

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
March 15, 2006
CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR ROSE called the Closed Session Meeting to order at 5:38 p.m.

ROLL CALL

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

Staff present:	City Manager Brown; City Attorney Lough; Deputy City Clerk Wolfson
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CLOSED SESSION

MOTION BY ROSE, SECOND BY MCLEAN, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Names of Cases: 1

Becker Family Trust v. City of Imperial Beach; Case No.: GIS 20844

MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE adjourned the meeting to Closed Session at 5:39 p.m. and she reconvened the meeting to Open Session at 6:10 p.m. Reporting out of Closed Session, MAYOR ROSE announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time. The regular meeting was called to order t 6:11 p.m.

ROLL CALL

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

Staff present:	City Manager Brown; City Attorney Lough; Deputy City Clerk Wolfson
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PLEDGE OF ALLEGIANCE

MAYOR ROSE led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY ROSE, SECOND BY MCLEAN, TO TAKE ITEM NOS. 7.1 – ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2005 AND 7.2 – AUDIT REPORT OF REDEVELOPMENT AGENCY (RDA) FINANCIAL STATEMENTS FOR YEAR ENDING JUNE 30, 2005 IMMEDIATELY AFTER CONSENT CALENDAR.

Motion failed as the consultant for Item Nos. 7.1 and 7.2 was not yet in attendance.

MAYOR/COUNCIL ANNOUNCEMENTS/REPORTS/REIMBURSEMENTS

COUNCILMEMBER WINTER attended the League of California Cities on Monday, March 13th where they spoke about legislature dealing with housing.

MAYOR ROSE announced that 50th Anniversary merchandise, including a new beach tote, has been restocked; she added that beach towels will also be sold and should arrive soon.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN reported that letters will be sent out to property owners regarding creation of the alley improvement district. Meetings will be held March 30th, April 6th and April 13th to go over the basics of creating a district.

PUBLIC COMMENT

PAUL AILLET submitted a petition requesting not to go forward with the scheduled curb and gutter project on Ebony Avenue, stating that the home improvements required as a result of the project would be costly and would create financial hardships to property owners.

CITY MANAGER BROWN responded that he and Public Works Director Levien will get back to Mr. Aillet next week.

KEVIN MCCABE expressed disappointment that approval of the final map for his project at 575 7th Street was not on tonight's agenda; his tenants have already received appropriate noticing; he requested that the item be scheduled for approval at the next regular meeting; he added that since the property has been vacant, blight concerns addressed by Code Compliance Officer Garcias have been resolved and a guard is in place to deter vandalism.

CITY ATTORNEY LOUGH stated that this item was brought to his attention and noted that the item could not be approved tonight as it would be a violation of the Brown Act.

CONSENT CALENDAR (2.1 - 2.4)

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

2.1 MINUTES.

Approved the minutes of the Regular City Council Meetings of February 15, 2006 with corrections as noted in the Last Minute Agenda Information and March 1, 2006.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 61247 through 61349 for the period ending 03/01/06 and Payroll Register Numbers 36688 through 36732 for the period ending 02/16/06 in the amount of \$295,364.04.

2.3 RESOLUTION NO. 2006-6294 – INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER’S “REPORT” FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M. (0345-10)

Approved and adopted Resolution No. 2006-6294.

2.4 RESOLUTION NO. 2006-6297 – APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN THE PARAMEDIC RESOURCE POOL MEMORANDUM OF UNDERSTANDING. (0250-20)

Adopted Resolution No. 2006-6297.

Consensus of Council to take Item No. 1.1 at this time.

PRESENTATIONS/PROCLAMATIONS (1.1)

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

CITY MANAGER BROWN introduced the item.

MAYOR ROSE, along with Yvette Snyder of EDCO, presented the Recycle All-Star Award Certificate, \$100.00 check and used oil recycling premiums to Cecilia E. Eil.

By order of the Chair, Item Nos. 7.1 and 7.2 were taken at this time.

REPORTS (7.1 & 7.2)

7.1 ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2005. (0310-10 & 0330-30)

AND

7.2 AUDIT REPORT OF REDEVELOPMENT AGENCY (RDA) FINANCIAL STATEMENTS FOR YEAR ENDING JUNE 30, 2005. (0310-30)

INTERIM ADMINISTRATIVE SERVICES DIRECTOR SMITH introduced the item and introduced Richard Kikuchi.

RICHARD KIKUCHI, of Lance, Soll, and Lunghard, reported on the item and explained that his team of auditors looked at internal controls of the City (i.e., disbursements, revenue, payroll, bank reconciliations) and performed substantive test work of the balance sheet (i.e., analysis of

cash and investments, fixed assets, and long-term debt, and making sure that revenue and expenditures were properly recorded); he reported that his team's auditing resulted in an unqualified opinion; his firm's recommendation to the City was to tighten up its accounting and recording of capital assets, and that planning and administrative costs related to the low/moderate housing fund on the Redevelopment Agency go through an annual approval process; and he responded to questions of Council.

Council expressed their desire for the analyses and reports from the auditors to be clear and easy to understand by non-financial individuals.

CITY MANAGER BROWN responded that staff will provide a cover memo that will clearly summarize the auditor's report; he added that Assistant City Manager Ritter is reviewing the draft report on the firm that is doing some long-range projections, will be reviewed at the next Quarterly Workshop.

Discussion ensued regarding how the auditor's responsibility is not to review the budget itself, but rather is to ensure proper accounting and to review the transactions, the revenue, and the expenditures.

MAYOR ROSE requested that a PowerPoint presentation be provided so that the information is more easily understood and to encourage public attendance.

MOTION BY ROSE, SECOND BY MCLEAN, TO RECEIVE AND FILE THE AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2005, AND TO RECEIVE AND FILE THE AUDITED RDA FINANCIAL STATEMENTS FOR THE YEAR ENDING JUNE 30, 2005. MOTION CARRIED UNANIMOUSLY.

Consensus of Council to take Item No. 6.1 at this time.

PUBLIC HEARINGS (6.1)

6.1 TENTATIVE MAP (TM 04-164) AND ADMINISTRATIVE COASTAL PERMIT (ACP 04-163) FOR THE PROPOSED CONVERSION OF 24 RESIDENTIAL UNITS TO CONDOMINIUMS AT 589 11TH STREET, IN THE R-2000 (MEDIUM DENSITY RESIDENTIAL) ZONE. OWNER: LEE MEYER OF BLUE ANCHOR LTD/REPRESENTATIVE: PAUL MCCULLOUGH. MF 754. (0600-20)

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY PLANNER NAKAGAWA gave a PowerPoint presentation on the item.

DEAN BERRIEN, a resident at 589 11th Street, stated that he received a letter from the realty company stating that the apartment building owners had decided not to convert the units into condominiums, and to disregard previous notices that pertain to the condo conversion of the property; he later received a letter in February 2006 to update residents of the status of the conversion; and he expressed concern that residents were not being given proper noticing or ample time to relocate; he also expressed concern that many residents, particularly senior citizens and physically disabled tenants, cannot afford to relocate; he responded to Mayor Rose

and stated he had not received information regarding relocation assistance benefits.

PAUL MCCULLOUGH, buyer's representative, was under the impression that 180-day notices were sent as required; he added that 60-day notices and information regarding relocation assistance benefits would be sent upon approval of the project, adding that certain individuals (i.e., physically disabled) would receive additional provisions.

Council discussion ensued regarding noticing requirements and relocation assistance benefits. It was noted that the application for tentative map for this property had been received, but not yet complete, prior to adoption of the City's condo conversion ordinance.

CITY ATTORNEY LOUGH expressed concern regarding mixed testimony and, based on testimony received, that the intent to convert notice was revoked; he suggested that the notice would need to be re-sent, and he was unaware if that had been done.

SCOTT PETERS, applicant, stated that all noticing had been completed; he was unaware of a letter rescinding the notice to convert.

Discussion ensued regarding ensuring that all notices have been sent when processing the applications for tentative and final maps.

CITY ATTORNEY LOUGH read a portion of the letter from Leadingham Realty dated September 11, 2005, submitted by Mr. Berrien, noting that the owners had decided not to convert the property into condominiums.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that staff was unaware of this letter; however, the required notice of intent to convert letter was part of the file.

Discussion ensued regarding the letter of February 11, 2005 which nullifies the process and another 60-day notice would need to have been sent before proceeding. Discussion ensued regarding a letter dated February 17, 2006 that updated the status of the conversion, however, the letter was not the 60-day notice as it did not have the required language.

CITY ATTORNEY LOUGH stated he is unaware if a new 60-day notice following the February 11, 2005 letter canceling the process had been sent.

Discussion ensued regarding whether the letter sent by the realty company circumvented the tentative map process.

MOTION BY ROSE, SECOND BY MCLEAN, TO CONTINUE THE PUBLIC HEARING TO APRIL 5, 2006. MOTION CARRIED UNANIMOUSLY.

WRITTEN COMMUNICATIONS (5.1)

5.1 LETTER OF REQUEST TO RE-OPEN ALL OR A PORTION OF AN ALLEY PREVIOUSLY CLOSED BY CITY COUNCIL RESOLUTION NO. 97-4705 LOCATED BETWEEN OCEAN LANE AND SEACOAST DRIVE AND DATE AND ELM AVENUES. (0720-08)

PAT HUTCHINS requested that Item No. 5.1 be continued.

MOTION BY ROSE, SECOND BY MCLEAN, TO CONTINUE ITEM NO. 5.1 TO THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING OF APRIL 5, 2006. MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE adjourned the meeting to the Community Room at 7:15 p.m. and reconvened the meeting to Open Session at 7:27 p.m.

PUBLIC HEARINGS (6.3)

6.3 VARIANCE (VAR 060343); OWNER/APPLICANT: GARY LUSK; HEIGHT/STORY VARIANCE FOR A NEW ATTACHED RESIDENCE LOCATED AT 261 ELM AVENUE, IN THE R-2000 (MEDIUM DENSITY) ZONE. MF 538. (0600-20)

MOTION BY ROSE, SECOND BY MCLEAN, TO CONTINUE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

REPORTS (7.3)

ITEM NO. 7.3 – TIME SPECIFIC FOR 7:00 P.M.

7.3 PROPOSED DRAFT EXCLUSIVE NEGOTIATION AGREEMENT WITH D.R. HORTON, INC. (0620-20 & 0640-05)

CITY MANAGER BROWN introduced the item and reported that a draft summary of fiscal impact to General Fund was submitted Last Minute Agenda Information.

REDEVELOPMENT COORDINATOR SELBY gave background on the item and noted the development team and Paul Marra, of Keyser Marston, were in attendance.

Discussion ensued regarding the timeline of events.

DAVID STEARN, of DR HORTON, introduced the development team; he commented that he has heard a number of specific and broad concerns, particularly from City residents, and added that he will do his best to address all the concerns.

Discussion ensued regarding the differences between an Exclusive Negotiations Agreement and a Disposition and Development Agreement.

FEHLMAN LABARRE, architect, gave a PowerPoint presentation on the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE commented that the project team has been asked to address the community's concerns and design changes would be incorporated; and he introduced Paul Marra.

PAUL MARRA, economic development consultant with Keyser Marston, referenced the Last Minute Agenda Information and stated that sales tax and tax increment were incorporated into the summary; he added that the focus of tonight's meeting was the general fund.

Discussion ensued regarding negotiations, fiscal impacts related to providing services, site improvements, and RDA contributions.

MR. STEARN reported that detailed traffic analysis will be performed by consultant who has been retained.

JULIE SNAITHE expressed concern about the quality of life and the number of condos; she stated she has distributed flyers to the community regarding the project.

BRIAN JONES thanked Redevelopment Coordinator Selby and the developer; he provided a written statement that he read for the record; he stated he was not opposed to the project and has concerns regarding its large size, which may impact public services; he requested that Council direct staff and the developer to come back with alternatives for the large number of condos (additional speaking time donated by Kathy Shanholtz).

LOU ANN NOURSE presented a large zoning map and discussed the risk of losing five doctors; she stated she has considered moving or selling her property; she expressed concern about height and density; she added that current shopping center is run down.

JIM KING submitted written statement that he read for the record; he expressed the need to maintain the small town quality of life and "Classic Southern California"; he added he would like a review of the commercial zone along Palm Avenue and a moratorium on high density projects until the review is completed (additional speaking time donated by Lourdes King).

KATHY NASATO agreed with discussions presented by both sides, she expressed concerns regarding the costs of the condos, increased traffic, and available parking.

CARLEEN HESS expressed concerns regarding traffic and that the footprint of the project was too big, she requested Council consider the whole city, and not just this particular area; she discussed eminent domain.

ANGELA VIEIRA expressed concern that the project was too big, that that the City had a sufficient amount of condos and apartments (not available to speak).

JAMES VIEIRA expressed concern that the project was too big and was concerned about the amount of traffic.

AUGUSTIN ROJAS expressed concerns regarding the design concepts and police services.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded that concerns that were presented at the workshop held February 8th were discussed at the workshop held March 8th, and provided Mr. Rojas a list that addressed those concerns at the March 8th workshop.

PAUL AILLET expressed a desire for better quality shops and merchandise in the area and expressed concern regarding the project's size, traffic, and the number of condos.

JANET WHELAN expressed concern that the project was too big and there were too many condos (did not wish to speak).

JOSEPHINE CISNEROS opposed the project and added it was too big (did not wish to speak).

CLAYTON HINKLE stated the area needs a facelift and expressed concern regarding density and population, the number of condos in a small area, and not enough parking.

SCOTT JENNINGS thanked Council and DR Horton for their effort put into project; he discussed how a surveyor came onto his property and was rude; he stated the project was too big, there were too many condos; he expressed concern with regard to impacts and the doctors currently in the shopping center; and he requested better communication when surveyors would be visiting the property.

HUBER THOMAS wrote that less can be more and growth should be balanced (not available to speak).

NANCY STONE opposed the project and was concerned about too much congestion (did not wish to speak).

AL MACKAY was neutral in his opinion of the project; he had concerns regarding high density and the potential impact on the City's budget for additional infrastructure (did not wish to speak).

DOUG RICHARDSON opposed the high density residence and commented on the need to keep one of the doctor's practices in the City (did not wish to speak).

SHARON ESCHER opposed the project and expressed concerns with regard to infrastructure, traffic, and air quality (did not wish to speak).

ROBERT BRIANS suggesting re-zoning the large lots around the proposed development to spread out the population (did not wish to speak).

ALTA RENTON was concerned about the size of the project and the traffic impacts, and would like a traffic study done prior to moving forward with the project (did not wish to speak).

CYNTHIA BUXTON opposed the project and commented that the project was too big (did not wish to speak).

CECILIA ELL stated she opposed the height of the project (did not wish to speak)

SHARON LINDSAY opposed the project and commented that there were too many condos (did not wish to speak).

WISELEY opposed the project and expressed concern with regard to too many people and the project was too high (did not wish to speak).

COLETTE VELASCO HINKLE opposed the project; said she does not want condos; and the project was too big (did not wish to speak).

GARY SEITZ said the project was too big and suggested checking the vacancy rate at the other shopping centers in the City (did not wish to speak).

SIDNEY KLESSINGER opposed the project and expressed concern there were too many condos (did not wish to speak).

JANET BOWMAN opposed the project and expressed concern there were too many condos (did not wish to speak).

BRIAN COOK stated he has attended most of the meetings and workshops pertaining to the project and he expressed the importance of voicing opinions by the community; he discussed annexation by San Diego and the size of the lots; he commented the project was too big and that he was not opposed to smart development.

FRED PERRY opposed the project (not available to speak).

ROBERT FREMONT opposed the project; he stated he was new to I.B. and came here because other cities were overpopulated; he stated the project was too big and that he would like a smaller project built.

RUTH COLE expressed concern about too much density, that condos would bring too many people and traffic, and expressed concern about height.

JOHN HARRINGTON opposed the current plan and said there were too many condos; he suggested that Donax be closed off; he added that high-rise buildings were not an appealing way to enter a beach town.

RENEE EVANS supported project and would like Council to consider the number of condos; she feels confident that all interests will be addressed; she expressed concern that if the ENA were not approved tonight that the City would lose DR Horton and the process would need to start over.

ANGELO PALLOTTO supported the project and thanked Council and DR Horton for their efforts; he supported the residents who live in the neighborhood behind the project; he stated that the City would not find another developer that has been as patient as accommodating.

PAUL EVANS supported the project and the item, and he would like more businesses in I.B. to keep money locally; he voiced his support for DR Horton and feels confident that concerns will be addressed.

VAN SADLER stated that the project moving forward would cause the City to lose money; and he commented that the project would overextend police and fire services.

MICHEL DEDINA suggested an environmental approach, including wind generation and solar panels; he added that the project could be self-financing by saving energy; he also suggested an underground passageway beneath Palm Avenue, similar to Highway 75, to address the safety issue of crossing the street; he also expressed a desire for reduction in parking spaces.

GREG NEIL supported the project (not available to speak).

NOREEN SULLIVAN was not available to speak.

DANA CLARK stated he was neutral with regard to the project; he expressed concern about finances involved with the project.

RYAN ZINKE, U.S. Navy Commander, stated he understands the concerns presented; he spoke of the need to move forward with the project and added that this is not a vote to build 240 condos; he commented that this is a flagstone project for I.B.

SEAN CARPENTER supported the proposed development (not available to speak).

SHANNON DAVIS opposed the project and expressed concern about mixed use areas over Palm Avenue, types of businesses in the area, and density; she expressed desire for maintaining the small beach town feel and for Council to focus on ecological tourism.

MIKE MCCOY was neutral in his opinion of the project; he suggested moving forward with the ENA, then have discussion on whether or not to do the project and find other ways to fund the City.

ERICA BRODIE opposed the project and said it was too big (not available to speak).

IGNACIO GARCIA opposed the project and said it was too big (not available to speak).

JOSEPH ORSENO supported the project; he discussed the height limit and commented that comparison should not be made to other cities who have a larger height limit; he added that money is being lost on the current property development; and he expressed desire with moving forward with the ENA.

CARSON DOLLICK said he was neutral; he commented that a wonderful architectural job will be done on that property; he expressed concern that the project was too big and needs to be scaled down; he also expressed disappointment with DR Horton since they have not addressed all the concerns presented.

TOM DAVIS opposed the project having four floors and 230 condos (not available to speak).

KEN PIAZZA expressed opposition to the building.

PRISCILLA GARCIA opposed the project and the size of the condos, saying it was too large for the community (not available to speak).

JESSICA BRODIE opposed the project and said it was too big (not available to speak).

DANIEL LOPEZ supported the project, and voiced his support for DR Horton and the architectural team.

BOB MILLER supported the proposal and voiced his support for DR Horton; he expressed his concern that only two developers came forward and if pushed too hard, then the City would lose DR Horton as a developer; he stated that I.B. will remain one of the least developed cities in the region and I.B. will still be classic.

MICHAEL CAREY stated the project is too big and that the C-1 zone was never intended for a 70% residential project; he expressed a desire to know the number of condos that will be part of the project.

CHIP SHANHOLTZ said the project was too big and requested that property surveyors be pleasant.

JAN & CLYDE HASEMEYER supported the project and expressed concerns with regard to number of housing units; they requested that weekly rentals not be allowed (did not wish to speak).

Council discussion ensued regarding the community's concerns with regard to size of the project and their desire to reduce the number of residential units; that DR Horton has already put into the project a lot of time and money without a formal agreement in place; and by executing the ENA will be moving forward to get the community's questions answered; that Keyser Marston has been contracted to protect the City financially. Discussion ensued regarding the increase in the Sheriffs budget and the City needs to find ways to compensate; the Big Picture and Survival Plan were discussed and how they relate to future projects and how to find funds when revenue has decreased while still maintaining the character of the community.

MAYOR ROSE expressed her desire for the project be on an agenda within the next 30 days with an updated schedule.

MOTION BY ROSE, SECOND BY MCLEAN, TO AUTHORIZE STAFF TO ENTER INTO THE ENA WITH DR HORTON. MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE called a recess at 10:03 p.m. and reconvened the meeting to Open Session at 10:25 p.m. in the Council Chambers.

By order of the Chair, Item Nos. 7.7 and 7.8 were continued to the next regularly scheduled City Council meeting.

ORDINANCES - INTRODUCTION/FIRST READING (3)

3.1 ADOPT RESOLUTION OF INTENTION NO. 2006-6298 AND INTRODUCE ORDINANCE NO. 2006-1041, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF IMPERIAL BEACH AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. (0520-70)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER gave background on the item.

No speaker slips were submitted.

MOTION BY ROSE, SECOND BY WINTER, TO ADOPT RESOLUTION OF INTENTION NO. 2006-6298 TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE called for the reading of the title of Ordinance No. 2006-1041.

CITY ATTORNEY LOUGH read the title of Ordinance No. 2006-1041 – An Ordinance of the City Council of the City of Imperial Beach authorizing an amendment to the contract between the City of Imperial Beach and the Board of Administration of the California Public Employees' Retirement System.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READING OF ORDINANCE NO. 2006-1041 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

ORDINANCES - SECOND READING & ADOPTION (4)

4.1 SECOND READING – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH TO AMEND CHAPTER 4.52 (BURGLARY AND ROBBERY ALARM SYSTEMS) OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING SECTIONS 4.52.040 AND 4.52.090. (0390-55)

CITY MANAGER BROWN introduced the item.

No discussion.

No speaker slips were submitted.

MAYOR ROSE called for the reading of the title of Ordinance No. 2006-1040.

CITY ATTORNEY LOUGH read the title of Ordinance No. 2006-1040 – An Ordinance of the City Council of the City of Imperial Beach to amend Chapter 4.52 (Burglary and Robbery Alarm Systems) of the Imperial Beach Municipal Code by amending Sections 4.52.040 and 4.52.090.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2006-1040 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (6.2)

6.2 CINGULAR WIRELESS/KRYSTAL PATTERSON (APPLICANT)/SANDI KRAMER (OWNER) ADMINISTRATIVE COASTAL PERMIT (ACP 050275), CONDITIONAL USE PERMIT (CUP 050276) AND SITE PLAN REVIEW (SPR 050277) FOR A CINGULAR WIRELESS TELECOMMUNICATION FACILITY LOCATED AT 600 PALM AVENUE, IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 804. (0600-20 & 0800-50)

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY PLANNER NAKAGAWA gave a PowerPoint presentation on the item, and responded to questions of Council regarding stealth of cable.

COUNCILMEMBER JANNEY expressed a desire to know the business license status of the applicant and wanted to ensure the applicant had a business license for each facility.

DARRELL DAUGHERTY, of Cingular, stated he was available to answer questions of Council.

No speaker slips were submitted.

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

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6295, APPROVING CONDITIONAL USE PERMIT (CUP 050276), ADMINISTRATIVE COASTAL PERMIT (ACP 050275) AND SITE PLAN REVIEW (SPR 050277), WHICH MAKE THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED UNANIMOUSLY.

REPORTS (7.4 - 7.8)

7.4 RESOLUTION NO R-06-96 – ADOPTING A CHANGE ORDER FOR BDS ENGINEERING, INC. TO THE VETERANS PARK MASTER PLAN CIP PROJECT DESIGN. (0920-70)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN offered no additional comments.

No discussion.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. R-06-96 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO BDS ENGINEERING, INC. FOR \$32,171 FOR ADDITIONAL WORK PERFORMED ON THE VETERANS PARK MASTER PLAN CIP PLANS AND SPECIFICATIONS. MOTION CARRIED UNANIMOUSLY.

7.5 NOLF ENTRANCE (13TH STREET & IRIS AVENUE) DESIGN; PROPOSALS FOR. (0620-80)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item, and responded to questions of Council regarding the use of American flags.

MAYOR ROSE supported the flagpole idea.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE THE FLAGPOLE CONCEPT AS PRESENTED IN THE STAFF REPORT. MOTION CARRIED BY THE FOLLOWING VOTE:

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

7.6 APPOINTMENT OF IMPERIAL BEACH REPRESENTATIVE TO THE PORT OF SAN DIEGO'S TIDELANDS FORESTRY ADVISORY COMMITTEE. (0150-70)

CITY MANAGER BROWN introduced the item.

No discussion.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE APPOINTMENT OF DANIEL LOPEZ AS IMPERIAL BEACH REPRESENTATIVE TO THE PORT DISTRICT TIDELANDS FORESTRY ADVISORY COMMITTEE. MOTION CARRIED UNANIMOUSLY.

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

Item continued by previous order of the Chair.

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

Item continued by previous order of the Chair.

REPORTS OF MAYOR AND COUNCILMEMBERS

None.

The meeting adjourned at 10:49 p.m.

Diane Rose, Mayor

Attest:
Lisa Wolfson
Deputy City Clerk