

**REGULAR CITY COUNCIL  
REDEVELOPMENT AGENCY  
PUBLIC FINANCING AUTHORITY MINUTES  
CITY OF IMPERIAL BEACH  
May 16, 2007  
CLOSED SESSION – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.  
MARINA VISTA CENTER  
1075 8<sup>th</sup> Street  
Imperial Beach, California**

**CLOSED SESSION CALL TO ORDER**

MAYOR PRO TEM WINTER called the Closed Session Meeting to order at 5:08 p.m.

**ROLL CALL**

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

**CLOSED SESSION**

**MOTION BY MCCOY, SECOND BY MCLEAN, TO ADJOURN TO CLOSED SESSION UNDER:**

**CONFERENCE WITH LABOR NEGOTIATOR.**

Pursuant to Government Code Section 54957.6:

Agency Negotiator:	City Manager
Employee organizations:	Imperial Beach Firefighters' Association (IBFA) Service Employees International Union (SEIU), Local 2028

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.**

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

Number of potential cases: 5

**MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCLEAN, BRAGG, MCCOY, WINTER</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>JANNEY</b>

MAYOR PRO TEM WINTER adjourned the meeting to Closed Session at 5:09 p.m. and she reconvened the meeting to Open Session at 6:05 p.m. Reporting out of Closed Session, MAYOR PRO TEM WINTER announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time.

**REGULAR MEETING CALL TO ORDER**

MAYOR PRO TEM WINTER called the Regular Meeting to order at 6:06 p.m.

### **ROLL CALL**

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

### **PLEDGE OF ALLEGIANCE**

MAYOR PRO TEM WINTER led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

None.

### **MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS**

COUNCILMEMBER MCCOY spoke about attending the rededication of Veteran's Park ceremony and recognized staff for their efforts.

In accordance with AB 1234, MAYOR PRO TEM WINTER reported attending at the League of California Cities luncheon; she spoke about attending the rededication of Veteran's Park ceremony; and she announced Public Works Week is May 20-26, 2007.

COUNCILMEMBER MCLEAN announced a Memorial Day ceremony is scheduled for May 28, 2007 at Veteran's Park.

### **COMMUNICATIONS FROM CITY STAFF**

None.

### **PUBLIC COMMENT**

ALBERT KNECHT expressed concern about commercial traffic traveling on residential streets causing damage to private property and being a public safety issue; he requested the item be added to a future agenda.

MAYOR PRO TEM WINTER referred the item to City Manager Brown.

MAXX STALHEIM, representing the Tidelands Advisory Committee (TAC), stated that the committee voted to not pursue the installation of skateboard deterrents at Pier Plaza at this time; they supported a permanent skateboard facility or skate board elements throughout the City; the TAC also requested an update on the Palm Ave. street end project.

### **PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)**

#### **1.1 PRESENTATION BY PAINT I.B. (0130-40)**

BOB WADHAM gave a PowerPoint presentation on the 9<sup>th</sup> Annual Paint I.B. Event.

**1.2 HABITAT HEROES: RETURN OF THE NATIVES – PRESENTATION BY DON BRUBAKER, MANAGER FOR TIJUANA SLOUGH AND SAN DIEGO BAY NATIONAL WILDLIFE REFUGES. (0150-40)**

DON BRUBAKER gave a PowerPoint presentation on the item.

**CONSENT CALENDAR (2.1 - 2.3)**

**MOTION BY MCCOY, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.3. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: MCLEAN, BRAGG, MCCOY, WINTER  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY**

**2.1 MINUTES.**

Approved the minutes of the Regular City Council Meeting of May 2, 2007.

**2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified the following registers: Accounts Payable Numbers 63687 through 63844 with the subtotal amount of \$536,540.52; and Payroll Register Numbers 38297 through 38336 for the pay period ending 04/26/07 with the subtotal amount of \$123,709.07; for a total of \$660,249.59.

**2.3 TEMPORARY INFORMATION TECHNOLOGY STAFFING. (1110-05)**

Approved the following resolutions:

1. Resolution No. 2007-6482 – A contract between the City of Imperial Beach and Juan Pablo Rodriguez for professional services.
2. Resolution No. 2007-6483 – A contract between the City of Imperial Beach and Magson Technology, Incorporated for professional services.

**ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARING (3.1)**

**3.1 ORDINANCE NO. 2007-1056 – CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2008. (0830-90)**

MAYOR PRO TEM WINTER declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LOUGH noted that staff provided a 45-day public hearing notice in compliance with Proposition 218.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

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

**AYES: COUNCILMEMBERS: MCLEAN, BRAGG, MCCOY, WINTER  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY**

MAYOR PRO TEM WINTER called for the introduction of Ordinance No. 2007-1056.

CITY CLERK HALD read the title of Ordinance No. 2007-1056, an Ordinance of the City Council of the City of Imperial Beach, California adopting new monthly user charges for sanitary sewer service and amending Section 13.06.140.B of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges.

**MOTION BY WINTER, SECOND BY MCLEAN, TO DISPENSE FIRST READING OF ORDINANCE NO. 2007-1056 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: MCLEAN, BRAGG, MCCOY, WINTER  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY**

**ORDINANCES - SECOND READING & ADOPTION/PUBLIC HEARING (4.1)**

**4.1 ORDINANCE NO. 2007-1055 – DESCRIBING THE REDEVELOPMENT AGENCY’S EXISTING PROGRAM TO EXERCISE EMINENT DOMAIN POWERS WITHIN THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA, AS REQUIRED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 33342.7(A). (0640-95)**

The public hearing was opened.

CITY MANAGER BROWN introduced the item.

JAN KOONTZ spoke in opposition to eminent domain.

MAYOR PRO TEM WINTER explained that the item is not specific to any project, and that the RDA's eminent domain powers have existed for many years.

ALBERT KNECHT spoke in opposition to the item.

CITY ATTORNEY LOUGH explained that the ordinance contains a description of the Agency's existing program to acquire property by eminent domain; he stressed that the Agency's existing eminent domain powers will not change in any way; he also noted that the requirement to adopt this ordinance is a State mandate.

**MOTION BY MCCOY, SECOND BY BRAGG, TO CONTINUE THE PUBLIC HEARING TO JUNE 6, 2007. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: MCLEAN, BRAGG, MCCOY, WINTER  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY**

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6)**

None.

**REPORTS (7.1)**

**7.1 RESOLUTIONS AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – CIVIC CENTER MASTER PLAN “RE-ROOF ALL FACILITIES” PROJECT (F05-201) AND APPROVING A BUDGET AMENDMENT TO TRANSFER \$20,000 FACILITIES MAINTENANCE (504) FUNDS TO THE RE-ROOFING PROJECT (F05-201). (0910-05)**

CITY MANAGER BROWN introduced and reported on the item.

**MOTION BY MCLEAN, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2007-6480 – AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – CIVIC CENTER MASTER PLAN “RE-ROOF ALL FACILITIES” PROJECT (F05-201. AND TO ADOPT RESOLUTION NO. 2007-6481 – AMENDMENT TO 5-YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FISCAL YEAR 2004-2005 THROUGH FISCAL YEAR 2008/2009 – CIVIC CENTER MASTER PLAN “RE-ROOF ALL FACILITIES” PROJECT. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: MCLEAN, BRAGG, MCCOY, WINTER  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY**

**REPORTS OF MAYOR AND COUNCILMEMBERS**

COUNCILMEMBER MCLEAN announced the release of a new regional map by MTS and SANDAG.

In response to Councilmember McCoy’s concern regarding the Kyoto Treaty, CITY MANAGER BROWN stated that some cities have adopted the resolution, but have not been tracking results; if IB chooses to adopt the resolution, staff will try to comply with the treaty; staff has been much concerned about potential effects on staff resources.

COUNCILMEMBER BRAGG announced Friday, May 18, 2007 is National Bike to Work Day.

MAYOR PRO TEM WINTER suggested that the City provide a rest stop for participants next year.

**ADJOURNMENT**

The meeting adjourned at 7:15 p.m.

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Mayda Winter, Mayor Pro Tem

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Attest:  
Jacqueline M. Hald, CMC  
City Clerk