11	02-02-2010	07/2010	12.33	

FROM 02/11/2010 TO 02/19/2010

BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
101-6020-452.27-02	01/15/2010		05-0109756-2 11/10-01/12	02-03-2010		07/2010	435.96
02/11/2010	70421	CITY OF IMPERIAL BEACH	864				570.71
101-1110-412.28-04	07/27/2009		WOLFSON, L IAAP DINNER MT	401		08/2010	35.00
101-1110-412.28-04	07/27/2009		POSADA, M IAAP MTG AUG 09	402		08/2010	35.00
101-1210-413.28-04	10/21/2009		WIESMANN CHMBER MTG 10/09	403		08/2010	10.00
101-3070-427.28-04	10/21/2009		GARCIAS, D CHMBR MTG 10/09	403		08/2010	10.00
101-3040-424.28-04	10/21/2009		ADAME, R CHMBR MTG 10/09	403		08/2010	10.00
101-3020-422.20-06	08/27/2009		SD EMS-EMT CERTIFICATION	404		08/2010	68.00
101-1020-411.28-04	08/27/2009		HALD/WOLFSON WEBINAR	405		08/2010	40.00
101-1010-411.28-04	11/09/2009		BRAGG, L NOV 09-LEAGUE	408		08/2010	25.00
101-1110-412.28-04	02/01/2010		POSADA, M DEC 09 IAAP MTG	409		08/2010	35.00
101-1210-413.28-04	12/16/2009		MCGRANE - MILEAGE REIMBUR	410		08/2010	93.50
101-1210-413.28-05	12/16/2009		MCGRANE - PARKING REIMBUR	410		08/2010	6.00
503-1923-419.28-04	12/08/2009		LOPEZ, H-MILEAGE REIMBURS	411		08/2010	63.44
101-1020-411.21-06	01/05/2010		2010 CA ELECTIONS CODE	413		08/2010	52.77
101-1020-411.28-04	02/01/2010		HALD, J - ROOM FEE CLERKS	414		08/2010	52.00
101-1110-412.28-04	02/03/2010		POSADA, M FEB 10 IAAP MTG	415		08/2010	35.00
02/11/2010	70422	COMPLETE OFFICE OF CALI	2051				1,115.01
101-1210-413.30-01	01/20/2010		COPY PAPER	1183009-0	010712	07/2010	41.66
101-1920-419.30-01	01/20/2010		COPY PAPER	1183009-0	010712	07/2010	1,073.35
02/11/2010	70423	COUNTY RECORDER	1818				50.00
101-0000-221.01-02	02/05/2010		NOE 710 SEACOAST DR #F	MF 1000		08/2010	50.00
02/11/2010	70424	COUNTY RECORDER	1818				50.00
101-0000-221.01-02	02/03/2010		NOE 1461 5TH STREET	MF 964		08/2010	50.00
02/11/2010	70425	COX COMMUNICATIONS	1073				779.00
503-1923-419.21-04	01/22/2010		3110039780701 1/25-2/24	02-15-2010	010309	07/2010	600.00
601-5050-436.21-04	01/31/2010		3110091187001 02/04-03/03	01-31-2010	010139	07/2010	179.00
02/11/2010	70426	DKC ASSOCIATES, INC.	2187				3,200.00
101-1110-412.20-06	01/28/2010		THROUGH 01/28/2010	184	010782	07/2010	1,065.60
405-1260-413.20-06	01/28/2010		THROUGH 01/28/2010	184	010782	07/2010	1,065.60
502-1922-419.20-06	01/28/2010		THROUGH 01/28/2010	184	010782	07/2010	1,068.80
02/11/2010	70427	EDCO DISPOSAL CORPORATION	1205				128.96
408-1920-519.20-06	01/31/2010		JANUARY 2010	01-31-2010	010330	07/2010	128.96
02/11/2010	70428	EL TAPATIO INC	1407				292.54
101-1010-411.28-04	01/22/2010		EL TAPATIO- COUNCIL DINNE	5347	F01072	07/2010	119.63
101-1010-411.28-04	02/03/2010		COUNCIL DINNER 2/3/10	5378	F01077	08/2010	172.91
02/11/2010	70429	GIFFORDS HAULING	2161				375.00
408-1920-519.20-06	02/08/2010		SEP 09 - FEB 10	304641	010788	08/2010	375.00
02/11/2010	70430	GO-STAFF, INC.	2031				3,955.02
601-5060-436.21-01	01/26/2010		TRONCOSO, L W/E 01/24/10	68291	010148	07/2010	379.02

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT	
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR	TRN AMOUNT
101-3020-422.21-01	01/26/2010	ROCHER, J W/E 01/24/10	68290	010419 07/2010	150.00
101-3040-424.21-01	01/26/2010	ROCHER, J W/E 01/24/2010	68290	010705 07/2010	135.00
101-3020-422.21-01	02/05/2010	ROCHER, J W/E 12/20/09	67513	08/2010	472.50
101-3020-422.21-01	02/05/2010	ROCHER, J W/E 12/27/09	67694	08/2010	405.00
101-3040-424.21-01	02/05/2010	ROCHER, J W/E 01/10/10 CD	67962	08/2010	255.00
245-1240-413.21-01	02/05/2010	ROCHER, J W/E 01/10/10 CD	67962	08/2010	97.50
101-3020-422.21-01	02/05/2010	ROCHER, J W/E 01/10/10	67962	08/2010	90.00
601-5060-436.21-01	02/05/2010	TRONCOSO, L W/E 01/10/10	67963	08/2010	943.80
601-5060-436.21-01	02/02/2010	TRONCOSO, L W/E 01/31/10	68486	010148 08/2010	772.20
101-3040-424.21-01	02/02/2010	ROCHER, J W/E 01/31/2010	68485	010705 08/2010	255.00
02/11/2010	70431	GRAINGER	1051		1,774.67
101-6040-454.28-01	02/01/2010	TAPE, FOAM, 3/4 IN	9173179061	010076 08/2010	77.10
501-1921-419.30-02	02/02/2010	4 IN SWIVEL CASTER	9173318776	010076 08/2010	11.65
101-1910-419.28-01	02/02/2010	FALL FIXTURE/ BALLASTS/LA	9173318784	010076 08/2010	559.20
101-6040-454.28-01	02/04/2010	3/4 IN FOAM TAPE	9175847004	010076 08/2010	385.52
101-1910-419.30-02	02/02/2010	THREE PRONG ELECTRODE	9173653032	010076 08/2010	96.90
101-5010-431.30-02	02/02/2010	RAIN GEAR	9173653040	010076 08/2010	385.20
101-6040-454.28-01	02/03/2010	CR RTND 3/4" FOAM TAPE	9174569310	010076 08/2010	130.40-
101-6020-452.30-02	01/27/2010	CORE/COIL BALLAST KIT	9169351088	010076 07/2010	199.83
101-1910-419.28-01	12/22/2009	LAMP/BRUSH	9146939476	010076 06/2010	189.67
02/11/2010	70432	JOSE LUIS MORENO	560		560.00
101-5010-431.28-01	01/29/2010	BANNER REPAIR	616	010777 07/2010	560.00
02/11/2010	70433	KIWANIS CLUB OF IMPERIAL BEACH	639		325.00
405-1260-413.28-07	01/22/2010	2010 KIWANIS CALENDAR ADV	01-22-2010	010776 07/2010	325.00
02/11/2010	70434	LINSCOTT, LAW & GREENSPAN ENGI	2188		1,150.00
101-1920-532.20-06	01/21/2010	DEC 09 TRAFFIC ENG SVCS	3193400101A	010775 07/2010	1,150.00
02/11/2010	70435	LIGHTHOUSE, INC	787		31.72
501-1921-419.28-16	01/12/2010	HALOGEN BULBS	2324994	010094 07/2010	31.72
02/11/2010	70436	LLOYD PEST CONTROL	814		286.00
101-1910-419.20-22	01/08/2010	JAN 2010 SENIOR CENTER	2546036	010013 07/2010	47.00
101-1910-419.20-22	01/14/2010	JAN 2010 CITY HALL	2545700	010013 07/2010	31.00
101-1910-419.20-22	01/14/2010	JAN 2010 FIRE DEPT	2545701	010013 07/2010	31.00
101-1910-419.20-22	01/14/2010	JAN 2010 SHERIFF DEPT	2545939	010013 07/2010	31.00
101-1910-419.20-22	01/20/2010	JAN 2010 PUBLIC WORKS	2531405	010013 07/2010	47.00
101-1910-419.20-22	01/21/2010	JAN 2010 SPORTS PARK	2529041	010013 07/2010	45.00
101-1910-419.20-22	01/21/2010	JAN 2010 DEMPSEY CENTER	2531769	010013 07/2010	54.00
02/11/2010	70437	MICHAL PIASECKI CONSULTING	1795		1,350.00
601-5050-436.21-04	02/02/2010	JANUARY 2010 ENVIRONMENTA	129	010074 08/2010	280.00
601-5050-436.29-04	02/02/2010	JANUARY 2010 ENVIRONMENTA	129	010074 08/2010	1,070.00
02/11/2010	70438	MIRELES LANDSCAPING	2107		900.00
101-1920-532.20-06	01/31/2010	JANUARY 2010	01-31-2010	010701 07/2010	900.00
02/11/2010	70439	MOBILE MINI, INC	1066		3,153.75
101-6010-451.50-04	01/15/2010	MOBILE STORAGE	904266460	07/2010	2,800.00

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101-6010-451.50-04	01/15/2010	MOBILE STORAGE		904266460		07/2010	353.75
02/11/2010	70440	NEXTEL OF CALIFORNIA	1465				1,089.75
101-3070-427.27-05	01/29/2010	12/26/2009-01/25/2010		896132755-030		07/2010	36.60
101-1010-411.27-05	01/29/2010	12/26/2009-01/25/2010		896132755-030		07/2010	32.70
101-5020-432.27-05	01/29/2010	12/26/2009-01/25/2010		896132755-030		07/2010	267.74
101-5020-432.21-25	01/29/2010	12/26/2009-01/25/2010		896132755-030		07/2010	654.61
101-3020-422.27-05	01/29/2010	12/26/2009-01/25/2010		896132755-030		07/2010	98.10
02/11/2010	70441	OFFICE DEPOT, INC	1262				414.13
101-1210-413.30-01	01/11/2010	A/P PRINTER TONER		504080430001	010413	07/2010	78.75
101-5020-432.30-01	01/15/2010	PLANNER		504979466001	010413	07/2010	29.63
101-1210-413.30-01	01/25/2010	CORRECTION TAPE/FILE FLDR		506243586001	010413	07/2010	12.19
101-5020-432.30-01	01/28/2010	FILE BOXES		506816446001	010413	07/2010	68.77
408-5020-432.30-01	01/27/2010	TONER/PENCILS/PENS		506658114001	010413	07/2010	179.57
408-5020-432.30-01	01/28/2010	PAPER		506915455001	010413	07/2010	45.22
02/11/2010	70442	OLLIE ANGEL SKATE SHOP	1				7,117.00
101-1920-532.20-06	02/10/2010	1/2 FIXTURES & EQUIPMENT		02-09-2010		08/2010	7,117.00
02/11/2010	70443	PMI	23				858.68
601-5060-436.30-02	01/19/2010	DIAMOND GRIP BLOVES		0211903	010068	07/2010	478.11
101-5010-431.30-02	01/21/2010	PROTECTIVE GLOVES		0212349	010068	07/2010	380.57
02/11/2010	70444	PROTECTION ONE	69				264.18
601-5060-436.20-23	01/20/2010	FEBRUARY 2010		76159651	010007	07/2010	264.18
02/11/2010	70445	RANCHO AUTO & TRUCK PARTS	1685				334.20
501-1921-419.30-02	01/19/2010	P STEEL WHEEL		7693-15301	010072	07/2010	18.99
501-1921-419.28-16	01/20/2010	WHEEL NUTS		7693-15339	010072	07/2010	28.28
501-1921-419.28-16	01/20/2010	FUEL PUMP #144		7693-15383	010072	07/2010	30.44
501-1921-419.28-16	01/22/2010	EXACT FIT BLADE#100		7693-15577	010072	07/2010	7.82
501-1921-419.28-16	01/22/2010	OXYGEN SENSOR #152		7693-15621	010072	07/2010	97.29
501-1921-419.30-02	02/02/2010	BATTERY		7693-16809	010072	08/2010	2.16
501-1921-419.28-16	02/03/2010	BRAKE LIGHT SWITCH #D-1		7693-16938	010072	08/2010	12.40
501-1921-419.28-16	01/19/2010	FUEL PUMP #144		7693-15303	010072	07/2010	33.70
501-1921-419.28-16	01/20/2010	RETURNED FUEL PUMP #144		7693-15410	010072	07/2010	33.70
501-1921-419.28-16	02/04/2010	COPPER PLUS SPRK PLG		7693-17076	010072	08/2010	39.32
501-1921-419.28-16	02/05/2010	FILTERS/WIPERS/CLAMP		7693-17310	010072	08/2010	73.81
501-1921-419.28-16	02/05/2010	COPPER PLUS SPRK PLG		7693-17342	010072	08/2010	1.98
501-1921-419.28-16	02/09/2010	KWIK CONNECT BLADE		7693-17650	010072	08/2010	21.71
02/11/2010	70446	RECLAIMED AGGREGATES, INC.	2137				80.00
101-5010-431.29-04	11/15/2009	BOBTAIL/TEN WHEELER		10212	010087	06/2010	80.00
02/11/2010	70447	RICHARD LONSDALE	2196				400.00
405-1260-413.20-06	01/15/2010	BIBBY'S/IMPERIAL SHPN CTR		01-15-2010	010783	07/2010	400.00
02/11/2010	70448	ROBERT ALBRIGHT	4				1,800.00
101-0000-221.01-05	02/03/2010	BOND REFUND- 602 7TH ST		TEP 09-17		08/2010	1,800.00

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02/11/2010	70449	SAN DIEGO GAS & ELECTRIC	1399			17,106.31	
101-3020-422.27-01	02/08/2010	10087869371 12/30-01/29	02-24-2010		08/2010	91.71	
101-1910-419.27-01	02/08/2010	10087869371 12/30-01/29	02-24-2010		08/2010	302.20	
101-5010-431.27-01	02/08/2010	10088604389 12/28-01/27	02-24-2010		08/2010	638.08	
101-3020-422.27-01	02/08/2010	19807697764 12/30-01/29	02-24-2010		08/2010	2,202.73	
601-5060-436.27-01	02/08/2010	52635219238 12/28-01/27	02-24-2010		08/2010	5.62	
101-6020-452.27-01	02/08/2010	56497714749 12/31-02/01	02-24-2010		08/2010	9.63	
101-5010-431.27-01	02/08/2010	56497714749 12/31-01/31	02-24-2010		08/2010	7,604.98	
101-5010-431.27-01	02/08/2010	85075178464 12/31-02/01	02-24-2010		08/2010	123.44	
601-5060-436.27-01	02/08/2010	85075178464 12/31-02/01	02-24-2010		08/2010	73.52	
101-6020-452.27-01	02/08/2010	85075178464 12/31-01/31	02-24-2010		08/2010	1,037.28	
601-5060-436.27-01	02/08/2010	85417701270 12/31-01/29	02-24-2010		08/2010	4,108.75	
101-5020-432.27-01	02/08/2010	91692992261 12/28-01/27	02-24-2010		08/2010	908.37	
02/11/2010	70450	SAN DIEGO COUNTY - ASSESSOR	264			191.92	
101-5020-432.28-11	08/28/2009	JULY 2009 RETRIEVAL	12261	010336	06/2010	191.92	
02/11/2010	70451	SDGE	289			5,788.13	
101-6020-452.27-01	02/02/2010	0175 275 3776 12/31-02/01	02-17-2010		08/2010	164.25	
101-5010-431.27-01	02/03/2010	0824 329 2041 12/31-02/01	02-18-2010		08/2010	365.95	
101-6020-452.27-01	02/02/2010	2081 689 1273 12/31-02/01	02-17-2010		08/2010	180.54	
101-6010-451.27-01	02/02/2010	2081 692 3399 12/31-02/01	02-17-2010		08/2010	22.77	
101-6020-452.27-01	02/03/2010	2083 847 9032 12/31-02/01	02-18-2010		08/2010	60.34	
101-6010-451.27-01	02/02/2010	3206 700 9265 12/31-02/01	02-17-2010		08/2010	41.85	
101-6020-452.27-01	02/02/2010	5456 692 8951 12/31-02/01	02-17-2010		08/2010	102.18	
101-6020-452.27-01	02/02/2010	6921 003 2109 12/31-02/01	02-17-2010		08/2010	379.74	
101-5010-431.27-01	02/02/2010	7706 795 7872 12/31-02/01	02-17-2010		08/2010	12.36	
101-6020-452.27-01	02/02/2010	9327 898 1346 12/31-02/01	02-17-2010		08/2010	188.22	
101-6010-451.27-01	02/02/2010	9956 693 6272 12/31-02/01	02-17-2010		08/2010	139.01	
405-1260-413.27-01	02/01/2010	0440 533 7641 12/30-01/29	02-16-2010		08/2010	187.08	
101-5010-431.27-01	02/01/2010	0646 753 1938 12/30-01/29	02-16-2010		08/2010	9.63	
101-5010-431.27-01	02/01/2010	1694 231 2432 12/30-01/29	02-16-2010		08/2010	26.69	
101-5010-431.27-01	01/28/2009	1912 409 2723 12/28-01/27	02-12-2010		08/2010	9.69	
101-6010-451.27-01	02/02/2010	2081 689 7619 12/31-02/01	02-17-2010		08/2010	388.82	
101-5010-431.27-01	02/02/2010	2741 969 9359 12/31-01/31	02-17-2010		08/2010	148.21	
215-6026-452.27-01	02/02/2010	2819 871 6315 12/31-01/31	02-17-2010		08/2010	1,913.11	
101-5010-431.27-01	02/01/2010	3062 843 3719 12/30-01/29	02-16-2010		08/2010	12.15	
101-5010-431.27-01	02/01/2010	3448 930 9646 12/30-01/29	02-16-2010		08/2010	9.63	
101-5010-431.27-01	01/28/2010	5280 340 6641 12/28-01/27	02-12-2010		08/2010	117.48	
101-5010-431.27-01	01/28/2010	5576 188 0541 12/28-01/27	02-12-2010		08/2010	9.69	
601-5060-436.27-01	02/01/2010	8773 823 6424 12/30-01/29	02-16-2010		08/2010	1,241.25	
405-1260-413.27-01	02/01/2010	8774 937 7894 12/30-01/29	02-16-2010		08/2010	57.49	
02/11/2010	70452	SPRINT	2040			266.18	
101-3020-422.27-05	01/29/2010	12/26/09-01/25/10	594768811-026		07/2010	150.78	
101-3020-422.27-05	01/29/2010	12/26/09-01/25/10	527638813-026		07/2010	75.41	
503-1923-419.30-02	01/29/2010	12/26/09-01/25/10	527638813-026		07/2010	39.99	
02/11/2010	70453	SUNGARD PUBLIC SECTOR INC.	1370			80.00	
101-1210-413.28-04	12/17/2009	WEB CONF/SHOUSE	12899	010169	06/2010	80.00	

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ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
02/11/2010	70454	TRAFFIC CONTROL SERVICE INC.	684				848.88
101-5010-431.21-23	01/25/2010	STREET PAINT		957280	010077	07/2010	712.50
101-5010-431.21-23	02/03/2010	SIDEWALK CLOSED SIGNS		958537	010077	08/2010	136.38
02/11/2010	70455	UNITED STATES TREASURY	2198				601.40
101-5020-432.11-07	02/10/2010	2008 EMPLOYMENT TAX AUDIT		4668-2008		08/2010	586.61
101-6010-451.11-07	02/10/2010	2008 EMPLOYMENT TAX AUDIT		4668-2008		08/2010	14.79
02/11/2010	70456	WAXIE SANITARY SUPPLY	802				970.29
101-1910-419.30-02	02/01/2010	ALUM HANDLE/CLEANER		71756857	010069	08/2010	18.56
101-6040-454.30-02	02/01/2010	ALUM HANDLE/CLEANER		71756857	010069	08/2010	98.41
101-6040-454.30-02	01/28/2010	TOILET TISSUE/STEEL LINER		71753162	010069	07/2010	853.32
02/11/2010	70457	WHITE CAP CONSTRUCTION SUPPLY	1434				387.17
101-6040-454.30-02	01/12/2010	LIMESTONE SEALANT		15035992	010071	07/2010	92.66
101-5010-431.30-02	02/03/2010	PAINT/PAINT SUPPLIES		15036745	010071	08/2010	294.51
02/11/2010	70458	101 THINGS TO DO SAN DIEGO	2125				1,425.00
405-1260-413.20-06	12/28/2009	JAN-MAR 2010 RDA ADVERTIS		7157	010785	06/2010	1,425.00
02/19/2010	70459	AFFORDABLE PRINTER CARE	116				509.76
101-1210-413.30-02	01/27/2010	BL/CR PRINTER INK		64503	F01075	07/2010	108.64
101-1210-413.30-01	01/27/2010	Q2610A TONER		64498	F01079	07/2010	145.67
101-1210-413.30-01	01/28/2010	Q7553X HP TONER CARTRIDEG		64557	F01080	07/2010	179.38
101-1020-411.28-11	01/27/2010	10A TONER CARTRIDGE		64504	F01078	07/2010	76.07
02/19/2010	70460	AFLAC	120				419.00
101-0000-209.01-13	02/18/2010	PR AP PPE 2/11/2010		20100218		08/2010	419.00
02/19/2010	70461	ALL TEAM STAFFING, INC	1801				2,108.80
101-5010-431.21-01	02/01/2010	CORRALES, L W/E 01/31/10		5000624	010106	08/2010	1,252.10
101-5010-431.21-01	01/25/2010	CORRALES, L W/E 01/24/10		5000621	010106	07/2010	856.70
02/19/2010	70462	AT&T	291				76.12
101-1110-412.27-04	02/01/2010	030 480 7968 001		02-24-2010		08/2010	59.41
101-5020-432.27-04	02/01/2010	030 480 7325 001		02-24-2010		08/2010	4.26
101-3020-422.27-04	02/01/2010	030 480 7325 001		02-24-2010		08/2010	12.45
02/19/2010	70463	AZTEC LANDSCAPING INC	310				1,540.00
101-5010-431.21-04	01/31/2010	JANUARY 2010 LANDSCAPE		0020217-IN	010790	07/2010	1,540.00
02/19/2010	70464	CALIFORNIA COMMERCIAL ASPHALT	590				261.00
101-5010-431.30-02	01/27/2010	ASPHALT/BIKE PATH		90483	010085	07/2010	261.00
02/19/2010	70465	CALIFORNIA AMERICAN WATER	612				202.33
601-5060-436.27-02	12/14/2009	05-0505362-9 11/09-12/10		01-04-2010		08/2010	202.33
02/19/2010	70466	CALIFORNIA ENV CONTROLS INC	642				1,536.95
601-5060-436.28-01	01/31/2010	IMPELLER DI/SEAL PLATE/		2076	010105	07/2010	1,536.95

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02/19/2010	70467	COLONIAL LIFE & ACCIDENT	941				133.44
101-0000-209.01-13	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010		133.44
02/19/2010	70468	COPY POST PRINTING	1371				568.92
101-1210-413.30-02	01/28/2010	BUS LIC ENVELOPES	19525	F01074	07/2010		256.79
101-1130-412.28-11	01/29/2010	EMPLOYMENT APPLICATIONS	19537	010779	07/2010		312.13
02/19/2010	70469	CREATIVE BENEFITS INC FSA	1108				336.68
101-0000-209.01-11	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010		336.68
02/19/2010	70470	DATAQUICK	1134				201.50
101-1210-413.21-04	02/02/2010	JANUARY 2010	B1-1706054	010230	08/2010		3.50
101-3020-422.21-04	02/02/2010	JANUARY 2010	B1-1706054	010230	08/2010		7.00
101-3070-427.21-04	02/02/2010	JANUARY 2010	B1-1706054	010230	08/2010		191.00
02/19/2010	70471	DEPARTMENT OF JUSTICE	1154				32.00
101-1130-412.21-04	02/04/2010	JANUARY 2010	776409	010038	08/2010		32.00
02/19/2010	70472	DESIGN WINDOWS & DOORS INC.	2025				3,279.00
248-1920-519.20-06	01/29/2010	CLEAN&GREEN-1222 ESSEX ST	306	010778	07/2010		3,279.00
02/19/2010	70473	DKC ASSOCIATES, INC.	2187				3,200.00
101-1110-412.20-06	02/10/2010	THROUGH FEB 12, 2010	185	010782	08/2010		1,065.60
405-1260-413.20-06	02/10/2010	THROUGH FEB 12, 2010	185	010782	08/2010		1,065.60
502-1922-419.20-06	02/10/2010	THROUGH FEB 12, 2010	185	010782	08/2010		1,068.80
02/19/2010	70474	FERGUSON ENTERPRISES INC.	915				1,428.70
601-5050-436.30-02	01/26/2010	STORM DRAIN FIX/BIKE PATH	0338546	010091	07/2010		433.13
601-5050-436.30-02	01/27/2010	STORM DRAIN FIX/BIKE PATH	0338682	010091	07/2010		7.35
601-5060-436.28-01	02/11/2010	MUELLER GATE VALVE	0339869	010091	08/2010		988.22
02/19/2010	70475	FRIENDS OF IB LIBRARY	1629				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70476	GO-STAFF, INC.	2031				574.65
601-5060-436.21-01	02/09/2010	LOWE, CURTIS W/E 02/07/10	68683	010148	08/2010		364.65
101-3040-424.21-01	02/09/2010	ROCHER, J W/E 02/07/10	68682	010705	08/2010		210.00
02/19/2010	70477	GTC SYSTEMS INC	1910				1,050.00
503-1923-519.20-06	01/22/2010	NETWORK SYSTEMS CONSULTIN	29753		07/2010		1,050.00
02/19/2010	70478	LEHIGH HANSON	48				793.61
101-5010-431.30-02	01/28/2010	WASHED ROCK/RECYCLED CLAS	609668	010124	07/2010		793.61
02/19/2010	70479	I B FIREFIGHTERS ASSOCIATION	214				242.00
101-0000-209.01-08	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010		242.00
02/19/2010	70480	IB SENIOR CLUB	1332				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00

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02/19/2010	70481	ICMA RETIREMENT TRUST 457	242				5,562.93
101-0000-209.01-10	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010		5,562.93
02/19/2010	70482	IMPERIAL BEACH CHAMBER OF COMM	1505				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70483	J. SIMMS AGENCY	1883				1,250.00
101-1920-419.20-06	01/31/2010	FEBRUARY 2010	2504	010029	07/2010		1,250.00
02/19/2010	70484	KIM A MIKHAEL	1680				470.00
101-3010-421.20-06	02/01/2010	01/27/10 PRKNG CITATION A	02-01-2010	010135	08/2010		200.00
101-3070-427.20-06	02/01/2010	2ND LVL ADMIN CITATION AP	02-01-2010	010786	08/2010		270.00
02/19/2010	70485	KIWANIS CLUB OF IMPERIAL BEACH	639				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70486	LATTER RAIN MINISTRIES	1743				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70487	MCDUGAL LOVE ECKIS &	962				15,868.91
405-1260-413.20-01	01/31/2010	JANUARY 2010	01-31-2010		07/2010		4,269.80
101-1220-413.20-01	01/31/2010	JANUARY 2010	01-31-2010		07/2010		593.30
101-1220-413.21-04	01/31/2010	JANUARY 2010	01-31-2010		07/2010		2,499.86
101-1220-413.20-01	01/31/2010	JANUARY 2010	01-31-2010		07/2010		278.95
101-1220-413.20-01	01/31/2010	JANUARY 2010 RETAINER	01-31-2010	010022	07/2010		8,227.00
02/19/2010	70488	OCEAN BLUE FOUNDATIO	1457				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70489	OPTIMIST CLUB OF I.B.	1076				500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010		500.00
02/19/2010	70490	PADRE JANITORIAL SUPPLIES	1430				926.50
101-1910-419.30-02	01/22/2010	JANITORIAL SUPPLIES	297282	010080	07/2010		514.12
101-6040-454.30-02	02/05/2010	JANITORIAL SUPPLIES	297809	010080	08/2010		412.38
02/19/2010	70491	PITNEY BOWES(PURCHASE POWER)	1369				4,018.99
101-1920-419.28-09	02/07/2010	POSTAGE METER REFILL	03-07-2010	010311	08/2010		4,018.99
02/19/2010	70492	PMI	23				300.19
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02/19/2010	70493	PRAXAIR DISTRIBUTION INC	1652				77.66
501-1921-419.30-02	02/04/2010	PROPANE	35605235	010116	08/2010		77.66
02/19/2010	70494	PRUDENTIAL OVERALL SUPPLY	72				728.25
101-5020-432.25-03	01/27/2010	01/27/10 PW UNIFORMS	30073408	010049	07/2010		190.54
101-5020-432.25-03	02/03/2010	02/03/10 PW UNIFORMS	30075062	010049	08/2010		170.41
101-5020-432.25-03	01/20/2010	01/20/10 PW UNIFORMS	30071775	010049	07/2010		161.94

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
101-5020-432.25-03	02/10/2010	02/10/10 PW UNIFORMS	30076682	010049	08/2010	205.36	
02/19/2010	70495	QWIK PRINTS	1622			20.00	
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02/19/2010	70496	R.W. LITTLE CO.	86			1,625.00	
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101-6040-454.28-01	02/04/2010	SANDBLASTING WORK	95753	010541	08/2010	875.00	
02/19/2010	70497	ROSETTA STONE LTD.	2185			3,085.00	
101-3030-423.28-04	01/22/2010	SPANISH LANG CD/LICENSE	1943913	010709	07/2010	1,542.50	
101-3020-422.28-14	01/22/2010	SPANISH LA LICENSE/SOFTWA	1943912	010710	07/2010	1,542.50	
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02/19/2010	70499	SEA BREEZE ELECTRIC	1969			350.00	
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02/19/2010	70500	SEIU LOCAL 221	1821			1,211.69	
101-0000-209.01-08	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010	1,211.69	
02/19/2010	70501	SOUTH COUNTY RENAISSANCE PROJE	1458			500.00	
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010		07/2010	500.00	
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02/19/2010	70506	WESTERN PUMP INC	752			33.78	
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02/19/2010	70507	YMCA CAMP SURF	867			500.00	
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DATE RANGE TOTAL \* 137,066.52 \*





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS DEPARTMENT  
HANK LEVIEN, PUBLIC WORKS DIRECTOR  
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR  
JIM NAKAGAWA, AICP, CITY PLANNER

**SUBJECT:** CONSENT CALENDAR: TIME EXTENSION FOR IMPERIAL BEACH ECO-BICYCLE TRAFFIC-CALMING COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055). MF 934

**PROJECT DESCRIPTION/BACKGROUND:**

On April 1, 2009, the City Council approved a City-initiated amendment to the City's Circulation Element of the General Plan/Local Coastal Program (GPA/ LCPA 080053), the certification of the Final Environmental Impact Report (SCH#2007101061), the adoption of a Bicycle Transportation Plan (BTP) with policies for bicycle facilities and route designations, and an Administrative Coastal Development Permit and Design Review CDP (080054/DRC 080055) for a traffic calming improvement plan from 7<sup>th</sup> Street to 3<sup>rd</sup> Street within the Palm Avenue right-of-way. This is a request for a time extension for the coastal development permit and design review for the Eco-Bike traffic calming project. MF 934



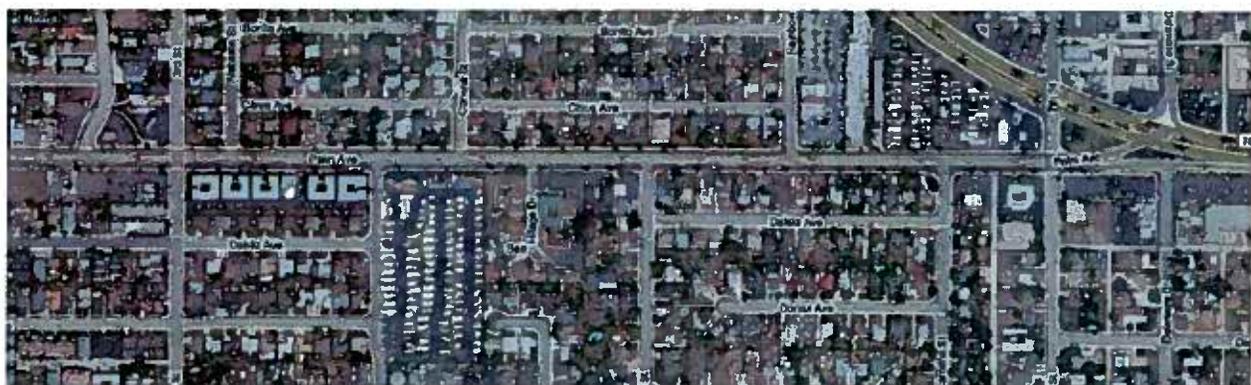
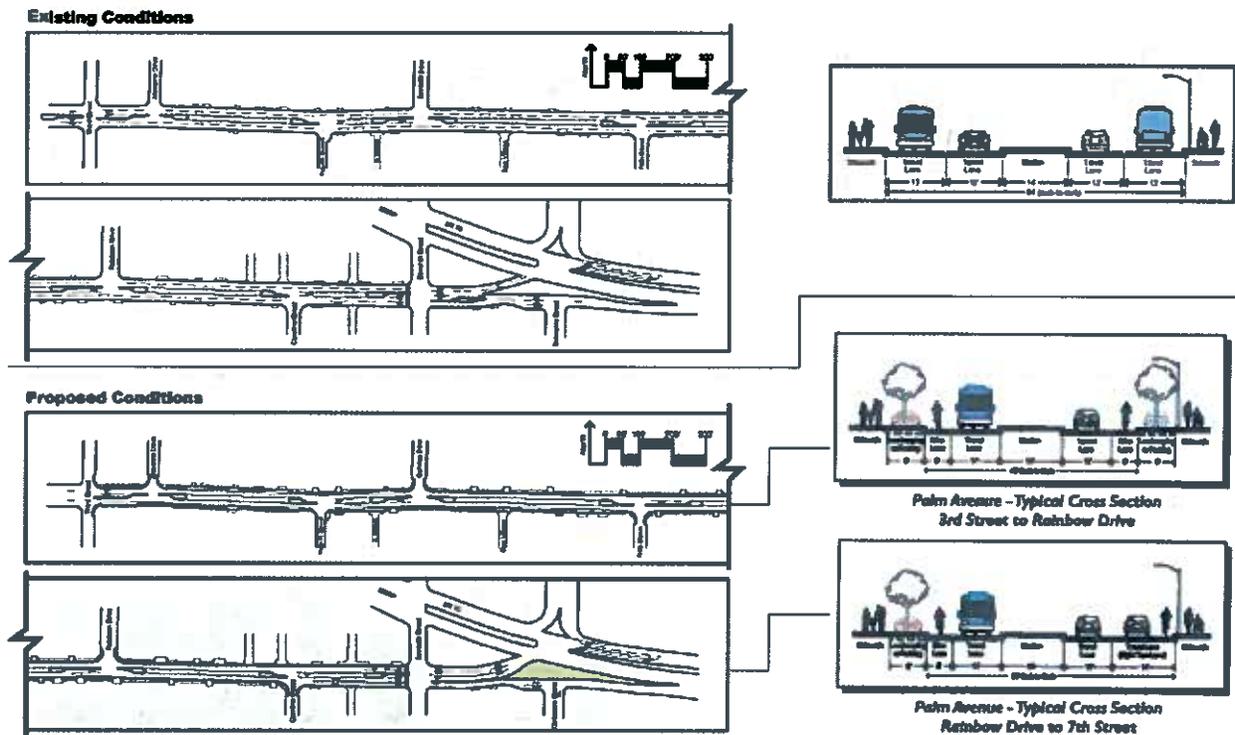
**PROJECT EVALUATION/DISCUSSION:**

IBMC Sections 19.83.090 and 19.87.180 provide that a design review case and a coastal development permit will expire one year from the date of approval unless substantial construction has started prior to expiration. The Public Works Department has been diligently pursuing funding for the construction of the Eco-Bike project but none has yet been secured.

The Eco Bikeway Palm Avenue Traffic Calming Project proposed a dedicated bicycle lane along Palm Avenue, remove vehicle travel lanes in each direction, and install streetscape improvements including landscaping, parking, and traffic calming bulb-outs.

The objectives of the Eco Bikeway Palm Avenue Traffic Calming Project are to:

- ❖ Create a vital physical link between the Bayshore Bikeway and the Seacoast Drive beach area and other points of interest within the City of Imperial Beach as shown in the Imperial Beach General Plan for the Eco Bikeway Route;
- ❖ Improve the aesthetics of the landscaping and streetscape to be more desirable to pedestrians, bicyclists, and motorists;
- ❖ Provide traffic calming measures to reduce vehicle speeds; and
- ❖ Increase on-street parking opportunities.



**General Plan/Local Coastal Plan/Zoning Consistency:** The adopted BTP eliminated the sidewalk bicycle path on Palm Avenue from 3<sup>rd</sup> Street to 7<sup>th</sup> Street because CalTrans does not recognize such paths. The BTP further eliminated a vehicle travel lane in each direction along Palm Avenue eastward from 3<sup>rd</sup> Street in order to have a bicycle lane installed in its place.

**Storm Water Regulations.** The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order No. R9-2007-0001 NPDES No. CAS0108758). Plans for new development will need to show compliance with the City's updated Standard Urban Storm Water Mitigation Plan (SUSMP; IBMC Chapter 8.32) if this project is classified as a priority project.

**ENVIRONMENTAL STATUS:** The City Council certified the Final EIR (SCH#2007101061) for the BTP, LCPA, and Eco-Bike project on April 1, 2009. There is no Mitigation Monitoring and Reporting Program (MMRP) because no significant environmental impacts were identified and no mitigation measures, therefore, were required. This EIR and the Seacoast Inn EIR addressed the issue of climate change and, more specifically, sea level rise thusly:

#### **Coastal Sea Level Rise**

With the City's low-lying location, the BTP Eco-Bike project, as would virtually all public and private improvements in the City, would be vulnerable to significant sea level rise. Specific effects are difficult to gage, however, in view of the high degree of variation involved in sea level rise scenarios. The 2006 Climate Scenarios report, for instance, forecasts a range from 4 to 33 inches between 2000 and 2100. In 2001, an IPCC report forecast a similar range from 9 to 88 centimeters (3.5 inches to 34.6 inches) between 1990 and 2100.

Nonetheless, the uncertainty in sea level rise predictions makes it difficult to predict with any accuracy what increased level of protection, if any, would be needed. Since sea level rise would affect not only the entire length of the coastline, but land and improvements inland, a more comprehensive analysis and program for shore protection to mitigate for the effects of sea level rise would be warranted. However, such an extensive study would be beyond the feasibility and scope of the proposed relatively small scale project. Because of the uncertainty regarding predicted sea level rise and the lack of an established program for shore protection that would be needed for future conditions, any conclusion about the significance of exposure to an environmental hazard related to potential climate changes (e.g., coastal sea level rise and related hazards) would be speculative. Therefore, in accordance with CEQA Guidelines Section 15145, the discussion is ended with no conclusion as to the significance of the project's impact.

#### **Climate Change Mitigation Measures**

Because of the relatively small scale of the proposed project and the design and operational features incorporated into the project to directly or indirectly reduce GHG emissions, no mitigation for GHG emissions is required. Because of the uncertainty regarding impacts related to potential climate change such as coastal sea level rise and related hazards, no mitigation for potential sea level rise effects is recommended.

Since the City has not yet adopted a Climate Action Plan that would comprehensively address the issue of climate change and sea level rise, the previously-certified EIR remains valid in addressing any impacts due to the time extension.

**COASTAL JURISDICTION:** The project is located in the coastal zone, as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map, and, the Local Coastal Plan amendment was certified by the California Coastal Commission on July 9, 2009 under the

California Public Resources Code. The coastal development permit for the ECO Bikeway Palm Avenue Traffic Calming Project is located in the non-appealable area of the coastal zone.

**FISCAL ANALYSIS:**

The proposed project is proposed to be funded with Bicycle Transportation Account (BTA) funds that are administered by the California Department of Transportation (CALTRANS). BTA funds must be used to improve the safety and convenience for bicycle commuters, in conformance with Section 891.2 of the California Streets and Highway Code. The consultant contract for the BTP plans for the Eco Bikeway and the EIR was \$268,854. Chapter 8 of the BTP identifies estimated construction costs and a number of funding sources and programs for various components of the project.

**PUBLIC PARTICIPATION:**

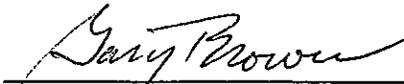
A number of public workshops were held including one on March 29, 2007 and the latest one on January 21, 2009. Public comments were considered during the preparation of the BTP and the EIR.

**DEPARTMENT RECOMMENDATION:**

Adopt Resolution Nos. 2010-6858, approving a time extension for Administrative Coastal Development Permit (ACP 080054) and Design Review (DRC 080055), 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. 2010-6858
2. Letter requesting time extension

c: file MF 934

Ryan Zellers P. E., KOA Corporation, 5095 Murphy Canyon Rd., Suite 330, San Diego, CA 92123 [rzellers@koacorporation.com](mailto:rzellers@koacorporation.com)

Vick Madrid, CIP Project Manager, Department of Public Works [vmadrid@cityofib.org](mailto:vmadrid@cityofib.org)

Diana Lilly, Coastal Planner California Coastal Commission, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-1735 [dlilly@coastal.ca.gov](mailto:dlilly@coastal.ca.gov)

## ATTACHMENT 1

### RESOLUTION NO. 2010-6858

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A TIME EXTENSION FOR ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055) FOR THE ECOROUTE BIKEWAYS/TRAFFIC CALMING PROJECT. MF 934**

#### **APPLICANT: CITY OF IMPERIAL BEACH**

**WHEREAS**, on January 21, 2009, March 18, 2009, and on April 1, 2009, the City Council of the City of Imperial Beach held duly advertised public hearings and approved the Final Environmental Impact Report (SCH # 2007101061), an amendment to the Circulation Element of the General Plan/Local Coastal Program (GPA 080053/LCPA 080053), the adoption of the Imperial Beach Bicycle Transportation Plan (BTP), and the approval (Resolution No. 2009-6729) of the Coastal Development Permit (ACP 080054)/ Design Review Case (DRC 080055) for the ECO Bikeway Palm Avenue Traffic Calming Project; and

**WHEREAS**, the City Council of the City of Imperial Beach found that the approved General Plan Amendment/Local Coastal Plan Amendment (GPA/LCPA 080053), pursuant to Government Code Section 65300.5, was internally consistent with the other elements and policies of the General Plan; and

**WHEREAS**, the City Council of the City Of Imperial Beach found that the adopted Bicycle Transportation Plan (BTP), pursuant to Government Code Section 65860 and Section 65401, was externally consistent with the General Plan/Local Coastal Plan as amended by the proposed General Plan Amendment/Local Coastal Plan Amendment (GPA/LCPA 080053); and

**WHEREAS**, the City Council of the City Of Imperial Beach still finds that the Coastal Development Permit (ACP 080054) for the ECO Bikeway Palm Avenue Traffic Calming Project, pursuant to Government Code Section 65860 and Section 65401, remains externally consistent with the General Plan/Local Coastal Plan as amended by the certified General Plan Amendment/Local Coastal Plan Amendment (GPA/LCPA 080053); and

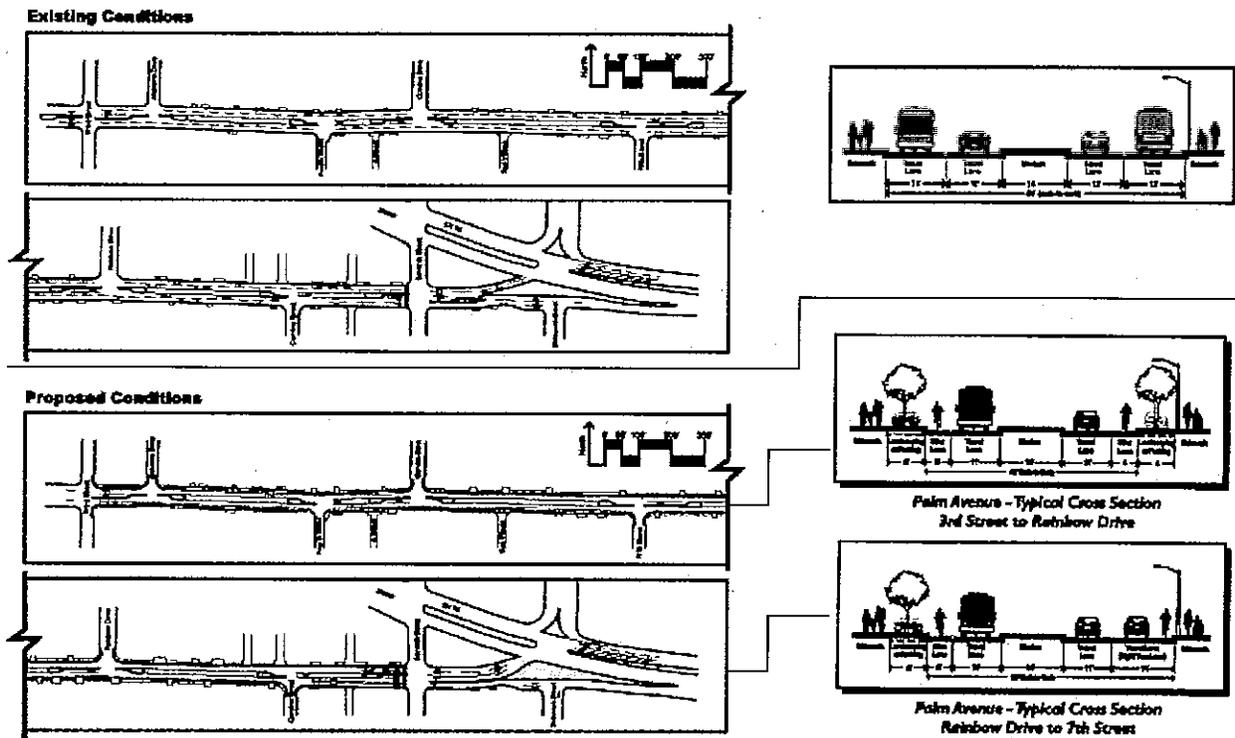
**WHEREAS**, the City Council of the City Of Imperial Beach still finds that the coastal development permit (ACP 080054) for the ECO Bikeway Palm Avenue Traffic Calming Project remains consistent with the adopted Imperial Beach Bicycle Transportation Plan (BTP); and

**WHEREAS**, on March 3, 2010, the City Council of the City Of Imperial Beach held a duly noticed meeting to consider a time extension for this project; and

**WHEREAS**, in compliance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) was prepared and certified for this project and the draft EIR was routed for public review from December 4, 2008, through February 2, 2009, and submitted to the State Clearinghouse (SCH # 2007101061) in accordance with the requirements of the CEQA for agency review, and

**WHEREAS**, in compliance with the provisions of AB 32, The California Climate Solutions Act of 2006, the potential impacts of the Eco-Bikeway/Bicycle Transportation Plan (BTP) project were, to the extent that such impacts can be associated with the project, evaluated in the Final Environmental Impact Report (FEIR) for the project (added Section 7.3.13 of said FEIR); and

**WHEREAS**, the City Council of the City Of Imperial Beach hereby finds that the ECO Bikeway Palm Avenue Traffic Calming Project is conceptually and graphically described as follows:



**WHEREAS**, the City Council had considered and heard any and all public testimony regarding the potential environmental impacts associated with this project, and still determines that:

- 1) the Final Environmental Impact Report (SCH # 2007101061) reflects the decision-making body's independent judgment and analysis;
- 2) the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), considered the information contained in the Draft and Final Environmental Impact Reports (SCH # 2007101061) and the written and verbal comments received during the public review period;
- 3) 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 no identified significant effects would occur and no mitigation measures would be required;
- 4) Upon review of the EIR, the City Council has determined that the submitted Final Environmental Impact Report, inclusive of the Draft EIR and written comments received during the public review period and any amendments, remains certified based on substantial evidence in light of the whole record. This determination is

based on the EIR information that the proposed project impacts will not cause a significant effect on the environment as proposed, as conditioned, or as revised; and

**WHEREAS**, the City Council still finds that the purpose of the project is to promote bicycle transportation, a safe, more eco-friendly, alternative mode, and provide traffic calming in a high-density area of the City leading to the beach where improved bicycle and pedestrian safety and increased on-street parking is desired, and, because the City has determined that reduced traffic speeds are desirable, traffic impacts are considered to be acceptable and less than significant; and

**WHEREAS**, the City Council further offers the following findings in support of its decision to conditionally approve a time extension for 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 not situated along the shoreline that would require the provision of a seawall.

Public Access

The proposed project would provide a link between the Bayshore Bikeway and the ocean, thereby providing enhanced public access to coastal resources.

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) improved public bicycle access to the beach and shoreline is being provided with this project;
- b) improved vertical coastal access is being provided by having this project provide a safer bicycle lane along Palm Avenue connecting the Palm Plaza street end with the Bayshore Bikeway;
- c) the project provides public parking opportunities through the provision of on-street parking spaces, as required by the certified Local Coastal Program.

Coastal View Access

The project proposes streetscape improvements and does not propose tall buildings that would obstruct coastal or scenic views.

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 not located between the ocean and the first public road; this finding, therefore, is not applicable.

Section 30252 of the Coastal Act addresses public access, and states in part "The location and amount of new development should maintain and enhance public access to the coast by (4) providing adequate parking facilities..." This project does not propose new development but, rather, proposes the renovation of the existing streetscape. Additional on-street parking spaces are being provided as recommended by the Coastal Act.

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

The proposed project is located within city rights-of-way and zoning provisions are not applicable.

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 propose the construction of a vertical seawall. Therefore this finding is not applicable.

#### **DESIGN REVIEW FINDINGS:**

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

The design of the project and the landscaping improvements are consistent with the City's Design Review and landscape Guidelines.

**NOW, THEREFORE, BE IT RESOLVED**, that a time extension for Administrative Coastal Development Permit (ACP 080054)/ Design Review Case (DRC 080055) for the ECO Bikeway Palm Avenue Traffic Calming Project are hereby **approved** by the City Council of the City of Imperial Beach subject to the following previously-approved:

#### **CONDITIONS OF APPROVAL:**

- A. **PLANNING:**

1. Final permit plans shall indicate and the site shall be developed substantially in accordance with the conceptual plans approved on April 1, 2009 on file in the Community Development Department and with the conditions adopted herein.
2. Approval of this request shall not waive compliance with any portion of the Municipal Code in effect at the time an encroachment permit is issued.
3. All landscaped areas, including any in the public right-of-way, shall be maintained in a healthy condition, free from weeds, trash, and debris.
4. **Expiration Date.** Approval of Administrative Coastal Development Permit (ACP 080054)/ Design Review Case (DRC 080055) for the ECO Bikeway Palm Avenue Traffic Calming Project is valid for one year from the date of final action, to **expire on April 1, 2010** ~~2010~~ **2011**. Conditions of approval must be satisfied, permits issued, and substantial construction 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.
5. ~~The applicant or applicant's representative shall, pursuant to Section 711.4 of the California Fish and Game Code, pay by certified check payable to the San Diego County Clerk \$2,768.25 plus 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. PUBLIC WORKS:**

6. For any work to be performed in the street submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or CALTRANS Traffic Control Manual.
7. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
8. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
9. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
  - A certification of intent to comply with storm water requirements – Form 7-A.
  - A checklist of selected BMPs and location of the BMPs on project plans for review by the City – Form 7-B and Table 7-3
  - Certification of intent to maintain selected BMPs – Form 7-B.
  - A Storm Water Management Plan (Form 7-B).

10. Additionally these BMP practices shall include but are not limited to:
  - Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - Water used on site must be prevented from entering the storm drain conveyance system (i.e. streets, gutters, alley, storm drain ditches, storm drain pipes).
  - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system
11. As of January 1, 2000, any disposal/transportation of solid waste / construction waste in roll off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

**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 3<sup>rd</sup> day of March, 2010, by the following roll call vote:

**AYES: COUNCILMEMBERS:**  
**NOES: COUNCILMEMBERS:**  
**DISQUALIFIED: COUNCILMEMBERS:** (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:**

*Jennifer M. Lyon*

\_\_\_\_\_  
**JENNIFER M. LYON, CITY ATTORNEY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6858 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A TIME EXTENSION FOR ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055) FOR THE ECOROUTE BIKEWAY/TRAFFIC CALMING PROJECT. MF 934

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**DATE**



ATTACHMENT 2

CITY OF IMPERIAL BEACH

MEMORANDUM



TO: Jim Nakagawa, City of Imperial Beach Planner

FROM: H. A. (Hank) Levien, Public Works Director

SUBJECT: **ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 080054) FOR THE ECOROUTE BIKEWAY/TRAFFIC CALMING PROJECT. MF 934: TIME EXTENSION REQUEST**

DATE: February 16, 2010

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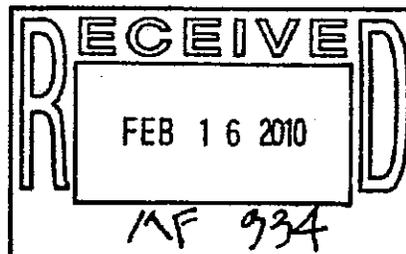
Resolution 2009-6729 approved the Administrative Coastal Development Permit (ACP 080054) for the EcoRoute Bikeway / Traffic Calming Project – MF 934. In this resolution, paragraph 4 in the Planning Conditions of Approval, it was stipulated that the “Approval of Administrative Coastal Development Permit (ACP 080054)/ Design Review Case (DRC 080055) for the ECO Bikeway Palm Avenue Traffic Calming Project is valid for one year from the date of final action, to **expire on April 1, 2010**. Conditions of approval must be satisfied, permits issued, and substantial construction 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. “

The EcoRoute Bikeways/Traffic Calming Project has not been constructed and will not be constructed before April 1, 2010 due to a lack of funding. This project remains a valid City of Imperial Beach Capital Improvement Program (CIP) project. This project was submitted for a Bicycle Transportation Account (BTA) grant on November 30, 2010. The submission requested \$1,800,000 for the project’s construction and would require \$200,000 matching funds from the City. The City will not know the outcome of the grant award selection process for several more months.

Since this project remains a valid City of Imperial Beach CIP project and the City still has the potential for obtaining construction funding, it is requested that the EcoRoute Bikeways / Traffic Calming Project – MF 934 Coastal Development Permit (ACP 080054) be extended for two more years to expire on April 1, 2012 or a upon a further time extension granted by the City pursuant to such a request by the applicant.

A handwritten signature in black ink, appearing to read "H. A. Levien", is written over a horizontal line.

H. A. (Hank) Levien  
Public Works Director







**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR  
JIM NAKAGAWA, AICP, CITY PLANNER

**SUBJECT:** CONSENT CALENDAR: TIME EXTENSION FOR DOS DELMAR/ EDWIN JOHNSON (OWNER)/TIM MONAHAN OF NEWTRAC PACIFIC (APPLICANT)/JEFF FISCHFOGT (ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701

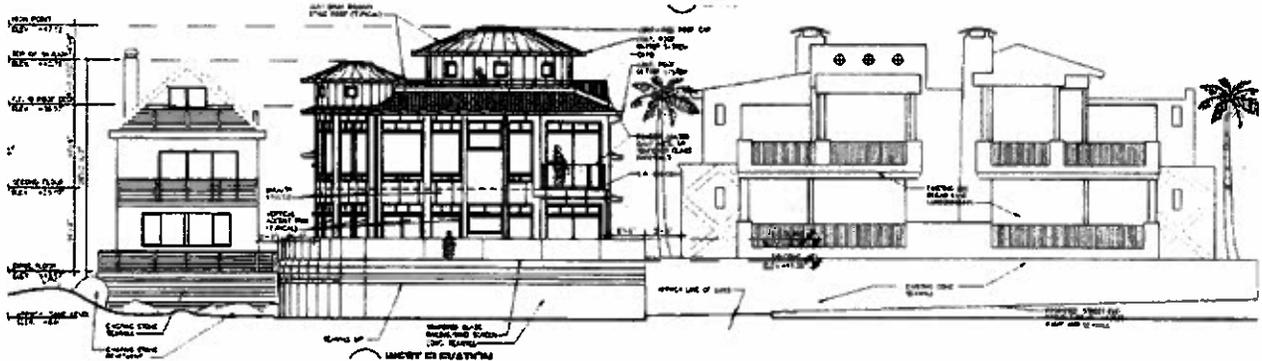
**PROJECT DESCRIPTION/BACKGROUND:**

This is a second time extension request for a previously-approved Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane. The property (APN 625-011-16-00) is designated R-1500 (High Density Residential Zone) by the General Plan/Local

Coastal Plan. This project was approved by the City Council on April 4, 2007 (Resolution No. 2007-6463). A time extension for this project was previously approved by the City Council on March 18, 2009 (Resolution No. 2009-6720).



This case was appealed by Nancy Schmidt to the Coastal Commission. However, at the Commission hearing in Santa Rosa on June 14, 2007, the Commission found that there was no substantial issue raised with the appeal. Due to the current economic downturn, the owner has not yet been able to secure financing for the project. However, the realtor for the project is working with an interested buyer for the project and additional time is needed to try to vest the permit.



### **PROJECT EVALUATION/DISCUSSION:**

No new zoning requirements have been enacted that would negatively affect the time extension request. However, the new CEQA Guidelines amendment that require projects to address Greenhouse Gas (GHG) emissions was adopted on December 30, 2009 by the Natural Resources Agency and would go into effect on March 18, 2010.

**ENVIRONMENTAL DETERMINATION:** A Mitigated Negative Declaration (MND; SCH # 2006101119) was approved for this project by the City Council on April 4, 2007. Since then, the City did address the issue of Climate Change and, more specifically, Sea Level Rise in two other environmental documents (MF 661 Seacoast Inn EIR and MF 934 Eco-Bikeway BTP EIR) thusly:

#### **Coastal Sea Level Rise**

With the City's low-lying location, this project, as would virtually all public and private improvements in the City, would be vulnerable to significant sea level rise. Specific effects are difficult to gauge, however, in view of the high degree of variation involved in sea level rise scenarios. The 2006 Climate Scenarios report, for instance, forecasts a range from 4 to 33 inches between 2000 and 2100. In 2001, an IPCC report forecast a similar range from 9 to 88 centimeters (3.5 inches to 34.6 inches) between 1990 and 2100.

Nonetheless, the uncertainty in sea level rise predictions makes it difficult to predict with any accuracy what increased level of protection, if any, would be needed. Since sea level rise would affect not only the entire length of the coastline, but land and improvements inland, a more comprehensive analysis and program for shore protection to mitigate for the effects of sea level rise would be warranted. However, such an extensive study would be beyond the feasibility and scope of the proposed relatively small scale project. Because of the uncertainty regarding predicted sea level rise and the lack of an established program for shore protection that would be needed for future conditions, any

conclusion about the significance of exposure to an environmental hazard related to potential climate changes (e.g., coastal sea level rise and related hazards) would be speculative. Therefore, in accordance with CEQA Guidelines Section 15145, the discussion is ended with no conclusion as to the significance of the project's impact.

#### **Climate Change Mitigation Measures**

Because of the relatively small scale of the proposed project and the design and operational features incorporated into the project to directly or indirectly reduce GHG emissions, no mitigation for GHG emissions is required. Because of the uncertainty regarding impacts related to potential climate change such as coastal sea level rise and related hazards, no mitigation for potential sea level rise effects is recommended.

Since the City has not yet adopted a Climate Action Plan that would comprehensively address the issue of climate change and sea level rise, the previously-adopted MND would remain valid for this time extension.

**COASTAL JURISDICTION:** The project is located 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.

#### **FISCAL ANALYSIS:**

The applicant has deposited \$21,300.00 in Project Account Numbers 04-058, 04-059, 04-060, and 04-061 to fund the processing of this application. If the applicant proposes to convert these units into condominiums, a separate coastal permit and parcel map application with additional deposits will be required.

#### **DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 2010-6857, approving a one-year time extension for Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313), 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 2010-6857
2. Applicant's letter

c: file MF 701  
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Ken May, Spirit Realty, 700 Seacoast Drive, Imperial Beach, CA 91932-1875  
[ken@spiritrealty.net](mailto:ken@spiritrealty.net)  
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Suite 103, San Diego, CA 92108-1735 [dlilly@coastal.ca.gov](mailto:dlilly@coastal.ca.gov)

# ATTACHMENT 1

## RESOLUTION NO. 2010-6857

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A SECOND TIME EXTENSION FOR DOS DELMAR, AN APPLICATION FOR REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701**

**OWNER/APPLICANT: ED JOHNSON AND TIM MONAHAN OF NEWTRAC PACIFIC**

**WHEREAS**, on April 4, 2007, the City Council of the City of Imperial Beach held a duly noticed public hearing and approved (Resolution No. 2007-6463) an application for a Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and approved a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone and legally described as follows:

Lots 18 and 19, Block 7, Silver Strand Beach Gardens Addition to Imperial Beach, in the City of Imperial Beach, County of San Diego, State of California, according to map thereof No. 1902, filed in the Office of the County Recorder of San Diego County, March 25, 1926; Excepting therefrom any portion therefore heretofore or now lying below the ordinary high tide of the Pacific Ocean; and,

**WHEREAS**, on January 18, 2007, the Design Review Board of the City of Imperial Beach held a duly noticed public meeting and recommended approval of this application for Design Review (DRC 04-059) for two attached residential units 30 feet high with a vertical seawall and garage parking, in the R-1500 (High Density Residential) Zone, on a site at 684-686 Ocean Lane; and

**WHEREAS**, on March 18, 2009, the City Council of the City of Imperial Beach previously granted (Resolution No. 2009-6720) a request for a time extension for the project; and

**WHEREAS**, on March 3, 2010, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider a request for a second time extension for the project; and

**WHEREAS**, the City Council finds that the project remains consistent with the General Plan and the project design of the two attached 30 foot high residences is compatible in use with other residential developments in the vicinity which consist of multiple-story multiple-family residential developments to the north and south, and a two-story residential building to the east, and, therefore, would be consistent with Policy D-8 of the Design Element of the General Plan which promotes project design harmonious with adjoining residential uses; and

**WHEREAS**, this project complies with the requirements of the California Environmental Quality (CEQA) as a Mitigated Negative Declaration had been prepared for this project and was adopted on April 4, 2007 and submitted to the State Clearinghouse (SCH #2006101119) for agency review; and

**WHEREAS**, the City Council still 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 still 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 finds that there is sufficient cause to grant a time extension for this project; and

**WHEREAS**, the City Council reaffirms the following additional findings in support of its decision:

**SITE PLAN REVIEW FINDINGS:**

1. **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 applicant proposes the construction of a two-unit residential building, each with garage parking for two cars and a vertical seawall on an 5,724 square foot oceanfront building site. The project includes the placement of a seawall system that will be installed east of the applicant's west property line along the stringline of the existing seawall system to the south. The height of the building will be required to be no higher than 30 feet above existing grade. The applicant proposes to set back the top floor an additional five feet as required in the R-1500 Zone. Coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006 provide information regarding wave runup conditions, seawall design, beach sand erosion and the avoidance of adverse impacts on neighboring properties. Based on this engineering information, no adverse impacts to adjacent properties would occur.

The proposed residential use is similar to the other residential uses established nearby. With the granting of the front setback reduction, the proposed building will be set back a similar distance from Ocean Lane as the residential structures to the north. As such, the project is not expected to have a detrimental effect upon the health, welfare, safety and convenience of persons residing or working in the neighborhood. The on-site parking meets the number required for off-street parking.

The project footprint has been set back from its west property line on the beach along the stringline of the four-plex to the south and, thereby, provides enhanced public lateral access along the coast.

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

The subject site is within the High Density Residential (R-1500) Zone and designation. This zoning classification and land use designation provides for the development of attached multiple-family dwellings with a maximum density of one unit per every 1,500 square feet of land. This designation will permit as many as 29 units per net acre of land. This project proposes a density of one unit per 2,862 square feet of property (which is less dense than the project to the south which is one unit per 2,212 square feet) and is, therefore, consistent with the plan designation.

Property to the east of the subject site is also zoned R-1500. It is noted that the subject site is in the "Seacoast Neighborhood" which encompasses beachfront development from Carnation Avenue to Imperial Beach Boulevard. Within this area, residential development dominates, and structural types and residential densities vary in character, bulk and scale. The proposed project is compatible with the established two-story and, in many cases, three-story residential beachfront developments found north of Donax Avenue.

Policy S-11 of the Safety Element of the General Plan/Local Coastal Plan states that new development fronting on Ocean Boulevard north of Imperial Beach Boulevard shall incorporate an engineered vertical seawall in its design if it is determined that shoreline protection is necessary. Such a seawall shall be located within the private property of the development and shall be sufficient to protect the development from flooding during combined design storm and high tide events. The need for a seawall has been documented in coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.

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

It is noted that the subject site is in the "Seacoast Neighborhood" which encompasses beachfront development from Carnation Avenue to Imperial Beach Boulevard. Within this area, residential development dominates, and structural types and residential densities vary in character, bulk and scale. The proposed project is compatible with the established two-story and, in many cases, three-story residential beachfront developments found north of Donax Avenue.

The project design relates in bulk, setback and scale to similar multiple-family residential projects developed along Ocean Lane, north of Imperial Beach Boulevard. The proposed building design provides a visual link with similar existing high density residential beachfront developments to the north and south which incorporate seawalls, beachfront decks, upper level balconies, stucco or wood exterior finish, glass and concrete tile roof materials in their designs. As such, the project is compatible with residential development along the City's developed beachfront (Imperial Beach Boulevard to Carnation Avenue).

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

The garages for the units will take direct access from Ocean Lane and the window features are oriented toward the ocean for views. This project thereby demonstrates proper orientation.

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

The project represents infill development on a beachfront site that is predominantly residential in character. It is not a mixed-use project and this finding is, therefore, not applicable.

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

There is adequate back-out area for the cars to maneuver into Ocean Lane. Ocean Lane is a low volume local access road. The project proposes to provide two parking spaces per unit in a garage structure. This meets the parking requirements of the city.

**7. The project complies with all applicable provisions of Title 19.**

The project is subject to compliance with the zoning standards per Chapter 19.17 of the City of Imperial Beach Municipal Code, titled "High Density Residential (R-1500) Zone". Reduced front yard setbacks are granted for this project in consideration for the increased beachfront setback by the property owner for coastal public access and conformance with the Coastal Commission's stringline development policy.

<b>Standards</b>	<b>Provided/Proposed</b>
One dwelling per 1500 square feet	One dwelling per 2862 square feet
Front Yard: Ocean Lane: 15 feet, 20 feet for garage Side Yard: 5 feet for the first 2 floors, 10 feet for the third floor; 10 feet for street side yard Rear: Ocean Blvd (beach): 10 feet (Section 19.17.030)	Ocean Lane: 11.75 feet for garage and 6 feet for 2 <sup>nd</sup> and 3 <sup>rd</sup> floor overhang Side Yard: 5 feet Third floor: 10 feet Ocean Blvd (beach): 14.75 to 20.5 feet
Minimum lot size of 3,000 square feet (Section 19.17.040)	5,724 square foot parcel.
Minimum street frontage of 50 feet (Section 19.17.060).	Ocean Lane frontage of 50 feet.
Maximum building height of three stories or 30 feet (Section 19.17.060), with exception for chimney (Section 19.40.020.C).	30 feet.
FAR: 100 % (Section 19.17.125)	5687.43 sf = 99.36 %
Lot coverage: 50%	2862 sf = 50%
Minimum 300 square feet of usable open space per unit (Section 19.50.010).	1092.58 square feet = 546 sf per unit
2 parking spaces per dwelling unit, 50% enclosed (Section 19.48.030.C).	Four garage spaces = 2 spaces per unit, 100% enclosed.

**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. A detailed description of coastal conditions and processes is provided in the coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.

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. The project represents infill development where shore protection is provided by seawalls and rock revetment, both authorized and unauthorized. However, in 1994, the City of Imperial Beach incorporated new language in its Local Coastal Program that established the construction of vertical seawalls north of Imperial Beach Boulevard. Such shore protection must be shown to be necessary to protect the infill development and must not extend seaward of the western property limits.

The proposed project represents the material impact of this new language on infill development north of Imperial Beach Boulevard. A seawall is proposed to be constructed entirely on the subject site, in accordance with design standards described in the coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006. The project is not expected to alter lateral beach access or any portion of beach area for public recreation uses consistent with the certified Local Coastal Plan.

Policy S-11 of the Safety Element of the General Plan/Local Coastal Plan states that new development fronting on Ocean Boulevard north of Imperial Beach Boulevard shall incorporate an engineered vertical seawall in its design if it is determined that shoreline protection is necessary. Such a seawall shall be located within the private property of the development and shall be sufficient to protect the development from flooding during combined design storm and high tide events. The coastal engineering study presents the justification for the seawall, designed to withstand the 1982-83 winter storms.

Public Access

The subject site is located between the ocean and the first public road, which, in most cases, is Seacoast Drive. Ocean Lane is a twenty-foot wide public street that runs in a north-south direction and parallel to Seacoast Drive and the beach. People reach the beach in the vicinity of the site at the unimproved Palm Avenue street end. The certified Local Coastal Program contains policies that address street-end improvement standards designed to facilitate beach access. Given this, and the fact that improved beach street ends are programmed adjacent to the site, it can be found that there is adequate vertical

access to the shoreline. Additionally, adequate on-site parking will be provided to serve the needs of the development.

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) improved public access to the beach and shoreline is readily available adjacent and to the south of the site;
- b) improved lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy;
- c) the new development will be located entirely on private property upland of the sandy beach;
- d) the project protects public access parking opportunities through the provision of 8 on-site parking spaces, as required by the certified Local Coastal Program.

#### Coastal View Access

The beach is not entirely visible from Seacoast Drive given some of the existing development to the south of the site and on the east side of Ocean Lane. Public viewing areas are provided at the street ends to the south of the site. From a position on the beach seaward of the subject site, the proposed seawall, patio, and balconies appear similar to other buildings on this frontage. Additionally, enhanced lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy.

Refer to Site Plan Review Finding No. 2 for land use consistency, incorporated here by reference.

Scenic Views: The seawall and the proposed dwellings will not be significantly out of scale with the height of nearby structures. Refer to photo simulation study in the Mitigated Negative Declaration.

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 between the ocean and the first public road, which, in this case, is Seacoast Drive. Ocean Lane is a twenty-foot wide public street that runs parallel to Seacoast Drive and the beach. The subject site is vacant but people reach the beach at the adjacent Palm Avenue street or they have trespassed through the site to the beach. The property owner will provide lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy. The certified Local Coastal Program contains policies that address street-end improvement standards designed to facilitate beach access. Given this, and the fact that improved beach street ends are programmed near the site, it can be found that there is adequate vertical and lateral

access to the shoreline. Additionally, adequate on-site parking will be provided to serve the needs of the development.

Section 30252 of the Coastal Act addresses public access, and states in part "The location and amount of new development should maintain and enhance public access to the coast by (4) providing adequate parking facilities..." Four on-site garage parking spaces meet the minimum required by Chapter 19.48 of the City of Imperial Beach Municipal Code.

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

Refer to Site Plan Review finding No.7.

**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 includes the construction of a vertical seawall. Therefore the project is conditioned to provide the fee in compliance with Section 19.87.050 of the City of Imperial Beach Municipal Code. However, due to an interpretation by the Coastal Commission, this project may not need to pay a fee since the seawall will be placed on private property.

**DESIGN REVIEW FINDINGS:**

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

The design of the project and the landscaping improvements are consistent with the City's Design Review Guidelines as per Design Review Compliance checklist and the findings adopted by the Design Review Board per their Resolution No. 2007-03.

**VARIANCE FINDINGS:**

**1. There are exceptional or extraordinary circumstances of conditions or hardships peculiar to the property including size, shape, topography, location or surroundings, that do not apply generally to the property in the same vicinity or zone. Hardships may include practical difficulties in development the property for the needs of the owner or tenant consistent with the regulations of the zone; but in this context, personal, family or financial difficulties, loss of prospective profits, and/or neighboring violations are not hardships justifying a variance;**

The parcels north of the subject site were built pursuant to an older zoning requirement that provided for lesser setbacks from what was an alley but is now recognized as a public street (Ocean Lane). The parcel to the immediate north was developed with a

seawall and a 2-unit dwelling landward of its west property line that became one of the significant determinants of the Coastal Commission's stringline policy as applied to this case. The current setback requirement for a garage is 20 feet from Ocean Lane (that was previously an alley). The parcels to the north are about 5 feet from Ocean Lane rather than the current 15 to 20 foot requirement. The parcel to the south developed with 4 units installed a seawall landward from its west property line because it voluntarily dedicated a 20-foot wide easement for public beach access. The Coastal Commission is requiring this project to retreat the location of the seawall and 2-unit building landward from its west property line in order to observe the Coastal Commission's stringline policy.

However, in order to comply with this policy, the building footprint would now encroach into the front setback thereby necessitating the applicant to request a front yard setback reduction from 20 feet to 6 feet. A variance is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

2. **The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and the same general vicinity, and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his neighbors;**

A variance in this case is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

3. **The granting of such variance will not be substantially detrimental to adjacent property and will not materially impair the purpose of this title or the public interest;**

A variance is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

4. **The granting of such variance will not adversely affect the general plan or the local coastal program.**

Since there are unique and unusual circumstances in this case, this setback reduction would not apply to every development and thereby adversely affect the general plan or local coastal plan.

**NOW, THEREFORE, BE IT RESOLVED**, that a second time extension for Dos Delmar, a Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61)/Mitigated Negative Declaration, and Variance

(VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone, is hereby **approved** by the City Council of the City of Imperial Beach subject to the following previously-approved:

**CONDITIONS OF APPROVAL:**

**A. PLANNING:**

1. Final building permit plans shall indicate and the site shall be developed substantially in accordance with the approved conceptual plans dated May 31, 2006 on file in the Community Development Department and with the conditions adopted herein.
2. The applicant shall submit a licensed surveyor's certificate upon completion of the foundation work that demonstrates proper placement of the structure relative to building setbacks from property lines and a certificate upon completion of framing that demonstrates and ensures that the building does not exceed the maximum permitted building height of 30 feet above existing grade.
3. Approval of this request shall not waive compliance with any portion of the Uniform Building Code and Municipal Code in effect at the time a building permit is issued.
4. Mechanical equipment, including solar collectors and panels or other utility hardware on the roof, ground, or buildings shall be screened from public view with materials harmonious with the building, and shall be located so as not to be visible from any public way. (19.83).
5. No improvements, structural or non-structural, may be placed on the roof deck. Only personal property, which does not obstruct views, is permitted on the roof deck while authorized person(s) are actually present on the roof deck.
6. All landscaped areas, including any in the public right-of-way, shall be maintained in a healthy condition, free from weeds, trash, and debris.
7. It shall be the applicant's responsibility to assure that shoreline protection structures on adjacent properties are not damaged during construction on the subject site, and to repair any damage to the adjacent property's shoreline protection structures that may be caused by the construction on the subject site. The construction of temporary slopes shall be shored in compliance with CAL-OSHA requirements.
8. Disturbances to sand and inter-tidal areas shall be minimized, and prohibited during the predicted grunion season. The applicant shall obtain the forecasted grunion runs from the California Department of Fish & Game. The grunion spawning season extends from March through August. If spawning grunion are observed seaward of the subject site construction activity must cease for a period of 17 days to allow for incubation of the eggs.
9. The applicant shall provide the City with a construction schedule prior to commencement of work. All construction activity on the beach shall be scheduled during low tides.
10. All sand excavated from the project site shall be analyzed for suitability as beach nourishment material. If determined to be suitable, any sand in excess of that required to provide berming along the first level wall shall be used for beach nourishment

seaward of the project site. Local sand, cobbles or armor stones shall not be used for backfill or construction materials. Additionally, the applicant shall remove from the beach and seawall area any and all debris that result from the construction period.

11. Prior to the issuance of a building permit, the applicant shall submit final plans for the shoreline protection device consistent with the recommendations contained in the Coastal Hazard Study and Shore Protection Design engineering report prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.
12. Within 60 days following project completion, the applicant shall submit certification by a registered civil engineer verifying that the seawall has been constructed in conformance with the final approved plans for the project.
13. Construction materials or equipment shall not be stored on the beach seaward of the western property line. Equipment shall be removed from the beach at the end of any given work day.
14. Prior to commencement of construction, the applicant shall submit plans showing the locations, both on and off site that will be used as staging or storage areas for materials and equipment during the construction phase of the project. The staging/storage plan shall be subject to review and written approval of the Community Development Director. The plan shall also note that no work requiring encroachment on the public beach shall be allowed on weekend days between Memorial Day and Labor Day, and during predicted grunion runs, of any year.
15. Ocean Lane shall remain open for vehicular traffic, including emergency vehicles during construction of the project. If traffic must be impeded, the applicant must submit a traffic control plan to the Public Works Director for approval at least 10 days prior to closure.
16. Prior to the issuance of the building permit, the landowner, if required, shall execute and record a deed restriction in a form and content that is acceptable to the Community Development Director which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from waves during storms and from erosion or flooding, and the applicant assumes the liability from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the City of Imperial Beach and agrees to indemnify and hold harmless the City of Imperial Beach relative to its approval of the project for any damage due to natural hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.
17. Prior to the issuance of a building permit, the applicant shall pay a sand mitigation fee if required which shall be used for beach sand replenishment purposes, in lieu of providing sand to replace the sand and beach area that would be lost due to the impacts of the proposed shoreline protection structure. 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 the City of Imperial Beach. The mitigation fee shall be determined in accordance with Section 19.87.050 of the City of Imperial Beach Municipal Code, in consultation with the California Coastal Commission technical staff.
18. An engineer is required to supervise the construction of the seawall.
19. The property owner shall be responsible for maintenance of the permitted seawall. Any debris or other materials which become dislodged after completion through weathering

and coastal processes, which impair public access, shall be removed from the beach. Any future additions or reinforcements may require a coastal development permit. If after inspection it is apparent that repair and maintenance is necessary, the applicant shall contact the City to determine whether such a permit is necessary.

20. **Expiration Date.** Approval of Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone is valid for one year from the date of final action, to **expire on April 4, 2008 2010 2011**, 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, building permits issued, and substantial construction 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.
21. ~~The applicant or applicant's representative shall, pursuant to Section 711.4 of the California Fish and Game Code, pay by certified check payable to the San Diego County Clerk \$1,800 plus 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).~~
22. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed affidavit accepting said conditions.
23. Applicant shall pay off any unpaid negative balances in the Project Account Numbers 04-058, 04-059, 04-060, and 04-061 prior to issuance of building permit and prior to final inspection/certificate of occupancy.
24. The applicant shall dedicate an easement over, under, along and across that portion of the property west (seaward) of the proposed seawall to the City of Imperial Beach for access by City maintenance and emergency vehicles and for public access to the beach.

## **B. ENVIRONMENTAL MITIGATION MEASURES:**

### **Air Quality:**

Temporary impacts to air quality associated with construction activities are anticipated. Implementation of the following measures during construction operations shall reduce impacts to below a level of significance:

25. Water all active construction areas at least twice daily.
26. Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least 2 feet of free board.
27. Pave/apply water three times daily, or apply nontoxic soil stabilizers, on all unpaved access roads, parking areas, and staging areas at the construction sites.

28. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction site.
29. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
30. Hydroseed or apply nontoxic soil stabilizers to inactive construction areas. Inactive construction areas are areas that have been previously graded and are inactive for 10 days or more.
31. Install sandbags, silt fences or other erosion control measures to prevent silt runoff to public roadways.
32. Replant vegetation in disturbed areas as quickly as possible.
33. Suspend excavation and grading activity when wind gusts exceed 25 MPH.

**Biological Resources:**

The following measures shall be implemented to reduce potential impacts to the pismo clam and grunion associated with construction activities:

34. Impacts to pismo clam shall be mitigated by avoiding vehicle use in the lower intertidal zone, and minimizing vehicle use in the middle intertidal zone (or conduct a survey at the time of construction to verify their absence); and
35. Impacts to grunion shall be mitigated by scheduling construction outside the spawning period (e.g., September 1 to March 1). Alternatively, significant impacts shall be avoided during construction by implementing a monitoring and avoidance protocol within the construction zone by a qualified biologist, who shall establish an appropriate buffer around any observed spawning locations to restrict vehicles and equipment for a period of 14 days to allow grunion eggs to hatch.

**Geology:**

The following geotechnical mitigation measures shall be required in the planning and implementation of the project:

36. A comprehensive geotechnical evaluation, including development-specific subsurface exploration and laboratory test, shall be conducted prior to design and construction if previous studies need to be updated. The purpose of the subsurface evaluation would be to further evaluate the subsurface conditions in the area of the proposed structures and to provide information pertaining to the engineering characteristics of earth materials at the project site. From the data, recommendations for grading/earthwork, surface and subsurface drainage, foundations, pavement structure sections, and other pertinent geotechnical design considerations shall be formulated.
37. Vibration induced settlement due to driving of sheet piles may occur during the construction of the seawalls. Nearby structures and pavement may experience distress due to the induced settlements. A vibration monitoring plan shall be implemented during construction of the sheet pile seawalls. The purpose of the plan would be to document construction induced vibrations.

38. A baseline geotechnical reconnaissance shall be performed at each of the nearby structures to document pre-construction distress features, if any. Such an evaluation may include manometer surveys, crack measurements, and photographic/video documentation.
39. During construction, nearby structures shall be monitored for distress and/or settlement that may occur as a result of construction. Upon completion, a final evaluation of the nearby structures shall be performed, and the results compared with the initial baseline findings.
40. Liquefiable soils may be present on the site. The confirmation of their presence (or absence) shall be done through subsurface exploration (e.g. drilling) and laboratory testing.
41. Loose surficial soils that are not suitable for structural support in their current state are present on the sites. The loose surficial soils shall be mitigated by their removal during site grading. Much of the soils should be suitable for reuse as compacted fill.
42. The project has a potential for strong ground motions due to earthquakes. Accordingly, the potential for relatively strong seismic accelerations shall be considered in the design of proposed improvements.

#### **Hydrology and Water Quality:**

The potential for impacts to water quality would primarily occur as a result of construction activities. The following measures shall be implemented prior to initiation of construction activities:

43. Prior to City approval of construction permits, the final grading and drainage plans will be reviewed for compliance with SUSMP.
44. The proposed project includes an enclosed parking garage; therefore, excavation below the street level elevation may intercept the groundwater table. A geotechnical report shall be required prior to construction to ensure the appropriate measures are implemented. Temporary construction dewatering may be required during excavation. The applicant shall be responsible for obtaining an appropriate permit for construction dewatering.
45. Project shall adhere to the Water Pollution Control Plan (WPCP) prepared by Tri-Dimensional Engineering as conditioned and approved by the City of Imperial Beach including Construction and Permanent Best Management Practices (BMP) and other requirements pursuant to the City's Standard Urban Storm Water Mitigation Plan (SUSMP).
46. In order to provide the appropriate protection to the project site in case of a flood event, the applicant shall be required to Implement Flood Hazard Reduction Standards established for construction in order to assure protection from flooding (Imperial Beach Municipal Code 15.50.160).
47. In addition to building permits, a flood hazard area development permit may need to be obtained from the City Engineer prior to commencement of any construction (Imperial Beach Municipal Code 19.32.020).

**Noise:**

It is anticipated that the project will create temporary noise impacts associated with construction activities. During construction, equipment and material transport will generate temporary noise, which could be a significant increase in levels for the adjacent residents. Therefore the following mitigation measures shall be implemented to reduce impacts to below a level of significance:

48. To further deter construction noise from adjacent properties, the applicant shall be responsible for notifying residents and businesses within a 300-foot radius prior to shoring activities.
49. Additionally, construction activities associated with implementation of sheet pile design shall be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday.
50. The applicant shall notify all residents within 500 feet of the project site prior to pile driving activities. The applicant shall also incorporate the best available technology acoustical dampening features during pile driving or drilling.

**C. BUILDING:**

51. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach.

**THE FOLLOWING ARE REQUIRED ON THE PLANS TO OBTAIN A BUILDING PERMIT:**

52. Form 7-B shall be submitted with the Building Permit Application.
53. Identify all BMP's on the site plan or a separate landscape or drainage plan in compliance with Form 7-B of the Storm Water Management Plan.
54. Provide this note on the plans: "All construction wastes shall be collected, stored and disposed of in an approved manor per Caltrans Storm Water Quality Handbook." Show the location of your waste container or dumpster on site. If you intend to set a dumpster in the public right of way an Encroachment Permit is required.
55. Show proposed drainage pattern with high point elevation and flow-lines elevation every 25'.
56. Provide a soils report from a licensed soils engineer.
57. An underground agreement is required prior to permit issuance.
58. Locate on the site plan the sewer line for the new dwellings.
59. A grading / Improvement plan is required for this project and shall be approved by the City Of Imperial Beach Engineer prior to permit issuance.
60. Provide this note on the plans: "BMP's shall be maintained through final inspection. If the building Inspector finds that BMP's are not in place during a regularly scheduled inspection, the inspection will not be complete and a re-inspection fee may be assessed at the discretion of the Building Official."

**D. PUBLIC WORKS:**

61. Ensure that the hot water tank P.T. discharge pipe is piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into

- the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
62. No building roof or landscape water drains may be piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
  63. Require the building foundation elevation be at least 1 foot above gutter line to minimize flooding during storm conditions.
  64. Ensure construction design includes adequate storage (out of front yard setback) for 3 trash barrels for each unit (regular trash, recycled waste, green waste).
  65. Install survey monuments on northeast property line and southeast property line in or adjacent to the property line. Record same with county office of records.
  66. Require applicant to provide verification of post construction Best Management Practice (BMP) maintenance provisions through a legal agreement, covenant, CEQA mitigation requirement, and / or Conditional Use Permit.
  67. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that, the "Area to be removed [must be] 5' or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5-feet. Where the distance from "Area to be removed", to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.
  68. For any work to be performed in the street submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or CALTRANS Traffic Control Manual.
  69. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
  70. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
  71. Applicant agree to underground all utilities in accordance with I.B.M.C. 13.08.060.
  72. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
    - A certification of intent to comply with storm water requirements – Form 7-A.
    - A checklist of selected BMPs and location of the BMPs on project plans for review by the City – Form 7-B and Table 7-3

- Certification of intent to maintain selected BMPs – Form 7-B.
  - A Storm Water Management Plan (Form 7-B).
73. Additionally these BMP practices shall include but are not limited to:
- Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - Water used on site must be prevented from entering the storm drain conveyance system (i.e. streets, gutters, alley, storm drain ditches, storm drain pipes).
  - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system
74. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste / construction waste in roll off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.
- E. PUBLIC SAFETY:**
75. **Provide a note on the plans stating:** "Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property and from any alley that fronts the property. Lettering shall be a minimum of four (4) inches high, with a minimum 3/4 inch stroke, on a contrasting background." CFC Section 901.4.4
76. **Provide a note on the plans stating:** "All electric, gas, and water meters shall be clearly marked to indicate the unit or portion of the building they serve."
77. No parking is allowed in Ocean Lane.

**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 3<sup>rd</sup> day of March, 2010, by the following roll call vote:

**AYES: COUNCILMEMBERS:**  
**NOES: COUNCILMEMBERS:**  
**DISQUALIFIED: COUNCILMEMBERS:**      **MCCOY (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:**

*Jennifer M. Lyon*

\_\_\_\_\_  
**JENNIFER M. LYON, CITY ATTORNEY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6857 - **A** Resolution of the City of Imperial Beach approving a second time extension for Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone. MF 701

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**DATE**



ATTACHMENT 2

Edwin Johnson  
4631 E. Glenn Street  
Tucson, Arizona 85712

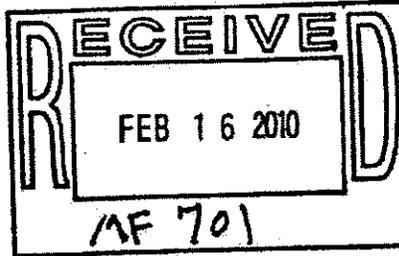
520 977-8603

February 10, 2010

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

Attn: Mr. Jim Nakagawa

Ref: 684/686 Ocean Lane



Dear Jim,

I would like to request an extension on the project know as Dos Del Mar, located at 684-686 Ocean Lane, Imperial Beach California. Any questions I can be reached at 520 977-8603 or by email at [edwinjohnson@cox.net](mailto:edwinjohnson@cox.net). Thank you

Sincerely

A handwritten signature in black ink, appearing to read "Edwin Johnson".

Edwin Johnson





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** February 17, 2010

**ORIGINATING DEPT.:** PUBLIC SAFETY

**SUBJECT:** ORDINANCE NO. 2010-1098 REQUIRING MANDATORY L.E.A.D. OR R.B.S.S. TRAINING FOR ABC ESTABLISHMENTS.

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**BACKGROUND:**

The Responsible Retailer Program (RRP) was implemented in July 2009, in the City of Imperial Beach. The RRP was developed as collaboration between law enforcement and local businesses to improve public health and safety by increasing cooperation and compliance with state and local laws. The cooperation between law enforcement and alcohol establishments is essential to the success of the program. The success of the program will be measured through education, enforcement actions, communication and training, and ultimately a reduction in alcohol related arrests and crimes.

We have conducted IMPACT (Informed Merchants Preventing Alcohol-Related Tendencies) Inspections and a number of enforcement operations within the city. Through our working with alcohol businesses and the operations we have conducted, we believe an ordinance requiring mandatory L.E.A.D. (Licensee Education on Alcohol and Drugs) or RBSS (Responsible Beverage Sales and Service) training is necessary. The training will assist and benefit the 46 Alcohol establishments in town by educating them on their responsibilities in dealing with alcohol sales and service. The curriculum for LEAD and RBSS is designed for licensees, managers, and employees. The training focuses on alcohol responsibility and the law related to California retail licensees and their employees. The training program is 3-1/2 hours.

Several cities in San Diego County have already enacted ordinances requiring alcohol establishments attend LEAD or RBSS training. They include: San Marcos, Encinitas, Vista, Poway, and Solana Beach.

City Council conducted the first reading of the ordinance at the meeting of February 17, 2010.

## DISCUSSION:

From our outreach and enforcement activities we've observed many incidents of potentially dangerous actions and non-compliance by many establishments. For example, when twenty-two establishments were visited, seven citations were issued for selling alcohol to minors.

These observations and activities have shown that more education is needed on the part of many alcohol-related establishments. A licensee and their employees need to understand all of the laws surrounding the sales and service of alcohol. It is easy to simply tell someone not to sell to minors, and another to actually ask for identification from every customer. Those establishments that ask for identification are less likely to violate state law in selling alcohol to minors.

The LEAD Program is a free, voluntary prevention and education program for retail licensees, their employees and applicants. It is provided free of charge by ABC trained staff. The mission of the LEAD Program is to provide high quality, effective and educationally sound training on alcohol responsibility and the law related to California retail licensees and their employees. It specifically addresses sales to minors, checking identification, serving to obviously intoxicated persons, and other preventive measures.

The RBSS Program is the same as LEAD; however there is a nominal cost (under \$50.00) associated with the training and is provided by an outside vendor trained by ABC personnel. The RBSS could be attended when the station is not sponsoring a LEAD training class and an employee is required to attend the training.

Evidence shows that a combination of training and enforcement results in reductions in sales to underage persons as well as service to those who are already intoxicated. These mandatory classes benefit businesses and staff by boosting job skills and reducing civil liability in case an over-served customer causes a fatal crash or commits an alcohol-related crime. State and local governments can prevent these tragedies through a combination of community outreach, enforcement and mandatory training. Studies on LEAD/RBSS show the programs are more effective if combined with a comprehensive environmental prevention campaign.

In January, the Sheriff's Station sponsored a LEAD training class at the Boys and Girls Club. There were 33 people who attended LEAD training with 15 alcohol establishments represented. Establishing mandatory training through an ordinance was discussed among the attendees. Although some had concerns about the cost for attending training, there did not appear to be any opposition.

The Imperial Beach Sheriff's Station will sponsor LEAD training every quarter. In the event, licensees need to send an employee to training, the option of R.B.S.S. exists and classes are offered throughout the county.

*For Margaret Sanfilippo, LT*  
\_\_\_\_\_  
Lisa Miller, Captain  
Imperial Beach Sheriff's Station

**CEQA DETERMINATION:**

Not a project under the California Environmental Quality Act.

**FISCAL IMPACT:**

N/A

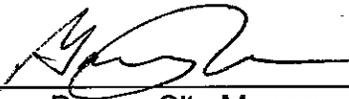
**DEPARTMENT RECOMMENDATION:**

Staff Recommends the Mayor and City Council:

1. Receive this report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1098, AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE;
3. City Clerk reads title of Ordinance No. 2010-1098; and
4. Motion to dispense second reading and adopt Ordinance No. 2010-1098 by title only.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachment:

1. Ordinance No. 2010-1098
2. Information from other cities



**ORDINANCE NO. 2010-1098**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES — RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE**

**WHEREAS**, the City of Imperial Beach is a hospitality destination for families, visitors and community members alike; and

**WHEREAS**, the City of Imperial Beach includes alcohol outlets licensed by the California Department of Alcoholic Beverage Control for on and off-site sale of alcohol; and

**WHEREAS**, stores, bars and restaurants that sell or serve alcohol to minors or to the intoxicated patron pose a threat to the public health and safety of the City of Imperial Beach; and

**WHEREAS**, the threat to public health and safety includes the injuries and deaths caused by vehicle crashes, sexual assaults, domestic violence and other crimes which occur as a result of service of alcohol to minors or service to the intoxicated patron; and

**WHEREAS**, LEAD or RBSS training is a successful method for alcohol licensees to educate their managers and servers on the effects of over-service and service to minors, and on techniques to avoid over-service and service to minors; and

**WHEREAS**, LEAD or RBSS training provides alcohol licensees with a clear understanding of the California Alcoholic Beverage Control Act ("the Act") and other state regulations, and is highly recommended by the California Department of Beverage Control ("ABC"); and

**WHEREAS**, training in LEAD or RBSS and the accompanying certification gives credibility and distinction to alcohol sales and service as a profession; and

**WHEREAS**, better trained staff will assist the alcohol licensee in protecting their valuable alcohol license, and in reducing their business liability; and

**WHEREAS**, alcohol licensees who have LEAD or RBSS trained staff demonstrate to patrons and other community members and agencies that public safety is their highest concern.

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

**Section 1.** Title 9 of the Imperial Beach Municipal Code is hereby amended by adding Chapter 9.05 "Alcoholic Beverages — Responsible Beverage Sales and Service" to read as follows:

**“Section 9.05.010. Definitions.** As used in this chapter, the following words and phrases have the meanings set forth in this section:

- A. "Alcoholic beverage" shall have the same meaning as in the California Business and Professions Code, Section 23004, or any successor section.
- B. "Alcohol outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the ABC.
- C. "Business certificate" means a certificate or license authorizing a business to operate within the City of Imperial Beach, California.
- D. "Licensee" means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the ABC.
- E. "Manager" means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcoholic outlet.
- F. "Server" means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.
- G. "Patron" means a customer who purchases alcohol through a sale, service or delivery.
- H. "Responsible Beverage Sales and Service Training" ("RBSS Training") or "Licensee Education on Alcohol and Drugs" ("LEAD Training") means a training program conducted by the ABC or by a LEAD or RBSS Training Provider certified by the ABC to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices.

**Section 9.05.020. Responsible Beverage Service Training required – Proof.**

- A. No alcohol outlet may serve, sell, or arrange delivery to a patron any alcoholic beverages unless a manager, assistant manager or lead employee who has completed a Responsible Beverage Service and Sales Training or Licensee Education on Alcohol and Drugs Training course is on the premises.
- B. No licensee, manager or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS or LEAD Training. However, licensees, their managers and servers shall have one hundred and twenty (120) days from the date of beginning of such activities or the effective dates of this chapter, whichever is later, to complete RBSS or LEAD Training. Businesses existing as of the effective date of this ordinance shall have one hundred eighty (180) days from the effective date of this ordinance to comply with this chapter. Thereafter, all said businesses shall have one hundred and

- twenty (120) days from the date of the beginning of such activities to comply with this chapter.
- C. Certification received from a RBSS or LEAD Training program will be considered valid for a period of two years from the date of certification.
  - D. Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.
  - E. Licensees shall maintain on the premises a file of proof of completion of the LEAD or RBSS Training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include: (1) The effective date of hire; (2) course completion date and, if applicable, the course renewal date; (3) the name of the certified LEAD or RBSS Training completed; (4) a copy of each training certificate, if available; and (5) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.
  - F. The City shall provide a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal to all applicants for a business certificate that are alcohol licensees, as defined in this chapter.

#### **Section 9.05.030. Violation—Penalty.**

- A. Violation of any provision of this chapter or failure to comply with any requirement of this chapter is an infraction and shall be punishable in accordance with the provisions of Section 1.12.010(A)(B)(C) and (D) of the Imperial Beach Municipal Code. At the discretion of the prosecutor, a violation of this chapter may be charged as a misdemeanor.
- B. Nuisance. In addition to any other remedies provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance, and may be summarily abated as such pursuant to Section 1.12.010(E) of the Imperial Beach Municipal Code
- C. Administrative Citation. In addition to any other remedies provided in this chapter may be enforced by administrative action brought by the City pursuant to Chapter 1.12.010(F) of the Imperial Beach Municipal Code.
- D. Civil Action. In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought pursuant to the provisions of Section 1.12.020 of the Imperial Beach Municipal Code.
- E. Business Certificate Revocation. In addition to any other remedies provided in this chapter, any violation of this chapter may be grounds for revocation of

an existing business certificate/license issued by the City of Imperial Beach and/or denial of issuance of a future business certificate.”

**Section 2.** If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**Section 3.** This Ordinance shall be effective the thirty-first (31) day following its adoption. The City Clerk shall cause this ordinance to be published in the manner required by law.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 17<sup>th</sup> day of February 2010; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 3<sup>rd</sup> day of March 2010, by the following vote:

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

---

**JAMES C. JANNEY**  
**MAYOR**

**ATTEST:**

---

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

**APPROVED AS TO FORM:**

---

**JENNIFER LYON**  
**CITY ATTORNEY**



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City Hall Open Fri. 1/29/08

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Home >> Business >> **RBSS Training**

## RBSS Training

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### Responsible Beverage Service and Sales Training

#### Is this a new law?

Yes, the City of Encinitas has passed a Responsible Beverage Service and Sales (RBSS) ordinance, which went into effect January 8, 2010. All sellers and servers of alcohol will be required to be trained in a Department of Alcoholic Beverage Control certified program, including all owners, and managers. Your business must be in compliance by July 7, 2010. New hires must obtain the training certificate within 90 days of commencement of alcohol sales or service. Click [here](#) to view the ordinance.

#### What is this training?

The RBSS training session for licensees and their employees will help those who serve or sell alcohol learn how to recognize fake identification and teach them how and when to refuse service or sales of alcohol to intoxicated individuals. Topics covered in the training include age identification procedures, alcohol laws and regulations, community impacts, and intervention with an intoxicated person.

#### How can I get this training?

Many training sessions are offered free of charge through the California Department of Alcoholic Beverage Control (ABC). Information on ABC training opportunities can be accessed on their website at: <http://www.abc.ca.gov/programs/lead.html>.

The San Dieguito Alliance for Drug Free Youth also provides training sessions locally and free of charge, and they can be contacted by phone at (858) 755-6598. The San Dieguito Alliance current training schedule can be viewed [here](#). Please take advantage of these training opportunities. We feel the training will be beneficial to the community and to your business operations.

#### How long is the training certificate valid?

Two years from the training date.

Gov't Quick Links
<a href="#">SANDAG</a>
<a href="#">County of San Diego</a>
<a href="#">State of California</a>
<a href="#">US Government</a>

**ORDINANCE 2009-13**

**AN ORDINANCE OF THE CITY OF ENCINITAS, CALIFORNIA, ADDING  
CHAPTER 9.43 OF THE ENCINITAS MUNICIPAL CODE REGARDING  
ALCOHOLIC BEVERAGES - RESPONSIBLE BEVERAGE SERVICE AND  
SALES TRAINING**

**SECTION ONE:**

That Chapter 9.43 of the Encinitas Municipal Code is added to read as follows:

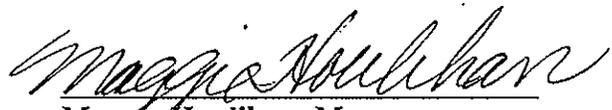
SEE ATTACHMENT "1".

**SECTION TWO:**

This Ordinance was introduced on November 18, 2009

**PASSED AND ADOPTED THIS 9<sup>th</sup> day of December, 2009, by the following vote to  
wit:**

**AYES: Barth, Bond, Dalager, Houlihan, Stocks.  
NAYS: None.  
ABSTAIN: None.  
ABSENT: None.**

  
Maggie Houlihan, Mayor

**ATTEST AND CERTIFICATION**

**I hereby certify that this is a true and correct copy of Ordinance 2009-13 which has  
been published pursuant to law.**

  
Deborah Cervone, City Clerk

CHAPTER 9.43

**ALCOHOLIC BEVERAGES - RESPONSIBLE BEVERAGE SERVICE AND SALES TRAINING**

**SECTIONS:**

**9.43.010 Definitions**

**9.43.020 Responsible Beverage Service and Sales Training Required - Proof**

**9.43.030 Violation - Penalty**

**9.43.010 Definitions.** As used in this chapter, the following words and phrases have the meanings set forth in this section:

(a) **Alcoholic Beverage** shall have the same meaning as in the California Business and Professions Code Section 23004 or any successor section.

(b) **Alcohol Outlet** means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.

(c) **Business Certificate** means a certificate or license authorizing a business to operate within the City of Encinitas, California.

(d) **Licensee** means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.

(e) **Manager** means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcoholic outlet.

(f) **Server** means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.

(g) **Patron** means a customer who purchases alcohol through a sale, service or delivery.

(h) **Responsible Beverage Service and Sales Training or RBSS Training** means a training program conducted by the California Department of Alcoholic Beverage Control or by a certified RBSS Training Provider to train alcohol licensees, their managers and servers in responsible alcoholic beverage service and sales methods and practices.

**9.43.020 Responsible Beverage Service and Sales Training Required - Proof.**

- (a) No alcohol outlet may serve, sell, or arrange delivery to a patron any alcoholic beverages unless a manager, assistant manager or lead employee who has completed a Responsible Beverage Service and Sales Training course is on the premises.
- (b) No licensee, manager or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS Training. However, licensees, their managers and servers shall have ninety (90) days from the date of beginning of such activities or the effective dates of this chapter, whichever is later, to complete RBSS Training. Businesses existing as of the effective date of this ordinance shall have one hundred eighty (180) days from the effective date of this ordinance to comply with this chapter. Thereafter, all said businesses shall have ninety (90) days from the date of the beginning of such activities to comply with this chapter.
- (c) Certification received from an RBSS Training program will be considered valid for a period of two years from the date of certification.
- (d) Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.
- (e) Licensees shall maintain on the premises a file of proof of completion of the RBSS Training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include: (1) the effective date of hire; (2) course completion date and, if applicable, the course renewal date; (3) the name of the certified RBSS Training completed; (4) a copy of each training certificate, if available; and (5) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.
- (f) The City shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal.

**9.43.030 Violation - Penalty.**

- (a) Violation of any provision of this chapter or failure to comply with any requirement of this chapter is an infraction and shall be punishable in accordance with the provisions of Section 1.08.050 of the Encinitas Municipal Code. At the discretion of the prosecutor, a violation of this chapter may be charged as a misdemeanor.
- (b) Civil Action. In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the City pursuant to Section 1.08.060 of the Encinitas Municipal Code.

(c) Administrative Citation. Alternatively, any violation of this chapter may be enforced by administrative action brought by the City pursuant to Chapter 1.08.070 of the Encinitas Municipal Code, to include civil fines not exceeding one thousand dollars (\$1,000) per offense occurrence.

# RESPONSIBLE BEVERAGE SALES AND SERVICE ORDINANCE

## What is a Responsible Beverage Sales and Service Ordinance?

The City of Vista adopted a Responsible Beverage Sales and Service (RBSS) ordinance in November 2009. The ordinance requires all sellers and servers of alcoholic beverages at retail establishments in Vista to complete a Department of Alcoholic Beverage Control (ABC) certified four-hour course every two years. The course teaches employees how to identify and refuse service to inebriated customers, spot false ID's, and recognize under-age drinkers. The course also teaches licensees about ABC laws and policies.

## Why was the Ordinance Adopted?

Driving while under the influence of alcohol is a serious threat to public safety. In 2006, 1,597 people were killed in alcohol related accidents in California, up from 1,574 in 2005. Of those 1,597 deaths in 2006, 155 occurred in San Diego County. Furthermore, statistics have shown that young people under the age of 21 have a higher rate of drunken driving fatalities than the general adult population.

The purpose of the ordinance is to reduce alcohol related accidents and under-age drinking in Vista to keep the community a safe place for residents and visitors.

## Responsible Beverage Sales and Service Ordinance

## Where is training offered?

Licensee Education on Alcohol and Drugs (LEAD) Training is currently offered by Alcoholic Beverage Control at the City of Vista, City of Encinitas, City of San Marcos, and City of Solana Beach. Future training locations, dates and times will be provided when scheduled.

## Important Deadline

The ordinance requires all existing employees who sell or serve alcohol to be trained no later than June 9, 2010. New employees must be trained within 90 days of employment.

## 2010 TRAINING DATES

### VISTA LOCATION

The following training is offered at Vista City Hall, 600 Eucalyptus Avenue, Vista. (Council Chambers)

To RSVP contact Debbie Obregon at 760-631-5000 x7174

- February 8: Noon to 4 p.m.
- March 4: Noon to 4 p.m.
- March 24: Noon to 4 p.m.

### ENCINITAS LOCATION

The following training is offered at the Encinitas Community Center, 1140 Oakcrest Park Dr., Encinitas, CA 92024.

RSVP contact Barbara Gordon at 858-354-3800.

- February 3: Noon to 4 p.m.
- March 3: Noon to 4 p.m.
- March 22: Noon to 4 p.m.

### **SAN MARCOS LOCATION**

The following training is offered at San Marcos City Hall, 1 Civic Center Drive, San Marcos.  
(Valley of Discovery Room)

- February 4: 10 a.m. to 2 p.m.
- May 25: 10 a.m. to 2 p.m.
- August 23: 10 a.m. to 2 p.m.
- November 4: 10 a.m. to 2 p.m.

### **SOLANA BEACH LOCATION**

The following training is offered at the City of Solana Beach, 635 South Highway 101, Solana Beach, CA 92075

RSVP contact Barbara Gordon at 858-354-3800.

- None at this time

### **> About LEAD Training**

The LEAD training course provides practical information on how licensees and their employees can sell and serve alcoholic beverages safely, responsibly, and legally. Upon completion of the course, each attendee will receive a certification card from ABC that is valid for two years from the date of course completion. After the two year certification expires, a refresher course is required.

*LEAD training is provided by ABC at no cost to the licensee or employee.*

### **> For more information:**

Contact Lyn Dedmon {[ldedmon@cityofvista.com](mailto:ldedmon@cityofvista.com)} or call (760) 726-1340 x1411.

Back to City of Vista ABC page.

COPY

ORDINANCE NO. 2009 –

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CHARTERED CITY OF VISTA, CALIFORNIA, ADDING  
CHAPTER 5.10 ALCOHOLIC BEVERAGES –  
RESPONSIBLE BEVERAGE SALES AND SERVICE TO  
THE VISTA MUNICIPAL CODE REQUIRING  
RESPONSIBLE SALES AND SERVICE TRAINING**

**WHEREAS**, the City of Vista is a hospitality destination for families, visitors and community members alike; and

**WHEREAS**, the City of Vista includes alcohol outlets licensed by the California Department of Alcoholic Beverage Control for on and off-site sale of alcohol; and

**WHEREAS**, stores, bars and restaurants which sell or serve alcohol to minors or to the intoxicated patron pose a threat to the public health and safety of the City of Vista; and

**WHEREAS**, the threat to public health and safety includes the injuries and deaths caused by vehicle crashes, sexual assaults, domestic violence and other crimes which occur as a result of service of alcohol to minors or service to the intoxicated patron; and

**WHEREAS**, Responsible Beverage Service and Sales (RBSS) training is a successful method for alcohol licensees to educate their managers and servers on the effects of over-service and service to minors, and on techniques to avoid over-service and service to minors; and

**WHEREAS**, RBSS training provides alcohol licensees with a clear understanding of California Department of Alcoholic Beverage Control (ABC) and other state regulations, and is highly recommended by the ABC; and

**WHEREAS**, training in RBSS and the accompanying certification gives credibility and distinction to alcohol sales and service as a profession; and

**WHEREAS**, better trained staff will assist the alcohol licensee in protecting their valuable alcohol license, and in reducing their business liability; and

**WHEREAS**, alcohol licensees who have RBSS trained staff demonstrate to patrons and other community members and agencies that public safety is their highest concern.

**NOW, THEREFORE**, the City Council of the Chartered City of Vista, in accordance with the freedom accorded to charter cities generally, and by the Charter of the City of Vista, specifically does ordain as follows:

**Section 1.** Title 5 of the Vista Municipal Code is hereby amended by adding Chapter 5.10 "Alcoholic Beverages – Responsible Beverage Sales and Service" as follows:

**CHAPTER 5.10**  
**ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE**

**Sections:**

<b>5.10.010</b>	<b>Definitions</b>
<b>5.10.020</b>	<b>Responsible Beverage Service Training Required – Proof</b>
<b>5.10.030</b>	<b>Violation - Penalty</b>

**Section 5.10.010 Definitions.** As used in this chapter, the following words and phrases have the meanings set forth in this section:

A. "Alcoholic beverage" shall have the same meaning as in the California Business and Professions Code, Section 23004, or any successor section.

B. "Alcohol outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.

C. "Business certificate" means a certificate or license authorizing a business to operate within the City of Vista, California.

D. "Licensee" means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.

E. "Manager" means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcoholic outlet.

F. "Server" means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.

G. "Patron" means a customer who purchases alcohol through a sale, service or delivery.

H. "Responsible Beverage Sales and Service Training" or "RBSS Training" means a training program conducted by the California Department of Alcoholic Beverage Control or by a RBSS Training Provider certified by the California Department of Alcoholic Beverage Control to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices.

**Section 10.46.020 Responsible Beverage Service Training Required – Proof.**

A. No alcohol outlet may serve, sell, or arrange delivery to a patron any alcoholic beverages unless a manager, assistant manager or lead employee who has completed a Responsible Beverage Service and Sales Training course is on the premises.

B. No licensee, manager or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS Training. However, licensees, their managers and servers shall have ninety (90) days from the date of beginning of such activities or the effective dates of this chapter, whichever is later, to complete RBSS Training. Businesses existing as of the effective date of this ordinance shall have one hundred eighty (180) days from the effective date of this ordinance to comply with this chapter. Thereafter, all said businesses shall have ninety (90) days from the date of the beginning of such activities to comply with this chapter.

C. Certification received from an RBSS Training program will be considered valid for a period of two years from the date of certification.

D. Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.

E. Licensees shall maintain on the premises a file of proof of completion of the RBSS Training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include: (1) The effective date of hire; (2) course completion date and, if applicable, the course renewal date; (3) the name of the certified RBSS Training completed; (4) a copy of each training certificate, if available; and (5) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.

F. The City shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal.

**Section 10.46.030 Violation—Penalty**

A. Violation of any provision of this chapter or failure to comply with any requirement of this chapter is an infraction and shall be punishable in accordance with the provisions of Section 1.16.010 of the Vista Municipal Code. At the discretion of the prosecutor, a violation of this chapter may be charged as a misdemeanor.

B. Civil Action. In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the City Attorney in the name of the People of the State of California as a public nuisance under California Civil Code Section 731.

C. Administrative Citation. Alternatively, any violation of this chapter may be enforced by administrative action brought by the City pursuant to Chapter 1.13 of the Vista Municipal Code.

**Section 2.** If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**Section 3.** This Ordinance shall be effective the thirty-first (31) day following its adoption. The City Clerk shall cause this ordinance to be published in the manner required by law.

INTRODUCED AND ADOPTED at a meeting of the City Council held on \_\_\_\_\_, by the following vote.

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
MORRIS B. VANCE, Mayor

APPROVED AS TO FORM:  
Darold Pieper, City Attorney

ATTEST:  
Marci Kilian, City Clerk

By: \_\_\_\_\_

By: \_\_\_\_\_

ORDINANCE NO. 2009 – 21

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CHARTERED CITY OF VISTA, CALIFORNIA, ADDING  
CHAPTER 5.10 ALCOHOLIC BEVERAGES –  
RESPONSIBLE BEVERAGE SALES AND SERVICE TO  
THE VISTA MUNICIPAL CODE REQUIRING  
RESPONSIBLE SALES AND SERVICE TRAINING**

**WHEREAS**, the City of Vista is a hospitality destination for families, visitors and community members alike; and

**WHEREAS**, the City of Vista includes alcohol outlets licensed by the California Department of Alcoholic Beverage Control for on and off-site sale of alcohol; and

**WHEREAS**, stores, bars and restaurants which sell or serve alcohol to minors or to the intoxicated patron pose a threat to the public health and safety of the City of Vista; and

**WHEREAS**, the threat to public health and safety includes the injuries and deaths caused by vehicle crashes, sexual assaults, domestic violence and other crimes which occur as a result of service of alcohol to minors or service to the intoxicated patron; and

**WHEREAS**, Responsible Beverage Service and Sales (RBSS) training is a successful method for alcohol licensees to educate their managers and servers on the effects of over-service and service to minors, and on techniques to avoid over-service and service to minors; and

**WHEREAS**, RBSS training provides alcohol licensees with a clear understanding of California Department of Alcoholic Beverage Control (ABC) and other state regulations, and is highly recommended by the ABC; and

**WHEREAS**, training in RBSS and the accompanying certification gives credibility and distinction to alcohol sales and service as a profession; and

**WHEREAS**, better trained staff will assist the alcohol licensee in protecting their valuable alcohol license, and in reducing their business liability; and

**WHEREAS**, alcohol licensees who have RBSS trained staff demonstrate to patrons and other community members and agencies that public safety is their highest concern.

**NOW, THEREFORE**, the City Council of the Chartered City of Vista, in accordance with the freedom accorded to charter cities generally, and by the Charter of the City of Vista, specifically does ordain as follows:

**Section 1.** Title 5 of the Vista Municipal Code is hereby amended by adding Chapter 5.10 "Alcoholic Beverages – Responsible Beverage Sales and Service" as follows:

**CHAPTER 5.10**  
**ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE**

**Sections:**

- 5.10.010**        **Definitions**
- 5.10.020**        **Responsible Beverage Service Training Required – Proof**
- 5.10.030**        **Violation - Penalty**

**Section 5.10.010 Definitions.** As used in this chapter, the following words and phrases have the meanings set forth in this section:

- A. "Alcoholic beverage" shall have the same meaning as in the California Business and Professions Code, Section 23004, or any successor section.
- B. "Alcohol outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.
- C. "Business certificate" means a certificate or license authorizing a business to operate within the City of Vista, California.
- D. "Licensee" means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.
- E. "Manager" means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcoholic outlet.
- F. "Server" means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.
- G. "Patron" means a customer who purchases alcohol through a sale, service or delivery.
- H. "Responsible Beverage Sales and Service Training" or "RBSS Training" means a training program conducted by the California Department of Alcoholic Beverage Control or by a RBSS Training Provider certified by the California Department of Alcoholic Beverage Control to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices.

**Section 5.10.020 Responsible Beverage Service Training Required – Proof.**

A. No alcohol outlet may serve, sell, or arrange delivery to a patron any alcoholic beverages unless a manager, assistant manager or lead employee who has completed a Responsible Beverage Service and Sales Training course is on the premises.

B. No licensee, manager or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS Training. However, licensees, their managers and servers shall have ninety (90) days from the date of beginning of such activities or the effective dates of this chapter, whichever is later, to complete RBSS Training. Businesses existing as of the effective date of this ordinance shall have one hundred eighty (180) days from the effective date of this ordinance to comply with this chapter. Thereafter, all said businesses shall have ninety (90) days from the date of the beginning of such activities to comply with this chapter.

C. Certification received from an RBSS Training program will be considered valid for a period of two years from the date of certification.

D. Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.

E. Licensees shall maintain on the premises a file of proof of completion of the RBSS Training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include: (1) The effective date of hire; (2) course completion date and, if applicable, the course renewal date; (3) the name of the certified RBSS Training completed; (4) a copy of each training certificate, if available; and (5) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.

F. The City shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal.

**Section 5.10.030 Violation—Penalty**

A. Violation of any provision of this chapter or failure to comply with any requirement of this chapter is an infraction and shall be punishable in accordance with the provisions of Section 1.16.010 of the Vista Municipal Code. At the discretion of the prosecutor, a violation of this chapter may be charged as a misdemeanor.

B. Civil Action. In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the City Attorney in the name of the People of the State of California as a public nuisance under California Civil Code Section 731.

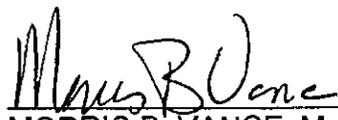
C. Administrative Citation. Alternatively, any violation of this chapter may be enforced by administrative action brought by the City pursuant to Chapter 1.13 of the Vista Municipal Code.

**Section 2.** If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

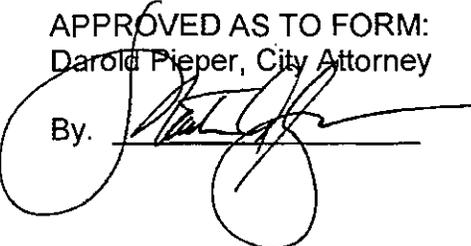
**Section 3.** This Ordinance shall be effective the thirty-first (31) day following its adoption. The City Clerk shall cause this ordinance to be published in the manner required by law.

INTRODUCED AND ADOPTED at a meeting of the City Council held on November 10, 2009, by the following vote.

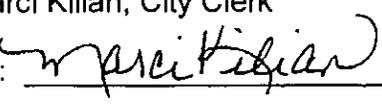
AYES: MAYOR VANCE, RITTER, GRONKE, CAMPBELL, LOPEZ  
NOES: NONE  
ABSENT: NONE

  
MORRIS B. VANCE, Mayor

APPROVED AS TO FORM:  
Darold Pieper, City Attorney

By. 

ATTEST:  
Marci Kilian, City Clerk

By: 

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## Chapter 8.09 RESPONSIBLE BEVERAGE SERVICE

### Sections:

- 8.09.010 Definitions.
- 8.09.020 Manager and server training.
- 8.09.030 Abatement of nonconforming on-sale establishments.
- 8.09.040 Appeals.
- 8.09.050 Violations.

#### **8.09.010 Definitions.**

A. "On-sale establishment" means a facility providing the sale and service of alcoholic beverages for consumption by guests on the premises (on-sale), including restaurant dining areas where food service is the primary function, and bars, in which the sale and consumption of *alcohol* on the premises is the primary function. "Bar" includes those facilities located within a hotel, motel, or other similar transient occupancy establishment.

B. "Manager" means a person, regardless of the job title or description, who has discretionary powers to organize, direct, carry on, or control the operations of an on-sale establishment, including a restaurant or bar. Authority to engage in one or more of the following functions is prima facie evidence that a person is a manager of an on-sale establishment:

1. Hire or separate employees;
2. Contract for the purchase of furniture, equipment, or supplies, except for the occasional replenishment of stock;
3. Disburse funds of the business, except for the receipt of regularly replaced items of stock;
4. Make or participate in making policy decisions regarding operations of the licensed business.

C. "Responsible beverage service training course" means a training program recognized by the California Department of Alcoholic Beverage Control for on-sale management and on-sale professional services. (Ord. 582 § 3, 2003)

#### **8.09.020 Manager and server training.**

A. No on-sale establishment may serve or sell alcoholic beverages unless a manager who has completed a responsible beverage service training course is on the premises.

B. Every manager of an on-sale establishment must complete a responsible beverage service training course within 90 days of hire, or by December 31, 2003, whichever is later.

C. Every person who serves or sells alcoholic beverages for consumption by guests on the premises of an on-sale establishment shall complete a responsible beverage service training course within 90 days of hire, or by December 31, 2003, whichever is later.

D. A list of all persons who have completed the training required by this section shall be maintained on the premises of the on-sale establishment and, together with the proof of such completion, shall be provided to any police or other enforcement officer for inspection and copying promptly upon request. (Ord. 582 § 3, 2003)

#### **8.09.030 Abatement of nonconforming on-sale establishments.**

An on-sale establishment in existence on August 8, 2003, the effective date of this chapter, must comply with the provisions of this chapter no later than December 31, 2003. (Ord. 582 § 3, 2003)

#### **8.09.040 Appeals.**

A. A person aggrieved by an action of the City taken pursuant to this chapter may appeal the decision by filing with the City Clerk a statement addressed to the City Manager and setting forth the facts and circumstances regarding the appealed action. The City Clerk shall notify the applicant, in writing, of the time and place set for the hearing on the appeal.

B. The hearing on the appeal must be held within 20 business days of the City Clerk's receipt of the appeal.

C. The City Manager or his designee shall serve as Hearing Officer unless the appellant objects thereto at the time of the filing of the appeal, in which case an independent Hearing Officer shall be appointed in accordance with this code. The Hearing Officer shall issue a decision regarding the appeal within 10 business days of the conclusion of the hearing. The Hearing Officer's decision is final. (Ord. 582 § 3, 2003)

**8.09.050 Violations.**

A violation of any provision of this chapter or a failure to comply with any mandatory requirement of this chapter is subject to prosecution in accordance with Chapter 1.08 PMC and may be enforced through injunctive relief. Penalties for violation of the provisions of this chapter may result in a misdemeanor citation, punishable by a maximum of six months in jail and a \$1,000 fine. (Ord. 582 § 3, 2003)

(1 hits)

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**CHAPTER 10.46****ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE****SECTIONS:****10.46.010 Definitions****10.46.020 Responsible Beverage Service Training Required - Proof****10.46.030 Violation - Penalty**

**10.46.010 Definitions.** As used in this chapter, the following words and phrases have the meanings set forth in this section:

(a) ***Alcoholic Beverage*** shall have the same meaning as in the California Business and Professions Code, Section 23004, or any successor section.

(b) ***Alcohol Outlet*** means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.

(c) ***Business Certificate*** means a certificate or license authorizing a business to operate within the City of San Marcos, California.

(d) ***Licensee*** means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.

(e) ***Manager*** means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcoholic outlet.

(f) ***Server*** means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.

(g) ***Patron*** means a customer who purchases alcohol through a sale, service or delivery.

(h) ***Responsible Beverage Sales and Service Training*** or ***RBSS Training*** means a training program conducted by the California Department of Alcoholic Beverage Control or by a certified RBSS Training Provider to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices.

**10.46.020 Responsible Beverage Service Training Required – Proof.**

(a) No alcohol outlet may serve, sell, or arrange delivery to a patron any alcoholic beverages unless a manager, assistant manager or lead employee who has completed a Responsible Beverage Service and Sales Training course is on the premises.

(b) No licensee, manager or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS Training. However, licensees, their managers and servers shall have ninety (90) days from the date of beginning of such activities or the effective dates of this chapter, whichever is later, to complete RBSS Training. Businesses existing as of the effective date of this ordinance shall have one hundred eighty (180) days from the effective date of this ordinance to comply with this chapter. Thereafter, all said businesses shall have ninety (90) days from the date of the beginning of such activities to comply with this chapter.

(c) Certification received from an RBSS Training program will be considered valid for a period of two years from the date of certification.

(d) Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.

(e) Licensees shall maintain on the premises a file of proof of completion of the RBSS Training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include: (1) the effective date of hire; (2) course completion date and, if applicable, the course renewal date; (3) the name of the certified RBSS Training completed; (4) a copy of each training certificate, if available; and (5) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.

(f) The City shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal.

**10.46.030 Violation - Penalty.**

(a) Violation of any provision of this chapter or failure to comply with any requirement of this chapter is an infraction and shall be punishable in accordance with the provisions of Section 1.12.010 of the San Marcos Municipal Code. At the discretion of the prosecutor, a violation of this chapter may be charged as a misdemeanor.

(b) Civil Action. In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the City pursuant to Section 1.12.020 of the San Marcos Municipal Code.

(c) Administrative Citation. Alternatively, any violation of this chapter may be enforced by administrative action brought by the City pursuant to Chapter 1.14 of the San Marcos Municipal Code, to include civil fines not exceeding one thousand dollars (\$1,000) per offense occurrence.

*City of Solana Beach*

**Chapter 4.09  
ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE**

Sections:

- 4.09.010 Definitions.
- 4.09.020 Responsible beverage sales and service training required – Proof.
- 4.09.030 Violation – Penalty.

**4.09.010 Definitions.**

As used in this chapter, the following words and phrases have the meanings set forth in this section:

- A. "Alcoholic beverage" shall have the same meaning as in California Business and Professions Code Section 23004 or any successor section.
- B. "Alcohol outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.
- C. "Business certificate" means a certificate authorizing a business to operate within the city of Solana Beach.
- D. "Licensee" means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.
- E. "Manager" means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcohol outlet.
- F. "Server" means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.
- G. "Patron" means a customer who purchases alcohol through a sale, service or delivery.
- H. "Responsible beverage sales and service training" or "RBSS training" means a training program approved by the California Department of Alcoholic Beverage Control's advisory board to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices. (Ord. 371 § 1, 2007)

**4.09.020 Responsible beverage sales and service training required – Proof.**

- A. Beginning July 1, 2008, no alcohol outlet may serve, sell, or arrange delivery to a patron of alcoholic beverages unless a manager who has completed an RBSS training course is on the premises.
- B. Beginning July 1, 2008, no licensee, manager, or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS training. However, licensees who begin operations under an alcohol license after July 1, 2008, and managers and servers who are hired after July 1, 2008, shall have 30 days from the date of beginning operations or hire in which to complete RBSS training.
- C. Certification of completion of RBSS training shall be considered valid for a period of two years from the date of certification.
- D. Notwithstanding anything to the contrary, a licensee, manager or server who has completed RBSS training as described in this chapter within the 12-month period

immediately preceding the effective date of the ordinance codified in this chapter shall not be required to take such training again within 12 months from the effective date of the ordinance codified in this chapter.

E. Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.

F. Licensees shall maintain on the premises a file of proof of completion of the RBSS training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include the (1) effective date of hire, (2) course completion date and, if applicable, the course renewal date, (3) the name of the certified RBSS training completed, and (4) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.

G. The city shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal. (Ord. 371 § 1, 2007)

#### **4.09.030 Violation – Penalty.**

A. Violation of any provision of this chapter or failure to comply with any requirement of this chapter is a misdemeanor, but may be charged, at the discretion of the prosecutor, as an infraction.

B. In addition to the penalties set forth in this section, violation of this chapter may be grounds for revocation of an existing business certificate issued by the city of Solana Beach and/or denial of issuance of a future business certificate. (Ord. 371 § 1, 2007)

Current through Ordinance 410, passed October 28, 2009

Disclaimer: The City Clerk's Office has the official version of the Solana Beach Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.solana-beach.ca.us/>

Telephone number: (858) 720-2400

Code Publishing Company

**Chapter 4.09**  
**ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE**

**Sections:**

- 4.09.010 Definitions.
- 4.09.020 Responsible beverage sales and service training required – Proof.
- 4.09.030 Violation – Penalty.

**4.09.010 Definitions.**

As used in this chapter, the following words and phrases have the meanings set forth in this section:

- A. "Alcoholic beverage" shall have the same meaning as in California Business and Professions Code Section 23004 or any successor section.
- B. "Alcohol outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the California Department of Alcoholic Beverage Control.
- C. "Business certificate" means a certificate authorizing a business to operate within the city of Solana Beach.
- D. "Licensee" means any person or entity that has a license for the retail sale, delivery, or service of alcoholic beverages from the California Department of Alcoholic Beverage Control.
- E. "Manager" means the person, regardless of job title or description, who has discretionary powers to organize, direct, carry on, control or direct the operation of an alcohol outlet.
- F. "Server" means any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage.
- G. "Patron" means a customer who purchases alcohol through a sale, service or delivery.
- H. "Responsible beverage sales and service training" or "RBSS training" means a training program approved by the California Department of Alcoholic Beverage Control's advisory board to train alcohol licensees, their managers and servers in responsible alcoholic beverage sales and service methods and practices. (Ord. 371 § 1, 2007)

**4.09.020 Responsible beverage sales and service training required – Proof.**

A. Beginning July 1, 2008, no alcohol outlet may serve, sell, or arrange delivery to a patron of alcoholic beverages unless a manager who has completed an RBSS training course is on the premises.

B. Beginning July 1, 2008, no licensee, manager, or server shall sell, serve or deliver to a patron any alcoholic beverage unless he or she has completed RBSS training. However, licensees who begin operations under an alcohol license after July 1, 2008, and managers and servers who are hired after July 1, 2008, shall have 30 days from the date of beginning operations or hire in which to complete RBSS training.

C. Certification of completion of RBSS training shall be considered valid for a period of two years from the date of certification.

D. Notwithstanding anything to the contrary, a licensee, manager or server who has completed RBSS training as described in this chapter within the 12-month period immediately preceding the effective date of the ordinance codified in this chapter shall not be required to take such training again within 12 months from the effective date of the ordinance codified in this chapter.

E. Licensees shall be responsible for ensuring that all managers and servers they employ comply with this section.

F. Licensees shall maintain on the premises a file of proof of completion of the RBSS training by the licensee, managers and servers that shall be available for inspection by any peace officer or other enforcement officer during regular business hours. The proof of completion shall include the (1) effective date of hire, (2) course completion date and, if

applicable, the course renewal date, (3) the name of the certified RBSS training completed, and (4) identifying information of the licensee, managers and servers, including the name, address, phone number and California driver's license number, if applicable.

G. The city shall provide to all applicants for a business certificate that are alcohol licensees, as defined in this chapter, a summary of the requirements of this chapter together with its penalties for violation prior to issuing a business certificate or renewal. (Ord. 371 § 1, 2007)

**4.09.030 Violation – Penalty.**

A. Violation of any provision of this chapter or failure to comply with any requirement of this chapter is a misdemeanor, but may be charged, at the discretion of the prosecutor, as an infraction.

B. In addition to the penalties set forth in this section, violation of this chapter may be grounds for revocation of an existing business certificate issued by the city of Solana Beach and/or denial of issuance of a future business certificate. (Ord. 371 § 1, 2007)

Current through Ordinance 410, passed October 28, 2009

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**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**FROM:** GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

**MEETING DATE:** MARCH 3, 2010 – TIME SPECIFIC FOR 7:00 PM

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

**SUBJECT:** COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION

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**BACKGROUND:**

On June 24, 2009, a combined City Council and Design Review Board (DRB) workshop was held to present the results and recommendations of the City's Commercial Zoning Review. At this workshop, the consultant team headed by EDAW/AECOM Inc. (EDAW), presented specific recommendations for zoning amendments based upon the review of the City's commercial zones. During the workshop, concerns were raised about the extensive amount of information provided and about some of the specific recommendations being presented, particularly those involving proposed increases to building height and residential densities. As such, the City Council and Design Review Board (DRB) requested that additional workshops be conducted to go over the information in more detail and to allow for additional input from the City Council, DRB and the public.

On July 28, 2009, another City Council/DRB Workshop was held. This workshop was attended by over 70 members of the community many of whom raised concerns about the Commercial Zoning Review and, more specifically, about the process for reviewing the potential draft zoning amendments to the City's Commercial Zoning and General Plan.

On September 23, 2009, staff presented to the City Council options for the review process moving forward for this effort. The City Council directed staff to schedule a special meeting at which the Council could discuss the Commercial Zoning Review recommendations prior to establishing a community outreach and review process.

On October 26, 2009, the City Council held a Special Meeting to discuss the Commercial Zoning Review recommendations. At beginning of this meeting, the City Council voted to eliminate the following potential zoning amendment recommendations from consideration:

1. A 60-foot height overlay zone along Palm Avenue from Emory westward to Rainbow Drive.
2. Minimum residential density requirements.
3. A 40-foot height limit on the east side of Seacoast Drive and along Old Palm Avenue from Seacoast Drive to 3<sup>rd</sup> Street, subject to incentive criteria.
4. Elimination of the Mixed-Use Overlay Zone (MU-2 Zone) west of Ocean Lane.

After discussion, a majority of the City Council voted to consider and discuss the possibility of allowing building of up to 35 feet, not 36 feet as proposed in the potential amendments, on the east side of Seacoast Drive and along Old Palm. This increased height would be permitted only if a proposed project met specific development incentive criteria. The development incentives were one of the items identified by the City Council to be discussed in more detail at the meeting on November 18, 2009.

On November 18, 2009, staff and the consultant team made another presentation to the City Council on the Commercial Zoning Review recommendations. While the City Council had anticipated discussing the parking requirements, performance-based incentives, floor area ratios (FAR's), setbacks and stepbacks, and maximum residential densities, due to time constraints and the depth of discussion, the City Council was only able to cover the parking requirements. The City Council was generally supportive of the proposed recommended parking amendments which included:

- 1) Reducing the overall parking ratios/requirements for commercial development
- 2) Allowing a 25% parking reduction for vertical (taller than one story) development
- 3) Allowing a parking waiver for commercial uses of less than 1,000 square feet
- 4) Allowing a shared parking reduction, subject to a project-specific study

The City Council also suggested that some additional study of existing parking might be necessary, particularly along Seacoast Drive and Old Palm Avenue, in order to support the recommended parking regulation amendments. This will be particularly important as any amendments approved by the City Council must then be certified and approved by the Coastal Commission.

On Wednesday, December 16, 2009, the City Council continued its focus discussions on the following items:

- Maximum Residential Densities
- Setbacks and step-backs
- Floor Area Ratios (FARs)
- Performance-based incentives

Staff and a member of the consultant team presented an overview of these items and responded to questions and comments from the City Council. During this discussion, questions were asked and comments were made regarding the proposed recommendations, including those pertaining to maximum residential densities, floor area ratio (FAR), and the amount of commercial square footage generated with the proposed recommendations as compared to the existing zoning. The City Council elected to continue this focus discussion and provide more formal recommendations at their meeting on January 20, 2010. This item was then continued to February 17, 2010.

#### **DISCUSSION:**

At the meeting on February 17, 2010, staff provided another overview of the recommendations for which specific recommendations are needed. The recommendations were also presented in a matrix to clearly list the proposed recommendations as well as the direction given by the City Council for each. The City Council then continued its discussion of maximum residential densities, setbacks and stepbacks, floor area ratios and performance-based incentives. During this meeting, the City Council appeared to reach some consensus on allowing a slight increase in density to thirty-six (36) dwelling units per acre in both the C/MU-2 and C/MU-3 zones through meeting identified incentive criteria. The City Council also supported the same height increases in the C/MU-3 zone (i.e., to 35 feet through incentives). There was also specific

discussion regarding setbacks and stepbacks. Given the complexity of the issues discussed, there was insufficient time to cover all topics. The City Council, therefore, requested that staff return on March 3, 2010, to continue its focused discussion on these topics.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

This discussion of the recommended zoning amendments is not, in itself, subject to CEQA.

**FISCAL IMPACT:**

None with this item.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council continue its discussion and provide direction and input on the specific recommendations presented. Staff further recommends that the City Council consider scheduling the proposed Land Use Table and Definitions for discussion at the second City Council meeting in March and provide any further specific direction on the next steps for consideration of the proposed recommendations.

**CITY MANAGER'S RECOMMENDATION:**

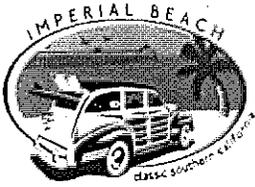
Approve Department recommendation.



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Gary Brown, City Manager





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS  
**SUBJECT:** DRAFT TEXT OF SKATE PARK RULES AND REGULATIONS SIGNAGE

---

**BACKGROUND:** In the near future the Sports Park Skate Park CIP project will be advertised for request for proposals to construct the park. Part of the Park elements must be the Rules and Regulations signs that will be posted around the perimeter of the skate park element. Staff has been researching the State Law requirements and signage used by other Cities with skate parks.

**DISCUSSION:** The result of our research has lead staff to draft the attached Rules and Regulations for the Skate Park users. Some of the text is the result of State liability law such that restricting the use of the park to users 12 years of age or older may reduce the city's liability exposure, but as a matter of public policy staff thought this would not be Council's wish. Other requirements such as no amplified music are included to respect the privacy of adjacent residents. Still others such as No graffiti, tagging, littering, gum, stickers ... are included to maintain the decorum of the park.

Staff is presenting this draft text of Skate Park Rules and Regulation signage to City Council and the community in order receive appropriate input from the policy setters and park users. The objective is to arrive at signage text that has been fully vetted before the Park opens for public use.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

No material cost for the vetting of the Skate Park Rules and Regulation signage text.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Council review and comment on the draft text of the Skate Park Rules and Regulation signage.
3. Council offers the community the opportunity to comment on the draft text of the Skate Park Rules and Regulation signage.
4. City Council approves the text or provides direction for a modified text.
5. City Council directs staff to prepare a revision to the Imperial Beach Municipal Code such that the Code reflects the Skate Park Rules and Regulations, if necessary

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Draft text of Sports Park Skate Park Rules and Regulation Signage
2. Union Tribune article, dated 02/25/10

The regulation sign to read as follows:

**RULES and REGULATIONS**  
**UNSUPERVISED PUBLIC SKATEBOARD PARK**

- Skateboards and In-Line Skates Only
- Metal wheels on Skateboards and inline Skates are not authorized
- In-Line Skates with more than five (5) wheels are not authorized
- No bicycles or scooters in skating area
- Commercially manufactured HELMET, ELBOW, and KNEEPADS designed for skateboarding or inline skating must be properly worn and in good repair at all times for persons in skating area.

Failure to wear any of the above equipment may result in a citation and penalties under City ordinance IBMC Section 12.56.050(b)

- Minimum Age Requirement: 12 years of age \*
- No Smoking allowed in City Parks
- No amplified music
- No alcohol, drugs, tobacco are allowed in the skate park. Being under the influence of alcohol and/or drugs is prohibited while in the Skate Park.
- No graffiti, tagging, littering, gum, stickers or other items are allowed in the Skate Park
- No formal contests of any kind without written approval from the Parks and Recreation Department
- No unauthorized obstacles, materials, or other pieces of equipment are allowed in the Skate Park
- Report any injuries to the City of Imperial Beach that occur during the use of the skating area (619) 628-2346
- Do not use facilities if any hazardous conditions arise-
- Report any damage/hazardous conditions to the City of Imperial Beach – (619) 628-2346
- Hours of Operation 7:00 a.m. to sunset daily

\* Not recommended

**SKATE WITH RESPECT**

**THIS SKATEPARK WAS BUILT FOR YOU BY THE  
CITY OF IMPERIAL BEACH  
PLEASE SHOW RESPECT TO THE SKATEPARK,  
OTHER PEOPLE AND TO THE SURROUNDING PARK AREAS**

**CITY OF IMPERIAL BEACH**

NOTE: This is an unsupervised facility. Failure to comply with any of the above regulations may result in a citation or removal from the park. Skateboarding and skating are hazardous recreational activities. Use of this facility may result in death, paralysis, brain damage, broken bones, or other serious injury. Any use is at your own risk.

I.B.M.C. Chapter 12.56



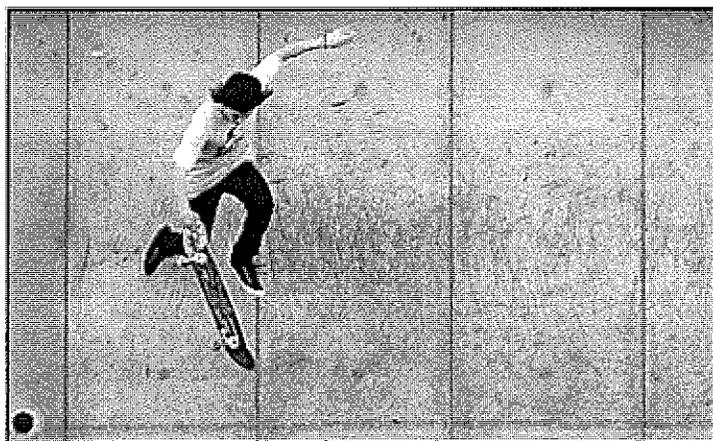


## Some skateboarders not keen on wearing helmets



By Angela Lau, UNION-TRIBUNE STAFF WRITER

Thursday, February 25, 2010 at 12:04 a.m.



Earnie Grafton / Union-Tribune

Canyon Kelley practiced at the Carmel Valley skateboard park last week. Skaters there said the police don't ticket them for not wearing helmets.



Photo by Earnie Grafton - Union-Tribune

San Marcos has closed the new Hollandia Skate Park five times in six months because of helmet

<http://signonsandiego.printthis.clickability.com/pt/cpt?action=cpt&title=Some+skateboard...> 2/25/2010

violations.



Photo by Earnie Grafton - Union-Tribune

A skater caught some air at the Carmel Valley skateboard park last week. Some cities have had a difficult time getting skateboarders to comply with laws on wearing helmets and safety pads. Police departments don't normally patrol the parks, but do respond to calls.

NORTH COUNTY — At the Carmel Valley Skate Park on a recent school holiday, skateboarders had so many reasons for not wearing helmets.

First and foremost, they said, officers from the San Diego Police Department's Northwestern Substation next door are cool and don't ticket the skaters for helmet violations.

That's why a group of teenagers from Fallbrook and Murrieta drove all the way down there to skate.

"I don't like helmets. They make my head really hot," said Jacob Mitchell, 14, of Fallbrook, wearing a black knit cap on a sunny morning that called for short-sleeved T-shirts.

"My hair won't let my helmet fit," said Austin Berain, 14, from Murrieta.

"It hurts more with your helmet on when you crash," said Colin Simson, 13, of Fallbrook.

"I can't afford one," said Chase Walleen, 14, of Carmel Valley. "It's not my style."

"It's the cool factor," said Dakota Rivers, 14, of Carlsbad. "People are like, 'Why do you wear a helmet? It's unacceptable.'"

He had just espoused what seems to be the universal creed among skateboarders, and that apparently is what San Marcos is wrestling with.

The city has been so frustrated with skateboarders who refuse to wear their helmets that it has closed the new Hollandia Skate Park five times in the past six months.

Each closing lasted one week, and the city promises to continue the closures until everyone obeys safety laws.

But, apparently, the skateboarding culture doesn't change easily.

<http://signonsandiego.printthis.clickability.com/pt/cpt?action=cpt&title=Some+skateboard...> 2/25/2010

Skateboarders at Hollandia are known to talk back at the park's caretaker and rangers when they tell them to wear helmets. They're also known to quickly put them on when they see sheriff's deputies arrive, and take them off when they leave.

San Marcos' community services director, Craig Sargent-Beach, is not discouraged.

He said he hopes that continued closings will tweak violators' consciences about depriving others of skating, and that the law-abiding skaters will pressure their peers to comply with the rules.

Sargent-Beach also is studying other cities to see how they control the helmet problem.

In San Diego, for instance, skateboarders are just as prone to breaking the helmet law. San Diego does not supervise its skate parks, but leaves enforcement of safety laws to the police, although, in the case of Carmel Valley, they do not seem too strict in the eyes of skateboarders.

San Diego police spokesman Gary Hassen said police are not ignoring the skate park.

"If officers get a call for service there, they will go. Otherwise, they're out there doing other things," he said.

Carlsbad also leaves safety enforcement to its police, who give out tickets, said Lynn Diamond, the Police Department's spokeswoman. The skate park shares a parking lot with the Police Department.

In 2009, Carlsbad police issued 299 citations for helmets and safety pad violations, she said.

"Almost all of them wear helmets now. We enforced the law, and it increased compliance," Diamond said.

In San Marcos, deputies will not increase patrolling at the skate park, Capt. Don Crist, said, but will continue to respond to complaints of violations from the park's caretaker and rangers, and issue tickets when necessary.

Sheriff's deputies gave out 23 citations in an area that includes the skate park last year. Four of them were skate-park safety violations.

Angela Lau: (760) 737-7575; [angela.lau@uniontrib.com](mailto:angela.lau@uniontrib.com)

**Find this article at:**

<http://www.signonsandiego.com/news/2010/feb/25/fighting-the-cool-factor>

Check the box to include the list of links referenced in the article.







**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** City Manager

**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT:** GARY BROWN, CITY MANAGER

**SUBJECT:** SILVER STRAND TRAINING COMPLEX DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

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**BACKGROUND:**

The Navy has finally issued its DEIS for proposed training activities along the Silver Strand Training Complex. Comments are due March 9<sup>th</sup>. Staff will attend the public hearing on Tuesday, February 23 in our Community Room and intends to submit comments by the deadline. Our initial review indicates we may have concerns about the impact of noise and reduced beach access due to an increase of military activities. Given the length of the document, we're still studying it but we hope to have some observations and comments for Council's consideration at your March 3 meeting.

**DISCUSSION:**

The DEIS lays-out three options:

1. No Action Alternative
2. Preferred Alternative which:
  - Increases the frequency and types of training
  - Increases the number of locations for training
  - Introduces new platforms and equipment
  - Conditionally increases access to training areas:
    - Uses beach lanes 8, 9, and 10 during resting season if needed
    - Caps western snowy plover avoidance buffers to 22 concurrent nests
    - Has training in vernal pools when dry

3. Alternative 2

All the activities in the preferred alternative plus unrestricted access to Oceanside beach training areas for training.

Please see attached which is a slightly longer presentation than the one Council reviewed at your meeting of February 3, 2010.

Also these are materials from the February 23 public hearing and an article from the Union Tribune.

**ENVIRONMENTAL IMPACT:**

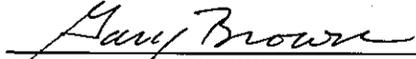
Not a project as defined by CEQA.

**FISCAL IMPACT:**

No direct cost to the City.

**CITY MANAGER'S RECOMMENDATION:**

1. Receive staff's presentation.
2. Let staff know of any comments you'd like staff to submit on the DEIS



---

Gary Brown, City Manager

**Attachments:**

1. Silver Strand Training Complex presentation
2. Materials from February 23 Public Hearing
3. Union Tribune Article



# Silver Strand Training Complex

## Draft Environmental Impact Statement

ATTACHMENT 1



# Silver Strand Training Complex





# Commands

## Naval Surface Forces

Naval Beach Group 1

- Assault Craft Units 1 and 5
- Beachmaster Unit 1
- Amphibious Construction Battalion 1

Expeditionary Warfare Training Group Pacific

- Navy Training Department
- Marine Corps Training Department

## Navy Expeditionary Combat Command

Explosive Ordnance Disposal Group 1

- EOD Mobile Units 1, 3 and 7
- EOD Training and Evaluation Unit 1

Maritime Expeditionary Security Group 1

- Mobile Security Squadrons
- Command and Control Divisions
- Sensor Detachments
- Boat Detachments

## Naval Special Warfare Command

COMNAVSPECWARCOM HQ

NSW Group 1

- SEAL Teams 1, 3, 5, and 7 and SUPPACT
- Training Detachment
- Logistics Support Unit

NSW Group 3

NSW Group 11

- SEAL Team 17

Special Boat Team 12

NSW Center

- SEAL and SWCC Basic Training
- Advanced Training Command

## I Marine Expeditionary Force

- 11<sup>th</sup>, 13<sup>th</sup>, and 15<sup>th</sup> Marine Expeditionary Unit

## Other Users

Afloat Training Group

Navy Environmental & Preventative Medicine Unit 5

Non-Navy Users



# Training Activities



Amphibious Operations



Physical Fitness  
and Conditioning



Logistics-Over-The-Shore



Combat Area Hazards



Special  
Warfare



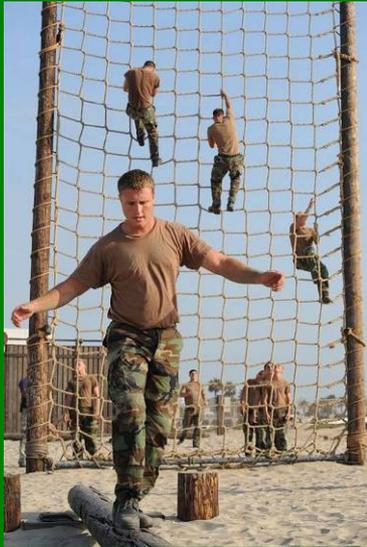
# No Action Alternative

Training activities would continue as they have historically at baseline levels





# Alternative 1 (Preferred Alternative)



- Increase frequency and type of training
- Conduct existing training at additional locations within established SSTC areas
- Introduce new platforms and equipment
- Conditionally increase access to training areas:
  - Use beach Lanes 8, 9, and 10 during the nesting season if needed
  - Cap western snowy plover avoidance buffers to 22
  - Training in vernal pools when dry



# Alternative 2



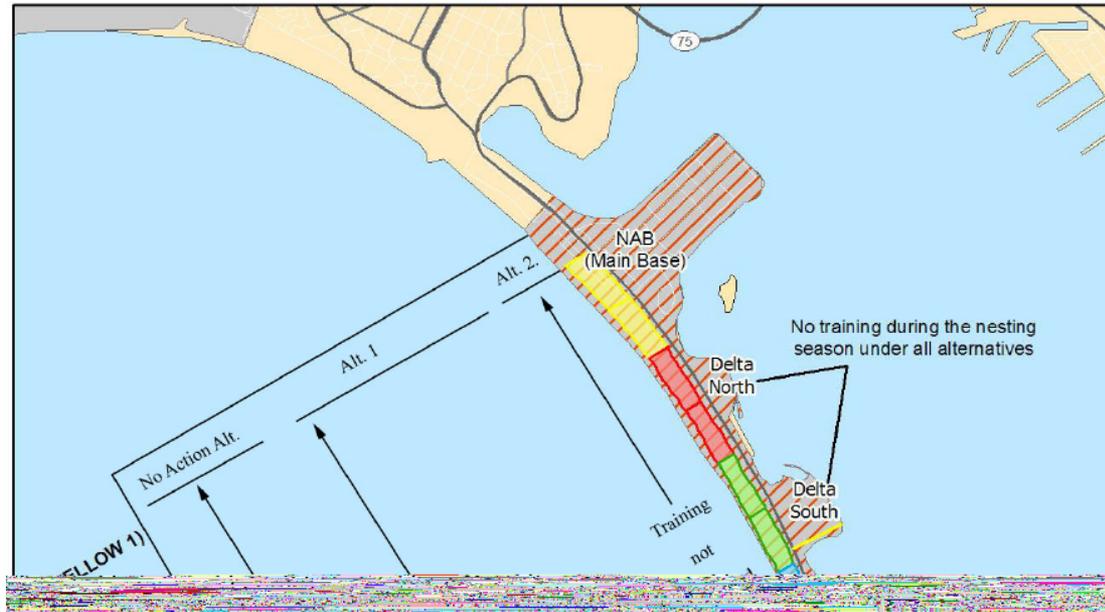
Same as Alt 1, plus:

Unrestricted access to Oceanside beach training areas for training



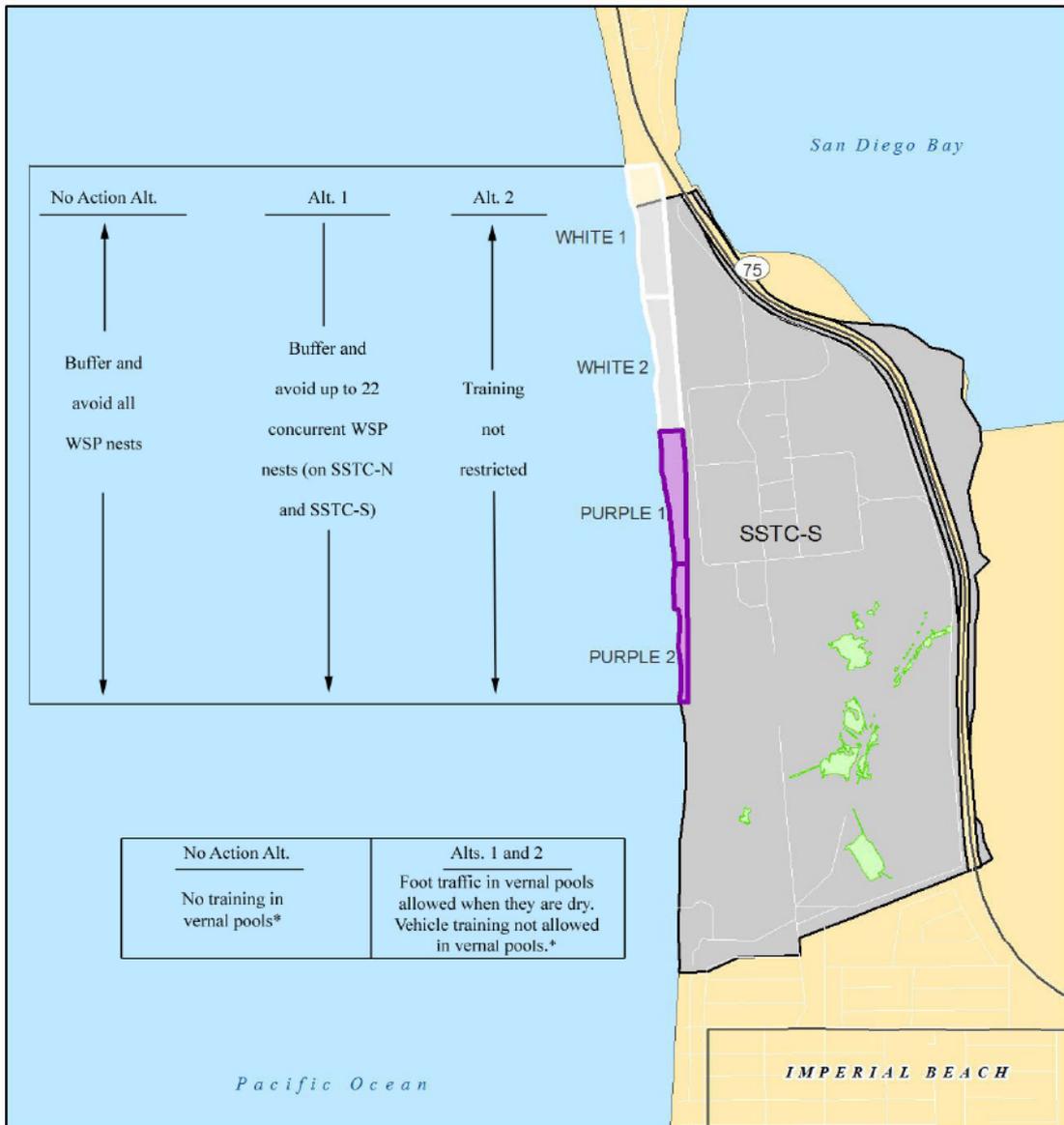


# Silver Strand Training Complex- North





# Silver Strand Training Complex- South





# Resources Analyzed

## Physical Resources

- Geology and soils
- Air quality
- Hazardous materials and wastes
- Water resources
- Acoustic environment

## Biological Resources

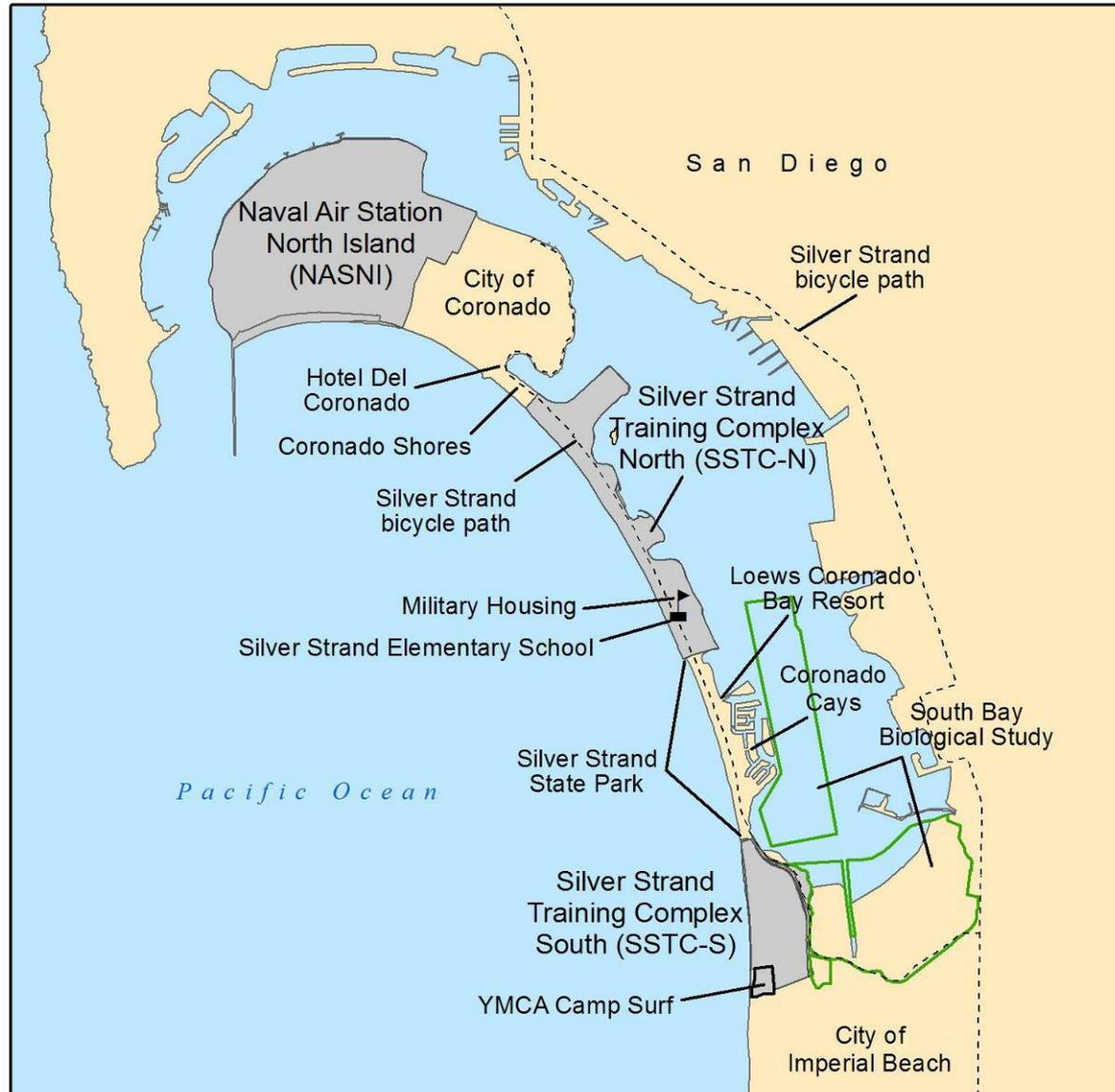
- Fish
- Marine mammals
- Sea turtles
- Birds
- Other terrestrial species
- Other marine species

## Socioeconomic Resources

- Land use
- Cultural resources
- Transportation and circulation
- Public health and safety



# Community Setting





# Noise



Most training will not change the ambient noise level for the surrounding community

Those that do, are short term noise:

- Small arms blank fire
- Pile driving
- Helicopter overflight
- Vessel landing on the beach

The Navy's measures developed to reduce noise disturbance.

- Considering time and location of training
- Notification of emergency personnel





# Public Safety

The Navy has long-established measures to protect public health and safety, including:

- Safety buffer zones
- Restricted areas





# Access to Public Beaches and Waters

Continued access to public beach, fishing and recreational areas outside of active training areas.

Personnel asked to avoid areas immediately surrounding training activities when necessary for public safety or security.





# Effects on Socioeconomics

- Overall economic benefit
- Negligible change to traffic





# Environmental Requirements Considered

- Clean Air Act
- Coastal Zone Management Act
- Endangered Species Act
- Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- EO 13045, Environmental Health and Safety Risks to Children
- Clean Water Act
- Magnuson-Stevens Fishery Conservation and Management Act
- Marine Mammal Protection Act
- Migratory Bird Treaty Act
- National Historic Preservation Act
- Rivers and Harbors Act



# NEPA Process





# Public Hearings

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Open House: 4-6 p.m.

Formal Presentation: 6-6:20 p.m.

Oral Comment Session: 6:20-7:30 p.m.

**Tuesday, February 23, 2009**  
City of Imperial Beach  
Community Room

**Wednesday, February 24, 2009**  
Coronado Community Center



# Additional Resources

- Project Web site  
[www.silverstrandtrainingcomplexeis.com](http://www.silverstrandtrainingcomplexeis.com)
  - Draft EIS
  - Fact Sheets
  - Posters
  - Video
  - Other environmental documents
- Information Repositories
  - Coronado Public Library
  - Imperial Beach Branch Public Library



# Public Comment

- Oral and written comments at the public hearings
- Project Web site at:  
**[www.silverstrandtrainingcomplexeis.com](http://www.silverstrandtrainingcomplexeis.com)**
- Written comments:

Naval Facilities Engineering Command, Southwest  
Attn: Mr. Kent Randall – Silver Strand Training Complex EIS  
1220 Pacific Highway, Building 1, 5th floor  
San Diego, CA 92132

*All comments must be postmarked or received by March 9, 2010,  
for consideration in the Final EIS.*

Thank you for participating – your input is appreciated!



# Silver Strand Training Complex

ENVIRONMENTAL IMPACT STATEMENT

ATTACHMENT 2

## National Environmental Policy Act

### WHAT IS THE NATIONAL ENVIRONMENTAL POLICY ACT?

In accordance with the National Environmental Policy Act (NEPA) of 1969, the Navy has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential environmental effects of ongoing and proposed training activities at the Silver Strand Training Complex and the southern nearshore area of Naval Air Station North Island.

### WHY IS THE NAVY PREPARING AN EIS?

An EIS is a detailed public document that assesses the potential effects a federal action may have on the human, natural or cultural environment. This EIS has been developed in accordance with NEPA, which requires federal agencies examine and consider the individual and cumulative environmental impacts of their proposed actions prior to the actions taking place.

### WHAT ARE THE NEXT STEPS IN THE NEPA PROCESS?

The Draft EIS is available for public review and comment until March 9, 2010. After the close of the Draft EIS comment period, the Navy will collect and consider all comments received from the public, government agencies, elected officials and organizations, and address them in the Final EIS.

The Final EIS will be publicly released for a 30-day period, after which the Assistant Secretary of the Navy will review the Final EIS, select an alternative to be implemented and sign a Record of Decision. The Record of Decision will be announced to the public and will provide a public record of the decision and the decision making process.

### HOW CAN I COMMENT ON THE EIS?

Interested parties can comment on the Silver Strand Training Complex EIS in any of the following ways:

- › Submit oral or written comments at the public meetings
- › Submit comments via the project Web site at <http://www.silverstrandtrainingcomplexeis.com>
- › Mail comments to:

Naval Facilities Engineering Command, Southwest  
ATTN: Mr. Kent Randall - Silver Strand Training Complex EIS  
1220 Pacific Highway, Building 1, 5th Floor  
San Diego, CA 92132

**All comments must be postmarked or received by March 9, 2010 for consideration in the Final EIS.**

### How can I Participate?

The NEPA process emphasizes the importance of public involvement during the development of an EIS. The public is encouraged to comment and provide feedback on the Proposed Action, alternatives to the Proposed Action and all associated environmental impacts of these actions as presented in the Draft EIS. Public participation helps the Navy make informed decisions about its Proposed Action.

### WHERE CAN I FIND MORE INFORMATION?

#### Web site

The Navy has established a Web site that makes it easy to find more information about the project. The Web site provides background information and allows visitors to submit comments on the EIS online. The Draft and Final versions of the EIS are posted to the Web site at <http://www.silverstrandtrainingcomplexeis.com>.

#### Information Repositories

The public may also find a paper copy of the Draft Silver Strand Training Complex EIS at:

Coronado Public Library  
640 Orange Avenue  
Coronado, CA 92118  
619-522-7390

Imperial Beach Branch Library  
810 Imperial Beach Boulevard  
Imperial Beach, CA 91932  
619-424-6628

# NATIONAL ENVIRONMENTAL POLICY ACT AND PUBLIC PARTICIPATION PROCESS

Notice of Intent  
**AUGUST 2001**



Public and Agency Scoping  
**AUGUST 2001**



Draft EIS  
**JANUARY 2010**



45-Day Public Review Period  
**JANUARY 22, 2010 TO MARCH 9, 2010**



Public Hearings  
**FEBRUARY 23, 2010 AND FEBRUARY 24, 2010**



Final EIS/Notice of Availability  
**Anticipated OCTOBER 2010**



30-Day Public Review Period  
**Anticipated OCTOBER 2010**



Record of Decision  
**Anticipated NOVEMBER 2010**

OPPORTUNITIES FOR PUBLIC INPUT





# Silver Strand Training Complex

## ENVIRONMENTAL IMPACT STATEMENT

### Proposed Action and Alternatives

#### BACKGROUND

In accordance with the National Environmental Policy Act (NEPA) of 1969, the U.S. Navy has prepared a Draft Environmental Impact Statement (EIS) to evaluate the potential environmental effects of ongoing and proposed Naval activities within the Silver Strand Training Complex (SSTC) and southern nearshore areas of Naval Air Station North Island.

The Navy's Proposed Action for SSTC is a step toward ensuring the continued vitality of this essential Navy training asset and that it has the capability and capacity to support current and future training requirements.

#### DEFENDING THE NATION

Defending the United States and protecting military personnel requires rigorous, real-life training in the air, on land and at sea. Providing realistic training is one of the most important things the U.S. Navy does to ensure service members are ready and able to respond to national security challenges. Readiness requires specialized locations where military personnel can learn through practical, hands-on experience the technical skills necessary to effectively plan, conduct and succeed in combat.

#### PURPOSE AND NEED

To improve the availability and quality of training at SSTC, and to prepare for future training requirements, various improvements are needed. SSTC accommodates many critical training programs found only at SSTC, making these improvements a necessity. The Proposed Action is needed to accommodate the following future military readiness requirements:

##### *Increased usage at SSTC*

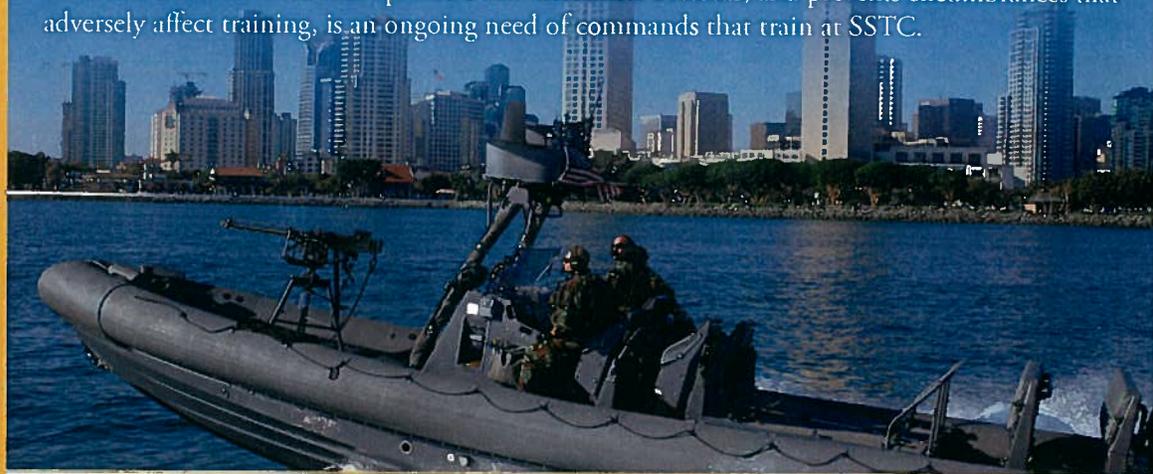
Increased use of SSTC is required to accommodate: shorter training cycles to ensure military units are ready for deployment; the expansion and restructuring of various commands, which would increase the number of personnel cycling through training programs; expanded use of other southwest training ranges; and training on new and upgraded equipment.

##### *Year-round access to training areas*

Beach areas currently used for training activities are not sufficient for future training requirements due to current seasonal restrictions. In order to support future training requirements and deployment schedules, access to these existing training areas for year-round training is needed.

##### *Flexibility and realistic training*

SSTC is located in a populated coastal area, and its use for realistic military training is constrained by adjacent residential, commercial, recreational, cultural and sensitive natural resource uses. Operational constraints on training areas at SSTC make it challenging for Navy commands to support emerging and expected future training requirements. A training range that realistically simulates environments that operators will encounter overseas, and prevents encumbrances that adversely affect training, is an ongoing need of commands that train at SSTC.



#### PROPOSED ACTION

The Navy proposes to improve the availability and quality of training opportunities at SSTC to achieve the required level of operational readiness as mandated under federal law. To meet training requirements, the Navy proposes to:

- ▶ Continue current training activities;
- ▶ Increase training frequency and types of training;
- ▶ Conduct existing routine training activities at additional locations within established training areas;
- ▶ Introduce new platforms and equipment; and
- ▶ Increase access and availability to existing beach and inland training areas.

Implementation of the Proposed Action would allow the Navy to meet its mission-oriented requirements by providing diverse and realistic training activities at SSTC, improving accessibility to training areas and reducing encroachment restraints.

## EVALUATING THE ALTERNATIVES

The Draft EIS analyzes three alternatives to understand the potential environmental impacts of ongoing and proposed Naval activities within SSTC.

### No Action Alternative

Under the No Action Alternative, training activities would be conducted at baseline levels at SSTC. Under the No Action Alternative, SSTC would not accommodate an increase in frequency or types of training, would not increase access and availability of training areas, and would not introduce new platforms and equipment. This alternative provides a baseline for assessing the potential environmental impacts of the other alternatives.

### Alternative 1 (Preferred Alternative)

Alternative 1 is the Navy's Preferred Alternative. It is designed to meet 100 percent of the current and near-term training requirements.

Alternative 1 proposes to:

#### *Increase the frequency of training*

Training activities would increase from 3,926 to 5,343 activities annually.

#### *Introduce new types of training activities*

In addition to current training activities, the Navy proposes to conduct new types of mine countermeasure, amphibious and special warfare training activities.

#### *Conduct existing routine training at additional locations within SSTC training areas*

Most training activities are conducted in select portions of SSTC based on training needs. Some of these activities would be allowed to use additional locations within SSTC for diversity in training.

#### *Introduce new platforms and equipment into training*

The introduction of new platforms and equipment would consist of Expeditionary Fighting Vehicles, an updated Offshore Petroleum Discharge System and the MH-60R/S Seahawk Multi-Mission helicopter.

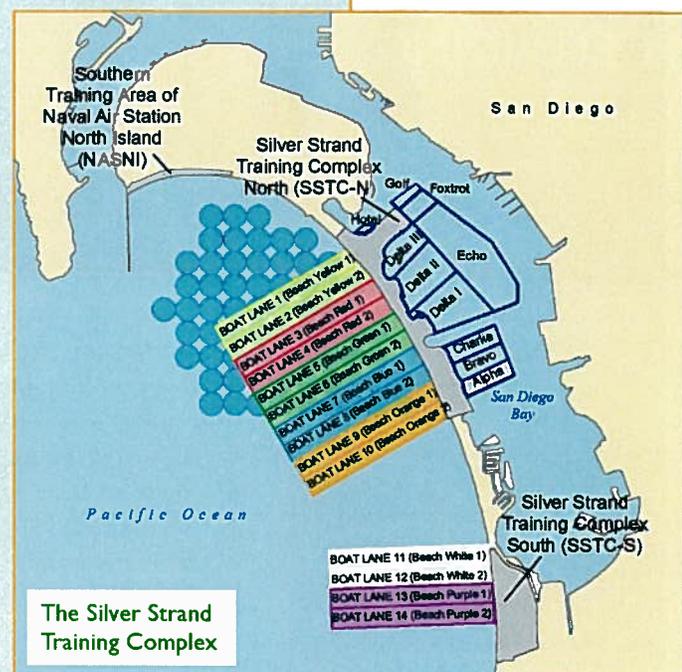
#### *Increase Navy access to and availability of SSTC training areas*

Currently, the Navy sets aside Beach Lanes Blue 2, Orange 1 and Orange 2 for California least tern and western snowy plover nesting for six months each year (from April through September). Training is restricted in these lanes during the nesting season. Increased access and availability to these three training lanes is needed to accommodate the proposed increase in training activities and diversity, and would be implemented if either of the following two criteria are met: 1) if Red 1 and 2, Green 1 and 2, and Blue 1 are currently occupied or unavailable for use, or 2) if attributes of Blue 2, Orange 1 and/or Orange 2 make those lanes more suitable for meeting training needs than other available training lanes. The Navy would limit the number of western snowy plover nests that are marked for avoidance to 22 concurrent nests. Further, the Navy proposes to allow increased access to SSTC-South inland training areas, which would allow foot traffic in vernal pools when they are dry.

### Alternative 2

Alternative 2 is also designed to meet current and near-term training requirements, and includes all activities described under Alternative 1. The primary difference is that Alternative 2 would allow year-round training and greater Navy access to training areas at SSTC-North. Alternative 2 proposes to fully utilize all 7,000 yards of ocean beaches along SSTC-North and SSTC-South and all bayside training beaches, except the California least tern nesting habitat at Delta North and South, for continuous, year-round training.

**Alternative 1 is the Navy's Preferred Alternative, because it would fully support the type and frequency of activities required to achieve complete Fleet readiness and allow the Navy to carry out its mission in the Silver Strand Training Complex. Alternative 1 also more actively manages protected and threatened species through access and training restrictions.**





# Silver Strand Training Complex

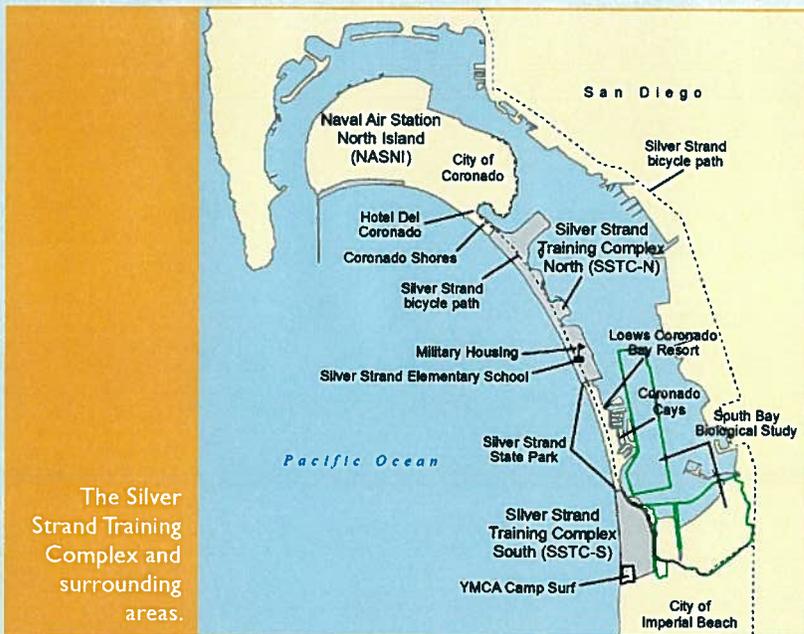
## ENVIRONMENTAL IMPACT STATEMENT

### Community Interests

The U.S. Navy has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential environmental effects of ongoing and proposed Naval activities within the Navy's Silver Strand Training Complex (SSTC) and southern nearshore area of Naval Air Station North Island. Effects on community interests from the Navy's Proposed Action and alternatives are analyzed in the Draft EIS.

#### COMMUNITY SETTING

To understand how residents, business owners and other users of lands adjacent to SSTC are potentially affected by the Navy's training activities, it is important to appreciate the community setting around SSTC. SSTC-North lies directly south of Coronado and SSTC-South lies directly north of Imperial Beach, making the beaches on and near SSTC attractive to local residents and tourists for recreational activities. Land use near SSTC is predominantly residential with some commercial development and recreational uses.



The Silver Strand Training Complex and surrounding areas.

Surrounding SSTC are the Silver Strand State Beach, Silver Strand bicycle path, South Bay Biological Study, Loews Coronado Bay Resort Hotel, Hotel Del Coronado, Coronado Shores, and the Coronado Cays Park and residential development. Additional users of the beaches near SSTC are participants of the YMCA Camp Surf. Military housing and the Silver Strand Elementary School are also in close proximity to SSTC-North.

## A BALANCING ACT

**The land and coastal waters of the Silver Strand provide habitat for plants and animals as well as recreational and employment opportunities for residents and visitors. Sport fishing, diving, boating and other ocean recreational activities occur regularly in the vicinity of the Silver Strand Training Complex. Additionally, the surrounding communities are particularly interested in this area for leisure activities, such as walking, swimming, running and biking. With many varying interests, the Navy must balance its training needs with conserving the training area for wildlife nesting, habitat and community interests. Keeping this in mind, the Navy makes every effort to ensure the public beach areas adjacent to active training areas are accessible to the public.**





## PUBLIC SAFETY MEASURES

The Navy takes precautions to ensure the safety of the public and strives to conduct its operations in a manner that minimizes conflict with community users. Routine training activities conducted within SSTC are not expected to pose a risk to public health or safety.

Although most training activities are not expected to cause any health or safety issues, the Navy may restrict access to nonparticipants, including the public, during active training to protect public health and safety. Where needed, safety personnel are stationed around training activities as a buffer to ensure public safety and security.

When ocean and bay training areas need to be temporarily restricted, trainers and other exercise participants survey the area for nonparticipants, such as boaters, divers or swimmers, prior to beginning the training activity. If bystanders are present, they are asked to temporarily vacate the immediate training area for the duration of the training activity. For underwater detonations, the Navy also distributes Notices to Mariners.

## MINIMIZING NOISE

Historically, training at SSTC has created intermittent short-term noise from helicopters, small arms (blank) fire, pyrotechnics, vessels, vehicles and general training activities. Activity planning often considers location (e.g., Breacher training are located in inland areas) and time of day. The Navy notifies local emergency personnel prior to exercises that include pyrotechnics or blanks. Call-outs during physical conditioning training are minimized at night and when in residential areas.

## PUBLIC ACCESS

The Navy strives to be a good neighbor to the community by maintaining access to public areas whenever possible and ensuring safety at all times. The Navy recognizes the importance of public access and works with the community to keep available the Silver Strand public beach areas. Current Navy activities include long-established military land uses. The Navy promotes access to public beach areas adjacent to active training areas. Public access to areas immediately surrounding military training activities is only restricted when necessary for safety or security reasons.





# Silver Strand Training Complex

ENVIRONMENTAL IMPACT STATEMENT

## The Navy's Mission at the Silver Strand Training Complex

**The U.S. Navy's Silver Strand Training Complex (SSTC) is a premier west coast amphibious, special warfare and mine countermeasure training area that accommodates many critical training programs found only at SSTC. SSTC is located on the Silver Strand isthmus within the city of Coronado and north of the city of Imperial Beach.**



### TRAINING AT SSTC

Many Navy commands are based on Naval Base Coronado and train at SSTC, including the Navy SEALs, Explosive Ordnance Disposal teams, Assault Craft Unit, Beachmaster Unit, Amphibious Construction Battalion and Special Boat units. These units rely on SSTC to conduct a wide range of training activities. Small boat handling, logistics-over-the-shore, special warfare, insertion and extraction of personnel, mine clearance and physical conditioning are among the many types of training that take place at SSTC. For personnel, training is conducted in formal courses with specific learning objectives consisting of both formal classes and in-the-field training. For example, SSTC is home to the Basic Underwater Demolition/SEAL or BUD/S School, a qualification training program that all SEAL candidates must complete to become a Navy SEAL. Expeditionary Warfare Training Group, Pacific also runs a critical school on SSTC that annually teaches 70 courses in the principles of expeditionary warfare to more than 10,000 students from all branches of the military and civilian service.

The number of commands and training programs established at SSTC underscores its importance in supporting the military's need for training and operational readiness. Access to Navy command headquarters, equipment, infrastructure and support services make SSTC vital to the efficient execution of Navy training. The ability of local Navy and Marine Corps commands to engage in various types of training on SSTC helps them achieve and maintain operational readiness as mandated by federal law.

### SSTC's MISSION

The mission of the Silver Strand Training Complex (SSTC) is to support U.S. Navy and Marine Corps amphibious, special warfare and mine countermeasure training by providing local land, sea and airspace support services; equipment and supplies; and training facilities that will help Naval and Marine Corps forces achieve and maintain the highest level of operational readiness.

## SSTC'S UNIQUE CHARACTERISTICS

The unique value of SSTC lies in its proximity to many Southern California Navy and Marine Corps bases, and the Navy's ability to conduct a wide range of training activities using the Pacific Ocean and the San Diego Bay in combination with beach and inland areas.

### *Training Environment and Terrain*

The temperate, sub-tropical climate of Southern California allows for year-round training. The unique location of SSTC, between the rough ocean and calm bay, allows personnel to start training in a calmer environment and then quickly and easily transition to a more challenging environment on the ocean side as they improve their skill and fitness levels. Also, the open and accessible beach areas and ocean anchorages make the area ideal for amphibious training.

### *Proximity to the Homeport of Naval Forces*

The San Diego region is a Naval homeport. This means there is a high concentration of key Navy organizations, commands and infrastructure. SSTC has the unique ability to draw from neighboring resources, and the Navy can use SSTC to meet the aggressive schedules necessary to graduate numerous groups of trainees throughout the year. This scheduling is necessary to meet the needs of the Navy and ensure personnel are ready for deployment.

### *Proximity to Other Training Ranges in the Southwest*

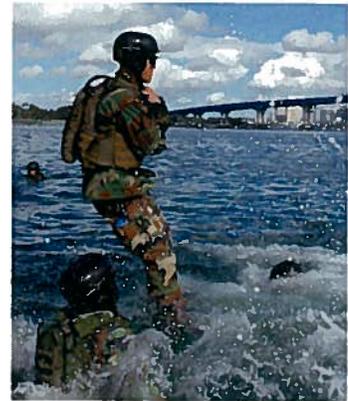
Southern California contains the most capable and heavily-used concentration of Navy ranges in the eastern Pacific Region. This network anchors a west coast regional training capability which provides complementary training resources for different levels and types of training. Naval forces utilize each of the range areas as appropriate, depending on the training to be accomplished and the training resources of a given range. SSTC is a critical asset within this network of training ranges, particularly in amphibious, special warfare and mine countermeasure training activities.

### *Proximity to Military Families*

Being a homeport also means that San Diego is home to thousands of military families. Since Sailors spend a lot of time away from home during deployment, the Navy is required to minimize the amount of time they are away from home in between deployments. Keeping Sailors close to home while they are training in between deployments is good for morale and troop retention. The availability of SSTC as a local training range is important for meeting this Navy requirement.

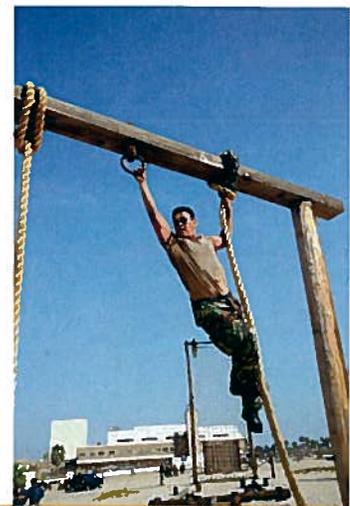
## EVOLVING REQUIREMENTS

Military readiness requirements are continuously evolving to ensure that service members are prepared for challenges to our nation's security. To support the future training requirements of Navy and Marine Corps commands, additional improvements are needed at SSTC. To analyze the potential environmental effects of ongoing and proposed training activities at SSTC and the southern nearshore area of Naval Air Station North Island, the Navy has prepared a Draft Environmental Impact Statement.



## REALISTIC TRAINING

Realistic training enables military personnel to maintain the highest level of readiness and capability. Diverse training enables personnel to be able to react swiftly and decisively to a range of potential situations from hostile environments to challenging nearshore terrains. Training activities at SSTC provide Navy personnel the opportunity to learn and practice skills they need to conduct amphibious, special warfare and mine countermeasure exercises. These training activities provide realistic experience and ensure our service members are ready to respond to our nation's challenges.





# Department of the Navy Silver Strand Training Complex Draft Environmental Impact Statement

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## Training Activities Conducted at the Silver Strand Training Complex

A number of military commands train at the Silver Strand Training Complex (SSTC). They use a variety of personnel, vessels, vehicles, equipment and aircraft, in different ways to meet their military readiness requirements. Typical training activities are described below.

**Mine Countermeasures:** Personnel learn to locate, identify, manage and/or neutralize floating or underwater inert mines. The mines are located and assessed using diving or swimming teams that arrive in inflatable boats or are para-dropped into the water from aircraft. Training may include the use of unmanned underwater vehicles or marine mammals that are trained in the location of mines.

**Amphibious Operations:** Practice in inserting personnel and small craft onto the beach where hostile forces may exist. Insertion may occur via boat, swimming, aircraft or vehicles. Personnel learn to survey the underwater terrain, handle small inflatable watercraft, navigate to and from the shore, pass through the surf, and land on the beach. Training also includes setting up landing zones for hovercraft and tracked vehicles landing on the beach.

**Naval Special Warfare:** Training activities are similar to amphibious landings and include surveying underwater terrain and inserting personnel onto a beach where hostile forces may exist. Once onshore, personnel practice clandestine movement through an area and offensive and defensive combat skills which may include mock enemy attacks. Personnel may practice parachuting or dropping via rope from a helicopter into an area. Personnel also learn to forcibly enter into and search a building to rescue personnel or obtain intelligence.



**Construct, Maintain and Operate Logistics Over-the-Shore:** Logistics-over-the-shore training involves unloading cargo, vehicles, equipment and personnel off of ships to support a beach

encampment onshore, in areas where ready-access port facilities are not available for easy offload. Personnel learn to assemble floating pontoons together and ferry supplies from the ship to the shore. Personnel may also anchor the connected pontoons onto the shore to serve as a temporary floating pier. Piles may also be driven/installed in the surf zone and the pontoons elevated and secured onto them to serve as a temporary elevated pier. A hose may be reeled between a supply ship and the shore to transfer water from ship to shore. A reverse osmosis system may also be set up on shore to convert sea water into drinking water. Onshore, personnel may set up an encampment for personnel involved in the operation.

**Mission Area:** These training activities are performed to enhance Special Warfare skills. Activities include SCUBA diving, hydrographic reconnaissance to survey underwater terrain conditions, and investigating beaches and surf conditions to determine the feasibility of landing vessels on a beach.

On the beach, personnel develop combat skills by learning to patrol the beach on foot in formation, perform defensive measures and to recognize threats in various scenarios.

Personnel also visually observe locations and record activity by photo images, sketching or range estimation, in addition to learning to remotely control Unmanned Aerial Systems.

**Physical Fitness Training:** Personnel perform various physical training activities, such as timed runs, ocean swims, paddling and carrying inflatable boats, and marching with backpacks to pass the basic fitness requirements.

**Industrial and Environmental Health Services:** Teaches personnel how to provide preventative medicine to field personnel. Training may include learning to collect and analyze air and soil samples in areas where operations occur.

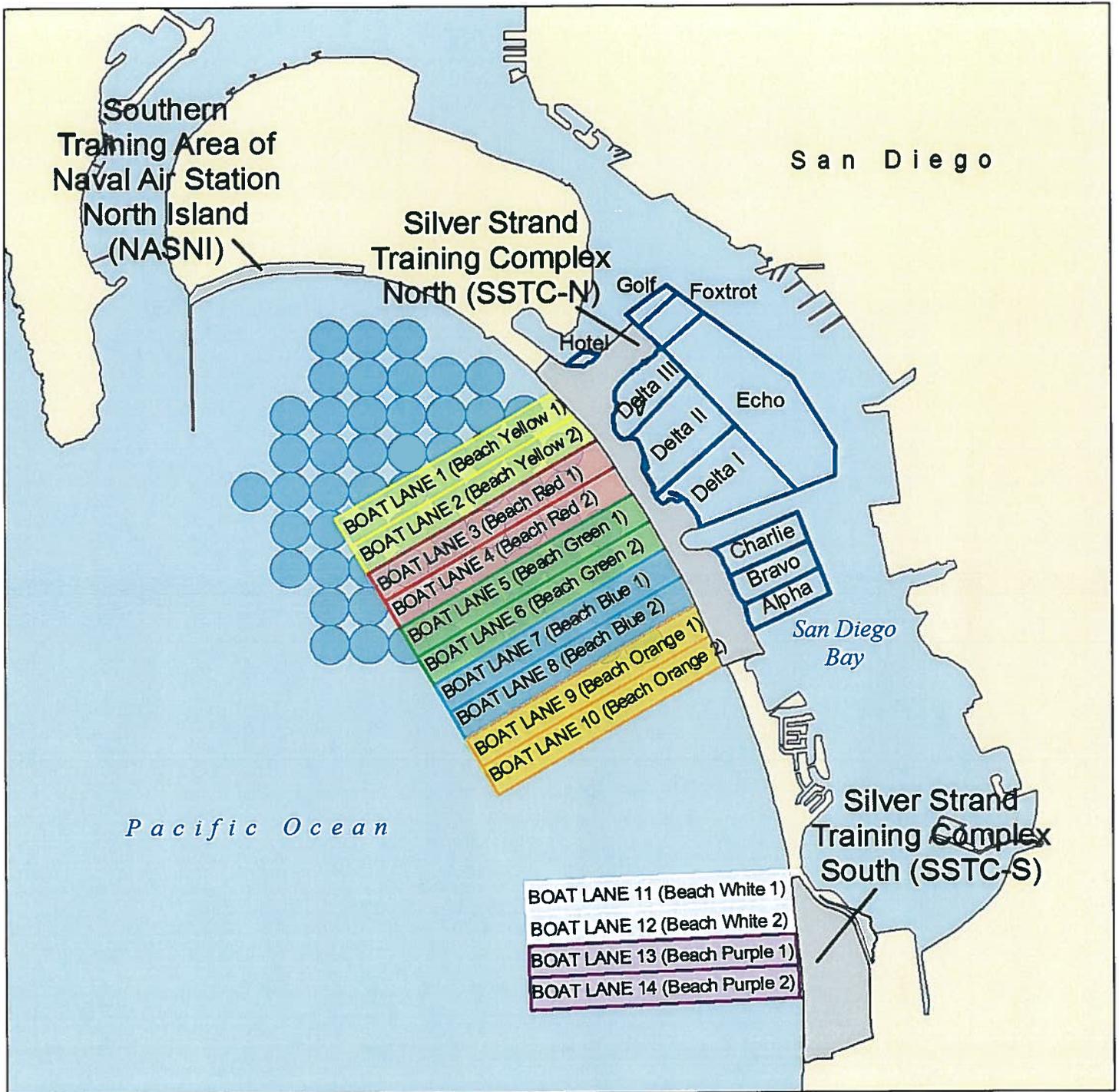
**Protect Against Combat Area Hazards:** Personnel learn to locate, identify, manage, and/or neutralize simulated exposed or buried land mines or other improvised explosive devices.

**Force Protection—Protect and Secure Area of Operations:** These activities train personnel in harbor defense and seaward security and include patrol missions throughout the Bay, escorting ships to safe areas and setting up encampments for support personnel.

**Afloat Training:** Personnel practice operating boats while they are afloat as well as offensive and defensive techniques. Training includes anchoring, towing, mooring a marine vessel to a buoy. Personnel may also practice intercepting, hailing, and/or boarding and searching a vessel. Small boats or personal watercraft may also conduct defense activities against mock enemy boats.



**FIGURE 1: Silver Strand Training Complex**



The Silver Strand Training Complex (SSTC) includes SSTC-North located at the northern half of the Silver Strand peninsula and SSTC-South located at the southern end of the peninsula. SSTC-North includes 10 oceanside beach and boat training lanes (numbered as Boat Lanes 1-10) each 500 yards wide by 4,000 yards long, ocean anchorage areas (numbered 101-178), and eight bayside in-water training areas Alpha through Hotel, as well as Delta North and South, Alpha, Bravo and Charlie training beaches. SSTC-South includes land area, formerly known as the Naval Radio Receiving Facility, as well as four oceanside beach and boat lanes (numbered as Boat Lanes 11-14) 500 yards wide and 4,000 yards long. The southern nearshore area of Naval Air Station North Island, known as Breakers Beach, while not part of SSTC, is also considered in this Environmental Impact Statement.



# Naval training plans concern locals

## Noise, environmental issues on Silver Strand

By **Janine Zúñiga**, STAFF WRITER

A Navy landing craft moves through the crashing waves of the Pacific Ocean and toward the beach. Precision is required because the surf zone can be demanding.

During the training operation in southern Coronado last week, members of a 300-person Navy team responsible for moving combat troops and equipment from ship to shore and providing them with logistic support controlled the landing craft.

"It's a realistic training environment, and by practicing in these conditions, we can get better and better at it," said Cmdr. Todd Perry, commanding officer



**Members of Beachmaster Unit 1 conducted drills last week at the Navy's Silver Strand Training Complex. K.C. Alfred / Union-Tribune**

SEE **Training, A6**



The Navy wants to increase training activities at Silver Strand to 5,343 from 3,926 annually. *K.C. Alfred / Union-Tribune*

## TRAINING

CONTINUED FROM A1

# 540-acre strip has been in use for six decades

of Beachmaster Unit 1.

To meet heavier training demands, the Navy is proposing ramping up activity at the Silver Strand Training Complex, including more helicopter flights, firearm discharges and use of sensitive land. That has some residents and environmentalists worried about what it will mean to neighborhoods, delicate bird habitat and vernal pools.

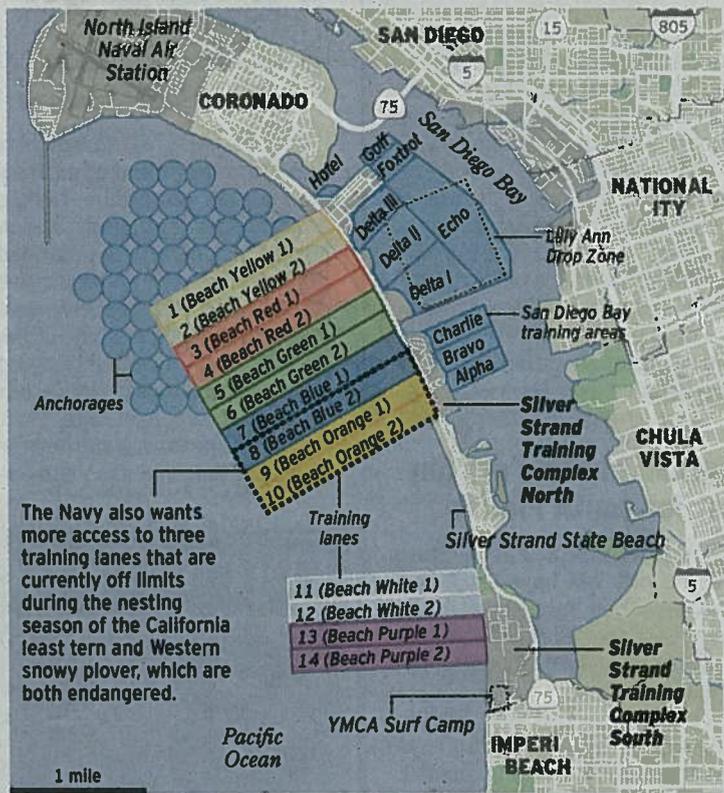
The Navy is studying the environmental effects of increased use of the 540-acre site where land, beach and offshore wartime training has been conducted for more than 60 years.

According to a draft environmental impact statement, the Navy proposes to increase the frequency of training activities to 5,343 from 3,926 annually. The Navy hopes to increase the number of helicopter sorties to 2,200 from 778 a year and firearm discharges to 1,400 from 150. It plans to use, with some limitations, the nesting areas of endangered birds and allow training on foot over vernal pools when dry.

While some proposed changes may occur immediately, most would happen over the next several years.

The Navy is looking for public comment on its plan; it has the final say on how it addresses the

## SILVER STRAND TRAINING COMPLEX NAVAL TRAINING AREAS



SOURCES: U.S. Navy; SanGIS AARON STECKELBERG / Union-Tribune

### The Navy plans to increase training activity off the Coronado coast in order to meet accelerated sailor deployment demands and an increase in Marine Corps personnel requiring training.

effect of the increased training.

"The amount of extra training they're proposing would be quite noticeable and really change our quiet neighborhood," Imperial Beach resident Jeff Foster said. "If it makes a big impact on the peace of the neighborhood, it won't be a desirable place to live."

Jim Peugh, conservation leader for the local chapter of the National Audubon Society, said that though he hasn't read the Navy study sitting on his desk, his initial concerns are about the increased access to three ocean-to-beach

suitable for training.

"They have a lot of training lanes at North Island and Camp Pendleton," Peugh said. "We can't afford to lose tern habitat."

Peugh said tern habitat at Mission Bay has had "lousy results" for years. He said a Navy program to protect nesting sites along the Silver Strand isthmus has been very successful. He said that a significant portion of the entire least tern population is at Silver Strand and that its protection is important.

Delphine Lee, project manager

## PUBLIC HEARINGS

The Navy wants to bolster its activity at the Silver Strand Training Complex and has issued a draft environmental impact statement concerning the changes. It will hold two public hearings on the matter.

- The first will be held from 6 to 7:30 p.m. today at the Imperial Beach Community Center, 825 Imperial Beach Blvd.

- The second will be held from 6 to 7:30 p.m. tomorrow at the Coronado Community Center, Nautilus Banquet Room, 1845 Strand Way.

Anyone wishing to submit comments to the Navy can send them to:

Naval Facilities Engineering Command, Southwest  
Attn: Mr. Kent Randall - Silver Strand Training Complex EIS.  
1220 Pacific Highway, Building 1, 5th Floor  
San Diego, CA 92132

.....  
1,700 nests last year and only 20 to 30 were adversely affected," said Lee, who added that even if training were conducted in those three lanes, it's likely no nests would be bothered.

The Navy is holding information and comment sessions for the public today and tomorrow. The first is at the Imperial Beach Community Center, the second at the Coronado Community Center. Both are from 6 to 7:30 p.m., and both will be preceded by an open house at 4 p.m.

The draft report found minimal effects in an array of areas, including land use, air quality, marine biological resources, fish, birds, and public health and safety. Cumulative effects to geology and soils "would be negligible," the study found.

At the southern end of the Silver Strand Training Complex.

from April through September, during the nesting season of the endangered California least tern and Western snowy plover. Access would only be allowed, however, if other shoreline areas are occupied, unavailable or less

no habitat would be lost. She said the U.S. Fish & Wildlife Service, which is completing its review of the study, allows the Navy to "impact up to 450 nests a year."

"There's certainly a possibility of nests being hurt, but we had

found that training would "increase the number of intrusive noise events."

Foster is expecting a dramatic increase in noise from the number of proposed helicopter sorties.

"The gist of the report is that helicopter sorties will increase but the decibel level is the same, therefore there is no impact," Foster said. "It ignores the fact there are more."

Lee said the service wants all those with questions about the plan to forward their concerns. All comments received by March 9 will be addressed and incorporated into the final environmental report.

Navy officials say they need to supplement training to meet "aggressive schedules" for sailors and Marines at the complex sandwiched between Silver Strand State Beach and Imperial Beach. Naval Base Coronado is the West Coast hub for naval amphibious operations.

The training complex opened in the early 1950s, and those who train there include Navy SEALs, ordnance disposal teams and assault craft units. Troops with the 1st Marine Expeditionary Force also conduct exercises.

City officials in Imperial Beach and Coronado say they are reviewing the draft document and would not comment before their studies are completed.

According to the Navy's study, new types of training for detecting mines, as well as for amphibious and special-warfare operations, are being proposed at the training facility. The Navy plans to train in vernal pools north of Imperial Beach when the pools are dry. Lee said the Navy would establish a plan to monitor the pools, which are shallow depressions that fill during storms and provide a seasonal breeding ground for various species, some of them endangered. Officials say more Naval Special Warfare personnel and Marines are being trained in Coronado.

At the training operation at the complex last week, about 25 sailors on shore guided vehicles to and from the landing craft, which held about a dozen sailors. The rest of the Navy team remained aboard the dock landing ship Pearl Harbor just offshore.

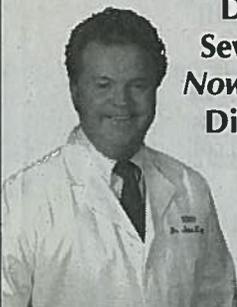
"It's much more difficult than it looks because of the surf and the underwater currents," said Perry, who added that most of the sailors in the training exercise would be deployed to the Western Pacific. "They need to train in actual conditions."

## MEDICAL BREAKTHROUGH NONSURGICAL TREATMENT FOR BACK AND NECK PAIN

**Dr Krage is the author of the Seven Keys of Spinal Healing and Now has the Solution for Herniated Disc, Low Back, leg and neck pain**

*Dr Krage's program can even treat Spinal Stenosis.*

**Call now for your free consultation 1-800-639-4724**



I had experienced lower back pain for over 25 years when I met Dr. Krage. My back pain was severe enough where I could literally not get out of bed for days at a time and even experienced brief "blackouts" which became scary. I was always worried, wondering when my next "bout" of major back pain would occur. I have always been very active in sports such as basketball, racquetball, and long distance running, all of which I had to "retire from" due to the back

problems. Dr Krage's 7 Keys Spinal Program was able to accomplish what 4 other doctors were not able to do in the previous 25 years. I can wake up every morning of my life realizing that I will not be hurting from backpain. I no longer have to constantly worry about whether I can get out of bed and go to work and can enjoy any of the sports and fitness activities that I so choose to do. Dr Krage can help you too.

*Tim P. - San Diego*

### Silver Strand Training Complex Draft EIS Available for Public Comment January 22, 2010 - March 9, 2010



The U.S. Navy has prepared a Draft Environmental Impact Statement (EIS) for the Silver Strand Training Complex (SSTC).

**The Navy Wants Your Input!**  
The Navy is hosting open houses and presentation/oral comment sessions to receive comments on the Draft EIS.

#### **SUBMIT WRITTEN COMMENTS TO:**

Naval Facilities Engineering Command  
Southwest  
Attn: Mr. Kent Randall - Silver Strand Training Complex EIS  
1220 Pacific Hwy, Building 1, 5th Floor  
San Diego, CA 92132

All comments must be postmarked or received by March 9, 2010.

#### **PROPOSED ACTION:**

The Navy proposes to improve the availability and quality of training opportunities at SSTC. To meet training requirements, the Navy proposes to: continue current training activities; increase training frequency and types of training; conduct existing routine training activities at additional locations within established training areas; introduce new platforms and equipment; and increase access and availability to existing beach and inland training areas.

#### **Public Hearings**

Open House: 4 - 6 pm

Presentation/Oral

Comment Session: 6 - 7:30 pm

#### **Imperial Beach, CA:**

February 23, 2010  
City Hall Community Room  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

#### **Coronado, CA:**

February 24, 2010  
Coronado Community Center,  
Ikaulili Banquet Room  
1345 Strand Way  
Coronado, CA 92118

For more information on the Navy and our other ongoing Environmental Impact Statement projects in the Southwest region, please visit Navy Region Southwest at

[www.cnrc.navy.mil/cnrcsw](http://www.cnrc.navy.mil/cnrcsw)

A Spanish language interpreter will be available at the Imperial Beach public hearing.

Habr  una int prete al espa ol disponible en la audiencia p blica de Imperial Beach.





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT.:** JACQUELINE M. HALD, CITY CLERK

**SUBJECT:** PORT COMMISSIONER APPOINTMENT PROCESS

**BACKGROUND:**

The San Diego Unified Port District is governed by a seven-member Board of Port Commissioners; one commissioner is appointed by each of the city councils of Chula Vista, Coronado, Imperial Beach and National City, and three commissioners are appointed by the San Diego City Council. The term of each commissioner is four years. On May 22, 2002, Michael Bixler was appointed to the Port Commission to fill an unscheduled vacancy with a term that expired on January 3, 2003. He was reappointed by the City Council on January 6, 2003, to serve a four-year term that expired on January 2, 2007. On July 19, 2006, he was reappointed to serve a second four-year term that will expire on January 4, 2011.

**DISCUSSION**

Pursuant to Section 2.18.010.C of the Imperial Beach Municipal Code, 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. It is important to be aware of the need for sufficient time to recruit desirable candidates, hold interviews, and make the appointment. A suitable amount of time needs to be allocated for the appointee to be properly oriented, attend Port District Commission meetings on November 9 and December 7, 2010, and meet with the current Port Commissioner and Port staff to familiarize him/herself with the issues prior to taking over the position in January 4, 2011. Therefore, staff recommends that City Council determine a Port Commissioner appointment process (either the current process or an extended process) with the selection of a new Port Commissioner to be made no later than October 20, 2010.

The current appointment process for Boards and Commissions involves posting the vacancy, advertising in the local paper, Mayor's review of applications and recommendation to City Council. Applying the current process would have a timeline of:

- September 1, 2010
  - Post Vacancy at City Hall, Library and City website
- September 9 and 16, 2010
  - Advertise Vacancy in local paper
- September 23, 2010 by 5:30 p.m.
  - Deadline for each applicant to submit completed application to the City Clerk

September 27 through October 1, 2010

- Mayor reviews applications and may interview some or all of the applicants

October 6, 2010

- Mayor makes recommendation to City Council for approval.

**Extended Appointment Process:**

This would involve a more extensive interview process as shown below. As per IBMC 2.18.010B, any additional procedures necessary for appointments to commissions, boards and committees shall be provided by resolution. Therefore, if this extended process is preferred, staff will return with a resolution for City Council's consideration at the next regular meeting.

September 1, 2010

- Post Vacancy at City Hall, Library and City website (same as above)

September 9 and 16, 2010

- Advertise Vacancy in local paper (same as above)

September 23, 2010 by 5:30 p.m.

- Deadline for each applicant to submit completed application to the City Clerk

September 27 through October 15, 2010

- Interview Process (or initial screening):
  - a. City Council interview applicants during the October 6 regular meeting or at a special meeting or
  - b. by City Council Subcommittee making a recommendation to the Mayor by October 4 or
  - c. have the Mayor screen the applicants with his top 3 choices interviewed by City Council at the October 6 regular meeting or at a special meeting

October 20, 2010

- Mayor makes recommendation (based on approved interview process) to City Council for approval.

Should the current Port Commissioner desire to be reappointed, City Council may either reappoint him through the current appointment process or have him undergo the extended process.

Staff further recommends approval of the attached Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

None associated with this report.

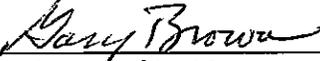
**DEPARTMENT RECOMMENDATION:**

That the City Council:

1. Decide whether to use the current or extended process (staff to return to City Council with a resolution for extended process), but in either case appoint a Commissioner no later than October 20, 2010; and
2. Approve the Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Port Commissioner appointment history for the City of Imperial Beach and surrounding cities (excluding the City of S.D.)
2. Imperial Beach Port Commissioner Position Specifications
3. Revised application to be used for all commission, board, and committee applicants
4. City of Chula Vista Memo, dated July 30, 2009
5. City of Coronado Staff Report, dated September 1, 2009
6. 2010 Calendar



**Port Commissioner**

**Appointment**

<u>Imperial Beach</u>	<u>Coronado</u>	<u>National City</u>	<u>Chula Vista</u>
4/17/02 Regular meeting Mayor Rose announced Commissioner Urtasun submitted letter of resignation effective 6/15/02 and that appointment process will be agendized for next meeting	R. Spane re-appointed with a term expiring 1/2/10  Appointments are for four years; one re-appointment for a second term can be made (eight years total)	Advertise one time in the San Diego Union-Tribune newspaper	6/2/09 Regular meeting Council took action to approve appointment process for a term expiring 1/2/11
5/1/02 Regular meeting City Council took action to rescind Council Policy #109 (Port Commissioner Appt. Process), post the vacancy, and schedule a special meeting on 5/22/02 to conduct appointment	9/1/09 City Council approval of process	Applications solicited	Applications solicited Applications available online & in City Clerk's office 8/3/09-8/31/09  Council determined opening & closing dates for applications as 8/3/09-8/31/09 (after which, applications not accepted)  Applications required submittal of Economic Interests Disclosure
5/22/02 Special meeting Mayor Rose announced M. Bixler as her nominee and City Council approved appointment of M. Bixler for a term commencing 6/4/02 and expiring 1/3/03	9/2/09 Post position announcement at City Hall	Interview before City Council	Submittals forwarded to Mayor and Council
12/05/02 Letter of interest to be reappointed rec'd from M. Bixler 12/19/02 Notice of Vacancy posted	9/9, 9/16, 9/23, 9/30/09 Advertise in the Coronado Eagle & Journal newspaper	At discretion of City Council, may appoint at same meeting but typically appointment made at next meeting	Mayor and Council submit an unrestricted number of potential appointees by a deadline stated when applications & resumes forwarded to them  Mayor and Council submit in advance of interviews questions they would like asked of the applicants
1/6/03 Regular meeting M. Bixler re-appointed for a term commencing 1/3/03 and expiring 1/2/07	10/14/09 Applications due by 5 p.m.	01/05 Robert "Dukie" Valderrama sworn in	Applicants receiving two or more nominations scheduled for interviews
7/19/06 Regular meeting Mayor Rose requested Council consider reappointment of M. Bixler for a term expiring 1/2/11; City Council approved reappointment	10/13 or 10/20/09 Special Council meeting for interviews		Applicants interviewed at Council meeting on date selected by Council
	11/3/09 Appointment of Louis Smith		After interviews concluded, Council deliberate in a public meeting until an applicant receives at least three votes
	1/5/2010 Swearing in Ceremony		09/29/09 Appointment of Steve Padilla 10/09 Swearing in Ceremony



**PORT COMMISSIONER POSITION SPECIFICATIONS**

In addition to being guided by the Powers and Functions of the Board of Commissioners, the Imperial Beach Port Commissioner, appointed by the City Council shall:

1. Take direction from the City Council as to all San Diego Unified Port District matters of direct interest to the citizens of the City of Imperial Beach;
2. Communicate to the City Council and staff all San Diego Unified Port District matters of possible interest to Imperial Beach, and where deemed of particular interest, shall do so at a public meeting as determined by the City Council;
3. Serve as advisor to the Imperial Beach City Council for all San Diego Unified Port District matters;
4. Maintain awareness of all planning for the development and redevelopment of both Imperial Beach and the San Diego Unified Port District;
5. Maintain an active, rather than passive, role in the business of the San Diego Unified Port District and their day-to-day operations; and
6. That the Imperial Beach Port Commissioner be willing to serve at the pleasure of the majority of the City Council.

**Expected Typical Tasks**

1. Coordinate and provide assistance in meshing the several master plans that make up planning for the San Diego Unified Port District;
2. Prepare and submit to the Imperial Beach City Council matters requiring legislative action on all matters interfacing with the City of Imperial Beach and the San Diego Unified Port District;
3. Submit timely reports to the Imperial Beach City Council on any San Diego Unified Port District planning matter deemed to be of importance to Imperial Beach;
4. Public report to the Imperial Beach City Council at its regular meetings on a quarterly or as needed basis;
5. Counsel with and advise City of Imperial Beach commissioners, boards, and committees, as requested by the City Council, on Unified Port matters of general applicability;
6. Represent the interests and perspective of the City of Imperial Beach in all meetings and public functions with other governmental agencies, private groups and organizations on issues affecting Imperial Beach relative to Port District matters;
7. Prepare oral or written summary briefs for the Imperial Beach City Council, relative to matters at the Port District having impact to Imperial Beach;
8. Ensure the public posting of the Port District weekly agenda;
9. Be available to attend all Port District meetings and inform the City Council when unable to do so;
10. File Statement of Economic Interests with the City Clerk

**Standards and Qualifications**

1. Resident and registered voter in the City of Imperial Beach
2. Experience:
  - a. Administrative experience and coordination;
3. Knowledge, Skills, and Abilities:
  - a. Ability to conduct meetings with citizens groups and organizations;
  - b. Ability to make clear and concise presentation to the community, the City Council, and other jurisdictions;
  - c. Ability to work with diverse staff and public entities;
  - d. Personality, attitude and temperament to strive constantly for increased communications and maintain cooperative working relationships with internal and external agencies.





**CITY OF IMPERIAL BEACH, CALIFORNIA  
APPLICATION FOR APPOINTMENT TO COMMISSIONS, BOARDS & COMMITTEES**

The purpose of this application is to provide the Mayor and members of the City Council with background information on persons who wish to serve on a commission, board, or committee of the City. Persons appointed must be residents of the City of Imperial Beach.

FULL NAME: \_\_\_\_\_  
HOME ADDRESS: \_\_\_\_\_  
TELEPHONE: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_

CHOICE OF COMMISSION, BOARD, OR COMMITTEE:  Design Review Board  
 Tidelands Advisory Committee  
 Port Commission

EDUCATION:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OCCUPATION/PROFESSION:  
\_\_\_\_\_  
\_\_\_\_\_

EMPLOYMENT:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERSHIP IN CIVIC ORGANIZATIONS, SERVICE CLUBS, ETC.:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ACHIEVEMENTS AND AWARDS (CIVIC, SCHOLASTIC, OR OTHER):**

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**QUALIFICATIONS OR TRAINING YOU FEEL YOU POSSESS THAT WILL AID YOU IN SERVING ON THE COMMISSION, BOARD, OR COMMITTEE, AND THE PEOPLE OF IMPERIAL BEACH:**

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**STATE BRIEFLY WHY YOU ARE INTERESTED IN SERVING:**

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I understand that my application will be kept on file for one year from the date it is submitted, and that I may be considered for appointment to fill any vacancies, either scheduled or unscheduled, during that time.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

Please complete and return this application (and any additional sheets if necessary) to:

Office of the City Clerk  
City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932  
Phone: (619) 423-8616



# MEMO

Office of the City Clerk

DATE: July 30, 2009  
TO: Honorable Mayor and City Councilmembers  
FROM: Donna Norris, City Clerk  
SUBJECT: Port Commissioner Appointment Process

On June 2, 2009, the Council unanimously approved the following appointment process for selecting a Port Commissioner for the term expiring on January 2, 2011.

1. Applicants for Chula Vista Port Commissioner must be residents of Chula Vista. Information regarding the responsibilities of a Port Commissioner can be found at [www.portofsandiego.org](http://www.portofsandiego.org).
2. Applications will be available online from August 3 through August 31, 2009, at [www.chulavistaca.gov](http://www.chulavistaca.gov) and at the City Clerk's office.
3. The City Council determined opening and closing dates for applications as August 3, 2009 and August 31, 2009, after which applications will not be accepted.
4. Each applicant must submit to the City Clerk a completed Port Commissioner application, including an Economic Interests Disclosure form and a resumé by 5:00 p.m. on August 31, 2009.
5. After August 31, 2009, all applications and resúmes will be forwarded to the Mayor and City Council.
6. The Mayor and City Council will submit an unrestricted number of name/s of applicants they want to interview by a deadline stated when applications and resúmes are forwarded to them.
7. The Mayor and City Council will submit in advance of interviews the question/s that they would like asked of the applicants.
8. Applicants receiving two or more nominations will be scheduled for interviews.
9. Applicants will be interviewed in a City Council meeting in the Council Chambers on a date selected by the City Council.
10. When interviews have ended, the City Council will deliberate in a public meeting until an applicant receives at least three votes.

Attachment: Council-approved application form



# APPLICATION FOR PORT COMMISSIONER

Name ( Mr.  Mrs.  Ms.) \_\_\_\_\_

Home address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Residence phone \_\_\_\_\_ Business phone \_\_\_\_\_ Cell phone \_\_\_\_\_

Do you live within the City limits of Chula Vista?  yes  no How long? \_\_\_\_\_

Are you registered to vote?  yes  no

Present employer \_\_\_\_\_ Occupation \_\_\_\_\_

Are you currently serving, or have you previously served, on a Chula Vista Board or Commission?

yes  no If yes, which one(s)? \_\_\_\_\_

What experience or special knowledge can you bring to this position?

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What would you hope to accomplish by your participation?

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**Please attach your resumé and a completed Economic Interests Disclosure form (attached).**

*Note: Applications will be accepted by the Office of the City Clerk until 5:00 p.m., August 31, 2009 at 276 Fourth Avenue, Building 100, Chula Vista.*

*I am familiar with the responsibilities of the Unified Port of San Diego Board of Port Commissioners. By submitting this application, I hereby acknowledge those responsibilities and attest that the information provided on this application and its attachments is true and accurate.*

Signature \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

## APPLICATION FOR PORT COMMISSIONER

### ECONOMIC INTERESTS DISCLOSURE

In order to determine potential conflicts of interest, please disclose all economic interests that you have had within the boundaries of the County of San Diego under the following categories (if you have nothing to disclose, indicate with "N/A"):

#### INVESTMENTS

Disclose any financial interests with a value greater than \$2,000 that you, your spouse, registered domestic partner, or dependent children had with any business located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego (include stocks, bonds, sole proprietorships, partnerships, trusts).

BUSINESS NAME	ESTIMATED VALUE	GROSS ANNUAL INCOME

#### INCOME

Disclose the source and amount of gross income or loan of \$500 or more that was received by you, your spouse, or your registered domestic partner during the past year from any source located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego. (You are not required to report loans from commercial lending institutes, child support or alimony payments, or salaries, reimbursements for expenses, social security, disability, or other similar benefit payments from a federal, state, or local government agency.)

SOURCE OF INCOME	YOUR BUSINESS POSITION	GROSS ANNUAL INCOME OR LOAN AMOUNT

Attach additional pages as needed.

Name \_\_\_\_\_

**GIFTS**

Disclose the source, description, and value of gift(s) valued at \$50 or more from a single source during the past year from any source located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego. A gift is anything of value for which you have not provided equal or greater consideration to the donor. (You are not required to disclose gifts from family members, inheritances, or campaign contributions).

NAME OF SOURCE	DESCRIPTION OF GIFT	VALUE

**REAL PROPERTY**

Disclose interests that you, your spouse, registered domestic partner, or your dependent children had of \$2,000 or more during the past year in real property located in the County of San Diego or within two miles of the boundaries of the County of San Diego. (You are not required to disclose property used exclusively as a personal residence.)

CITY WHERE PROPERTY IS LOCATED	FAIR MARKET VALUE	GROSS ANNUAL INCOME (IF RENTAL)

Attach additional pages as needed.

**APPROVAL OF PROCESS, SCHEDULE, AND POSITION SPECIFICATIONS FOR RECRUITMENT AND SELECTION OF APPOINTEE TO THE SAN DIEGO PORT COMMISSION**

**ISSUE:** Whether to initiate the recruitment for the City’s next appointee to the San Diego Port Commission.

**RECOMMENDATION:** That the City Council approve the proposed process, schedule, and position specifications, for appointment of a new Port Commissioner to fill the upcoming vacancy.

**BUDGET IMPACT:** None

**STRATEGIC PLAN IMPACT:** This recommendation supports the Strategic Plan Objective 9.3.1, Strategy 9.3.1.3 “Continue to attract involved and knowledgeable citizens to participate in and serve on designated committees and task forces.”

**BACKGROUND:** The San Diego Unified Port District (the “Port District”) is governed by a Board of Commissioners, which is made up of five (5) members, each appointed by the legislative bodies for the five (5) cities within the District’s jurisdiction. The commissioner representing Coronado is appointed by the City Council for a four-year term and may be reappointed to a second term for a total of eight years. Admiral Robert Spane was appointed to the Port Commission on November 20, 2001 to serve a four-year term from January 2, 2002 to January 2, 2006. He was reappointed by the City Council on November 1, 2005 to serve a second four-year term that will expire on January 2, 2010.

**ANALYSIS:** The suggested process and schedule below will provide sufficient time to recruit desirable candidates, hold interviews, make the appointment, and allow the appointee to meet with the current commissioner, attend Port District Commission meetings, and familiarize him/herself with the issues prior to taking over the position in January 2010.

City Council approval of process:	September 1
Post position announcement at City Hall:	September 2
Advertise in the <i>Coronado Eagle &amp; Journal</i> :	September 9, 16, 23, and 30
Applications due by 5:00 p.m.:	October 14
Special Council meeting for interviews:	October 13 or 20
Appointment of new Port Commissioner:	November 3

This process is consistent with past practice.

I:\CLERK\_GENERAL\COMMISSIONS & COMMITTEES\Port Commission\ApprovalProcessPortCommissionerVacancy\_2010

Submitted by City Clerk/ L. Hascup  
 Attachments: Port Commissioner Position Specifications

CM	ACM	AS	CA	CC	CD	CDA	F	G	L	P	PS	R
TR	LH	MLF	LKH	NA	NA	NA	NA	NA	NA	NA	NA	NA

## **PORT COMMISSIONER POSITION SPECIFICATIONS**

In addition to being guided by the Powers and Functions of the Board of Commissioners, the Coronado Port Commissioner, appointed by the City Council shall:

1. Take direction from the City Council as to all San Diego Unified Port District matters of direct interest to the citizens of the City of Coronado;
2. Communicate to the City Council and staff all San Diego Unified Port District matters of possible interest to Coronado and, where deemed of particular interest, shall do so at a public meeting as determined by the Council;
3. Serve as advisor to the Coronado City Council for all San Diego Unified Port District matters;
4. Maintain awareness of all planning for the development and redevelopment of both Coronado and the San Diego Unified Port District;
5. Maintain an active, rather than passive, role in the business of the San Diego Unified Port District and their day-to-day operations; and
6. That the Coronado Port Commissioner be willing to serve at the pleasure of the majority of the City Council.

### **Expected Typical Tasks**

1. Coordinate and provide assistance in meshing the several master plans that make up planning for the San Diego Unified Port District;
2. Prepare and submit to the Coronado City Council matters requiring legislative action on all matters interfacing with the City of Coronado and the San Diego Unified Port District;
3. Submit timely reports to the Coronado City Council on any San Diego Unified Port District planning matter deemed to be of importance to Coronado;
4. Publicly report to the Coronado City Council at its regular meetings on the first and third Tuesday of each month;
5. Counsel with and advises City of Coronado commissioners, boards, and committees, as requested by the City Council, on Unified Port matters of general applicability;
6. Represent the interests and perspective of the City of Coronado in all meetings and public functions with other governmental agencies, private groups and organization on issues affecting Coronado relative to Port District matters;
7. Prepare oral or written summary briefs for the Coronado City Council, relative to matters at the Port District having impact on Coronado;
8. Ensure the public posting of the Port District weekly agenda;
9. Be available to attend all Port District meetings and inform the City Council when unable to do so;
10. File Statement of Economic Interests with the City Clerk.

### **Standards and Qualifications**

1. Resident and Registered Voter in the City of Coronado
2. Experience:
  - a. Administrative experience and coordination;
3. Knowledge, Skills, and Abilities:
  - a. Ability to conduct meetings with citizens groups and organizations;
  - b. Ability to make clear and concise presentation to the Community, the Council, and other jurisdictions;
  - c. Ability to work with diverse staff and public entities;
  - d. Personality, attitude and temperament to strive constantly for increased communications and maintain cooperative working relationships with internal and external agencies.

## **Port District, San Diego Unified (Board of Commissioners)**

Information obtained from the San Diego Unified Port District Web Site

### **Duties**

Responsible for harbor and port improvement and for use of all of tidelands and submerged lands which shall be conveyed to district pursuant to provisions of law, and perform all other duties set forth in law establishing this district.

### **Appointment**

The City Council of each city included in the district shall appoint Commissioners.

### **Term**

Four-year staggered terms any vacancy shall be filled by appointment by the City Council of the City from which the vacancy has occurred and shall be for the remainder of the unexpired term. The terms of the Commissioners shall commence on the 3rd day of January.

### **Composition**

Seven (7) members district-wide as follows: San Diego - three (3) commissioners; National City - one (1) Commissioner; Imperial Beach - one (1) Commissioner; Coronado - one (1) Commissioner; Chula Vista - One (1) Commissioner; Commissioners must be residents of the respective cities they represent at time of appointment and during term of office.

### **Governed By**

San Diego Unified Port District Act (Harbor and Navigation Code) Council Policy 000-13.

Members must file statement of economic interests with port district clerk



# 2010

# CITY OF IMPERIAL BEACH

# 2010

825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

January						
S	M	T	W	TH	F	S
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31						

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28						

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29	30	31				

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26	27	28	29	30	31	

■ Council Meetings

■ Council Workshops

---- City Hall Closed

■ City Holidays

**SPECIAL EVENTS**

Sandcastle  
IB Birthday  
League Conference

August 6-8, 2010  
July 18, 2010  
September 15-18, 2010





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT.:** CITY MANAGER  
**SUBJECT:** MEMORANDUM OF UNDERSTANDING BETWEEN THE BOYS AND GIRLS CLUB OF IMPERIAL BEACH AND THE CITY OF IMPERIAL BEACH.

---

**BACKGROUND:**

The intent of this Memorandum of Understanding is to stand as evidence that the parties above intend to provide for management of scheduling use of the Youth Soccer Field (hereinafter referred to as "FIELD") located within Veteran's Park by the public, organizations and groups for the convenience and enjoyment thereof.

**DISCUSSION:**

The City will be in charge of maintaining the soccer field and the Boys and Girls Club will be in charge of managing activities on the field. The Boys and Girls Club will also charge a rental fee of \$25 per hour for the use of the field. The fee revenues will be shared equally between the City and the Boys and Girls Club. See attached Memorandum of Understanding for details. This Memorandum will become effective March 1, 2010 and will stay in effect until June 30, 2013. Either party, for any reason, may terminate this Memorandum by giving a 90-day written notice to the other party.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

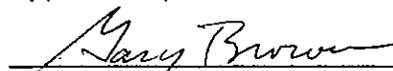
None

**DEPARTMENT RECOMMENDATION:**

That the City Council adopt the Memorandum of Understanding between the Boys and Girls Club of Imperial Beach and the City of Imperial Beach

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Resolution No. 2010-6861
2. Memorandum of Understanding
3. Fee Schedules for Chula Vista and National City



RESOLUTION NO. 2010-6861

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN MEMORANDUM OF UNDERSTANDING BETWEEN THE BOYS AND GIRLS CLUB OF IMPERIAL BEACH AND THE CITY OF IMPERIAL BEACH**

**WHEREAS**, the intent of this Memorandum of Understanding is to stand as evidence that the parties above intend to provide for management of scheduling use of the Youth Soccer Field (hereinafter referred to as ("FIELD") located within Veteran's Park by the public, organizations and groups for the convenience and enjoyment thereof, and;

**WHEREAS**, both parties will participate and offer services for the Youth Soccer Field.

**WHEREAS**, This Memorandum will become effective March 1, 2010 and will stay in effect until June 30, 2013.

**WHEREAS**, either party, for any reason, may terminate this Memorandum by giving a 90-day written notice to the other party.

**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 2010-6861 authorizing the City Manager to enter into an Memorandum of Understanding between the Boys and Girls Club of Imperial Beach and the City of Imperial Beach for management of the Youth Soccer Field located within Veteran's Park.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 3rd day of March 2010, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE BOYS & GIRLS CLUB OF IMPERIAL BEACH  
AND  
THE CITY OF IMPERIAL BEACH**

The intent of this Memorandum of Understanding is to stand as evidence that the parties above intend to provide for management of scheduling use of the Youth Soccer Field (hereinafter referred to as "Field") located within Veteran's Park by the public, organizations and groups for the convenience, and enjoyment thereof.

- a. The City of Imperial Beach (hereinafter referred to as the "City") agrees to participate by offering the following services: The City will be responsible for all cost and maintenance of the Field.
- b. The City will provide rental and other appropriate use signage at Field.
- c. The City will refer all inquires concerning scheduling the use of the Field to the Boys & Girls Club of Imperial Beach.

The Boys & Girls Club of Imperial Beach (hereinafter referred to as "Club") agrees to participate by offering the following services:

1. The Club shall schedule all Field use, including coordination of all sports leagues, recreational activities, athletic practices, and athletic contests on a first come/first serve basis and in accordance with all federal, state and local laws and regulations. All uses will comply with the Imperial Beach Municipal Code.
2. The Club shall have use of the Field at no charge for sports leagues, recreational activities, athletic practices, and athletic contests offered or provided by the Club through its "After School Program" in which participants pay no fee. Sports league activities offered or provided by the Club shall be as listed in Exhibit "A" attached hereto.
3. Sports leagues will not be limited to soccer. The Club will consult with City to develop and establish rental policies for youth recreational sports leagues (e.g. AYSO). All printed materials regarding recreational programming must be approved by the City prior to distribution. All printed materials must bear the City's logo.
4. The Club shall collect all fees for use of the Field upon scheduling its use. The Club shall retain 50% of the user fees and submit the balance to the City within 30 days of collection of any and all fees collected pursuant to this Memorandum of Understanding. The Club shall collect a fee of \$25.00 per hour for the use of the Field from resident Field renters.. The Club shall collect a fee of \$35.00 per hour from non-residential Field renters. A renter is a group, team or organization and residency will be determined by the home address of the person signing for the renter.
5. The Club shall collect a \$250.00 cleaning deposit from all renters and will refund to renters the cleaning deposit only if the Field is left in a clean, safe, and sanitary condition, free of trash and garbage. If the cleaning deposit is not refunded to the renter, the Club shall submit 100% of the cleaning deposit to the City to recover costs associated with the operation and maintenance of the Field.
6. The Club shall submit to the City payment and supporting documentation in compliance with industry standards and requirements for financial reporting on a monthly basis.
7. Each renter, including the Club, is required to provide a Certificate of Liability and relevant endorsements naming the City and the Club as additional insureds with a minimum liability limit of \$1,000,000.
8. Each renter, including the Club, shall hold harmless, defend, and indemnify CITY and the Club, their respective officials, officers, employees, and agents from any and all losses, demands, damages (including costs and attorney's fees), or causes of action related to any injury to property or person or any other claim which is alleged to have arisen from the use of the Field.
9. All violations of the law, abuse or damage of the Field, or injuries to the public shall be reported immediately to the City Manager or designated representative.

This memorandum will become effective March 1, 2010 and will stay in effect until June 30, 2013. Either party, for any reason, may terminate this memorandum by giving a 90-day written notice to the other party.

**Boys & Girls Club of Imperial Beach**

\_\_\_\_\_  
Ken Blinsman, President/CEO

\_\_\_\_\_  
Date

**City of Imperial Beach**

\_\_\_\_\_  
Gary Brown, City Manager

\_\_\_\_\_  
Date



Recreation Home ▾  
Sports & Athletics ▾

Adult Sports  
Youth Sports  
Sports Facilities  
Tournaments

**Ball Field Rentals**

**FACILITY USE FEES**

Softball fields and Soccer fields

- Resident Fees: without lights = \$25.00 per hour
- Resident Fees: with lights = \$40.00 per hour
- Non-resident fees: without lights = \$50.00 per hour
- Non-resident fees: with lights = \$65.00 per hour
- Ball field prep (optional) = \$60.00
- Staff cost: \$16.00 per hour  
(minimum of four hours per field)
- Sunset View Roller Rink = \$50.00 per hour day use (call 409-5892 for rental information)

The following facilities are available for rental; call 409-5892 for rental information.

	Youth Baseball	Soccer	Softball Field
Chula Vista Community Park 1060 Eastlake Pkwy		▪	▪
Cottonwood Park 1778 East Palomar Street		▪	
Discovery Park 700 Buena Vista Way		▪	▪
Eucalyptus Park Fourth Avenue & C Street	▪	▪	▪
Otay Park 1613 Albany Avenue		▪	
Rohr Park Field #17 or #18 4548 Sweetwater Road	▪	▪	▪
Sunset View Park 1390 South Greenview Drive		▪	
Voyager Park 1178 East J Street		▪	



▲ Back To Top

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### **Reservation Information**

National City Parks are available for use on a first come, first served basis. There are no reservations for tables or special locations. For groups with 100+ participants a "Use of Facility" application must be filed for approval by the Department Director within at least a week prior to the event. For a large-scale event with music, entertainment or food sales, a Temporary Use Permit (TUP) application must be obtained from Neighborhood Services (URL: Page 102), located at City Hall, 1243 National City Boulevard (619) 336-4210

### **Sports Field Rental**

A "Use of Facility" application must be submitted at least two weeks in advance for approval by the Director of Community Services. National City ball fields are rented based on City Council Policy which gives priority use to National City residents. If use of field lights is required, there will be a fee of \$20.00 per hour for non-residents or \$10.00 per hour for residents. (2 hour minimum)

### **Facility Rental**

A "Use of Facility" application must be submitted at least two weeks in advance for approval by the Director of Community Services. Insurance will be required either through using organization insurance, insurance acceptable to the risk manager, or through the purchase of event insurance through the City with a minimum limit of \$1,000,000. Please click on the "Field and Facility Rental Information" page for pictures and rental information. For additional information including fees, please contact the Community Services Department (619) 336-4290.

### **Inflatable Jumps**

Inflatable jumps are not allowed in National City Parks without an approved "Use of Facility" application and a \$1,000,000 insurance requirement. The City of National City requires that the company from whom the inflatable jump is being rented mail or fax a certificate of insurance which states that the City of National City is additionally insured. The application must be completed at least one week in advance for approval. No application will be approved without a mailed or faxed certificate of insurance. There is a \$25 processing fee (cash only, no checks) to obtain the required permit.

**PLEASE NOTE: Inflatable jumps are only allowed at Las Palmas Park and are limited to three jumps at any one time**





STAFF REPORT  
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: GARY BROWN, CITY MANAGER  
MEETING DATE: MARCH 3, 2010  
ORIGINATING DEPT.: PUBLIC WORKS *GB*  
SUBJECT: RESOLUTION AUTHORIZING THE PURCHASE OF  
REPLACEMENT SEWER DIVISION EMERGENCY  
GENERATOR

---

**BACKGROUND:**

The Sewer Division's 75Kw Generator (Make: Caterpillar, Model: 3208, Serial No.: 29A00970, Year of Manufacture: 1984, BHP Rating: 158HP) no longer complies with the condition listed in the California Air Pollution Control District, Certificate of Registration. Equipment out of compliance with the Certificate of Registration is not authorized to be operated. This generator was utilized to provide emergency power to sewerage lift stations in the event of power outages.

A valid Certificate of Registration from the County of San Diego, Air Pollution Control District is required for every piece of machinery or equipment operated within the County of San Diego. Within the Certificate of Registration are listed conditions of compliance, and failure to operate in compliance is a misdemeanor subject to civil and criminal penalties. One of the stated conditions of compliance for the Sewer Division 75 Kw Generator was "Beginning January 1, 2010, this engine shall be certified to meet the Federal and California Tier 1, 2, or 3 emission standards for non-road engines - 17 CCR 93116.3 (B) (1) (A)". This generator did not meet those conditions and there were no retrofits available that could make this generator compliant.

**DISCUSSION:**

Because of this inability to make the 75Kw Generator Compliant, City staff retired the Certificate of Registration for the Sewer Division's 75Kw Generator (Certificate No. 980907). The Generator was subsequently made available for surplus sales. In Resolution 2010-6849 adopted on February 3, 2010 City Council authorized the sale of the 75Kw Generator as surplus City equipment. The generator was subsequently sent to Ken Porter Auctions on February 9, 2010 and will be sold at auction on or about February 27, 2010 with the stipulation that it must be sold outside of the State of California.

An immediate replacement is recommended in order to prevent the possibility of a sewer system overflow when there is a loss of normal electrical power. The estimated cost for a 75Kw generator is \$50,000.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

Expenditure of Sewer Enterprise funds of:

1. \$50,000 for Emergency Generator

Transfer funds in the amount of \$50,000:

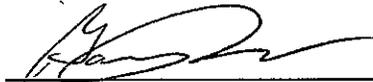
- From Sewer Enterprise Account No. 601-5060-432-2104 (Contract Services – Technical)
- To Sewer Enterprise Account No. 601-5060-436-5004 (Capital / Equipment).

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Adopt resolution 2010-6855 authorizing the City Manager to approve the purchase of an immediate replacement for the Sewer Division Emergency Generator

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



---

Gary Brown, City Manager

Attachments:

1. Resolution No. 2010-6855

**RESOLUTION NO. 2010-6855**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE PURCHASE OF REPLACEMENT SEWER DIVISION EMERGENCY GENERATOR**

**WHEREAS**, a valid Certificate of Registration from the County of San Diego, Air Pollution Control District is required for every piece of machinery or equipment operated within the County of San Diego; and

**WHEREAS**, within the Certificate of Registration are listed conditions of compliance, and failure to operate in compliance is a misdemeanor subject to civil and criminal penalties; and

**WHEREAS**, one of the stated conditions of compliance being "Beginning January 1, 2010, this engine shall be certified to meet the Federal and California Tier 1, 2, or 3 emission standards for non-road engines. 17 CCR 93116.3 (B) (1) (A)"; and

**WHEREAS**, the Sewer Division's 75Kw Generator (Make: Caterpillar, Model: 3208, Serial No.: 29A00970, Year of Manufacture: 1984, BHP Rating: 158HP) no longer complies with the condition listed in the Certificate of Registration; and

**WHEREAS**, this generator is utilized to provide power to sewerage lift stations in the event of power outages; and

**WHEREAS**, the City of Imperial Beach Public Works Department has since retired the Certificate of Registration for the Sewer Division's 75Kw Generator (Certificate No. 980907); and

**WHEREAS**, in Resolution 2010-6849 adopted on February 3, 2010, City Council authorized the sale of the 75Kw Generator as surplus City equipment; and

**WHEREAS**, an immediate replacement is needed in order to prevent the possibility of a sewer system overflow when there is a loss of normal electrical power; and

**WHEREAS**, the estimated cost for a 75Kw generator is \$50,000.

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

1. Authorize the City Manager to approve the purchase of a 75Kw generator at a cost of no more than \$50,000
2. Authorize the City Manager to transfer funds in the amount of \$50,000:
  - From Sewer Enterprise Account No. 601-5060-432-2104 (Contract Services – Technical)
  - To Sewer Enterprise Account No. 601-5060-436-5004 (Capital/Equipment).

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 3<sup>rd</sup> day of March 2010, by the following vote:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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



Imperial Beach  
Redevelopment Agency

AGENDA ITEM NO. 6.7

**STAFF REPORT  
IMPERIAL BEACH REDEVELOPMENT AGENCY**

**TO:** CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

**FROM:** GARY BROWN, EXECUTIVE DIRECTOR

**MEETING DATE:** MARCH 3, 2010

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

**SUBJECT:** PROPOSED ADDITIONAL ALLOCATION OF \$762,500 FOR  
THE CLEAN AND GREEN PROGRAM

---

**BACKGROUND**

In December 2007, the Redevelopment Agency approved the Clean and Green Program ("Program") as a pilot project with an allocation of \$180,000 in Housing funds. In September 2008, Staff returned to the Redevelopment Agency Board with a recommendation to continue the program and allocate additional funds for the Program. The Program provides loans up to \$30,000 for energy efficiency related projects, water conservation, and interior health & safety improvements including accessibility improvements to aid mobility of seniors and the disabled. There is no repayment of the loan if the owner retains ownership of the property. Also, the loan is amortized over fifteen (15) years. To qualify for the Program, a single-family homeowner's income cannot exceed 120% of the area median income, adjusted by family size, as determined by the U.S. Department of Housing Urban Development ("HUD"). Each year the area median income adjusted by family size is revised by HUD. Currently, a qualifying moderate income for a household of four would be \$89,900.

**DISCUSSION**

The Program has completed 36 Loan Agreements. The Program currently has 33 applications with 6 active and 27 on the waiting list. The Clean & Green Program, now in its third year, continues to provide loans to qualified single family home owners for energy efficiency and water conservation projects. Applicants whose projects are complete are elated with the energy savings, decreased water consumption and an overall improvement of quality of life that come with the benefits of the energy efficient improvements made to their homes.

**ENVIRONMENTAL IMPACT**

This is not a project as defined by CEQA. However, when implemented, it is expected that these projects will have a beneficial impact to the environment and to energy conservation efforts.

**FISCAL IMPACT**

There are sufficient funds in the Housing Budget line item to amend the budget. The proposed amendment would provide additional funds in the amount of \$762,500 in order to support current applicants and those on the waiting list.

The following is the current financial status of the Program Budget:

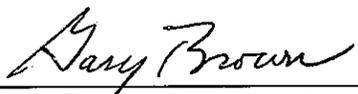
Original Pilot Program		\$180,000
Amendment (September 2006)		<u>\$960,000</u>
	Subtotal	\$1,140,000
Committed to Date		<u>\$988,522</u>
Remaining Balance		\$151,478
Proposed Amendment		<u>\$762,500</u>
New Budget Amount		<u>\$913,978</u>

**DEPARTMENT RECOMMENDATION**

Staff recommends that the Redevelopment Agency approve additional funding to come from the Redevelopment Agency funds for the Clean and Green Program in an amount not to exceed \$762,500.

**EXECUTIVE DIRECTOR'S RECOMMENDATION:**

Approve Agency recommendation.

  
\_\_\_\_\_  
Gary Brown, Executive Director

Attachments:

1. Resolution R-10-211

**RESOLUTION NO. R-10-211**

**A RESOLUTION OF THE IMPERIAL BEACH  
REDEVELOPMENT AGENCY APPROVING AN  
AMENDMENT TO THE CLEAN AND GREEN PROGRAM  
BUDGET**

**WHEREAS**, 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**, the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, Amendment No. 1 adopted on July 19, 2001 ("Project") calls for the elimination of adverse neighborhood conditions and the prevention of the acceleration of such conditions in and about the Amendment Area; and

**WHEREAS**, the Project encourages expanded investment in the Amendment Area by the private sector; and

**WHEREAS**, the Project provides for the development of procedural and financial mechanisms by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization and enhancement of the community; and

**WHEREAS**, in order to carry out and implement the Redevelopment Plan, the Agency proposes to establish the Clean and Green Program, a neighborhood revitalization project; and

**WHEREAS**, the Project calls for the development of a program for making low interest loans and/or grants for the rehabilitation of properties in the Amendment Area; and

**WHEREAS**, the Clean and Green is authorized as an alteration, improvement, modernization and rehabilitation implementation measure under the Agency's Five Year Implementation Plan intended to improve existing structures within the boundaries of the Agency's Redevelopment Project Areas; and

**WHEREAS**, the Clean and Green Program is authorized by California Health & Safety Code Section 33021(a) to assist in the alteration, improvement, modernization, reconstruction and rehabilitation of existing structures in the Agency's Project Areas; and

**WHEREAS**, the Clean and Green Program is consistent with the requirements of California Health & Safety Code Section 33022 in that the Program allows the continuance of existing structures in the Agency's Project Areas in a manner that will improve the appearance of the structures and, thereby, improve the quality of the immediate areas resulting in the elimination of blighting conditions; and

**WHEREAS**, the Agency wishes to amend the said Clean and Green Program budget (H03103) and said program budget will increase from \$1,140,000 to \$1,902,500. The \$762,500

ATTACHMENT 1

amendment to the Clean and Green Project is to be funded from Redevelopment Agency Funds.

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

1. That the Clean and Green Program is authorized as an alteration, improvement, modernization and rehabilitation implementation measure under the Agency's Five Year Implementation Plan intended to improve existing structures within the boundaries of the Agency's Redevelopment Project Areas; and
2. That the Clean and Green Program is authorized by California Health & Safety Code Section 33021(a) to assist in the alteration, improvement, modernization, reconstruction and rehabilitation of existing structures in the Agency's Project Areas; and
3. That the Clean and Green Program is consistent with the requirements of California Health & Safety Code Section 33022 in that the Program allows the continuance of existing structures in the Agency's Project Areas in a manner that will improve the appearance of the structures and, thereby, improve the quality of the immediate areas resulting in the elimination of blighting conditions; and
4. That it authorized the establishment of a Clean and Green Program for the Project; and
5. That the Executive Director or designee is authorize to administer the Clean and Green Program; and
6. That the Agency finds and determines that the establishment of a Clean and Green Program for the Project area is of benefit to the Project, and the Imperial Beach Redevelopment Agency finds and determines that no other reasonable means for financing the proposed improvements for which the Agency proposes to pay are available to the community, and that the Agency finds and determines that proposed improvements will assist in eliminating more blighting conditions inside the Project area; and
7. That the Agency finds and determines that the establishment of a Clean and Green Program is consistent with the Implementation Plan adopted for the Project by the Agency on July 19, 2001, pursuant to California Health and Safety Code section 33490.

**BE IT FURTHER RESOLVED BY the Agency, as follows:**

1. That the Executive Director or his designee, is authorized and empowered to execute, for and on behalf of the Agency, rehabilitation agreements under the terms and conditions set forth in the Clean and Green Program Guidelines;
2. That the budget for the Clean and Green Program (H03103) will increase from \$1,140,000 to \$1,902,500. The \$762,500 amendment to the Clean and Green Program is to be funded from Redevelopment Agency funds.
3. That the amendment to the program budget shall not exceed SEVEN HUNDRED SIXTY- TWO THOUSAND FIVE HUNDRED DOLLARS (\$762,500)
4. That the amount of the program budget shall not exceed ONE MILLION NINE HUNDRED AND TWO THOUSAND FIVE HUNDRED DOLLARS (\$1,902,500).

**PASSED, APPROVED, AND ADOPTED** by the Imperial Beach Redevelopment Agency at its meeting held on the 3<sup>th</sup> of March, 2010, by the following roll call vote:

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

\_\_\_\_\_  
**JIM C. JANNEY  
CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, CMC  
SECRETARY**

**I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. R- 10 – 211 to authorize an Amendment to the Clean and Green Program budget.**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**DATE**





STAFF REPORT  
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: GARY BROWN, CITY MANAGER  
MEETING DATE: MARCH 3, 2010  
ORIGINATING DEPT.: PUBLIC WORKS *HAL*  
SUBJECT: RESOLUTION DESIGNATING LIMITED TIME PARKING ON 8<sup>TH</sup> STREET ADJACENT TO THE IMPERIAL BEACH BRANCH LIBRARY

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**BACKGROUND:** In January 2010, the City Manager received an e-mail request from the Branch Manager, Imperial Beach Branch Library stating the following:

Manager Brown,

I wasn't sure who I should ask, but I wanted to request that a portion of the street curb beside our Library be painted green for 10 min. parking. The area is on the corner of Imperial Beach Blvd. and 8<sup>th</sup> St. The green area would be approximately 15 ft following the red painted corner.

The Library is requesting to have this painted as this would be a good area for short time parking. With no parking on Imperial Beach Blvd. this will leave a little area for parents to drop-off or pick up their children or access our book drops during open or closed times. A 10 min. parking will keep this space open for our community's short time needs.

Should I submit this request to Public Works?

Happy New Year! - June

**DISCUSSION:** The City Manager referred this request to the City's Traffic Safety Technical Committee for evaluation. The Committee saw no impediments to this designation. Public Works measured the curb distance between Imperial Beach Blvd. and the driveway entrance to the Library off 8<sup>th</sup> Street. This distance was determined to be sufficient to have three standard vehicle spaces marked out. Imperial Beach Municipal Code (I.B.M.C.) provides the following:

**10.36.040. Limited-time parking—Authority to designate.**

The Traffic Engineer is authorized to install limited-parking signs up to two hours wherever deemed necessary as determined by proper investigation and/or based upon the recommendation of the traffic commission. (Ord. 89 § 1 (part), 1957; Ord. 53 § 153, 1957; prior code § 6058)

**10.36.050. Limited-time parking—Compliance.**

A. When authorized signs are in place giving notice thereof, no person shall stop, stand or park any vehicles on any street so designated for a period of time longer than indicated on such sign.

B. The Traffic Engineer shall designate streets where no standing or parking will be permitted as well as parking or standing for one hour and parking or standing for two hours will be permitted. (Ord. 89 § 1 (part), 1957: Ord. 53 § 154 (part), 1957: prior code §§ 6059, 6059.1)

**10.36.060. Limited-time parking—Effective hours.**

Parking or standing in the one-hour and two-hour designated areas shall be effective between the hours of seven a.m. and six p.m., Sundays and holidays excepted, provided that the traffic engineer is authorized to waive or extend effective hours and days wherever deemed necessary as determined by proper investigation. (Prior code Am. No. 11 § 1, 1964: Ord. 89 § 1 (part), 1957: Ord. 53 § 154 (part), 1957: prior code § 6059.2).

**ENVIRONMENTAL DETERMINATION:**

An environmental review was conducted on this project and it was determined that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301(c): Existing Facilities involving negligible or no expansion of an existing use.

**FISCAL IMPACT:**

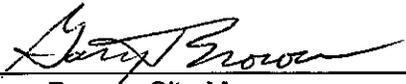
Two man-hours of labor  
\$30 for paint  
Vehicle, striper and other available equipment use

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Direct the City Manager to have the curb section on 8<sup>th</sup> Street, east side between Imperial Beach Blvd. and the Library parking lot stripped for three parking stalls with one designated (painted green) as a 10-minute parking only.
3. Adopt the attached resolution

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
 \_\_\_\_\_  
 Gary Brown, City Manager

**Attachments:**

1. Resolution No. 2010-6860

**RESOLUTION NO. 2010-6860**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DESIGNATING LIMITED TIME PARKING ON 8<sup>TH</sup> STREET ADJACENT TO THE IMPERIAL BEACH BRANCH LIBRARY**

**WHEREAS**, in January 2010, the City Manager received an e-mail request from the Branch Manager, Imperial Beach Branch Library that a portion of the street curb beside the Imperial Beach Branch Library be painted green for 10 min. parking; and

**WHEREAS**, the Branch Librarian asserts that this will leave a little area for parents to drop-off or pick up their children or access their book drops during open or closed times; and

**WHEREAS**, the City Manager referred this request to the City's Traffic Safety Technical Committee for evaluation; and

**WHEREAS**, the Committee saw no impediments to this designation; and

**WHEREAS**, Public Works measured the curb distance between Imperial Beach Blvd. and the driveway entrance to the Library off 8<sup>th</sup> Street and determined the distance to be sufficient to have three standard vehicle spaces marked out; and

**WHEREAS**, Imperial Beach Municipal Code 10.36.040 authorizes the Traffic Engineer to install limited-parking signs up to two hours wherever deemed necessary as determined by proper investigation and/or based upon the recommendation of the traffic commission.

**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. This Legislative Body approves of the designation of one parking stall adjacent to Imperial Beach Branch Library for limited time parking.
3. The City Manager is directed to stripe the section of 8<sup>th</sup> Street between Imperial Beach Boulevard and the Imperial Beach Branch Library for three parking stalls, designating one stall as 10-minute limited time parking..

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 3rd day of March 2010, by the following vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** City Manager

**MEETING DATE:** MARCH 3, 2010  
**ORIGINATING DEPT:** GARY BROWN, CITY MANAGER

**SUBJECT:** AD HOC COUNCIL COMMITTEE TO WORK WITH SCHOOL SYSTEMS

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**BACKGROUND:**

Council, at its goal setting workshop, talked about the Mayor appointing an ad hoc Council Committee to work with the Sweetwater and South Bay school systems to explore partnerships to expand recreational opportunities within Imperial Beach.

**DISCUSSION:**

The two school systems may contain many untapped recreational opportunities for the general public, and city facilities and resources may better support school age children. For example, tennis courts used to be on Mar Vista's site and perhaps new tennis courts could be built on school properties. (See attached article on collaborative efforts in Lauderdale Lakes, Florida).

Perhaps a first step would be to take stock of city and school facilities and programs, compare the inventory to ideas about unmet needs, and seek collaborative ways to meet those needs. Another approach is to quickly pick a project to work on together.

The basic idea is that the ad hoc council committee would work with members of the school boards to establish a dialogue about recreational services and be supported by school and city staffs.

**ENVIRONMENTAL IMPACT:**

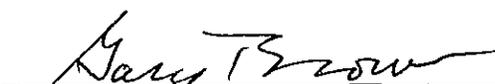
Not a project as defined by CEQA.

**FISCAL IMPACT:**

None, but may lead to expenditures.

**CITY MANAGER'S RECOMMENDATION:**

- Discuss establishing an ad hoc committee to explore expanded recreational opportunities with the Sweetwater and South Bay School Systems.
- Appoint two Council members to the ad hoc committee.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. ICMA Press Article- *Healthy Communities, Fitness with Partnerships*





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## Departments

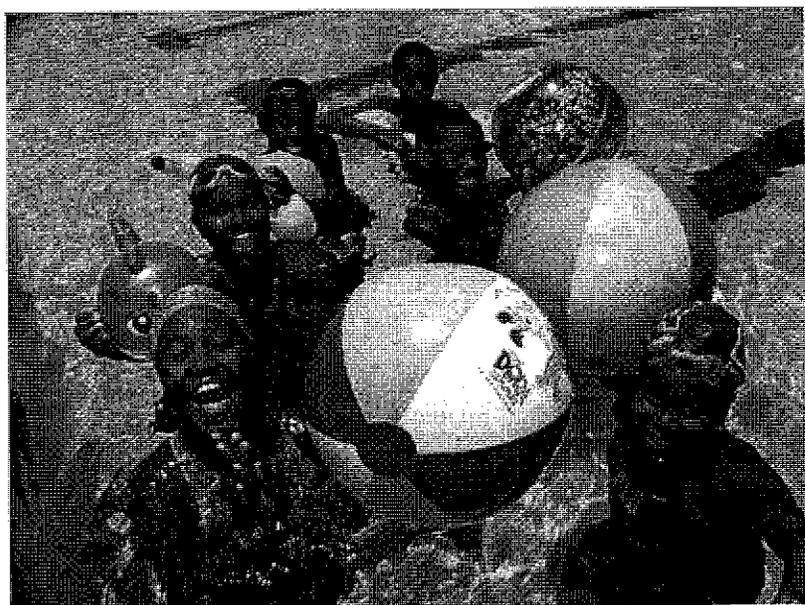
### Healthy Communities

#### FITNESS WITH PARTNERSHIPS

#### LAUDERDALE LAKES' HEALTH STRATEGY IS ABOUT BUILDING LINKS

For Lauderdale Lakes in South Florida, the health strategy is all about building links—among destinations, programs, funding streams, and partners. This city of 32,000, like many communities, is home to a number of people with chronic health conditions, but through a strategic leveraging of resources it expects to provide facilities so residents can improve their health.

The city has invested \$7.5 million to develop three new parks in recent years and continues to create more places to play. The city also promotes routine activity by taking advantage of a unique landscape feature—a canal that bisects the four-square-mile community and connects a K-12 school complex, the city's major park, a second elementary school, city hall, and several neighborhoods.



### **SAFE WALKING AND SWIMMING**

Through citizen input during a community redevelopment agency (CRA) planning process in 2003, the city came to see the canal as a potential greenway for children to walk or bike to school safely.

Kathleen Margoles, Lauderdale Lakes' parks and recreation director from 2005 to August 2009, said people became aware of the opportunity to walk and bicycle to their destinations as soon as the first half of the greenway was completed in 2007. For this success, she credits the "small but extremely progressive citizenry," a visionary elected body, and innovative thinking by local CRA Director J. Gary Rogers.

In another productive partnership, three years ago Lauderdale Lakes used a reciprocal agreement to share facilities with the Broward County School Board to build the community's first swimming pool on school district property—between the elementary and middle schools. The popular pool now ranks third in the county in the number of swimming lessons provided during the school year, just behind the much larger municipalities of Fort Lauderdale and Pompano Beach.

To cover construction costs, the city leveraged a \$1.5 million grant from a 2001 Broward County Safe Parks bond referendum. It was designed to ensure that children in the area learn to swim—a critical safety issue in South Florida. The pool property, which is owned and operated by the city, generates approximately \$30,000 in annual revenue. This income helps cover 15 percent of its operating budget of approximately \$200,000.

Since this success with the municipal pool, the city has been working on a second joint initiative involving the schools. Lauderdale Lakes is using a new master planning process to create a park that will be open for public use during hours the school is not in session. The school district had planned to build a new cafeteria at the adjacent school, and it owned a tennis court, ball field, and track that were in poor condition and needed upgrades.

The city agreed to renovate the outdoor amenities and provide the new cafeteria with an additional restroom with outdoor access. In exchange, the school district agreed to open the facilities to community use outside regular school hours. "We really need to maximize what we have," Margoles said.

### **COMMIT TO BE FIT**

Lauderdale Lakes also has brought its collaborative approach to programming to keep residents active and healthy. For example, the city took a Broward County School Board program for fourth graders and adapted it.

The original initiative provided planners to fourth graders that assigned small, daily nutrition and physical activity tasks, plus parental involvement.

The city's version for adult employees is an eight-week program that requires documentation of food consumption and 30 minutes of daily physical activity. The city supplements the program with classes and

activities that include a Pilates class taught by the city manager. The concept is even at work for parents of kids in local summer camps. "I just think that the time is excellent to get people up and moving," Margoles said. "The whole extended family can participate. . .for no money."

For more information on ICMA's Healthy Communities initiatives, go to <http://icma.org/activeliving>. To learn more about Lauderdale Lakes' efforts, go to [www.lauderdalelakes.org](http://www.lauderdalelakes.org) or contact Monique Armbrister, public information officer, at [moniquea@lauderdalelakes.org](mailto:moniquea@lauderdalelakes.org) or 954/535-2700.

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