

**MINUTES**

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

**JULY 18, 2007**

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

**CLOSED SESSION MEETING – 4:30 P.M.  
REGULAR MEETING – 6:00 P.M.**

**CLOSED SESSION CALL TO ORDER BY MAYOR**

MAYOR JANNEY called the Closed Session Meeting to order at 4:32 p.m.

**ROLL CALL BY CITY CLERK**

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

**CLOSED SESSION**

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

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:  
Number of potential cases: 1

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9:  
Number of potential cases: 1

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(a)  
Name of Case: TC Construction Company v. City of Imperial Beach; Case No. GIS 24202

**CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6:  
Agency Negotiator: City Manager  
Employee organizations: Imperial Beach Firefighters' Association (IBFA)  
Service Employees International Union (SEIU), Local 2028

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 4:33 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session and had no reportable action.

**REGULAR MEETING CALL TO ORDER BY MAYOR**

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

**ROLL CALL BY CITY CLERK**

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

**PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

**MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS**

MAYOR PRO TEM WINTER announced she attended the City of Chula Vista Council meeting as Vice Chair of the Metropolitan Wastewater Commission and reported that the City of Chula Vista joined the JPA.

MAYOR JANNEY welcomed everyone to the newly renovated City Council Chambers.

As chair of the Borders Committee, COUNCILMEMBER MCCOY announced that she attended a business consortium meeting in Mexico.

**AGENDA CHANGES**

MAYOR JANNEY recommended Item Nos. 7.1 and 7.2 be taken immediately after the Consent Calendar.

**MOTION BY MCLEAN, SECOND BY BRAGG, TO TAKE ITEM NO. 7.1 – ANNUAL FINANCIAL REPORT OF THE CITY OF IMPERIAL BEACH FOR THE YEAR ENDED JUNE 30, 2006 AND ITEM NO. 7.2 – ANNUAL FINANCIAL REPORT OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH FOR THE YEAR ENDED JUNE 30, 2006 IMMEDIATELY AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY announced that in honor of the City's 51<sup>st</sup> birthday, cake would be served in the Community Room.

**PUBLIC COMMENT**

Public Speakers: DIANE ROSE, CARLEEN HESS, BOB WADHAM, and KAI PEYREFITTE (submitted a letter regarding theft and maintenance issues at Riviera Beach and Bay Villas condos in I.B.)

**COMMUNICATIONS FROM CITY STAFF**

PUBLIC WORKS DIRECTOR LEVIEN introduced Peter Lau, Superintendent, and Marco Cortez, Street Supervisor; he introduced the employees of TeleVideo San Diego who were responsible for the remodel of the Council Chambers.

**COMMUNICATIONS FROM CITY STAFF (Continued)**

CITY MANAGER BROWN announced that the September 5 City Council meeting conflicts with the League of California Cities Annual meeting; he suggested possibly scheduling a City Council meeting on August 29, and possibly conducting a meeting on September 12 regarding the Seacoast Inn.

MAYOR JANNEY thanked TeleVideo San Diego for their successful efforts on remodeling the Council Chambers.

**PRESENTATIONS (1.1 - 1.2)**

**1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)**

MAYOR JANNEY, along with Ron Oliver of EDCO, presented the Recycle All-Star Award Certificate, \$100.00 check and used oil recycling premiums to David Lones.

RON OLIVER introduced LAWRENCE GONZALEZ who is taking the place of Yvette Snyder.

**1.2 PRESENTATION BY GARY GALLEGOS, EXECUTIVE DIRECTOR OF SANDAG. (0140-40)**

GARY GALLEGOS, Executive Director of SANDAG, reported on and provided information on SANDAG's Urban Partnership Agreement Proposal, Smart Growth in the San Diego Region, the 2007 Regional Transportation Plan, the TransNet Action Plan, the status of current TransNet projects, the TransNet Early Action Projects, the TransNet Environmental Mitigation Program, the TransNet Dashboard, and the 511 Program.

MAYOR JANNEY announced he would take Public Comments at this time.

**PUBLIC COMMENT**

DAVE FRANCIS announced that 40 years ago when the community center at 17<sup>th</sup> Street and Coronado Avenue was being abandoned, the Imperial Beach Civil Group Association time capsule was found in a wall; the Imperial Beach Civil Group Association was a group of residents that worked together to incorporate the City of Imperial Beach; the contents presented to the City Council were: Imperial Beach Civil Group Association Bylaws, Minutes, Seal, tax stamp, and phone book.

City Council thanked Mr. Francis for presenting the gift on the City's birthday.

**CONSENT CALENDAR (2.1 - 2.8)**

CITY ATTORNEY LOUGH announced that Item No. 2.6 involves easements and leases along the length of the City's coast; he determined that the item meets the public generally requirement and that there are no conflicts of interest on this particular item; however, if any projects come forward in the future, another analysis would be done at that time.

Lease agreements and grants of easement were submitted as Last Minute Agenda Information for Item No. 2.6.

**MOTION BY MCCOY, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.8. MOTION CARRIED UNANIMOUSLY.**

**CONSENT CALENDAR (Continued)**

**2.1 MINUTES.**

Approved the minutes of the Budget Workshop Meeting of May 22, 2007, and Regular City Council Meetings of June 6 and June 20, 2007.

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

Ratified the following registers: Accounts Payable Numbers 64064 through 64168 with the subtotal amount of \$173,733.08; and Payroll Register Numbers 38436 through 38553 for the pay period ending 06/21/07 with the subtotal amount of \$293,578.30; for a total amount of \$467,311.38.

**2.3 RESOLUTION NO. 2007-6515 – APPROVING THE CONSTRUCTION AND INSTALLATION AGREEMENT AND PURCHASE ORDER WITH FABRICATION ARTS FOR THE REPLACEMENT OF THE DAMAGED PALM AVENUE (S.R. 75) ENTRY MONUMENT. (0670-45)**

Adopted resolution.

**2.4 RESOLUTION NO. 2007-6513 – APPROVING AMENDMENT UPDATE TO CIVIC SOLUTIONS CONTRACT FOR ON-CALL PLANNING SERVICES. (0620-05)**

Adopted resolution.

**2.5 ADMINISTRATIVE COASTAL PERMIT (ACP 050259) AND FINAL MAP (TM 050260) FOR A FIVE-UNIT CONDOMINIUM CONVERSION LOCATED AT 234 DAISY AVENUE, IN THE R-2000 (MEDIUM-DENSITY RESIDENTIAL) ZONE. MF 797. (0600-20)**

Approved final map for recordation.

**2.6 ADOPT RESOLUTION NO. 2007-6520 GRANTING STREET END EASEMENTS FOR PORTIONS OF IMPERIAL BEACH BOULEVARD AND PALM AVENUE AND EXTENDING THE LEASES FOR PORTIONS OF THE PAPER STREET OCEAN BOULEVARD TO THE SAN DIEGO UNIFIED PORT DISTRICT. (0150-70 & 0720-10)**

Adopted resolution.

**2.7 RESOLUTION NO. 2007-6521 SUPPORTING SENATE CONSTITUTIONAL AMENDMENT 12 – STORM WATER FEES (SCA 12). (0150-30 & 0770-85)**

Adopted resolution.

**2.8 RESOLUTION NO. 2007-6516 AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IMPERIAL BEACH AND SWEETWATER UNION HIGH SCHOOL DISTRICT FOR SERVICES OF A SPECIAL PURPOSE SCHOOL RESOURCE OFFICER. (0260-45 & 1010-20)**

Adopted resolution.

**ORDINANCES - INTRODUCTION/FIRST READING (3)**

None.

**ORDINANCES – SECOND READING & ADOPTION (4)**

None.

**WRITTEN COMMUNICATIONS (5)**

None.

**REPORTS (7.1 - 7.2)**

**7.1 ANNUAL FINANCIAL REPORT OF THE CITY OF IMPERIAL BEACH FOR THE YEAR ENDED JUNE 30, 2006. (0310-10)**

KIM MANNING, of Lance Soll & Lunghard, LLP, gave a PowerPoint presentation on the item.

**MOTION BY BRAGG, SECOND BY MCCOY, TO RECEIVE AND FILE THE AUDITED CITY OF IMPERIAL BEACH FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2006. MOTION CARRIED UNANIMOUSLY.**

**7.2 ANNUAL FINANCIAL REPORT OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH FOR THE YEAR ENDED JUNE 30, 2006. (0310-30)**

**MOTION BY MCLEAN, SECOND BY BRAGG, TO RECEIVE AND FILE THE AUDITED RDA FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2006. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (6.1 - 6.2)**

**6.1 ALANUR FISCH, H2A ARCHITECTS (APPLICANT/ARCHITECT FOR NORTH ISLAND CREDIT UNION)/DEAN GOLDMAN, PALM, LLC (PROPERTY OWNER): ADMINISTRATIVE COASTAL PERMIT (ACP 060431), DESIGN REVIEW CASE (DRC 060432), AND SITE PLAN REVIEW (SPR 060433) FOR THE CONSTRUCTION OF A NORTH ISLAND CREDIT UNION COMMERCIAL BUILDING AT 1101 PALM AVENUE IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 881. (0600-20)**

MAYOR JANNEY declared the public hearing open.

COMMUNITY DEVELOPMENT DIRECTOR WADE congratulated Tyler Foltz who was recently promoted from Assistant Planner to Associate Planner.

ASSOCIATE PLANNER FOLTZ gave a PowerPoint presentation on the item.

Public Speakers: DAVID HAWKINS, of H2A Architects

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

**MOTION BY WINTER, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2007-6514, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 060431), DESIGN REVIEW CASE (DRC 060432), AND SITE PLAN REVIEW (SPR 060433) FOR THE CONSTRUCTION OF A NORTH ISLAND CREDIT UNION COMMERCIAL BUILDING AT 1101 PALM AVENUE IN THE C-1 (GENERAL COMMERCIAL) ZONE. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (Continued)**

**6.2 CHRIS DUGGAN / PREMIER COASTAL DEVELOPMENT: ADMINISTRATIVE COASTAL PERMIT (ACP 060441) AND TENTATIVE MAP (TM 060442) FOR THE PROPOSED CONDOMINIUM CONVERSION OF SIXTEEN (16) UNITS LOCATED AT 777 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 885. (0600-20)**

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the item as her place of employment is within 500 feet of the project and left Council Chambers at 7:20 p.m.

MAYOR JANNEY declared the public hearing open.

ASSOCIATE PLANNER FOLTZ gave a PowerPoint presentation on the item and reported a revised rendering of the project would be provided by the applicant.

Public Speakers: DIANE ROSE, CHRIS DUGGAN (provided revised rendering of the project), MIKE PART

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

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

**MOTION BY MCLEAN, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2007-6522, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 060441) AND TENTATIVE MAP (TM 060442) FOR THE PROPOSED CONDOMINIUM CONVERSION OF SIXTEEN (16) UNITS LOCATED AT 777 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE WITH THE FOLLOWING CHANGES:**

- 1. PUBLIC WORKS COMMENT C BE REMOVED.**
- 2. PUBLIC WORKS CONDITION NO. 23 BE REVISED SO THAT THE MINIMUM TRASH ENCLOSURE IS 4'5" X 16'10" TO FIT TWO 1.5 CUBIC YARD CONTAINERS.**
- 3. PLANNING COMMENT NO. 14 BE REVISED SO THAT PARKING WOULD BE APPROVED WITH 14 SPACES, INCLUDING 2 ONE CAR GARAGES.**

**MOTION CARRIED BY THE FOLLOWING VOTE:**

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

COUNCILMEMBER BRAGG returned to Council Chambers at 7:40 p.m.

**REPORTS (7.3 - 7.6)**

**7.3 DECORATIVE ART SKATE STOPPER REPORT. (0920-10 & 0920-20)**

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item.

Public Speakers: BOB WADHAM

**MOTION BY MCLEAN, SECOND BY MCCOY, TO DIRECT STAFF TO PROCEED WITH PRESENTING THE IDEA TO THE SAN DIEGO UNIFIED PORT DISTRICT. MOTION CARRIED UNANIMOUSLY.**

**7.4 RESOLUTION NO. 2007-6518 – AMENDING THE ONEONTA TO NOLF STORM DRAIN PIPE (CIP# D05-105) PROJECT IN THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET 2004/2005 THROUGH FISCAL YEAR 2008/2009 AND AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – ONEONTA TO NOLF STORM DRAIN PIPE (CIP# D05-105). (0770-10)**

PUBLIC WORKS DIRECTOR LEVIEN gave PowerPoint presentation on the item.

**MOTION BY MCLEAN, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2007-6518, AMENDING THE ONEONTA TO NOLF STORM DRAIN PIPE (CIP# D05-105) PROJECT IN THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET 2004/2005 THROUGH FISCAL YEAR 2008/2009 AND AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – ONEONTA TO NOLF STORM DRAIN PIPE (CIP# D05-105). MOTION CARRIED UNANIMOUSLY.**

**7.5 RESOLUTION NO. 2007-6517 – ESTABLISHING NEW CAPITAL IMPROVEMENTS PROGRAM PROJECT – SOUTH SEACOAST DRIVE OVERLAY CIP S08-101. (0720-25)**

Due to a potential conflict of interest, COUNCILMEMBER MCLEAN left Council Chambers at 8:11 p.m. as he lives within 500 feet of the project.

PUBLIC WORKS DIRECTOR LEVIEN gave PowerPoint presentation on the item.

**MOTION BY WINTER, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2007-6517, ESTABLISHING NEW CAPITAL IMPROVEMENTS PROGRAM PROJECT – SOUTH SEACOAST DRIVE OVERLAY CIP S08-101. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

COUNCILMEMBER MCLEAN returned to Council Chambers at 8:25 p.m.

**REPORTS (Continued)**

**7.6 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE. (0140-10)**

**MOTION BY MCCOY, SECOND BY MCLEAN, TO APPOINT MAYOR PRO TEM WINTER AS THE PRIMARY DELEGATE, AND MAYOR JANNEY AS THE ALTERNATE DELEGATE FOR THE 2007 LEAGUE ANNUAL CONFERENCE. MOTION CARRIED UNANIMOUSLY.**

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

None.

**REPORTS OF MAYOR AND COUNCILMEMBERS**

None.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:27 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk