



A G E N D A



IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

JULY 21, 2010

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

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

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

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

CLOSED SESSION CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(b)(3)(A)
No. of Cases: 1

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: Land for wireless facilities located in the southwestern corner of 825 Imperial
Beach Blvd., Imperial Beach, CA 91932, APN 632-111-27

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: AT&T

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: Land for wireless facilities located in the southwestern corner of 825 Imperial
Beach Blvd., Imperial Beach, CA 91932, APN 632-111-27

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Clearwire Corporation

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

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

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.

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 (1.1)

1.1* JR. LIFEGUARDS ACHIEVEMENT AWARDS. (0220-40)

*No Staff Report.

CONSENT CALENDAR (2.1 - 2.2) - 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 71200 through 71242 with the amount of \$307,059.19 and 71243 through 71281 with the amount of \$103,382.19 for the subtotal amount of \$410,441.38; and Payroll Checks 42800 through 42865 for the pay period ending 07/01/10 with the subtotal amount of \$183,761.86 for a total amount of \$594,203.24.

2.2 RESOLUTION NO. 2010-6920 – RATIFYING THE PREVIOUS APPROVAL OF FINAL MAP FOR THE SEACOAST INN DEVELOPMENT PROJECT (TM 03-091), A PROPOSED 78-ROOM HOTEL LOCATED AT 800 SEACOAST DRIVE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 661. (0660-43)

City Manager's Recommendation: Adopt resolution.

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

None.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

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

PUBLIC HEARINGS (5.1 - 5.3)

5.1 CODE ENFORCEMENT – WEED & RUBBISH ABATEMENT PUBLIC HEARING TO HEAR AND CONSIDER ALL OBJECTIONS TO THE PROPOSED REMOVAL OF WEEDS, RUBBISH, REFUSE, AND DIRT. (0250-70)

City Manager's Recommendation:

1. Declare the public hearing;
2. Receive report and public testimony;
3. Close the public hearing;
4. Adopt Resolution No. 2010-6918, to allow for the abatement, and authorizing staff to proceed with and perform the necessary abatement of the nuisance and authorizes the staff to sign any agreements or take any other steps necessary to remove the weeds, rubbish, refuse, and dirt from the properties listed in the staff report; and
5. Recommend staff return to City Council at the September 1, 2010 Council meeting with an abatement cost report on each separate parcel of land where the abatement work is conducted.

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

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing;
4. Consider a motion to adopt Resolution No. 2010-6919, assessing \$2,600.00 in current civil penalties (dependent upon any noted violation abatement), \$8,350.00 of the penalties held in abeyance from 2009, and \$500.00 in administrative fees; and
5. Authorize staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by City forces or private contract.

5.3 LIOR AVRAHAM, MOBILITIE LLC (APPLICANT)/CHINO INDUSTRIAL PARK (OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 100025), CONDITIONAL USE PERMIT (CUP 100026), DESIGN REVIEW CASE (DRC 100027), AND SITE PLAN REVIEW (SPR 100028) TO INSTALL A TELECOMMUNICATIONS FACILITY (BROADLEAF FAUX TREE STRUCTURE) LOCATED AT 750 13TH STREET IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 1041. (0600-20 & 0800-50)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2010-6916, approving Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

REPORTS (6.1 - 6.4)

6.1 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL. (0660-43)

City Manager's Recommendation: Receive the update report on the Seacoast Inn project and provide comment and input as necessary.

(Continued on Next Page)

REPORTS (Continued)

6.2 RESOLUTION NO. 2010-6917 – REJECTING ALL BIDS FOR CERTAIN PUBLIC WORKS CONTRACT – PUBLIC WORKS ROOF REPAIR CIP (P05-10A). (0910-30)

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolution.

6.3 ARMY CORPS OF ENGINEERS SAN DIEGO HARBOR MAINTENANCE DREDGING PROJECT AND DRAFT MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE ARMY CORPS OF ENGINEERS AND THE CITY OF IMPERIAL BEACH. (0220-70)

City Manager's Recommendation: Support the Tidelands Advisory Committee's recommendation as follows:

1. Support the San Diego Harbor Maintenance Dredging Project subject to the conditions described in this staff report including the environmental commitments, the preparation and implementation of a detailed Debris Management Plan for the project including during- and post-project debris monitoring and a plan for removal of any debris found; and
2. Approve the Memorandum of Agreement (MOA) between the Department of the Army and the City of Imperial Beach subject to the conditions described in the staff report and as summarized in recommendation No. 1 above.

Item No. 6.4 will be discussed at 7:00 p.m. – TIME SPECIFIC

6.4 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION ON DEVELOPMENT PROTOTYPES AND BUILDING SETBACKS AND STEPBACKS. (0610-95)

City Manager's Recommendation: Conduct focus discussion, provide direction and input on the development prototypes and proposed and recommended building setbacks and stepbacks. Further recommendations on building setbacks and stepbacks will be presented at the meeting on July 21, 2010.

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.

Lisa Wolfson, CMC
Deputy City Clerk



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: July 21, 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.

Vendor	Check	Amount	Explanation
Port of San Diego	71228	\$204,638	Palm Avenue Diverter Project

ENVIRONMENTAL IMPACT

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

WARRANT # DATE AMOUNT

Accounts Payable

71200-71242	07/01/10	\$	307,059.19
71243-71281	07/09/10		103,382.19
	Sub-Total	\$	410,441.38

Payroll Checks:

42800-42865	P.P.E. 07/01/10	183,761.86
		\$ <u>183,761.86</u>
	TOTAL	\$ <u>594,203.24</u>

FISCAL IMPACT:

Warrants are issued from budgeted funds.

DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council ratify the warrant register.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation



Gary Brown, City Manager

Attachments:

1. Warrant Registers

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT	
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR	TRN AMOUNT
07/01/2010	71200	AMERICAN EXPRESS	1895		267.77
101-1010-411.30-02	05/20/2010	FOLGERS/SUGAR/FORK/SPOON/	202660020	010034 11/2010	133.89
101-1130-412.30-02	05/20/2010	FOLGERS/SUGAR/FORK/SPOON/	202660020	010034 11/2010	133.88
07/01/2010	71201	ASHLEY SPRINGFIELD	2193		.00
101-3050-425.30-02	06/07/2010	REFUND-BOOK PURCHASE	094511	12/2010	75.80
101-3050-425.30-02	01/26/2010	REFUND-DOG LASSO	411845	12/2010	11.00
101-3050-425.30-02	02/24/2010	REFUND-DOG COLLARS	02-24-2010	12/2010	15.64
101-3050-425.30-02	01/21/2010	REFUND-RAIN JACKET	192026	12/2010	53.78
101-3050-425.30-02	01/21/2010	REFUND-WORK BOOTS	757490	12/2010	23.54
101-3050-425.30-02	07/06/2010	REFUND-DOG COLLARS	02-24-2010	01/2011	15.64-
101-3050-425.30-02	07/06/2010	REFUND-BOOK PURCHASE	094511	01/2011	75.80-
101-3050-425.30-02	07/06/2010	REFUND-RAIN JACKET	192026	01/2011	53.78-
101-3050-425.30-02	07/06/2010	REFUND-DOG LASSO	411845	01/2011	11.00-
101-3050-425.30-02	07/06/2010	REFUND-WORK BOOTS	757490	01/2011	23.54-
07/01/2010	71202	AT&T	2052		3,251.27
503-1923-419.27-04	05/20/2010	3372571583448	1380681	11/2010	355.89
503-1923-419.27-04	05/20/2010	3393431504727	1379064	11/2010	177.96
503-1923-519.21-04	05/20/2010	3393439371447	1381773	11/2010	177.96
101-1110-412.27-04	05/15/2010	6194230314983	1368009	11/2010	117.43
101-5040-434.27-04	05/15/2010	6194231074813	1368010	11/2010	15.95
101-5040-434.27-04	05/15/2010	6194231675716	1368011	11/2010	15.95
601-5060-436.27-04	05/15/2010	6194232231359	1368012	11/2010	15.47
101-1210-413.27-04	05/17/2010	6194235034	1371670	11/2010	14.03
101-3020-422.27-04	05/17/2010	6194237246664	1370883	11/2010	73.26
101-3020-422.27-04	05/15/2010	6194238222636	1368013	11/2010	19.81
101-3020-422.27-04	05/15/2010	6194238225966	1368014	11/2010	171.41
101-1920-419.27-04	05/15/2010	6194238300966	1368015	11/2010	269.22
101-5020-432.27-04	05/15/2010	6194238311966	1368016	11/2010	353.66
101-3030-423.27-04	05/15/2010	6194238322966	1368017	11/2010	219.21
101-1130-412.27-04	05/15/2010	6194238617297	1368018	11/2010	70.88
503-1923-419.27-04	05/11/2010	6194243481712	1352590	11/2010	37.92
101-6030-453.27-04	05/11/2010	6194247077654	1352591	11/2010	79.06
101-3020-422.27-04	05/17/2010	6194247359125	1370884	11/2010	75.46
101-6010-451.27-04	05/22/2010	6195750336814	1382967	11/2010	16.30
101-3020-422.27-04	05/22/2010	6195750361567	1382968	11/2010	16.30
601-5060-436.27-04	05/17/2010	6195751351887	1371430	11/2010	14.73
101-1010-411.27-04	05/17/2010	6196281352138	1370885	11/2010	61.67
101-1230-413.27-04	05/17/2010	6196281356950	1370886	11/2010	185.85
101-3040-424.27-04	05/17/2010	6196281357370	1370887	11/2010	77.08
101-3070-427.27-04	05/17/2010	6196281359503	1370888	11/2010	44.24
101-1210-413.27-04	05/17/2010	6196281361675	1370889	11/2010	218.69
101-6010-451.27-04	05/17/2010	6196281385578	1370890	11/2010	54.27
101-3035-423.27-04	05/17/2010	6196281419922	1370891	11/2010	22.00
101-3010-421.27-04	05/13/2010	6196281485966	1361916	11/2010	41.44
101-1920-419.27-04	05/17/2010	6196282018442	1370892	11/2010	24.20
601-5060-436.27-04	05/15/2010	C602221236777	1368008	11/2010	213.97
07/01/2010	71203	AT&T MOBILITY	1866		611.61
503-1923-419.27-05	06/23/2010	287015635717 MAY/JUN 10	X06232010	12/2010	355.93

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-1230-413	27-05	06/23/2010	287016633295 MAY/JUN 10	X06232010	12/2010	117.78
101-3050-425	27-05	06/23/2010	287019473995 MAY/JUN 10	X06232010	12/2010	137.90
07/01/2010	71204	BDS ENGINEERING INC	372			11,613.75
202-5016-531	20-06	06/02/2010	MAY 2010 STREET IMPRVMENTS	09-40D	010859 12/2010	10,990.00
408-6020-552	20-06	06/02/2010	MAY 2010 SPORTS PK MST PL	08-43H	090738 12/2010	623.75
07/01/2010	71205	CALIFORNIA COMMERCIAL ASPHALT	590			462.84
101-5010-431	30-02	04/16/2010	1/2 TYPE III C3	92496	010085 11/2010	462.84
07/01/2010	71206	CALIFORNIA AMERICAN WATER	612			374.10
101-3030-423	27-02	06/04/2010	05-0155019-8 05/04-06/01	06-23-2010	12/2010	20.11
405-5030-433	27-02	06/04/2010	05-0155037-0 05/04-06/03	06-23-2010	12/2010	14.88
601-5050-436	27-02	06/04/2010	05-0392478-9 05/05-06/03	06-23-2010	12/2010	14.93
601-5060-436	27-02	06/04/2010	05-0505362-9 05/05-06/03	06-23-2010	12/2010	324.18
07/01/2010	71207	CITY OF CHULA VISTA	823			1,275.00
101-0000-221	01-03	06/05/2010	MICROCHIP&RABIES VAC FEES	7739	12/2010	1,275.00
07/01/2010	71208	CLARK LABITAN	2			60.00
101-0000-121	00-00	06/24/2010	PT 52540, DISMISSED	MR Refund	12/2010	60.00
07/01/2010	71209	DEPARTMENT OF CORRECTIONS AND	169			6,585.12
101-6020-452	21-04	06/16/2010	APRIL & MAY 2010	1800063669	010438 12/2010	6,585.12
07/01/2010	71210	ENVIRO COMPLIANCE SOLUTIONS, I	2			500.00
101-0000-221	01-03	05/26/2010	REFUND ROOM DEPOSIT	7359	12/2010	500.00
07/01/2010	71211	GILBERTO VALADEZALBA	2			40.00
101-0000-121	00-00	06/22/2010	PARKING TICKET 52483	MR Refund	12/2010	40.00
07/01/2010	71212	GRAINGER	1051			96.30
101-1910-419	30-02	01/25/2010	LAMP	9167728493	010076 11/2010	96.30
07/01/2010	71213	GRINDLINE SKATEPARKS, INC.	2141			1,470.00
408-5020-532	20-06	04/30/2010	SKATEPARK DESIGN SVC/MTG1	3819	011150 11/2010	1,470.00
07/01/2010	71214	IB PRINTING	2239			967.87
601-5050-436	30-02	06/17/2010	TRI-FOLD BROCHURES	0F6171	011181 12/2010	967.87
07/01/2010	71215	JESSOP & SON LANDSCAPING	479			3,052.83
101-6010-451	21-04	06/21/2010	JUNE 2010	388334	010004 12/2010	3,052.83
07/01/2010	71216	JOHN DEERE LANDSCAPES	1986			116.68
101-6020-452	30-02	06/07/2010	PE-100 DIAPHRAM ASSY	54748501	010128 12/2010	116.68
07/01/2010	71217	KEYSER MARSTON ASSOC INC	620			2,940.63
101-0000-221	01-02	06/21/2010	MAY 2010 SEACOAST HOTEL	0022470	12/2010	2,940.63
07/01/2010	71218	KIM A MIKHAEL	1680			100.00
101-3020-422	20-06	06/06/2010	04/19/10 DANGEROUS DOG HR	06-06-2010	12/2010	100.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-0000-201.00-00	04/20/2009	PALM AVE ST END IMPRV PRJ	3		11/2010	173,600.00
07/01/2010	71229	RBF CONSULTING	1756			2,795.00
601-5060-536.20-06	03/26/2010	FEB 2010 MAIN LINE REPAIR	10020837	010999	11/2010	2,795.00
07/01/2010	71230	REGIONAL TRAINING CENTER	130			1,400.00
101-5020-432.28-04	06/22/2010	TEAM BUILDING-PW 4/15/10	10112	011246	12/2010	1,400.00
07/01/2010	71231	ROBERTO C RAMIREZ	1			2,404.93
502-1922-419.28-17	06/23/2010	CLOSING PAYMENT FOR CLAIM	1518567 DA		12/2010	2,404.93
07/01/2010	71232	SAN DIEGO GAS & ELECTRIC	1399			17,247.24
101-3020-422.27-01	06/09/2010	10087869371 04/30-06/01	06-25-2010		12/2010	60.51
101-1910-419.27-01	06/09/2010	10087869371 04/30-06/01	06-25-2010		12/2010	132.36
101-5010-431.27-01	06/09/2010	10088604389 04/28-05/27	06-25-2010		12/2010	211.73
101-3020-422.27-01	06/09/2010	19807697764 04/30-06/01	06-25-2010		12/2010	2,616.19
601-5060-436.27-01	06/09/2010	52635219238 04/28-05/27	06-25-2010		12/2010	10.86
101-6020-452.27-01	06/09/2010	56497714749 05/03-06/02	06-25-2010		12/2010	9.95
101-5010-431.27-01	06/09/2010	56497714749 05/03-06/02	06-25-2010		12/2010	7,579.70
101-5010-431.27-01	06/09/2010	85075178464 04/27-06/02	06-25-2010		12/2010	118.15
601-5060-436.27-01	06/09/2010	85075178464 05/03-06/02	06-25-2010		12/2010	85.70
101-6020-452.27-01	06/09/2010	85075178464 04/30-06/01	06-25-2010		12/2010	1,025.07
601-5060-436.27-01	06/09/2010	85417701270 05/03-06/03	06-25-2010		12/2010	4,415.10
101-5020-432.27-01	06/09/2010	91692992261 04/28-05/27	06-25-2010		12/2010	981.92
07/01/2010	71233	SAN DIEGO COUNTY ASSESSOR	2120			250.00
101-1920-419.29-04	06/28/2010	APR-JUN 2010 MPR EXTRACT	2010002	010016	12/2010	125.00
101-1920-419.29-04	12/28/2009	OCT-DEC 2009 MPR EXTRACT	2009165	010016	11/2010	125.00
07/01/2010	71234	SDGE	289			7,541.33
405-1260-413.27-01	06/04/2010	0440 533 7641 04/30-06/01	06-19-2010		12/2010	261.78
101-5010-431.27-01	06/03/2010	0646 753 1938 04/30-06/01	06-18-2010		12/2010	10.40
101-5010-431.27-01	06/04/2010	1694 231 2432 04/30-06/01	06-19-2010		12/2010	31.17
101-5010-431.27-01	06/07/2010	1912 409 2723 04/28-05/27	06-22-2010		12/2010	9.63
101-6010-451.27-01	06/08/2010	2081 689 7619 05/03-06/02	06-23-2010		12/2010	430.21
101-5010-431.27-01	06/02/2010	2741 969 9359 04/30-05/31	06-17-2010		12/2010	146.97
215-6026-452.27-01	06/02/2010	2819 871 6315 04/30-05/31	06-17-2010		12/2010	1,911.86
101-5010-431.27-01	06/03/2010	3062 843 3719 04/30-06/01	06-18-2010		12/2010	12.95
101-5010-431.27-01	06/04/2010	5280 340 6641 04/28-05/27	06-19-2010		12/2010	106.81
101-5010-431.27-01	06/01/2010	5576 188 0541 04/28-05/27	06-16-2010		12/2010	10.28
601-5060-436.27-01	06/04/2010	8773 823 6424 04/30-06/01	06-19-2010		12/2010	1,562.93
405-1260-413.27-01	06/04/2010	8774 937 7894 04/30-06/01	06-19-2010		12/2010	72.86
101-6020-452.27-01	06/08/2010	0175 275 3776 05/03-06/02	06-23-2010		12/2010	421.45
101-5010-431.27-01	06/09/2010	0824 329 2041 05/03-06/02	06-24-2010		12/2010	317.45
101-6020-452.27-01	06/08/2010	2081 689 1273 05/03-06/02	06-23-2010		12/2010	316.68
101-6010-451.27-01	06/08/2010	2081 692 3399 05/03-06/02	06-23-2010		12/2010	16.88
101-6020-452.27-01	06/04/2010	2083 847 9032 05/03-06/02	06-19-2010		12/2010	56.66
101-6010-451.27-01	06/04/2010	3206 700 9265 05/03-06/02	06-19-2010		12/2010	61.55
101-5010-431.27-01	06/03/2010	3448 930 9646 04/30-06/01	06-18-2010		12/2010	10.02
101-6020-452.27-01	06/04/2010	5456 692 8951 05/03-06/02	06-19-2010		12/2010	110.96

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-6020-452.27-01	06/08/2010	6921 003 2109 05/03-06/02	06-23-2010	12/2010 564.19
101-5010-431.27-01	06/04/2010	7706 795 7872 05/03-06/02	06-19-2010	12/2010 11.97
101-6020-452.27-01	06/08/2010	9327 898 1346 05/03-06/02	06-23-2010	12/2010 302.64
101-5010-431.27-01	06/07/2010	9476 001 6989 05/03-06/02	06-22-2010	12/2010 557.99
101-6010-451.27-01	06/04/2010	9956 693 6272 05/03-06/02	06-19-2010	12/2010 225.04
07/01/2010	71235	SEAN FOREHAND PHOTOGRAPHY	1863	350.00
405-1260-413.20-06	06/24/2010	FACADE-PROF SRVS-PHOTO/BE	21	F01133 12/2010 150.00
405-1260-413.20-06	06/28/2010	RDA-OLD PALM SURFBOARD MU	22	F01134 12/2010 200.00
07/01/2010	71236	SKS INC.	412	4,299.15
501-1921-419.28-15	06/15/2010	OIL	N686752-IN	010101 12/2010 686.20
501-1921-419.28-15	06/17/2010	1089 G REG/145.1 G DIESEL	1233747-IN	010101 12/2010 3,612.95
07/01/2010	71237	SPRINT	2040	328.64
101-3030-423.27-05	06/15/2010	05/12/10-06/11/10	699898810-031	12/2010 328.64
07/01/2010	71238	TRAFFIC CONTROL SERVICE INC.	684	2,621.61
101-5010-431.21-23	05/03/2010	TRAFFIC PAINT	971320	010077 11/2010 205.45
101-5010-431.21-23	05/10/2010	TRAFFIC CONES/PAINT	972380	010077 11/2010 1,297.23
101-5010-431.21-23	05/12/2010	TRAFFIC STENCILS	972893	010077 11/2010 1,118.93
07/01/2010	71239	WAGE WORKS INC.	2210	97.25
101-1920-419.29-04	06/15/2010	MAY 2010	125AI0136608	010898 12/2010 97.25
07/01/2010	71240	WAXIE SANITARY SUPPLY	802	845.79
101-6040-454.30-02	05/06/2010	TOILET TISSUE/LINERS/SOAP	71935539	010069 11/2010 845.79
07/01/2010	71241	WESTON SOLUTIONS INC.	2016	3,200.10
101-5050-535.20-06	03/11/2009	NOV 07-MAR 10 TJ RIVER WQ	MAR2009-03282	011171 11/2010 2,693.40
101-5050-535.20-06	03/31/2009	NOV 07-MAR 10 TJ RIVER WQ	APR2009-01992	011171 11/2010 506.70
07/01/2010	71242	JACK E SHIREY III	1	2,871.00
502-1922-419.28-17	06/30/2010	CLAIM SETTLEMENT	06-30-2010	12/2010 2,871.00
VOID CHECKS # 71243-71246				
07/09/2010	71247	U.S. BANK	1873	22,851.77
101-1010-411.28-04	01/25/2010	ROSE,D-LODGING AT CONFERE	775951	011024 11/2010 196.47
101-1010-411.28-04	01/25/2010	MCCOY,P LODGING AT CONFER	775954	011024 11/2010 196.47
101-6010-451.30-02	03/22/2010	WALMART/PROGRAM SUPPLIES	060106	011018 11/2010 35.84
101-6010-451.30-02	03/22/2010	SMART&FINAL/CAFE SUPPLIES	060180	011018 11/2010 307.28
101-1010-411.28-04	03/20/2010	ROSE,D-LODGING AT CONF	22984	011024 11/2010 110.88
101-1010-411.28-04	03/21/2010	GAS-TRAVEL FROM CONFERENC	03-21-2010	011024 11/2010 45.25
101-1010-411.28-04	03/21/2010	MCCOY/ROSE-MEALS AT CONF	063596	011024 11/2010 24.31
101-1010-411.28-04	03/21/2010	MCCOY,P-LODGING AT CONF	51931	011024 11/2010 110.88
101-1010-411.28-04	03/22/2010	GAS	03-22-2010	011024 11/2010 38.93
101-3020-422.30-02	03/24/2010	VELCRO MATERIALS	087541/7563123	011052 11/2010 34.73
101-3030-423.30-02	03/24/2010	PWC TRAILER TIE-DOWNS	7415	011056 11/2010 58.67
101-6010-451.30-02	04/01/2010	CVS/PROGRAM SUPPLIES	9120	011018 11/2010 7.78
101-6010-451.29-04	04/13/2010	REI/2 GARMIN GPS	21619183	011018 11/2010 230.34
101-3020-422.30-01	04/17/2010	WALL MAP COVER	129233	011052 11/2010 65.85

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-3020-422.30-01	04/19/2010	BATTERIES/SUPPLIES	093078/1577355	011052 11/2010 51.84
101-3030-423.30-02	04/13/2010	LG TRUCK SPARE KEYS	04-1-2010	011053 11/2010 38.19
101-3030-423.30-02	04/07/2010	TOWING RECEIVERS-LG TRUCK	8345	011056 11/2010 34.15
101-3030-423.30-02	04/08/2010	LG TRUCK STEEL BALL HITCH	272819	011056 11/2010 54.36
101-3030-423.30-02	04/08/2010	LG TRUCK STEEL BALL HITCH	272820	011056 11/2010 54.36
101-3030-423.28-01	03/23/2010	PIER HARDWARE/PA MIKE	809834	011054 11/2010 40.40
101-3030-423.28-01	03/24/2010	BATHROOM LIGHT SENSORS	040449/7563151	011054 11/2010 64.97
101-3030-423.30-02	03/24/2010	SOCKET WRENCH	1101025370 ORDE	011054 11/2010 27.15
101-3030-423.30-02	03/24/2010	SOCKET WRENCH	9213315980	011054 11/2010 31.00
101-3030-423.30-02	03/25/2010	CR RETURNED SOCKET WRENCH	1101099033	011054 11/2010 31.00-
101-3030-423.28-01	03/25/2010	BEACH FLAG REPLACEMENTS	37816	011054 11/2010 118.58
101-3030-423.30-02	03/26/2010	BLUEWATER SURF LABEL/SUNB	32610IBL	011054 11/2010 259.55
101-3030-423.30-02	03/29/2010	MEDICAL SUPPLIES	04101397	011054 11/2010 185.71
101-3030-423.30-02	03/29/2010	FLOATING KEY CHAIN/TUBE	17329A	011054 11/2010 46.30
101-3030-423.30-02	03/30/2010	TOWELS/SOAP/LYSOL	299987	011054 11/2010 208.97
101-3030-423.30-02	03/31/2010	SOAP FOR LG MENS LOCKER	040741	011054 11/2010 21.73
101-3030-423.30-02	03/31/2010	MEDICAL SUPPLIES	04101583	011054 11/2010 35.72
101-3030-423.28-01	03/31/2010	PA MIKE REPAIR MATERIAL	665774	011054 11/2010 14.65
101-3030-423.30-02	04/03/2010	91 OCTANE FOR PWC	045819	011054 11/2010 32.87
101-3030-423.30-02	04/05/2010	MED BAGS PLASTIC TIES	3784675	011054 11/2010 61.45
101-3030-423.28-01	04/07/2010	MAINT SUPPLIES	010967/3082500	011054 11/2010 23.57
101-3030-423.30-02	04/10/2010	LG TOOLS	083597/0082558	011054 11/2010 19.47
101-3030-423.28-01	04/13/2010	LG WORKOUT EQUIP REPAIR	15405	011054 11/2010 174.38
101-3030-423.30-02	04/18/2010	91 OCTANE FOR PWC	098382	011054 11/2010 15.94
101-3030-423.30-02	04/20/2010	NO-MARK CASTER	300857	011054 11/2010 46.32
101-1210-413.28-14	11/12/2009	2010 GAAP GUIDE	282944	011049 11/2010 265.71
101-3030-423.30-02	02/08/2010	PWC RADIO EQUIP REPAIR	116950	011055 11/2010 410.09
101-1110-412.28-04	03/22/2010	MAYOR/MANAGERS LUNCHEON	092823	011016 11/2010 137.73
101-1110-412.28-04	03/24/2010	LUNCH MEETING/SEACOAST IN	011140	011016 11/2010 37.86
503-1923-419.21-04	03/24/2010	BLACKBERRY TECH SUPPORT	912926801	011048 11/2010 249.00
101-3030-423.28-01	03/30/2010	LG TRUCK BED LINING	10059705	011055 11/2010 903.10
101-1110-412.28-04	04/08/2010	LUNCH MTG/M MCGRANE/SANDP	064162	011016 11/2010 24.43
101-1110-412.28-04	04/08/2010	MEETING PARKING FEE	47726	011016 11/2010 10.00
101-1110-412.28-04	04/14/2010	LUNCH MTG/CITY ATTY	097234	011016 11/2010 21.64
101-6030-453.30-02	04/15/2010	APPRECIATION BREAKFAST	5499	011020 11/2010 111.41
101-6030-453.30-02	04/19/2010	RAFFLE ITEM	098737	011020 11/2010 75.00
503-1923-419.28-04	04/06/2010	LOPEZ, H-SEMINAR	05S28176JY51874	011048 11/2010 99.00
503-1923-419.30-22	04/08/2010	CABLES	013827/2575952	011048 11/2010 15.48
503-1923-419.28-04	04/12/2010	LOPEZ, H-LUNCH MEETING	018514	011048 11/2010 20.78
101-3060-426.21-04	04/16/2010	REFRESHMENTS	6759050021259	011051 11/2010 44.98
101-3060-426.21-04	04/16/2010	COFFEE FOR DM TRAINING	699423	011051 11/2010 12.00
101-3060-426.21-04	04/16/2010	COFFEE FOR DM TRAINING	699434	011051 11/2010 12.00
101-3020-422.28-11	04/20/2010	TITLE 19 PRINTING	3311859	011051 11/2010 210.96
101-3030-423.30-02	04/08/2010	LG SGT PHONE ACCESSORIES	WS-BBCC-4933203	011055 11/2010 117.78
101-3030-423.28-01	04/08/2010	LG TRUCKS RADIO/PA EQUIP	63795	011055 11/2010 425.36
101-3030-423.25-03	04/11/2010	LG UNIFORMS	06742536	011055 11/2010 150.02
101-1020-411.28-04	03/29/2010	HALD, J-IIMC CONF TRAVEL	QK7FAA	011005 11/2010 252.40
101-1020-411.28-11	03/25/2010	MICROFICHE PRINTS-RECORDS	20318	011013 11/2010 157.69
405-5030-433.30-02	03/22/2010	PAINT/PRESSURE WASH HOSE	094327/9200399	011031 11/2010 78.50
101-6020-452.30-02	03/29/2010	FERTILIZER	22383	011047 11/2010 243.60

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101-6020-452.30-22	03/30/2010	SMALL TOOLS	22391	011047 11/2010 367.90
101-1230-413.30-01	04/06/2010	TRACING PAPER	057875	011013 11/2010 20.31
101-1910-419.30-02	04/06/2010	PAINT/DRIVER BIT	025340/4012266	011028 11/2010 87.33
101-6020-452.30-02	04/07/2010	ZIP TIES	006390/3575800	011028 11/2010 15.20
101-6020-452.21-04	04/13/2010	BEE REMOVAL	1909	011028 11/2010 275.00
101-6020-452.30-02	04/19/2010	WEED FABRIC	061032/1197951	011028 11/2010 27.06
405-5030-433.30-02	04/06/2010	SUN BLOCK	2536	011031 11/2010 11.95
405-5030-433.28-01	04/12/2010	PRESSURE WASH HOSE REPAIR	04-12-2010	011031 11/2010 33.64
405-5030-433.30-02	04/14/2010	GRAFFITI SUPPLIES	056520/6202406	011031 11/2010 71.73
101-1910-419.30-02	04/08/2010	TOWELS/FRESHENER/SANITIZE	71881917	011043 11/2010 201.09
101-6020-452.30-02	04/08/2010	WATER PORROF WIRE CONN	049581/2575954	011047 11/2010 25.87
101-6020-452.30-22	04/13/2010	SMALL TOOLS	22583	011047 11/2010 26.97
101-6020-452.30-02	04/20/2010	IRRIGATION SUPPLIES	54127429	011047 11/2010 192.69
101-6020-452.30-02	04/20/2010	IRRIGATION SUPPLIES	54127429	011047 11/2010 192.70
601-5060-436.30-22	03/19/2010	SEWER TOOLS	PD-13305	011025 11/2010 802.58
601-5060-436.30-02	03/24/2010	CLEANING SUPPLIES	033210/7025871	011025 11/2010 86.30
601-5060-436.28-01	03/29/2010	VACTOR POLE/CLAW	W-12723	011025 11/2010 319.50
601-5060-436.30-02	03/30/2010	KROIL&DYNALL	77179770	011025 11/2010 219.03
501-1921-419.28-16	03/23/2010	E-39 BRAKE PART	2200820009	011044 11/2010 523.45
501-1921-419.28-16	03/23/2010	E-39 BRAKE PARTS	220082008	011044 11/2010 523.45
101-1920-419.21-04	03/22/2010	TEMP FENCE SOCCER FIELD	2906497	011046 11/2010 1,547.96
601-5060-436.28-12	04/07/2010	RAMOS, J CWEA DUES	009964	011025 11/2010 132.00
601-5060-436.28-01	04/12/2010	ABS PARTS & PIPE	010138/6015060	011025 11/2010 135.85
601-5060-436.30-02	04/16/2010	TEST GAS	S1853322.001	011025 11/2010 255.31
601-5060-436.30-02	04/16/2010	CLAMPS FOR VACTOR TUBES	1812	011025 11/2010 224.45
601-5060-436.30-02	04/28/2010	BOA MORNING FRESH	94605811	011025 11/2010 486.95
501-1921-419.28-01	04/08/2010	WINDSHIELD REPAIR #100	1043	011044 11/2010 50.00
101-6040-454.20-18	04/20/2010	ANNUAL EXTINGUISHER SVC	E74-10A	011044 11/2010 20.00
101-1910-419.20-18	04/20/2010	ANNUAL EXTINGUISHER SVC	E74-10B	011044 11/2010 270.00
501-1921-419.20-18	04/20/2010	ANNUAL EXTINGUISHER SVC	E74-10C	011044 11/2010 205.00
101-3040-424.30-01	03/25/2010	INSPECTIONS SUPPLIES	004617/6582952	011012 11/2010 59.66
101-1910-419.30-02	03/25/2010	DOOR SCREWS/SS BOLTS	122544-00	011035 11/2010 23.49
101-6040-454.30-02	03/25/2010	DOOR SCREWS/SS BOLTS	122544-00	011035 11/2010 17.00
101-1910-419.30-02	03/30/2010	HARDWOOD FLOOR CLEANER	J48924	011035 11/2010 43.88
101-6040-454.30-02	03/30/2010	ST END BARRICADE PAINT	9168-3	011035 11/2010 554.95
405-1260-413.28-04	04/08/2010	RDA-GREENCHAMBER KICKOFF	2286-8331-4856-	011008 11/2010 10.00
101-5010-431.30-02	04/20/2010	3/4 YARD CONCRETE BATCH	87142780-001	011026 11/2010 160.95
101-5020-432.30-01	04/15/2010	RETREAT LUNCH	320634	011033 11/2010 49.00
101-6040-454.30-02	04/02/2010	DUNES PARK PAINT SUPPLIES	070557/8027725	011035 11/2010 111.71
101-6040-454.30-22	04/02/2010	DUNES PARK PAINT SUPPLIES	070557/8027725	011035 11/2010 18.78
101-6040-454.30-02	04/06/2010	PNTNG SCRAPER/WIRE BRUSH	077131/4575738	011035 11/2010 60.67
101-1910-419.30-02	04/08/2010	MOP/SCREWS/WASHERS	024165/2021324	011035 11/2010 11.37
101-6040-454.30-02	04/08/2010	MOP/SCREWS/WASHERS	024165/2021324	011035 11/2010 34.08
101-1910-419.30-02	04/12/2010	TOWELS/HOSE NOZZLES	056492/8022046	011035 11/2010 20.59
101-6040-454.30-02	04/12/2010	TOWELS/HOSE NOZZLES	056492/8022046	011035 11/2010 21.68
101-6040-454.30-02	04/19/2010	BARRICADE CONSTRUCTION	047704/1198042	011035 11/2010 318.10
101-6040-454.30-02	04/20/2010	BARRICADE CONSTRUCTION/PA	092452/0595459	011035 11/2010 38.92
101-1910-419.30-02	04/20/2010	SAFETY CENTER FLAGS	823505	011035 11/2010 110.94
101-5010-431.30-02	04/08/2010	LUMBER PENCILS & CRAYONS	010694/2584342	011042 11/2010 15.16
101-6020-452.30-02	03/23/2010	IRRIGATION HEADS FOR STOC	991984-00	011032 11/2010 225.81

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT	
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR	TRN AMOUNT
101-1910-419.30-02	03/30/2010	GLOVES/SCREWDRIVER/RECEPT	043966/1593432	011032 11/2010	28.23
501-1921-419.30-02	03/30/2010	GLOVES/SCREWDRIVER/RECEPT	043966/1593432	011032 11/2010	59.18
101-3040-424.30-01	04/01/2010	MISC OFFICE SUPPLIES	5666	011007 11/2010	19.69
101-3070-427.30-01	04/01/2010	MISC OFFICE SUPPLIES	5666	011007 11/2010	36.15
101-3040-424.28-14	04/08/2010	BLDG-INT'L CODE BOOKS	5721187	011010 11/2010	671.99
101-1010-411.28-04	04/07/2010	PARKING FEE AT FORUM	064635	011019 11/2010	9.00
101-5020-432.28-04	04/14/2010	MORENO, SUPERVISORS ACADE	A002377	011021 11/2010	550.00
101-1910-419.30-02	04/01/2010	MVC FAUCET/BATTERIES	047246/9564070	011032 11/2010	73.95
501-1921-419.30-02	04/01/2010	MVC FAUCET/BATTERIES	047246/9564070	011032 11/2010	12.60
101-1910-419.30-02	04/02/2010	CABINET SUPPLIES/ANCHORIN	002422/8011295	011032 11/2010	53.00
101-1910-419.30-02	04/05/2010	SCREWS/SANDPAPER/BRUSHES	031315/5564595	011032 11/2010	19.01
101-1910-419.30-02	04/06/2010	FINANCE BOOKCASE SUPPLIES	095558/4012163	011032 11/2010	74.20
101-5010-431.30-02	04/08/2010	CHALK REEL&CHALK	078870/2575936	011041 11/2010	38.02
101-5010-431.21-23	04/09/2010	PARKING STALL STENCILS	43638	011041 11/2010	76.01
101-1910-419.28-01	04/19/2010	ABS PIPE&ROOF DRAIN PARTS	040912/1023514	011041 11/2010	65.50
101-1910-419.30-02	04/19/2010	GRATE/COUPLERS/ABS T	090916/1015080	011041 11/2010	36.19
101-0000-209.01-03	04/08/2010	CEJA, E - EMP COMP LOAN	H111805925	11/2010	856.23
101-1110-412.29-04	03/22/2010	MARCH 2010	03-22-2010	011023 11/2010	9.99
101-1010-411.28-12	03/24/2010	JANNEY, J-ULI MEMBERSHIP	VRFA4FD9BOB3	011023 11/2010	225.00
101-1110-412.30-02	03/25/2010	ACM FILE CABINET	514002103-001	011023 11/2010	144.60
101-1110-412.28-09	03/25/2010	SHIPPING CHARGES	827200886047588	011023 11/2010	14.06
101-1130-412.28-09	03/25/2010	SHIPPING CHARGES	827200886047588	011023 11/2010	26.80
101-5040-434.28-07	03/31/2010	ANNUAL YARD SALE AD	10264678*1	011030 11/2010	36.75
101-6040-454.30-02	03/23/2010	MATAL GRATE	41683	011034 11/2010	19.58
101-6040-454.30-02	03/25/2010	TAMPER PROOF ALLEN WRENCH	103826	011034 11/2010	26.97
101-6040-454.30-02	03/25/2010	70 WATT BALLAST	12509	011034 11/2010	254.17
101-3060-426.21-04	03/29/2010	MARCH 2010 SATELITE SVCS	03-29-2010	011050 11/2010	37.80
101-3020-422.30-02	03/30/2010	STATION SUPPLIES	082624/1574865	011050 11/2010	23.85
101-1130-412.30-02	04/06/2010	TRAINING REFRESHMENTS	007362	011014 11/2010	23.31
101-1130-412.30-02	04/13/2010	REFRESHMENTS FOR TRAINING	052905	011014 11/2010	17.97
101-1130-412.30-01	04/15/2010	ID PRINTER RIBBON	636762	011014 11/2010	56.98
101-1010-411.28-04	04/06/2010	COUNCIL DINNER 04/07/10	038844	011023 11/2010	130.00
101-1010-411.28-04	04/12/2010	KING, J CONF REGISTRATION	2010	011023 11/2010	304.95
101-1020-411.30-01	04/19/2010	MISC OFFICE SUPPLIES	516343072-001	011023 11/2010	33.48
101-1110-412.30-01	04/19/2010	MISC OFFICE SUPPLIES	516343072-001	011023 11/2010	37.95
101-1010-411.28-04	04/21/2010	04/21/10 COUNCIL DINNER	685416	011023 11/2010	55.51
101-1010-411.28-04	04/22/2010	MCCOY, P CONF REGISTRATION	2010	011023 11/2010	304.95
101-5010-431.30-02	04/12/2010	#24-6V BATTERY	6128518831	011027 11/2010	81.17
601-5050-436.30-02	04/15/2010	2 GPS FOR EDU ACTIVITIES	021645726	011030 11/2010	241.34
101-5040-434.30-02	04/19/2010	ANNUAL GARAGE SALE PAPER	3325937	011030 11/2010	15.68
101-6040-454.30-02	04/16/2010	100W HPS BALLASTS	13325	011034 11/2010	163.13
101-6040-454.30-02	04/19/2010	NUMBER STICKERS	033490/1015018	011034 11/2010	38.48
101-1910-419.30-02	04/20/2010	HOSES & NOZZLES	022155/0566477	011034 11/2010	36.51
101-3060-426.21-04	04/13/2010	MAR/APRIL 2010	7200786	011050 11/2010	79.90
101-3050-425.21-04	04/15/2010	A/C WASHER	W104456393	011050 11/2010	715.15
101-3050-425.21-04	04/16/2010	RADIO SHACK-A/C PHONE CHG	04-16-2010	011050 11/2010	32.60
101-3050-425.21-04	04/20/2010	MAIN TRACKER I SCANNER	4982	011050 11/2010	338.99
101-3020-422.30-02	04/12/2010	STATION SUPPLIES	054179	011052 11/2010	206.36
07/09/2010	71248	SOUTHCOAST HEATING & A/C	1554		987.00
601-5060-436.21-04	06/15/2010	REPLACE ISOLATOR	273085	011076 12/2010	987.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/09/2010	71249	ARROWHEAD MOUNTAIN SPRING	WATE 1340				44.25
101-5020-432.30-02	06/23/2010	JUNE 2010 PW	00F0026726646	010046	12/2010		44.25
07/09/2010	71250	ASHLEY SPRINGFIELD	2193				179.76
101-3050-425.30-02	07/06/2010	REFUND-DOG COLLARS	02-24-2010		01/2011		15.64
101-3050-425.30-02	07/06/2010	REFUND-BOOK PURCHASE	094511		01/2011		75.80
101-3050-425.30-02	07/06/2010	REFUND-RAIN JACKET	192026		01/2011		53.78
101-3050-425.30-02	07/06/2010	REFUND-DOG LASSO	411845		01/2011		11.00
101-3050-425.30-02	07/06/2010	REFUND-WORK BOOTS	757490		01/2011		23.54
07/09/2010	71251	SAN DIEGO ARMED SERVICES YMCA	2234				15,000.00
101-1920-419.21-04	07/08/2010	JULY 4TH FIREWORKS SHOW	07-08-2010		01/2011		15,000.00
07/09/2010	71252	BAY CITY ELECTRIC WORKS	369				456.25
101-1910-419.21-04	06/16/2010	JUNE 10 PRVNTV MAINT	W79994	010137	12/2010		456.25
07/09/2010	71253	BOYCE INDUSTRIES INC	486				276.88
501-1921-419.28-16	06/15/2010	BRASS SWIVELS/110V HINGE	52547	010060	12/2010		276.88
07/09/2010	71254	CALIF ELECTRIC SUPPLY	609				629.14
101-6040-454.30-02	06/15/2010	REPLACEMENT LAMP	1069-604843	010082	12/2010		629.14
07/09/2010	71255	CA BUILDING STANDARDS COMMISSI	2127				25.20
101-0000-221.01-07	06/30/2010	APR-JUN 2010 STATE GREEN	07-01-2010		12/2010		25.20
07/09/2010	71256	DEPT. OF CONSERVATION	1158				18.05
101-0000-211.01-01	06/30/2010	APR-JUN 2010 SMIPS FEES	07-01-2010		12/2010		18.05
07/09/2010	71257	DKC ASSOCIATES, INC.	2187				3,200.00
101-1110-412.20-06	06/30/2010	06/16/10-06/30/10	196	010782	12/2010		1,065.60
405-1260-413.20-06	06/30/2010	06/16/10-06/30/10	196	010782	12/2010		1,065.60
502-1922-419.20-06	06/30/2010	06/16/10-06/30/10	196	010782	12/2010		1,068.80
07/09/2010	71258	DLA PRINTING & PROMO'S	1178				178.30
101-1210-413.30-02	06/11/2010	P/R VOUCHER	6582	F01131	12/2010		178.30
07/09/2010	71259	DOWNSTREAM SERVICES, INC.	1593				982.26
601-5050-436.21-04	06/28/2010	JUNE 2010	69270	010132	12/2010		982.26
07/09/2010	71260	DRUG TESTING NETWORK INC	1195				119.90
101-1130-412.20-06	06/03/2010	RANDOM DRUG TESTING FOR J	49393	F01127	12/2010		59.95
101-1130-412.20-06	06/10/2010	RANDOM DRUG TESTING FOR E	49536	F01135	12/2010		59.95
07/09/2010	71261	D3 EQUIPMENT	1124				1,206.04
101-6040-454.30-02	06/22/2010	HYDRAULIC MOTOR/PARTS	S78847	010090	12/2010		740.08
101-5010-431.30-02	06/25/2010	RUBBER PADS	S79086	010090	12/2010		465.96
07/09/2010	71262	ENVIRO MATRIX ANALYTICAL INC	1691				475.00
601-5050-436.21-04	06/23/2010	JUNE 2010 ANALYSIS	0060494	010120	12/2010		475.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/09/2010 101-5020-432.30-01	71274 06/15/2010	OFFICE DEPOT, INC	1262 INK CARTRIDGES/PAPER/MISC	522731979001	010413	12/2010	1,109.35 1,109.35
07/09/2010 101-5020-432.28-04	71275 06/10/2010	PACIFIC SAFETY COUNCIL	1275 SAFETY VIDEO RENTAL	67266	010412	12/2010	9.79 9.79
07/09/2010 101-6040-454.30-02	71276 06/29/2010	PRO LINE PAINT COMPANY	52 PLAZA TILE PROTECTANT	1923-9	010075	12/2010	452.32 452.32
07/09/2010 101-6040-454.28-01	71277 06/23/2010	QUICK CRETE PRODUCTS CORP	80 BENCH, THOUSAND OAKS SERI	0087442-IN	011165	12/2010	743.85 743.85
07/09/2010 101-5010-431.30-02	71278 06/16/2010	RCP BLOCK & BRICK INC	115 TEMP ASPHALT PATCH	1276491	010084	12/2010	278.40 278.40
07/09/2010 101-1130-412.20-06	71279 06/15/2010	SD SPORTS MED & FAMILY HEALTH	370 PRE-EMPLOYMENT FOR TOM CL	06-15-2010	F01136	12/2010	145.00 145.00
07/09/2010 101-0000-209.01-08	71280 07/08/2010	SEIU LOCAL 221	1821 PR AP PPE 7/1/2010	20100708		01/2011	1,557.98 1,557.98
07/09/2010 101-1130-412.21-04	71281 06/12/2010	SHARP REES-STEALY MEDICAL CNTR	390 OYOQUE, RUBY	225	010041	12/2010	69.00 69.00
DATE RANGE TOTAL *							410,441.38 *



**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

MEETING DATE: JULY 21, 2010
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR 

SUBJECT: CONSENT AGENDA: ADOPTION OF RESOLUTION NO. 2010-6920 RATIFYING THE FINAL MAP APPROVAL (TM 03-091) FOR THE REDEVELOPMENT OF THE SEACOAST INN, A PROPOSED 78 ROOM HOTEL LOCATED AT 800 SEACOAST DRIVE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 661.

PROJECT DESCRIPTION/BACKGROUND:

The Seacoast Inn project [MF 661: Specific Plan (GPA/LCPA 03-95, Coastal Development Permit (A-6-IMB-07-131), Design Review (DRC 03-094), Site Plan Review (SPR 03-093), Tentative Map (TM 03-091), and Environmental Impact Report (EIA 04-034)] proposed to demolish an



existing 3-story, 38-guest room hotel and construct a 4-story, 78-guest room full service condo hotel, 40-feet-high to roof level height with a new vertical seawall on a 1.39 acre lot at 800 Seacoast Drive in the C-2 (Seacoast Commercial) Zone. It was approved by the City Council on December 5, 2007. On appeal, the Coastal Commission eventually approved the coastal development permit (A-6-IMB-07-131) on April 10, 2008.

On Wednesday, April 21, 2010, the City Council approved the Final Map for the Seacoast Inn subject to the submittal to the City of a bond to provide for the construction of required off-site public improvements associated with the project. The required bond was subsequently submitted to the City and minor revisions made to the Final Map. A copy of the Final Map is attached to this staff report as Exhibit "A".

PROJECT EVALUATION/DISCUSSION:

The expiration date (December 5, 2010) for the tentative map was extended by SB 1185 to December 5, 2011. The Final Map substantially conforms to the approved Tentative Map and, pursuant to Map Act Section 66474.1, must be approved by the legislative body when all Tentative Map conditions have been met. The applicant is in the process of complying with the

conditions of the Tentative Map as stipulated in Resolution 2007-6559. The Final Map shows the required dedication of the beach area west of the proposed seawall to the public. A Final Map may be approved if there is bond for the value of the required improvements. A bond has been submitted to the City of Imperial Beach.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This project may be statutorily exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15268 project (Ministerial Projects).



FISCAL IMPACT:

The applicant's project account 03-95 is currently in deficit and additional deposits will be required to replenish the account to fund the continued processing of this application. The applicant has provided a security for the required improvements stipulated in the Tentative Map conditions.

DEPARTMENT RECOMMENDATION:

Adopt Resolution No. 2010-6920 ratifying approval of the Final Map for the Seacoast Inn for recordation.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Gary Brown

- Attachments:
1. Resolution No. 2010-6920
 2. Exhibit "A" - Final Map

- c: file MF 661
Allison Rolfe, Planning Director, Pacifica Companies, 1785 Hancock Street, Suite 100, San Diego, CA 92110 arolfe@pacificacompanies.com
Gary D. Mellom, PLS, Survey Field Supervisor, Construction Testing and Engineering, Inc., 1441 Montiel Road, Ste. 115, Escondido, CA 92026 gary@cte-inc.net
Thomas Jones, President, Bement, Dainwood & Sturgeon, 6859 Federal Boulevard, Lemon Grove, CA 91945-1315 tjones@bdsengineering.com

RESOLUTION NO. 2010-6920

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, RATIFYING THE PREVIOUS APPROVAL OF THE FINAL MAP FOR THE SEACOAST INN DEVELOPMENT PROJECT

WHEREAS, Imperial Coast Limited Partnership, ("Developer") and the City of Imperial Beach ("City") entered into a development agreement ("DA") on December 18, 2007, to provide for the development of a new beachfront hotel consisting of 78 rooms, approximately 114 parking spaces, a full-service restaurant, conference room, and ancillary amenities ("Project"); and

WHEREAS, on December 5, 2007, the City Council approved Tentative Tract Map No. 03-92 for the Seacoast Inn with conditions for the Project to allow the subdivision of the property for hotel-condominium purposes; and

WHEREAS, approval of final maps are ministerial if the final map is filed in accordance with tentative map conditions; and

WHEREAS, on April 21, 2010, the City Council approved the Seacoast Inn Final Map for recordation subject to bonds being filed to provide for the construction of certain off-site public improvements; and

WHEREAS, subject bonds were subsequently filed with the City of Imperial Beach and subsequent revisions were made to the Final Map pursuant to the approved Tentative Tract Map conditions of approval as well as other City ordinances, rules and policies.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council hereby ratifies the prior approval of the Final Map for the Seacoast Inn, attached hereto as Exhibit "A", and further approves its recordation.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 21st day of July 2010, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

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

OWNER'S STATEMENT

WE, HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND EMBRACED WITHIN THE SUBDIVISION TO BE KNOWN AS "SEACOAST INN" AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 2 SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

SEACOAST INN

LOTS 1 TO 15, INCLUSIVE, IN BLOCK 7, IN SOUTH SAN DIEGO BEACH, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1071, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 6, 1907.

ALSO ALL OF THAT CERTAIN ALLEY IN SAID BLOCK 7 LYING AND BEING EAST OF AND ADJACENT TO LOTS 1 AND 7, INCLUSIVE, IN SAID BLOCK AND WEST OF AND ADJACENT TO LOTS 8 AND 12 IN SAID BLOCK, AND ALSO ALL OF THE OTHER CERTAIN ALLEY OF SAID BLOCK, LYING BETWEEN LOTS 8,9,10 AND 11 ON THE SOUTH AND LOTS 12, 13, 14 AND 15 ON THE NORTH.

ALSO ALL THAT PORTION OF OCEAN BOULEVARD DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK 7, AND RUNNING THENCE NORTHERLY ALONG THE WEST LINE OF SAID BLOCK AS SHOWN UPON SAID MAP TO THE NORTHWEST CORNER THEREOF; THENCE AT RIGHT ANGLES WESTERLY TO THE HIGH TIDE LINE OF SAID PACIFIC OCEAN; THENCE SOUTHERLY ALONG SAID HIGH TIDE LINE TO A POINT OPPOSITE AND DIRECTLY WEST OF THE SOUTHWEST CORNER OF SAID BLOCK; THENCE EAST TO SAID SOUTHWEST CORNER OF SAID BLOCK AND BEING ALL THAT PORTION OF SAID BOULEVARD LYING BETWEEN SAID BLOCK 7 AND THE HIGH TIDE OF THE PACIFIC OCEAN, AND EXTENDING IN A GENERAL NORTHERLY DIRECTION FROM SAID SOUTH LINE OF SAID BLOCK PROJECTED WESTERLY TO SAID HIGH TIDE LINE, TO THE NORTH LINE OF SAID BLOCK PROJECTED WESTERLY TO SAID HIGH TIDE LINE. SAID ALLEYS AND SAID PORTION OF OCEAN BOULEVARD WERE VACATED AND CLOSED TO PUBLIC USE ON DECEMBER 9, 1908, BY AN ORDER OF THE BOARD OF SUPERVISORS OF SAN DIEGO COUNTY, RECORDED IN BOOK 27, PAGE 432 AND PAGE 433 OF THE RECORDS OF SAID SUPERVISORS OFFICE. EXCEPT ANY PORTION THEREOF LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

SUBDIVISION GUARANTEE PREPARED BY STEWART TITLE OF CALIFORNIA, INC. ORDER NO. 149570
DATED: _____

SURVEYOR'S STATEMENT

GARY D. MELLOM L.S. 8537
LICENSE EXPIRES 12/31/10
DATE _____

CITY ENGINEER'S STATEMENT

I, THOMAS A. JONES, CITY ENGINEER OF THE CITY OF IMPERIAL BEACH, STATE OF CALIFORNIA, HEREBY STATE THAT I HAVE EXAMINED THE ANNEXED MAP OF THIS SUBDIVISION TO BE KNOWN AS SEACOAST INN, CONSISTING OF 2 SHEETS AND DESCRIBED IN THE CAPTION THEREOF. THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP AND APPROVED ALTERATIONS THEREOF, THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

THOMAS A. JONES CITY ENGINEER
LS 6622 EXPIRES: 12-31-2011

DATE _____

NOTARY CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

ON _____ BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND BY HIS/HER/THEIR SIGNATURE(S) OF THE INSTRUMENT THE PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS:

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

NOTARY CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

ON _____ BEFORE ME,
A NOTARY PUBLIC, PERSONALLY APPEARED

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME IS/ARE SUBSCRIBED TO THE V

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS:

COMMISSION EXPIRES: _____

RECORDER'S STATEMENT

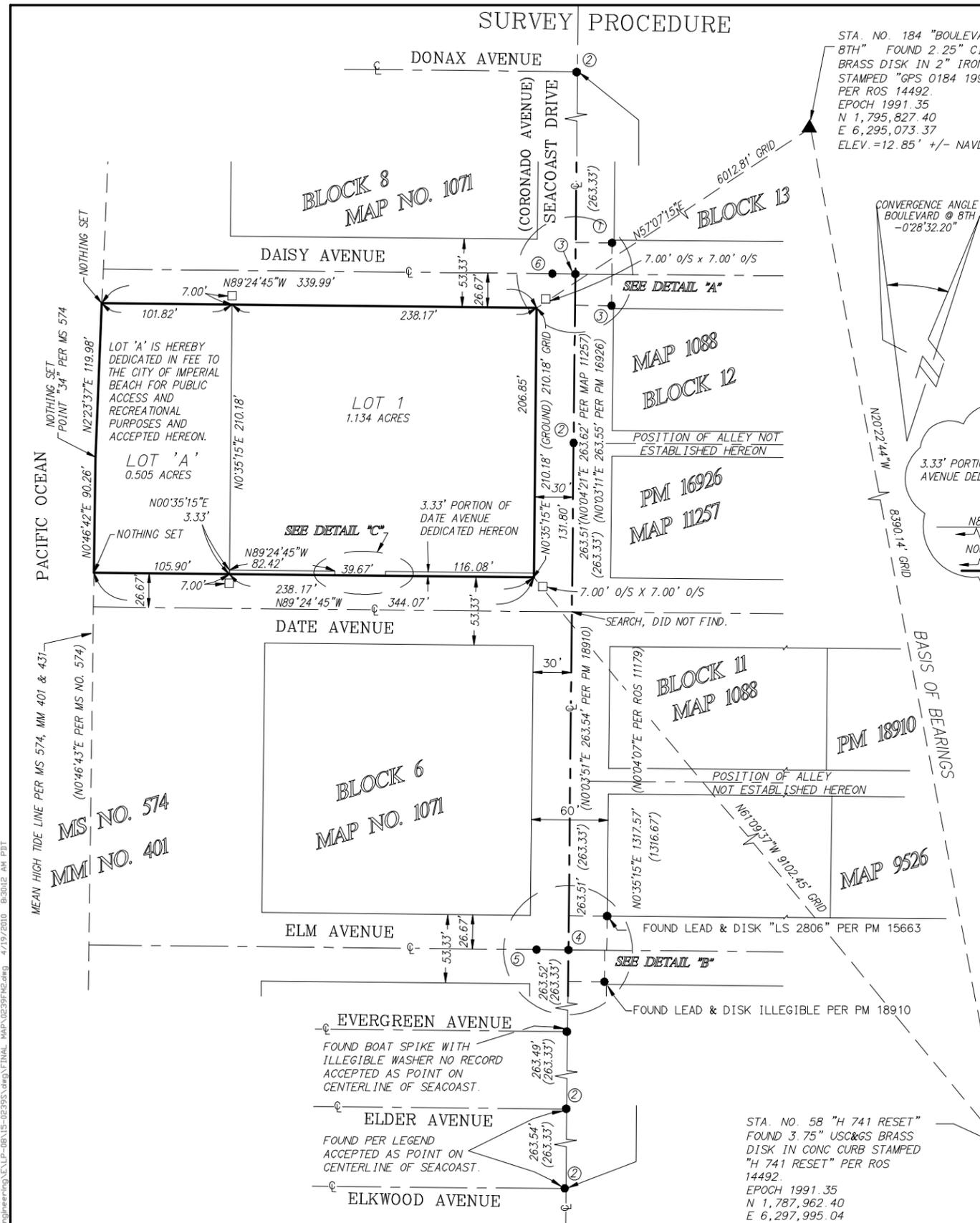
FILE NO. _____
I DAVID L. BUTLER, RECORDER OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF GARY D. MELLOM.

THIS _____ DAY OF _____, 20____ AT _____

FEE: \$12.00

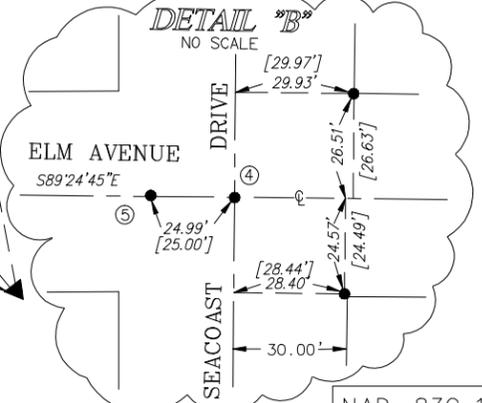
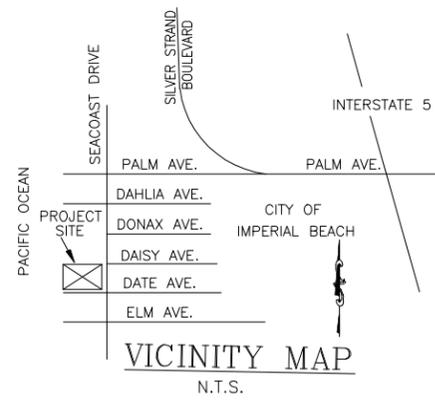
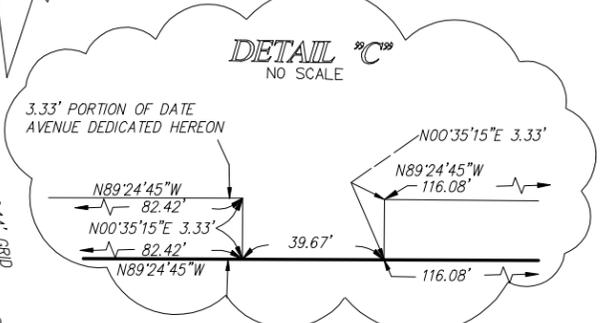
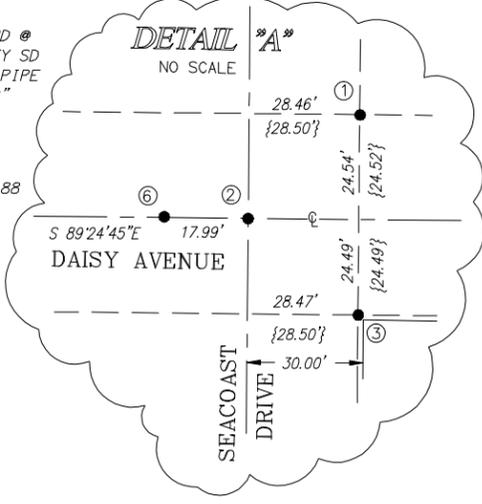
DAVID L. BUTLER,
COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER



STA. NO. 184 "BOULEVARD @ 8TH" FOUND 2.25" CITY SD BRASS DISK IN 2" IRON PIPE STAMPED "GPS 0184 1992" PER ROS 14492. EPOCH 1991.35 N 1,795,827.40 E 6,295,073.37 ELEV. = 12.85' +/- NAVD 88

STA. NO. 58 "H 741 RESET" FOUND 3.75" USC&GS BRASS DISK IN CONC CURB STAMPED "H 741 RESET" PER ROS 14492. EPOCH 1991.35 N 1,787,962.40 E 6,297,995.04



BASIS OF BEARINGS

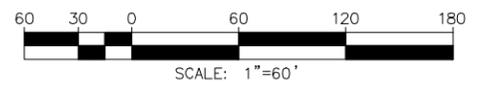
THE BASIS OF BEARINGS FOR THIS MAP IS THE CCS 83, ZONE 6, EPOCH 1991.35, GRID BEARING BETWEEN STATION NO. 58 - "H 741 RESET" AND STATION NO. 184 - "BOULEVARD @ 8TH" (BOTH HAVING A CALIFORNIA COORDINATE VALUE OF FIRST ORDER ACCURACY OR BETTER.), AS SAID STATIONS ARE PUBLISHED ON SAN DIEGO COUNTY RECORD OF SURVEY MAP NO. 14492. I.E. N20°22'44"W.

QUOTED BEARINGS FROM REFERENCE MAPS/DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED SCALE FACTOR AT STATION NO. 184 - "BOULEVARD @ 8TH" IS 1.0000425 PER ROS 14492. GRID DISTANCE = GROUND DISTANCE X COMBINED SCALE FACTOR.

- LEGEND**
- INDICATES FOUND SURVEY POINT AS NOTED HEREON.
 - ▲ INDICATES FOUND FIRST ORDER SURVEY CONTROL STATION AS NOTED.
 - INDICATES SET LEAD & DISK STAMPED L.S. 8537 AT OFFSET ("O/S") INDICATED.
 - () INDICATES RECORD DATA PER MAP NO. 1071 UNLESS OTHERWISE NOTED HEREON.
 - [] INDICATES RECORD DATA PER PARCEL MAP NO. 18910
 - { } INDICATES RECORD DATA PER PARCEL MAP NO. 16926
 - INDICATES SUBDIVISION BOUNDARY
 - INDICATES CENTERLINE
 - INDICATES TIE LINE

- NOTES**
- ① FOUND LEAD WITH HOLE "DISK MISSING" PER MAP 11257 & PM 16926
 - ② FOUND "PK" NAIL-NO RECORD ACCEPTED AS ON CENTERLINE OF SEACOAST DRIVE
 - ③ FOUND LEAD AND DISK-ILLEGIBLE PER MAP 11257 & PM 16926
 - ④ FOUND "PK" NAIL PER MAP 9526 AND PM 18910
 - ⑤ FOUND LEAD AND TACK PER PM 18910
 - ⑥ FOUND LEAD AND TACK ON LINE - NO RECORD
 - ⑦ FOUND CONCRETE NAIL ON LINE-NO RECORD
- ALL DISTANCES AND/OR STREET WIDTHS SHOWN WITHOUT DECIMALS REPRESENT THAT DISTANCE TO ZERO HUNDREDTHS.



\\E:\Engineering\A\LP-08\15-05395\dwg\VTINAL MAP\0239FME.dwg 4/19/2010 8:30:12 AM PBT



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: JULY 21, 2010

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
DAVID GARCIAS, CODE COMPLIANCE OFFICER *[Signature]*

SUBJECT: CODE ENFORCEMENT – WEED & RUBBISH ABATEMENT
PUBLIC HEARING TO HEAR AND CONSIDER ALL
OBJECTIONS TO THE PROPOSED REMOVAL OF WEEDS,
RUBBISH, REFUSE, AND DIRT

BACKGROUND:

The California Government Code (Sect. 39560) has been adopted into the Imperial Beach Municipal Code (Chapter 8.40 – Weed & Rubbish Abatement) and sets out the following procedure for the abatement of weeds and rubbish.

Government Code section 39560 et. seq. and Chapter 8.40 of the Imperial Beach Municipal Code describe the following process for weed and rubbish abatement:

Step 1:
*Completed.
Resolution No.
2010-6912
adopted on
July 7, 2010*

1. Staff shall present to City Council those properties which constitute a public nuisance requiring weed and rubbish abatement. City Council may declare by resolution those properties that are a public nuisance requiring abatement.
2. Staff shall cause notices to be conspicuously posted on or in front of the property on which the nuisance exists. Staff shall both post and mail a notice to the property owner.
3. City Council shall conduct a public hearing to hear and consider all objections. City Council may direct staff to proceed with and perform the necessary abatement.
4. Staff shall keep an account of the cost of abatement on each separate parcel of land where the work is conducted, and shall submit it to the City Council at completion of all abatement for their consideration.
5. The City Council shall hear the abatement cost report and any objections of the property owners liable to be assessed for the abatement costs. The City Council may modify the report if it is deemed necessary. The City Council shall then confirm the report by motion or resolution to assess the individual properties.

On July 7, 2010, the City Council voted and approved adoption of Resolution No. 2010-6912 declaring that weeds growing on and in front of the properties listed below constituted a public nuisance and directed staff to proceed with abatement of the violations.

Properties:

1. 1174 Florida Street
2. 1019 Iris Avenue
3. 336-338 Daisy Avenue

Pursuant to California Government Code section 39560, a noticed public hearing is now required to hear and consider any objections to the City Council's declaration of the above properties as a public nuisances requiring weed and rubbish abatement.

DISCUSSION:

On July 8, 2010, staff mailed to the three listed property owners a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt, and a copy of the Notice was also posted on each of the three properties in compliance with chapter 8.40 of the Imperial Beach Municipal Code.

On July 12, 2010, copies of the Notice and Resolution No. 2010-6912 were mailed to the property owners. Staff completed a Declaration of Service certified by the City Clerk of the City of Imperial Beach for each of the properties.

FISCAL IMPACT:

All costs approved in this paragraph will be subject to review by the City Council at a hearing pursuant to Chapter 8.40 of the Imperial Beach Municipal Code and Government Code section 39560 et. seq. after abatement efforts have been completed, before any lien may be imposed on the subject properties.

Abatement costs may vary. All costs shall be assessed to the individual properties/property owners and the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes on the next regular tax bill levied against the individual parcels for municipal purposes.

Further, the City may assess \$500.00 in administrative costs per property for nuisance abatement proceedings pursuant to Imperial Beach Municipal Code Sections 1.16.240.

DEPARTMENT RECOMMENDATION:

Staff Recommends the Mayor and City Council:

1. Declare the public hearing open, and receive the report.
2. Entertain any objections or protests.
3. Close the Public Hearing.
4. Consider a motion to adopt Resolution No. 2010-6918 to allow for the abatement, and authorizing staff to proceed with and perform the necessary abatement of the nuisance and authorizes the staff to sign any agreements or take any other steps necessary to remove the weeds, rubbish, refuse, and dirt from the listed properties.

5. Staff recommends returning to the September 1, 2010 council meeting with an abatement cost report. Staff shall keep an account of the cost of abatement on each separate parcel of land where the abatement work is conducted, and shall submit to the City Council all costs of abatement for their consideration at the September 1, 2010 council meeting.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

- City Council Resolution #2010-6918
- City Council Resolution #2010-6912
- Table "A"
- Notice to Destroy Weeds and Remove Rubbish, dated July 8, 2010
 - 1174 Florida St
 - 1019 Iris Ave
 - 336-338 Daisy Ave
- Declaration of Service, dated July 12, 2010
 - 1174 Florida St
 - 1019 Iris Ave
 - 336-338 Daisy Ave

RESOLUTION NO. 2010-6918

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AFTER HEARING AND CONSIDERING ALL OBJECTIONS, OVERRULES ALL OBJECTIONS AND HEREBY AUTHORIZES THE CITY MANAGER TO PROCEED AND PERFORM THE NECESSARY ABATEMENT OF THE NUISANCE AND AUTHORIZES THE CITY MANAGER TO SIGN ANY AGREEMENTS OR TAKE ANY OTHER STEPS NECESSARY TO REMOVE THE WEEDS, RUBBISH, REFUSE, AND DIRT FROM THE LISTED PROPERTIES

WHEREAS, The California Government Code (Sect. 39560) has been adopted into the Imperial Beach Municipal Code (Chapter 8.40 – Weed & Rubbish Abatement) and sets out the following procedure for the abatement of weeds and rubbish.; and

WHEREAS, Government Code section 39560 et. seq. and Chapter 8.40 of the Imperial Beach Municipal Code describe the following process for weed and rubbish abatement:

1. Staff shall present to City Council those properties which constitute a public nuisance requiring weed and rubbish abatement. City Council may declare by resolution those properties that are a public nuisance requiring abatement.
2. Staff shall cause notices to be conspicuously posted on or in front of the property on which the nuisance exists. Staff shall both post and mail a notice to the property owner.
3. City Council shall conduct a public hearing to hear and consider all objections. City Council may direct staff to proceed with and perform the necessary abatement.
4. Staff shall keep an account of the cost of abatement on each separate parcel of land where the work is conducted, and shall submit it to the City Council at completion of all abatement for their consideration.
5. The City Council shall hear the abatement cost report and any objections of the property owners liable to be assessed for the abatement costs. The City Council may modify the report if it is deemed necessary. The City Council shall then confirm the report by motion or resolution to assess the individual properties; and

WHEREAS, Step 1: Completed. Resolution No. 2010-6912 adopted on July 7, 2010; and

WHEREAS, On July 7, 2010, the City Council voted and approved adoption of Resolution No. 2010-6912 declaring that weeds growing on and in front of the properties listed below constituted a public nuisance and directed staff to proceed with abatement of the violations; and

WHEREAS, Properties:

1. 1174 Florida Street
2. 1019 Iris Avenue
3. 336-338 Daisy Avenue; and

WHEREAS, Pursuant to California Government Code section 39560, a noticed public hearing is now required to hear and consider any objections to the City Council's declaration of the above properties as a public nuisances requiring weed and rubbish abatement; and

WHEREAS, On July 8, 2010, staff mailed to the three listed property owners a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt, and a copy of the Notice was also posted on each of the three properties in compliance with chapter 8.40 of the Imperial Beach Municipal Code; and

WHEREAS, On July 12, 2010, copies of the Notice and Resolution No. 2010-6912 were mailed to the property owners. Staff completed a Declaration of Service certified by the City Clerk of the City of Imperial Beach for each of the properties; and

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

Section 1. The foregoing recitals are true and correct, and the City Council, after hearing and considering all objections, overrules all objections and hereby authorizes the City Manager to proceed and perform the necessary abatement of the nuisance and authorizes the City Manager to sign any agreements or take any other steps necessary to remove the weeds, rubbish, refuse, and dirt from the listed properties.

Section 2. The cost of abatement is approved as follows:

All costs approved in this paragraph will be subject to review by the City Council at a hearing pursuant to Chapter 8.40 of the Imperial Beach Municipal Code and Government Code section 39560 et. seq. after abatement efforts have been completed, before any lien may be imposed on the subject properties. Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions. Further, the City may assess \$500.00 in administrative costs per property for nuisance abatement proceedings pursuant to Imperial Beach Municipal Code Sections 1.16.240.

Section 3. The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

Section 4. The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described properties as shown in the last equalized assessment roll;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

Section 5: Any finding in Resolution number 2010-6912 finding violations to be seasonal and recurrent are hereby rescinded.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 21st day of July 2010, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

DEPUTY CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2010-6918 – A Resolution of the City Council of the City of Imperial Beach, California, AFTER HEARING AND CONSIDERING ALL OBJECTIONS, OVERRULES ALL OBJECTIONS AND HEREBY AUTHORIZES THE CITY MANAGER TO PROCEED AND PERFORM THE NECESSARY ABATEMENT OF THE NUISANCE AND AUTHORIZES THE CITY MANAGER TO SIGN ANY AGREEMENTS OR TAKE ANY OTHER STEPS NECESSARY TO REMOVE THE WEEDS, RUBBISH, REFUSE, AND DIRT FROM THE LISTED PROPERTIES

CITY CLERK

DATE

RESOLUTION NO. 2010-6912

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND DECLARING THAT WEEDS, BRUSH, RUBBISH AND REFUSE UPON OR IN FRONT OF SPECIFIED PROPERTIES IN THE CITY ARE A SEASONAL AND RECURRENT PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF AND SCHEDULE A WEED AND RUBBISH ABATEMENT PUBLIC HEARING TO HEAR OBJECTIONS ON JULY 21, 2010

WHEREAS, among other responsibilities, the Code Compliance division handles complaints and conducts inspections regarding the existence of weeds, rubbish, refuse, and unsightly materials on residential and commercial properties. Abatement notices are sent to parcel owners within the City deemed by Code Compliance staff to be a public nuisance and dangerous to the public health and safety; and

WHEREAS, the California Government Code (Sect. 39560) has been adopted into the Imperial Beach Municipal Code (Chapter 8.40 – Weed & Rubbish Abatement) and sets out the following procedure for the abatement of weeds and rubbish; and

WHEREAS,

1. Staff shall identify and present to City Council those properties which constitute a public nuisance as defined in the California Government Code requiring weed and rubbish abatement. City Council may declare by resolution those properties that are a public nuisance requiring abatement. A date shall be set for a public hearing before the City Council to consider the abatement of the nuisance violations.
2. After passage of a resolution declaring a nuisance, staff shall cause notices to be conspicuously posted on or in front of the property on which the nuisance exists. Staff shall both post and mail a notice to the property owner. The notices shall be posted at least five days prior to the date of the public hearing before the City Council.
3. City Council shall conduct a public hearing to hear and consider all objections to the proposed removal of weeds, rubbish, refuse, and dirt. At the conclusion of the hearing, the City Council shall by motion or resolution allow or overrule any objections. If after the public hearing the City Council determines that public nuisances exist, the City Council shall direct staff to proceed with and perform the necessary abatement. City Council shall order staff to abate the nuisance by having the weeds, rubbish, refuse, and dirt removed.
4. Staff shall keep an account of the cost of abatement on each separate parcel of land where the work is conducted, and shall submit it to the City Council at completion of all abatement for their consideration.
5. The City Council shall hear the abatement cost report and any objections of the property owners liable to be assessed for the abatement costs. The City

Council may modify the report if it is deemed necessary. The City Council shall then confirm the report by motion or resolution to assess the individual properties. The total amounts would constitute a special assessment against the lot or parcel of land to which it relates, and the cost would be placed as a lien on the property for the amount of the assessment. Assessments shall be billed to the property owners and remitted to the City within thirty (30) days of adoption of the resolution. If the costs are not paid, staff shall record a notice of lien in the office of the county recorder, and the assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments would apply. The assessment would also be a personal obligation of the property owner; and

WHEREAS, the following properties have been inspected by staff and identified with the below list of violations of the Imperial Beach Municipal Code. The properties were issued Notices of Violations, and Administrative Citations assessing fines. To date, staff has not heard from property owners, and the violations on the properties have not been abated

- IBMC 1.16.010.G. Overgrown vegetation.
- IBMC 1.16.010.H. Dead or hazardous vegetation.
- IBMC 1.16.010.U. "Visual blight", unsightly vegetation.
- IBMC 8.50.050.P. All premises on which there are any "weeds," rubbish or refuse found upon parkways, sidewalks, or private property within the city.

PROPERTIES:

1. **1174 Florida St (APN. 633-011-11)**; Owner: Barron, Manuel (details see Table "A")
 - a. February 24, 2009: Citizen Complaint received identifying above violations.
 - b. March 3, 2009: Notice of Violation issued to property owner to abate violations.
 - c. March 23, 2009: Staff inspected and observed the violations were abated.
 - d. June 1, 2009: Citizen Complaint received identifying above violations.
 - e. June 3, 2009: Notice of Violation issued to property owner to abate violations.
 - f. July 1, 2009: Staff inspected and observed the violations were abated.
 - g. February 23, 2010: Citizen Complaint received identifying above violations.

- h. March 1, 2010: Staff issued Admin. Citation to property owner to abate violations.
 - i. March 29, 2010: Inspection, staff observed a notice of default posted on the lot.
 - j. May 11, 2010: Citizen Complaint received identifying above violations.
 - k. June 7, 2010: Citizen Complaint received identifying above violations.
2. **1019 Iris Ave (APN. 632-323-06)**; Owner: Raczkowski, Richard (details see table "A")
- a. February 9, 2010: Citizen Complaint received identifying above violations.
 - b. February 16, 2010: Notice of Violation issued to property owner to abate violations.
 - c. March 9, 2010: Admin. Citation issued to property owner to abate violations.
3. **336-338 Daisy Ave (APN. 625-291-05)**; Owner: Stupeck, Mary K. (details see table "A")
- a. April 26, 2010: Citizen Complaint received identifying above violations.
 - b. April 28, 2010: Notice of Violation issued to property owner to abate violations; and

WHEREAS, Staff is requesting City Council declare that weeds growing upon and in front of the above listed properties are a public nuisance and authorize staff to proceed with weed and rubbish abatement at the non-compliant properties; and

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

Section 1. The foregoing recitals are true and correct, and the City Council hereby concurs with the Finding and Declaring that the weeds, brush, rubbish, and refuse upon or in front of the specified property in the City area a seasonal and recurrent public nuisance, and declaring its intention to provide for the abatement thereof and schedule a weed and rubbish abatement public hearing to hear objections on July 21, 2010.

Section 2. The cost of abatement is approved as follows:
Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.

Section 3. The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

Section 4. The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described properties as shown in the last equalized assessment roll;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 7th day of July 2010, by the following vote:

AYES:	COUNCILMEMBERS:	BRAGG, MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Lisa Wolfson

**LISA WOLFSON, CMC
DEPUTY CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2010-6912 – A Resolution of the City Council of the City of Imperial Beach, California, FINDING AND DECLARING THAT WEEDS, BRUSH, RUBBISH AND REFUSE UPON OR IN FRONT OF SPECIFIED PROPERTIES IN THE CITY ARE A SEASONAL AND RECURRENT PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF AND SCHEDULE A WEED AND RUBBISH ABATEMENT PUBLIC HEARING TO HEAR OBJECTIONS ON JULY 21, 2010.

Lisa D. Wolfson
CITY CLERK

7/10/10
DATE

Table A
(Attachment to Resolution No. 2010-6912)**Table "A"**

APN	SITE ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	STATE	ZIP
633-011-11-00	Vacant Lot, 1174 Florida St	BARRON, MANUEL	1180 FLORIDA ST	IMPERIAL BEACH	CA	91932
632-323-06-00	1019 Iris Ave	RACZKOWSKI, RICHARD	PO BOX 22	DESCANSO	CA	91916
625-291-05-00	336-338 Daisy Ave	STUPECK, MARY K	7553 LA JOLLA BLVD	LA JOLLA	CA	92037

*The City of
Imperial
Beach*

TEL. (619) 628-1356 / 628-1359
FAX: (619) 424-4093

**COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION**

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



July 8, 2010

Manuel Barron
9844 Eucalyptus St
Spring Valley, CA 91977-4605

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE, AND DIRT

Notice is hereby given that on the 7th day of July, 2010 the City Council of the City of Imperial Beach passed a resolution number **2010-6912** declaring that noxious or dangerous weeds were growing upon or in front of the property on this street, and that rubbish, refuse, and dirt were upon or in front of property on this street, at **1174 Florida Street, Assessor's Parcel No. 633-011-11-00**, in the City of Imperial Beach, County of San Diego, State of California, and more particularly described in the resolution, and that they constitute a public nuisance which must be abated by the removal of the weeds, rubbish, refuse, and dirt. Otherwise they will be removed and the nuisance abated by the city and the cost of removal assessed upon the land from or in front of which the weeds, rubbish, refuse, and dirt are removed and will constitute a lien upon such land until paid. Reference is hereby made to resolution number **2010-6912** for further particulars. A copy of said resolution is on file in the Office of the City Clerk of the City of Imperial Beach.

All property owners having any objections to the proposed removal of the weeds, rubbish, refuse, and dirt are hereby notified to attend a meeting of the City Council of the City of Imperial Beach to be held at 6:00 pm, on July 21, 2010, at the Imperial Beach City Council Chambers, located at 825 Imperial Beach Blvd, in Imperial Beach, CA 91932, when their objections will be heard and given due consideration.

Dated this 8th day of July, 2010.



**Gary Brown, City Manager
City of Imperial Beach**

The City of
Imperial
Beach

TEL. (619) 628-1356 / 628-1359
FAX: (619) 424-4093

**COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION**

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



July 8, 2010

Richard Raczkowski
PO Box 22
Descanso, CA 91916-0022

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE, AND DIRT

Notice is hereby given that on the 7th day of July, 2010 the City Council of the City of Imperial Beach passed a resolution number **2010-6912** declaring that noxious or dangerous weeds were growing upon or in front of the property on this street, and that rubbish, refuse, and dirt were upon or in front of property on this street, at **1019 Iris Avenue, Assessor's Parcel No. 632-323-06-00**, in the City of Imperial Beach, County of San Diego, State of California, and more particularly described in the resolution, and that they constitute a public nuisance which must be abated by the removal of the weeds, rubbish, refuse, and dirt. Otherwise they will be removed and the nuisance abated by the city and the cost of removal assessed upon the land from or in front of which the weeds, rubbish, refuse, and dirt are removed and will constitute a lien upon such land until paid. Reference is hereby made to resolution number **2010-6912** for further particulars. A copy of said resolution is on file in the Office of the City Clerk of the City of Imperial Beach.

All property owners having any objections to the proposed removal of the weeds, rubbish, refuse, and dirt are hereby notified to attend a meeting of the City Council of the City of Imperial Beach to be held at 6:00 pm, on July 21, 2010, at the Imperial Beach City Council Chambers, located at 825 Imperial Beach Blvd, in Imperial Beach, CA 91932, when their objections will be heard and given due consideration.

Dated this 8th day of July, 2010.



Gary Brown, City Manager
City of Imperial Beach

The City of
Imperial
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CODE COMPLIANCE DIVISION**

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



July 8, 2010

Mary K. Stupeck
7553 La Jolla Blvd
La Jolla, CA 92037-4721

**NOTICE TO DESTROY WEEDS AND REMOVE
RUBBISH, REFUSE, AND DIRT**

Notice is hereby given that on the 7th day of July, 2010 the City Council of the City of Imperial Beach passed a resolution number **2010-6912** declaring that noxious or dangerous weeds were growing upon or in front of the property on this street, and that rubbish, refuse, and dirt were upon or in front of property on this street, at **336-338 Daisy Avenue, Assessor's Parcel No. 625-291-05-00**, in the City of Imperial Beach, County of San Diego, State of California, and more particularly described in the resolution, and that they constitute a public nuisance which must be abated by the removal of the weeds, rubbish, refuse, and dirt. Otherwise they will be removed and the nuisance abated by the city and the cost of removal assessed upon the land from or in front of which the weeds, rubbish, refuse, and dirt are removed and will constitute a lien upon such land until paid. Reference is hereby made to resolution number **2010-6912** for further particulars. A copy of said resolution is on file in the Office of the City Clerk of the City of Imperial Beach.

All property owners having any objections to the proposed removal of the weeds, rubbish, refuse, and dirt are hereby notified to attend a meeting of the City Council of the City of Imperial Beach to be held at 6:00 pm, on July 21, 2010, at the Imperial Beach City Council Chambers, located at 825 Imperial Beach Blvd, in Imperial Beach, CA 91932, when their objections will be heard and given due consideration.

Dated this 8th day of July, 2010.



Gary Brown, City Manager
City of Imperial Beach

The City of
Imperial
Beach

(619) 628-1359
FAX: (619) 424-4093

COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION
825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



DECLARATION OF SERVICE

July 12, 2010

I, **DAVID GARCIAS**, hereby certify on penalty of perjury, that on July 8, 2010, at approximately 11:00 am, Pacific Daylight Time, I served a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt to Manuel Barron, the Property Owner for the Property located at 1174 Florida St (APN. # 633-011-11-00), **Imperial Beach, CA, 91932** in the following manner:

- Personally Served Signed: _____ Refused: _____ Other: _____
- Mailed Regular Mail 7/8/10
- Mailed Certified Mail, Return Receipt 7/12/10
- Posted at Property 7/8/10

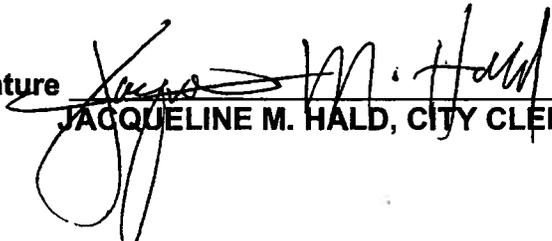
In accordance with Chapters 8.40, 8.50, 1.12, 1.16, and 1.22 of the Imperial Beach Municipal Code

DAVID GARCIAS
CODE COMPLIANCE OFFICER
CITY OF IMPERIAL BEACH

State of California
County of San Diego ss:

On 7/12/10 **DAVID GARCIAS**, personally appeared before me, **Jacqueline Hald**, City Clerk, known to me to be the person, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signatures on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal:

Signature  (Seal)
JACQUELINE M. HALD, CITY CLERK

**COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION**

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



DECLARATION OF SERVICE

July 12, 2010

I, **DAVID GARCIAS**, hereby certify on penalty of perjury, that on July 8, 2010, at approximately 11:00 am, Pacific Daylight Time, I served a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt to Richard Raczkowski, the Property Owner for the Property located at 1019 Iris Street (APN. # 632-323-06-00), **Imperial Beach, CA, 91932** in the following manner:

- Personally Served Signed: _____ Refused: _____ Other: _____
- Mailed Regular Mail 7/8/10
- Mailed Certified Mail, Return Receipt 7/12/10
- Posted at Property 7/8/10

In accordance with Chapters 8.40, 8.50, 1.12, 1.16, and 1.22 of the Imperial Beach Municipal Code.

**DAVID GARCIAS
CODE COMPLIANCE OFFICER
CITY OF IMPERIAL BEACH**

**State of California
County of San Diego ss:**

On July 12, 2010 **DAVID GARCIAS**, personally appeared before me, **Jacqueline Hald**, City Clerk, known to me to be the person, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signatures on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal:

Signature  (Seal)
JACQUELINE M. HALD, CITY CLERK

**COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION**

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



DECLARATION OF SERVICE

July 12, 2010

I, **DAVID GARCIAS**, hereby certify on penalty of perjury, that on July 8, 2010, at approximately 11:00 am, Pacific Daylight Time, I served a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt to Mary K. Stupeck, the Property Owner for the Property located at 336-338 Daisy Ave (APN. # 625-291-05-00), **Imperial Beach, CA, 91932** in the following manner:

- Personally Served Signed: _____ Refused: _____ Other: _____
- Mailed Regular Mail 7/8/10
- Mailed Certified Mail, Return Receipt 7/12/10
- Posted at Property 7/8

In accordance with Chapters 8.40, 8.50, 1.12, 1.16, and 1.22 of the Imperial Beach Municipal Code.

**DAVID GARCIAS
CODE COMPLIANCE OFFICER
CITY OF IMPERIAL BEACH**

**State of California
County of San Diego ss:**

On 7/12/10 **DAVID GARCIAS**, personally appeared before me, **Jacqueline Hald**, City Clerk, known to me to be the person, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signatures on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal:

Signature  (Seal)
JACQUELINE M. HALD, CITY CLERK



STAFF REPORT CITY OF IMPERIAL BEACH

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

MEETING DATE: JULY 21, 2010
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, DIRECTOR
DAVID GARCIAS, CODE COMPLIANCE OFFICER

SUBJECT: 1257 EAST LANE – NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS.

BACKGROUND:

On June 17, 2009, the City Council voted and approved adoption of Resolution No. 2009-6777 assessing a five hundred dollar (\$500) administrative fee, and placing the previously accrued and remaining Eight Thousand Three Hundred Fifty dollars (\$8,350.00) in civil penalties to be placed in abeyance. In order to ensure the property was maintained with all federal, state and local laws, a five-year probation period was established. For each year the property was in compliance, upon determination by the City Council, the following amortization schedule would apply:

- Year 1: civil penalties shall be reduced by \$1,000.00;
- Year 2: civil penalties shall be reduced by \$1,500.00;
- Year 3: civil penalties shall be reduced by \$2,000.00;
- Year 4: civil penalties shall be reduced by \$2,500.00;
- Year 5: the remainder of the original \$8,350.00 in civil penalties shall be excused.

If there were further code violation(s) as determined by formal City Council action, the payment of the remaining civil penalties would then be required.

DISCUSSION:

On April 8, 2010, staff received a citizen complaint regarding code violations at 1257 East Lane.

On April 26, 2010, staff conducted an inspection of 1257 East Lane. Staff observed a truck loaded with junk, overgrown vegetation, trash, and debris stored in the yards. Staff spoke with the owner's brother, John Paul Ender-Palmer ("JP"). JP told staff the property was going into foreclosure, and they had not been paying the mortgage.

On April 27, 2010, staff requested a title report. The title report did not indicate any foreclosure at that time.

Between April and July, staff monitored the conditions on the property at 1257 East Lane and observed a pattern of abatement then re-violation.

On July 7, 2010, staff conducted another drive-by inspection at 1257 East Lane and observed a truck loaded with junk parked on the grass, an engine transmission in the yard at the corner, a discarded mattress, junk, trash, and debris stored in the yards. Below is a list of the Imperial Beach Municipal code violations identified.

1. **IBMC 1.16.010.U. "Visual Blight".**
2. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
3. **IBMC 8.50.050.K. Vehicles must be parked on a paved roadway or driveway.**
4. **IBMC 8.44.020. Inoperable or abandon vehicles may not be stored on property.**

On July 9, 2010, staff posted and served the property owner a notice to eliminate substandard and public nuisance conditions on the property. The violations were to be corrected by July 21, 2010. The owner was notified by mail of the public hearing scheduled for the same date.

By the time of the July 21, 2010, City Council Meeting staff may have additional items to discuss.

FISCAL ANALYSIS:

Current assessment of \$500.00 in administrative costs for nuisance abatement proceedings pursuant to Imperial Beach Municipal Code Sections 1.16.240 and 1.12.120, and, assuming no abatement of violations have occurred by July 21, 2010 civil penalties at \$50.00 per day per violation starting from July 9, 2010 to July 21, 2010, will have accrued as follows:

1. July 9, 2010 to July 21, 2010 – 13 days (4-violation) @ \$50.00 per day per violation = **\$2,600.00**
2. Administrative Fee: **\$500.00**
3. Resolution No. 2009-6777 – Civil Penalties held in abeyance: **\$8,350.00**

CIVIL PENALTIES:	\$2,600.00
ADMINISTRATIVE FEE:	500.00
PENALTIES HELD IN ABEYANCE:	+ 8,350.00
TOTAL COSTS:	\$11,450.00

DEPARTMENT RECOMMENDATION:

Staff Recommends the Mayor and City Council:

1. Declare the public hearing open, and receive the report.
2. Entertain any objections or protests.
3. Close the Public Hearing.
4. Consider a motion to adopt Resolution No. 2010-6919 assessing \$2,600.00 in current civil penalties (dependent upon any noted violation abatement), \$8,350.00 of the penalties held in abeyance from 2009, and \$500.00 in administrative fees.
5. Authorize staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by City forces or private contract.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

- Resolution No. 2010-6919
- Resolution No. 2009-6777
- Notice to Eliminate Conditions, dated July 9, 2010
- Declaration of Service, dated July 13, 2010

cc:

Joseph L. Ender-Palmer
18019 E. Citrus Edge St
Azusa, CA 91702

John Paul Ender-Palmer
1257 East Lane
Imperial Beach, CA 91932

Theodore D. Ender-Palmer
8975 Haveteur Way
San Diego, CA 92123-2316

RESOLUTION NO. 2010-6919**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND DECLARING THAT THE NOTICE AND ORDER TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S), REGARDING THE PROPERTY AT 1257 EAST LANE IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT, AN ADMINISTRATIVE FEE AND CIVIL PENALTIES**

WHEREAS, On June 17, 2009, the City Council voted and approved adoption of Resolution No. 2009-6777 assessing a five hundred dollar (\$500) administrative fee, and placing the previously accrued and remaining Eight Thousand Three Hundred Fifty dollars (\$8,350.00) in civil penalties to be placed in abeyance. In order to ensure the property was maintained with all federal, state and local laws, a five-year probation period was established. For each year the property was in compliance, upon determination by the City Council, the following amortization schedule would apply:

- Year 1: civil penalties shall be reduced by \$1,000.00;
- Year 2: civil penalties shall be reduced by \$1,500.00;
- Year 3: civil penalties shall be reduced by \$2,000.00;
- Year 4: civil penalties shall be reduced by \$2,500.00;
- Year 5: the remainder of the original \$8,350.00 in civil penalties shall be excused.

If there were further code violation(s) as determined by formal City Council action, the payment of the remaining civil penalties would then be required; and

WHEREAS, On April 8, 2010, staff received a citizen complaint regarding code violations at 1257 East Lane; and

WHEREAS, On April 26, 2010, staff conducted an inspection of 1257 East Lane. Staff observed a truck loaded with junk, overgrown vegetation, trash, and debris stored in the yards. Staff spoke with the owner's brother, John Paul Ender-Palmer ("JP"). JP told staff the property was going into foreclosure, and they had not been paying the mortgage; and

WHEREAS, On April 27, 2010, staff requested a title report. The title report did not indicate any foreclosure at that time; and

WHEREAS, Between April and July, staff monitored the conditions on the property at 1257 East Lane and observed a pattern of abatement then re-violation; and

WHEREAS, On July 7, 2010, staff conducted another drive-by inspection at 1257 East Lane and observed a truck loaded with junk parked on the grass, an engine transmission in the yard at the corner, a discarded mattress, junk, trash, and debris stored in the yards. Below is a list of the Imperial Beach Municipal code violations identified.

1. **IBMC 1.16.010.U. "Visual Blight".**
2. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
3. **IBMC 8.50.050.K. Vehicles must be parked on a paved roadway or driveway.**
4. **IBMC 8.44.020. Inoperable or abandon vehicles may not be stored on property; and**

WHEREAS, On July 9, 2010, staff posted and served the property owner a notice to eliminate substandard and public nuisance conditions on the property. The violations were to be corrected by July 21, 2010. The owner was notified by mail of the public hearing scheduled for the same date; and

WHEREAS, testimony was presented to the City Council at the public hearing on July 21, 2010 regarding conditions at 1257 East Lane; and

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

SECTION 1: The foregoing recitals are true and correct, and the City Council hereby concurs with the Finding and Declaring the Notice and Order to Eliminate Substandard and Public Nuisance Condition(s) is appropriate and assessing costs of abatement, an administrative fee and civil penalties.

SECTION 2: The cost of abatement is approved as follows:

Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.

Current assessment of \$500.00 in administrative costs for nuisance abatement proceedings pursuant to Imperial Beach Municipal Code Sections 1.16.240 and 1.12.120, civil penalties at \$50.00 per day per violation starting from July 9, 2010 to July 21, 2010, have accrued as follows:

1. July 9, 2010 to July 21, 2010 – 13 days (4-violation) @ \$50.00 per day per violation = **\$2,600.00**
2. Administrative Fee: **\$500.00**
3. Resolution No. 2009-6777 – Civil Penalties held in abeyance: **\$8,350.00**

CIVIL PENALTIES:	\$2,600.00
ADMINISTRATIVE FEE:	500.00
PENALTIES HELD IN ABEYANCE:	+ 8,350.00
TOTAL COSTS:	\$11,450.00

SECTION 3: The Two Thousand Six hundred dollars (\$2,600.00) in current civil penalties, the Eight Thousand Three Hundred Fifty dollars (\$8,350.00) of civil penalties held in abeyance from Resolution 2009-6777, and the Five Hundred dollars (\$500.00) in administrative costs are hereby assessed and to be remitted to the City within 30 days of adoption of this Resolution. The total amount of **\$11,450.00** constitutes a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

SECTION 4: The City Council authorizes staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by City forces or private contract.

SECTION 5: The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

SECTION 6: The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described property as shown in the last equalized assessment roll;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 21st day of July 2010, by the following roll call vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2010-6919 – A Resolution of the City Council of the City of Imperial Beach, California FINDING AND DECLARING THAT THE NOTICE AND ORDER TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S), REGARDING THE PROPERTY AT 1257 EAST LANE IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT, AN ADMINISTRATIVE FEE AND CIVIL PENALTIES.

CITY CLERK

DATE

RESOLUTION NO. 2009-6777

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND DECLARING THAT THE NOTICE AND ORDER TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S), REGARDING THE PROPERTY AT 1257 EAST LANE IS APPROPRIATE AND ASSESSING COSTS OF ABATEMENT, AN ADMINISTRATIVE FEE AND CIVIL PENALTIES

WHEREAS, between 1997 and 2009, staff has received 10 citizen complaints reporting violations of the Imperial Beach Municipal Code at 1257 East Lane. On August 4, 1999, the Council adopted Resolution No. 99-5112 assessing \$1,500 in civil penalties and administrative costs, and establishing a 5-year probation with \$8,000 in accrued fines held in abeyance as long as the property remained in compliance. In August 2004 the probation expired; and

WHEREAS, the following is a chronology of code compliance actions at the property:

<u>Notice & Hearing Dates</u>	<u>Notices & Types of Hearings</u>
1. June 26, 1997	Notice of Violation
2. January 16, 1998	Notice of Violation
3. March 23, 1998	Second Notice
4. August 13, 1998	Courtesy Notice
5. June 30, 1999	Public Nuisance Notice
6. July 12, 1999	Administrative Hearing
7. August 4, 1999	City Council Public Hearing (Resolution No. 99-5112)
8. September 1, 1999	City Council Public Hearing
9. August 23, 2001	Request to Inspect Notice
10. March 15, 2002	Courtesy Notice
11. April 4, 2002	Second Notice
12. August 3, 2006	Notice of Violation
13. August 15, 2006	1 st Admin Citation
14. September 7, 2006	2 nd Admin Citation
15. December 1, 2006	3 rd Admin Citation
16. July 18, 2007	Stop Work Notice
17. June 12, 2008	Notice of Violation
18. July 1, 2008	1 st Admin Citation
19. December 15, 2008	2 nd Admin Citation
20. January 9, 2009	3 rd Admin Citation; and

WHEREAS, in the most recent case, on June 9, 2008, staff received a citizen complaint regarding code violations at 1257 East Lane; and

WHEREAS, on June 11, 2008, staff conducted an inspection at 1257 East Lane and observed wrecked/inoperable vehicles parked on dirt beside the house, a utility trailer with vehicle parts and junk piled inside the trailer, and piles of lumber, wood, cans of paint, and vehicle tires piled up beside the garage; and

WHEREAS, on June 12, 2008, staff served a Notice of Violation notifying the property owner to abate the violations no later than June 26, 2008. The sections of the Imperial Beach Municipal Code violated were:

1. IBMC 1.16.010.R. Property constituting a public nuisance.
2. IBMC 1.16.010.U. "Visual Blight", Junk, trash, and debris littered on property.
3. IBMC 8.44.020 Inoperable, wrecked, dismantled vehicles on private property.
4. IBMC 8.50.050.K. Vehicles shall be parked on a paved surface.
5. IBMC 8.50.050.M. Maintenance of Premises; and

WHEREAS, staff conducted follow-up inspections on June 26, June 27, and June 30, and observed the violations were not being corrected; and

WHEREAS, on July 1, 2008, staff issued an Administrative Citation #1230 to the property owner of 1257 East Lane, for the unabated code violations located on the property with fines charged in the amount of \$500.00. The owner was notified to correct the violations no later than July 15, 2008; and

WHEREAS, on July 15, 2008, staff conducted a follow-up re-inspection and observed the violations were abated; and

WHEREAS, on December 12, 2008, staff conducted a routine drive-by inspection of the property and observed multiple wrecked/inoperable vehicles, piles of junk, trash, debris, car parts, tires, and discarded furniture on the property, vehicles parked on the unpaved areas of the property, and a newly constructed awning structure and stairway/ladder to the 2nd story patio deck. These constituted re-violation of the Municipal Code; and

WHEREAS, on December 15, 2008, staff issued an Administrative Citation #1265 to the property owner of 1257 East Lane, for the code violations located on the property with fines charged in the amount of \$1,000.00. The owner was notified to correct the violations no later than December 22, 2008; and

WHEREAS, on December 18, 2008, staff spoke to the owner, Joseph Ender-Palmer, who lives in Azusa, California. The owner told staff he is trying to evict or remove the tenant, his brother, "JP" (John Paul Ender-Palmer) from the property; and

WHEREAS, on December 22, 2008, staff conducted a follow-up re-inspection and observed the violations were unchanged, and had even increased with the addition of an inoperable vehicle parked on the front lawn; and

WHEREAS, on January 7, 2009, staff conducted a follow-up re-inspection and observed the violations were unchanged; and

WHEREAS, on January 9, 2009, staff issued an additional Administrative Citation #1271 to the property owner of 1257 East Lane, for the code violations located on the property with fines charged in the amount of \$2,500. The violations were to be corrected by January 15, 2009; and

WHEREAS, in February and March 2009, phone messages left for the owner, Joseph Ender-Palmer, were not returned. Staff spoke with the owner's mother (Shirl Steel), and she stated that the owner was considering letting the property go into foreclosure. Steel also told staff they were considering evicting the tenant; and

WHEREAS, on April 13, 2009, staff received a letter from Steel saying that they had not yet made the decision to allow the property to go into foreclosure, but they provided a copy of a "Notice to Terminate Tenancy" they said they served to her son "JP". The notice gave the tenant until April 30, 2009 to terminate the tenancy; and

WHEREAS, on May 6, 2009, staff received an additional citizen complaint regarding trash on the property, and vehicles parked on the grass in the yards at 1257 East Lane; and

WHEREAS, on May 7, 2009, the conditions were determined to create a substandard and public nuisance were as follows. These were the violations identified at 1257 East Lane:

1. **IBMC 1.16.010.U. "Visual Blight"**.
 - Remove all of the stored lumber, junk, trash, or debris; abandoned, discarded, or unused appliances, equipment, vehicles, cans, or containers; excavations; or any device, decoration, design, or unsightly fence, structure, clothesline, or unsightly vegetation from the property and in the front, rear, and side yards.
2. **IBMC 1.16.010.G. Overgrown Vegetation.**
 - Cut down and remove all of the overgrown weeds and unsightly vegetation on the property and from the front, side, and rear yards.
3. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
 - Remove all of the garbage, discarded equipment, appliances, clothing, and furniture on the property and from the front, rear, and side yards.
4. **IBMC 8.50.050.K. Vehicles must be parked on a paved roadway or driveway.**
 - Remove the Vehicles that are parked on the unpaved surfaces. Vehicles must be parked on a paved roadway or driveway.
5. **IBMC 8.44.020. Inoperable or abandon vehicles may not be stored on property.**
 - Remove all the inoperable, wrecked, and dismantled vehicles from the property and from the front, rear, and side yards.
6. **IBMC 15.06.010. Building Permits –Required**
 - Remove all of the illegally and non-permitted construction, including the patio awning to the 2nd story deck, remove the stairway/ladder to the 2nd story deck, and remove the toilet installed in the rear yard between the garage and the dwelling; and

WHEREAS, on May 11, 2009, staff posted and served the property owner a notice to eliminate substandard and public nuisance conditions on the property. The violations were to be corrected by May 20, 2009. The owner was notified in the notice of the public hearing scheduled for the same date; and

WHEREAS, on May 13, 2009, staff spoke with Shirl Steel, and she said the tenant, "JP", is still living at the property; and

WHEREAS, on May 18, 2009, staff spoke with Craig Sherman, an attorney. Sherman stated he represented the owners; and

WHEREAS, on May 19, 2009, staff met at the property with the attorney, the owner's brother, Ted Ender-Palmer, and the tenant. Ted said he had the power of attorney from the owner to represent him and handle the issues at the property. Ted also said that the tenant was going to continue to live on the property. Staff pointed out the violations that needed to be abated, such as removing the unpermitted attached awning structures, removing the toilet from the yard, obtaining a permit for the water heater and water heater closet in the rear yard, and obtaining a final inspection for the front deck which faces Grove Avenue. In the yards, they still needed to remove or repair the fence, remove the junk trash and debris from the yards, cut down and remove the overgrown weeds and unsightly vegetation, remove or restore the inoperable vehicle, and to remove the vehicles parked on unpaved areas. The owner's representatives assured me they would abate the violations; and

WHEREAS, on May 20, 2009, staff conducted a drive-by inspection and observed the overgrown vegetation was cut down and the vehicles parked on unpaved areas were removed. Those violations were abated. At the City Council meeting staff recommended continuance of the public hearing after seeing progress made toward the abatement of all the violations. The City Council voted to continue the public hearing to the June 17th Council meeting; and

WHEREAS, on May 21, 2009, staff conducted a drive-by inspection and observed the fence was re-built, and the violation abated; and

WHEREAS, on May 26, 2009, staff conducted a drive-by inspection and observed the attached awning structure on the 2nd story deck was removed, and the discarded lumber placed atop the garage roof; and

WHEREAS, on May 27, 2009, staff conducted a drive-by inspection and observed vehicles had resumed parking on the unpaved areas in the yard. Staff spoke to the owner's representative, and provided him with a specific list of violations to abate immediately:

- Remove the awning cover attached to the rear of the house.
- Remove the lumber from the roof of the garage.
- Remove the plumbed toilet from the yard between the house and the garage.
- Remove or restore the Volvo wagon.
- Restore the guardrail around the entire 2nd story deck.
- Remove the bridge connecting the 2nd story deck with the garage roof.
- Obtain a final inspection for the patio deck facing Grove Ave.
- Obtain water heater permit for the water heater enclosure in the rear yard.
- Stop parking vehicles on the grass and dirt in the yards; and

WHEREAS, between May 27th and June 8th, staff has conducted several drive-by inspections, and observed none of the violations remaining have been abated. Further, staff has observed re-accumulation of tires and junk being stored in the yards, and the vegetation is beginning to be overgrown again; and

WHEREAS, testimony was presented to the City Council at the public hearing on June 17, 2009 regarding conditions at 1257 East Lane; and

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

SECTION 1: The foregoing recitals are true and correct, and the City Council hereby concurs with the Finding and Declaring the Notice and Order to Eliminate Substandard and Public Nuisance Condition(s) is appropriate and assessing costs of abatement, an administrative fee and civil penalties.

SECTION 2: The cost of abatement is approved as follows:

Any work performed by City shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.

Current assessment of \$500.00 in administrative costs for nuisance abatement proceedings pursuant to Imperial Beach Municipal Code Sections 1.16.240 and 1.12.120, civil penalties at \$50.00 per day per violation starting from May 11, 2009 to June 17, 2009, have accrued as follows:

1. May 11, 2009 to May 19, 2009 – 9 days (6-violation) @ \$50.00 per day per violation = **\$2,700.00**
2. May 20, 2009 to May 26, 2009 – 7 days (4-violation) @ \$50.00 per day per violation = **\$1,400.00**
3. May 27, 2009 to June 12, 2009 – 17 days (5-violation) @ \$50.00 per day per violation = **\$4,250.00**
4. Administrative Fee: **\$500.00**

CIVIL PENALTIES: \$ 8,350.00
ADMINISTRATIVE FEE: + 500.00
TOTAL COSTS: \$ 8,850.00

SECTION 3: The Five Hundred dollars (\$500.00) in administrative costs is hereby assessed and to be remitted to the City within 30 days of adoption of this Resolution. The total amount of **\$500.00** constitutes a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

Further, the remaining Eight Thousand Three Hundred Fifty dollars (\$8,350.00) in accrued civil penalties would be placed in abeyance. In order to ensure the property is maintained with all federal, state and local laws, five-year probation period is hereby established. For each year the property is in compliance, upon determination by the City Council, the following amortization schedule shall apply:

- Year 1: civil penalties shall be reduced by \$1,000.00;
- Year 2: civil penalties shall be reduced by \$1,500.00;
- Year 3: civil penalties shall be reduced by \$2,000.00;
- Year 4: civil penalties shall be reduced by \$2,500.00;
- Year 5: the remainder of the original \$8,350.00 in civil penalties shall be excused.

If there were further code violation(s) as determined by formal City Council action, the payment of the remaining civil penalties would then be required.

SECTION 4: The City Council authorizes staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by City forces or private contract.

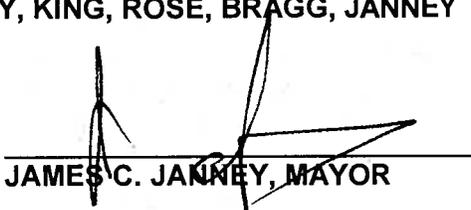
SECTION 5: The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

SECTION 6: The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class mail, to the owner(s) of the above-described property as shown in the last equalized assessment roll;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

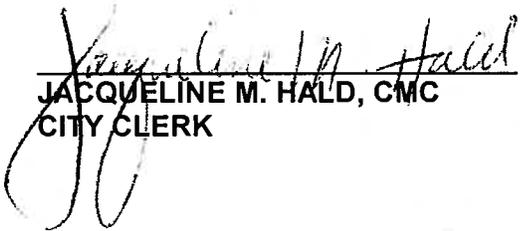
PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of June 2009, by the following roll call vote:

AYES:	COUNCILMEMBERS:	MCCOY, KING, ROSE, BRAGG, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE



JAMES C. JANNEY, MAYOR

ATTEST:



JACQUELINE M. HALD, CMC
CITY CLERK

NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS

The City Manager has determined that a condition exist which constitutes substandard and public nuisance conditions, pursuant to Chapter 8.44 Nuisance Vehicles, Chapter 1.16 Property Maintenance, Chapter 8.36 Solid Waste, and Chapter 8.50 of the Imperial Beach Municipal Code.

PROPERTY OWNER(S): JOSEPH L. ENDER-PALMER, 18019 E. CITRUS EDGE ST, AZUSA, CA 91702-4628

ASSESSOR'S RECORD(S): Lot (s) 14 & 15, Block 10, as found on Map 1107 – Seaside Point or, Property located at 1257 East Lane, Imperial Beach, CA 91932, also known as Assessor's Parcel No. **632-152-14.**

On June 17, 2009, the City Council of the City of Imperial Beach adopted resolution number 2009-6777 placing your property, 1257 East Lane, on a five-year probation for municipal code violations, and placing Eight Thousand Three Hundred Fifty dollars **(\$8,350.00)**

in accrued civil penalties in abeyance. In order to ensure the property was maintained with all federal, state and local laws, the five-year probation period was established. For each year the property was in compliance, upon determination by the City Council, the following amortization schedule would have applied:

- Year 1: civil penalties shall be reduced by \$1,000.00;
- Year 2: civil penalties shall be reduced by \$1,500.00;
- Year 3: civil penalties shall be reduced by \$2,000.00;
- Year 4: civil penalties shall be reduced by \$2,500.00;
- Year 5: the remainder of the original \$8,350.00 in civil penalties shall be excused.

If there were further code violation(s) as determined by formal City Council action, the payment of the remaining civil penalties would then be required.

**ON JULY 9, 2010, THE CONDITIONS DETERMINED TO CREATE A SUBSTANDARD AND PUBLIC NUISANCE ARE AS FOLLOWS.
THESE ARE THE VIOLATIONS IDENTIFIED AT 1257 East Lane:**

1. **IBMC 1.16.010.U. "Visual Blight".**
 - Remove all of the stored lumber, junk, trash, or debris; abandoned, discarded, or unused appliances, equipment, vehicles, cans, or containers; excavations; or any device, decoration, design, or unsightly fence, structure, clothesline, or unsightly vegetation from the property and in the front, rear, and side yards.
2. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
 - Remove all of the garbage, discarded equipment, appliances, clothing, and furniture on the property and from the front, rear, and side yards.
3. **IBMC 8.50.050.K. Vehicles must be parked on a paved roadway or driveway.**
 - Remove the Vehicles that are parked on the unpaved surfaces. Vehicles must be parked on a paved roadway or driveway.
4. **IBMC 8.44.020. Inoperable or abandon vehicles may not be stored on property.**
 - Remove all the inoperable, wrecked, and dismantled vehicles from the property and from the front, rear, and side yards.

Pursuant to Imperial Beach Municipal Code Chapters 1.12, 1.16, and 8.50, all buildings, structures, properties, or portions thereof which are determined by Authorized personnel to be substandard or unsafe are declared to be unsafe or substandard and are declared to be a public nuisance, and be abated by repair, rehabilitation, demolition, removal or cleaning.

The property located at the **1257 East Lane, Imperial Beach, CA 91932** must be cured of all violations on or before **July 21, 2010**. The City may also continue Public Nuisance Abatement proceedings against you and your property and will secure payment of such expense by assessment and lien, as provided by Imperial Beach Municipal Code Chapters 1.12, 1.16 and 8.50. Administrative fees of up to \$500.00 may be assessed. In addition to an administrative fee, beginning on the date of this notice, civil penalties of \$50.00 per day per violation will be imposed upon the nuisance property for each day the violations exist.

Pursuant to Imperial Beach Municipal Code Chapter 1.16 if a nuisance is not completely abated by the property owner within the designated abatement period, then the City Manager or the City Manager's designee must cause the abatement to be completed by City forces or private contract. The City Manager or the City Manager's designee is expressly authorized to enter the premises on which the nuisance exists for abatement purposes.

The cost for abating a nuisance, as confirmed by the City Council, is a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment will be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

The City of Imperial Beach City Council will consider this matter at its hearing on July 21, 2010, 6:00 PM at 825 Imperial Beach Boulevard, at which time the owner(s) of said property may appear and present reason why civil penalties and administrative costs may not be assessed, and why clearing or repair should not be required.

CITY OF IMPERIAL BEACH

Date Posted: JUL 9 2010



By: _____
Signed for City Manager/Title **CITY OF IMPERIAL BEACH**
CODE COMPLIANCE DIVISION



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

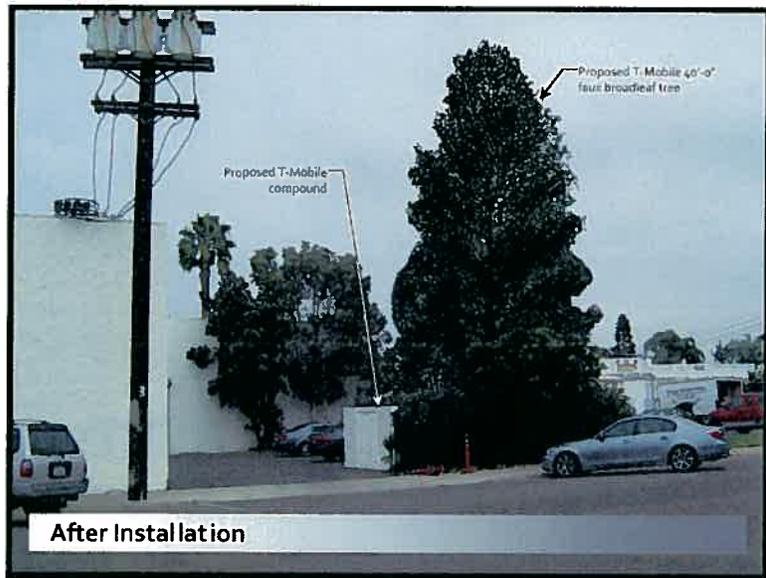
MEETING DATE: JULY 21, 2010

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

SUBJECT: PUBLIC HEARING: LIOR AVRAHAM, MOBILITIE LLC (APPLICANT)/CHINO INDUSTRIAL PARK (OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 100025), CONDITIONAL USE PERMIT (CUP 100026), DESIGN REVIEW CASE (DRC 100027), AND SITE PLAN REVIEW (SPR 100028) TO INSTALL A TELECOMMUNICATIONS FACILITY (BROADLEAF FAUX TREE STRUCTURE) LOCATED AT 750 13th STREET IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 1041.

PROJECT DESCRIPTION/BACKGROUND:

This is an application (MF 1041) originally submitted on April 29, 2010 for an Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028) to install a telecommunications facility (broadleaf faux tree structure) at 750 13th Street (APN 626-312-14-00) in the C-1 (General Commercial) Zone. This project design had been reviewed and approved by the City Council, acting as Planning Commission, on August 20, 2008 (ref. MF 963 – CP 070085, CUP 070086, DRC 070087, SPR 070088); however, the permits expired prior to commencement of any construction. The applicant must obtain new approvals for the project. The applicant is now

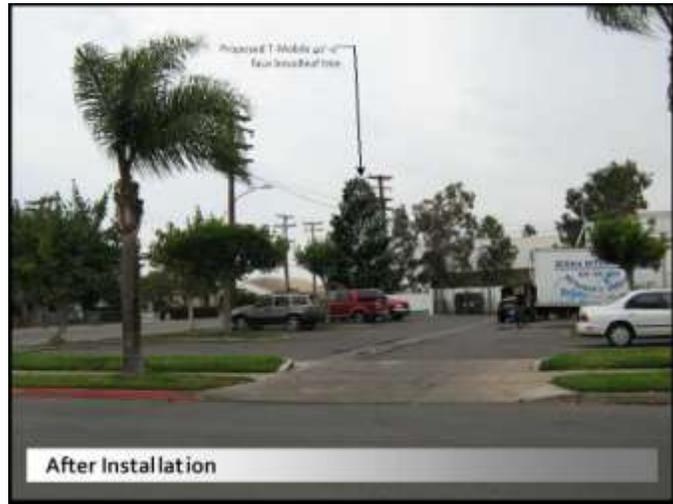


Mobilitie, LLC, who would own the proposed broadleaf faux tree structure, and would lease antenna space to T-Mobile. Installation and/or modification of wireless facilities per Ordinance 2002-983 are subject to approval of a conditional use permit per Imperial Beach Municipal Code (IBMC) 19.90.040 – Wireless Communications Facilities: Permit Types. Per the Development and Design Standards, installation and/or modification of wireless facilities must meet specific design criteria as outlined in IBMC 19.90 – Wireless Communications Facilities. The project also was subject to design review by the Design Review Board because the project requires a conditional use permit (IBMC 19.83.020).

PROJECT EVALUATION/DISCUSSION:

VISUAL QUALITY ISSUES

The proposed telecommunications facility would consist of six panel antennas mounted on a 40-foot broadleaf faux tree structure and base station equipment that would locate within a concrete wall compound with a height of 6'-4" in the location of an existing non-utilized and non-required trash enclosure. Removal of the trash enclosure could be allowed because the businesses located within the commercial building adjacent to the proposed project area are able to utilize a separate enclosure north of the existing building. In addition, all buildings on the property would have access to separate waste enclosures and would not be impacted by the removal of the non-utilized and non-required trash enclosure. Electric and telephone services are required and will be extended to the project area via underground conduits.



The 40-foot broadleaf faux tree structure concealing the antennas would be the most conspicuous aspect of this proposal. The structure would be built in a concrete compound that will be painted to match the existing building where an existing non-utilized and non-required trash enclosure is located. The compound would be screened by existing landscaping, which would be maintained by the applicant and/or property owner. Wireless facilities use transmitting antennas to communicate with mobile handsets and other wireless devices. The applicant claims that the height of the antenna is critical to the facilities performance because the signal must be elevated above ground level and at a height that provides a clear line-of-sight to clear any topographical barriers and existing natural and building environment. The applicant also claims that the facility would not be functional at a lower height because the signal would be significantly reduced. The broadleaf faux tree structure would conceal the antennas and would blend in with the surrounding area.



The 40-foot broadleaf faux tree structure concealing the antennas would be the most conspicuous aspect of this proposal. The structure would be built in a concrete compound that will be painted to match the existing building where an existing non-utilized and non-required trash enclosure is located. The compound would be screened by existing landscaping, which would be maintained by the applicant and/or property owner. Wireless facilities use transmitting antennas to communicate with mobile handsets and other wireless devices. The applicant claims that the height of the antenna is critical to the facilities performance because the signal must be elevated above ground level and at a height that provides a clear line-of-sight to clear any topographical barriers and existing natural and building environment. The applicant also claims that the facility would not be functional at a lower height because the signal would be significantly reduced. The broadleaf faux tree structure would conceal the antennas and would blend in with the surrounding area.

The location of the telecommunication facility was examined. One other location was explored, the Sea Breeze Community Church located at 1220 Elm Avenue approximately one block south of the proposed site. The applicant believes a realistic design at the desired antenna height could not be produced for the church building, thus removing the site’s potential for a wireless facility. Additionally, 1220 Elm Avenue is located in a residential zone. The applicant claims that the proposed location at 750 13th Street is optimal because it replaces a non-utilized and non-required trash enclosure, and would be able to conceal the base equipment and provide service in a location that lacks coverage. Though the broadleaf faux tree structure would be owned by Mobilitie, LLC, the antenna space would be leased to T-Mobile. T-Mobile is working to install wireless communication facilities in three areas in Imperial Beach that lack sufficient coverage. The other proposed locations are located at 1471 Grove Avenue (recently built and obtaining final inspections; ref. MF 1033, approved by City Council on April 21, 2010) and at 921 Seacoast Drive (ref. MF 1045, currently in discretionary staff review).

GENERAL PLAN/ZONING CONSISTENCY

The proposed development is subject to IBMC 19.90 - Wireless Communications Facilities, Ordinance 2002-983 and Ordinance 2003-997. The purpose of the chapter is to establish standards for the siting, development and maintenance of wireless communications facilities and antenna throughout the city. The chapter is also intended to protect and promote the public health, safety and welfare, as well as the aesthetic quality of the city as set forth in the goals, objectives and policies of the General Plan. The proposed development meets the Development and Design Standards as outlined in IBMC 19.90. The project is located in the C-1 (General Commercial) Zone. The purpose of the C-1 Zone is to provide areas for business to meet local demand.

DESIGN REVIEW

Standards	Provided/Proposed
The installation of wireless communications facilities may not reduce the number of required parking spaces on a proposed site.	No parking demand to be generated and the facility will not remove existing parking spaces.
Wireless communications facilities and accessory equipment must meet the required setbacks of the underlying zone, except that in a residential zone, the minimum setback for an antenna or equipment building from any property line is twenty feet.	There are no setbacks for the C-1 Zone.
Wireless communications facilities must meet the height requirement of the underlying zone, unless a greater height is approved through the conditional use permit.	There proposed height of the broadleaf faux tree facility is 40 feet, meeting the maximum height limit of 40 feet in the C-1 zone.
A service provider with a wireless communications facility in the city must obtain a city business license.	This will be a condition of approval for the CUP.
The visual impact of wireless communications facilities must be minimized to the maximum extent feasible, taking into consideration technological requirements, by way of placement, screening, camouflage, and landscaping, so that the facility is compatible with adjacent uses, existing architectural elements, topography, neighborhood landscaping, building materials, and other site characteristics.	The proposed antennas will be concealed in a broadleaf faux tree stealth structure, not discernable as antennas. The vault will be concealed in a pre-existing, non-utilized, and non-required trash enclosure.

<p>The colors and materials of wireless communications facilities must blend into their backgrounds.</p>	<p>The housing for the antennas will be concealed in a broadleaf faux tree stealth structure. The color and materials used for the broadleaf structure will blend in with the surrounding trees.</p>
<p>Facade-mounted antennas must be integrated architecturally into the style and character of the structure to which they are attached; they must be painted and textured to match the existing structure; and they may not project more than eighteen inches from the face of the building or other support structure unless approved by a conditional use permit.</p>	<p>There are no proposed façade-mounted facilities.</p>
<p>Roof-mounted antennas may not exceed the minimum height necessary to serve the operator's service area, while complying with the building height requirements of this title; they must be designed to minimize their visibility from surrounding areas; and they must be painted and textured to match the existing structure or building.</p>	<p>There are no proposed roof-mounted facilities.</p>
<p>Freestanding facilities, including towers, lattice towers, and monopoles, are discouraged unless no reasonable alternative is possible. If a freestanding facility is necessary, it may not exceed the minimum functional height and width required to support the proposed wireless facility.</p>	<p>The freestanding antenna will be concealed in a broadleaf faux tree structure designed to blend in with the surrounding area. The proposed 40-foot broadleaf structure is the desired functional height for the transmitting antennas.</p>
<p>Proposed freestanding facilities must be stealth facilities; they must be painted and designed to blend in with the surrounding area; and they must be landscaped, if necessary, to minimize visual impacts.</p>	<p>The freestanding antenna will be concealed in a broadleaf faux tree structure designed to blend in with the surrounding area.</p>
<p>Wireless facility support structures, such as equipment buildings, cabinets, cables, air conditioning units, and fencing, must be painted and textured to match the surrounding physical area and screened with landscaping in order to minimize visual impacts</p>	<p>The base station equipment will be concealed next to the faux tree within a concrete compound where an existing, non-utilized, trash enclosure is located. Electric and telephone services are required to be extended to the project area via underground conduits.</p>
<p>No advertising signs may be placed on any facility or equipment.</p>	<p>There are no proposed advertising signs.</p>

SURROUNDING ZONING AND LAND USE

North: C-1 Commercial
 South: C-1 Commercial
 East: C-1 Commercial
 West: C-1 Residences in Commercial Zone

ENVIRONMENTAL STATUS:

This project may be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities: Minor alteration of existing private structures/facilities involving negligible or no expansion of use).

COASTAL JURISDICTION:

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

FISCAL ANALYSIS:

The applicant has deposited \$8,000.00 in Project Account Number 100025 to fund the processing of this application.

DESIGN REVIEW BOARD (DRB) RECOMMENDATION:

On June 17, 2010, the Design Review Board recommended approval of the project as proposed (Four (4) Ayes, Zero (0) Noes, One (1) Absent).

DEPARTMENT RECOMMENDATION:

1. Open the public hearing and entertain testimony.
2. Close the public hearing.
3. Adopt Resolution No. 2010-6916, approving Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028), 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. 2010-6916
2. Plans
3. Photo Simulations
4. Applicant Findings/Project Information

c: file MF 1041
Lior Avraham, Mobilitie, 2801 Camino Del Rio S., Ste. 313, San Diego, CA 92108
Chino Industrial Park, 3262 Holiday Court, La Jolla, CA 92037
Diana Lilly, California Coastal Commission, 7575 Metropolitan Dr., Ste. 103, San Diego, CA, 92108

[Return to Agenda](#)

RESOLUTION NO. 2010-6916

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 100025), CONDITIONAL USE PERMIT (CUP 100026), DESIGN REVIEW CASE (DRC 100027), AND SITE PLAN REVIEW (SPR 100028) FOR A TELECOMMUNICATIONS FACILITY (BROADLEAF FAUX TREE STRUCTURE) LOCATED AT 750 13th STREET (APN 626-312-14-00) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 1041.

APPLICANT: MOBILITIE, LLC

WHEREAS, on July 21, 2010, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider the merits of approving or denying an application for an Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028) to install a telecommunications facility (broadleaf faux tree structure) located at 750 13th Street (APN 626-312-14-00) in the C-1 (General Commercial) Zone, a site legally described as follows:

Parcel 2 of Parcel Map No. 17328, in the City of Imperial Beach, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County; and

WHEREAS, on June 17, 2010, the Design Review Board adopted DRB Resolution No. 2010-03 recommending conditional approval of the project design; and

WHEREAS, the project design of a telecommunications facility on a broadleaf faux tree structure is compatible in use and appearance with other structures in the vicinity because it would be hidden; and, therefore, would be consistent with Policy D-8 of the Design Element of the General Plan and with Ordinance Nos. 2002-983 and 2003-997; and,

WHEREAS, this project consisting of one stealth wireless facility structure complies with the Application Requirements of Section 19.90.050, the Development and Design Standards of Section 19.90.070 and will be required to comply with the Operations and Maintenance Standards of Section 19.90.080 of Chapter 19.90 "Wireless Communication Facilities" of the zoning ordinance; and

WHEREAS, the City Council of the City Of Imperial Beach hereby finds that necessity compels placement of this facility in this location to avoid a significant gap in wireless communications coverage; and

WHEREAS, the City Council of the City Of Imperial Beach hereby finds that the proposed conditions are consistent with the Federal Telecommunications Act of 1996; and

WHEREAS, this project complies with the requirements of the California Environmental Quality Act (CEQA) as this project shall be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302(c) (Replacement of reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity); and

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

CONDITIONAL USE PERMIT FINDINGS:

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

The proposed wireless telecommunication facility at 750 13th Street will provide expanded communication services to the City of Imperial Beach commercial and residential development, avoiding gaps in wireless communications coverage and therefore contribute to the general well being of the neighborhood or community. The structure will be disguised as a broadleaf faux tree. The project is subject to Chapter 19.90, "Wireless Communications Facilities," Ordinance No. 2002-983 and Ordinance No. 2003-997, which establishes the standards for siting, development and maintenance of wireless communications facilities and antenna throughout the city.

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

The proposed development, installation of a telecommunications facility concealed on a broadleaf faux tree structure and equipment vault in a non-utilized and non-required trash enclosure at 750 13th Street, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity as it will be required to comply with Chapter 19.90, "Wireless Communications Facilities," which is to provide for the public safety, health and welfare, as well as for the aesthetic quality as set forth in the goals, objectives and policies of the General Plan. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create. The 1996 Federal Telecommunications Act preempts local jurisdictions from addressing any health effects of the facilities.

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

The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses for wireless communication facilities (Chapter 19.90). Compliance is demonstrated by the following:

Standards	Provided/Proposed
The installation of wireless communications facilities may not reduce the number of required parking spaces on a proposed site.	No parking spaces will be removed and no parking demand will be generated.
Wireless communications facilities and accessory equipment must meet the required setbacks of the underlying zone, except that in a residential zone, the minimum setback for an antenna or equipment building from any property line is twenty feet.	There are no setbacks for the C-1 Zone.
Wireless communications facilities must meet the height requirement of the underlying zone, unless a greater height is approved through the conditional use permit.	There proposed height of the broadleaf faux tree facility is 40 feet, meeting the maximum height limit of 40 feet in the C-1 zone.

<p>A service provider with a wireless communications facility in the city must obtain a city business license.</p>	<p>This will be a condition of approval for the CUP.</p>
<p>The visual impact of wireless communications facilities must be minimized to the maximum extent feasible, taking into consideration technological requirements, through the use of placement, screening, camouflage, and landscaping, so that the facility is compatible with adjacent uses, existing architectural elements, topography, neighborhood landscaping, building materials, and other site characteristics.</p>	<p>The proposed antennas will be concealed in a broadleaf faux tree stealth structure, not discernable as antennas. The vault will be concealed in a pre-existing, non-utilized, and non-required trash enclosure.</p>
<p>The colors and materials of wireless communications facilities must blend into their backgrounds.</p>	<p>The housing for the antennas will be concealed in a broadleaf faux tree stealth structure. The color and materials used for the broadleaf faux tree structure will blend in with the surrounding trees.</p>
<p>Facade-mounted antennas must be integrated architecturally into the style and character of the structure to which they are attached; they must be painted and textured to match the existing structure; and they may not project more than eighteen inches from the face of the building or other support structure unless approved by a conditional use permit.</p>	<p>There are no proposed façade-mounted facilities.</p>
<p>Roof-mounted antennas may not exceed the minimum height necessary to serve the operator's service area, while complying with the building height requirements of this title; they must be designed to minimize their visibility from surrounding areas; and they must be painted and textured to match the existing structure or building.</p>	<p>There are no proposed roof-mounted facilities.</p>
<p>Freestanding facilities, including towers, lattice towers, and monopoles, are discouraged unless no reasonable alternative is possible. If a freestanding facility is necessary, it may not exceed the minimum functional height and width required to support the proposed wireless facility.</p>	<p>The freestanding antenna will be concealed in a broadleaf faux tree structure designed to blend in with the surrounding area. The proposed 40-foot broadleaf faux tree structure is the desired functional height for the transmitting antennas.</p>
<p>Proposed freestanding facilities must be stealth facilities; they must be painted and designed to blend in with the surrounding area; and they must be landscaped, if necessary, to minimize visual impacts.</p>	<p>The freestanding antenna will be concealed in a broadleaf faux tree structure designed to blend in with the surrounding area.</p>
<p>Wireless facility support structures, such as equipment buildings, cabinets, cables, air conditioning units, and fencing, must be painted and textured to match the surrounding physical area and screened with landscaping in order to minimize visual impacts</p>	<p>The associated equipment will be concealed next to the faux tree within a concrete compound where an existing, non-utilized, trash enclosure is located. Electric and telephone will be extended to the project area via underground conduits.</p>

No advertising signs may be placed on any facility or equipment.	There are no proposed advertising signs.
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- 4. The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The granting of the conditional use permit to install one telecommunication antennas concealed on a stealth structure at 750 13th Street, will be in harmony with the purpose and intent of the zoning code (Chapter 19.90) and with the adopted general plan as the potential visual impacts of the proposal have been mitigated by design; i.e. the antennas shall be mounted to a new 40-foot broadleaf faux tree structure, and the proposed equipment vault will be located in an existing non-utilized and non-required trash enclosure.

COASTAL PERMIT FINDINGS:

- 5. The proposed development conforms to the Certified Local Coastal Plan including Coastal Land Use Policies.**

Shore Processes and Shore Protection

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

Public Access

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

Coastal/Scenic View

The proposed antennas shall be mounted to a new 40-foot broadleaf faux tree structure and equipment vault that will replace an existing non-utilized and non-required trash enclosure. The potential visual impacts of the proposal have been mitigated by design; no scenic or coastal view impacts are identified.

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

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

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

The project has complied with the application requirements for telecommunications facilities pursuant to Section 19.90.050, with the development and design standards of Section 19.90.070, and will be required to comply with the operations and maintenance standards of Section 19.90.080 of the City's Wireless Communication Facilities Ordinance. Additionally, this project is consistent with the certification

order of the Coastal Commission regarding the City's Wireless Communication Facilities Ordinances (Nos. 2002-983 and 2003-997) in that this project proposes to blend in with the existing development.

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

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

NOW, THEREFORE, BE IT RESOLVED that Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028) to install a telecommunications facility (broadleaf faux tree structure) located at 750 13th Street (APN 626-312-14-00) in the C-1 (General Commercial) Zone is hereby **approved** by the City Council of the City of Imperial Beach subject to the following:

CONDITIONS OF APPROVAL

PLANNING

1. Final building plans and project development shall be in substantial accordance with the revised approved conceptual plans and photo simulations dated April 29, 2010 on file in the Community Development Department and with the conditions required herein.
2. Antennas are to be located on or in the faux tree stealth structure, and shall be hidden.
3. Appropriate BMP's shall be in place during any maintenance of base station equipment to prevent any materials to enter storm drain conveyance system.
4. Project shall provide for co-location for a separate provider.
5. Project shall comply with Imperial Beach Municipal Code 19.90.080 Wireless Facilities - Operation and Maintenance Standards, which are as follows:
 - Air conditioning units and noise-generating equipment must comply with the noise standards in Chapter 19.32;
 - In residential zones, security lighting must be operated with a timing device and shielded to limit light exposure on neighboring properties;
 - Wireless communications facilities and related equipment must be maintained in good condition, free from trash, debris, graffiti and all other forms of vandalism. Any damaged wireless communications facilities or equipment must be repaired as soon as reasonably possible, so as to minimize dangerous conditions and visual blight;

- Landscaping elements of a wireless communications facility must be maintained in good condition. Damaged, dead or decaying landscaping must be replaced as promptly as possible;
 - In residential zones, routine equipment maintenance may only be conducted between eight a.m. and five p.m., Monday through Friday. In all other zones, routine maintenance may be conducted at any time;
 - Emergency maintenance may only be conducted during power outages or equipment failure;
 - In residential zones, non-emergency visits for scheduled upgrades, other than as described in subsection E of this section, require seventy-two-hour notice to the City and adjacent neighbors. No more than one scheduled upgrade is permitted every twelve months;
 - A statement that the wireless communications facility conforms with the current FCC safe-exposure standards must be submitted annually to the director of community development. (Ord. 2002-983 § 30 (part), 2002).
6. Landscaping surrounding the project area shall be permanently maintained by the applicant and/or property owner.
 7. Noise from the equipment shall not have a negative effect on the existing neighborhood. If the facility receives any noise complaints, the applicant shall investigate said complaint and mitigate any issues to meet Imperial Beach Municipal Code noise requirements.
 8. Any electric and telephone services shall be connected via underground conduits extended to the project area.
 9. Applicant and/or service provider shall obtain a city business license prior to issuance of building permit.
 10. Approval of this request shall not waive compliance with any portion of the Building Code and Municipal Code in effect at the time a building permit is issued.
 11. All negative balances in the project account (100025) shall be paid prior to building permit issuance and final inspection.
 12. Approval of Administrative Coastal Permit (ACP 100025), Conditional Use Permit (CUP 100026), Design Review Case (DRC 100027), and Site Plan Review (SPR 100028) for this project is valid for a one-year **vesting** period from the date of approval, to **expire on July 21, 2011**. Conditions of approval must be satisfied, building permits issued, and substantial construction must have commenced prior to this date, or a time extension is granted by the City prior to expiration. This expiration date is separate from the sunset expiration date of 10 years for the life of the conditional use permit.
 13. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement accepting said conditions.

14. Conditional use permits for wireless communication facilities have a maximum term of ten (10) years, with an automatic review in five (5) years at a public hearing (IBMC 19.90.090). The applicant will be required to renew the Conditional Use Permit (CUP 100026) prior to the **expiration** date, **July 21, 2020**, in accordance with Chapter 19.82.

PUBLIC WORKS

15. The use of the refuse enclosure does not compromise the waste disposal capacity of the shopping center, thus there is no objections to using this enclosure for the telecommunications site.
16. The asphalt surface of the enclosure is to be removed. The finished surface of the enclosure is to be a permeable surface such as 6-inches of crushed gravel (except for the base of any surface mounted equipment boxes).
17. 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.
18. 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.
19. For any work to be performed in the street or alley, 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.
20. All street work construction requires a Class A contractor to perform the work. All pavement transitions shall be free of tripping hazards. 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).
21. For any project that proposes work within the public right-of-way (i.e., driveway removal/construction, sidewalk removal/construction, street or alley demolition/reconstruction, landscaping and irrigation, fences, walls within the public right-of-way, etc.), a Temporary Encroachment Permit (TEP) shall be applied for and approved either prior to or concurrent with issuance of the building permit required for the project. Application for a Temporary Encroachment Permit shall be made on forms available at the Community Development Department Counter.
22. Any disposal/transportation of solid waste / construction waste in roll off containers must be contracted through the City's waste removal and recycling provider unless the hauling capability exists integral to the prime contractor performing the work.

23. The existing parcel impervious surfaces are required to not increase beyond the current impervious services as a post-installation condition in order to maximize the water runoff infiltration area on the parcel in compliance with Municipal Storm Water Permit – Order R9 - 2007-01. All landscape areas impacted/related to this project, including grass and mulch areas, must be improved to consist of at least 12-inches of loamy soil in order to maximize the water absorption during wet weather condition and minimize irrigation runoff.
24. 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.
25. 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. Agreement is provided through the Community Development Department.
26. Property owner 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 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.
27. Applicant shall underground utilities to this installation. I.B.M.C. 13.08.060.C applies.

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 21st day of July 2010, by the following roll call vote:

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

JIM JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6916 - A Resolution of the City Council of the City of Imperial Beach, California, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 100025), CONDITIONAL USE PERMIT (CUP 100026), DESIGN REVIEW CASE (DRC 100027), AND SITE PLAN REVIEW (SPR 100028) TO INSTALL A TELECOMMUNICATION FACILITY (BROADLEAF FAUX TREE STRUCTURE) LOCATED AT 750 13th STREET (APN 626-312-14-00) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 1041.

CITY CLERK

DATE

mobilitie

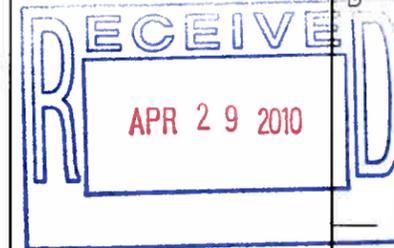
telecommunications infrastructure

CHINO INDUSTRIAL PARK MOBILITIE SITE ID CA36015 T-MOBILE SD06853B

**NEW 40'-0" H FAUX BROADLEAF TREE W/ ANTENNAS &
UNMANNED TELECOMMUNICATIONS
EQUIPMENT CABINETS
750 13TH STREET
IMPERIAL BEACH, CA 91932**

ATTACHMENT 2

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF MORRISON HERSHFIELD CORPORATION. NEITHER MORRISON HERSHFIELD NOR THE ARCHITECT WILL BE PROVIDING CONSTRUCTION REVIEW OF THIS PROJECT.



v:\Project\607 Series\6073111 T-Mobile-Parsons San Diego NEW BUILDS\Shas\SD06853 - Chino Commercial\Drawings\Chino Industrial Park\073111_0006853.Chino Industrial Park_Z0_REV 0.dwg 04/23/2010 8:14pm Jordaner

OVERVIEW MAP	LOCATION SKETCH	CONTACT INFORMATION	LIST OF DRAWINGS																						
		PROPERTY OWNER: DAN MALCOLM RETAIL DEVELOPMENT CORP. 10509 SORRENTO VISTA PKWY, SUITE 410 SAN DIEGO, CA 92121 APPLICANT: MOBILITIE 660 NEWPORT CENTER DRIVE, SUITE 200, NEWPORT BEACH, CA 92660 APPLICANT CONTACT: ASTRID CYBULSKIS, MOBILITIE (949) 999-5779 ARCHITECT: ROBERT JERRY LARA CA LIC. # C-30334 PH: (954) 577-4655 MORRISON HERSHFIELD CORP.	<table border="1"> <thead> <tr> <th>GENERAL</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>6-1 COVER SHEET</td> <td>0</td> </tr> <tr> <td>6-2 GENERAL NOTES</td> <td>0</td> </tr> <tr> <td>L5-1 SURVEY (BY CALVADA SURVEYING INC.)</td> <td></td> </tr> <tr> <th>ARCHITECTURE</th> <th>ISSUE</th> </tr> <tr> <td>A-1 SITE PLAN</td> <td>0</td> </tr> <tr> <td>A-2 ENLARGED SITE PLAN</td> <td>0</td> </tr> <tr> <td>A-3 COMPOUND PLAN</td> <td>0</td> </tr> <tr> <td>A-4 NORTH & SOUTH ELEVATIONS</td> <td>0</td> </tr> <tr> <td>A-5 EAST & WEST ELEVATIONS</td> <td>0</td> </tr> <tr> <td>A-6 ANTENNA & CABINET DETAILS</td> <td>0</td> </tr> </tbody> </table>	GENERAL	ISSUE	6-1 COVER SHEET	0	6-2 GENERAL NOTES	0	L5-1 SURVEY (BY CALVADA SURVEYING INC.)		ARCHITECTURE	ISSUE	A-1 SITE PLAN	0	A-2 ENLARGED SITE PLAN	0	A-3 COMPOUND PLAN	0	A-4 NORTH & SOUTH ELEVATIONS	0	A-5 EAST & WEST ELEVATIONS	0	A-6 ANTENNA & CABINET DETAILS	0
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A-5 EAST & WEST ELEVATIONS	0																								
A-6 ANTENNA & CABINET DETAILS	0																								
SITE DIRECTIONS FROM DOWNTOWN SAN DIEGO TAKE I-805 SOUTH - GO 11.8 MILES. TAKE THE CA-94 WCA-15 S EXIT ONTO CA-15 S - GO 4.1 MILES. CONTINUE ON I-5 SOUTH - GO 7.2 MILES. TAKE EXIT #5A/IMPERIAL BEACH/PALM AVENUE - GO 0.3 MILES. TURN RIGHT ON PALM AVE(CA-75 N) - GO 1.1 MILES, SITE IS ON THE LEFT.	SITE INFORMATION 1. LATITUDE (GPS): 32.58309 2. LONGITUDE (GPS): -117.1059 3. TYPE OF STRUCTURE: FAUX BROADLEAF TREE 4. GROUND ELEVATION: 32 (AVERAGE) 5. SETBACK REQUIREMENTS: 0-0-0 6. EASEMENTS: NO EASEMENTS ARE LOCATED ON SITE	BUILDING DATA 1. OCCUPANCY EXISTING BUILDING: N/A 2. OCCUPANCY PROPOSED PROJECT: N/A 3. TYPE OF CONSTRUCTION: N/A 4. STORIES: N/A																							
APPROVALS <table border="1"> <thead> <tr> <th>APPROVED BY:</th> <th>INITIALS:</th> <th>DATE:</th> </tr> </thead> <tbody> <tr> <td>O.P.E./OPS:</td> <td></td> <td></td> </tr> <tr> <td>LEASING:</td> <td></td> <td></td> </tr> <tr> <td>RF:</td> <td></td> <td></td> </tr> <tr> <td>ZONING:</td> <td></td> <td></td> </tr> <tr> <td>CONSTRUCTION:</td> <td></td> <td></td> </tr> <tr> <td>POWER/TELCO:</td> <td></td> <td></td> </tr> </tbody> </table>	APPROVED BY:	INITIALS:	DATE:	O.P.E./OPS:			LEASING:			RF:			ZONING:			CONSTRUCTION:			POWER/TELCO:			CODE COMPLIANCE ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT CONDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSIDERED TO PERMIT WORK NOT CONFORMING TO THESE CODES.(EFFECTIVE JANUARY 1, 2008) 1. CALIFORNIA BUILDING CODE CBC-2007 2. CALIFORNIA ADMINISTRATIVE CODE (INCL TITLES 24 & 25) 2008 3. ANSI/EIA/TIA-222-G 4. LIFE SAFETY CODE (NFPA-101-2008) 5. CALIFORNIA ELECTRICAL CODE CEC-2007 6. CALIFORNIA MECHANICAL CODE CMC-2007 7. CALIFORNIA PLUMBING CODE CPC-2007 8. LOCAL BUILDING CODE(S) 9. CITY AND/OR COUNTY ORDINANCES 10. CALIFORNIA FIRE CODE CFC-2007 11. CALIFORNIA ENERGY CODE CEC-2008 12. URBAN-WILDLAND INTERFACE CODE-2000 13. UNIFORM HOUSING CODE-1997 14. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BLD.-1997 ANTENNA NOTE: POWER OUTPUT = 10 WATTS PER CHANNEL FREQUENCY- UPLINK 1870-1885 MHZ DOWN LINK 1960-1975 MHZ BATTERY NOTE: 8 LEAD ACID BATTERIES-ELECTROLYTE VOLUME =9.6 GRAMS (NO PERMANENT STAND BY GENERATOR ON SITE)	ZONING DATA 1. ZONING CLASSIFICATION: C-1 2. JURISDICTION: CITY OF IMPERIAL BEACH 3. LEASE AREA: TBD 4. PARCEL #: 626-312-14-00 5. LEGAL DESCRIPTION: (REFER TO 2/A-1) 6. PERMIT TYPE#: CUP HANDICAP REQUIREMENTS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS AND REQUIREMENTS NOT REQUIRED, IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION IID58.3.42, EXCEPTION 1	PROJECT SUMMARY 1. INSTALLATION OF WIRELESS COMMUNICATIONS FACILITY CONSISTING OF NEW FAUX BROADLEAF TREE OF 40 FEET IN HEIGHT WITH SIX PANEL-TYPE ANTENNAS. FOUR T-MOBILE EQUIPMENT CABINETS (2 FUTURE) OF APPROX. 4'-3"LX2'-4"WX5"-11"H, & ONE METER PEDESTAL OF 2'-8"LX1'-4"WX4'-10"H INSIDE SCREENED COMPOUND. 2. INSTALLATION OF A NEW 200 AMP ELECTRICAL SERVICE 3. INSTALLATION OF A NEW TELCO SERVICE 4. INSTALL COAXIAL CABLE IN CONDUIT FROM NEW FAUX BROADLEAF TREE TO NEW EQUIPMENT CABINETS EXISTING FACILITIES 1. NO EXISTING TELECOMMUNICATIONS FACILITY ON THIS SITE	
APPROVED BY:	INITIALS:	DATE:																							
O.P.E./OPS:																									
LEASING:																									
RF:																									
ZONING:																									
CONSTRUCTION:																									
POWER/TELCO:																									

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MORRISON HERSHFIELD
 5994 W. Las Positas Blvd, Suite 123
 Pleasanton, CA 94588
 Tel: 925.460.3750
 www.morrisonhershfield.com

Client:
mobilitie
 telecommunications infrastructure
 660 NEWPORT CENTER DRIVE,
 SUITE 200,
 NEWPORT BEACH, CA 92660

Project:
**CHINO INDUSTRIAL PARK
T-MOBILE SD06853B**
**750 13TH STREET
IMPERIAL BEACH, CA 91932**

Drawing Title:
COVER SHEET

Project No.	Date
6073111	04/21/10
Designer: RL	Checked By: RL
Drawn By: JS	Client Approval:
PM Review: RL	Drawing No.:
Issue No.:	
0	G-1

SCALE IS BASED ON 3/4" X 3/4" 1" = 32'

V:\Project\607 Series\6073111 T-Mobile-Parsons San Diego NEW BUILD\SDS\Site\SD06853 - Chino Commercial\Drawings\Chino Industrial Per06073111_S0006853.Chino Industrial Per06073111_S0006853.dwg 04/23/2010 6:10pm jordanr

GENERAL NOTES

- WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS. ALL NECESSARY LICENSES, CERTIFICATES, ETC., REQUIRED BY THE AUTHORITY HAVING JURISDICTION SHALL BE PROCURED AND PAID FOR BY THE CONTRACTOR.
- MORRISON HERSHFIELD CORPORATION HAS NOT CONDUCTED, NOR DOES IT INTEND TO CONDUCT ANY INVESTIGATION AS TO THE PRESENCE OF HAZARDOUS MATERIAL, INCLUDING, BUT NOT LIMITED TO, ASBESTOS WITHIN THE CONFINES OF THIS PROJECT. MORRISON HERSHFIELD CORPORATION DOES NOT ACCEPT RESPONSIBILITY FOR THE INDEMNIFICATION, THE REMOVAL, OR ANY EFFECTS FROM THE PRESENCE OF THESE MATERIALS. IF EVIDENCE OF HAZARDOUS MATERIALS IS FOUND, WORK IS TO BE SUSPENDED AND THE OWNER NOTIFIED. THE CONTRACTOR IS NOT TO PROCEED WITH FURTHER WORK UNTIL INSTRUCTED BY THE OWNER IN WRITING.
- ALL MATERIAL FURNISHED UNDER THIS CONTRACT SHALL BE NEW, UNLESS OTHERWISE NOTED. ALL WORK SHALL BE GUARANTEED AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP. THE CONTRACTOR SHALL REPAIR OR REPLACE AT HIS EXPENSE ALL WORK THAT MAY DEVELOP DEFECTS IN MATERIALS OR WORKMANSHIP WITHIN SAID PERIOD OF TIME OR FOR ONE YEAR AFTER THE FINAL ACCEPTANCE OF THE ENTIRE PROJECT, WHICHEVER IS GREATER.
- THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND UTILITIES AT THE JOB SITE BEFORE WORK IS STARTED. NO CLAIMS FOR EXTRA COMPENSATION FOR WORK WHICH COULD HAVE BEEN FORESEEN BY AN INSPECTION, WHETHER SHOWN ON THE CONTRACT DOCUMENTS OR NOT, WILL BE ACCEPTED OR PAID.
- THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING DIMENSIONS AND CONDITIONS AT THE JOB SITE WHICH COULD AFFECT THE WORK UNDER THIS CONTRACT. ALL MANUFACTURERS RECOMMENDED SPECIFICATIONS, AND THOSE SPECIFICATIONS HEREIN, WHICH EVER IS THE MOST STRINGENT, SHALL BE COMPLIED WITH.
- THE CONTRACTOR SHALL VERIFY AND COORDINATE SIZE AND LOCATION OF ALL OPENINGS FOR STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, CIVIL, OR ARCHITECTURAL WORK.
- THE CONTRACTOR SHALL VERIFY THAT NO CONFLICTS EXIST BETWEEN THE LOCATIONS OF ANY AND ALL MECHANICAL, ELECTRICAL, PLUMBING, OR STRUCTURAL ELEMENTS, AND THAT ALL REQUIRED CLEARANCES FOR INSTALLATION AND MAINTENANCE ARE MET. NOTIFY MORRISON HERSHFIELD CORP. OF ANY CONFLICTS. MORRISON HERSHFIELD CORP. HAS THE RIGHT TO MAKE MINOR MODIFICATIONS IN THE DESIGN OF THE CONTRACT WITHOUT THE CONTRACTOR GETTING ADDITIONAL COMPENSATION.
- DO NOT SCALE THE DRAWINGS. DIMENSIONS ARE EITHER TO THE FACE OF FINISHED ELEMENTS OR TO THE CENTER LINE OF ELEMENTS, UNLESS NOTED OTHERWISE. CRITICAL DIMENSIONS SHALL BE VERIFIED WITH MORRISON HERSHFIELD CORP..
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DAILY CLEAN UP OF ALL TRADES AND REMOVAL OF DEBRIS FROM THE CONSTRUCTION SITE. AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL THOROUGHLY CLEAN THE BUILDING, SITE, AND ANY OTHER SURROUNDING AREAS TO A LIKE NEW CONDITION.
- THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, ETC. ACCORDING TO APPLICABLE CODES, STANDARDS, AND GOOD CONSTRUCTION PRACTICES.
- THE CONTRACTOR SHALL MEET ALL OSHA REQUIREMENTS FOR ALL INSTALLATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING CONSTRUCTION AND REPAIR ALL DAMAGES TO LIKE NEW CONDITION. THE CONTRACTOR SHALL NOTIFY MORRISON HERSHFIELD CORP. OF ANY DAMAGE TO THE BUILDING SITE OR ANY ADJACENT STRUCTURES AROUND THE PROJECT. MORRISON HERSHFIELD CORP. SHALL BE SOLE AND FINAL JUDGE AS TO THE QUALITY OF THE REPAIRED CONSTRUCTION. ANY ADDITIONAL MODIFICATIONS WHICH MUST BE MADE SHALL BE MADE AT THE CONTRACTOR'S EXPENSE.
- WHERE ONE DETAIL IS SHOWN FOR ONE CONDITION, IT SHALL APPLY FOR ALL LIKE OR SIMILAR CONDITIONS, EVEN THOUGH NOT SPECIFICALLY MARKED ON THE DRAWINGS OR REFERRED TO IN THE SPECIFICATIONS, UNLESS NOTED OTHERWISE.
- WHERE NEW PAVING, CONCRETE SIDEWALKS OR PATHS MEET EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MATCH THE EXISTING PITCH, GRADE, AND ELEVATION SO THE ENTIRE STRUCTURE SHALL HAVE A SMOOTH TRANSITION.
- VERIFY ALL EXISTING DIMENSIONS PRIOR TO PERFORMING WORK.
- VERIFY LOCATION OF ALL BURIED UTILITIES PRIOR TO ANY EXCAVATION.

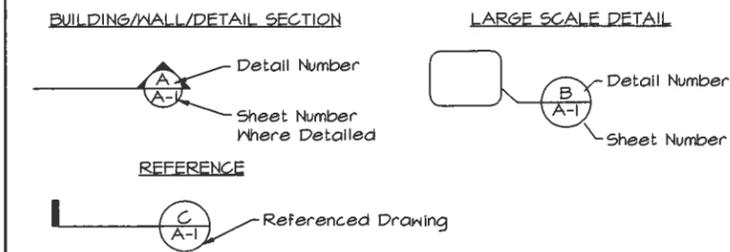
PROJECT INFORMATION

- THIS IS AN UNMANNED AND RESTRICTED ACCESS TELECOMMUNICATION SITE AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
- MOBILITE CERTIFIES THAT THIS TELEPHONE EQUIPMENT FACILITY WILL BE SERVICED ONLY BY MOBILITE AND MOBILITE AFFILIATED EMPLOYEES AND THE WORK ASSOCIATED WITH ANY EQUIPMENT CANNOT BE PERFORMED BY HANDICAPPED PERSONS. THIS FACILITY WILL BE FREQUENTED ONLY BY SERVICE PERSONNEL FOR REPAIR PURPOSES. PURSUANT TO CHAPTER 553 PART 5A OF THE CALIFORNIA STATUTES, THIS FACILITY IS EXEMPT FROM THE REQUIREMENTS OF THAT STATUTE. PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA), APPENDIX B, SECTION 4.11. (5)(b), THIS FACILITY IS EXEMPT FROM THAT ACT.
- THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY AND IS EXEMPT FROM THE CALIFORNIA ENERGY REVIEW CODE.
- NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
- NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
- NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
- T-MOBILE MAINTENANCE CREW (TYPICALLY ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH AT ONE HOUR PER VISIT.

ABBREVIATIONS

A/C	AIR CONDITIONER	LA.	LAYER
ACP	ACOUSTICAL CEILING PANEL	LAM.	LAMINATED
A.F.F.	ABOVE FINISHED FLOOR	L.F.	LINEAL FOOT
ALT.	ALTERNATE	MANUF.	MANUFACTURER
A.M.S.L.	ABOVE MEAN SEA LEVEL	MATER.	MATERIAL
ALUM.	ALUMINUM	MAX.	MAXIMUM
ANG.	ANGLE	MECH.	MECHANICAL
ARCH.	ARCHITECTURAL	MH	MANHOLE
AT	AT	MM.	MILLIMETER
BD	BOARD	MIN.	MINIMUM
B.F.	BELOW FINISH FLOOR	MISC.	MISCELLANEOUS
BLDS.	BUILDING	M.O.	MASONRY OPENING
BLK.	BLOCK	MPH	MILES PER HOUR
BM.	BEAM	M.S.L.	MEAN SEA LEVEL
BOT.	BOTTOM	MTL.	METAL
BUR	BUILT-UP ROOF	N.6.V.D.	NAT. GEODETIC VERT. DATUM
CER.	CERAMIC	N.I.C.	NOT IN CONTRACT
C.J.	CONTROL JOINT	NOM.	NOMINAL
C.L.	CENTER LINE	N.T.S.	NOT TO SCALE
CLS.	CEILING	O.C.	ON CENTER
CLR.	CLEAR	O.D.	OUTSIDE DIAMETER
CMU	CONCRETE MASONRY UNIT	OH.	OVERHEAD
CPT.	CARPET	OPNG.	OPENING
COL.	COLUMN	OPP.	OPPOSITE
CONC.	CONCRETE	OZ.	OUNCE
CONT.	CONSTRUCTION CONTINUOUS	P L	PLATE
DIA/Ø	DIAMETER	RTU	ROOF TOP UNIT
DN.	DOWN	R/M	RIGHT OF WAY
D.S.	DOWNSPOUT	SCHED.	SCHEDULE
DTL.	DETAIL	SECT.	SECTION
EA.	EACH	S.F.	SQUARE FOOT
EIFS	EXTERIOR INSULATION FINISH	SIM.	SIMILAR
E.J.	SYSTEM EXPANSION JOINT	S.P.	SPLICE POINT
ELEC.	ELECTRIC/ELECTRICAL	SQ.FT.	SQUARE FOOT
EL.	ELEVATION	S.S.	STAINLESS STEEL
E.P.	ELECTRICAL PANEL	STD.	STANDARD
EQ.	EQUAL	STL.	STEEL
E.H.	EACH HAY	STOR.	STORAGE
EXP.	EXPANSION	STRUC.	STRUCTURAL
EXT.	EXTERIOR	SUSP.	SUSPENDED
F.D.	FLOOR DRAIN	TEMP.	TEMPORARY
F.E.C.	FIRE EXTINGUISHER SHELTER	THK.	THICK
F.H.C.	FIRE HOSE EQUIPMENT	THICKN.	THICKNESS
FIN.	FINISH	T.O.	TOP OF
FIN.FLR.	FINISH FLOOR	T.O.S.	TOP OF STEEL
FLR.	FLOOR	TYP.	TYPICAL
FTG.	FOOTING	U.N.O.	UNLESS NOTED OTHERWISE
GA.	GAUGE	VCT	VINYL COMPOSITION TILE
GALV.	GALVANIZED	VIF	VERIFY IN FIELD
GEN.	GENERAL	VERT.	VERTICAL
GYP.	GYP-SUM	W/	WITH
GB.	GYP-SUM BOARD	WD.	WOOD
H.C.	HANDICAPPED	W/M	WELDED WIRE MESH
HK.	HOOK		
H.M.	HOLLOW METAL		
HOR.	HORIZONTAL		
HR.	HOUR		
HT.	HEIGHT		
INSUL.	INSULATION		
INT.	INTERIOR		
JT.	JOINT		

LEGEND



IMPORTANT NOTICE

THE EXISTING CONDITIONS REPRESENTED HEREIN ARE BASED ON VISUAL OBSERVATIONS AND INFORMATION PROVIDED BY OTHERS. MORRISON HERSHFIELD CORPORATION CANNOT GUARANTEE THE CORRECTNESS NOR COMPLETENESS OF THE EXISTING CONDITIONS SHOWN AND ASSUMES NO RESPONSIBILITY THEREOF. THE CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS AS REQUIRED FOR PROPER EXECUTION OF THE PROJECT. REPORT ANY CONFLICTS OR DISCREPANCIES TO MORRISON HERSHFIELD CORPORATION PRIOR TO CONSTRUCTION.

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF MORRISON HERSHFIELD CORPORATION. NEITHER MORRISON HERSHFIELD NOR THE ARCHITECT WILL BE PROVIDING CONSTRUCTION REVIEW OF THIS PROJECT.

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0	04/29/10	ZONING SUBMITTAL

No.	Date	Action
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MORRISON HERSHFIELD
 5994 W. Las Positas Blvd, Suite 123
 Pleasanton, CA 94588
 Tel: 925.460.3750
 www.morrisonhershfield.com

Client:
mobilitie
 telecommunications infrastructure
 660 NEWPORT CENTER DRIVE,
 SUITE 200,
 NEWPORT BEACH, CA 92660

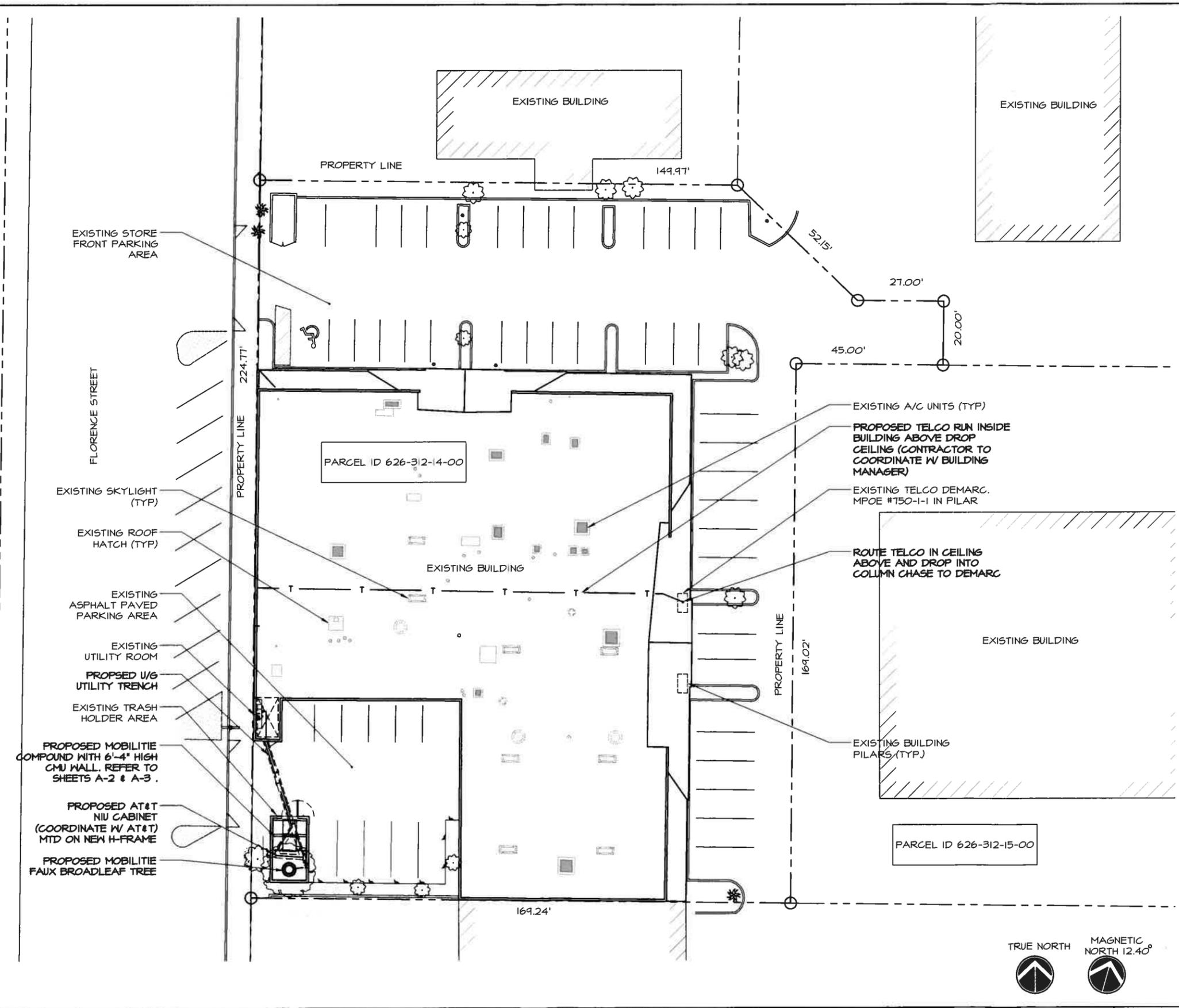
Project:
CHINO INDUSTRIAL PARK
SD06853B
 150 13TH STREET
 IMPERIAL BEACH, CA 91932

Drawing Title:
GENERAL NOTES

Project No.: 6073111	
Designer: RL	Date: 11/21/07
Drawn By: APA	Checked By: RL
PM Review: ES	Client Approval:
Issue No.: 0	Drawing No.: G-2

V:\Project\6073111 T-Mobile-Parsons San Diego NEW BUILD\Site\SD06853 - Chino Commercial\Drawings\Chino Industrial Park\6073111_S006853.Chino Industrial Park_REV 0.dwg 04/23/2010 8:10pm jerdner

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SITE PLAN

SCALE: 1/16"=1'-0" (BASED ON 22x34 PAPER SIZE)
SCALE: 1/32"=1'-0" (BASED ON 11x17 PAPER SIZE)

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0	04/29/10	ZONING SUBMITTAL
No.	Date	Action

<p>MORRISON HERSHFIELD 5994 W. Las Positas Blvd, Suite 123 Pleasanton, CA 94588 Tel: 925.460.3750 www.morrisonhershfield.com</p>		
<p>Client:</p> <p>mobilitie telecommunications infrastructure 660 NEWPORT CENTER DRIVE, SUITE 200, NEWPORT BEACH, CA 92660</p>		
<p>Project:</p> <p>CHINO INDUSTRIAL PARK SD06853B 150 13TH STREET IMPERIAL BEACH, CA 91932</p>		
<p>Drawing Title:</p> <p style="text-align: center;">SITE PLAN</p>		
<p>Project No.:</p> <p>6073111</p>		
Designer:	Date:	
RL	11/21/07	
Drawn By:	Checked By:	
APA	RL	
PM Review:	Client Approval:	
EG		
Issue No.:	Drawing No.:	
0	A-1	

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5994 W. Las Positas Blvd, Suite 123
Pleasanton, CA 94588
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Project:

**CHINO INDUSTRIAL PARK
SD06853B**
150 13TH STREET
IMPERIAL BEACH, CA 91932

Drawing Title:

SITE PLAN

Project No.:

6073111

Designer:

RL

Date:

11/21/07

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APA

Checked By:

RL

PM Review:

EG

Client Approval:

Issue No.:

0

Drawing No.:

A-1

SCALE IS BASED ON 22" X 34" 1/4" SIZE

FLOOD PANEL

FIPS CODE: 6
 PANEL FILL: 2153F
 FIS DATE: 19 JUNE 1997

FLOOD ZONE

FEMA CODE: 161
 FEMA ZONE: X

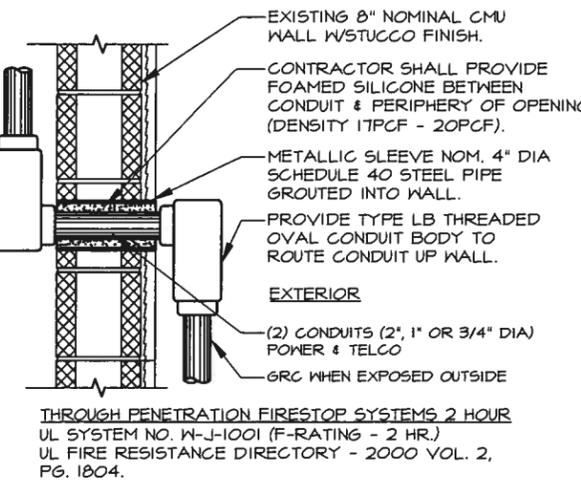
FLOOD INFORMATION

SCALE	2
NTS	

PARCEL 2 OF PARCEL MAP No. 17328, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

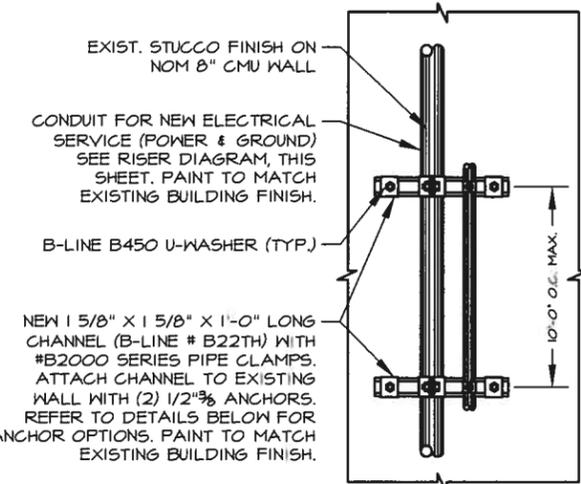
LEGAL DESCRIPTION

SCALE	3
NTS	



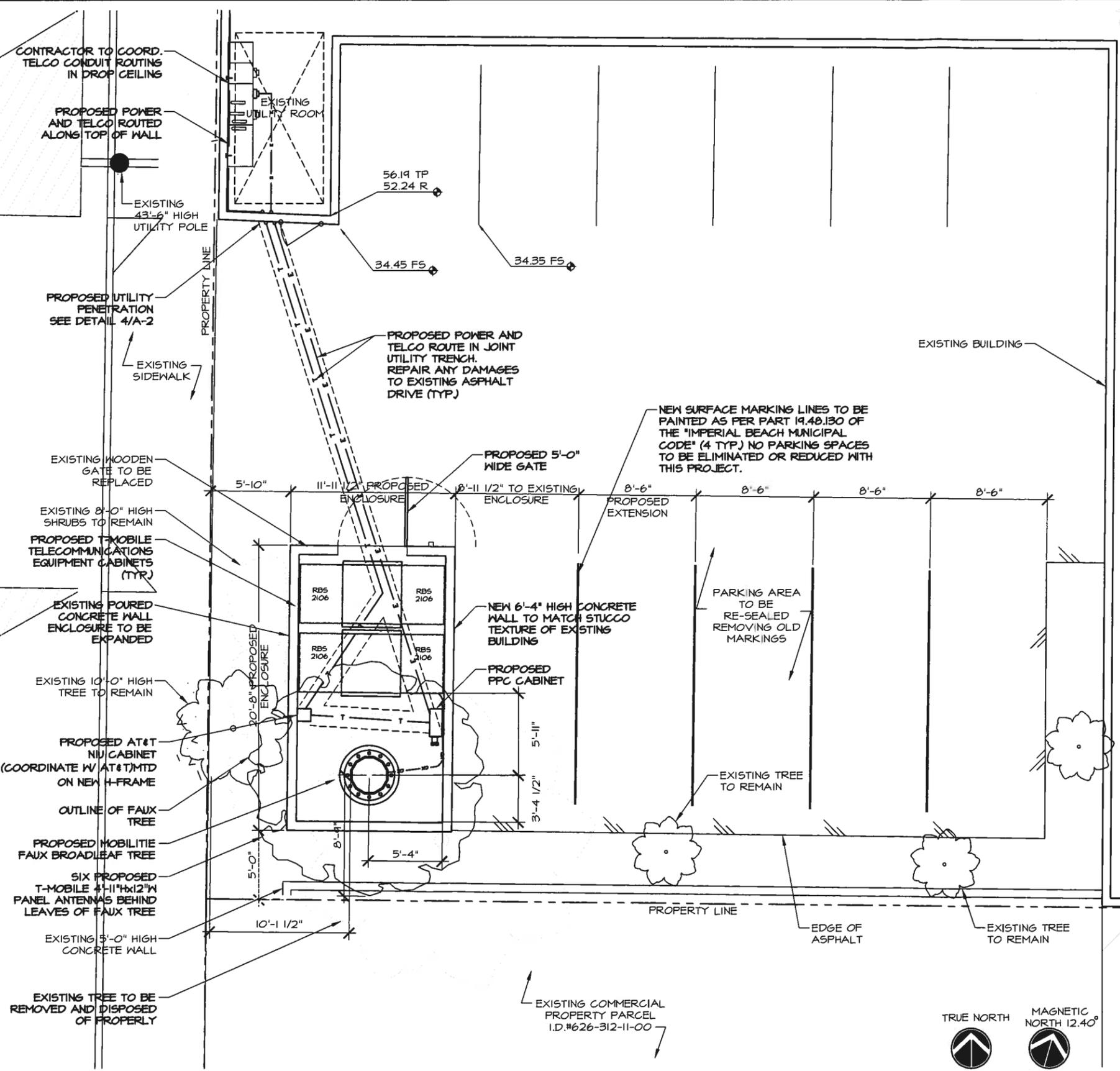
WALL PENETRATION DTL.

SCALE	4
NTS	



CONDUIT ATTACHEMENT ELEVATION DETAIL

SCALE	5
NTS	



ENLARGED SITE PLAN

SCALE: 1/8"=1'-0" (BASED ON 22x34 PAPER SIZE)
 SCALE: 1/16"=1'-0" (BASED ON 11x17 PAPER SIZE)



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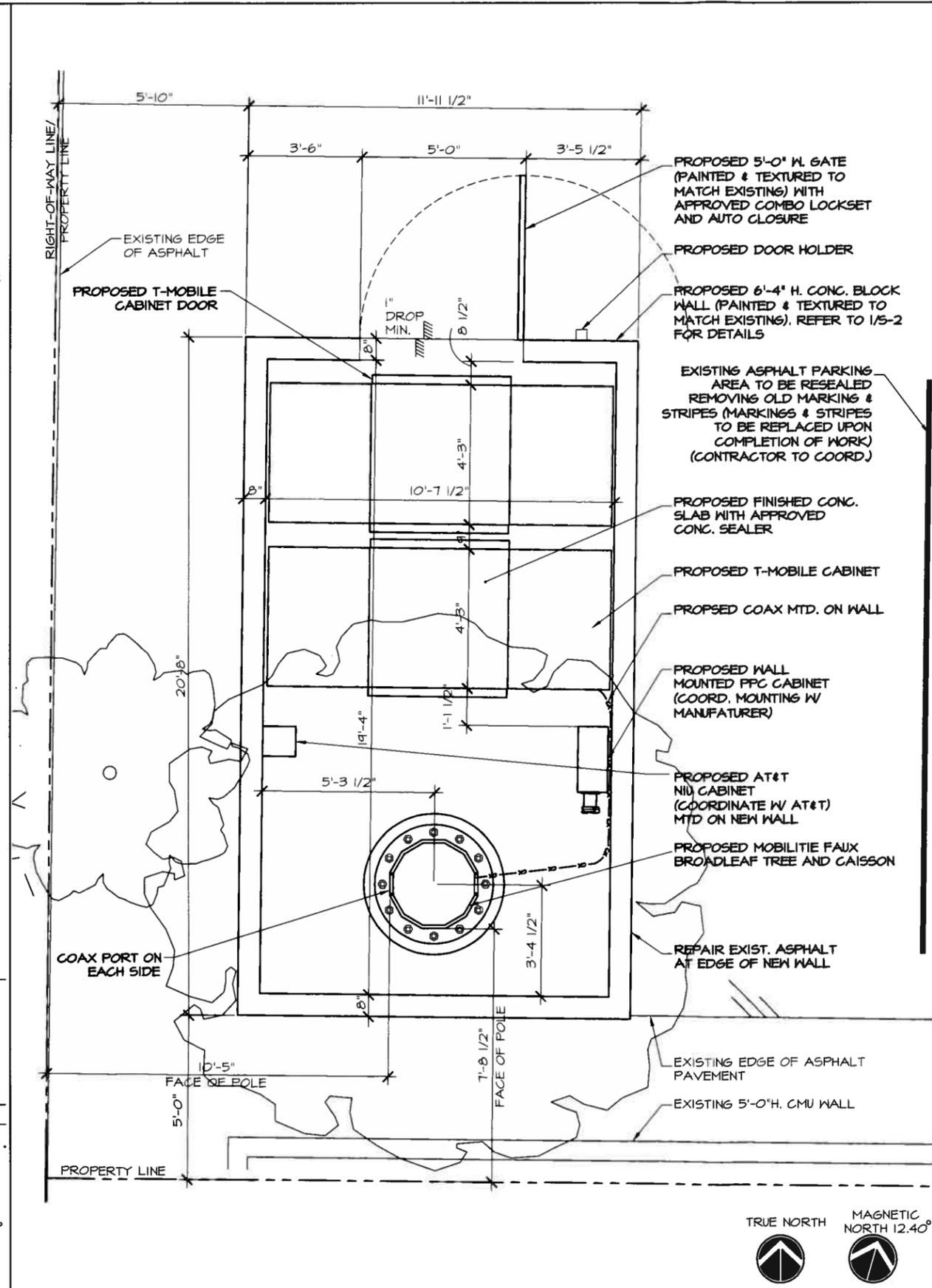
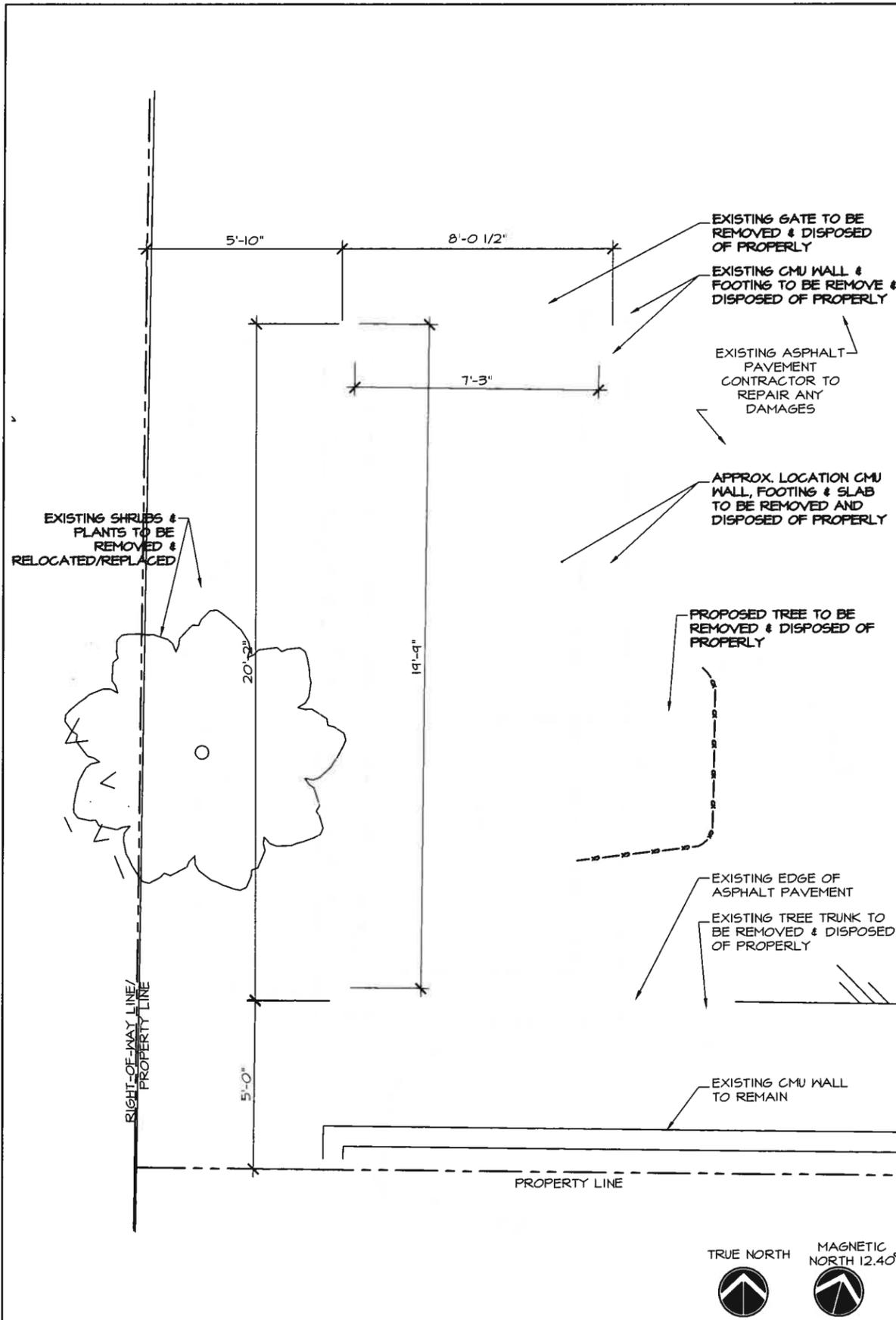
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Drawing Title:
ENLARGED SITE PLAN

Project No.: 6073111	Date: 11/21/07
Designer: RL	Checked By: RL
Drawn By: APA	Client Approval:
PM Review: ES	
Issue No.: 0	Drawing No.: A-2

V:\Project\6073111 T-Mobile-Parsons San Diego NEW BUILDS\Silas\SD06853 - Chino Commercial\Drawings\Chino Industrial Park\6073111_SD06853_Cho Industrial Park_REV 0.dwg 04/23/2010 6:10pm jgardner

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No.	Date	Action

MORRISON HERSHFELD
 5994 W. Las Positas Blvd, Suite 123
 Pleasanton, CA 94588
 Tel: 925.460.3750
 www.morrisonhershfield.com

Client:
mobilitie
 telecommunications infrastructure
 660 NEWPORT CENTER DRIVE,
 SUITE 200,
 NEWPORT BEACH, CA 92660

Project:
CHINO INDUSTRIAL PARK
 SD06853B
 150 13TH STREET
 IMPERIAL BEACH, CA 91932

Drawing Title:
COMPOUND PLAN

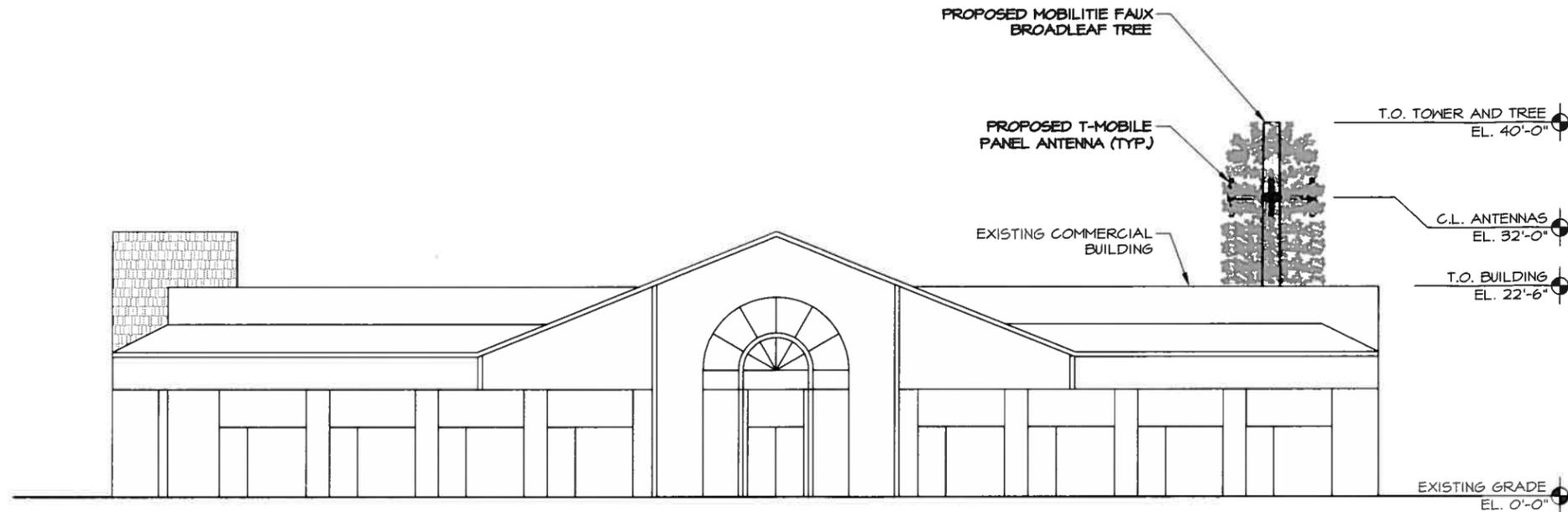
Project No. 6073111	Date: 11/21/07
Designer: RL	Checked By: RL
Drawn By: APA	Client Approval:
PM Review: EG	
Issue No. 0	Drawing No. A-3

DEMOLITION PLAN SCALE: 1/2"=1'-0" (BASED ON 22x34 PAPER SIZE) SCALE: 1/4"=1'-0" (BASED ON 11x17 PAPER SIZE) 1

EQUIPMENT LAYOUT PLAN SCALE: 1/2"=1'-0" (BASED ON 22x34 PAPER SIZE) SCALE: 1/4"=1'-0" (BASED ON 11x17 PAPER SIZE) 1

SCALE IS BASE ON 22" x 34" 1/4" SIZE

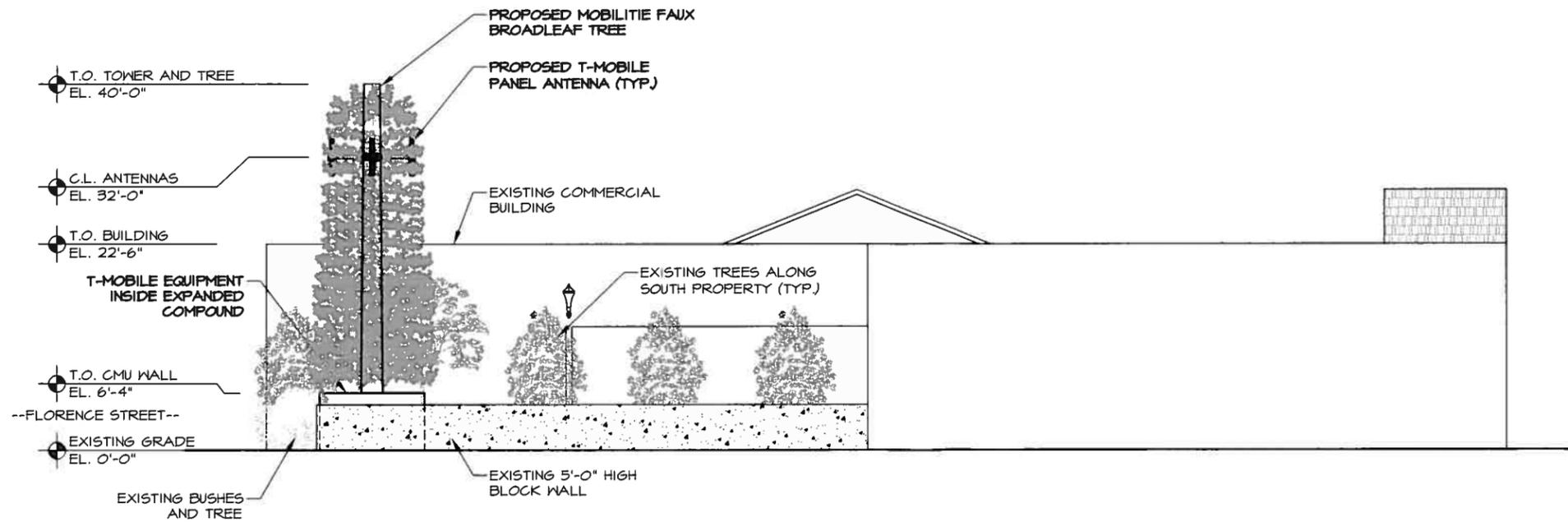
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NORTH ELEVATION

SCALE: 1/8"=1'-0" (BASED ON 22x34 PAPER SIZE)
SCALE: 1/16"=1'-0" (BASED ON 11x17 PAPER SIZE)

1



SOUTH ELEVATION

SCALE: 1/8"=1'-0" (BASED ON 22x34 PAPER SIZE)
SCALE: 1/16"=1'-0" (BASED ON 11x17 PAPER SIZE)

2

No.	Date	Action
0	04/29/10	ZONING SUBMITTAL

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5994 W. Las Positas Blvd, Suite 123
Pleasanton, CA 94588
Tel: 925.460.3750
www.morrisonhershfield.com

Client:
mobilitie
telecommunications infrastructure
660 NEWPORT CENTER DRIVE,
SUITE 200,
NEWPORT BEACH, CA 92660

Project:
CHINO INDUSTRIAL PARK
SD06853B
750 13TH STREET
IMPERIAL BEACH, CA 91432

Drawing Title:
**NORTH & SOUTH
ELEVATIONS**

Project No. 6073111	Date 11/21/07
Designer RL	Checked By RL
Drawn By APA	Client Approval
PM Review ES	Issue No.
Issue No. 0	Drawing No. A-4

SCALE IS BASED ON 22' x 34' 10" SIZE

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EAST ELEVATION

SCALE: 1/8"=1'-0" (BASED ON 22x34 PAPER SIZE)
SCALE: 1/16"=1'-0" (BASED ON 11x17 PAPER SIZE)

3

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No.	Date	Action

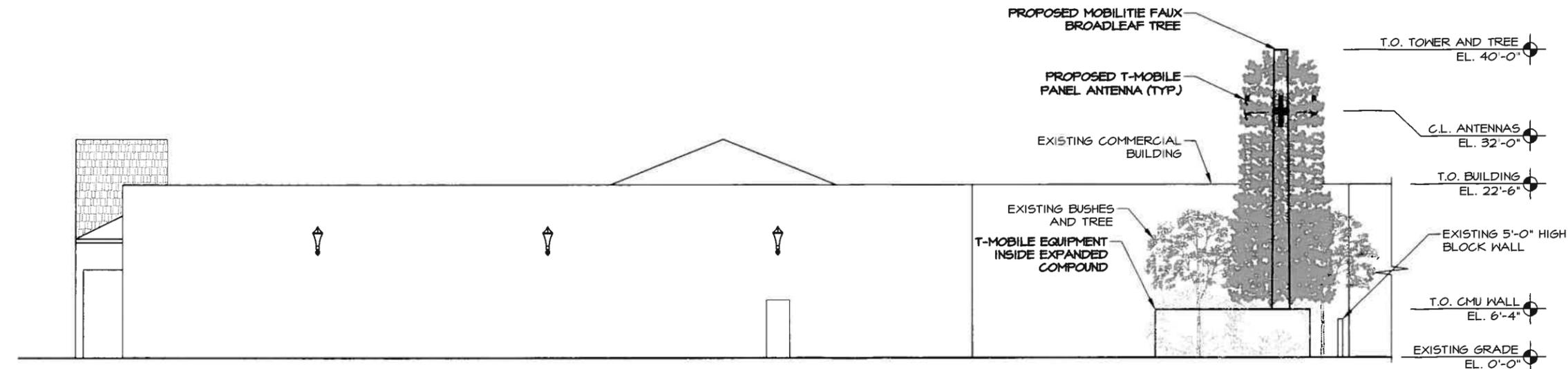
MORRISON HERSHFIELD
5994 W. Las Positas Blvd, Suite 123
Pleasanton, CA 94588
Tel: 925.460.3750
www.morrisonhershfield.com

Client:
mobilitie
telecommunications infrastructure
660 NEWPORT CENTER DRIVE,
SUITE 200,
NEWPORT BEACH, CA 92660

Project:
CHINO INDUSTRIAL PARK
SD06853B
150 13TH STREET
IMPERIAL BEACH, CA 91932

Drawing Title:
EAST & WEST ELEVATIONS

Project No. 6073111	
Designer: RL	Date: 11/21/07
Drawn By: APA	Checked By: RL
PM Review: EG	Client Approval:
Issue No.: 0	Drawing No.: A-5



WEST ELEVATION

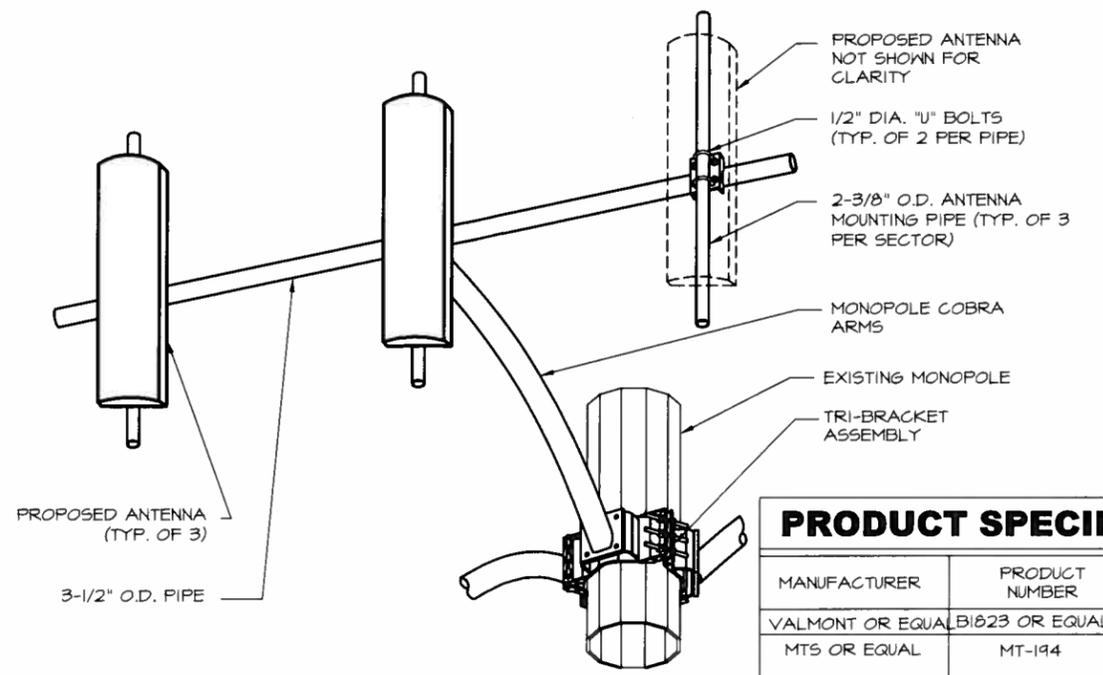
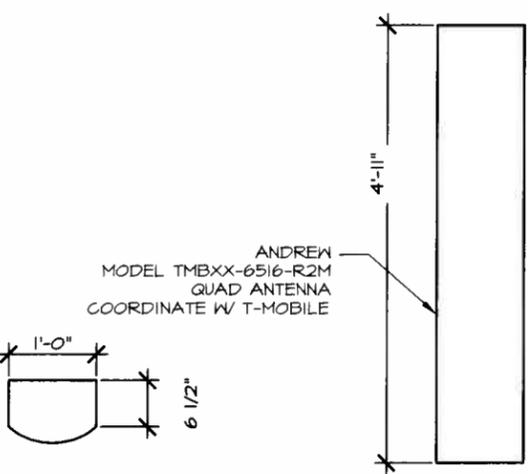
SCALE: 1/8"=1'-0" (BASED ON 22x34 PAPER SIZE)
SCALE: 1/16"=1'-0" (BASED ON 11x17 PAPER SIZE)

4

SCALE IS BASED ON 22" x 34" 1/4" SIZE

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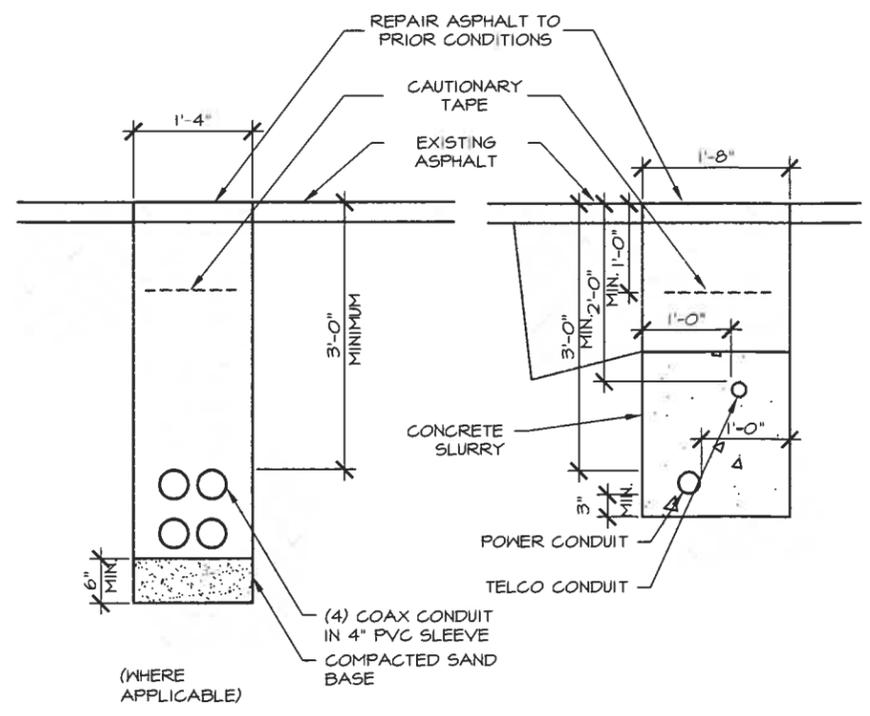
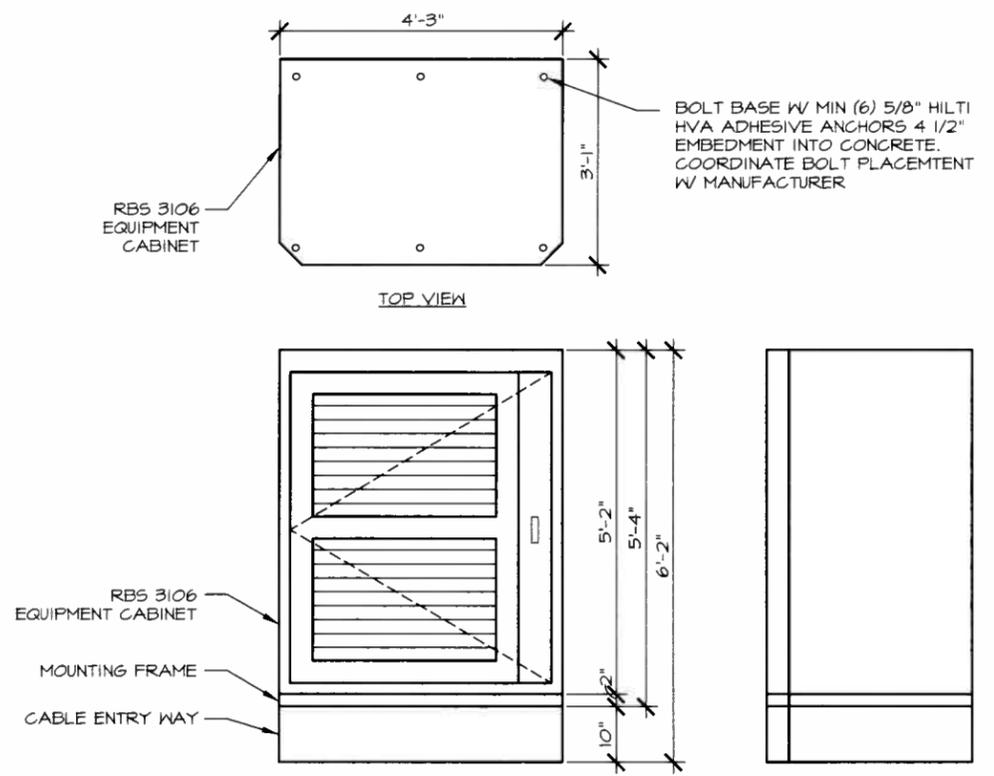
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PRODUCT SPECIFICATIONS		
MANUFACTURER	PRODUCT NUMBER	DESCRIPTION
VALMONT OR EQUAL	BI823 OR EQUAL	CURVED STANDOFF ARM
MTS OR EQUAL	MT-194	RING MOUNT (TRI-BRACKET ASSEMBLY)
SECTOR CROSS ARM AND TRI-BRACKET SOLD SEPARATELY		
VERIFY DIAMETER OF TOWER W/ TOWER MANUFACTURER		TBS = TBD BY SITE

ANTENNA ELEVATION SCALE: NTS 1

ANTENNA MOUNT DETAIL SCALE: NTS 2



RBS 2102 EQUIPMENT CABINETS SCALE: 3/4"=1'-0" (BASED ON 22X34 PAPER SIZE) SCALE: 1 1/2"=1'-0" (BASED ON 11X17 PAPER SIZE) 3

TRENCHING DETAIL SCALE: NTS 4

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No.	Date	Action
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0	04/29/10	ZONING SUBMITTAL

MORRISON HERSHFELD
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Client:
mobilitie
 telecommunications infrastructure
 660 NEWPORT CENTER DRIVE, SUITE 200, NEWPORT BEACH, CA 92660

Project:
 CHINO INDUSTRIAL PARK SD06853B
 150 13TH STREET IMPERIAL BEACH, CA 91932

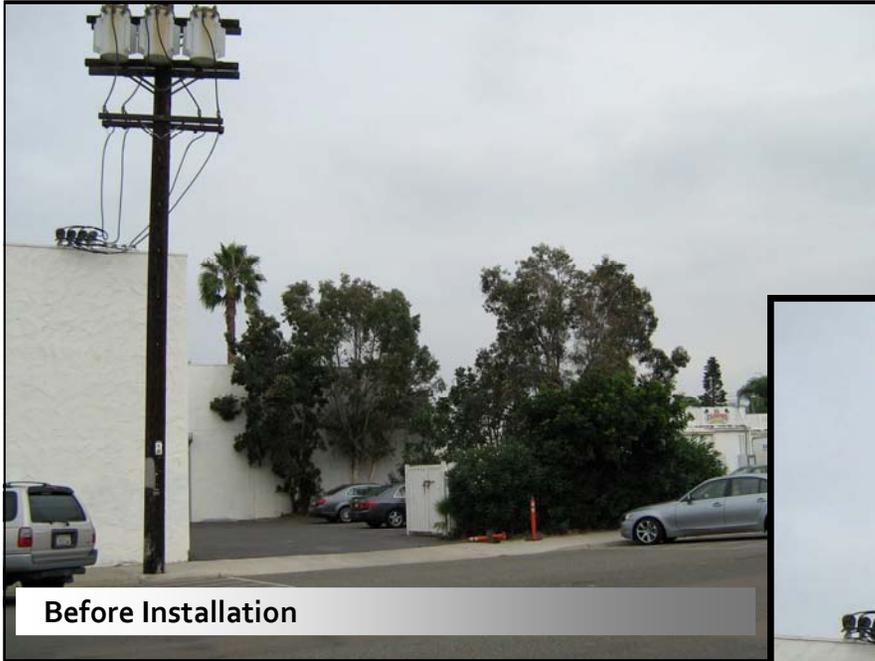
Drawing Title:
ANTENNA & CABINET DETAILS

Project No.: 6073111	
Designer: RL	Date: 11/21/07
Drawn By: APA	Checked By: RL
PM Review: EG	Client Approval:
Issue No.: 0	Drawing No.: A-6

SCALE IS BASE ON 22" X 34" 1/4" SIZE

ATTACHMENT 3
Chino Commercial — View 1

750 13th Street, Imperial Beach, CA 91932
T-Mobile Site ID: SD06853



Before Installation



Proposed T-Mobile compound

Proposed T-Mobile 40'-0"
faux broadleaf tree

After Installation



10180 Telesis Court
Suite 333
San Diego, CA 92121-2741



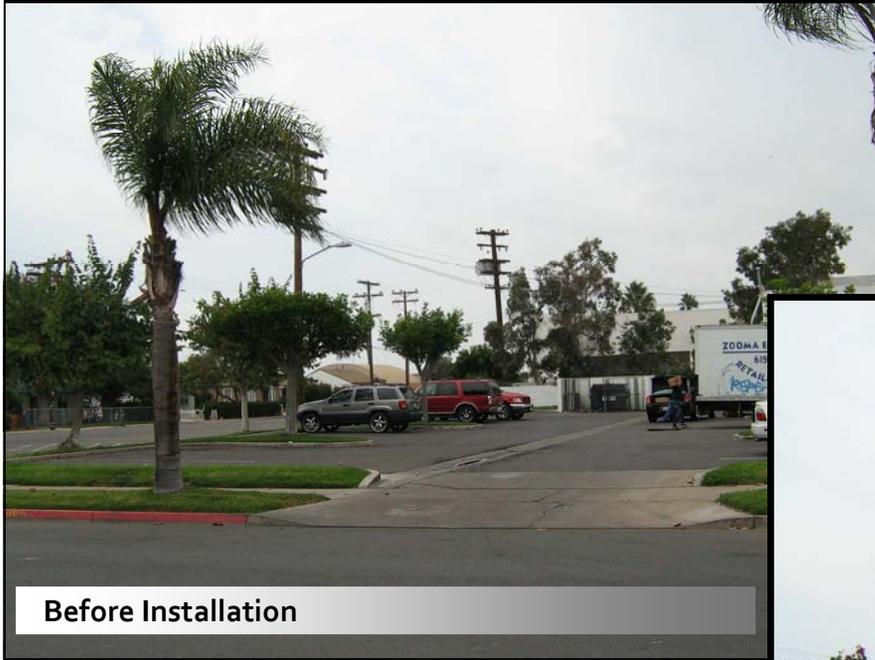
110 West A Street
Suite 1050
San Diego, CA 92101



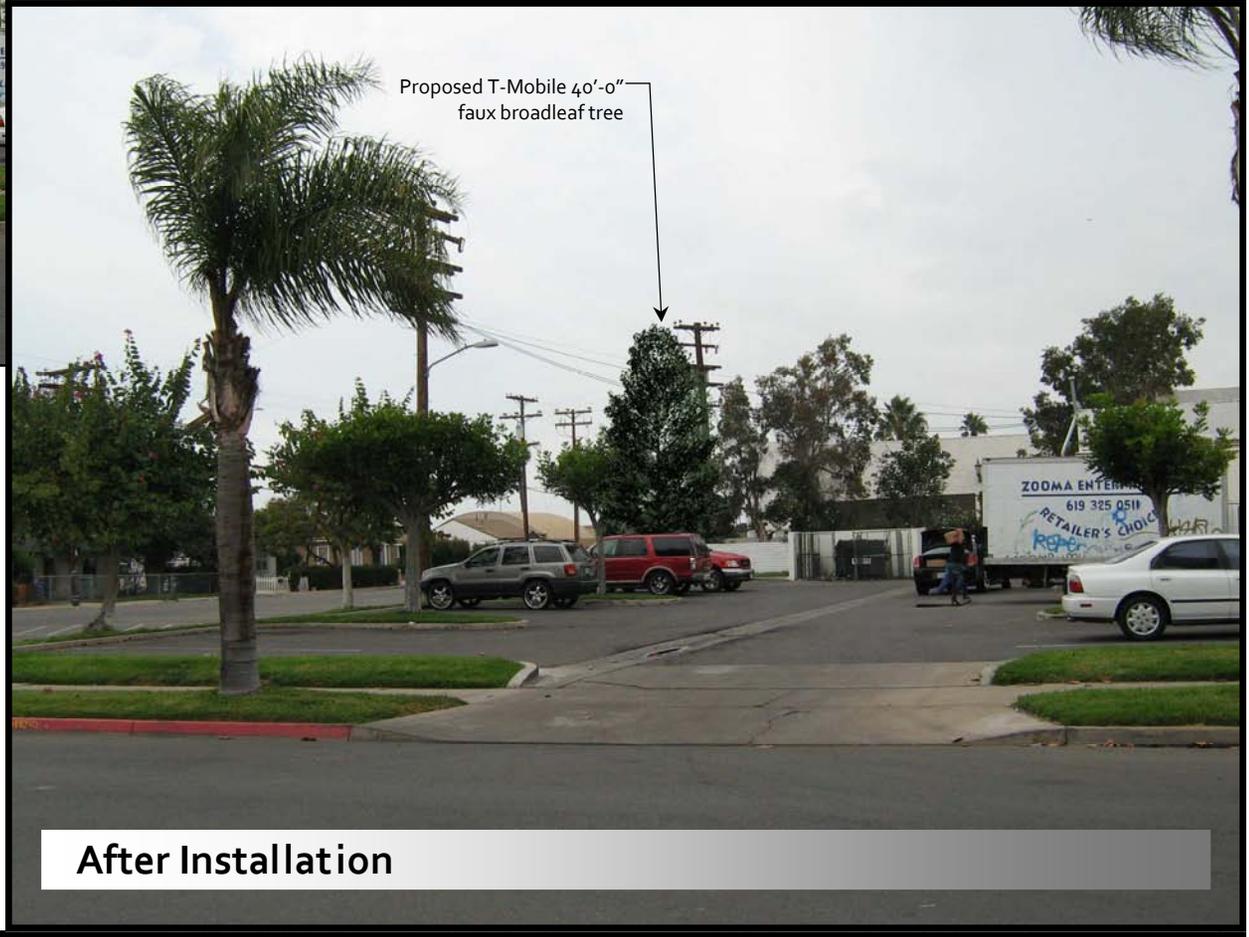
5994 W. Las Positas Blvd.
Suite 123
Pleasanton, CA 94588

Chino Commercial — View 2

750 13th Street, Imperial Beach, CA 91932
T-Mobile Site ID: SD06853



Before Installation



After Installation



10180 Telesis Court
Suite 333
San Diego, CA 92121-2741



110 West A Street
Suite 1050
San Diego, CA 92101



5994 W. Las Positas Blvd.
Suite 123
Pleasanton, CA 94588

Chino Commercial — View 3

750 13th Street, Imperial Beach, CA 91932
T-Mobile Site ID: SD06853



Before Installation



Proposed T-Mobile 40'-0"
faux broadleaf tree

After Installation



10180 Telesis Court
Suite 333
San Diego, CA 92121-2741



110 West A Street
Suite 1050
San Diego, CA 92101



5994 W. Las Positas Blvd.
Suite 123
Pleasanton, CA 94588

Application History

The original application was submitted previously and approved by the Planning Commission of Imperial Beach on August 20, 2008. However, due to global reasons the Applicant, T-Mobile was unable to file and obtain for the building permit. As such the previous zoning approval expired which is the reason why this application is being refilled.

Project Location

The project site has been located to address a significant gap in coverage within the T-Mobile network. The "RF Package" provided with this application depicts T-Mobile's coverage in the area and demonstrates that there is a significant gap in coverage. The proposed site, located off of Palm Avenue, is located near the center of the coverage area and is proposed to address this coverage objective.

Initially, the project search area consisted of the residential area to the south of the project site, and two preliminary candidates were identified (one residential site and one church site). These locations were not feasible due to technical reasons, and the site search re-focused further to the north within the commercial district. Initially, the T-Mobile RF engineering team did not want to consider this area since it was outside of their search parameters. However, with the other candidates not feasible, the commercial area was reconsidered and an acceptable site was found on the commercial property at 750 13th Street. With the T-Mobile site being located towards the rear of this parcel, and utilizing a 40-ft. faux tree, the RF engineering team found that satisfactory coverage may be achieved.

Project Design

The T-Mobile proposal consists of a faux broadleaf tree of 40 feet in height, containing the required three sectors of T-Mobile 4' panel type antennas. The associated base station equipment would be located adjacent to the proposed faux tree, all within an *existing* masonry enclosure. This enclosure is located near the southwesterly property line of the subject parcel, and is well screened from the street with existing landscaping.

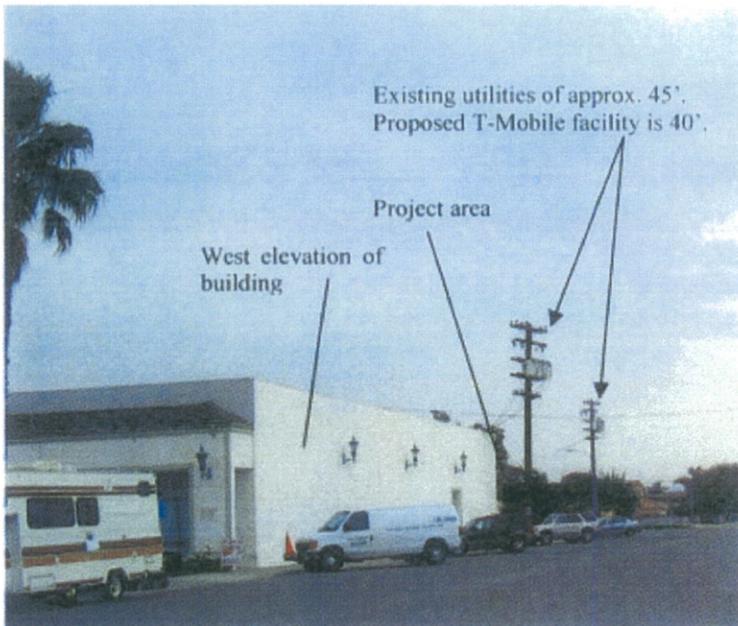
When the design team first approached the site, the initial design approach was to consider a concept which integrated into the existing commercial building. After an analysis of this option, it was found that this existing building was not high enough to provide an acceptable coverage footprint. Because there are a number of tall buildings located in the area surrounding this site, the RF signal would be blocked if a site were located on this building, which is approximately 22 ft. in height. Additionally, this older building may contain asbestos or present other construction challenges. The site in the rear parking area presents a good, consolidated location for the entire T-Mobile facility. The proposed location would allow the needed project height, while avoiding erecting a tall antenna feature on the building, and also avoid long antenna conduit runs to the equipment area, without taking up necessary parking.

A broadleaf type tree was selected since there are a number of broadleaf trees in and around the subject parking lot area. The photosimulations attached hereto, along with the site photos, depict the proposed facility in this setting and show that the proposed design is consistent with the character of the parcel and the surrounding community.

Compatibility with Surrounding Land Uses

The project site is located within a commercial district and therefore the proposed facility would not be considered out of character with the surrounding development. Furthermore, the proposed facility is not located immediately off of Palm Avenue but is behind an existing commercial building. The proposed faux tree would have little to no visibility from this roadway.

Located within the immediate vicinity are a number of existing utilities. These utilities consist of SDG&E utility poles carrying power, telephone, and cable communications. The existing utilities





T-Mobile West Corporation
a subsidiary of T-Mobile USA Inc.
10180 Telesis Court, Suite 333
San Diego, California 92121

April 6, 2010

Tyler Foltz
Associate Planner
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

RE: (TMO SD06853) Previously Submitted Material – Master File 963, Coastal Permit 07-0085, CUP 07-0086, Design Review Case 07-0087, Site Plan Review 07-0088

Dear Mr. Foltz:

T-Mobile hereby authorizes Mobilitie to take over and process as applicant the previously submitted applications for the permits referenced above. T-Mobile owns the rights to any and all material previously prepared and presented by its consultants to the City of Imperial Beach for the purpose of processing permits required for the proposed T-Mobile facility located at 750 13th Street, Imperial Beach, California. The City of Imperial Beach is hereby authorized to utilize said material as necessary.

Please contact me with any questions or concerns at (760) 224-6000.

Regards,

Robert Krebs
Development Manager, San Diego

April 29, 2010

Tyler Foltz, Assistant Planner
City of Imperial Beach
Community Development Department
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

SUBJECT: Conditional Use Permit Application for a Proposed T-Mobile Wireless Communication Facility, Site Name: SD06853/"Chino Industrial Park", 750 13th Street. APN: 262-312-14.

Mr. Tyler Foltz:

Mobilitie, on behalf of T-Mobile, is please to submit this application for a Conditional Use Permit for a Wireless Communication Facility. The project consists of a camouflaged Wireless Communication Facility located on a commercial / C-1 property.

Project Purpose

T-Mobile previously submitted this application and it was approved in 2008. However, due to global reasons, T-Mobile's representatives were unable to submit a building permit application and the city zoning approval lapsed. At this time, Mobilitie on behalf of T-Mobile is seeking to resubmit the zoning application. T-Mobile's network in the City is spotty and needs improvement in several locations. Currently there are just two T-Mobile wireless sites in the City, making an incomplete and spotty network. T-Mobile is engaged in a project to bring full wireless coverage to the City of Imperial Beach, and this application is a part of this effort. The site seeks to address a significant gap in coverage in and around the project area, as depicted in the attached Project Description and the RF Coverage Maps attached thereto.

Project Description

The proposed wireless communications facility consists of a faux broadleaf tree and associated base station equipment. The T-Mobile broadleaf tree is proposed at 40 feet in height, with the centerline of the antennas at 37 feet. The base station equipment is comprised of four (4) T-Mobile equipment cabinets located at the base of the faux tree. The entire facility (faux tree and base station equipment) is proposed to be located within an existing walled compound within a rear parking area on the property.

This existing rear parking area is essentially non-utilized, and the existing walled compound has no present use. Any site in this rear parking area would require a secure, walled compound. Thus the existing compound provides an ideal sitting opportunity for the facility, without having to add a new compound. A secure site design is propose to protect the facility from theft and vandalism.

Regarding project design and aesthetics, we feel that the proposed design can be supported because it was previously zoning approved by the city because its location is distant from the main thoroughfare of Palm Avenue, because of its camouflaged design, and because of numerous highly visible utilities in the immediate project area, which make up a part of the community character. The proposed camouflaged

wireless installation, constituting a quasi-public utility, has a very low visual impact when compared with these existing utilities. This is addressed in greater detail in the attached Site Justification.

Surrounding Land Uses

Located to the north of the project site is Palm Avenue and the existing C-1 commercial district. Located to the south of the project site is an abutting commercial parcel. Located to the east of the project site is commercial development located on the same large commercial parcel. To the west of the project site, located across Florence Avenue, are residential dwellings.

Project Description

A detailed Project Description consisting of a detailed design and description as well as the site justification is attached.

Proposed Findings

Proposed findings have been provided herewith.

Servicing of Facility

The facility, after being built will require routine maintenance on a monthly basis. Such maintenance doesn't require large trucks or road closures, rather the technicians will utilize a light vehicle (typically a pick-up truck or SUV).

Thank you for reviewing this application. We look forward to working with your department as we move toward an approval for this project. Please contact me at 619-819-8383 to discuss any matters concerning this project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Lior Avraham', written in a cursive style.

Lior Avraham
Wireless Planning Specialist
Agent for Mobilitie



consist of large number
associated cables and
these existing utilities
single camouflaged v
surrounding business
photosimulations sho
surrounding commu

Findings

T-Mobile-6853/Chino Commercial

Proposed Findings

A. That the proposed use at the particular location is necessary or desirable for the general well-being of the neighborhood and for the safety and health of the community, and that the proposed facility will contribute to the general well-being of the neighborhood;

Proposed Finding: The proposed project consists of a wireless communications facility located in a C-1 commercial district in the City of Imperial Beach. T-Mobile is requesting a Conditional Use Permit for its wireless network in the City of Imperial Beach, to provide vital communications for residents in the City. In order for this goal to be accomplished, a need for improved coverage must be addressed, including a current coverage gap in and around the project area. The applicant has submitted "RF Coverage Maps" supplied by the applicant. The proposed facility will provide vital communications. Wireless communications have become a necessary and critical aspect of modern life, and providing vital communications for personal, business, and emergency services. Community members have come to expect and rely upon these communications services in their neighborhoods for these communications needs. This project will

B. That such use will not, under the circumstances of the particular location, be detrimental to the safety or general welfare of persons residing or working in the vicinity, and that the proposed improvements in the vicinity;

Proposed Finding: The proposed project would not be detrimental to the safety or general welfare of persons residing or working in the vicinity, or injurious to the character of the vicinity since the project has been designed to integrate with the surrounding environment through a camouflaged design. The applicant has submitted evidence establishing that the project will not adversely impact community character, including photosimulations and a Justification report. The proposed facility will comply with all federal and state transmission power levels.

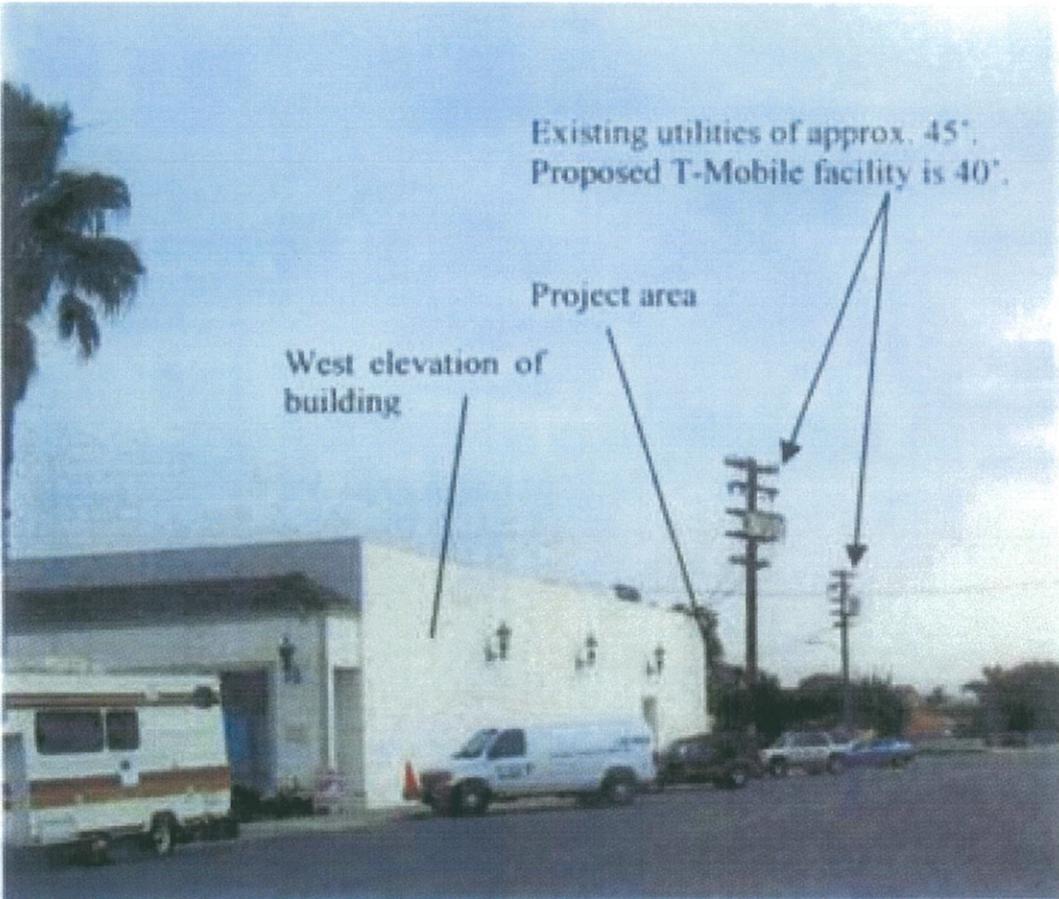
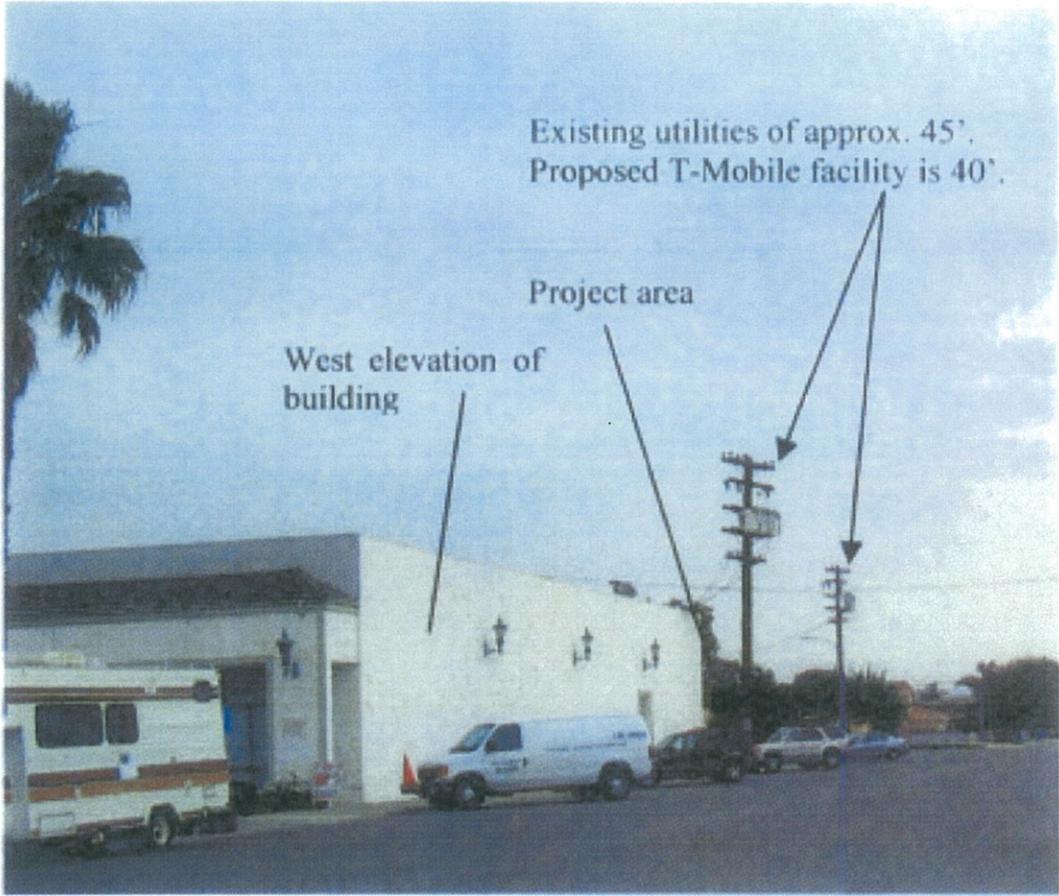
C. That the proposed use will comply with the regulations and conditions of the Conditional Use Permit and for other permitted uses in the same zone; and

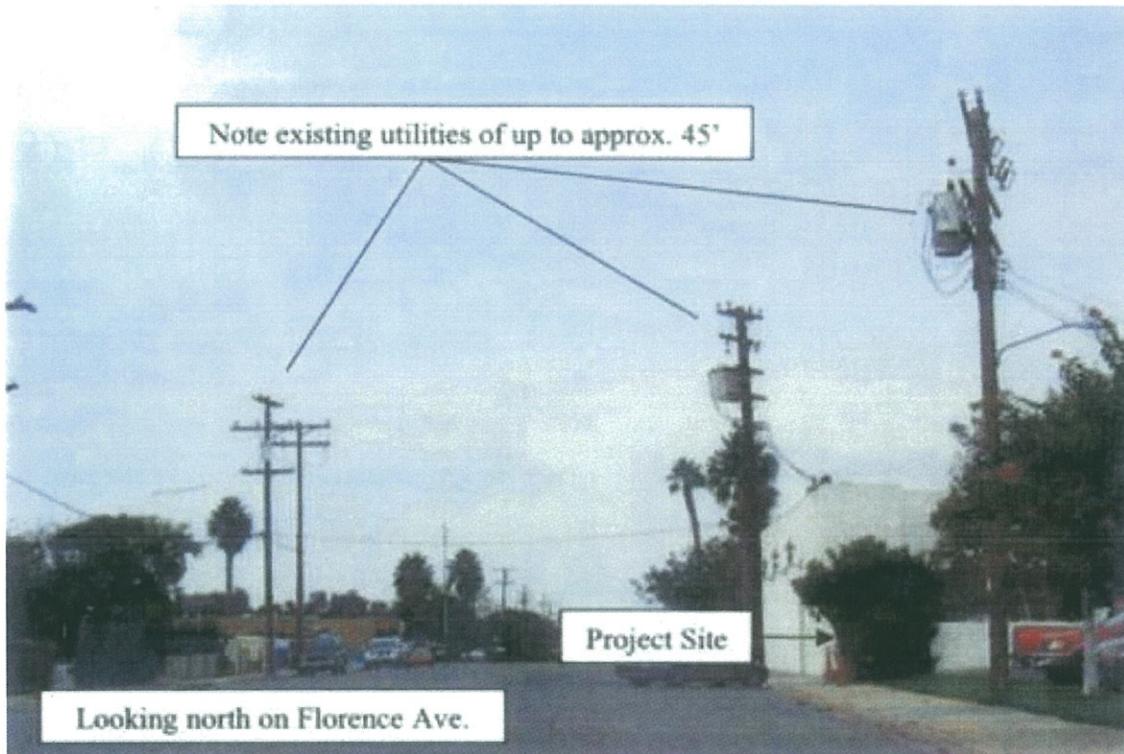
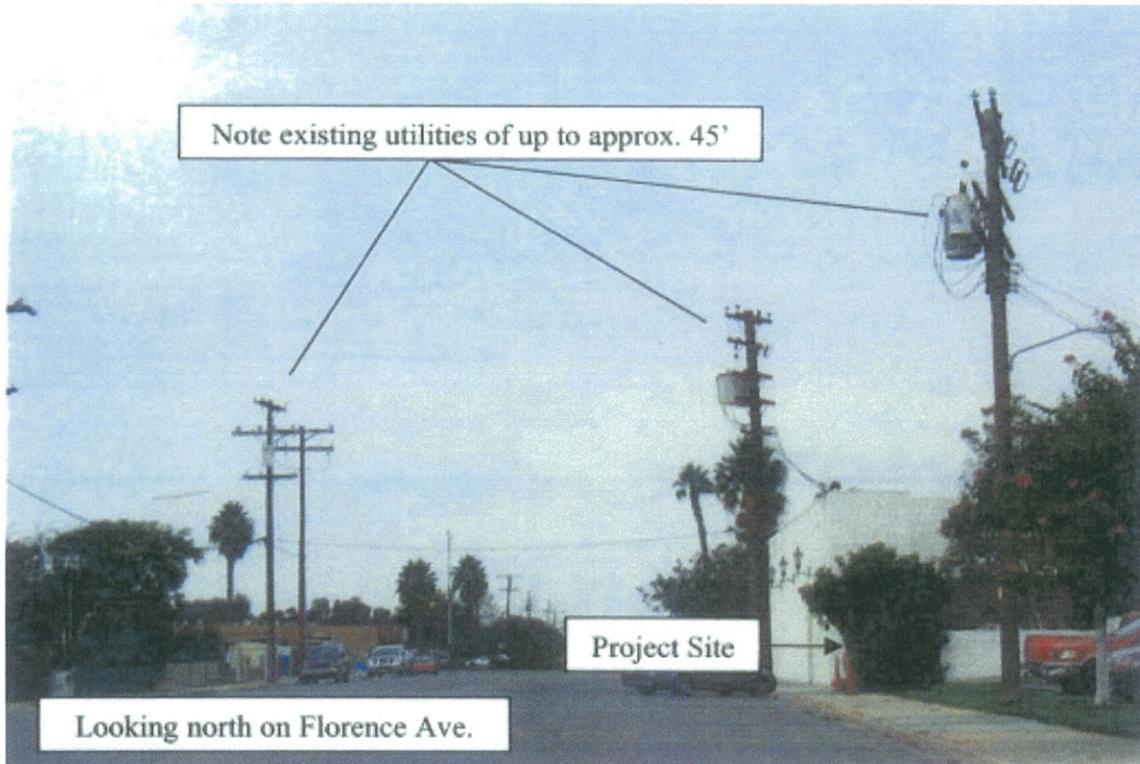
Proposed Finding: The proposed facility will comply with the regulations of the Conditional Use Permit of the Municipal Code. Pursuant to this Conditional Use Permit, appropriate conditions will be conducted and appropriate conditions attached to the subject project.

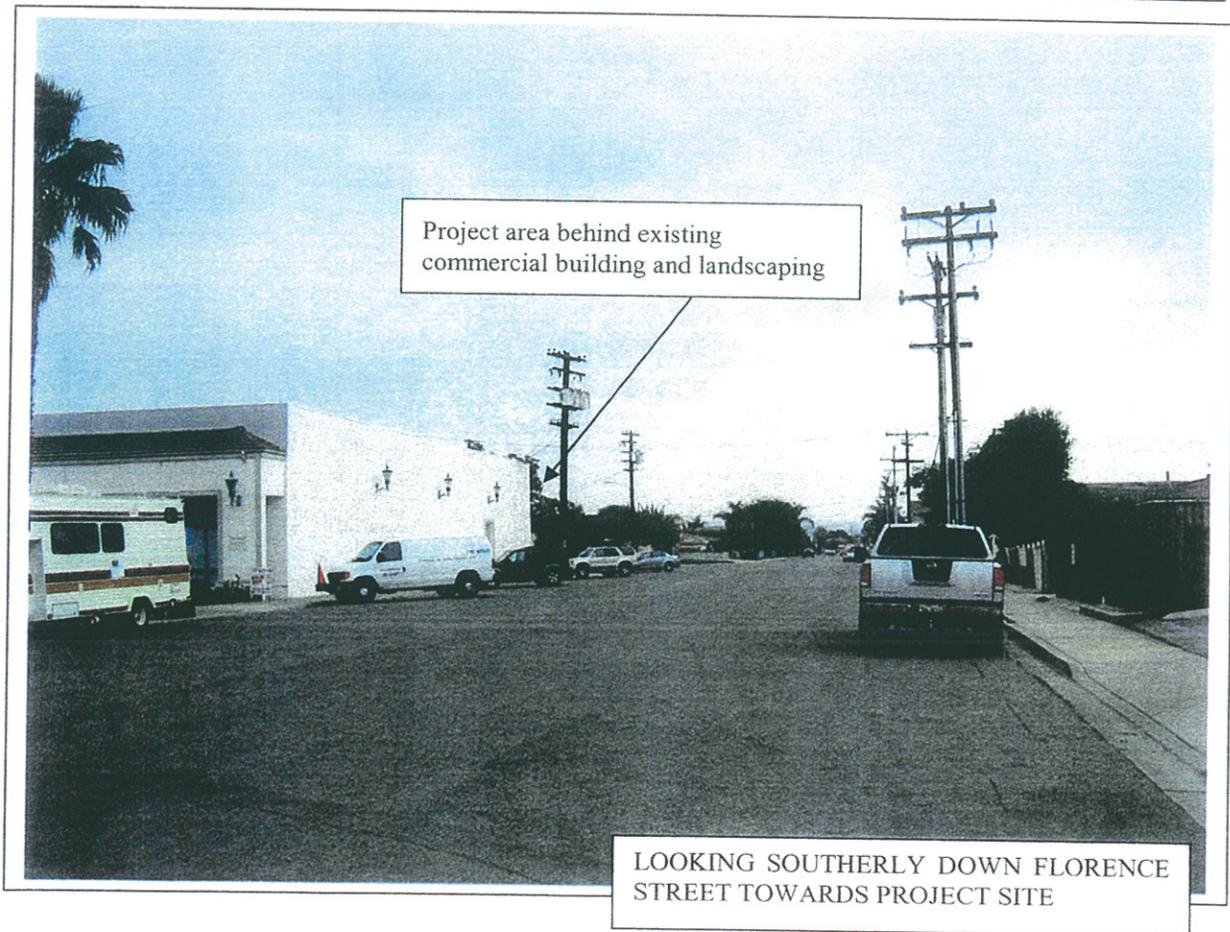
D. That the granting of such conditional use will be in harmony with the adopted general plan and the adopted local coastal program. (Ordinance 1983-01, Part 1, 1983)

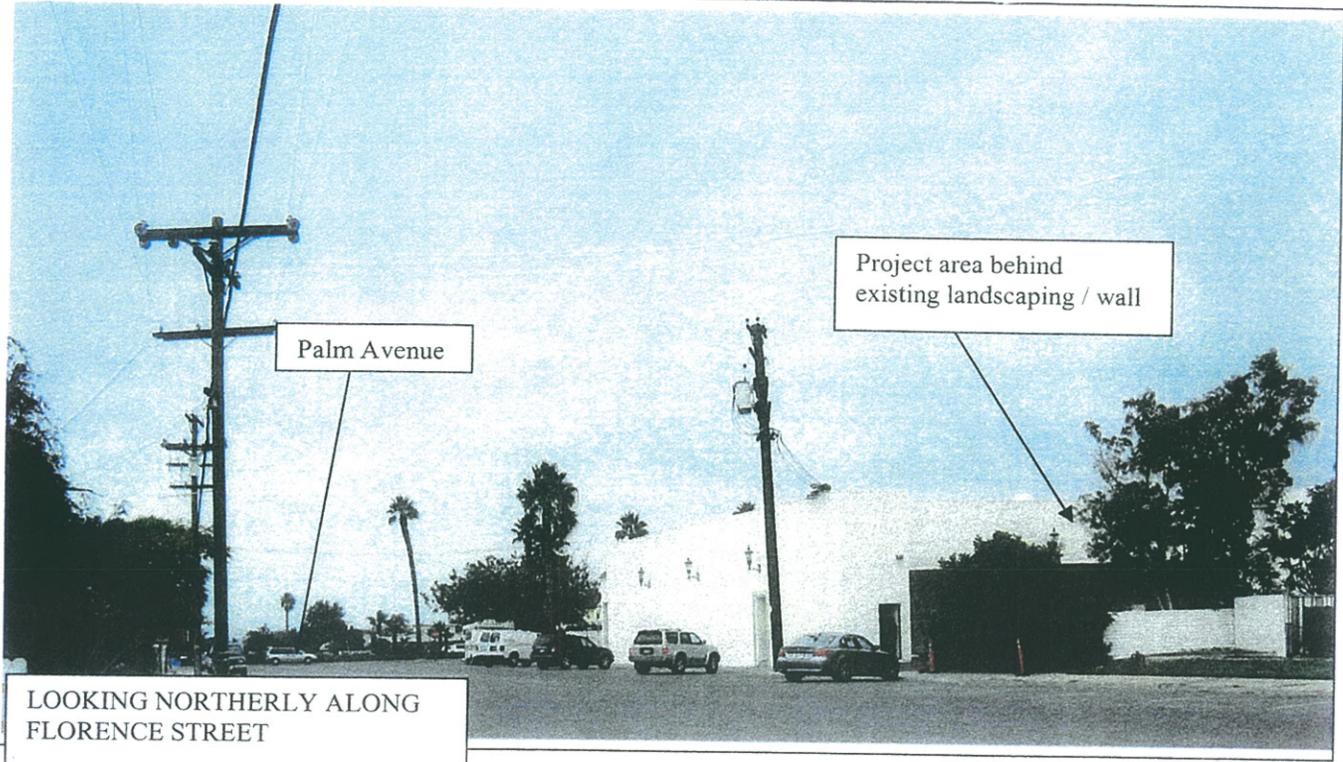
Proposed Finding: The proposed facility has been processed in accordance with the Conditional Use Permit procedures, and all relevant departments, agencies, and surrounding agencies have been given an opportunity to comment on the application. The application has been approved, and the granting of this conditional use will not adversely affect the adopted plan of any governmental agency. The project site is not

Site Photos





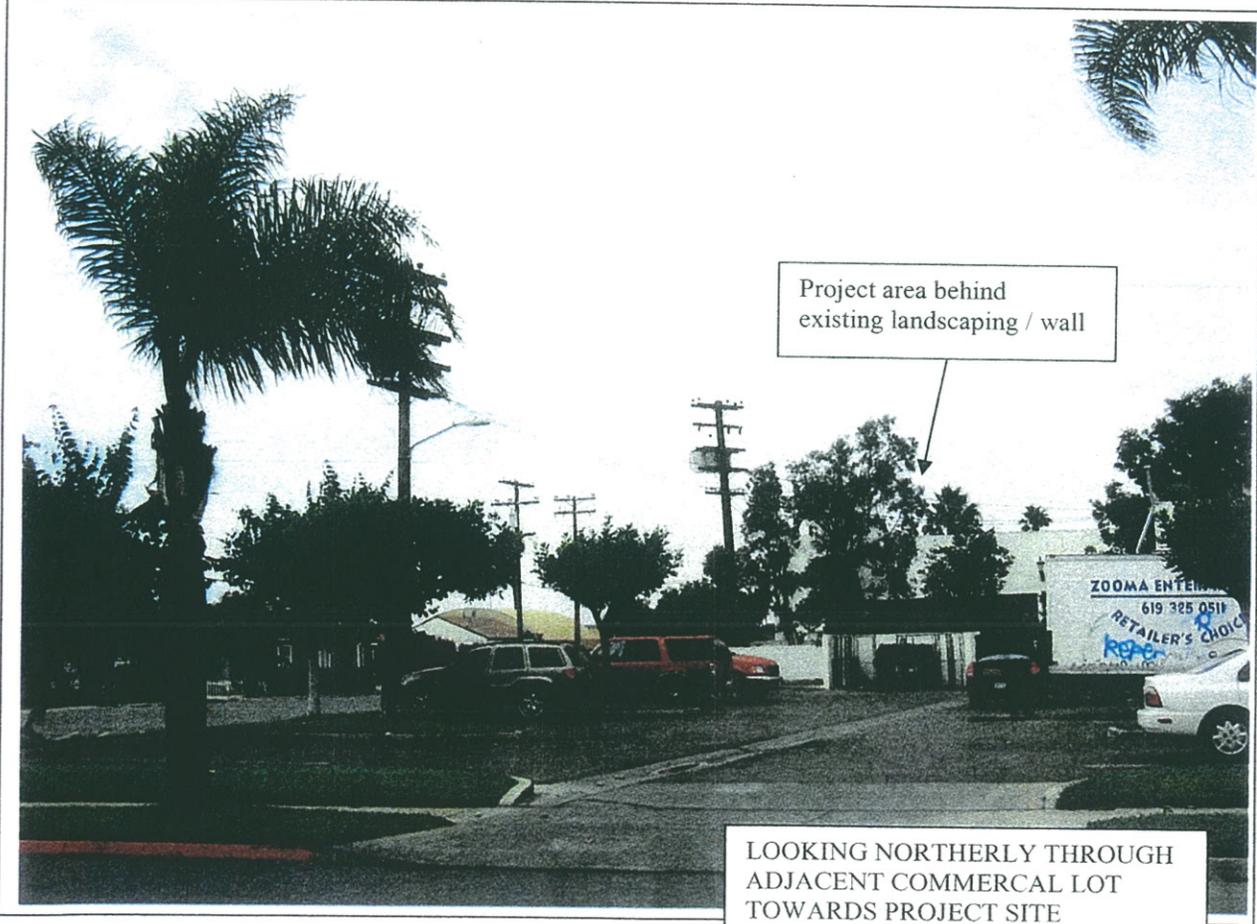




Palm Avenue

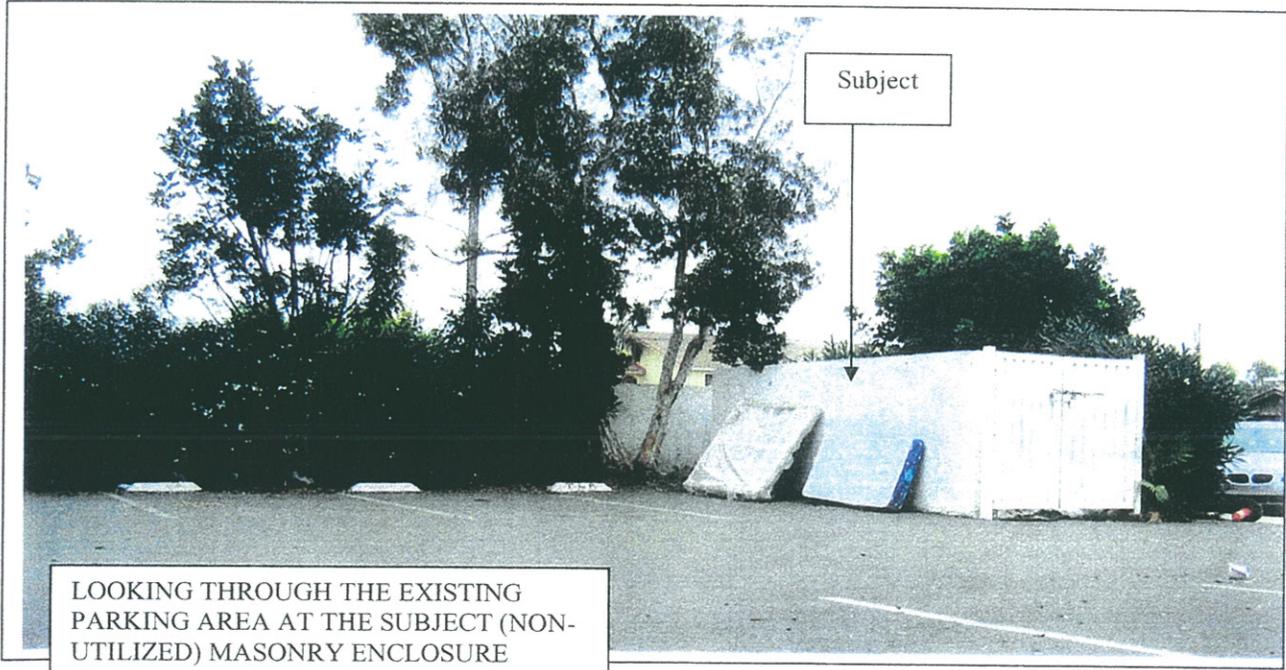
Project area behind existing landscaping / wall

LOOKING NORTHERLY ALONG FLORENCE STREET



Project area behind existing landscaping / wall

LOOKING NORTHERLY THROUGH ADJACENT COMMERCIAL LOT TOWARDS PROJECT SITE





AGENDA ITEM NO. 6.1

**STAFF REPORT
CITY OF IMPERIAL BEACH**

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

FROM: GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

MEETING DATE: JULY 21, 2010

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

SUBJECT: MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL

BACKGROUND:

At the City Council meeting on Wednesday, April 21, 2010, the City Council approved a Memorandum of Understanding (MOU) between the City/Redevelopment Agency and the Developer/Property Owners of the Seacoast Inn (Imperial Coast Limited Partnership) outlining financial and other commitments for the redevelopment of the Seacoast Inn. Also approved as part of the MOU was a Project Schedule detailing important project milestones for the project's development. At the meeting on April 21, 2010, the City Council also requested a monthly update report be made to advise the Council on progress made and compliance with the approved MOU and Project Schedule.

At the City Council meeting on May 19, 2010, City staff and Pacifica presented the first of the requested monthly updates. Staff advised the City Council that the demolition permit had been issued and the building permit plans (structural and architectural) had been resubmitted for plan check. Pacifica advised the City Council on progress made with respect to the schedule contained in the Memorandum of Understanding (MOU). The City Council requested that, for future monthly updates, all information and/or schedule updates should be provided to the City Council with their agenda packages rather than at the time of the meeting as a last minute agenda item.

DISCUSSION:

On Tuesday, June 15, 2010, the City Council received its last monthly update report. At the meeting, Pacifica representative Allison Rolfe advised the City Council of progress made since May. On Wednesday, July 21, 2010, Pacifica will again advise the City Council on progress made on the project since June.

FISCAL ANALYSIS:

No fiscal impact with this report.

ENVIRONMENTAL REVIEW

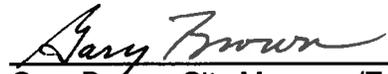
None required with this report.

DEPARTMENT RECOMMENDATION:

That the City Council/Redevelopment Agency receive the update report on the Seacoast Inn project and provide comment and input as necessary.

CITY MANAGER'S RECOMMENDATION

Approved Department recommendation.



Gary Brown, City Manager/Executive Director

Attachments:

1. Project Schedule

PROJECT SCHEDULE

TASK	DESCRIPTION OF TASK (PACIFICA'S OBLIGATION UNLESS OTHERWISE NOTED)	DATE	COMMENT
1	Submit complete demolition permit application to City with all timely completion of all required coordination with APCD, SDG&E, etc. as necessary to accommodate City issuance of demolition permit	4/27/10	Complete
2	City issues demolition permit	4/30/10	Complete
3	Compliance with "prior to issuance condition."	----	----
3.1	Submit CC&Rs to Dept. of Real Estate	4/9/10	Complete
3.2	Submit CC&Rs to Coastal Commission	4/23/10	Complete
3.3	Record deed restriction with County	4/23/10	Complete
3.4	Submit final map to City with bond	4/20/10	Complete
3.5	County issues tax clearance certificate	5/13/10*	Complete
3.6	<i>Citibank issues subordination agreement</i>	<i>5/7/10 *</i>	N/A
3.7	Final Map approved by City Council	4/21/10	Complete
3.8	<i>Final Map recorded</i>	<i>5/14/10* Map will be submitted for recordation within one day of completion of Tasks 3.5 and 3.6</i>	<i>*Actual date dependent upon 3.5 and 3.6 (not entirely within Pacifica's control).</i>
3.9	<i>Submit recorded Final Map to Coastal Commission</i>	<i>5/14/10*</i>	<i>*See 3.8.</i>
4	Submit payment for City's/Agency's staff and consultant	4/14/10	Complete
5	Submit payment for OPA legal fees	4/22/10	Complete
6	Submit payment to replenish deficient account	4/14/10	Complete
7	Submit evidence to reasonable satisfaction of City (i.e., copies of materials and list of lenders contacted/to be contacted) that it is pursuing construction financing for the project	4/19/10	Complete
8	Submit construction budget and supporting bid documents evidencing construction costs	4/14/10	Complete
9	Submit pro formas to City	4/14/10	Complete
10	<i>Submit all documentation to Coastal Commission necessary for approval of "prior to issuance conditions"</i>	<i>5/17/10* All documentation will be submitted to Coastal Commission within one day</i>	<i>* Date dependent upon 3.5, 3.6, 3.8 and 3.9.</i>

ATTACHMENT 1

June 8, 2010

		<i>of completion of tasks 3.5, 3.6, and 3.8</i>	
11	<i>Coastal Commission approves “prior to issuance conditions”</i>	5/28/10*	* Date dependent upon 3.5, 3.6, 3.8 and 3.9 and Coastal Commission turn-around time.
12	Coastal Commission extends CDP	5/14/10	Complete
13	Hazardous Materials abatement completed	6/1/10	Complete
14	<i>Commence demolition</i>	6/1/10 with 1 day extension for each day completion of Tasks 11 and 12 are delayed	
15	Completes demolition	6/30/10 with 1 day extension for each day completion of Tasks 14 is delayed	
16	Submit revised building permit plans (and fee) to City	5/16/10	Complete
16.1	Submit MEP plans to City	6/30/10	Complete
17	Correction and resubmission to City of building permit application and portions thereof	Will resubmit by 7/28/10	
18	City/Agency submits draft OPA to Pacifica	6/22/10	
19	City/Agency approves OPA	7/22/10	
20	City issues building permit	5 days after plans are approved by Building Safety	
21	City issues redevelopment bonds	TBD by City	
22	Pacifica commences construction of project	45 days after completion of Tasks 19, 20 and 21	

23	Pacifica completes construction	18 months following completion of Task 22	
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* dates with asterisk are estimates only.



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: JULY 21, 2010
ORIGINATING DEPT.: PUBLIC WORKS *HA L*
SUBJECT: RESOLUTION REJECTING ALL BIDS FOR CERTAIN PUBLIC WORKS CONTRACT – PUBLIC WORKS ROOF REPAIR CIP (P05-10A)

BACKGROUND:

In April 2010, during the annual Public Works Facility Material Inspection, the Public Works Facility maintenance building roof was evaluated as deteriorated and in need of significant repairs. Several areas in the metal roof were showing severe rust and some areas were rusted through. The Grounds and Facilities Supervisor contacted several roof repair companies to provide a recommended repair procedure and estimated cost. Informal repair quotes were received in the \$19,000 range. However since this is a Public Works Contract work, all work exceeding \$5,000 must be awarded through a formal bid process.

A Public Works Roof Repair bid package was prepared. The project was advertised for bids on June 17, 24, and July 1, 2010. The repair specifications were prepared to meet the State Title 24 requirements (cool roof criteria). A mandatory pre-bid meeting was held Tuesday, June 29, 2010. Two potential bidders were present. The bid opening was set for July 8, 2010 at 2:30 p.m.

DISCUSSION:

Bids were opened and evaluated in an advertised public meeting, at 2:30 p.m., July 8, 2010. Two bids were received, opened and evaluated. The bids received were nearly double the engineer's estimate thus staff will be recommending City Council reject all bids.

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

- Best Contracting \$37,680
- Roof Construction \$39,510

Engineer's estimate was \$19,000.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

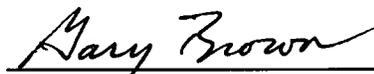
Staff had considered recommending the use of the Facilities Maintenance / Replacement (504) Fund (set aside for emergency maintenance projects not included in the adopted Capital Improvement Program of projects). There is approximately \$200,000 remaining in this fund. Since it is recommended that all bids be rejected, there is no immediate fiscal impact.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Reject all bids due to the large spread between the Engineer's estimate and the bids received.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2010-6917

RESOLUTION NO. 2010-6917

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, REJECTING ALL BIDS FOR CERTAIN PUBLIC WORKS CONTRACT – PUBLIC WORKS ROOF REPAIR CIP (P05-10A)

WHEREAS, in April 2010, during the annual Public Works Facility Material Inspection, the Public Works Facility maintenance building roof was evaluated as deteriorated and in need of significant repairs; and

WHEREAS, several areas in the metal roof were showing severe rust and some areas were rusted through; and

WHEREAS, a Public Works Roof Repair bid package was prepared; and

WHEREAS, the project was advertised for bids on June 17, 24, and July 1, 2010; and

WHEREAS, bids were opened and evaluated in an advertised public meeting, at 2:30 p.m., July 8, 2010; and

WHEREAS, two bids were received, opened and evaluated; and

WHEREAS, staff recommended all bids be rejected; and

WHEREAS, engineer's estimate was \$19,000.

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

1. The above recitals are true and correct.
2. The legislative body hereby rejects all bids.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 21st day of July 2010, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER

MEETING DATE: JULY 21, 2010
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR *GW*

SUBJECT: ARMY CORPS OF ENGINEERS SAN DIEGO HARBOR MAINTENANCE DREDGING PROJECT AND DRAFT MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE ARMY CORPS OF ENGINEERS AND THE CITY OF IMPERIAL BEACH

BACKGROUND:

On January 14, 2009, City staff received a phone call from the Los Angeles District of the Army Corps of Engineers advising us of an impending San Diego Harbor Maintenance Dredge Project. Included as part of the project was the proposal to dredge approximately 300,000 cubic yards of beach-compatible sand from the San Diego Harbor Entrance Channel and deposit it in the nearshore just south of the Imperial Beach pier. Subsequently, staff requested that the Army Corps attend the February 4th City Council meeting so that the project could be presented to the City Council. On February 4, 2009, the City Council received a presentation of and supported implementation of the proposed project. On October 7, 2009, the City Council received an update on the proposed and impending project. At that meeting, staff advised the City Council that the item would return to them on Wednesday, October 21, 2009, to provide an update on the project and the outcome of various project meetings scheduled since October 7th.

On Monday, October 12, 2009, the project was presented to the Tidelands Advisory Committee (TAC). At that meeting, the TAC provided general support for the project. The TAC also raised the following issues or concerns:

- 1) A long-term approach is needed that addresses more permanent solutions for our beach erosion problem.
- 2) A more collaborative effort should be pursued for such projects with all agencies including the EPA.
- 3) If we are going to be pursuing and taking advantage of opportunistic projects in the near term, more lead time is needed to allow for important public/community, TAC and City Council input.
- 4) For any such project the quality and suitability of the material should be scrutinized and, for this project, a debris management plan should be implemented.
- 5) Given the quality of the sediment proposed to be dredged for this project, every effort should be made to place as much of the material in the nearshore (within the depth of

closure) to maximize the potential benefits for beach renourishment.

On October 21, 2009, the project was again presented to the City Council. At that time, staff reported that the project was on hold due to air quality permitting delays along with issues related to the dredge being considered for the project and its inability to appropriately place the sand within the nearshore off Imperial Beach. However, the City Council did support the project if and when it were to proceed subject to implementation of an adequate debris management plan and provided the material was placed close enough to shore to have positive beach renourishment benefits.

DISCUSSION:

Since that time, the project has been modified so that the Army Corps will be bidding out the contract as opposed to using the Corps' own dredges. It is now expected that either a hopper dredge equipped to place the material in the nearshore or a clamshell dredge will be used. From a cost perspective, it is likely that the latter (a clamshell dredge) will be used. Due to changes in the proposed project, a Draft Supplemental Environmental Assessment (SEA) was prepared and distributed for public review.

As previously reported, there is approximately 300,000 cubic yards of beach-quality sediment that could be dredged from the approach and entrance channel to San Diego Harbor. While the Army Corps has estimated the cost for dredging all of this material at approximately \$4.5 million, they currently have only \$1.5 million budgeted for this project. As such, over the past several months, the Army Corps has sought additional non-federal funding in order to carry out as much of the project as possible. The Army Corps approached both the City of Imperial Beach and the Port of San Diego seeking any possible assistance. Through these discussions, the idea of using some of the \$1.8 million previously budgeted in the Port's Capital Development Program (CDP) for the Army Corps Imperial Beach – Silver Strand Shoreline Project (the large federal shoreline protection and beach renourishment project) for this harbor maintenance dredge project was raised. City staff was responsive to this idea with the understanding that the Army Corps would then establish a long-term arrangement with the City of Imperial Beach that would provide for all beach-compatible sand dredged from the San Diego Harbor Entrance Channel during routine maintenance to be placed in the nearshore off Imperial Beach.

At a City Council Workshop on May 11, 2010, City staff advised the Council of this idea. Staff further advised the Council that it intended to request that the Port maintain the \$1.8 million in their CDP with the idea of reallocating the funds to support both the Harbor Entrance Channel Dredge Project as well as SANDAG's Regional Beach Sand Project (RBSP) II. Consequently, a letter was sent from the City Manager to the Port outlining this request (see Attachment 1). In response to that request, the Port ultimately budgeted only \$1 million for both projects with up to \$300,000 to be used toward the Army Corps Harbor Entrance Channel Dredge Project, with the stipulation that these funds only be used to pay for the incremental cost associated with transporting the sand down to Imperial Beach as opposed to Coronado.

In order to provide these funds, the Army Corps requested a Letter of Intent (LOI) from the City of Imperial Beach to enter into a Memorandum of Agreement (MOA) for participation in the project. At their meeting on Wednesday, July 7, 2010, the City Council authorized issuance of the LOI. At that meeting, staff advised the City Council that, should it authorize issuance of the LOI, an MOA would then need to be executed between the City and the Army Corps. Also at their meeting on July 7, 2010, the City Council supported the use of up to \$300,000 of Port District funds for the San Diego Harbor Maintenance Dredging Project, supported the idea of approaching the State Department of Boating and Waterways about the possibility of re-scoping the \$4.2 million of Public Beach Restoration funds to the San Diego Association of Governments (SANDAG) Regional Beach Sand Project II, and supported the use of

approximately \$700,000 of Port District funds towards the local share of the State Department of Boating and Waterways funds.

Additionally, the Port has indicated that it will also require a Memorandum of Understanding (MOU) between the Port and the City for the use of these Port funds. It is anticipated that this MOU will be presented to the City Council at their meeting on August 4, 2010. The MOU would then go to the Board of Port Commissioners for their approval.

Coastguard Mooring Ballast Point Dredge Project

Early this year, staff was also advised that the Coastguard would be conducting its routine maintenance dredge of its Mooring Ballast Point Facility at Pt. Loma. There is approximately 26,500 cubic yards of beach-quality sediment in need of dredging at this facility. In order to make both projects more cost effective, the Army Corps and the Coastguard have combined their efforts to carry their maintenance dredging operations into one project. The Coast Guard Mooring Ballast Point Project also prepared a Sampling and Analysis Plan (SAP) for the sediment to be dredged and this physical and chemical analysis concluded the material is primarily sandy material comparable to that found at Imperial Beach that is suitable for beach renourishment purposes and placement in the nearshore off Imperial Beach.

Supplemental Environmental Assessment

For the original project, an Environmental Assessment was prepared to assess any environmental impacts associated with the project. Changes to the project description since last fall include an increased dredging duration and additional dredging equipment. Again, while approximately 300,000 cubic yards of beach compatible material is available, the Army Corps expects to dredge approximately 100,000 cubic yards with the available funds and place the material in the nearshore off Imperial Beach. Dredging is now expected to occur over a maximum of 100 days between September 15, 2010, and April 1, 2011 using either a clamshell or hopper dredge. The dredged material would be discharged in the nearshore waters off Imperial Beach south of the Imperial Beach Pier. The material would be discharged in water depths between -15 and -28 feet mean lower low water (MLLW), within an area defined by approximate dimensions of 1,700 feet long by 1,000 feet wide, encompassing approximately 27 acres (see attached drawings).

As mentioned above, these changes necessitated the preparation of a Supplemental Environmental Assessment (SEA). Other aspects of the project discussed in the Final Environmental Assessment for the original project will remain the same, including the dredging of beach compatible material only, the receiver site location at Imperial Beach, and the environmental commitments. Updated environmental commitments, based upon the updated project description, will be followed to avoid and minimize impacts to environmental resources.

Environmental Commitments outlined in the SEA are as follows:

- a. Prior to construction, the Corps will provide a 14-day notification of planned activities to appropriate agencies and post information bulletins of scheduled work time and areas at appropriate offices. Equipment will be appropriately marked and lighted.
- b. It is estimated that construction may take a maximum of approximately 100 days. Dredging and discharge will be performed between September 15, 2010 and to April 1, 2011, in order to avoid impacts to the California least tern.

- c. The Corps shall regularly inspect the hopper dredge, if used, for the presence of green sea turtle during dredging operations. If any turtle remains are discovered within the dredge, dredging activity will cease and NOAA/NMFS will be contacted immediately.
- d. Any sensitive marine vegetation found in the dredge area or discharge area, including eelgrass or kelp, would be avoided.
- e. The Corps shall obtain all applicable air permits and comply with federal, state, and local air and noise regulations.
- f. The Corps shall keep construction activities under surveillance, management, and control to avoid pollution of surface and ground waters, and to minimize interference with, disturbance to, and damage of fish and wildlife.
- g. The Corps' Contractor will monitor turbidity at the dredge and beach discharge site. This monitoring will ensure that turbidity levels will not impact foraging of the tern and the pelican. A monitoring report would be submitted to the USFWS and RWQCB.
- h. All minimization measures identified in the 401 WQC request letter and application will be followed during dredging and discharge activities, as per correspondence with RWQCB on March 2, 2009. All commitments identified in the Final EA and this Draft SEA would be followed to minimize impacts to water quality.
- i. All dredging and fill activities will remain within the boundaries specified in the plans. There will be no dumping of fill or material outside of the project area or within any adjacent aquatic community.
- j. The Corps shall mark the dredge and all associated equipment in accordance with U.S. Coast Guard regulations. The Corps must contact the U.S. Coast Guard two weeks prior to the commencement of dredging. The following information shall be provided: the size and type of equipment to be used; names and radio call signs for all working vessels; telephone number for on-site contact with the project engineer; the schedule for completing the project; and any hazards to navigation.
- k. The Corps shall move equipment upon request by the U.S. Coast Guard and harbor patrol law enforcement and rescue vessels.
- l. Beach disposal will be limited to the nearshore waters at Imperial Beach to minimize impacts to the plover.
- m. Any permits required by the City of San Diego and the City of Imperial Beach to dredge and dispose during nighttime hours and meet noise ordinances would be obtained by the Corps.
- n. Only areas that contain beach compatible sediment, as determined by sediment sampling completed in October 2008 and approved by the EPA, will be dredged. Any non-compatible material will be left in place.
- o. A Debris Management Plan would be developed prior to construction, in coordination with EPA and City of Imperial Beach, to minimize discharge of debris in nearshore waters.
- p. Prior to construction, the Corps will comply with Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800, as amended.

- q. Pursuant to 36 C.F.R. § 800.13, in the event of any discoveries during dredging of either human remains, archeological deposits, or any other type of historic property, the dredging supervisor shall notify the Corps of Engineers' Archeology Staff within 24 hours (Mr. Steve Dibble at 213-452-3849, Ms. Amy Holmes at 213-452-3855, or Mr. John Killeen at 213- 452-3861). The dredging supervisor shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The dredging shall not resume in the area surrounding, i.e., immediately adjacent to, the potential cultural resources until the Corps of Engineers re-authorizes dredging, per 36 C.F.R. § 800.13.

Of particular note above, is the requirement to prepare a Debris Management Plan in coordination with the City of Imperial Beach and the Environmental Protection Agency (EPA). This was a specific concern of the City and a condition under which the TAC recommended approval and the City Council approved the original project. City staff will continue to work with the Army Corps and the EPA to ensure that this condition is adequately addressed and that an appropriate Debris Management Plan is implemented to minimize to the greatest extent practicable the deposition of any debris or materials that could be harmful to the beach-going public.

The proposed project has been reviewed and determined to be in compliance with all applicable laws and regulations, including:

- a. National Environmental Policy Act ER -200-2
- b. Clean Water Act
- c. Endangered Species Act
- d. Coastal Zone Management Act
- e. Clean Air Act
- f. National Historic Preservation Act
- g. Magnuson-Stevens Fishery Management and Conservation Act
- h. Fish and Wildlife Coordination Act

The draft SEA concluded that the San Diego Harbor Maintenance Dredging Project has been designed and scheduled to avoid and minimize possible impacts to the environment. The draft SEA, and additional coordination with the appropriate resource agencies, indicates that the proposed action would not have a significant impact upon the existing environment or the quality of the human environment.

Memorandum of Agreement (MOA)

In order for the Army Corps to receive funding from outside sources, a Memorandum of Agreement (MOA) must be executed between the City of Imperial Beach and the Department of the Army for the City's participation in this project. The Army Corps previously stated that drafting of the MOA could not commence until receipt of the LOI from the City. The LOI was mailed and sent via email to the Army Corps on July 8, 2010, the day after authorization by the City Council. At the time of the drafting of this staff report, however, a draft MOA had not been provided to the City for review.

Tidelands Advisory Committee Recommendation

On Monday, July 12, 2010, staff presented the proposed San Diego Harbor Maintenance Dredging Project to the Tidelands Advisory Committee (TAC) along with the other beach renourishment and funding projects and issues presented to the City Council on July 7, 2010. At the TAC meeting, staff recommended that the City Council:

1. Support the San Diego Harbor Maintenance Dredging Project subject to the conditions described in this staff report including the environmental commitments, preparation and implementation of a detailed Debris Management Plan for the project including during- and post-project debris monitoring and a plan for removal of any debris found; and
2. Support the use of up to \$300,000 of Port of San Diego funds for the incremental cost of transporting the dredged sediment to the nearshore off Imperial Beach subject to implementation of the detailed Debris Management Plan.

The TAC recommended the above two actions unanimously.

3. Support the idea of approaching the State Department of Boating and Waterways about the possibility of re-scoping the \$4.2 million of Public Beach Restoration funds to the San Diego Association of Governments (SANDAG) Regional Beach Sand Project II; and
4. Support the use of approximately \$700,000 of Port District funds towards the local share of the State Department of Boating and Waterways funds.

The TAC recommended the above two actions by a vote of 4 to 1.

The TAC also stressed the importance of the Army Corps providing as much detail on the Debris Management Plan as possible including:

- Dimensions of the grate for screening of the sediment must be specified and must be the smallest size practicable
- Details on the multi-beam sonar for post-construction debris monitoring must be provided including frequency and timing of sonar surveys and information on the size and type of debris that the sonar would be expected to detect
- A plan for retrieval and disposal of any debris captured or identified during dredging and after deposition of the sediment
- A specific plan for identification, retrieval and disposal of any ordnance encountered or discovered during the project

The TAC also reiterated its previous desire for the City to pursue a long-term approach to coastal erosion and sediment management including the idea beach renourishment in combination with sediment retention.

ENVIRONMENTAL IMPACTS:

A Final Environmental Assessment (EA) was prepared and a draft Supplemental Environmental Assessment (SEA) has been prepared and circulated for review for the San Diego Harbor Maintenance Dredge Project. The EA and the SEA concluded that the San Diego Harbor Maintenance Dredging Project has been designed and scheduled to avoid and minimize

possible impacts to the environment. The draft SEA, and additional coordination with the appropriate resource agencies, indicates that the proposed action would not have a significant impact upon the existing environment or the quality of the human environment.

FISCAL IMPACT:

There is no direct fiscal impact to the City with this action.

DEPARTMENT RECOMMENDATION:

Staff recommends that the Tidelands Advisory Committee recommend that the City Council:

1. Support the San Diego Harbor Maintenance Dredging Project subject to the conditions described in this staff report including the environmental commitments, the preparation and implementation of a detailed Debris Management Plan for the project including during- and post-project debris monitoring and a plan for removal of any debris found; and
2. Approval of the Memorandum of Agreement (MOA) between the Department of the Army and the City of Imperial Beach subject to the conditions described herein and as summarized in recommendation No. 1 above.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments: 1. Letter of Intent to the Army Corps of Engineers, Colonel Toy



City of Imperial Beach, California

www.cityofib.com

OFFICE OF THE MAYOR

July 8, 2010

Colonel Mark Toy, USA
Commander
Los Angeles District
U.S. Army Corps of Engineers
P.O. Box 532711
Los Angeles, CA 90053-2325

SUBJECT: LETTER OF INTENT TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE CITY OF IMPERIAL BEACH FOR THE SAN DIEGO HARBOR MAINTENANCE DREDGING PROJECT

Dear Colonel Toy:

On Wednesday, July 7, 2010, the City Council of the City of Imperial Beach authorized the issuance of this Letter of Intent (LOI) to enter into a Memorandum of Agreement (MOA) with the Army Corps of Engineers for participation in the above-referenced project. Specifically, the City of Imperial Beach has received authorization from the Port of San Diego to expend up to \$300,000 of Port funds towards the incremental cost of transporting beach-quality sand dredged from the San Diego Harbor Entrance Channel to a nearshore deposit site off Imperial Beach. As has been discussed and agreed to between the Army Corps of Engineers and City of Imperial Beach, the placement of this material will be subject to the implementation of an appropriate debris management plan. It is our further understanding that the Army Corps' intent is to place all future beach-compatible sediment dredged from the San Diego Harbor Entrance Channel within the nearshore off Imperial Beach.

The MOA is currently scheduled to be considered by the City's Tidelands Advisory Committee (TAC) on Monday, July 12, 2010, and by the City Council of the City of Imperial Beach at their regular meeting on Wednesday, July 21, 2010. It is City staff's intention to recommend that the City Council authorize the City Manager to enter into the MOA subject to specific conditions including the implementation of the aforementioned debris management plan.

The City of Imperial Beach thanks you for your efforts to provide the City with this much-needed beach renourishment opportunity and looks forward to working with you in the future on other such projects.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Janney', with a long horizontal flourish extending to the right.

James C. Janney
Mayor



**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: JULY 21, 2010 – TIME SPECIFIC FOR 7:00 PM

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

SUBJECT: COMMERCIAL ZONING REVIEW – FOCUS DISCUSSION ON DEVELOPMENT PROTOTYPES AND BUILDING SETBACKS AND STEPBACKS

BACKGROUND:

On Wednesday, December 16, 2009, the City Council continued its focus discussions on Maximum Residential Densities, Setbacks and step-backs, Floor Area Ratios (FARs), and 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.

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.

At their meeting on March 3, 2010, the City Council continued this focus discussion. The discussion at this meeting focused on building setbacks, primarily those in the C-2 (proposed C/MU-2) Zone. The concerns expressed by Council Members centered on new, multi-story mixed-use and commercial development adjacent to existing residential and residentially-zoned property. Although, currently no setbacks are required in the C-2 Zone, several Council Members expressed support for required upper-level setbacks (above the first floor) for property adjacent to residentially-zoned property to implement existing General Plan policies. The City

Council directed staff to return to the City Council on March 17, 2010, to continue the focus discussions on the remaining Commercial Zoning Review recommendations.

On March 17, 2010, there was little discussion on setbacks and stepbacks as it was suggested that additional visual simulations or prototypes be developed to assist in this discussion. As such, much of the discussion on March 17, 2010 focused on incentives for achieving additional building height and density. After this and subsequent discussion, it was the consensus of the City Council that a list or "menu" of potential incentives be provided within the zoning code from which developers could select to incorporate into their projects to be considered for additional building height and/or residential density.

At their meeting on April 21, 2010, the City Council/Redevelopment Agency authorized a third contract amendment with EDAW/AECOM in the amount of \$23,000 to illustrate proposed development regulations, including proposed setbacks and stepbacks.

DISCUSSION:

At their Special Meeting on July 13, 2010, the City Council conducted a focused discussion on key design guidelines, outstanding recommendations in the matrix and the next steps in the review of the Commercial Zoning Review recommendations, including the community outreach element. Staff reported that the immediate next step would be a presentation of the new development prototypes to illustrate potential design elements of the proposed development regulations as compared to the existing regulations. As part of this effort, there would also be a continued discussion on recommended building setbacks and stepbacks particularly for multi-story mixed-use and commercial development adjacent to existing residential and residentially-zoned property. This final focused discussion is scheduled for July 21, 2010.

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 conduct this focus discussion, provide direction and input on the development prototypes and proposed and recommended building setbacks and stepbacks. Further recommendations on building setbacks and stepbacks will be presented at the meeting on July 21, 2010.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager