

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
August 2, 2006
CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR PRO TEM MCLEAN called the Closed Session Meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present:	Janney, McCoy, Winter
Councilmembers absent:	None
Mayor absent:	Rose (arrived at 6:00 p.m.)
Mayor Pro Tem present:	McLean
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

CLOSED SESSION

MOTION BY JANNEY, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.

Pursuant to Government Code Section 54956.9(a):

Names of Cases:

Becker Family Trust vs. City of Imperial Beach – GIS 20844

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	JANNEY, MCCOY, WINTER, MCLEAN
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	ROSE

MAYOR PRO TEM MCLEAN adjourned the meeting to Closed Session at 5:32 p.m. and he reconvened the meeting to Open Session at 6:05 p.m. Reporting out of Closed Session, MAYOR PRO TEM MCLEAN announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

MAYOR ROSE led everyone in the Pledge of Allegiance.

AGENDA CHANGES

City Manager Brown recommended Item Nos. 7.1 and 7.2 be continued to the meeting of August 16, 2006.

MOTION BY ROSE, SECOND BY MCLEAN, TO CONTINUE ITEM NOS. 7.1 - SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS AND 7.2 - RESOLUTION NO. 2006-6386 – APPROVAL OF AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH REGARDING THE ALLOCATION OF FUNDS FOR THE PALM AND CARNATION AVENUE STREET ENDS PROJECT. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL ANNOUNCEMENTS:

MAYOR PRO TEM MCLEAN congratulated staff on the success of the several events that took place over the past couple of weeks.

MAYOR ROSE thanked Councilmember Janney for organizing the City float and she recognized San Diego County Supervisor Cox for the financial contribution towards the 50th Anniversary events.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

TERRI PLUMMER, Vice Chairperson of U.S. Open Sandcastle Committee, recognized Mayor Rose for being the Grand Marshall and presented her with a trophy in recognition of the City winning the Best Float Award.

PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)

1.1 SANDAG BAYSHORE BIKEWAY MASTER PLAN – PRESENTATION BY COUNTY SUPERVISOR GREG COX. (0680-20)

CITY MANAGER BROWN introduced the item.

COUNTY SUPERVISOR GREG COX gave a presentation on the SANDAG Bayshore Bikeway Master Plan.

PRESENTATIONS/PROCLAMATIONS (Continued)

1.2 LOS LAURELES CANYON MASTER PLAN – PRESENTATION BY DR. MIKE MCCOY AND OSCAR ROMO, TIJUANA RIVER NATIONAL ESTUARINE RESEARCH RESERVE. (0620-75)

CITY MANAGER BROWN introduced the item.

DR. MIKE MCCOY introduced Oscar Romo, Coastal Training Program Coordinator of the Tijuana River National Estuarine Research Reserve.

OSCAR ROMO gave a presentation on the Los Laureles Canyon Master Plan.

MAYOR ROSE announced speaker slips had been submitted for Public Comment.

PUBLIC COMMENT

DEBRA HAMILTON, owner of Pinky's Pierside Café, expressed concern about skateboarders at Pier Plaza and the safety of pedestrians and bystanders.

DAN ALLEN expressed concern about the skateboarders and bicyclists in Pier Plaza.

CITY MANAGER BROWN stated staff would look into strategies that would discourage skateboarding and promote pedestrian traffic at Pier Plaza.

CONSENT CALENDAR (2.1 - 2.4)

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 62081 through 62153 for the period ending 07/20/06 and Payroll Register Numbers 37268 through 37333 for the period ending 07/06/06 in the amount of \$618,252.48.

2.2 RESOLUTION NO. 2006-6380 – AMENDING RESOLUTION NO. 3626 AND AUTHORIZING INVESTMENT OF CITY OF IMPERIAL BEACH MONIES IN THE LOCAL AGENCY INVESTMENT FUND OF THE CALIFORNIA STATE TREASURY. (0350-30)

Adopted Resolution.

2.3 COMMUNITY GRANTS PROGRAM 2006-2007. (0330-15)

Approved the Program Application Guidelines for FY 2006-2007, memorialize the key dates and authorize solicitation for applications.

2.4 RESOLUTION NO. 2006-6382 – AWARDING A FIVE-YEAR CONTRACT FOR STORM DRAIN FILTER MAINTENANCE. (0770-10)

Adopted Resolution.

ORDINANCES - INTRODUCTION/FIRST READING (3)

None.

ORDINANCES - SECOND READING & ADOPTION (4)

None.

WRITTEN COMMUNICATIONS (5)

None.

REPORTS (7.4)

**7.4 RESOLUTION AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – CIVIC CENTER ELECTRICAL, HVAC, AND EMERGENCY OPERATIONS CENTER UPGRADE (CIP F05-201, F05-202 & F05-203). (0210-20 & 0910-10)
CITY MANAGER’S RECOMMENDATION:**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

Discussion ensued regarding the use of Sewer funds to fund a portion of the project.

COUNCILMEMBER JANNEY requested that with future budget items where allocations differ from originally planned, that staff provide information on where the money is coming from and what it affects.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6385 AWARDING THE CONTRACT TO THE LOWEST QUALIFIED BIDDER, ST. THOMAS ENTERPRISES. MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE called a recess at 7:25 p.m. and reconvened the meeting to Open Session at 7:35 p.m.

PUBLIC HEARINGS (6.1 - 6.2)

ITEM NO. 6.1 – TIME SPECIFIC FOR 7:30 P.M.

6.1 ADOPTION OF RESOLUTION NO. 2006-6381 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT AND ADOPTING FACTS, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION FOR THE SILVER STRAND SHORELINE FINAL GENERAL REEVALUATION REPORT AND BEACH RENOURISHMENT PROJECT. (0220-70)

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item.

COUNCILMEMBER MCCOY complimented Community Development Director Wade for his continuous efforts on sand replenishment.

COMMUNITY DEVELOPMENT DIRECTOR WADE acknowledged the attendance of Rick Leifield, Chuck Mesa and Alex Watt of the Army Corps of Engineers.

MOTION BY ROSE, SECOND BY WINTER, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6381 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT AND ADOPTING FACTS, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION FOR THE SILVER STRAND SHORELINE FINAL GENERAL REEVALUATION REPORT AND BEACH RENOURISHMENT PROJECT. MOTION CARRIED UNANIMOUSLY.

6.2 CITY OF IMPERIAL BEACH/UNIFIED PORT DISTRICT OF SAN DIEGO (APPLICANTS): REGULAR COASTAL DEVELOPMENT PERMIT (CP 060415), ENVIRONMENTAL IMPACT REPORT (EIR 02-01), SITE PLAN REVIEW (SPR 99-05 AND SPR 99-04) AND DESIGN REVIEW (DRC 99-08 AND DRC 99-07) FOR THE PALM AVENUE AND CARNATION AVENUE STREET ENDS PROJECT, IN THE PF (PUBLIC FACILITY) AND R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 573. (0600-20)

COUNCILMEMBERS WINTER AND MCCOY announced they had potential conflicts of interest on the item and left Council Chambers at 8:25 p.m.

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item and announced a letter from Nancy Schmidt was submitted as last minute agenda information.

CITY PLANNER NAKAGAWA gave a PowerPoint presentation on the item.

CITY MANAGER BROWN announced Port Commissioner Bixler and Mike Hogan are available for comment.

MIKE HOGAN, representing the Port District, reported that the courts have agreed the environmental review is satisfactory and the project can proceed. In response to the letter received from Ms. Schmidt, he noted that she referred to a 1999 URS report and her letter indicated that the report's summary was attached; instead, attached was a page from a different report that was prepared by Ninyo and Moore who was contracted by the Port to study geotechnical issues; he added that the report she attached is not the report mentioned in the City's findings and the report she attached warns of inadequate support if the street end is "subjected to structural loads." He clarified that report she attached made two findings: 1) that the project is feasible from a geotechnical point of view, although the previous page of the report was not included with her letter; and 2) before a project is built, a further geotechnical analysis is needed to confirm the conditions in the ground and upon doing engineering calculations those conditions are taken into account. He added that the report's recommendations are what the Port and City would do in the normal course of designing and building a project.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that in the letter, Ms. Schmidt mentioned that the Design Review Board did not consider the report in its analysis and review of the project; he stated for the record that the Design Review Board is an aesthetic design review

board only and is in no way meant to provide technical or geotechnical advice or recommendations. The Design Review Board did review the project from a design and aesthetics standpoint and recommended approval of the project from these standpoints.

In response to the last paragraph of Ms. Schmidt's letter, CITY ATTORNEY LOUGH stated that the EIR does cover the access issue and this project will facilitate compliance with the Americans With Disabilities Act; he also noted that the City has no plans to develop Ocean Lane; he added there is nothing in Ms. Schmidt's letter that would change his opinion to recommend the certification and approval of the report.

MICHEL DEDINA requested that the City of Coronado fund the Carnation Ave. street end project.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded that the property is within the limits of the City of Coronado; it is a Navy leasehold and also Camp Surf subleases to the Navy; he also stated I.B. is requesting a 20 ft. easement from the Navy.

MR. DEDINA also expressed concern about handicap access at the end of Carnation Ave.

BOB WADHAM expressed concern about the actions of Ms. Schmidt, as well as funding for the Carnation Ave. street end.

MAYOR PRO TEM MCLEAN expressed concern about funding for restroom facilities and for the Carnation Ave. street end project.

PORT COMMISSIONER BIXLER responded that he had asked the Port Commission to backfill the \$200,000 shortfall on the Palm Ave. project.

MOTION BY ROSE, SECOND BY MCLEAN, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION BY JANNEY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6379, RESCINDING PREVIOUS COASTAL PERMIT APPROVAL, APPROVING REGULAR COASTAL DEVELOPMENT PERMIT (CP 060415), SITE PLAN REVIEW (SPR 99-05 AND SPR 99-04), DESIGN REVIEW (DRC 99-08 AND DRC 99-07) AND ENVIRONMENTAL IMPACT REPORT (EIR 02-01) FOR THE PALM AVENUE AND CARNATION AVENUE STREET ENDS PROJECT, WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

COUNCILMEMBERS WINTER AND MCCOY returned to Council Chambers at 8:55 p.m.

REPORTS (7.1 - 7.9)

7.1 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)

Item continued to the meeting of August 16, 2006, by prior City Council action.

7.2 RESOLUTION NO. 2006-6386 – APPROVAL OF AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH REGARDING THE ALLOCATION OF FUNDS FOR THE PALM AND CARNATION AVENUE STREET ENDS PROJECT. (0150-70)

Item continued to the meeting of August 16, 2006, by prior City Council action.

7.3 NO ITEM.

Consensus of City Council to take Item Nos. 7.6 and 7.7 at this time.

7.6 RESOLUTION NO. 2006-6383 – AUTHORIZING AN AGREEMENT WITH AMERICAN MEDICAL RESPONSE (AMR) FOR QUALITY ASSURANCE AND PRE-HOSPITAL ADVANCED LIFE SUPPORT COORDINATION SERVICES. (0520-20)

CITY MANAGER BROWN introduced the item and announced that a revised page 13 from the Quality Assurance and Pre-Hospital ALS Coordination Services Agreement (Attachment 2) was submitted as Last Minute Agenda Information. A memorandum from City Manager Brown and ALS rates were also submitted.

PUBLIC SAFETY DIRECTOR SOTELO gave a report on the item.

MIKE MURPHY, of American Medical Response, stated that the rate increase is strictly for reimbursement for the first responder portion of the Fire Department and noted that AMR has not had an increase in two years; he also stated that this is a proven public/private partnership with similar programs throughout the county.

MAYOR ROSE stated that the proposed increase covers the costs for services and that insurance will cover the costs for transport, and she supported the highest recommended amount.

MOTION BY MCLEAN, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2006-6383 AUTHORIZING AN AGREEMENT WITH AMERICAN MEDICAL RESPONSE (AMR) FOR QUALITY ASSURANCE AND PRE-HOSPITAL ADVANCED LIFE SUPPORT COORDINATION SERVICES, INCLUDING THE REVISED PAGE 13 THAT WAS SUBMITTED AS LAST MINUTE AGENDA INFORMATION. MOTION CARRIED UNANIMOUSLY.

7.7 RESOLUTION NO. 2006-6384 – APPROVAL OF A LEASE AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND AMR FOR USE OF THE IMPERIAL BEACH FIRE STATION. (0520-20)

CITY MANAGER BROWN introduced the item.

PUBLIC SAFETY DIRECTOR SOTELO gave a report on the item.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6384 APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND AMR FOR USE OF THE IMPERIAL BEACH FIRE STATION. MOTION CARRIED UNANIMOUSLY.

7.5 PROPOSED REQUEST FOR QUALIFICATIONS/PROPOSALS FOR A VISITOR SERVING FACILITY AT IMPERIAL BEACH BOULEVARD & SEACOAST DRIVE. (0660-43)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

MOTION BY MCLEAN, SECOND BY WINTER, TO AUTHORIZE THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS/PROPOSALS (RFQ/P) FOR THE REDEVELOPMENT OF A VISITOR SERVING FACILITY AT IMPERIAL BEACH BOULEVARD & SEACOAST DRIVE. MOTION CARRIED UNANIMOUSLY.

7.8 PROGRESS REPORT REGARDING SEACOAST INN REDEVELOPMENT. (0660-43)

CITY MANAGER BROWN gave a report on the item; he reported that staff hopes to provide comments to the developer on documents that have been submitted thus far.

7.9 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR 2006 LEAGUE ANNUAL CONFERENCE. (0660-43)

CITY MANAGER BROWN introduced the item.

MOTION BY ROSE, SECOND BY MCCOY, TO DESIGNATE COUNCILMEMBER WINTER AS PRIMARY VOTING DELEGATE AND COUNCILMEMBER JANNEY AS VOTING ALTERNATE FOR THE 2006 LEAGUE ANNUAL CONFERENCE. MOTION CARRIED UNANIMOUSLY.

REPORTS OF MAYOR AND COUNCILMEMBERS

None.

The meeting adjourned at 9:28 p.m.

Diane Rose, Mayor

Attest:
Jacqueline M. Hald, CMC
City Clerk