# A G E N D A

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

**MARCH 5, 2008**

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

***CLOSED SESSION MEETING – 5:00 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 REAL PROPERTY NEGOTIATORS.

Pursuant to Government Code Section 54956.8:

Property: 701-7 Palm Ave., Imperial Beach, CA 91932, APN 626-250-02
Agency Negotiator: City Manager
Negotiating Parties: Parmela Sawhney S Revoc Trust 10-09-02
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 735 Palm Ave., Imperial Beach, CA 91932, APN 626-250-03
Agency Negotiator: City Manager
Negotiating Parties: North Island Federal Credit Union
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 741 Palm Ave., Imperial Beach, CA 91932, APN 626-250-04
Agency Negotiator: City Manager
Negotiating Parties: Sam & Sandra Dimenstein Trust
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 761-779 Palm Ave., Imperial Beach, CA 91932, APN 626-250-05
Agency Negotiator: City Manager
Negotiating Parties: Sam & Sandra Dimenstein Trust
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 743-849 Palm Ave., Imperial Beach, CA 91932, APN 626-250-06
Agency Negotiator: City Manager
Negotiating Parties: Sam & Sandra Dimenstein Trust
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

### RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

**REGULAR MEETING CALL TO ORDER BY MAYOR**

**ROLL CALL BY CITY CLERK**

**PLEDGE OF ALLEGIANCE**

**AGENDA CHANGES**

**MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS/REPORTS**

**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 - 1.4)**

**1.1* PRESENTATION OF PROCLAMATION TO IMPERIAL BEACH CHIEFS MITEY MITE NATIONAL AMERICAN YOUTH FOOTBALL CHAMPIONS. (0410-30)**

**1.2 PROPOSED BOY SCOUTS OF AMERICA EAGLE PROJECT PRESENTATION. (0720-35)**

City Manager's Recommendation:

1. Receive a presentation from Mr. Pocock regarding the proposed improvements;
2. Comment and direct staff and Mr. Pocock regarding the design of the proposed project; and
3. Authorize the City Manager to sign the Eagle Project plan for Mr. Pocock to continue the project development and construction as approved by City Council and City staff.

**1.3* PRESENTATION ON SAN DIEGO METROPOLITAN TRANSIT SYSTEM BLUE LINE BY SHARON COONEY, DIRECTOR OF GOVERNMENT AFFAIRS AND COMMUNITY RELATIONS. (0680-85)**

**1.4* CITY ACCOMPLISHMENTS. (0100-10)**

* No Staff Report.

**CONSENT CALENDAR (2.1 - 2.7)** - *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 MINUTES.**
City Manager's Recommendation: Approve the minutes of the Special and Regular City Council Meetings of February 20, 2008.

**2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**
City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 65756 through 65923 with the subtotal amount of $453,383.87; and Payroll Register Numbers 39326 through 39361 for the pay period ending 01/31/08, Payroll Register Numbers 39362 through 39403 for the pay period ending 02/14/08 with the subtotal amount of $257,767.18; for a total amount of $711,151.05.

**2.3 RESOLUTION NO. 2008-6588 – SALE OF SURPLUS PROPERTY. (0380-45)**
City Manager's Recommendation: Adopt resolution.

**2.4 RESOLUTION NO. 2008-6595 – APPROVING THE JOB DESCRIPTION AND SALARY RANGE FOR NETWORK SYSTEMS TECHNICIAN AND AMENDING THE SALARY AND COMPENSATION PLAN ACCORDINGLY. (0510-20 & 0520-75)**
City Manager's Recommendation: Adopt resolution.

**2.5 RESOLUTION NO. 2008-6589 – AUTHORIZING THE PUBLIC SAFETY DIRECTOR/FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING OF FOR ZONE 4 JOINT EMERGENCY RESPONSES FOR FIRE AND RESCUE RESOURCES. (0210-40)**
City Manager's Recommendation: Adopt resolution.

**2.6 RESOLUTION NO. 2008-6590 – DESIGNATING THE IMPERIAL BEACH FIRE STATION AS A SAFE SURRENDER SITE. (0240-32)**
City Manager's Recommendation: Adopt resolution.

**2.7 RESOLUTION NO. 2008-6596 – TERMINATING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY (CPEIA) JOINT POWERS AUTHORITY. (0190-60)**
City Manager's Recommendation: Adopt resolution.

**ORDINANCES – INTRODUCTION/FIRST READING (3.1)**

**3.1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2008-1067 – ESTABLISHING THE IMPERIAL BEACH REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP). (0680-85)**
City Manager's Recommendation:
1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1067;
3. City Clerk reads title of Ordinance No. 2008-1067 – adopting a transportation uniform mitigation fee program for the purpose of defraying actual or estimated costs of constructing planned regional transportation facilities; and
4. Motion to dispense first reading of Ordinance No. 2008-1067 and set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication in a newspaper of general circulation.

**ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.2)**

**3.2 PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT:**

**(1) RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, MAKING CERTAIN FINDINGS AND RECOMMENDING CITY COUNCIL'S APPROVAL OF THE PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA;**

**(2) RESOLUTION THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED THE INFORMATION IN THE PALM AVENUE COMMERCIAL ENVIRONMENTAL IMPACT REPORT AND THE 21166 STUDY WITH RESPECT TO THE PROPOSED THIRD AMENDMENT TO THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA;**

**(3) INTRODUCTION OF ORDINANCE APPROVING AND ADOPTING THE THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA PERTAINING TO THE ORIGINAL PROJECT AREA. (0640-85)**

City Manager's Recommendation:

1. Declare the continued public hearing open;
2. Receive report and public testimony;
3. Close the public hearing;
4. Adopt Resolution No. R-08-143 – A Resolution of the Redevelopment Agency of the City of Imperial Beach, making certain findings and recommending City Council's approval of the Proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area;
5. Adopt Resolution No. 2008-6593 – A Resolution that the City Council has reviewed and considered the information in the Palm Avenue Commercial Environmental Impact Report and the 21166 Study with respect to the proposed Third Amendment to the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area;
6. Mayor calls for the reading of the title of Ordinance No. 2008-1066;
7. City Clerk reads the title of Ordinance No. 2008-1066 - approving and adopting the Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area pertaining to the Original Project Area; and
8. Motion to dispense the First Reading of Ordinance No. 2008-1066 and set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication of the Ordinance in a newspaper of General Circulation.

## ORDINANCES – SECOND READING & ADOPTION (4.1)

**4.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2008-1065, TO AMEND THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING SECTION 10.36.085 TO CHAPTER 10.36 OF THE IMPERIAL BEACH MUNICIPAL CODE, RELATED TO PARKING, STANDING, AND STOPPING VIOLATIONS OF THE MUNICIPAL CODE. (0920-95).**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1065;
3. City Clerk reads title of Ordinance No. 2008-1065 – adding Section 10.36.085 to Chapter 10.36 of the Imperial Beach Municipal Code relating to parking, standing, and stopping violations of the municipal code; and
4. Motion to dispense second reading and adopt Ordinance No. 2008-1065.

## WRITTEN COMMUNICATIONS (5)

None.

## PUBLIC HEARINGS (6.1)

**6.1 CONTINUED PUBLIC HEARING – ROBERT MILLER: REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878. (0600-20)**

City Manager's Recommendation:

1. Declare the continued public hearing open;
2. Receive public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6577, approving a Regular Coastal Permit (ACP 060427) and Tentative Map (TM 060428), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

## REPORTS (7.1 - 7.3)

**7.1 RESOLUTION NO. 2008-6587 – SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2009. (0830-90)**

City Manager's Recommendation:

1. Receive report; and
2. Adopt resolution.

**7.2 COMMITMENT LETTER FOR A PROPOSED AFFORDABLE HOUSING PROJECT WITH CHELSEA INVESTMENT CORPORATION FOR THE ACQUISITION AND REHABILITATION OF 624 12$^{TH}$ STREET. (0660-15)**

City Manager's Recommendation: Authorize the Executive Director to execute a commitment letter to the Chelsea Investment Corporation expressing the conditional commitment of the Agency's Low and Moderate Income Funds for the substantial rehabilitation and development of affordable housing at 624 12$^{th}$ Street.

**7.3 POND 20. (0390-75)**

City Manager's Recommendation: Ratify letter from Mayor Janney and Councilmember Hueso to Port of San Diego.

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

**REPORTS OF MAYOR AND COUNCILMEMBERS**

**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, the agenda is also available to you on our website at** www.cityofib.com**.**

**A COPY OF THE COUNCIL MEETING PACKET MAY BE VIEWED BY THE PUBLIC IN THE OFFICE OF THE CITY CLERK AT CITY HALL.**

Copies of this notice were provided on February 28, 2008 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

AFFIDAVIT OF POSTING)
STATE OF CALIFORNIA)
CITY OF IMPERIAL BEACH)

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, and Public Financing Authority of Imperial Beach was provided and posted on February 28, 2008. Said meeting to be held at 5:00 p.m., March 5, 2008, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on February 28, 2008 at 2:30 p.m.

_____
Jacqueline M. Hald, CMC
City Clerk

AGENDA ITEM NO. 1.2

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **PUBLIC WORKS** HDL |
| **SUBJECT:** | **PROPOSED BSA EAGLE PROJECT PRESENTATION** |

**BACKGROUND:**
The Seacoast Drive median or island between Beach Avenue and Cortez Avenue is in need of landscape improvements. The landscape plants and irrigation system have deteriorated due to age and ocean weather abuse – salt water intrusion, sand intrusion, etc. Staff has had the intent to replace and upgrade the median/island to be an attractive asset to the South Seacoast community. The median/island is the location for sewer lift station no. 2. Sewer lift station no. 2 has a small Quonset hut shaped building housing the pumping system and a below ground wet well.

Boy Scouts of America has an award program by which boys who complete certain advancement requirements, perform a significant community service project and meet identified character standards are awarded the rank of Eagle. It is the opinion of the City staff that the project identified above – repair and replacement of irrigation and landscape of South Seacoast Drive median/island - qualifies as a "significant community service project."

**DISCUSSION:**
BSA Troop 53, Eagle Scout Candidate Christopher Pocock has indicated an interest in performing the reconstruction of the South Seacoast Drive median/island landscape and irrigation system. Staff is willing to work with Mr. Pocock in designing and constructing the project. Mr. Pocock would design the improvements, plan, organize and supervise the construction of the project, should City Council approve his project.

**ENVIRONMENTAL DETERMINATION:**
This project was evaluated for CEQA requirements and is determined to be Categorically Exempt per section 15301 - Existing Facilities – Class 1.c.

**FISCAL IMPACT:**
The cost of the project would come from the Operating and Maintenance (O&M) budget from Park Maintenance and from Sewer Maintenance Divisions. The total project costs are estimated at approximately $6,000.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Receive a presentation from Mr. Pocock regarding the proposed improvements.
3. Comment and direct staff and Mr. Pocock regarding the design of the proposed project
4. Authorize the City Manager to sign the Eagle Project plan for Mr. Pocock to continue the project development and construction as approved by City Council and City staff.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown

Gary Brown, City Manager

**DRAFT**

**MINUTES**

**Item 2.1**

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

**FEBRUARY 20, 2008**

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

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

## SPECIAL & REGULAR CLOSED SESSION CALL TO ORDER

MAYOR JANNEY called the Special and Regular Closed Session Meetings to order at 5:00 p.m.

## ROLL CALL

| | |
|---|---|
| Councilmembers present: | Bragg, Winter |
| Councilmembers absent: | McLean |
| Mayor present: | Janney |
| Mayor Pro Tem present: | McCoy |
| Staff present: | City Manager Brown; City Attorney Lough; City Clerk Hald |

## SPECIAL & REGULAR CLOSED SESSION

**MOTION BY BRAGG, SECOND BY MCCOY, 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

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code Section 54957
Title: City Attorney

**MOTION CARRIED BY THE FOLLOWING VOTE:**

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

MAYOR JANNEY adjourned the Special and Regular Closed Session meetings at 5:01 p.m. and he reconvened the meetings to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information, and had nothing to report.

## 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

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|---|---|
| Councilmembers present: | Bragg, Winter |
| Councilmembers absent: | McLean |
| Mayor present: | Janney |
| Mayor Pro Tem present: | McCoy |
| Staff present: | City Manager Brown; City Attorney Lough; City Clerk Hald |

## PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

## AGENDA CHANGES

None.

## MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS

COUNCILMEMBER WINTER encouraged volunteers to become “Grunion Greeters” by attending a workshop Saturday, April 19 at the Tijuana National Estuarine Research Reserve.

## COMMUNICATIONS FROM CITY STAFF

None.

## PUBLIC COMMENT

MAXX STAHLHEIM questioned the status of the 45-day interim ordinance prohibiting businesses from selling tobacco products and tobacco paraphernalia.

CITY MANAGER BROWN responded that the City Council recently approved an ordinance that extended the moratorium by 10 months and 15 days.

CAPT. WEAVER, IBFA President, thanked City Council for allocating funds towards the remodel of the Imperial Beach fire station; and recognized Superintendent Lau, Public Safety Director Sotelo, and Management Analyst Hernandez for their efforts during the remodel.

## PRESENTATION/REPORT (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 Casey Jones, son of Kirk Jones.

**1.2 TIJUANA ESTUARY FATE AND TRANSPORT STUDY PRESENTATION BY CLAY PHILLIPS, SUPERINTENDENT FOR CALIFORNIA STATE PARKS AND MANAGER OF THE TIJUANA RIVER NATIONAL ESTUARINE RESEARCH RESERVE. (0150-40)**

CLAY PHILLIPS, of the Tijuana River National Estuarine Research Reserve, gave a PowerPoint presentation on the item.

**CONSENT CALENDAR (2.1 - 2.8)**

**MOTION BY MCCOY, SECOND BY WINTER, TO APPROVE CONSENT CALENDAR ITEMS 2.1 - 2.8. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**2.1 MINUTES.**
Approved the minutes of the Regular City Council Meetings of January 9, January 16, and February 6, 2008, and the Regular Workshop Meeting of January 29, 2008.

**2.2 ADMINISTRATIVE COASTAL PERMIT (ACP 060474) AND FINAL MAP (TM 060475) FOR A THIRTY-SIX (36) UNIT CONDOMINIUM CONVERSION LOCATED AT 740-798 FLORIDA STREET AND 1100-1114 DONAX AVENUE IN THE R-1500/MU-1 (HIGH DENSITY RESIDENTIAL WITH A MIXED-USE OVERLAY) ZONE. (0600-20)**
Approved Final Map for recordation along with the recordation of any required documents as security for the required improvements.

**2.3 RESOLUTION NO. 2008-6579 – AUTHORIZING THE MAYOR ON BEHALF OF THE CITY TO ENTER INTO THE COOPERATION AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND CITY OF IMPERIAL BEACH FOR A COMMUNITY DEVELOPMENT PROGRAM AND SIGN OTHER ANCILLARY DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT. (0650-33)**
Adopted resolution.

**2.4 RESOLUTION NO. R-08-140 – APPROVING A REQUEST FROM IMPERIAL BEACH PROFESSIONAL BUILDING FOR FAÇADE IMPROVEMENT PROGRAM MATCHING FUNDS AT 1340 IMPERIAL BEACH BOULEVARD. (0640-20)**
Adopted resolution.

**2.5 RESOLUTION NO. 2008-6581 – UPGRADE TO MICROSOFT OFFICE 2007 AND REPLACE TEN COMPUTERS. (1110-40)**
Adopted resolution.

**2.6 RESOLUTION NO. 2008-6582 – PURCHASE OF THE CISCO SWITCHES HARDWARE FROM AT&T. (1110-30)**
Adopted resolution.

**2.7 RESOLUTION NO. 2008-6584 – AUTHORIZING THE EXPENDITURE PLAN FOR THE FY 2007-2008 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT, ALSO KNOWN AS THE COPS GRANT. (0390-86)**
Adopted resolution.

**2.8 RESOLUTION NO. 2008-6586 – RATIFYING AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR THE 2007 ANNUAL CONCERT EVENT. (1040-10)**
Adopted resolution.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

None.

**ORDINANCES – INTRODUCTION/FIRST READING (3.1)**

**3.1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2008-1065 TO AMEND THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING SECTION 10.36.085 TO CHAPTER 10.36 TO THE IMPERIAL BEACH MUNICIPAL CODE, RELATED TO PARKING, STANDING, AND STOPPING VIOLATIONS OF THE MUNICIPAL CODE. (0920-95)**

CITY MANAGER BROWN introduced the item.

CODE COMPLIANCE OFFICER GARCIAS gave a report on the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2008-1065.

CITY CLERK HALD read the title of Ordinance No. 2008-1065 - adding section 10.36.085 to Chapter 10.36 of the Imperial Beach Municipal Code relating to parking, standing, and stopping violations of the municipal code.

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE FIRST READING OF ORDINANCE NO. 2008-1065 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 BY THE FOLLOWING VOTE:**

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

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

**4.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2008-1062, AMENDMENT TO CHAPTER 8.30 OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO URBAN RUNOFF MANAGEMENT AND DISCHARGE CONTROL; ORDINANCE NO. 2008-1063, AMENDMENT TO CHAPTER 8.32, PERTAINING TO THE STANDARD URBAN STORMWATER MITIGATION PLAN; AND ORDINANCE NO. 2008-1064, AMENDMENT TO CHAPTER 15.54, PERTAINING TO GRADING PERMITS AND PLANS. (0770-75)**

CITY MANAGER BROWN introduced the item.

***Ordinance No. 2008-1062:***

MAYOR JANNEY called for the reading of Ordinance No. 2008-1062.

CITY CLERK HALD read the title of Ordinance No. 2007-1062 – an Ordinance amending Chapter 8.30 of the City of Imperial Beach Municipal Code: "Urban Runoff Management and Discharge Control."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2008-1062 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

***Ordinance No. 2008-1063:***

MAYOR JANNEY called for the reading of Ordinance No. 2008-1063.

CITY CLERK HALD read the title of Ordinance No. 2008-1063 – an Ordinance amending Chapter 8.32 of the Imperial Beach Municipal Code: "Standard Urban Stormwater Mitigation Plan (SUSMP)."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2008-1063 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

***Ordinance No. 2008-1064:***

MAYOR JANNEY called for the reading of Ordinance No. 2008-1064.

CITY CLERK HALD read the title of Ordinance No. 2008-1064 – an Ordinance amending Chapter 15.54 of the Imperial Beach Municipal Code: "Grading Permits and Plans."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2008-1064 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6.1 - 6.2)**

**6.1 ROBERT MILLER: REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878. (0600-20)**

MAYOR JANNEY declared the public hearing open.

COUNCILMEMBER WINTER announced that although there is no legal conflict for her to participate in the discussion of the item, she chose to disqualify herself from discussion of the item as the applicant is on the board of SWIA and she left Council Chambers at 6:27 p.m.

CITY MANAGER BROWN announced that the applicant preferred that the item be continued to the next regular meeting of March 5, 2008.

CITY CLERK HALD announced no speaker slips were submitted.

**MOTION BY MCCOY, SECOND BY BRAGG, TO CONTINUE THE PUBLIC HEARING TO MARCH 5, 2008. MOTION CARRIED BY THE FOLLOWING VOTE:**
**MOTION CARRIED BY THE FOLLOWING VOTE:**

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

COUNCILMEMBER WINTER returned to Council Chambers at 6:28 p.m.

**6.2 PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT. (0640-85)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

Letters of opposition from Elizabeth Stockdale and Anne Malewicz and a map of project boundaries were submitted as Last Minute Agenda Information.

REDEVELOPMENT COORDINATOR SELBY introduced Susan Cola, of Kane, Ballmer & Berkman, and Denise Bickerstaff, of Keyser Marston Associates.

MS. COLA reported on the item and affirmed that eminent domain authority is exercisable on vacant residential property; she also stated that the agency shall not have the power to acquire by use of eminent domain real property on which persons lawfully reside; she added that lawful residency is when the owner of the property authorizes occupancy.

MS. BICKERSTAFF gave a PowerPoint presentation on the analysis of the existing conditions for the Third Amendment to the Palm Avenue Commercial Redevelopment Plan.

STEVE FUTTERMAN spoke in opposition to the item.

ELIZABETH STOCKDALE spoke in opposition to the item.

ROGER BENHAM expressed concern about blight on Palm Avenue & 9th Street and spoke of the potential for it to be economically vibrant.

MARK DURAZO spoke in opposition to the item.

City Council discussion ensued regarding eminent domain being a tool for redevelopment. It was reiterated that real property on which persons lawfully reside would not be subject to eminent domain.

HILDA CLARKE requested clarification on the area subject to eminent domain.

MAYOR JANNEY responded that the plan specifically states that condemnation powers could only be used within the red zone as depicted on the map submitted with Last Minute Agenda Information.

CITY MANAGER BROWN added that the agency shall not have the power to acquire by eminent domain real property outside the boundaries of the original project area.

COMMUNITY DEVELOPMENT DIRECTOR WADE noted that the Community Workshop scheduled for February 26, 2008 is specifically for the Palm Avenue Commercial Corridor Master Plan and not on the item being discussed tonight.

**MOTION BY MCCOY, SECOND BY BRAGG, TO CONTINUE THE PUBLIC HEARING TO MARCH 5, 2008. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**REPORTS (7.1 - 7.4)**

**7.1 RESOLUTION NO. 2008-6578 – AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – SOUTH SEACOAST DRIVE OVERLAY PROJECT (CIP# S08-101); RTIP – MINOR STREET IMPROVEMENTS FY 2007 AND FY 2008. (0720-25)**

CITY MANAGER BROWN introduced and reported on the item.

**MOTION BY MCCOY, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2008-6578 - AWARDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – SOUTH SEACOAST DRIVE OVERLAY PROJECT [CIP# S08-101]; RTIP – MINOR STREET IMPROVEMENTS FY 07 AND FY 08. MOTION CARRIED BY THE FOLLOWING VOTE:**

**7.2 RESOLUTION NO. 2008-6580 – APPROVAL OF REGIONAL PROPOSITION A (TRANSNET), REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN. (0680-80)**

CITY MANAGER BROWN introduced and reported on the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

**MOTION BY BRAGG , SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2008-6580 – APPROVING THE CITY OF IMPERIAL BEACH, REGIONAL PROPOSITION A (TRANSNET), REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP), PROJECT PLAN AND ACCEPTING THE PROJECT PLAN AND DIRECTING STAFF TO INCLUDE THE PROJECT AS AN APPROVED CITY OF IMPERIAL BEACH CAPITAL IMPROVEMENT PROGRAM PROJECT AND THAT IT BE INCLUDED IN THE CURRENT "AMENDMENTS APPROVED FEBRUARY 6, 2008, FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FISCAL YEAR 2004/2005 THROUGH FISCAL YEAR 2008/2009." MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**7.3 REVIEW OF ENVIRONMENTAL IMPACT OF OPPORTUNISTIC BEACH FILL PROGRAM. (0120-90 & 0220-70)**

CITY MANAGER BROWN introduced the item.

COUNCILMEMBER WINTER announced that due to a potential conflict of interest on the Department Recommendation No. 2, she left Council Chambers at 7:27 p.m.

Discussion ensued regarding Recommendation No. 2.

MAXX STAHLHEIM, a member of Tidelands Advisory Committee, speaking as an individual, stated that the TAC received the same information on the SCOUP program as received by the City Council; he expressed concern as the environmental documents were not provided and the comment period ends March 12, the date of the next TAC meeting; he requested that a special TAC meeting be held in order to allow review of the environmental documents or that the public comment period be extended.

CITY MANAGER BROWN announced that City Council received a presentation regarding the SCOUP project (by Shelby Tucker of SANDAG and by Moffitt & Nichol) at a previous City Council meeting; staff also arranged to have the same presentation given to the TAC because the TAC was interested in sand matters.

Council discussion ensued. It was noted that since the item had already been presented to the City Council, there was no need to have the advisory committee comment on the item after the fact; holding a special meeting would not be a good expenditure of staff time and funds; it was suggested that the individual TAC members provide their comments prior to the deadline.

COMMUNITY DEVELOPMENT DIRECTOR WADE reported that the SCOUP project was presented to the TAC as an information item only and at that time, the TAC was advised that the MND would be out for public review. The amount of time that the TAC has had to review the MND is the same as the general public and members of the TAC are able to comment on it individually.

CITY ATTORNEY LOUGH noted that the deadline for the comment period cannot be changed.

**CONSENSUS OF COUNCILMEMBERS PRESENT TO NOT ASK ADVICE FROM THE TAC ON THE PROJECT; HOWEVER, ENCOURAGED TAC TO PROVIDE COMMENTS TO STAFF OR SANDAG AS INDIVIDUALS.**

COMMUNITY DEVELOPMENT DIRECTOR WADE noted that the SCOUP is a framework to bring projects to the participating cities; the individual projects as they come along will be presented to the TAC and City Council.

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

Discussion of Department Recommendation No. 1.

CITY MANAGER BROWN reported that the powers and duties of the Design Review Board are codified in the City's Municipal Code; however, the TAC's are not. He requested direction as to whether the City Attorney should continue to define the purview of the TAC.

CITY ATTORNEY LOUGH noted that due to current procedural issues, he spoke in support of integrating the TAC into the City's Municipal Code.

**CONSENSUS OF CITY COUNCIL TO HAVE THE CITY ATTORNEY TO CONTINUE HIS WORK TO PROSCRIBE TAC'S PURVIEW TO QUESTIONS REFERRED TO IT BY CITY COUNCIL OR CITY MANAGER.**

**7.4 RESOLUTION NOS. 2008-6585/R-08-141 – JOINT RESOLUTIONS OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, CALIFORNIA APPROVING A BUDGET AMENDMENT FOR COMPLETION OF FIRE STATION REMODEL AND PURCHASE OF FURNITURE AND OTHER ITEMS. (0910-40)**

CITY MANAGER BROWN introduced the item.

PUBLIC SAFETY DIRECTOR SOTELO gave a presentation on the item and responded to concerns of Council regarding costs and types of materials.

**MOTION BY BRAGG, SECOND BY MCCOY, TO ADOPT JOINT RESOLUTION NOS. 2008-6585 AND R-08-141 – APPROVING A BUDGET AMENDMENT FOR COMPLETION OF FIRE STATION REMODEL AND PURCHASE OF FURNITURE AND OTHER ITEMS. MOTION CARRIED BY THE FOLLOWING VOTE:**

## REPORTS OF MAYOR AND COUNCILMEMBERS

COUNCILMEMBER WINTER reported that Mayor Jerry Sanders will attend the upcoming Metro JPA meeting; she reported that power is being generated by a photovoltaic system at the South Bay Reclamation Plant; she also spoke about a water reclamation program at the Orange County Sanitary District for highly purified wastewater.

COUNCILMEMBER BRAGG reported that the Shoreline Preservation Working Group recommended a funding allocation methodology to the Regional Planning Group; jurisdictions would pay based on the amount of sand received, the percentage of miles received and population; Imperial Beach's allocation for fiscal year 2009 is $55,000.

COUNCILMEMBER MCCOY announced the General Manager for the Orange County Sanitary District is scheduled to give a presentation on the highly purified water process at the upcoming Borders Committee meeting.

MAYOR JANNEY reported that California-American Water will come forward with their conservation efforts and referred the matter to staff.

## ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:08 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk

*AGENDA ITEM NO. 2.2*

# STAFF REPORT
# CITY OF IMPERIAL BEACH

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

**MEETING DATE:** **March 5, 2008**

**ORIGINATING DEPT.:** **Michael McGrane**
**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 | Warrant | Amount | Explanation |
|---|---|---|---|
| Bert W. Salas | 65763 | $101,991.23 | NOLF Storm Drain Pipe |

**ENVIRONMENTAL IMPACT**
Not a project as defined by CEQA.
The following registers are submitted for Council ratification.

| WARRANT # | DATE | AMOUNT |
|---|---|---|
| **Accounts Payable:** | | |
| 65756-65810 | 01/31/08 | 242,077.27 |
| 65811-65884 | 02/08/08 | 125,738.92 |
| 65885-65923 | 02/14/08 | 85,567.68 |
| | | **$ 453,383.87** |

**Payroll Checks:**

| | | |
|---|---|---|
| 39326-39361 | P.P.E.01/31/08 | 127,149.28 |
| 39362-39403 | P.P.E.02/14/08 | 130,617.90 |
| | **SUB-TOTAL** | **$ 257,767.18** |
| | **TOTAL** | **$ 711,151.05** |

**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

Gary Brown, City Manager

Attachments:

1. Warrant Registers

ATTACHMENT 1



| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 01/31/2008 | 65756 | ACCOUNTEMPS | 70 | | | | 952.00 |
| 101-1210-413.21-01 | | 01/21/2008 | HARRIS,O W/E 01/18/08 | 20599412 | 080016 | 07/2008 | 952.00 |
| 01/31/2008 | 65757 | ADPI WEST INC | 1449 | | | | 21.00 |
| 101-3020-422.20-06 | | 01/30/2008 | COLL. ON EMER. SERVICES | INV2937 | | 07/2008 | 21.00 |
| 01/31/2008 | 65758 | ADVANCED ELECTRONIC SOLUTIONS2 | 1892 | | | | 2,900.00 |
| 504-1924-419.28-01 | | 01/21/2008 | AUDIO/VIDEO MISC | 142509 | 080529 | 07/2008 | 2,900.00 |
| 01/31/2008 | 65759 | AFLAC | 120 | | | | 176.70 |
| 101-6040-454.11-04 | | 01/26/2008 | JAN 2008 INS. PREMIUM | 709737 | | 07/2008 | 124.00 |
| 101-5010-431.11-04 | | 01/26/2008 | JAN 2008 INS. PREMIUM | 709737 | | 07/2008 | 43.30 |
| 101-1910-419.11-04 | | 01/26/2008 | JAN 2008 INS. PREMIUM | 709737 | | 07/2008 | 32.30 |
| 101-5010-431.11-04 | | 01/26/2008 | JAN 2008 INS. PREMIUM | 709737 | | 07/2008 | 11.10 |
| 101-0000-209.01-13 | | 01/26/2008 | JAN 2008 INS. PREMIUM | 709737 | | 07/2008 | 34.00- |
| 01/31/2008 | 65760 | ALL TEAM STAFFING, INC | 1801 | | | | 4,689.75 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 90.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 60.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 150.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 510.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 240.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 60.00 |
| 101-6040-454.21-01 | | 01/14/2008 | ROMERO,S W/E 01/11/08 | 1000112 | 080304 | 07/2008 | 90.00 |
| 101-1910-419.20-06 | | 12/03/2007 | MARTINEZ,H W/E 11/30/07 | 1000069 | 080304 | 06/2008 | 1,757.25 |
| 101-1910-419.20-07 | | 11/19/2007 | MARTINEZ, H W/E 11/18/07 | 1000046 | 080304 | 05/2008 | 1,732.50 |
| 01/31/2008 | 65761 | APCD COUNTY OF SAN DIEGO | 248 | | | | 881.00 |
| 501-1921-419.28-13 | | 01/15/2008 | ANNUAL PERMIT FEE | 97105082 | 080790 | 07/2008 | 70.00 |
| 601-5060-436.28-13 | | 01/15/2008 | ANNUAL PERMIT FEE | 97105082 | 080790 | 07/2008 | 500.00 |
| 601-5060-436.28-13 | | 01/15/2008 | ANNUAL PERMIT FEES | 97105248 | 080791 | 07/2008 | 311.00 |
| 01/31/2008 | 65762 | BAY CITY ELECTRIC WORKS | 369 | | | | 652.25 |
| 101-1910-419.20-06 | | 01/10/2008 | LABOR STRAIGHT TIME | 12856 | 080066 | 07/2008 | 196.00 |
| 101-1910-419.21-04 | | 01/07/2008 | MONTHLY MAINTENANCE | 13313 | 080707 | 07/2008 | 456.25 |
| 01/31/2008 | 65763 | BERT W SALAS, INC | 1884 | | | | 101,991.23 |
| 601-5060-536.20-06 | | 11/02/2007 | NOLF STORM DRAIN PIPE | 2007-76 | 080535 | 05/2008 | 101,991.23 |
| 01/31/2008 | 65764 | CALIFORNIA AMERICAN WATER | 612 | | | | 4,510.54 |
| 101-6020-452.27-02 | | 01/17/2008 | 05-0109756-2 11/13-01/14 | 02-05-2008 | | 07/2008 | 293.29 |
| 101-5010-431.27-02 | | 01/18/2008 | 05-0110529-0 11/14-01/15 | 02-06-2008 | | 07/2008 | 92.65 |
| 101-6020-452.27-02 | | 01/18/2008 | 05-0111454-0 11/14-01/15 | 02-06-2008 | | 07/2008 | 30.39 |
| 101-1910-419.27-02 | | 01/18/2008 | 05-0111478-9 11/14-01/15 | 02-06-2008 | | 07/2008 | 123.25 |
| 101-6020-452.27-02 | | 01/18/2008 | 05-0111479-7 11/14-01/15 | 02-06-2008 | | 07/2008 | 974.54 |
| 101-5010-431.27-02 | | 01/18/2008 | 05-0111480-5 11/14-01/15 | 02-06-2008 | | 07/2008 | 168.76 |
| 101-5010-431.27-02 | | 01/21/2008 | 05-0114717-7 11/16-01/16 | 02-11-2008 | | 07/2008 | 20.80 |
| 101-5010-431.27-02 | | 01/21/2008 | 05-0115202-9 11/16-01/16 | 02-11-2008 | | 07/2008 | 18.42 |
| 101-6020-452.27-02 | | 01/21/2008 | 05-0115205-2 11/16-01/16 | 02-11-2008 | | 07/2008 | 696.74 |

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| 101-1910-419.27-02 | | 01/21/2008 | 05-0115206-0 11/16-01/16 | 02-11-2008 | | 07/2008 | 214.26 |
| 101-1910-419.27-02 | | 01/21/2008 | 05-0115208-6 11/16-01/16 | 02-11-2008 | | 07/2008 | 219.04 |
| 101-1910-419.27-02 | | 01/21/2008 | 05-0115210-2 11/16-01/16 | 02-11-2008 | | 07/2008 | 36.94 |
| 101-5010-431.27-02 | | 01/21/2008 | 05-0115214-4 11/16-01/16 | 02-11-2008 | | 07/2008 | 13.62 |
| 601-5060-436.27-02 | | 01/21/2008 | 05-0115249-0 11/16-01/16 | 02-11-2008 | | 07/2008 | 13.62 |
| 101-3020-422.27-02 | | 01/21/2008 | 05-0115211-0 11/16-01/16 | 02-11-2008 | | 07/2008 | 216.66 |
| 101-3030-423.27-02 | | 01/16/2008 | 05-0155019-8 12/11-01/10 | 02-04-2008 | | 07/2008 | 19.54 |
| 101-5030-433.27-02 | | 01/16/2008 | 05-0155037-0 12/12-01/11 | 02-04-2008 | | 07/2008 | 89.12 |
| 601-5060-436.27-02 | | 01/21/2008 | 05-0155649-2 12/13-01/15 | 02-11-2008 | | 07/2008 | 103.95 |
| 601-5050-436.27-02 | | 01/21/2008 | 05-0392478-9 11/12-01/17 | 02-11-2008 | | 07/2008 | 20.73 |
| 101-5020-432.27-02 | | 01/21/2008 | 05-0424056-5 11/16-01/16 | 02-11-2008 | | 07/2008 | 44.13 |
| 101-6020-452.27-02 | | 01/21/2008 | 05-0477133-8 11/16-01/16 | 02-11-2008 | | 07/2008 | 309.94 |
| 101-6020-452.27-02 | | 01/15/2008 | 05-0106225-1 11/09-01/10 | 02-04-2008 | | 07/2008 | 30.39 |
| 101-6020-452.27-02 | | 01/15/2008 | 05-0106336-6 11/09-01/10 | 02-04-2008 | | 07/2008 | 47.14 |
| 101-6020-452.27-02 | | 01/15/2008 | 05-0106337-4 11/09-01/10 | 02-04-2008 | | 07/2008 | 18.42 |
| 101-6020-452.27-02 | | 01/15/2008 | 05-0106249-1 11/09-01/10 | 02-04-2008 | | 07/2008 | 16.01 |
| 215-6026-452.27-02 | | 01/11/2008 | 05-0402959-6 11/07-01/082 | 01-30-2008 | | 07/2008 | 171.05 |
| 601-5060-436.27-02 | | 01/21/2008 | 05-0505362-9 12/13-01/15 | 02-11-2008 | | 07/2008 | 357.60 |
| 101-6020-452.27-02 | | 01/22/2008 | 05-0114612-0 11/16-01/17 | 02-11-2008 | | 07/2008 | 83.07 |
| 101-5010-431.27-02 | | 01/22/2008 | 05-0115949-5 11/15-01/17 | 02-11-2008 | | 07/2008 | 16.01 |
| 101-5010-431.27-02 | | 01/22/2008 | 05-0115950-3 11/15-01/17 | 02-11-2008 | | 07/2008 | 18.42 |
| 101-5010-431.27-02 | | 01/22/2008 | 05-0116368-7 11/15-01/17 | 02-11-2008 | | 07/2008 | 18.42 |
| 101-6020-452.27-02 | | 01/22/2008 | 05-0117419-7 11/19-01/17 | 02-11-2008 | | 07/2008 | 13.62 |
| 01/31/2008 | 65765 | CDW GOVERNMENT INC | 725 | | | | 1,197.12 |
| 101-5020-432.30-02 | | 12/21/2007 | AUTODESK AUTOCAD | HVW2369 | 080693 | 06/2008 | 860.93 |
| 503-1923-419.50-04 | | 12/26/2007 | OPERATIONS SUPPLY | HWG0263 | 080709 | 06/2008 | 280.16 |
| 503-1923-419.30-02 | | 11/30/2007 | TEAC INT CD ROM | HQH9200 | 080632 | 05/2008 | 56.03 |
| 01/31/2008 | 65766 | CHULA VISTA ALARM & MONITORING | 797 | | | | 55.00 |
| 101-1910-419.20-23 | | 01/02/2008 | ALARM MONITORING | 6801 | 080098 | 07/2008 | 30.00 |
| 101-1910-419.20-23 | | 01/02/2008 | ALARM MONITORING | 6836 | 080098 | 07/2008 | 25.00 |
| 01/31/2008 | 65767 | CHULA VISTA ELECTRIC CO | 1859 | | | | 3,729.00 |
| 101-3020-422.50-04 | | 12/31/2007 | 7 NEW CAT 5E SINGLE | 742 | 080627 | 06/2008 | 1,934.00 |
| 101-3020-422.50-04 | | 12/31/2007 | PVC SCH40 CONDUIT | 743 | 080627 | 06/2008 | 1,795.00 |
| 01/31/2008 | 65768 | CITY OF CHULA VISTA | 823 | | | | 11,623.16 |
| 101-3050-425.21-04 | | 01/30/2008 | ANIMAL CONTROL SERVICES | AR123477 | | 07/2008 | 11,623.16 |
| 01/31/2008 | 65769 | COX COMMUNICATIONS | 1073 | | | | 179.00 |
| 503-1923-419.21-04 | | 01/22/2008 | INTERNET CHARGES | 01-22-2008 | 080034 | 07/2008 | 179.00 |
| 01/31/2008 | 65770 | CULLIGAN WATER CO. OF SAN DIEG | 1112 | | | | 18.95 |
| 101-1210-413.30-02 | | 01/17/2008 | RENTAL BW CO | 18654831 | 080186 | 07/2008 | 18.95 |
| 01/31/2008 | 65771 | D.A.R. CONTRACTORS | 1122 | | | | 347.00 |
| 101-3050-425.20-06 | | 01/04/2008 | REMOVAL&DISP.OFDEAD ANIMA | 01-04-2008 | 080365 | 07/2008 | 347.00 |
| 01/31/2008 | 65772 | DATA CAREERS PERSONNEL SERVICE | 1839 | | | | 1,068.75 |
| 503-1923-419.21-01 | | 12/05/2007 | SANDOVALC&ALLISONRW/E12/4 | 8775 | 080183 | 06/2008 | 1,068.75 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME / VENDOR # | CHECK AMOUNT |
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| ACCOUNT # | TRN DATE | DESCRIPTION / INVOICE / PO # / PER/YEAR | TRN AMOUNT |
| 01/31/2008 | 65773 | DATAQUICK 1134 | 45.95 |
| 101-3020-422.21-04 | 01/02/2008 | INTERNET SERVICE / B1-1172431 / 080246 / 07/2008 | 20.33 |
| 101-3020-422.21-04 | 12/03/2007 | INTERNET SERVICE / B1-1152663 / 080246 / 06/2008 | 25.62 |
| 01/31/2008 | 65774 | DEPARTMENT OF MOTOR VEHICLES 1771 | 15.00 |
| 101-1210-413.30-02 | 01/29/2008 | OPERATING SUPPLIES / 01-25-2008 / 07/2008 | 15.00 |
| 01/31/2008 | 65775 | DRIVER ALLIANT INS SVCS 1193 | 1,581.64 |
| 101-0000-209.01-13 | 12/27/2007 | PPE 12/20/07 / 20071227 / 06/2008 | 321.60 |
| 101-0000-209.01-14 | 12/27/2007 | PPE 12/20/07 / 20071227 / 06/2008 | 537.00 |
| 101-1010-411.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 21.32 |
| 101-1020-411.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 36.50 |
| 101-1110-412.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 94.28 |
| 101-1130-412.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 22.11 |
| 101-1210-413.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 51.24 |
| 101-1230-413.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 26.33 |
| 101-3070-427.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | .70 |
| 101-3080-428.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | .70 |
| 101-1910-419.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 101-3010-421.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 12.10 |
| 101-3020-422.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 49.51 |
| 101-3030-423.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 42.67 |
| 101-3040-424.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 24.57 |
| 101-5020-432.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 56.16 |
| 101-5010-431.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 17.55 |
| 101-5040-434.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 4.91 |
| 101-6020-452.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 101-6010-451.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 101-6040-454.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 17.55 |
| 245-1240-413.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 405-1260-413.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 133.52 |
| 405-5030-433.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 601-5060-436.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 17.55 |
| 601-5050-436.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 19.66 |
| 501-1921-419.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.02 |
| 502-1922-419.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 7.79 |
| 503-1923-419.11-04 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 23.16 |
| 101-0000-209.01-14 | 01/30/2008 | JANUARY 2008 LTD / 01-31-2008 / 07/2008 | 1.04 |
| 01/31/2008 | 65776 | DRUG TESTING NETWORK INC 1195 | 259.95 |
| 101-1130-412.21-04 | 12/12/2007 | ADMIN MAINTENANCE FEE / 33078 / 080712 / 06/2008 | 200.00 |
| 101-1130-412.21-04 | 12/17/2007 | DRUG TEST / 33163 / 080712 / 06/2008 | 59.95 |
| 01/31/2008 | 65777 | EYE/COMM 1891 | 342.00 |
| 101-1920-419.21-04 | 01/25/2008 | MAILING SERVICES FOR NEWS / 22721 / F08090 / 07/2008 | 171.00 |
| 405-1260-413.21-04 | 01/28/2008 | NEWSLETTER MAILING & POST / 22721A / F08091 / 07/2008 | 171.00 |
| 01/31/2008 | 65778 | GCR TIRE CENTERS 1702 | 639.53 |
| 501-1921-419.28-16 | 01/25/2008 | FS560 PLUS RAD / 40161 / 080153 / 07/2008 | 639.53 |

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| 01/31/2008 | 65779 | HANSON AGGREGATES INC. | 48 | | | | 1,169.01 |
| 101-5010-431.30-02 | | 01/14/2008 | 5.53SK PUMP | 458830 | 080080 | 07/2008 | 1,169.01 |
| 01/31/2008 | 65780 | IMPERIAL BEACH TROPHIES | 319 | | | | 26.94 |
| 101-1010-411.28-11 | | 01/15/2008 | COUNCIL CHAMBERS NAME PLA | 1851 | F08087 | 07/2008 | 26.94 |
| 01/31/2008 | 65781 | JESSOP & SON LANDSCAPING | 479 | | | | 2,960.90 |
| 101-6010-451.21-04 | | 01/29/2008 | LANDSCAPING&MAINTENANCE | 388304 | 080201 | 07/2008 | 2,960.90 |
| 01/31/2008 | 65782 | LEAGUE OF CALIF CITIES | 761 | | | | 9,534.00 |
| 101-1110-412.28-12 | | 12/19/2007 | MEMBERSHIP DUES | 69687 | 080775 | 06/2008 | 9,534.00 |
| 01/31/2008 | 65783 | LIGHTHOUSE, INC | 787 | | | | 17.78 |
| 501-1921-419.30-02 | | 01/24/2008 | EQUIPMENT SUPPLIES | 2037407 | 080083 | 07/2008 | 17.78 |
| 01/31/2008 | 65784 | LLOYD PEST CONTROL | 814 | | | | 47.00 |
| 101-1910-419.20-22 | | 11/21/2007 | PEST CONTROL | 1444404 | 080174 | 05/2008 | 47.00 |
| 01/31/2008 | 65785 | MCDOUGAL LOVE ECKIS & | 962 | | | | 3,546.67 |
| 245-1240-413.20-01 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 932.03 |
| 405-1260-413.20-01 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 339.58 |
| 101-1220-413.20-01 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 1,004.29 |
| 101-1220-413.21-04 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 260.10 |
| 101-1220-413.21-04 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 36.13 |
| 502-1922-419.20-01 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 425.44 |
| 502-1922-419.20-01 | | 01/29/2008 | LEGAL SERVICES 4 DEC'07 | 12-31-2007 | | 07/2008 | 549.10 |
| 01/31/2008 | 65786 | NASLAND ENGINEERING | 1656 | | | | 16,587.28 |
| 408-1920-519.20-06 | | 12/31/2007 | PROFESSIONAL SERVICES | 85244 | 071139 | 06/2008 | 8,943.58 |
| 408-1920-519.20-06 | | 12/31/2007 | PROFESSIONAL SERVICES | 85111 | 071139 | 06/2008 | 7,643.70 |
| 01/31/2008 | 65787 | EDWARD JOE OCHOA | 1774 | | | | 955.00 |
| 408-1920-519.20-06 | | 01/17/2008 | LIGHT FIXTURES | 1012 | 080776 | 07/2008 | 955.00 |
| 01/31/2008 | 65788 | PARTNERSHIP WITH INDUSTRY | 1302 | | | | 1,120.71 |
| 101-6040-454.21-04 | | 01/17/2008 | PROJECT CODES&COST | SBG01232 | 080185 | 07/2008 | 1,120.71 |
| 01/31/2008 | 65789 | PRAXAIR DISTRIBUTION INC | 1652 | | | | 103.19 |
| 101-3020-422.30-02 | | 01/30/2008 | OPERATING SUPPLIES | 27916354 | | 07/2008 | 103.19 |
| 01/31/2008 | 65790 | PREFERRED BENEFIT INS ADMIN IN | 37 | | | | 1,078.64 |
| 101-0000-209.01-12 | | 12/27/2007 | PPE 12/20/07 | 20071227 | | 06/2008 | 995.03 |
| 101-0000-209.01-12 | | 01/29/2008 | JANUARY 2008 DENTAL INS. | 01-31-2008 | | 07/2008 | 33.24 |
| 101-0000-209.01-12 | | 01/29/2008 | JANUARY 2008 DENTAL INS. | 01-31-2008 | | 07/2008 | 50.37 |
| 01/31/2008 | 65791 | RANCHO AUTO & TRUCK PARTS | 1685 | | | | 262.87 |
| 501-1921-419.28-16 | | 01/23/2008 | DODGE TRUCK PARTS | D304436 | 080152 | 07/2008 | 200.12 |
| 501-1921-419.28-16 | | 01/24/2008 | AUTO PARTS | D304594 | 080152 | 07/2008 | 62.75 |
| 01/31/2008 | 65792 | RBF CONSULTING | 1756 | | | | 28,426.00 |
| 405-1260-513.20-06 | | 03/23/2007 | PROFESSIONAL SERVICES | 7020903 | 070418 | 07/2008 | 1,010.00 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME / VENDOR # | DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
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| 405-1260-513.20-06 | | 04/27/2007 | PROFESSIONAL SERVICES | 7031382 | 070418 | 07/2008 | 625.00 |
| 405-1260-513.20-06 | | 04/27/2007 | PROFESSIONAL SERVICES | 7030567 | 070418 | 07/2008 | 8,507.00 |
| 405-1260-513.20-06 | | 06/22/2007 | PROFESSIONAL SERVICES | 7050526 | 070418 | 07/2008 | 698.75 |
| 405-1260-513.20-06 | | 06/25/2007 | PROFESSIONAL SERVICES | 7040619 | 070418 | 07/2008 | 1,521.00 |
| 405-1260-513.20-06 | | 08/24/2007 | PROFESSIONAL SERVICES | 7071385 | 070418 | 07/2008 | 5,760.75 |
| 405-1260-513.20-06 | | 12/21/2007 | PROFESSIONAL SERVICE | 7111072 | 070418 | 06/2008 | 2,998.00 |
| 405-1260-513.20-06 | | 09/21/2007 | PROFESSIONAL SERVICES | 7080650 | 070418 | 03/2008 | 1,722.00 |
| 405-1260-513.20-06 | | 07/27/2007 | PROFESSIONAL SERVICES | 7060752 | 070418 | 01/2008 | 4,162.50 |
| 405-1260-513.20-06 | | 06/22/2007 | PROFWESSIONAL SERVICES | 7051095 | 070418 | 07/2008 | 1,421.00 |
| 01/31/2008 | 65793 | SCRIPPS HEALTH | 1330 | | | | 4,620.00 |
| 101-3020-422.21-04 | | 01/30/2008 | EMT&PARAMEDIC CARE AUDITS | 01-31-2008 | | 07/2008 | 4,620.00 |
| 01/31/2008 | 65794 | SKS INC. | 412 | | | | 2,822.88 |
| 501-1921-419.28-15 | | 01/17/2008 | 807GAL UNL&202.4GAL DIESL | 1215699-IN | 080151 | 07/2008 | 2,822.88 |
| 01/31/2008 | 65795 | STANDARD ELECTRONICS | 504 | | | | 450.00 |
| 101-1910-419.20-23 | | 01/07/2008 | MONITORING AGREEMENT | 10385 | 080144 | 07/2008 | 90.00 |
| 101-1910-419.20-23 | | 01/07/2008 | MONITORING AGREEMENT | 10392 | 080144 | 07/2008 | 360.00 |
| 01/31/2008 | 65796 | STATE BOARD OF EQUALIZATION | 523 | | | | 48.00 |
| 101-0000-211.01-02 | | 01/30/2008 | 2007 SALES TAX | 01-31-2008 | | 07/2008 | 48.00 |
| 01/31/2008 | 65797 | STRATACOM | 546 | | | | 1,714.14 |
| 101-3010-421.28-11 | | 01/28/2008 | PARKING VIOLATION BOOKS | 1071817 | | 07/2008 | 1,714.14 |
| 01/31/2008 | 65798 | TAPIA, ANTONIO & TERESA | 2 | | | | 237.50 |
| 101-0000-321.72-10 | | 01/25/2008 | OL REFUNDS | 0002587 | | 07/2008 | 237.50 |
| 01/31/2008 | 65799 | THYSSENKRUPP ELEVATOR | 663 | | | | 191.85 |
| 101-3030-423.21-04 | | 01/01/2008 | CONTRACT SERVICES | 1037023511 | 080330 | 07/2008 | 191.85 |
| 01/31/2008 | 65800 | TUBAO, GERIMIANO & ANGELES | 2 | | | | 130.00 |
| 101-0000-321.72-10 | | 01/28/2008 | OL REFUNDS | 0006132 | | 07/2008 | 40.00 |
| 101-0000-323.71-01 | | 01/28/2008 | OL REFUNDS | 0006132 | | 07/2008 | 20.00 |
| 101-0000-323.71-01 | | 01/28/2008 | OL REFUNDS | 0006132 | | 07/2008 | 50.00 |
| 101-0000-321.72-10 | | 01/28/2008 | OL REFUNDS | 0006132 | | 07/2008 | 20.00 |
| 65801-65806- | | VOIDED | | | | | |
| 01/31/2008 | 65807 | U.S. BANK | 1873 | | | | 21,492.99 |
| 101-1020-411.28-04 | | 01/22/2008 | EXPRESS JET CONFERENCE | 12-01-2007 | 080658 | 06/2008 | 60.34 |
| 101-1020-411.30-01 | | 11/30/2007 | OFFICE SUPPLIES | 11-30-2007 | 080658 | 06/2008 | 47.40 |
| 101-1020-411.28-04 | | 12/01/2007 | EXPRESS JET CONFERENCE | 12-01-2007 | 080658 | 06/2008 | 50.00 |
| 101-1020-411.29-02 | | 12/07/2007 | GIFT CARDS | 12-07-2007 | 080658 | 06/2008 | 75.00 |
| 101-1020-411.28-11 | | 12/06/2007 | PRINS FROM MICROFICHE | 40367 | 080658 | 06/2008 | 297.39 |
| 101-1020-411.29-02 | | 01/15/2008 | GIFT CARD 4 EMPLY RECOGNT | 01-15-2008 | 080658 | 06/2008 | 15.00 |
| 101-1020-411.28-04 | | 12/05/2007 | NEW LAW SEMINAR ACCOMODTN | 12-05-2007 | 080659 | 06/2008 | 374.12 |
| 101-1020-411.28-04 | | 12/05/2007 | NEW LAW SEMINAR DINNER | 12-05-2007 | 080659 | 06/2008 | 24.40 |
| 101-1130-412.30-02 | | 12/14/2007 | LUNCH FOR ICMA REP | 034931 | 080659 | 06/2008 | 5.78 |
| 101-3070-427.28-04 | | 11/21/2007 | H.T.E SEMINAR | 11-21-2007 | 080660 | 06/2008 | 50.00 |
| 101-3070-427.28-04 | | 12/05/2007 | HOTEL STAY 4 HTE SEMINAR | 021081 | 080660 | 06/2008 | 117.34 |

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| 101-1230-413.28-04 | 12/05/2007 | HOTEL STAY 4 HTE SEMINAR | 021081 | 080660 | 06/2008 | 234.66 |
| 405-1260-413.28-09 | 12/06/2007 | RDA MAILING | 003143 | 080662 | 06/2008 | 61.45 |
| 101-1910-419.30-02 | 01/09/2008 | EXIT SIGNS FOR MVC | S2821995 | 080639 | 06/2008 | 435.06 |
| 601-5060-436.28-12 | 12/12/2007 | CWEA MEMBERSHIP FEES | 115612 | 080634 | 06/2008 | 110.00 |
| 601-5060-436.30-02 | 12/14/2007 | AEROKROIL (12 CANS) | 75980920 | 080634 | 06/2008 | 111.98 |
| 101-5010-431.30-02 | 12/13/2007 | BLACKTOP PATCH | 052862/9612794 | 080635 | 06/2008 | 240.82 |
| 101-1910-419.30-02 | 12/04/2007 | CAT5 CABLE&GRAFFITI PAINT | 029148/8582503 | 080636 | 06/2008 | 19.98 |
| 101-5030-433.30-02 | 12/04/2007 | CAT5 CABLE&GRAFFITI PAINT | 029148/8582503 | 080636 | 06/2008 | 27.39 |
| 101-5030-433.30-02 | 12/04/2007 | ROLLER/SLEVES | 655179 | 080636 | 06/2008 | 22.41 |
| 101-1910-419.28-01 | 12/06/2007 | GATE KEY REPAIR | 4833 | 080636 | 06/2008 | 40.00 |
| 101-6020-452.30-02 | 12/13/2007 | PAINT FOR PLAYGROUND | 045814/9570535 | 080636 | 06/2008 | 17.56 |
| 101-1910-419.21-04 | 12/12/2007 | SAFETY CENTER DRAWINGS | 0000339541 | 080637 | 06/2008 | 51.61 |
| 101-5030-433.30-02 | 12/03/2007 | NEW EMPLOYEE KEY | 072034 | 080638 | 06/2008 | 7.49 |
| 101-5030-433.28-01 | 12/03/2007 | PRESSURE WASHER GUNS/HAND | 12-03-2007 | 080638 | 06/2008 | 129.19 |
| 101-5030-433.30-02 | 12/11/2007 | GRAFFITI SUPPLIES | 057237/1042023 | 080638 | 06/2008 | 84.05 |
| 405-1260-513.20-06 | 12/03/2007 | CIP SUPPLIES 4 P/W | 083317/9041700 | 080639 | 06/2008 | 31.46 |
| 405-1260-513.20-06 | 12/04/2007 | CIP SUPPLIES FOR P/W | 022974/8022072 | 080639 | 06/2008 | 94.44 |
| 405-1260-513.20-06 | 12/13/2007 | CIP SUPPLIES FOR P/W | 061891/9020263 | 080639 | 06/2008 | 29.83 |
| 405-1260-513.20-06 | 12/14/2007 | CIP SUPPLIES FOR P/W | 005900/8030528 | 080639 | 06/2008 | 27.58 |
| 405-1260-513.20-06 | 12/17/2007 | CIP SUPPLIES FOR P/W | 045615/5030577 | 080639 | 06/2008 | 61.97 |
| 405-1260-513.20-06 | 12/18/2007 | CIP SUPLIES FOR P/W | 002258/4010741 | 080639 | 06/2008 | 81.77 |
| 405-1260-513.20-06 | 12/18/2007 | CIP SUPPLIES FOR P/W | 006708/4021079 | 080639 | 06/2008 | 63.96 |
| 101-5020-432.30-01 | 12/07/2007 | CALENDAR | 12-07-2007 | 080642 | 06/2008 | 15.07 |
| 501-1921-419.29-04 | 12/13/2007 | UNLEADED GAS | 403220 | 080642 | 06/2008 | 8.15 |
| 101-5020-432.29-02 | 12/17/2007 | GIFT CERTIFICATE | 077459 | 080642 | 06/2008 | 75.00 |
| 101-6040-454.30-02 | 12/03/2007 | GFI OUTLETS | 057173/9592773 | 080643 | 06/2008 | 243.37 |
| 101-6040-454.30-02 | 12/03/2007 | 70W HPS BALLASTS | 069795 | 080643 | 06/2008 | 183.06 |
| 101-6040-454.30-02 | 12/03/2007 | LATEX PROTECTIVE GLOVES | 0121573 | 080644 | 06/2008 | 239.64 |
| 101-6040-454.30-02 | 12/04/2007 | REPLACEMENT "DOLLY" WHEEL | 084284/8194472 | 080644 | 06/2008 | 14.31 |
| 101-6040-454.30-02 | 12/04/2007 | HOSE REPAIR PARTS | 4524521 | 080644 | 06/2008 | 15.66 |
| 101-6040-454.30-02 | 12/05/2007 | PIER LIGHT FUSES | 044247 | 080644 | 06/2008 | 87.45 |
| 101-6040-454.30-02 | 12/05/2007 | PIER LIGHT FUSES | 12-05-2007 | 080644 | 06/2008 | 118.96 |
| 101-6040-454.30-02 | 12/13/2007 | TOILET PAPER&LINERS | MP03R-00 | 080645 | 06/2008 | 473.85 |
| 101-6040-454.30-02 | 12/13/2007 | TOILETRIES | 270284 | 080645 | 06/2008 | 96.65 |
| 101-6040-454.30-02 | 12/13/2007 | BACKFLOW CAGE&BRACKET | 92209 | 080645 | 06/2008 | 168.09 |
| 101-6040-454.30-02 | 12/13/2007 | SCREWS,NUTS&WASHERS | 93427 | 080645 | 06/2008 | 8.72 |
| 101-6040-454.30-02 | 12/19/2007 | PINE OIL | 057026 | 080645 | 06/2008 | 27.07 |
| 101-6040-454.30-02 | 12/20/2007 | TOILET PAPER&LINER | MQ42F-00 | 080645 | 06/2008 | 480.14 |
| 601-5060-436.30-02 | 12/18/2007 | WORKPORT JACKET | 049643-00 | 080647 | 06/2008 | 105.60 |
| 101-5020-432.30-01 | 12/06/2007 | LASER CATRIDGES | 12-06-2007 | 080652 | 06/2008 | 259.65 |
| 101-5020-432.30-01 | 12/07/2007 | TONER CATRIDGE | 411766435 | 080652 | 06/2008 | 89.42 |
| 101-5020-432.30-01 | 12/18/2007 | OFFICE SUPPLIES | 12-18-2007 | 080652 | 06/2008 | 149.66 |
| 501-1921-419.28-01 | 12/10/2007 | GLASS REPLACEMENT | CV14518 | 080654 | 06/2008 | 120.00 |
| 405-1260-513.20-06 | 12/05/2007 | CAT5 CABLE 4 P/W BLDG | 042782/7582619 | 080656 | 06/2008 | 21.53 |
| 101-5020-432.28-04 | 12/06/2007 | TRAINING -SSMP WORKSHOP | 12-06-2007 | 080656 | 06/2008 | 155.00 |
| 101-5020-432.30-01 | 12/07/2007 | S/D COUNTY STREET MAP | 041251 | 080656 | 06/2008 | 26.88 |
| 101-5020-432.28-04 | 12/09/2007 | CWEA WORKSHOP-FUEL4TRUCK | 446104 | 080656 | 06/2008 | 42.26 |
| 101-5020-432.28-04 | 12/11/2007 | APWA MEMBERSHIP FEES | 12-11-2007 | 080656 | 06/2008 | 139.00 |
| 101-6020-452.30-02 | 12/04/2007 | GRASS SEED TOPPER | 026604/8194453 | 080657 | 06/2008 | 78.36 |
| 101-6020-452.30-02 | 12/05/2007 | GRASS SEED | 027681/7194514 | 080657 | 06/2008 | 33.57 |

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| ACCOUNT # | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | TRN AMOUNT |
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| 101-6020-452.30-02 | 12/06/2007 | PVC FITTINGS&SPRAY HEAD | 023708 | 080657 | 06/2008 | 112.66 |
| 101-6020-452.30-02 | 12/13/2007 | RAIN JACKET&FIX FITTINGS | 055682/9030480 | 080657 | 06/2008 | 39.08 |
| 101-6020-452.30-02 | 12/18/2007 | PLAYGROUND EQUIPMENT | 12-18-2007 | 080657 | 06/2008 | 54.29 |
| 101-1230-413.30-01 | 12/07/2007 | OFFICE SUPPLIES | 12-07-2007 | 080664 | 06/2008 | 20.43 |
| 101-3040-424.30-01 | 12/07/2007 | OFFICE SUPPLIES | 12-07-2007 | 080664 | 06/2008 | 18.30 |
| 405-1260-413.30-01 | 12/07/2007 | OFFICE SUPPLIES | 12-07-2007 | 080664 | 06/2008 | 30.15 |
| 101-1230-413.28-11 | 12/10/2007 | PRINTED ENVELOPES | 034617 | 080664 | 06/2008 | 105.06 |
| 101-3040-424.28-04 | 12/03/2007 | HTE CONFERENCE REGISTRATN | 12-03-2007 | 080666 | 06/2008 | 75.00 |
| 245-1240-413.28-09 | 12/18/2007 | RDA MAILING | 002247 | 080666 | 06/2008 | 9.38 |
| 405-1260-413.28-09 | 12/18/2007 | RDA MAILING | 002247 | 080666 | 06/2008 | 37.51 |
| 101-1230-413.28-04 | 12/20/2007 | PLANNING LUNCHEON | 1026319 | 080666 | 06/2008 | 53.88 |
| 101-1010-411.28-04 | 12/05/2007 | METRO WASTEWATER | 0014 | 080676 | 06/2008 | 20.00 |
| 101-1920-419.30-02 | 11/30/2007 | WREATH SPRAY PAINT | 089801/2071704 | 080636 | 06/2008 | 154.86 |
| 101-1910-419.30-02 | 11/22/2007 | EXIT SIGNS FOR MVC | S2821023.003 | 080639 | 06/2008 | 291.18 |
| 405-1260-513.20-06 | 11/27/2007 | CIP SUPPLIES | 002907/5021053 | 080639 | 06/2008 | 26.41 |
| 405-1260-513.20-06 | 11/28/2007 | CIP SUPPLIES | 022268/4010014 | 080639 | 06/2008 | 44.93 |
| 405-1260-513.20-06 | 11/28/2007 | CIP SUPPLIES 4 P/W | 041240/4010058 | 080639 | 06/2008 | 37.96 |
| 405-1260-513.20-06 | 11/29/2007 | CIP SUPPLIES 4 P/W | 046505/3010175 | 080639 | 06/2008 | 20.95 |
| 405-1260-513.20-06 | 11/30/2007 | CIP SUPPLIES | 016534/2041511 | 080639 | 06/2008 | 15.65 |
| 101-6040-454.30-02 | 11/26/2007 | STEEL 4 BACKFLOW CAGE | 000007 | 080643 | 06/2008 | 140.92 |
| 101-6040-454.30-02 | 11/27/2007 | BACKFLOW CAGE STEEL | 057943/5574498 | 080643 | 06/2008 | 13.64 |
| 101-6040-454.30-02 | 11/26/2007 | LIGHT COVERS | 1069-555781 | 080645 | 06/2008 | 120.56 |
| 101-6040-454.30-02 | 11/27/2007 | TOILET PAPER&STEEL LINER | MK577-00 | 080645 | 06/2008 | 473.85 |
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| 101-5010-431.30-02 | 11/02/2007 | STORM DRAIN GRATE FRAME | 0089245-IN | 080650 | 06/2008 | 156.24 |
| 101-5020-432.30-01 | 11/12/2007 | LETTER CASES&CARD STOCK | 272875 | 080652 | 06/2008 | 219.59 |
| 101-5020-432.30-01 | 11/21/2007 | OFFICE SUPPLIES | 11-21-2007 | 080652 | 06/2008 | 62.99 |
| 502-1922-419.28-17 | 11/27/2007 | GRILLE&BUMPER TIDELANDS | SD030860 | 080654 | 06/2008 | 249.99 |
| 101-1920-419.30-02 | 11/16/2007 | LIGHTED WREATHS | 11-16-2007 | 080656 | 06/2008 | 80.75 |
| 101-5020-432.28-04 | 11/27/2007 | 2006 GREENBOOK | 11-27-2007 | 080656 | 06/2008 | 55.36 |
| 101-5020-432.28-04 | 11/27/2007 | EMPLOYEE EVALTNS REF.GUID | 11-27-2007 | 080656 | 06/2008 | 34.97 |
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| 101-1920-419.30-02 | 11/30/2007 | LIGHTED WREATHS | 092982/2120767 | 080656 | 06/2008 | 307.93 |
| 101-1230-413.30-01 | 11/27/2007 | OFFICE SUPPLIES | 11-27-2007 | 080664 | 06/2008 | 98.85 |
| 101-3070-427.30-01 | 11/27/2007 | OFFICE SUPPLIES | 11-27-2007 | 080664 | 06/2008 | 14.63 |
| 405-1260-413.30-01 | 11/27/2007 | OFFICE SUPPLIES | 11-27-2007 | 080664 | 06/2008 | 10.77 |
| 101-1230-413.28-04 | 11/29/2007 | PLANNING/CD LUNCHEON | 064340 | 080664 | 06/2008 | 184.62 |
| 101-1230-413.28-04 | 11/21/2007 | HTE SEMINAR | WT120407REG8778 | 080666 | 06/2008 | 50.00 |
| 101-1230-413.28-04 | 11/21/2007 | HTE SEMINAR | WT120407REG8779 | 080666 | 06/2008 | 50.00 |
| 408-5020-432.30-02 | 09/07/2007 | PW COSTBOOK PURCHASE | 1-00219859 | 080637 | 03/2008 | 113.54 |
| 408-5020-432.30-01 | 09/17/2007 | KELLY PAPER-LETTER&11X17 | 569324 | 080637 | 03/2008 | 273.78 |
| 101-1130-412.29-02 | 01/08/2008 | DECOR 4 EMPLOYEE PARTY | 01-08-2008 | 080669 | 07/2008 | 16.55 |
| 101-1130-412.29-02 | 01/03/2008 | COUNCIL GIFT | 01-03-2008 | 080675 | 07/2008 | 300.00 |
| 101-1130-412.29-02 | 01/08/2008 | DECORATION ITEMS | 01-08-2008 | 080675 | 07/2008 | 212.45 |
| 101-3020-422.29-02 | 01/09/2008 | EMPLY APPRECIATION CARD | 01-09-2008 | 080681 | 07/2008 | 8.26 |
| 101-3030-423.28-04 | 01/11/2008 | DAN SERVICES | 001 | 080687 | 07/2008 | 120.00 |
| 101-1010-411.28-04 | 12/05/2007 | SUBMARINA LUNCHEON | 12-05-2007 | 080667 | 06/2008 | 90.00 |
| 101-1010-411.28-12 | 12/06/2007 | AM SHORE&BCH PRESV.M/SHIP | 210518919 | 080667 | 06/2008 | 100.00 |
| 101-6010-451.30-02 | 12/24/2007 | ALBERTSONS XMAS PARTY | 12-24-2007 | 080668 | 06/2008 | 22.16 |
| 101-3020-422.21-02 | 12/04/2007 | FIREFIGHTER/PMEDIC INTEV. | 1120 | 080669 | 06/2008 | 51.52 |

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| 101-1130-412.30-01 | 12/04/2007 | OFFICE SUPPLIES | 12-04-2007 | 080669 | 06/2008 | | 75.83 |
| 101-1130-412.29-02 | 12/14/2007 | DECOR 4 EMPLOYEE PARTY | 036232 | 080669 | 06/2008 | | 51.26 |
| 101-1130-412.29-02 | 12/14/2007 | GARDEN GLOVES | 076809/8590217 | 080669 | 06/2008 | | 2.12 |
| 101-1130-412.29-02 | 12/14/2007 | RAFFLE GIFTS4 EMPLY PARTY | 084259 | 080669 | 06/2008 | | 200.00 |
| 101-1010-411.30-02 | 12/14/2007 | UTNSL CADDY | 12-14-2007 | 080669 | 06/2008 | | 28.41 |
| 101-1130-412.29-02 | 12/14/2007 | DECOR 4 EMPLOYEE PARTY | 1380 | 080669 | 06/2008 | | 25.80 |
| 101-1110-412.30-01 | 12/19/2007 | CALENDAR 4 T.RITTER | 12-19-2007 | 080669 | 06/2008 | | 16.24 |
| 101-1130-412.29-02 | 12/20/2007 | BOW FOR GIFT | 12-20-2007 | 080669 | 06/2008 | | 1.39 |
| 101-1130-412.29-02 | 12/21/2007 | DECOR 4 EMPLOYEE PARTY | 12-21-2007 | 080669 | 06/2008 | | 9.24 |
| 101-1130-412.29-02 | 12/21/2007 | ZIPLOCS 4 EMPLYEE PARTY | 12-21-2007 | 080669 | 06/2008 | | 6.99 |
| 101-1110-412.28-04 | 12/18/2007 | REDEVELOPMENT BOND LUNCH | 089528 | 080670 | 06/2008 | | 91.50 |
| 101-6010-451.30-02 | 12/03/2007 | CHRISTMAS PROGRAMS | 056776 | 080672 | 06/2008 | | 24.62 |
| 101-6010-451.30-01 | 12/04/2007 | NEW CABLES&INK | 12-04-2007 | 080672 | 06/2008 | | 178.82 |
| 101-6010-451.28-01 | 12/05/2007 | LIGHT BULBS | 051628/7582589 | 080672 | 06/2008 | | 6.29 |
| 101-6010-451.30-02 | 12/05/2007 | CHRISTMAS PROGRAMS | 066188 | 080672 | 06/2008 | | 24.48 |
| 101-6010-451.30-02 | 12/05/2007 | CHRISTMAS PROGRAMS | 12-05-2007 | 080672 | 06/2008 | | 30.31 |
| 101-6010-451.30-02 | 12/07/2007 | CHRISTMAS PROGRAMS | 12-07-2007 | 080672 | 06/2008 | | 142.98 |
| 101-6010-451.28-01 | 12/11/2007 | LOCK REPAIR | 045108/1593469 | 080672 | 06/2008 | | 13.44 |
| 101-6010-451.30-02 | 12/19/2007 | CHRISTMAS PROGRAMS | 12-19-2007 | 080672 | 06/2008 | | 43.54 |
| 101-6010-451.30-02 | 12/19/2007 | CHRISTMAS PROGRAMS | 12-19-2007 | 080672 | 06/2008 | | 109.81 |
| 101-6030-453.30-01 | 12/15/2007 | OFFICE SUPPLIES | 12-15-2007 | 080673 | 06/2008 | | 6.99 |
| 101-1130-412.29-02 | 12/03/2007 | MANAGEMENT GIFT | 12-03-2007 | 080675 | 06/2008 | | 300.00 |
| 101-3020-422.21-02 | 12/06/2007 | FIREFIGHTR/PMED.INTERVIEW | 0194235 | 080675 | 06/2008 | | 13.58 |
| 101-1130-412.29-02 | 12/14/2007 | SERVICE AWARD GIFT | 289275 | 080675 | 06/2008 | | 80.00 |
| 101-1010-411.28-12 | 12/17/2007 | CEWAER M/SHIP RENEWAL | 12-17-2007 | 080677 | 06/2008 | | 75.00 |
| 101-1110-412.29-02 | 12/11/2007 | EMPLOYEE RECOGNITION | 016563 | 080678 | 06/2008 | | 52.00 |
| 101-1110-412.30-02 | 12/17/2007 | LUNCH WITH AYSO REPS | 12-17-2007 | 080678 | 06/2008 | | 35.70 |
| 101-1130-412.29-02 | 12/18/2007 | EMPLOYEE RECOGNITION | 007865 | 080678 | 06/2008 | | 100.00 |
| 101-3030-423.28-04 | 12/21/2007 | GIFT CARD | 12-21-2007 | 080680 | 06/2008 | | 100.00 |
| 101-3030-423.28-04 | 12/21/2007 | GIFT CERTIFICATE | 12-21-2007 | 080680 | 06/2008 | | 75.00 |
| 101-3020-422.29-02 | 12/18/2007 | EMPLOYEE LUNCH | 000007 | 080681 | 06/2008 | | 41.53 |
| 101-3020-422.29-02 | 12/20/2007 | GIFT CARD | 024873 | 080681 | 06/2008 | | 250.00 |
| 101-1910-419.30-02 | 12/05/2007 | OPERATIONS SUPPLIES | 044978/7022213 | 080683 | 06/2008 | | 173.17 |
| 101-3020-422.29-02 | 12/10/2007 | EMPLOYEE LUNCH | 05014 | 080683 | 06/2008 | | 63.16 |
| 101-3020-422.21-04 | 12/17/2007 | TECH SERVICES- MOTOROLA | 27121704 | 080683 | 06/2008 | | 67.50 |
| 101-3020-422.28-09 | 12/20/2007 | CERTIFIED MAIL | 4925 | 080683 | 06/2008 | | 5.21 |
| 101-3030-423.30-02 | 12/07/2007 | JANITORIAL SUPPLIES | 269938 | 080684 | 06/2008 | | 250.11 |
| 101-3030-423.30-02 | 12/12/2007 | PROTOTYPE LIGHT | 015186 | 080684 | 06/2008 | | 14.90 |
| 101-3030-423.30-02 | 12/12/2007 | LG OF YEAR PLAQUE | 024155 | 080684 | 06/2008 | | 10.24 |
| 101-3030-423.25-03 | 12/12/2007 | UNIFORM PATCHES | 03393 | 080684 | 06/2008 | | 10.00 |
| 101-3030-423.28-01 | 12/12/2007 | HARDWARE 4 LG PROJECT | 035120/0030448 | 080684 | 06/2008 | | 23.22 |
| 101-3030-423.28-01 | 12/12/2007 | WIPER BLADES | 061937 | 080684 | 06/2008 | | 12.91 |
| 101-3030-423.30-02 | 12/12/2007 | OFFICE SUPPLIES | 12-12-2007 | 080684 | 06/2008 | | 76.46 |
| 101-3030-423.28-01 | 12/19/2007 | HARDWARE&MATERIAL | 005383/3010916 | 080684 | 06/2008 | | 9.83 |
| 101-3030-423.30-02 | 12/19/2007 | LG CHRISTMAS CARDS | 013777 | 080684 | 06/2008 | | 23.71 |
| 101-3030-423.28-01 | 12/19/2007 | TOOL FOR LG(HARDWARE) | 073883/E | 080684 | 06/2008 | | 29.65 |
| 101-3030-423.28-01 | 12/19/2007 | PIER BINOS UPGRADE | 12-19-2007 | 080684 | 06/2008 | | 36.41 |
| 101-3020-422.30-02 | 12/11/2007 | PUMP WEDGE-VI | 044876 | 080685 | 06/2008 | | 39.42 |
| 101-3020-422.30-01 | 12/15/2007 | HP LASERJET | 050366 | 080685 | 06/2008 | | 75.41 |
| 101-3020-422.30-02 | 12/15/2007 | TOWELS&BATTERIES | 052897 | 080685 | 06/2008 | | 52.91 |

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| ACCOUNT # | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | | TRN AMOUNT |
| 101-3030-423.28-01 | 12/01/2007 | LIFEGUARD SUPPLIES | 12-01-2007 | 080686 | 06/2008 | | 24.76 |
| 101-3030-423.25-03 | 12/04/2007 | LIFEGUARD UNIFORMS | M195442 | 080686 | 06/2008 | | 182.31 |
| 101-3030-423.25-03 | 12/05/2007 | PATAGONIA REFUND | 12-05-2007 | 080686 | 06/2008 | | 53.34- |
| 101-3030-423.25-03 | 12/07/2007 | LIFEGUARD SUPPLIES | C198383 | 080686 | 06/2008 | | 94.82 |
| 101-3030-423.28-04 | 12/12/2007 | TRAINING DIVE EQUIPMENT | 003906 | 080686 | 06/2008 | | 37.71 |
| 101-3030-423.25-03 | 12/14/2007 | LIFEGUARD SUPPLIES | 45161 | 080686 | 06/2008 | | 86.12 |
| 101-3030-423.28-01 | 12/14/2007 | DIVE EQUIPMENT | 888042 | 080686 | 06/2008 | | 370.90 |
| 101-3030-423.30-02 | 12/15/2007 | LG XMAS CARDS | 12-15-2007 | 080686 | 06/2008 | | 42.67 |
| 101-3030-423.28-01 | 12/16/2007 | REPLACEMENT CLIPS | 007137 | 080686 | 06/2008 | | 6.73 |
| 101-3030-423.25-03 | 12/21/2007 | LIFEGUARD UNIFORMS | 394802 | 080686 | 06/2008 | | 375.65 |
| 101-3030-423.28-01 | 12/10/2007 | MARINE CAULTERING FASTNER | 2771 | 080687 | 06/2008 | | 26.37 |
| 503-1923-419.30-02 | 12/05/2007 | TRAINING SEMINAR | 553299 | 080689 | 06/2008 | | 36.67 |
| 503-1923-419.30-02 | 12/11/2007 | CABLES | JHR3699 | 080689 | 06/2008 | | 287.76 |
| 503-1923-419.30-02 | 12/18/2007 | HARD DRIVE | HVD5951 | 080689 | 06/2008 | | 64.50 |
| 101-1010-411.28-04 | 11/28/2007 | NAPKINS,FORKS&PLATES | 0152055 | 080667 | 06/2008 | | 22.91 |
| 101-1110-412.30-01 | 11/28/2007 | OFFICE SUPPLIES | 11-28-2007 | 080667 | 06/2008 | | 94.45 |
| 101-1130-412.29-02 | 11/26/2007 | SERVICE AWARD GIFTS | 087163/6090714 | 080669 | 06/2008 | | 160.00 |
| 101-1130-412.29-02 | 11/26/2007 | DECOR FOE EMPLOYEE PARTY | 5974 | 080669 | 06/2008 | | 24.67 |
| 101-1130-412.29-02 | 11/26/2007 | DECOR 4 EMPLOYEE PARTY | 621076882 | 080669 | 06/2008 | | 44.80 |
| 101-1130-412.29-02 | 11/27/2007 | INVITES FOR EMPLOYE PARTY | 11-27-2007 | 080669 | 06/2008 | | 145.92 |
| 101-6010-451.30-01 | 11/27/2007 | OPERATIONS SUPPLIES | 11-27-2007 | 080672 | 06/2008 | | 82.26 |
| 101-6010-451.30-02 | 11/30/2007 | VIDEO/LOCK DOWN PARTY | 003996 | 080672 | 06/2008 | | 8.06 |
| 101-6010-451.30-02 | 11/30/2007 | CHRISTMAS DECORATIONS | 025079 | 080672 | 06/2008 | | 45.30 |
| 101-6010-451.30-02 | 11/30/2007 | CHRISTMAS PROGRAMS | 30724 | 080672 | 06/2008 | | 9.17 |
| 101-6030-453.30-01 | 11/25/2007 | OFFICE SUPPLIES | 11-25-2007 | 080673 | 06/2008 | | 6.45 |
| 101-1130-412.30-01 | 11/21/2007 | CALENDER | 10149364 | 080675 | 06/2008 | | 54.84 |
| 101-1130-412.29-02 | 11/26/2007 | SERVICE AWARD GIFT | 068933 | 080675 | 06/2008 | | 192.87 |
| 101-1130-412.29-02 | 11/26/2007 | RAFFLE GIFT | 4531598 | 080675 | 06/2008 | | 75.95 |
| 101-3030-423.28-04 | 11/27/2007 | BOOKS 4 MOTOR REPAIR | 11-27-2007 | 080680 | 06/2008 | | 88.99 |
| 101-3030-423.28-04 | 11/28/2007 | LUNCH 4 DIVE TEAM | 11-28-2007 | 080680 | 06/2008 | | 30.00 |
| 101-3020-422.29-01 | 11/30/2007 | STAGE IT STIMULATOR V1.2 | 7109 | 080681 | 06/2008 | | 1,518.00 |
| 101-3020-422.28-11 | 11/21/2007 | UNIFORM NAME TAGS | 07-529 | 080683 | 06/2008 | | 26.40 |
| 101-3060-426.27-04 | 11/22/2007 | DIRECTV BILL | 679439190 | 080683 | 06/2008 | | 63.76 |
| 101-3020-422.21-04 | 11/28/2007 | COMMUNICATION EQUIPMENTS | 27112607 | 080683 | 06/2008 | | 508.51 |
| 101-3020-422.30-01 | 11/29/2007 | OFFICE SUPPLIES | 11-29-2007 | 080683 | 06/2008 | | 89.37 |
| 101-3030-423.30-02 | 11/12/2007 | MEDICAL SUPPLIES | 457832 | 080684 | 06/2008 | | 94.25 |
| 101-3030-423.30-02 | 11/30/2007 | STORAGE BOXES | 036357/2090907 | 080684 | 06/2008 | | 61.16 |
| 101-3030-423.28-01 | 11/24/2007 | BIKE RACK PAVERY PRJ | 080855/8041186 | 080686 | 06/2008 | | 121.52 |
| 101-3030-423.25-03 | 11/27/2007 | LIFEGUARD UNIFORMS | M171242 | 080686 | 06/2008 | | 107.75 |
| 101-3030-423.28-04 | 11/27/2007 | DIVE TEAM EQUIPMENTS | 075393 | 080686 | 06/2008 | | 60.78 |
| 101-3030-423.28-04 | 11/27/2007 | DIVE TRAINING | 10838 | 080686 | 06/2008 | | 224.78 |
| 101-3030-423.25-03 | 11/27/2007 | PYMT FOR RETURN ITEM | 11-27-2007 | 080686 | 06/2008 | | 10.14 |
| 101-3030-423.28-01 | 11/27/2007 | RADIO REPAIR | 20246 | 080686 | 06/2008 | | 135.00 |
| 101-3030-423.28-01 | 11/27/2007 | RADIO REPAIR | 20293 | 080686 | 06/2008 | | 135.00 |
| 101-3030-423.25-03 | 11/29/2007 | LIFEGUARD UNIFORMS | 000002 | 080686 | 06/2008 | | 32.33 |
| 101-3030-423.28-01 | 11/30/2007 | PALLET RETURN | 2240851 | 080686 | 06/2008 | | 16.16- |
| 101-3030-423.28-01 | 11/30/2007 | PWC EQUIPMENT | 27074598 | 080686 | 06/2008 | | 5.39 |
| 503-1923-419.30-02 | 11/27/2007 | PC SUPPLIES | SDCV259474 | 080689 | 06/2008 | | 58.16 |
| 503-1923-419.30-02 | 11/28/2007 | PC SUPPLIES | SDCV259505 | 080689 | 06/2008 | | 113.11 |
| 405-1260-513.20-06 | 11/28/2007 | 2 US FLAGS | 067221 | | 06/2008 | | 118.22 |

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| 101-1210-413.28-04 | 12/04/2007 | HUG CONFERENCE / 12-04-2007 / 080688 / 06/2008 | 362.97 |
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| 101-1210-413.28-04 | 11/08/2007 | GAAP UPDATE CLASS REFUND / 11-08-2007 / 080688 / 05/2008 | 105.00- |
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| 01/31/2008 65808 | VISION PLAN OF AMERICA | 785 | 92.85 |
| 101-0000-209.01-18 | 12/27/2007 | PPE 12/20/07 / 20071227 / 06/2008 | 116.07 |
| 101-0000-209.01-18 | 01/30/2008 | FEBUARY 2008 VISION PLAN / 01-31-2008 / 07/2008 | 33.22- |
| 101-1920-419.29-04 | 01/30/2008 | FEBUARY 2008 VISION PLAN / 01-31-2008 / 07/2008 | 10.00 |
| 01/31/2008 65809 | WELLS FARGO BANK, N.A. | 1597 | 1,542.50 |
| 735-0000-221.03-04 | 01/30/2008 | ASEMSEMENT DIST #71 INT. / 01-31-2008 / 07/2008 | 1,542.50 |
| 01/31/2008 65810 | WESTERN PUMP INC | 752 | 5,022.05 |
| 501-1921-419.50-04 | 10/31/2007 | ELECTRICAL KEYTROL / 0063354-IN / 080321 / 04/2008 | 4,483.30 |
| 501-1921-419.50-04 | 10/31/2007 | FUEL PUMP LOCK / 0063632-IN / 080321 / 04/2008 | 538.75 |
| 02/08/2008 65811 | ACCOUNTEMPS | 70 | 3,094.00 |
| 101-1210-413.21-01 | 01/14/2008 | HARRIS,O W/E 01/11/2008 / 20557743 / 080016 / 07/2008 | 1,190.00 |
| 101-1210-413.21-01 | 01/28/2008 | HARRIS,O W/E 01/25/2008 / 20679437 / 080016 / 07/2008 | 952.00 |
| 101-1210-413.21-01 | 02/04/2008 | HARRIS,O W/E 02/01/2008 / 20709179 / 080016 / 08/2008 | 952.00 |
| 02/08/2008 65812 | AHA HOUSING | 114 | 552.00 |
| 245-1240-413.20-06 | 01/23/2008 | BILLING 4 MCC USAGE / 01-23-2008 / 080802 / 07/2008 | 552.00 |
| 02/08/2008 65813 | AFFORDABLE PIPELINE SERVICES | 1903 | 3,869.25 |
| 601-5060-536.20-06 | 01/29/2008 | CCTV CAMERA INSPECTION / 3970 / 080773 / 07/2008 | 3,869.25 |
| 02/08/2008 65814 | ALL TEAM STAFFING, INC | 1801 | 2,435.17 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 26.88 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 120.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 90.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 210.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 210.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 300.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 60.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 180.00 |
| 101-6040-454.21-01 | 01/21/2008 | ROMERO, SANDR W/E 1/18/08 / 1000121 / 080304 / 07/2008 | 30.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 30.79 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 127.50 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 210.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 30.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 60.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 60.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 60.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 30.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 270.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 150.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 60.00 |
| 101-6040-454.21-01 | 01/28/2008 | ROMERO, S W/E 01/25/08 / 1000142 / 080304 / 07/2008 | 60.00 |

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| ACCOUNT # | | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | TRN AMOUNT |
| 101-6040-454.21-01 | | 01/28/2008 | ROMERO, S W/E 01/25/08 | 1000142 | 080304 | 07/2008 | 60.00 |
| 02/08/2008 | 65815 | AMERICAN EXPRESS | 1895 | | | | 224.37 |
| 101-1010-411.30-01 | | 01/28/2008 | OPERATIONAL SUPPLIES | 01-28-2008 | 080587 | 07/2008 | 145.43 |
| 101-1010-411.30-02 | | 01/28/2008 | OPERATIONAL SUPPLIES | 01-28-2008 | 080587 | 07/2008 | 33.24 |
| 101-1020-411.30-01 | | 01/28/2008 | OPERATIONAL SUPPLIES | 01-28-2008 | 080587 | 07/2008 | 14.70 |
| 101-1130-412.30-01 | | 01/28/2008 | OPERATIONAL SUPPLIES | 01-28-2008 | 080587 | 07/2008 | 15.59 |
| 101-1130-412.30-02 | | 01/28/2008 | OPERATIONAL SUPPLIES | 01-28-2008 | 080587 | 07/2008 | 15.41 |
| 02/08/2008 | 65816 | AMERICAN YOUTH SOCCER ORGANIZA | 1331 | | | | 400.00 |
| 101-1010-411.28-08 | | 02/05/2008 | COMM. GRANTS PROG.FY07-08 | 02-05-2008 | 080785 | 08/2008 | 400.00 |
| 02/08/2008 | 65817 | ARROWHEAD MOUNTAIN SPRING WATE | 1340 | | | | 25.96 |
| 101-1010-411.30-02 | | 01/23/2008 | 5GAL OF DRINKING WATER | 08A0025324922 | 080018 | 07/2008 | 25.96 |
| 02/08/2008 | 65818 | AT&T | 291 | | | | 377.16 |
| 101-0000-221.02-01 | | 01/21/2008 | 030-326-8685-001 | 02-16-2008 | | 07/2008 | 55.04 |
| 101-1130-412.27-04 | | 01/25/2008 | 030 357 0371 001 | 02-20-2008 | | 07/2008 | 42.36 |
| 101-1010-411.27-04 | | 01/25/2008 | 030 357 0352 001 | 02-20-2008 | | 07/2008 | 24.62 |
| 101-1230-413.27-04 | | 01/25/2008 | 030 357 0356 001 | 02-20-2008 | | 07/2008 | 81.30 |
| 101-3020-422.27-04 | | 01/13/2008 | 030 290 1325 001 | 02-08-2008 | | 07/2008 | 64.68 |
| 101-6010-451.27-04 | | 01/13/2008 | 030 485 6799 001 | 02-08-2008 | | 07/2008 | 22.02 |
| 101-3030-423.27-04 | | 01/13/2008 | 030 290 2293 001 | 02-08-2008 | | 07/2008 | 86.65 |
| 101-3020-422.27-04 | | 01/12/2008 | 051 848 6997 001 | 02-12-2008 | | 07/2008 | .49 |
| 02/08/2008 | 65819 | AT&T/MCI | 1270 | | | | 3,176.64 |
| 503-1923-419.27-04 | | 01/07/2008 | 337-257-1583-442 | T7547709 | | 07/2008 | 348.18 |
| 101-1110-412.27-02 | | 01/02/2008 | 619-423-0314-978 | T7525298 | | 07/2008 | 113.47 |
| 101-5040-434.27-04 | | 01/02/2008 | 619-423-1074-808 | T7525299 | | 07/2008 | 16.06 |
| 101-5040-434.27-04 | | 01/02/2008 | 619-423-1675-711 | T7525301 | | 07/2008 | 16.06 |
| 601-5060-436.27-04 | | 01/02/2008 | 619-423-2231-354 | T7525303 | | 07/2008 | 15.54 |
| 101-3030-423.27-04 | | 01/04/2008 | 619-423-7246-659 | T7530352 | | 07/2008 | 94.48 |
| 101-3020-422.27-04 | | 01/02/2008 | 619-423-8222-631 | T7525309 | | 07/2008 | 19.77 |
| 101-3020-422.27-04 | | 01/02/2008 | 619-423-8225-961 | T7525310 | | 07/2008 | 144.49 |
| 101-1920-419.27-04 | | 01/02/2008 | 619-423-8300-961 | T7525311 | | 07/2008 | 262.24 |
| 101-5020-432.27-04 | | 01/02/2008 | 619-423-8311-961 | T7525312 | | 07/2008 | 364.01 |
| 101-3030-423.27-04 | | 01/02/2008 | 619-423-8322-961 | T7525313 | | 07/2008 | 256.52 |
| 101-1130-412.27-04 | | 01/02/2008 | 619-423-8617-292 | T7525314 | | 07/2008 | 75.44 |
| 503-1923-419.27-04 | | 12/26/2007 | 619-424-3481-707 | T7496526 | | 07/2008 | 30.32 |
| 101-6030-453.27-04 | | 12/26/2007 | 619-424-7077-649 | T7496531 | | 07/2008 | 79.11 |
| 101-3020-422.27-04 | | 01/04/2008 | 619-424-7359-120 | T7530353 | | 07/2008 | 96.56 |
| 101-6010-451.27-04 | | 01/08/2008 | 619-575-0336-809 | T7554094 | | 07/2008 | 81.00 |
| 101-3020-422.27-04 | | 01/08/2008 | 619-575-0361-562 | T7554095 | | 07/2008 | 16.05 |
| 101-1010-411.27-04 | | 01/04/2008 | 619-628-1352-133 | T7530463 | | 07/2008 | 71.17 |
| 101-1230-413.27-04 | | 01/04/2008 | 619-628-1356-945 | T7530464 | | 07/2008 | 181.16 |
| 101-3040-424.27-04 | | 01/04/2008 | 619-628-1357-365 | T7530465 | | 07/2008 | 80.92 |
| 101-3070-427.27-04 | | 01/04/2008 | 619-628-1359-498 | T7530466 | | 07/2008 | 44.04 |
| 101-1210-413.27-04 | | 01/04/2008 | 619-628-1361-670 | T7530467 | | 07/2008 | 235.08 |
| 101-6010-451.27-04 | | 01/04/2008 | 619-628-1385-573 | T7530469 | | 07/2008 | 43.34 |
| 101-0000-221.02-01 | | 01/04/2008 | 619-628-1419-917 | T7530470 | | 07/2008 | 25.47 |

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| 101-3010-421.27-04 | | 01/01/2008 | 619-628-1485-961 | T7514941 | | 07/2008 | 42.70 |
| 101-1920-419.27-04 | | 01/04/2008 | 619-628-2018-437 | T7530471 | | 07/2008 | 24.30 |
| 601-5060-436.27-04 | | 01/02/2008 | C60-222-1236-444 | T7528266 | | 07/2008 | 225.06 |
| 503-1923-419.27-04 | | 01/07/2008 | 339-343-1504-722 | T7548902 | | 07/2008 | 174.10 |
| 02/08/2008 | 65820 | BAY CITY ELECTRIC WORKS | 369 | | | | 1,337.18 |
| 101-5010-431.50-04 | | 01/31/2008 | GENERATOR | SOP119810 | 080798 | 07/2008 | 668.59 |
| 601-5060-436.50-04 | | 01/31/2008 | GENERATOR | SOP119810 | 080798 | 07/2008 | 668.59 |
| 02/08/2008 | 65821 | BDS ENGINEERING INC | 372 | | | | 1,729.50 |
| 101-0000-221.01-02 | | 01/16/2008 | PROFESSIONAL SERVICES | 07-02K | | 08/2008 | 351.50 |
| 101-0000-221.01-02 | | 01/16/2008 | PROFESSIONAL SERVICES | 07-02K | | 08/2008 | 485.50 |
| 101-0000-221.01-02 | | 01/16/2008 | PROFESSIONAL SERVICES | 07-02K | | 08/2008 | 588.50 |
| 101-0000-221.01-02 | | 01/16/2008 | PROFESSIONAL SERVICES | 07-02K | | 08/2008 | 125.50 |
| 101-0000-221.01-02 | | 01/16/2008 | PROFESSIONAL SERVICES | 07-02K | | 08/2008 | 178.50 |
| 02/08/2008 | 65822 | BRIAN EXCHBAUGH | 1913 | | | | 300.00 |
| 501-1921-419.29-04 | | 02/07/2008 | ANNUAL INSP. ST. TRUCK | 0206081B109 | | 08/2008 | 300.00 |
| 02/08/2008 | 65823 | CDW GOVERNMENT INC | 725 | | | | 233.15 |
| 503-1923-419.30-02 | | 02/07/2008 | MISC ITEMS | HPJ3412 | | 08/2008 | 172.45 |
| 503-1923-419.30-02 | | 02/07/2008 | MISC ITEMS | HPD6621 | | 08/2008 | 17.54 |
| 503-1923-419.30-02 | | 02/07/2008 | MISC ITEMS | HPL9211 | | 08/2008 | 43.16 |
| 02/08/2008 | 65824 | CONSTRUCTION RESIDUE RECYCLING | 1009 | | | | 140.00 |
| 101-5010-431.29-04 | | 01/31/2008 | DUMP FEES | 974711 | 080149 | 07/2008 | 140.00 |
| 02/08/2008 | 65825 | COPY POST PRINTING | 1371 | | | | 111.14 |
| 101-1210-413.28-11 | | 01/31/2008 | 2SETS OF BS.CARDS(MIKE,M) | 16306 | 080214 | 07/2008 | 55.57 |
| 101-6030-453.28-11 | | 01/25/2008 | BUSINESS CARDS FOR JOANNE | 16241 | F08092 | 07/2008 | 55.57 |
| 02/08/2008 | 65826 | COX COMMUNICATIONS | 1073 | | | | 179.00 |
| 601-5060-536.20-06 | | 01/30/2008 | INTERNET SERVICES | 01-30-2008 | 080034 | 07/2008 | 179.00 |
| 02/08/2008 | 65827 | DAKOTA PUMP COMPANY | 1125 | | | | 935.32 |
| 601-5060-436.28-01 | | 01/31/2008 | OPERATION SUPPLIES | 4980 | 080701 | 07/2008 | 935.32 |
| 02/08/2008 | 65828 | DATA CAREERS PERSONNEL SERVICE | 1839 | | | | 866.25 |
| 503-1923-419.21-01 | | 01/28/2008 | ALLISON, R W/E 01/27/2008 | 8792 | 080183 | 07/2008 | 303.75 |
| 503-1923-419.21-01 | | 02/04/2008 | ALLISON, R W/E 02/03/2008 | 8794 | 080183 | 08/2008 | 562.50 |
| 02/08/2008 | 65829 | EDAW, INC | 1804 | | | | 9,459.11 |
| 405-1260-513.20-06 | | 01/18/2008 | PROFESSIONAL SERVICES | 1457009 | 080317 | 07/2008 | 9,459.11 |
| 02/08/2008 | 65830 | EDGAR VOGEL | 2 | | | | 520.75 |
| 101-0000-221.01-02 | | 02/05/2008 | REFUND OF BAL. OF DEPOSIT | 02-05-2008 | | 08/2008 | 520.75 |
| 02/08/2008 | 65831 | ENVIRO MATRIX ANALYTICAL INC | 1691 | | | | 200.00 |
| 601-5050-436.21-04 | | 01/22/2008 | METALS, TTLC-L | 8010330 | 080175 | 07/2008 | 200.00 |
| 02/08/2008 | 65832 | EYE/COMM | 1891 | | | | 1,176.36 |
| 405-1260-413.28-11 | | 01/18/2008 | MAILING SERVICES | 22843 | 080801 | 07/2008 | 1,176.36 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 02/08/2008 | 65833 | FEDERAL EXPRESS CORP. | 911 | | | | 21.57 |
| 101-1130-412.28-06 | | 01/25/2008 | FEDEX EXPRESS SERVICE | 250057231 | 080157 | 07/2008 | 21.57 |
| 02/08/2008 | 65834 | FRIENDS OF IB LIBRARY | 1629 | | | | 400.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080780 | 07/2008 | 400.00 |
| 02/08/2008 | 65835 | GRAINGER | 1051 | | | | 82.98 |
| 601-5060-436.30-02 | | 01/25/2008 | OPERATIONS SUPPLY | 9552906902 | 080294 | 07/2008 | 50.49 |
| 101-6020-452.30-02 | | 01/30/2008 | SPRAY PAINT | 9555957621 | 080294 | 07/2008 | 32.49 |
| 02/08/2008 | 65836 | I B BEAUTIFUL INCORPORATED | 177 | | | | 400.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080777 | 07/2008 | 400.00 |
| 02/08/2008 | 65837 | I B FIREFIGHTERS ASSOCIATION | 214 | | | | 202.00 |
| 101-0000-209.01-08 | | 02/07/2008 | PPE 1/31/08 | 20080207 | | 08/2008 | 202.00 |
| 02/08/2008 | 65838 | IB SENIOR CLUB | 1332 | | | | 400.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080788 | 07/2008 | 400.00 |
| 02/08/2008 | 65839 | ICMA RETIREMENT TRUST 457 | 242 | | | | 7,104.82 |
| 101-0000-209.01-10 | | 02/07/2008 | PPE 1/31/08 | 20080207 | | 08/2008 | 7,104.82 |
| 02/08/2008 | 65840 | IDENTI-PORT INC | 1812 | | | | 20.00 |
| 101-1130-412.21-04 | | 01/25/2008 | LIVESCAN ROLL 4 HERNANDEZ | 1010 | 080024 | 07/2008 | 20.00 |
| 02/08/2008 | 65841 | IMPERIAL BEACH CHAMBER OF COMM | 1505 | | | | 350.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080782 | 07/2008 | 350.00 |
| 02/08/2008 | 65842 | IMPERIAL BEACH TROPHIES | 319 | | | | 96.97 |
| 101-1110-412.28-11 | | 02/06/2008 | CUSTOM PLAQUE | 1751 | | 08/2008 | 37.71 |
| 101-1020-411.28-11 | | 02/05/2008 | PRINTING OF MAXIMUM CAPAC | 1887 | F08093 | 08/2008 | 59.26 |
| 02/08/2008 | 65843 | INTERSTATE BATTERY OF SAN DIEG | 388 | | | | 143.37 |
| 501-1921-419.28-16 | | 01/30/2008 | MT-59 & SRM-24 | 680016115 | 080081 | 07/2008 | 143.37 |
| 02/08/2008 | 65844 | J. SIMMS AGENCY | 1883 | | | | 1,250.00 |
| 101-1920-419.20-06 | | 01/29/2008 | PR SERVICES | 2184 | 080431 | 07/2008 | 1,250.00 |
| 02/08/2008 | 65845 | KITTY RESCUE OF SAN DIEGO, INC | 635 | | | | 350.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080784 | 07/2008 | 350.00 |
| 02/08/2008 | 65846 | KIWANIS INTERNATIONAL | 639 | | | | 400.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080787 | 07/2008 | 400.00 |
| 02/08/2008 | 65847 | LIGHTHOUSE, INC | 787 | | | | 17.13 |
| 501-1921-419.28-16 | | 01/28/2008 | BULB & SHRINKTUBING | 2039123 | 080083 | 07/2008 | 17.13 |
| 02/08/2008 | 65848 | MCDOUGAL LOVE ECKIS & | 962 | | | | 8,227.00 |
| 101-1220-413.20-01 | | 01/31/2008 | PROFESSIONAL SERVICES | 01-31-2008 | 080167 | 07/2008 | 8,227.00 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER / TRN DATE | VENDOR NAME / DESCRIPTION | VENDOR # / INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
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| 02/08/2008 | 65849 | MICHAL PIASECKI CONSULTING | 1795 | | | 1,935.00 |
| 101-3020-422.21-04 | 01/03/2008 | GIS REGIONAL INT.PROJECT | 32 | 080178 | 07/2008 | 180.00 |
| 101-1210-413.20-06 | 01/31/2008 | GASB 34 SUPPORT&DATABASE | 36 | 080178 | 07/2008 | 1,575.00 |
| 101-3020-422.21-04 | 12/03/2007 | GIS INTEGRATION. PROJECT | 29 | 080178 | 06/2008 | 180.00 |
| 02/08/2008 | 65850 | MOBILE HOME ACCEPTANCE CORPORA | 1533 | | | 527.97 |
| 408-5020-432.25-02 | 01/24/2008 | 12X40-43 OFFICE TRAILER | 136510 | 080211 | 07/2008 | 296.31 |
| 405-1260-513.20-06 | 01/16/2008 | 10X30-33 OFFICE TRAILER | 136338 | 080600 | 07/2008 | 231.66 |
| 02/08/2008 | 65851 | MORELAND & ASSOCIATES INC | 1086 | | | 11,238.75 |
| 101-1210-413.20-06 | 01/16/2008 | PERSONNEL SERVICES | 01-16-2008 | 080037 | 07/2008 | 2,360.15 |
| 405-1260-413.20-06 | 01/16/2008 | PERSONNEL SERVICES | 01-16-2008 | 080037 | 07/2008 | 2,360.13 |
| 503-1923-419.20-06 | 01/16/2008 | PERSONNEL SERVICES | 01-16-2008 | 080037 | 07/2008 | 524.47 |
| 101-1210-413.20-06 | 02/01/2008 | PERSONNEL SERVICES | 02-01-2008 | 080037 | 08/2008 | 2,697.30 |
| 405-1260-413.20-06 | 02/01/2008 | PERSONNEL SERVICES | 02-01-2008 | 080037 | 08/2008 | 2,697.30 |
| 503-1923-419.20-06 | 02/01/2008 | PERSONNEL SERVICES | 02-01-2008 | 080037 | 08/2008 | 599.40 |
| 02/08/2008 | 65852 | NEXTEL COMMUNICATIONS INC | 1465 | | | 1,160.91 |
| 101-1010-411.27-05 | 01/29/2008 | JAN'08 NEXTEL BILLING | 896132755006 | | 07/2008 | 65.02 |
| 101-5020-432.27-05 | 01/29/2008 | JAN'08 NEXTEL BILLING | 896132755006 | | 07/2008 | 279.50 |
| 101-5020-432.21-25 | 01/29/2008 | JAN'08 NEXTEL BILLING | 896132755006 | | 07/2008 | 718.86 |
| 101-3020-422.27-05 | 01/29/2008 | JAN'08 NEXTEL BILLING | 896132755006 | | 07/2008 | 97.53 |
| 02/08/2008 | 65853 | OCEAN BLUE FOUNDATIO | 1457 | | | 400.00 |
| 101-1010-411.28-08 | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080779 | 07/2008 | 400.00 |
| 02/08/2008 | 65854 | OPTIMIST CLUB OF I.B. | 1076 | | | 400.00 |
| 101-1010-411.28-08 | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080778 | 07/2008 | 400.00 |
| 02/08/2008 | 65855 | PACIFIC SAFETY COUNCIL | 1275 | | | 8.89 |
| 101-5020-432.28-04 | 01/31/2008 | VIDEOS | 64619 | 080706 | 07/2008 | 8.89 |
| 02/08/2008 | 65856 | PERVO PAINT CO. | 8 | | | 1,684.94 |
| 101-5010-431.21-23 | 01/30/2008 | PAINTS & STRAINER BAGS | 13671 | 080136 | 07/2008 | 1,684.94 |
| 02/08/2008 | 65857 | PROTECTION SERVICE IND | 69 | | | 264.18 |
| 601-5060-436.20-23 | 01/17/2008 | ALARM MONITORING SERVICES | 65288341 | 080181 | 07/2008 | 264.18 |
| 02/08/2008 | 65858 | PRUDENTIAL OVERALL SUPPLY | 72 | | | 334.54 |
| 101-5020-432.25-03 | 01/30/2008 | OVERALL SUPPLY | 7745082 | 080180 | 07/2008 | 162.77 |
| 101-5020-432.25-03 | 02/06/2008 | OVERALL SUPPLY | 7774369 | 080180 | 08/2008 | 171.77 |
| 02/08/2008 | 65859 | RACHEL DUFFY | 1 | | | 639.72 |
| 502-1922-419.28-17 | 01/30/2008 | AUTO ACCIDENT CLAIM | 02-08-2008 | | 08/2008 | 639.72 |
| 02/08/2008 | 65860 | RANCHO AUTO & TRUCK PARTS | 1685 | | | 174.02 |
| 501-1921-419.28-16 | 01/29/2008 | AUTO PARTS | D305257 | 080152 | 07/2008 | 61.76 |
| 501-1921-419.28-16 | 01/31/2008 | AUTO PARTS | D305553 | 080152 | 07/2008 | 80.13 |
| 501-1921-419.28-16 | 01/31/2008 | AUTO PARTS | D305556 | 080152 | 07/2008 | 6.53 |

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| 501-1921-419.28-16 | | 02/04/2008 | AUTO PARTS | D306030 | 080152 | 08/2008 | 25.60 |
| 02/08/2008 | 65861 | RBF CONSULTING | 1756 | | | | 8,169.00 |
| 405-1260-513.20-06 | | 01/25/2008 | PROFESSIONAL SERVICES | 7120519 | 070418 | 07/2008 | 296.00 |
| 405-1260-513.20-06 | | 01/25/2008 | PROFESSIONAL SERVICES | 7120194 | 070418 | 07/2008 | 3,077.00 |
| 601-5060-536.20-06 | | 01/25/2008 | PROFESSIONAL SERVICES | 7120313 | 071069 | 07/2008 | 4,796.00 |
| 02/08/2008 | 65862 | RICK ALBA APPRAISAL SERVICE | 1 | | | | 113.00 |
| 502-1922-419.28-17 | | 01/30/2008 | APPRAISAL FEES | 02-08-2008 | | 08/2008 | 113.00 |
| 02/08/2008 | 65863 | SAN DIEGO GAS & ELECTRIC | 288 | | | | 201.39 |
| 101-5010-431.27-01 | | 02/01/2008 | STORM SEWER PUMP | 51249350 | 080702 | 08/2008 | 201.39 |
| 02/08/2008 | 65864 | SANDPIPA | 321 | | | | 3,100.00 |
| 502-1922-419.28-02 | | 01/16/2008 | BOND/CRIME PROG.RENEWAL | BCIB08 | 080796 | 07/2008 | 3,100.00 |
| 02/08/2008 | 65865 | SATICOY PRODUCTIONS | 1 | | | | 4,309.76 |
| 101-0000-221.01-03 | | 02/07/2008 | FINAL REFUND | 02-08-2008 | | 08/2008 | 4,309.76 |
| 02/08/2008 | 65866 | SDGE | 289 | | | | 4,535.93 |
| 101-6020-452.27-01 | | 01/31/2008 | 0175 275 3776 12/31-01/30 | 02-15-2008 | | 07/2008 | 95.70 |
| 101-5010-431.27-01 | | 01/31/2008 | 0646 753 1938 12/28-01/29 | 02-14-2008 | | 07/2008 | 9.10 |
| 101-5010-431.27-01 | | 01/30/2008 | 1694 231 2432 12/28-01/29 | 02-14-2008 | | 07/2008 | 24.92 |
| 101-5010-431.27-01 | | 01/28/2008 | 1912 409 2723 12/26-01/25 | 02-12-2008 | | 07/2008 | 9.10 |
| 101-6020-452.27-01 | | 01/31/2008 | 2081 689 1273 12/31-01/30 | 02-15-2008 | | 07/2008 | 124.30 |
| 101-6010-451.27-01 | | 01/31/2008 | 2081 689 7619 12/31-01/30 | 02-15-2008 | | 07/2008 | 340.97 |
| 101-6010-451.27-01 | | 01/31/2008 | 2081 692 3399 12/31-01/30 | 02-15-2008 | | 07/2008 | 27.50 |
| 101-6020-452.27-01 | | 01/31/2008 | 2083 847 9032 12/31-01/30 | 02-15-2008 | | 07/2008 | 74.55 |
| 101-5010-431.27-01 | | 02/01/2008 | 2741 969 9359 12/31-01/31 | 02-16-2008 | | 07/2008 | 129.82 |
| 215-6026-452.27-01 | | 02/01/2008 | 2819 871 6315 12/31-01/31 | 02-16-2008 | | 07/2008 | 1,830.78 |
| 101-5010-431.27-01 | | 01/30/2008 | 3062 843 3719 12/28-01/29 | 02-14-2008 | | 07/2008 | 11.35 |
| 101-6010-451.27-01 | | 01/31/2008 | 3206 700 9265 12/31-01/30 | 02-15-2008 | | 07/2008 | 27.03 |
| 101-5010-431.27-01 | | 01/30/2008 | 3448 930 9646 12/28-01/29 | 02-14-2008 | | 07/2008 | 9.23 |
| 101-5010-431.27-01 | | 01/28/2008 | 5280 340 6641 12/26-01/25 | 02-12-2008 | | 07/2008 | 140.99 |
| 101-6020-452.27-01 | | 01/31/2008 | 5456 692 8951 12/31-01/30 | 02-15-2008 | | 07/2008 | 41.89 |
| 101-5010-431.27-01 | | 01/28/2008 | 5576 188 0541 12/26-01/25 | 02-12-2008 | | 07/2008 | 9.10 |
| 101-6020-452.27-01 | | 01/31/2008 | 6921 003 2109 12/31-01/30 | 02-15-2008 | | 07/2008 | 267.04 |
| 101-5010-431.27-01 | | 01/31/2008 | 7706 795 7872 12/31-01/30 | 02-15-2008 | | 07/2008 | 11.25 |
| 601-5060-436.27-01 | | 01/30/2008 | 8773 823 6424 12/28-01/29 | 02-14-2008 | | 07/2008 | 954.15 |
| 101-6020-452.27-01 | | 01/31/2008 | 9327 898 1346 12/31-01/30 | 02-15-2008 | | 07/2008 | 172.75 |
| 101-6010-451.27-01 | | 01/31/2008 | 9956 693 6272 12/31-01/30 | 02-15-2008 | | 07/2008 | 50.79 |
| 405-1260-513.20-06 | | 01/30/2008 | 0000 496 4629 12/28-01/29 | 02-14-2008 | | 07/2008 | 93.17 |
| 101-6020-452.27-01 | | 01/02/2008 | 2083 847 9032 11/29-12/31 | 01-17-2008 | | 07/2008 | 80.45 |
| 02/08/2008 | 65867 | SEIU LOCAL 221 | 1821 | | | | 1,201.96 |
| 101-0000-209.01-08 | | 02/07/2008 | PPE 1/31/08 | 20080207 | | 08/2008 | 1,201.96 |
| 02/08/2008 | 65868 | SHARP REES-STEALY MEDICAL CNTR | 390 | | | | 95.00 |
| 101-1130-412.21-04 | | 01/12/2008 | DMV EXAM&DOT 4 SHAY,MD | 196 | 080029 | 07/2008 | 95.00 |
| 02/08/2008 | 65869 | SIMPLEX GRINNELL LP | 408 | | | | 928.00 |
| 101-1910-419.21-04 | | 01/25/2008 | FIRE SPRINKLER SYS.SERVIC | 63123111 | 080703 | 07/2008 | 928.00 |

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| 02/08/2008 | 65870 | SKS INC. | 412 | | | | 8,274.64 |
| 501-1921-419.28-15 | | 01/24/2008 | 1200GAL OF UNL GASOLINE | 1215823-IN | 080151 | 07/2008 | 3,357.46 |
| 501-1921-419.28-15 | | 01/29/2008 | 750GAL UNL GASOLINE | 1215932-IN | 080151 | 07/2008 | 2,182.45 |
| 501-1921-419.28-15 | | 01/31/2008 | 802GAL UNL&113.2GAL DIESE | 1216005-IN | 080151 | 07/2008 | 2,734.73 |
| 02/08/2008 | 65871 | SOUTH BAY COMMUNITY SVCS | 472 | | | | 400.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080786 | 07/2008 | 400.00 |
| 02/08/2008 | 65872 | SOUTH COUNTY RENAISSANCE PROJE | 1458 | | | | 350.00 |
| 101-1010-411.28-08 | | 01/25/2008 | COMM. GRANTS PROG.FY07-08 | 01-25-2008 | 080781 | 07/2008 | 350.00 |
| 02/08/2008 | 65873 | SPRINT | 497 | | | | 516.02 |
| 101-1020-411.27-05 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 73.65 |
| 101-1230-413.27-05 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 73.45 |
| 101-3020-422.27-05 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 73.45 |
| 101-3020-422.27-05 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 73.25 |
| 503-1923-419.30-02 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 148.97 |
| 101-5020-432.27-05 | | 01/26/2008 | 0626824596-7 12/26-01/25 | 01-26-2008 | | 07/2008 | 73.25 |
| 65874- 65877 - VOID 20 | | | | | | | |
| 02/08/2008 | 65878 | U.S. BANK | 1873 | | | | 21,684.03 |
| 101-3020-422.29-01 | | 02/05/2008 | FIREHOUSE WORLD CONF. | 02-05-2008 | 080763 | 08/2008 | 200.00 |
| 601-5060-436.28-13 | | 01/10/2008 | CWEA-CERT. RENEWAL | 01-10-2008 | 080714 | 07/2008 | 66.00 |
| 601-5060-436.30-02 | | 01/10/2008 | PAINTER TAPE | 016949/1591596 | 080714 | 07/2008 | 13.98 |
| 405-1260-513.20-06 | | 01/07/2008 | COVE BASE | 01-07-2008 | 080716 | 07/2008 | 285.00 |
| 405-1260-513.20-06 | | 01/09/2008 | COVE BASE TILE | 01-09-2008 | 080716 | 07/2008 | 875.00 |
| 501-1921-419.28-01 | | 01/10/2008 | CAR WASH | 099742 | 080716 | 07/2008 | 9.99 |
| 408-5020-432.30-01 | | 01/09/2008 | USB FLASH DRIVE | 01-09-2008 | 080717 | 07/2008 | 41.99 |
| 408-5020-432.30-02 | | 01/10/2008 | GREENBOOK FOR PW | IT-00048670 | 080717 | 07/2008 | 17.64 |
| 408-5020-432.30-01 | | 01/10/2008 | OFFICE SUPPLY | P105627 | 080717 | 07/2008 | 17.73 |
| 408-5020-432.30-01 | | 01/14/2008 | OFFICE SUPPLIES | 01-14-2008 | 080717 | 07/2008 | 109.97 |
| 408-5020-432.30-02 | | 01/14/2008 | OFFICE SUPPLIES | 01-14-2008 | 080717 | 07/2008 | 114.04 |
| 101-5030-433.30-02 | | 01/02/2008 | WORK GLOVE | 022209/9022737 | 080718 | 07/2008 | 45.19 |
| 101-1910-419.30-02 | | 01/07/2008 | OFFICE SUPPLIES | 032529/4013269 | 080719 | 07/2008 | 161.29 |
| 405-1260-513.20-06 | | 01/07/2008 | OFFICE SUPPLIES | 032529/4013269 | 080719 | 07/2008 | 131.64 |
| 101-1910-419.30-02 | | 01/09/2008 | STOCK | 01-09-2008 | 080719 | 07/2008 | 21.22 |
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| 101-1910-419.30-02 | | 01/11/2008 | TIOLET SEATS&CIP SUPPLIES | 123802 | 080719 | 07/2008 | 146.16 |
| 405-1260-513.20-06 | | 01/11/2008 | TIOLET SEATS&CIP SUPPLIES | 123802 | 080719 | 07/2008 | 164.98 |
| 405-1260-513.20-06 | | 01/14/2008 | CIP SUPPLIES | 072434/7014279 | 080719 | 07/2008 | 64.19 |
| 101-6020-452.30-02 | | 01/15/2008 | SAFETY GLASSES | 01-15-2008 | 080719 | 07/2008 | 25.21 |
| 101-6020-452.30-02 | | 01/15/2008 | SAFETY GLASSES | 01-15-2008 | 080719 | 07/2008 | 6.48 |
| 405-1260-513.20-06 | | 01/15/2008 | CIP SUPPLIES | 01-15-2008 | 080719 | 07/2008 | 188.13 |
| 405-1260-513.20-06 | | 01/15/2008 | CIP SUPPLIES | 046902/6024399 | 080719 | 07/2008 | 90.14 |
| 405-1260-513.20-06 | | 01/15/2008 | CIP SUPPLIES | 123877 | 080719 | 07/2008 | 148.48 |
| 405-1260-513.20-06 | | 01/16/2008 | CIP SUPPLIES | 089859/5040672 | 080719 | 07/2008 | 5.95 |
| 101-1910-419.30-02 | | 01/17/2008 | BLINDS FOR PW | 010019/4580381 | 080719 | 07/2008 | 134.41 |
| 601-5050-436.30-02 | | 01/03/2008 | OFFICE SUPPLY | 1275603 | 080720 | 07/2008 | 11.46 |
| 601-5050-436.30-02 | | 01/11/2008 | ENV. EDUCATIONAL VIDEO | 01-11-2008 | 080720 | 07/2008 | 22.97 |
| 501-1921-419.29-04 | | 01/11/2008 | CAR WASH | 01-11-2008 | 080722 | 07/2008 | 8.00 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME / VENDOR # | CHECK AMOUNT |
|---|---|---|---|

| ACCOUNT # | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | TRN AMOUNT |
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| 101-6040-454.30-02 | 01/02/2008 | JANITORIAL SUPPLY | 01-02-2008 | 080724 | 07/2008 | 137.53 |
| 101-6040-454.30-02 | 01/02/2008 | PROTECTIVE GLOVES | 0124312 | 080724 | 07/2008 | 275.05 |
| 101-6040-454.30-02 | 01/02/2008 | GRAFFITI REMOVER | 15308 | 080724 | 07/2008 | 208.89 |
| 101-6040-454.30-02 | 01/02/2008 | CELL PHONE HOLSTER | 4782 | 080724 | 07/2008 | 21.54 |
| 101-1910-419.30-02 | 01/03/2008 | FLOOR STRIPPER&WAX | 021089/8591071 | 080724 | 07/2008 | 81.73 |
| 101-6040-454.30-02 | 01/03/2008 | OPERATIONS SUPPLY | 027052/8591072 | 080724 | 07/2008 | 31.14 |
| 101-6040-454.30-22 | 01/03/2008 | OPERATIONS SUPPLY | 027052/8591072 | 080724 | 07/2008 | 348.73 |
| 101-6040-454.30-02 | 01/03/2008 | TRASH CAN LINERS | 70417616 | 080724 | 07/2008 | 229.77 |
| 101-6040-454.30-22 | 01/06/2008 | TAPE MEASURE | 361505 | 080724 | 07/2008 | 13.57 |
| 101-6040-454.30-02 | 01/08/2008 | PLAZA UP-LIGHT BALLASTS | 072011 | 080724 | 07/2008 | 458.23 |
| 101-6040-454.30-02 | 01/08/2008 | OPERATION SUPPLIES | 085282/3190351 | 080724 | 07/2008 | 19.50 |
| 101-6040-454.30-02 | 01/08/2008 | OPERATION SUPPLIES | 085282/3190351 | 080724 | 07/2008 | 10.67 |
| 101-6040-454.30-02 | 01/08/2008 | OPERATION SUPPLIES | 085282/3190351 | 080724 | 07/2008 | 53.27 |
| 101-6040-454.30-22 | 01/08/2008 | OPERATION SUPPLIES | 085282/3190351 | 080724 | 07/2008 | 31.04 |
| 101-1910-419.30-02 | 01/10/2008 | SAFETY CENTER FLAG LIGHTS | 01-10-2008 | 080724 | 07/2008 | 96.95 |
| 101-6040-454.30-02 | 01/10/2008 | FUSES FOR PIER LIGHTS | 1048600002 | 080724 | 07/2008 | 136.54 |
| 101-6040-454.30-02 | 01/14/2008 | FUSE HOLDERS | 01-14-2008 | 080724 | 07/2008 | 153.97 |
| 101-1910-419.30-02 | 01/16/2008 | OPERATION SUPPLIES | 031293/5071331 | 080724 | 07/2008 | 56.17 |
| 101-6040-454.30-02 | 01/16/2008 | OPERATION SUPPLIES | 031293/5071331 | 080724 | 07/2008 | 4.42 |
| 101-6040-454.30-02 | 01/16/2008 | OPERATIONS SUPPLIES | 1049065620 | 080724 | 07/2008 | 446.16 |
| 101-6040-454.30-02 | 01/16/2008 | OPERATIONS SUPPLIES | 1049065620 | 080724 | 07/2008 | 26.94 |
| 101-6040-454.30-02 | 01/16/2008 | OPERATIONS SUPPLIES | 1049065620 | 080724 | 07/2008 | 20.28 |
| 101-6040-454.30-02 | 01/11/2008 | AMP FUSES | 01-11-2008 | 080725 | 07/2008 | 118.96 |
| 101-6040-454.30-02 | 01/19/2008 | TOOL SUPPLY | 0000326907 | 080725 | 07/2008 | 20.46 |
| 601-5060-436.30-02 | 01/08/2008 | BOOTS REPLCACEMENT | 62006 | 080726 | 07/2008 | 106.65 |
| 101-5010-431.30-02 | 01/09/2008 | WOOD STAKES | 017148/2023618 | 080730 | 07/2008 | 10.99 |
| 101-5010-431.30-02 | 01/15/2008 | STORM DRAIN FRAME | 0090747-IN | 080730 | 07/2008 | 112.60 |
| 101-5010-431.30-02 | 01/17/2008 | SCREW DRIVERS | 022750/4040763 | 080730 | 07/2008 | 10.75 |
| 101-5010-431.21-23 | 01/17/2008 | BOX OF ST. LIGHTS | 092302 | 080730 | 07/2008 | 639.23 |
| 101-5020-432.30-01 | 01/10/2008 | BLACK TONER | 01-10-2008 | 080732 | 07/2008 | 153.52 |
| 101-1910-419.30-02 | 01/14/2008 | JANITORIAL SUPPLIES | 271012 | 080733 | 07/2008 | 264.71 |
| 501-1921-419.28-16 | 01/09/2008 | BRAKE PARTS | 25995970 | 080734 | 07/2008 | 257.66 |
| 101-5010-431.30-02 | 01/09/2008 | PVC PIPE | 093545 | 080737 | 07/2008 | 84.82 |
| 101-6020-452.30-02 | 01/11/2008 | PARK LIGHT & BALLAST | 009605 | 080737 | 07/2008 | 115.87 |
| 101-6020-452.30-02 | 01/11/2008 | PAINT & PRIMER | 030283/0581385 | 080737 | 07/2008 | 80.55 |
| 101-6020-452.30-02 | 01/15/2008 | REDI-MIX CONCRETE | 052393/6014458 | 080737 | 07/2008 | 100.77 |
| 101-6020-452.30-02 | 01/17/2008 | REDI-MIX CONCRETE | 011052/4014672 | 080737 | 07/2008 | 50.38 |
| 101-1010-411.30-01 | 01/07/2008 | OPERATIONA SUPPLY | 084672/4040504 | 080738 | 07/2008 | 19.36 |
| 101-3040-424.28-12 | 01/14/2008 | A.I.A MEMBERSHIP | 01-14-2008 | 080740 | 07/2008 | 681.00 |
| 101-3070-427.30-01 | 01/18/2008 | MAILING LABELS FOR CD | 01-18-2008 | 080740 | 07/2008 | 97.58 |
| 405-1260-413.28-04 | 01/11/2008 | RDA CONFERENCE | 01-11-2008 | 080743 | 07/2008 | 545.00 |
| 405-1260-413.28-04 | 01/12/2008 | RDA CONFERENCE | 01-12-2008 | 080743 | 07/2008 | 475.00 |
| 101-1230-413.30-01 | 01/03/2008 | NUMBER LABELS | 01-03-2008 | 080744 | 07/2008 | 34.53 |
| 101-1230-413.30-01 | 01/11/2008 | OFFICE SUPPLIES | 01-11-2008 | 080744 | 07/2008 | 85.91 |
| 101-3040-424.30-01 | 01/11/2008 | OFFICE SUPPLIES | 01-11-2008 | 080744 | 07/2008 | 14.76 |
| 101-3070-427.30-01 | 01/11/2008 | OFFICE SUPPLIES | 01-11-2008 | 080744 | 07/2008 | 13.84 |
| 405-1260-413.30-01 | 01/11/2008 | OFFICE SUPPLIES | 01-11-2008 | 080744 | 07/2008 | 14.09 |
| 101-1010-411.28-04 | 01/14/2008 | DC CONFERENCE AIRFARE | 01-14-2008 | 080744 | 07/2008 | 599.99 |
| 101-1230-413.28-04 | 01/14/2008 | WASH. DC CONFEREN.AIRFARE | 01-14-2008 | 080744 | 07/2008 | 599.99 |
| 101-1230-413.28-04 | 01/15/2008 | DC CONFERENCE HOTEL STAY | 01-15-2008 | 080744 | 07/2008 | 741.96 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME | VENDOR # | | | | CHECK AMOUNT |
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| ACCOUNT # | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | | TRN AMOUNT |
| 101-1230-413.30-01 | 01/16/2008 | OFFICE SUPPLIES | 01-16-2008 | 080744 | 07/2008 | | 7.53 |
| 101-3040-424.30-01 | 01/16/2008 | OFFICE SUPPLIES | 01-16-2008 | 080744 | 07/2008 | | 40.93 |
| 101-3070-427.30-01 | 01/16/2008 | OFFICE SUPPLIES | 01-16-2008 | 080744 | 07/2008 | | 5.71 |
| 101-1010-411.28-04 | 01/09/2008 | COUNCIL DINNER | 8299 | 080747 | 07/2008 | | 97.87 |
| 101-1010-411.28-04 | 01/16/2008 | STAFF LUNCH | 002211 | 080747 | 07/2008 | | 92.83 |
| 101-1110-412.30-01 | 01/09/2008 | FILE SUPPLIES | 22514-SD | 080749 | 07/2008 | | 82.94 |
| 101-1020-411.30-01 | 01/16/2008 | OFFICE SUPPLIES | 01-16-2008 | 080749 | 07/2008 | | 90.81 |
| 101-1110-412.30-01 | 01/16/2008 | TONER | 01-16-2008 | 080749 | 07/2008 | | 258.58 |
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| 101-1130-412.30-01 | 01/16/2008 | OFFICE SUPPLIES | 01-16-2008 | 080749 | 07/2008 | | 22.81 |
| 101-1130-412.30-02 | 01/16/2008 | FLOWERS FOR REP FAREWELL | 01-16-2008 | 080749 | 07/2008 | | 57.09 |
| 101-1110-412.28-04 | 01/02/2008 | EMPLOYEE LUNCH | 051639 | 080750 | 07/2008 | | 19.05 |
| 101-1010-411.28-04 | 01/14/2008 | LEAGUE OF CA CITIES CONF. | 01-14-2008 | 080751 | 07/2008 | | 319.00 |
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| 101-3020-422.29-02 | 01/15/2008 | EMPLY. APPRECIATION LUNCH | 016038 | 080761 | 07/2008 | | 15.47 |
| 101-3020-422.30-02 | 01/08/2008 | STATION SUPPLIES | 0703865 | 080762 | 07/2008 | | 132.18 |
| 101-3020-422.30-02 | 01/15/2008 | SURGE PROTECTOR | 074211/6014419 | 080762 | 07/2008 | | 10.74 |
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| 101-3020-422.30-01 | 01/13/2008 | OFFICE SUPPLIES | 01-13-2008 | 080763 | 07/2008 | | 51.69 |
| 101-3030-423.25-03 | 01/13/2008 | CEANING SUPPLIES | 01-13-2008 | 080764 | 07/2008 | | 4.84 |
| 101-3030-423.30-02 | 01/13/2008 | JANITORIAL SUPPLIES | 01-13-2008 | 080764 | 07/2008 | | 18.29 |
| 101-3030-423.28-01 | 01/13/2008 | LG TOOL BOX TOOLS&MATER. | 033742/8090500 | 080764 | 07/2008 | | 87.84 |
| 101-3030-423.30-02 | 01/13/2008 | JANITORIAL SUPPLY CREDIT | 12410 | 080764 | 07/2008 | | 21.53- |
| 101-3030-423.30-02 | 01/13/2008 | JANITORIAL SUPPLIES | 4805 | 080764 | 07/2008 | | 24.52 |
| 101-3030-423.28-01 | 01/17/2008 | OPERATION SUPPLIES | 057349/4190621 | 080764 | 07/2008 | | 45.55 |
| 101-3030-423.30-02 | 01/20/2008 | OFFICE SUPPLIES | 01-20-2008 | 080764 | 07/2008 | | 138.78 |
| 101-3030-423.28-01 | 01/20/2008 | FAUCET REPLACEMENT | 020388/1592313 | 080764 | 07/2008 | | 49.48 |
| 101-3030-423.28-01 | 01/09/2008 | LIFEGUARD EQUIP. REPAIR | 88349 | 080766 | 07/2008 | | 732.95 |
| 101-3030-423.28-01 | 01/11/2008 | NEW WASHER-DRYER WARRANTY | 052714/E | 080766 | 07/2008 | | 309.99 |
| 101-3030-423.28-01 | 01/10/2008 | CAR WASH | 090739 | 080767 | 07/2008 | | 8.99 |
| 101-3030-423.30-02 | 01/11/2008 | USB CABLE | 01-11-2008 | 080767 | 07/2008 | | 37.70 |
| 101-3030-423.28-01 | 01/11/2008 | BCH. FLAG REPAIR SUPPLIES | 031859/0200418 | 080767 | 07/2008 | | 51.28 |
| 101-3030-423.28-04 | 01/17/2008 | TIME MGT. WORKSHOP | 01-17-2008 | 080767 | 07/2008 | | 249.00 |
| 503-1923-419.30-02 | 01/16/2008 | OPERATION SUPPLIES | SDCV261039 | 080769 | 07/2008 | | 34.46 |
| 101-1910-419.30-02 | 12/12/2007 | SIGNAL FLAGS | 12-12-2007 | 080716 | 06/2008 | | 166.00 |
| 101-5010-431.30-02 | 12/12/2007 | SIGNAL FLAGS | 12-12-2007 | 080716 | 06/2008 | | 276.06 |
| 101-1910-419.28-01 | 12/26/2007 | FIRE STATION KITCHEN | 12-26-2007 | 080716 | 06/2008 | | 589.00 |
| 101-1110-412.30-01 | 12/13/2007 | FILE SUPPLIES | 22290-SD | 080749 | 06/2008 | | 369.35 |
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| 101-3020-422.29-01 | 12/26/2007 | FIREHOUSE WORLD CONF. | 12-26-2007 | 080763 | 06/2008 | | 210.00 |
| 101-3020-422.29-01 | 12/26/2007 | FIREHOUSE WORLD CONF. | 12-26-2007 | 080763 | 06/2008 | | 375.00 |
| 101-3020-422.29-01 | 12/28/2007 | FIREHOUSE WORLD CONF. | 12-28-2007 | 080763 | 06/2008 | | 520.00 |
| 101-3030-423.28-01 | 12/24/2007 | DIVE TEAM EQUIP.SERVICE | 024560 | 080764 | 06/2008 | | 379.32 |
| 101-3030-423.28-01 | 12/29/2007 | PWC REPAIR SUPPLIES | 12-29-2007 | 080764 | 06/2008 | | 261.72 |
| 101-3030-423.28-01 | 12/20/2007 | BEACH FLAGS REPLACEMENT | 28369 | 080767 | 06/2008 | | 103.76 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 503-1923-419.30-02 | | 12/20/2007 | TAPES | 12-20-2007 | 080769 | 06/2008 | 1,008.61 |
| 503-1923-419.30-02 | | 12/31/2007 | CABLES | HWV3266 | 080769 | 06/2008 | 190.12 |
| 101-3020-422.28-11 | | 10/22/2007 | BUSINESS CARDS | 15837 | 080749 | 04/2008 | 74.86 |
| 101-6010-451.30-02 | | 01/04/2008 | CHIPS & CRACKERS | 01-04-2008 | 080752 | 07/2008 | 44.88 |
| 101-6010-451.28-01 | | 01/11/2008 | OPERATION SUPPLIES | 01-11-2008 | 080752 | 07/2008 | 38.60 |
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| 101-6010-451.30-02 | | 01/18/2008 | SODA | 01/18/2008 | 080752 | 07/2008 | 19.83 |
| 02/08/2008 | 65879 | UNDERGROUND SERVICE ALERT OF | 731 | | | | 13.50 |
| 601-5060-436.21-04 | | 02/01/2008 | TICKETS | 120080303 | 080189 | 08/2008 | 13.50 |
| 02/08/2008 | 65880 | UNITED STATES POSTAL SERVICE | 1354 | | | | 175.00 |
| 101-1920-419.28-09 | | 01/22/2008 | USPS FEE RENEWAL NOTICE | 01-22-2008 | 080794 | 07/2008 | 175.00 |
| 02/08/2008 | 65881 | UNITED WAY OF SAN DIEGO COUNTY | 1483 | | | | 25.00 |
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| 02/08/2008 | 65882 | WILDCOAST | 1905 | | | | 350.00 |
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| 02/08/2008 | 65883 | XEROX CORPORATION | 861 | | | | 1,319.62 |
| 101-1920-419.20-17 | | 02/01/2008 | METER USAGE CHARGES | 030677055 | 080219 | 08/2008 | 1,013.31 |
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| 02/08/2008 | 65884 | YMCA CAMP SURF | 867 | | | | 400.00 |
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| 02/14/2008 | 65885 | ALL TEAM STAFFING, INC | 1801 | | | | 1,226.88 |
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| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 30.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 60.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 60.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 390.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 120.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 60.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 30.00 |
| 101-6040-454.21-01 | | 02/04/2008 | ROMERO, S W/E 02/01/2008 | 1000150 | 080304 | 08/2008 | 30.00 |
| 02/14/2008 | 65886 | APWA | 1 | | | | 150.00 |
| 101-3040-424.28-04 | | 02/11/2008 | SEMINAR-ED WILCZAK2/27/08 | 02-14-2008 | | 08/2008 | 150.00 |
| 02/14/2008 | 65887 | ARROWHEAD MOUNTAIN SPRING WATE | 1340 | | | | 29.18 |
| 101-5020-432.30-02 | | 01/23/2008 | AH DRINKING WATER | 08A0026726646 | 080213 | 07/2008 | 29.18 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 02/14/2008 | 65888 | AT&T | 291 | | | | 178.29 |
| 101-1920-419.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 9.12 |
| 101-3070-427.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 5.96 |
| 101-1210-413.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 61.68 |
| 101-5020-432.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 84.03 |
| 101-1020-411.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 14.21 |
| 101-6030-453.27-04 | | 02/01/2008 | 030-480-7925-001 | 02-25-2008 | | 08/2008 | 3.29 |
| 02/14/2008 | 65889 | BDS ENGINEERING INC | 372 | | | | 5,500.00 |
| 202-5016-531.20-06 | | 02/06/2008 | SOUTH SEACOAST OVERLAY | 07-38A | 080618 | 08/2008 | 5,500.00 |
| 02/14/2008 | 65890 | CDW GOVERNMENT INC | 725 | | | | 368.18 |
| 401-1020-413.20-06 | | 11/27/2007 | OPERATIONS SUPPLY | HPD4706 | 080632 | 05/2008 | 659.11 |
| 401-1020-413.20-06 | | 02/13/2008 | REFUND FOR CPU HOLDER | HTT4003 | | 08/2008 | 290.93- |
| 02/14/2008 | 65891 | CORPORATE EXPRESS OFFICE | 1038 | | | | 762.29 |
| 101-1210-413.30-01 | | 02/12/2008 | CREDIT ON ENVL. ORDERED | 84428331 | | 07/2008 | 24.29- |
| 101-1920-419.30-01 | | 11/19/2007 | OFFICE SUPPLIES | 83189196 | 080605 | 05/2008 | 786.58 |
| 02/14/2008 | 65892 | DATAQUICK | 1134 | | | | 205.01 |
| 101-3070-427.21-04 | | 02/04/2008 | INTERNET SERVICE | B1-1193020 | 080246 | 08/2008 | 205.01 |
| 02/14/2008 | 65893 | DEPT. OF INDUSTRIAL REL. | 1163 | | | | 1,892.13 |
| 502-1922-419.28-02 | | 12/12/2007 | SELF - INSURANCE PLANS | 50728 | 080806 | 06/2008 | 1,892.13 |
| 02/14/2008 | 65894 | EAGLE NEWSPAPER | 1204 | | | | 1,607.25 |
| 101-1020-411.28-07 | | 01/03/2008 | LEGAL ADVERTISING | 36183 | 080441 | 07/2008 | 41.25 |
| 405-1260-413.28-11 | | 01/24/2008 | RDA-LEGAL ADVERTISING | 36816 | 080803 | 07/2008 | 660.00 |
| 405-1260-413.28-11 | | 01/31/2008 | LEGAL ADVERTISING | 37010 | 080803 | 07/2008 | 186.00 |
| 210-1235-513.20-06 | | 01/03/2008 | LEGAL ADVERTISING | 36183 | 080447 | 07/2008 | 93.75 |
| 210-1235-513.20-06 | | 01/10/2008 | LEGAL ADVERTISING | 36392 | 080447 | 07/2008 | 93.75 |
| 202-5016-531.20-06 | | 01/17/2008 | LEGAL ADVERTISING | 36596 | 080447 | 07/2008 | 83.75 |
| 210-1235-513.20-06 | | 01/17/2008 | LEGAL ADVERTISING | 36596 | 080447 | 07/2008 | 93.75 |
| 202-5016-531.20-06 | | 01/24/2008 | LEGAL ADVERTISING | 36816 | 080447 | 07/2008 | 83.75 |
| 210-1235-513.20-06 | | 01/24/2008 | LEGAL ADVERTISING | 36816 | 080447 | 07/2008 | 93.75 |
| 202-5016-531.20-06 | | 01/31/2008 | LEGAL ADVERTISING | 37010 | 080447 | 07/2008 | 83.75 |
| 210-1235-513.20-06 | | 01/31/2008 | LEGAL ADVERTISING | 37010 | 080447 | 07/2008 | 93.75 |
| 02/14/2008 | 65895 | EL SEMBRADOR NURSERY | 1212 | | | | 2,304.26 |
| 101-5010-431.30-02 | | 01/29/2008 | TRISTANIA CONFERTA | 92736 | 080793 | 07/2008 | 2,304.26 |
| 02/14/2008 | 65896 | FRAZEE PAINT | 970 | | | | 476.25 |
| 101-5030-433.30-02 | | 01/30/2008 | OPERATIONAL SUPPLIES | 729918 | 080440 | 07/2008 | 476.25 |
| 02/14/2008 | 65897 | G & G BACKFLOW AND PLUMBING | 1486 | | | | 4,324.94 |
| 101-6020-452.21-04 | | 02/09/2008 | TEST&CERTIFY BACKFLOWS | 4125 | 080772 | 08/2008 | 1,937.10 |
| 101-1910-419.20-06 | | 02/09/2008 | NEW BACKFLOW INSTALLATION | 4124 | 080772 | 08/2008 | 2,387.84 |
| 02/14/2008 | 65898 | HDL COREN & CONE | 88 | | | | 2,025.00 |
| 101-1920-419.20-06 | | 02/07/2008 | CONTRACT SERVICES | 0013077-IN | 080272 | 08/2008 | 2,025.00 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 02/14/2008 | 65899 | HORIZON HEALTH EAP | 90 | | | | 385.95 |
| 101-1130-412.20-06 | | 02/06/2008 | EMPLOYEE ASSIT. PROGRAM | 027612 | 080017 | 08/2008 | 385.95 |
| 02/14/2008 | 65900 | DANIEL LOPEZ | 1912 | | | | 400.00 |
| 405-1260-413.20-06 | | 02/06/2008 | FACADE IMPROVEMENT | 02-06-2008 | 080804 | 08/2008 | 400.00 |
| 02/14/2008 | 65901 | IMPERIAL BEACH CHAMBER OF COMM | 1505 | | | | 60.00 |
| 101-1010-411.28-04 | | 02/08/2008 | ASSOCIATE MEMBER ANNUAL D | 4860 | F08095 | 08/2008 | 60.00 |
| 02/14/2008 | 65902 | KANE, BALLMER & BERKMAN | 1828 | | | | 4,540.00 |
| 245-1240-413.20-01 | | 02/01/2008 | LEGAL SERVICES | 02-01-2008 | 080318 | 08/2008 | 908.00 |
| 405-1260-413.20-01 | | 02/01/2008 | LEGAL SERVICES | 02-01-2008 | 080318 | 08/2008 | 3,632.00 |
| 02/14/2008 | 65903 | KEYSER MARSTON ASSOC INC | 620 | | | | 2,412.50 |
| 405-1260-413.20-06 | | 02/06/2008 | PROFESSIONAL SERVICES | 0017224 | 080306 | 08/2008 | 2,412.50 |
| 02/14/2008 | 65904 | LINDA KANE | 1 | | | | 550.00 |
| 101-0000-221.01-03 | | 02/13/2008 | REFUND FOR MARINA VISTA | 02-14-2008 | | 08/2008 | 550.00 |
| 02/14/2008 | 65905 | LLOYD PEST CONTROL | 814 | | | | 286.00 |
| 101-1910-419.20-22 | | 01/10/2008 | PEST CONTR. MONTHLY MAINT | 1487988 | 080174 | 07/2008 | 31.00 |
| 101-1910-419.20-22 | | 01/10/2008 | PEST CONTR. MONTHLY MAINT | 1487989 | 080174 | 07/2008 | 31.00 |
| 101-1910-419.20-22 | | 01/10/2008 | PEST CONTR MONTHLY MAINT | 1491926 | 080174 | 07/2008 | 31.00 |
| 101-1910-419.20-22 | | 01/14/2008 | PEST CONTR MONTHLY MAINT | 1493302 | 080174 | 07/2008 | 47.00 |
| 101-1910-419.20-22 | | 01/16/2008 | PEST CONTR. MONTHLY MAINT | 1490750 | 080174 | 07/2008 | 47.00 |
| 101-1910-419.20-22 | | 01/16/2008 | PEST CONTR. MONTHLY MAINT | 1491206 | 080174 | 07/2008 | 54.00 |
| 101-1910-419.20-22 | | 01/17/2008 | PEST CONTR. MONTHLY MAINT | 1487986 | 080174 | 07/2008 | 45.00 |
| 02/14/2008 | 65906 | PROCLAMATIONS FOR PROFESSIONAL | 1914 | | | | 50.00 |
| 101-1110-412.30-01 | | 01/29/2008 | MANUAL OF SAMPLE PROCLAMA | 179 | F08094 | 07/2008 | 50.00 |
| 02/14/2008 | 65907 | MARTIN & CHAPMAN COMPANY | 912 | | | | 513.47 |
| 101-1020-411.21-06 | | 01/23/2008 | CONULTATION FEES | 28061 | 080710 | 07/2008 | 513.47 |
| 02/14/2008 | 65908 | MICHAL PIASECKI CONSULTING | 1795 | | | | 7,020.00 |
| 101-1920-532.20-06 | | 01/31/2008 | PROFESSIONAL SERVICES | 35 | 080178 | 07/2008 | 2,340.00 |
| 101-5010-431.20-06 | | 01/31/2008 | PROFESSIONAL SERVICES | 35 | 080178 | 07/2008 | 450.00 |
| 405-1260-513.20-06 | | 01/31/2008 | PROFESSIONAL SERVICES | 35 | 080178 | 07/2008 | 1,755.00 |
| 601-5060-536.20-06 | | 01/31/2008 | PROFESSIONAL SERVICES | 35 | 080178 | 07/2008 | 1,755.00 |
| 601-5050-436.20-06 | | 01/31/2008 | BUILDING PERMIT REPORT | 38 | 080178 | 07/2008 | 720.00 |
| 02/14/2008 | 65909 | MIG | 1881 | | | | 21,735.00 |
| 101-5060-564.20-08 | | 01/31/2008 | PROF.SERVICES 1/11/-12/31 | 0023917 | 080423 | 07/2008 | 16,301.25 |
| 405-1260-513.20-06 | | 01/31/2008 | PROF.SERVICES 1/11/-12/31 | 0023917 | 080423 | 07/2008 | 5,433.75 |
| 02/14/2008 | 65910 | NASLAND ENGINEERING | 1656 | | | | 749.03 |
| 408-1920-519.20-06 | | 01/31/2008 | PROFESSIONAL SERVICES | 85354 | 070522 | 07/2008 | 749.03 |
| 02/14/2008 | 65911 | PARTNERSHIP WITH INDUSTRY | 1302 | | | | 961.93 |
| 101-6040-454.21-04 | | 02/01/2008 | PROFESSIONAL SERVICES | SBG01240 | 080185 | 08/2008 | 961.93 |

| CHECK DATE / ACCOUNT # | CHECK NUMBER | VENDOR NAME / TRN DATE | VENDOR # / DESCRIPTION | INVOICE | PO # | PER/YEAR | CHECK AMOUNT / TRN AMOUNT |
|---|---|---|---|---|---|---|---|
| 02/14/2008 | 65912 | PMI | 23 | | | | 457.12 |
| 601-5060-436.30-02 | | 02/11/2008 | DIAMOND GRIP | 0128245 | 080137 | 08/2008 | 457.12 |
| 02/14/2008 | 65913 | POSTINI, INC | 1646 | | | | 748.63 |
| 503-1923-419.20-06 | | 02/05/2008 | USAGE MONTHLY CHARGE | 408271 | 080247 | 08/2008 | 294.00 |
| 503-1923-419.28-13 | | 02/05/2008 | USAGE MONTHLY CHARGE | 408271 | 080247 | 08/2008 | 454.63 |
| 02/14/2008 | 65914 | RANCHO AUTO & TRUCK PARTS | 1685 | | | | 127.33 |
| 501-1921-419.28-16 | | 02/05/2008 | AUTO PARTS | D306237 | 080152 | 08/2008 | 115.27 |
| 501-1921-419.28-16 | | 02/06/2008 | FORD TRUCK PARTS | D306372 | 080152 | 08/2008 | 80.87 |
| 501-1921-419.28-16 | | 02/11/2008 | REFUND ON AIR&FUEL FILTER | C10914 | 080152 | 08/2008 | 114.39- |
| 501-1921-419.28-16 | | 02/12/2008 | PULL PIN,AIR&OIL FILTER | D307298 | 080152 | 08/2008 | 45.58 |
| 02/14/2008 | 65915 | SAN DIEGO GAS & ELECTRIC | 1399 | | | | 15,364.08 |
| 101-5010-431.27-01 | | 02/06/2008 | 08831546949 12/31-01/30 | 01-22-2008 | | 08/2008 | 79.12 |
| 101-3020-422.27-01 | | 02/06/2008 | 10087869371 12/28-01/29 | 02-22-2008 | | 08/2008 | 223.66 |
| 101-1910-419.27-01 | | 02/06/2008 | 10087869371 12/28-01/29 | 02-22-2008 | | 08/2008 | 372.50 |
| 101-5010-431.27-01 | | 02/06/2008 | 10088604389 12/26-01/25 | 02-22-2008 | | 08/2008 | 576.68 |
| 101-3020-422.27-01 | | 02/06/2008 | 19807697764 12/28-01/29 | 02-22-2008 | | 08/2008 | 2,192.87 |
| 601-5060-436.27-01 | | 02/06/2008 | 52635219238 12/26-01/25 | 02-22-2008 | | 08/2008 | 5.58 |
| 101-6020-452.27-01 | | 02/06/2008 | 56497714749 12/31-01/30 | 02-22-2008 | | 08/2008 | 9.10 |
| 101-5010-431.27-01 | | 02/06/2008 | 56497714749 12/31-01/30 | 02-22-2008 | | 08/2008 | 6,654.92 |
| 101-5010-431.27-01 | | 02/06/2008 | 85075178464 12/31-01/30 | 02-22-2008 | | 08/2008 | 136.76 |
| 601-5060-436.27-01 | | 02/06/2008 | 85075178464 12/31-01/30 | 02-22-2008 | | 08/2008 | 61.72 |
| 101-6020-452.27-01 | | 02/06/2008 | 85075178464 12/24-01/30 | 02-22-2008 | | 08/2008 | 885.12 |
| 601-5060-436.27-01 | | 02/06/2008 | 85417701270 12/26-01/30 | 02-22-2008 | | 08/2008 | 3,146.59 |
| 101-5020-432.27-01 | | 02/06/2008 | 91692992261 12/26-01/25 | 02-22-2008 | | 08/2008 | 1,019.46 |
| 02/14/2008 | 65916 | SDGE | 289 | | | | 11.43 |
| 101-5010-431.27-01 | | 02/11/2008 | 3062 843 3719 10/26-11/28 | 12-14-2008 | | 05/2008 | 11.43 |
| 02/14/2008 | 65917 | SHAWN JOHNSON | 1 | | | | 471.41 |
| 101-3030-423.28-04 | | 02/13/2008 | REIMBURSEMENT | 02-14-2008 | | 08/2008 | 471.41 |
| 02/14/2008 | 65918 | SKS INC. | 412 | | | | 3,937.56 |
| 501-1921-419.28-15 | | 02/07/2008 | 1099GAL UNL&213GAL DIESEL | 1216195-IN | 080151 | 08/2008 | 3,937.56 |
| 02/14/2008 | 65919 | SOUTH WEST SIGNAL | 488 | | | | 150.00 |
| 101-5010-431.21-04 | | 01/31/2008 | MONTHLY MAINTENANCE | 47514 | 080148 | 07/2008 | 150.00 |
| 02/14/2008 | 65920 | TYRA MOE | 1 | | | | 110.00 |
| 101-3020-422.29-01 | | 02/13/2008 | TRAINING | 02-14-2008 | | 08/2008 | 110.00 |
| 02/14/2008 | 65921 | UNION TRIBUNE | 738 | | | | 1,164.80 |
| 101-0000-221.01-02 | | 02/09/2008 | CITY COUNCIL NOTICE | 02-14-2008 | | 08/2008 | 592.00 |
| 101-0000-221.01-02 | | 02/09/2008 | CITY COUNCIL NOTICE | 02-14-2008 | | 08/2008 | 572.80 |
| 02/14/2008 | 65922 | VORTEX INDUSTRIES, INC. | 786 | | | | 1,296.49 |
| 101-1910-419.28-01 | | 01/30/2008 | OVERHEAD STEEL DOOR SERV. | 11-382453-1 | 080155 | 07/2008 | 1,296.49 |

| CHECK DATE | CHECK NUMBER | VENDOR NAME / VENDOR # | | | | | CHECK AMOUNT |
|---|---|---|---|---|---|---|---|
| ACCOUNT # | | TRN DATE | DESCRIPTION | INVOICE | PO # | PER/YEAR | TRN AMOUNT |
| 02/14/2008 | 65923 | WESTERN PUMP INC | 752 | | | | 1,015.29 |
| 501-1921-419.28-13 | | 01/31/2008 | CREDIT TO INVOICE#65355 | 0065355-CM | 080143 | 07/2008 | 149.60- |
| 501-1921-419.28-13 | | 01/31/2008 | OPERATIONAL SERVICES | 0065355-IN | 080143 | 07/2008 | 777.39 |
| 501-1921-419.28-13 | | 01/31/2008 | OPERATIONAL SERVICES | 0065356-IN | 080143 | 07/2008 | 387.50 |

DATE RANGE TOTAL * 453,383.87 *

*AGENDA ITEM NO. 2.3*

# STAFF REPORT
# CITY OF IMPERIAL BEACH

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MARCH 5, 2008

**ORIGINATING DEPT.:** FINANCE DEPARTMENT

**SUBJECT:** SALE OF SURPLUS PROPERTY

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**BACKGROUND:**
From time to time, Staff determines the need to dispose of obsolete and surplus property. I.B.M.C. Chapter 3.04.050 states:

> "The purchasing officer shall have the following powers and duties:
> ...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;"

City of Imperial Beach Resolution 90-3828 authorized the Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting.

**DISCUSSION:**
At this time, the City of Imperial Beach has accumulated a number of equipment items that are recommended for transfer to a surplus or unused supplies and equipment category. The following supplies and equipment are recommended for this designation:

1. The items listed in Attachment 2, Exhibit "A".

**FISCAL ANALYSIS:**
Salvage Value

**DEPARTMENT RECOMMENDATION:**
Staff recommends approval of the attached Resolution authorizing the sale / transfer of surplus property as follows:

1. Items listed in Exhibit A, Equipment Inventory List for County Auction, and Exhibit B, Vehicle/Equipment Inventory List

**CITY MANAGER'S RECOMMENDATION:**
Approve Department recommendation.

Gary Brown

Gary Brown, City Manager

Attachments:

1. Resolution 2008-6588
2. Exhibit A – Equipment Inventory List for County Auction
3. Exhibit B - Vehicle/Equipment Listing

ATTACHMENT 1

**RESOLUTION NO. 2008-6588**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS,** I.B.M.C. Chapter 3.04.050 states: "The purchasing officer shall have the following powers and duties:

...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;" and

**WHEREAS,** the City Council of the City of Imperial Beach on October 3, 1990, adopted Resolution No. 90-3828 authorizing its Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting; and

**WHEREAS,** the City Council of the City of Imperial Beach now desire to declare the items of equipment shown on Exhibit "A" attached hereto as surplus or unsuitable for City use.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Imperial Beach that:

1. The above recitals are true and correct.
2. The City Council of the City of Imperial Beach declares the items of equipment shown on Exhibit "A" and "B", (attached hereto) surplus and/or unused and hereby directs the Director of Administrative Services to dispose of same as follows:
    - Items in Exhibit "A" through the San Diego County Division of Purchasing and Contracting or as otherwise authorized by the City Manager.
    - Items in Exhibit "B" through the San Diego County Division of Purchasing and Contracting.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

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

_____
**JAMES C. 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 an exact copy of Resolution No. 2008-6588 – A Resolution of the City Council of the City of Imperial Beach, California, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT.

_____ _____
CITY CLERK DATE

**Exhibit A**

# IMPERIAL BEACH
# EQUIPMENT INVENTORY LIST
# FOR COUNTY AUCTION

| ITEM | QTY | DESCRIPTION | PROPERTY TAG # |
|---|---|---|---|
| 1. | 1 | Misc office supplies | none |
| 2. | 1 | Shop master scroll saw/bandsaw | #1379 |
| 3. | 1 | Pressure Washer | none |
| 4. | 1 | Drain snake | none |
| 5. | 1 | Rockwell Planer | none |

RECEIVED BY_____
PRINT NAME

RECEIVED BY_____ DATE_____
SIGNATURE

**Exhibit B**

## VEHICLE/EQUIPMENT INVENTORY LIST

| YEAR | MAKE | MODEL | DESCRIPTION | VEHICLE or SERIAL IDENTIFICATION NUMBER | EQUIPMENT NO. | LICENSE NO. |
|---|---|---|---|---|---|---|
| 1997 | Ford | Taurus | Sedan | 1FALP52U2VA155453 | 100 | E020922 |
| | | | Light tower generator | None | S-4 | None |
| | | 4BGEFA26200DA (Generator) | Black military spotlight trailer w/Onon Generator | K980821303 | none | None |
| 1996 | Ford | L8000 Vactor | Vactor Truck | 1FDYR82E1TVA23273 | 117 | E-037117 |
| 1980 | | Electro Magic | N/A | Serial 222938 | None | None |

***AGENDA ITEM NO.*** 2.6

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **March 5, 2008** |
| **ORIGINATING DEPT.:** | **PUBLIC SAFETY** |
| **SUBJECT:** | **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DESIGNATING THE CITY OF IMPERIAL BEACH FIRE STATION AS A SAFE SURRENDER SITE.** |

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## BACKGROUND:

Infant abandonment is an event that does not occur very often, but when it does, it often results in serious injury or death. In 2001, SB1368 became law and established the Safely Surrender Baby program. The purpose of the law is to encourage parents to bring unwanted infants, within three days of birth, to reception centers such as hospitals or fire stations, rather than abandon them in dumpsters or bushes. No names are required and the parent(s) will not be subject to prosecution for child abandonment. The baby will receive needed medical treatment and be placed in an adoptive home. There is a mechanism for parents to reclaim the infant within 14 days if deemed appropriate by Child Welfare Services.

The Safely Surrendered Baby law established hospitals as safe haven sites and allowed the Counties to designate other facilities, such as fire stations, as safe haven sites. On December 11, 2007, the San Diego County Board of Supervisors approved the designation of fire stations that are staffed full-time as safe haven sites. Fire stations are located in the communities where people work and live, and fire stations have always been thought of as places where people can go to get help. A local fire station can be less intimidating than a hospital.

Statewide 182 newborns have been safely surrendered in California since the law was enacted. Unfortunately, infants continue to be illegally abandoned resulting in injury and death. In north San Diego County, two abandoned infants have been found dead in the past two years. It is frightening to consider how many abandoned infants were never found.

## DISCUSSION:

The Public Safety Department is recommending the implementation of the Safe Surrender program at the Imperial Beach Fire Station. The opportunity of hope for a potentially abandoned infant is well worth the minimal cost and effort. The Imperial Beach Firefighter Association has graciously volunteered to take on the cost for the implementation of this program.

**ENVIRONMENTAL IMPACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

The Imperial Beach Firefighter Association will purchase the signage for the Imperial Beach Fire Station and the Newborn Safe Surrender Kits. The amount for implementing this program is approximately $50.00.

**DEPARTMENT RECOMMENDATION:**

Staff recommends the City Council adopt Resolution 2008-6590 designating the City of Imperial Beach Fire Station as a Safe Surrender Site.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown, City Manager

Attachments: 1. Resolution 2008-6590

ATTACHMENT 1

**RESOLUTION NO. 2008-6590**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DESIGNATING THE IMPERIAL BEACH FIRE STATION AS A SAFE SURRENDER SITE**

**WHEREAS,** SB1368, Safely Surrendered Baby Program, became California State law in 2001 and Governor Schwarzenegger signed legislation October 7, 2005 extending the Safely Surrendered Baby Law permanently beginning January 1, 2006; and

**WHEREAS,** the Safely Surrendered Baby Program allows parents to surrender unwanted infants that are within three days of birth to employees at designated facilities safely, confidentially, and without fear of prosecution; and

**WHEREAS,** the County of San Diego has authorized fire stations that are staffed full time to be designated as Safe Surrender Sites; and

**WHEREAS,** the Safely Surrendered Baby law provides a safe alternative to desperate mothers who are unwilling or unable to keep their babies; and

**WHEREAS,** a parent or person with lawful custody has up to 14 days from the time of surrender to reclaim their baby; and

**WHEREAS,** as of January 2007, 182 newborns have been safely surrendered in California; and

**WHEREAS,** an infant abandoned in a dumpster, alley, or similar location has a low probability of survival; and

**WHEREAS,** two abandoned infants have been found dead in north San Diego County in the past two years; and

**WHEREAS**, a local fire station may provide a less intimidating alternative than a hospital for a frightened and desperate parent and offers an endangered infant a chance for survival; and

**WHEREAS**, the Imperial Beach Fire Association will purchase the necessary training tools and materials to designate the Imperial Beach fire station as Safe Surrendered Site.

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

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

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

_____
**JAMES C. 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 correct copy of Resolution No. 2008-6590 – A Resolution of the City Council of the City of Imperial Beach, California, **DESIGNATING THE IMPERIAL BEACH FIRE STATION AS A SAFE SURRENDER SITE**

_____ _____

CITY CLERK DATE

***AGENDA ITEM NO.*** 2.7

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **TOM RITTER, ASSISTANT CITY MANAGER** |
| **SUBJECT:** | **ADOPT RESOLUTION NO. 2008-6596 TERMINATING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY (CPEIA) JOINT POWERS AUTHORITY** |

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**BACKGROUND:**
In 2003, the City of Imperial Beach became a member of the CPEIA Joint Powers Authority to acquire excess workers' compensation insurance through a contractual relationship with the California State Association of Counties Excess Insurance Authority (CSAC EIA). In 2006, the CSAC EIA was restructured to allow direct membership by CPEIA members thereby removing the need to maintain CPEIA as a separate legal entity,

CSAC EIA is now requesting that all members of CPEIA adopt a resolution to terminate the now obsolete CPEIA. This will eliminate considerable duplication of efforts and administration expenses that are no longer necessary given that CSAC EIA is now the sole provider of excess workers' compensation and other insurance services for the member agencies.

**DISCUSSION:**
The transition of the CPEIA members into the CSAC EIA has been in progress for the past year and a half. As of June 30, 2007, all CPEIA members (including Imperial Beach) have executed the appropriate documents to join the CSAC EIA directly. The last phase of the transition plan is the termination of the CPEIA as an entity. The CPEIA will be officially terminated upon approval by three-fourths of the CPEIA members (101 of 134 members). The CSAC EIA has requested that the City execute the subject resolution to document its action to terminate the CPEIA as soon as possible.

**ENVIRONMENTAL IMPACT**
None.

**FISCAL IMPACT:**
There is no fiscal impact to the City as a result of this action. The CPEIA has no assets to distribute.

**DEPARTMENT RECOMMENDATION:**
Adopt Resolution No. 2008-6596 terminating the California Public Entity Insurance Authority (CPEIA) Joint Powers Authority.

**CITY MANAGER'S RECOMMENDATION:**
Approve Department recommendation.

Gary Brown

Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6596.

ATTACHMENT 1

**RESOLUTION NO. 2008-6596**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, TERMINATING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY (CPEIA) JOINT POWERS AUTHORITY**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS,** the City of Imperial Beach became a member of the California Public Entity Insurance Authority (CPEIA) in June 2003; and

**WHEREAS,** the California State Association of Counties Excess Insurance Authority (CSAC EIA) has been restructured to allow direct membership by CPEIA members thereby removing the need to maintain CPEIA as a separate legal entity; and

**WHEREAS,** terminating the CPEIA will eliminate considerable duplication of efforts and administration expenses that are no longer necessary given that CSAC EIA is now the sole provider of insurance services for the member agencies; and

**WHEREAS,** pursuant to Article 22 of the CPEIA Joint Powers Agreement (Agreement) the affirmative vote of the governing bodies of three-fourths of the members are required to terminate the Agreement; and

**WHEREAS**, the City desires to terminate its membership in CPEIA and maintain its membership in CSAC EIA, which continues to offer economic incentives by providing cost effective excess workers' compensation insurance; and

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

1. That the above recitations are true and correct.

2. That pursuant to the provisions of Article 22 of the Agreement it elects to terminate the CPEIA, said termination shall become effective upon the affirmative vote of the governing bodies of three-fourths of the members.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

_____

**JAMES C. JANNEY, MAYOR**

**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. 2008-6596 – A Resolution of the City Council of the City of Imperial Beach, California TERMINATING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY (CPEIA) JOINT POWERS AUTHORITY.

CITY CLERK

DATE

*AGENDA ITEM NO.* 2.4

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **TOM RITTER, ASSISTANT CITY MANAGER** |
| **SUBJECT:** | **ADOPT RESOLUTION NO. 2008-6595 APPROVING THE JOB DESCRIPTION AND SALARY RANGE FOR NETWORK SYSTEMS TECHNICIAN AND AMENDING THE SALARY AND COMPENSATION PLAN ACCORDINGLY** |

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**BACKGROUND:**
It is the responsibility of the City Manager to recommend to the Council revisions to the City's Classification and Salary Schedule as necessitated for the efficient and effective operation of the City.

Prior to hiring a Network Systems Administrator in 2007 the City budgeted approximately $118,000 to hire consultants at approximately $50 per hour to maintain our computers and networked systems. At the time the City hired the Network Systems Administrator it was known and reported to Council that the Network Systems Administrator would need to be supplemented by part-time or contracted consultants.

**DISCUSSION:**
In addition to the Network Systems Administrator the City currently funds a part-time computer technician through a temporary agency at a cost of $22.50 per hour. As this position is needed for the foreseeable future to assist in maintaining the network and assisting users, it is now appropriate to classify the position as a part-time temporary City employee versus a contract position.

Staff has prepared a position description for a Network Systems Technician that would perform end user support on microcomputers and routine maintenance on the network system. This position would report to the Network Systems Administrator and be budgeted as a part-time position (20 hours per week) not to exceed 1,000 hours per fiscal year, at a salary range of $16.17 - $20.63 per hour (Salary Range 38). As this position would replace the existing part-time contract employee hired through a temporary agency no additional budget allocation is necessary to fund the position.

**ENVIRONMENTAL IMPACT**
None.

**FISCAL IMPACT:**
The Network Systems Technician will cost approximately $22,000 per fiscal year and funds are available in the Information Technology Department to fund this position, which will replace the existing contracted part-time employee position.

**DEPARTMENT RECOMMENDATION:**
Adopt Resolution No. 2008-6595 approving the job description for Network Systems Technician and amending the Salary and Compensation plan accordingly.

**CITY MANAGER'S RECOMMENDATION:**
Approve Department recommendation.

Gary Brown

Gary Brown, City Manager

Attachments:

1. Resolution No. 2008-6595.
2. Network Systems Technician job description.
3. Revised Salary and Compensation Plan Position Classifications and Monthly Compensation Schedule for FY 07-08.

ATTACHMENT 1

# RESOLUTION NO. 2008-6595

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE JOB DESCRIPTION FOR NETWORK SYSTEMS TECHNICIAN AND AMENDING THE SALARY AND COMPENSATION PLAN ACCORDINGLY**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS,** the provisions of Ordinance No. 41 of the City of Imperial Beach provides that the compensation of appointive officers and employees of the City of Imperial Beach may be amended by the City Council of said City from time to time by resolution; and

**WHEREAS,** the City currently employs a part-time contract employee to help maintain the City's computer network and assist end users; and

**WHEREAS,** as this position is needed for the foreseeable future to assist in maintaining the network and assisting users, it is now appropriate to classify the position as a part-time temporary City employee versus a contract position; and

**WHEREAS**, a job description for Network Systems Technician was developed based on a classification study of similar positions in other cities; and

**WHEREAS**, staff recommends that the hours for part-time temporary Network Systems Technician be 20 hours per week not to exceed 1,000 hours per year;

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

1. That the above recitations are true and correct.

2. Amends the FY 07-08 Salary and Compensation Plan approving the job description for Network Systems Technician at a salary range of $16.17 - $20.63 per hour (Range 38).

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

_____

**JAMES C. JANNEY, MAYOR**

**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. 2008-6595 – A Resolution of the City Council of the City of Imperial Beach, California APPROVING THE JOB DESCRIPTION FOR NETWORK SYSTEMS TECHNICIAN AND AMENDING THE SALARY AND COMPENSATION PLAN ACCORDINGLY.

CITY CLERK

DATE

ATTACHMENT 2

*City of Imperial Beach*
# POSITION DESCRIPTION

| | | | |
|---|---|---|---|
| **Title:** | **Network Systems Technician** | **Job Number:** | **6073** |
| **Department:** | **Finance** | **Workers Comp Number:** | **8810** |
| **Division:** | **Information Technology** | **Union:** | **SEIU** |
| **Date:** | **March 5, 2008** | **Location:** | **City of Imperial Beach** |

**GENERAL PURPOSE**
Under direction, to perform end user technical support and consultation for microcomputers and routine maintenance on the network system; to install and configure microcomputer hardware, software, and peripheral printers; to diagnose, troubleshoot, and resolve microcomputer hardware, software and connectivity problems for end users. Provide help desk assistance to users of City's systems, including but not limited to Microsoft operating systems, Microsoft Office applications, Microsoft Outlook, and Citrix Metaframe Access Suite; assists in maintaining City Website; provide technical assistance to end users in support of networked systems.

**SUPERVISION RECEIVED**
Works under the general supervision of the Network Systems Administrator.

**SUPERVISION EXERCISED**
None.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**
Install, upgrade, and troubleshoot microcomputer software and hardware; configure computers according to City standards; install and configure host software as required.

Perform on-site and telephone support and consultation to end users regarding office automation including word processing, spreadsheets, databases, graphics, desktop publishing, and web site.

Maintain connectivity with City network, diagnose and troubleshoot basic problems with network servers, printers, routers, hubs, switches and peripheral equipment.

Provides support in the installation and set up of computers, servers and networks by installing cabling and wiring for systems and peripheral equipment.

Conducts systems and database back-ups as necessary; files back up tapes and maintains tape library.

Provides assistance to Network Systems Administrator in the evaluation, selection, acquisition and implementation of computer hardware and software. Monitors computer systems, networks and applications for response time, problem prevention, performance, and resource utilization.

Performs basic network administration duties such as monitoring or adding applications, users and devices, modifying user profiles, re-setting passwords and file maintenance; monitors storage utilization; documents all network changes and revisions.

Conducts training sessions with desktop users; provides information on system and application functions; communicates user access rights. Stays abreast of new information technology trends and innovations; reads appropriate literature and attends training as necessary.

Maintain accurate and complete records and provide reports to Network Systems Administrator regarding system hardware and software components and performance, and end users problems and issues.

## PERIPHERAL DUTIES

Maintain a California Class "C" Drivers License.

## DESIRED MINIMUM QUALIFICATIONS

**Education & Experience**

Equivalent to the graduation from High School supplemented by one year of college level course work or equivalent certifications in information systems, computer science or a related field. Experience in a networked environment may be substituted on a one for one basis for up to one year of college level course work or equivalent certifications.

**License or certificate:**

CompTIA or Microsoft Certificaitons are desireable.

## KNOWLEDGE OF

Principles and techniques of microcomputer hardware and software installation, operation and troubleshooting.
Methods and techniques for performing connectivity testing, network analysis, and troubleshooting.
Theories and applications of computer science.
Computer systems, programming, and networking.
Personal computer hardware and software components.
Unix and MS Windows operating systems.
Operational characteristics of local and wide area network systems.
Principles and practices of troubleshooting computer system hardware and software problems.
Principles and practices of basic network administration.
Principles and practices of customer service, including instruction and training.
Operational characteristics of various computer software packages.
Operational characteristics of a variety of communication equipment and devices.
Computer logic and mathematics.
Internet accessibility process and procedures.
Principal languages used in information systems programs.
Web site development and maintenance.
Basic record keeping techniques.
Research techniques, methods, and procedures.

## ABILITY TO

Respond to requests and communicate technical information to a wide variety of users.
Provide instruction and training to end users for various Microsoft and other software applications.
Read and comprehend microcomputer hardware and software documentation to solve end user problems.
Perform minor repairs on computer equipment.
Analyze and define microcomputer connectivity problems and conceptualize practical solutions.
Troubleshoot a variety of microcomputer systems hardware and software.
Test and repair network cabling problems.
Communicate clearly and concisely, both orally and in writing.
Establish, maintain, and foster positive and harmonious working relationships with those contacted in the course of work.

## PHYSICAL DEMANDS AND WORKING ENVIRONMENT

**Environment**: Standard office setting. Exposure to temperature swings from cool, controlled environment in computer room to warmer outer office areas; mechanical hazards of moving equipment parts; electrical hazards of electronic equipment; explosive hazards of batteries and power supplies; possible radiation hazards from CRT's, printers and copy machines; dust of excessive paper products; potentially toxic substances of cleaning chemicals. Work unscheduled breaks. Overtime or flexible hours may be required infrequently due to emergencies or for system maintenance. Work environment is informal, team-oriented, having both routine and variable tasks, with variable pace and pressure.

**Physical:** Primary functions require sufficient physical ability to work in an office setting and operate office equipment. **CONTINUOUS** sitting, downward flexion of neck, side-to-side turning of neck; pinch grasp, finger pressure, and fine-finger dexterity to hold and/or manipulate writing utensils and operate computer keyboards. Approximately 70-80 percent of time involves computer keyboard operation. **FREQUENT** pushing/pulling, twisting at waist. **OCCASIONAL** walking, bending and stooping, reaching at and above shoulder level, upward flexion of neck; lifting objects weighing up to 10 lbs. from below waist to above should level and transporting distances up to one city block. **INFREQUENT** standing, squatting, crawling, climbing, kneeling; lifting objects weighing 11-25 lbs.. From below waist to shoulder level and transporting distances up to 10 feet with or without assistance; moderate wrist torque to operate knobs and dials; power grasp to hold equipment.

**Vision:** See in the normal visual range with or without correction; vision sufficient to read computer screens and printed documents and to operate equipment.

**Hearing:** Hear in the normal audio range with or without correction.

## SELECTION GUIDELINES

Formal applications, rating of education and experience; oral interview and reference check; job related tests may be required. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

**Approval**_____
**City Manager**

**Approval:** _____
**Personnel Administrator**

**Resolution No.: 2008-6595**

**Effective Date: March 5, 2008**

Exhibit "E"

ATTACHMENT 3

# *City of Imperial Beach*

## FY 2007-08
## SALARY & COMPENSATION PLAN

**Effective July 1, 2007**

**Adopted August 1, 2007 by Resolution No. 2007-6528**
**Revised September 19, 2007 by Resolution No. 2007-6540**
**Revised December 5, 2007 by Resolution No. 2007-6563**
**Revised February 6, 2008 by Resolution No. 2008-6576**
**Revised March 5, 2008 by Resolution No. 2008-6595**

City of Imperial Beach

# SECTION 1
# POSITION CLASSIFICATIONS AND MONTHLY COMPENSATION SCHEDULE

## FY 2007-2008

# CITY OF IMPERIAL BEACH
## POSITION CLASSIFICATIONS AND MONTHLY COMPENSATION SCHEDULE
## EFFECTIVE JULY 1, 2007 - JUNE 30, 2008

| Job No. | Miscellaneous Employees | Range | Monthly Salary LOW | | HIGH |
|---|---|---|---|---|---|
| 5010 | ACCOUNT/CLERK TECHNICIAN | 32 | 2,482 | - | 3,168 |
| 5020 | ADMINISTRATIVE INTERN | 29 | 2,257 | - | 2,882 |
| 5025 | ADMINISTRATIVE INTERN-GIS | 29 | 2,257 | - | 2,882 |
| 5030 | ADMINISTRATIVE SECRETARY I | 39 | 2,850 | - | 3,637 |
| 5040 | ADMINISTRATIVE SECRETARY II | 43 | 3,077 | - | 3,927 |
| 5050 | ASSISTANT PLANNER | 46 | 3,268 | - | 4,169 |
| 9000 | ASSISTANT PLANNER (Environmental Program Specialist) | 46 | 3,268 | - | 4,169 |
| 5065 | ASSISTANT PROJECT MANAGER | 52 | 3,784 | - | 4,829 |
| 5060 | ASSOCIATE PLANNER | 52 | 3,784 | - | 4,829 |
| 8010 | BEACH LIFEGUARD I | 30 | 2,345 | - | 2,993 |
| 8020 | BEACH LIFEGUARD II | 37 | 2,714 | - | 3,464 |
| 8030 | BEACH LIFEGUARD LIEUTENANT | 50 | 3,692 | - | 4,711 |
| 8040 | BEACH LIFEGUARD SERGEANT | 49 | 3,526 | - | 4,501 |
| 9010 | BEACH MAINTENANCE WORKER | 18 | 1,688 | - | 2,156 |
| 5070 | BUILDING & PLANNING TECHNICIAN | 42 | 2,995 | - | 3,824 |
| 5080 | BUILDING/HOUSING INSPECTOR I | 51 | 3,727 | - | 4,758 |
| 5090 | BUILDING/HOUSING INSPECTOR II | 55 | 4,097 | - | 5,228 |
| 6010 | CLERK TYPIST | 29 | 2,257 | - | 2,882 |
| 6020 | CODE COMPLIANCE OFFICER | 48 | 3,439 | - | 4,392 |
| 6030 | COPIER CLERK | 9 | 1,368 | - | 1,747 |
| 6040 | CRAFT INSTRUCTOR | 9 | 1,368 | - | 1,747 |
| 9020 | CUSTODIAN | 24 | 1,982 | - | 2,529 |
| 6050 | CUSTOMER SERVICE SPECIALIST | 41 | 2,959 | - | 3,776 |
| 4010 | DEPUTY CITY CLERK (Records Technician) | 43 | 3,077 | - | 3,927 |
| 4020 | FINANCIAL SERVICES ASSISTANT | 48 | 3,439 | - | 4,392 |
| 6065 | FIRE SAFETY INSPECTOR II | 55 | 4,097 | - | 5,228 |
| 6060 | FIRE SAFETY INSPECTOR II (PT) | 64 | 5,039 | - | 6,431 |
| 9030 | FLEET SUPERVISOR | 52 | 3,784 | - | 4,829 |
| 9040 | GRAFFITI PROGRAM COORDINATOR | 44 | 3,147 | - | 4,019 |
| 9050 | GROUNDS & FACILITIES SUPERVISOR | 56 | 4,200 | - | 5,359 |
| 9060 | HEAVY EQUIPMENT OPERATOR | 41 | 2,959 | - | 3,776 |
| 6067 | HUMAN RESOURCES TECHNICIAN | 41 | 2,959 | | 3,776 |
| 6070 | JUNIOR CLERK TYPIST | 19 | 1,736 | - | 2,215 |
| 9070 | MAINTENANCE WORKER | 33 | 2,527 | - | 3,226 |
| 9080 | MAINTENANCE WORKER I | 36 | 2,682 | - | 3,424 |
| 9090 | MAINTENANCE WORKER II | 41 | 2,959 | - | 3,776 |
| 11110 | MECHANIC HELPER | 15 | 1,563 | - | 1,994 |
| 11120 | MECHANIC I | 40 | 2,883 | - | 3,680 |
| 11130 | MECHANIC II | 45 | 3,176 | - | 4,054 |
| 6073 | NETWORK SYSTEMS TECHNICIAN | 38 | 2,803 | - | 3,576 |
| 6075 | OFFICE SPECIALIST | 29 | 2,257 | - | 2,882 |
| 4030 | PERSONNEL SERVICES ASSISTANT | 51 | 3,727 | - | 4,758 |
| 11140 | PIER/BEACH MAINTENANCE WORKER | 32 | 2,482 | - | 3,168 |
| 6080 | PROGRAM AIDE | 10 | 1,402 | - | 1,789 |

# CITY OF IMPERIAL BEACH
## CLASSIFICATION AND COMPENSATION SCHEDULE
## EFFECTIVE JULY 1, 2007 - JUNE 30, 2008

| Job No. | Miscellaneous Employees | Range | Monthly Salary LOW | | HIGH |
|---|---|---|---|---|---|
| 6090 | PROGRAM COORDINATOR | 30 | 2,345 | - | 2,993 |
| 11150 | PROJECT MANAGER TECHNICIAN | 45 | 3,176 | - | 4,054 |
| 7000 | RECREATION LEADER | 17 | 1,642 | - | 2,096 |
| 7010 | RECREATION PROGRAM AIDE | 10 | 1,402 | - | 1,789 |
| 7020 | RECREATION PROGRAM COORDINATOR | 34 | 2,552 | - | 3,258 |
| 7025 | RESIDENTIAL FIRE/SAFETY INSPECTOR | 39 | 2,850 | - | 3,637 |
| 7030 | SENIOR ACCOUNT TECHNICIAN | 38 | 2,803 | - | 3,576 |
| 11155 | SENIOR PUBLIC WORKS SUPERVISOR | 64 | 5,039 | - | 6,431 |
| 11160 | SEWER SUPERVISOR | 50 | 3,692 | - | 4,711 |
| 11170 | STREET SUPERVISOR | 50 | 3,692 | - | 4,711 |
| 11180 | TIDELANDS SUPERVISOR | 50 | 3,692 | - | 4,711 |

| Job No. | Fire Department (sworn) | Range | Monthly Salary LOW | HIGH |
|---|---|---|---|---|
| 8080 | FIREFIGHTER | 6 | 3,598 | 4,592 |
| 8090 | FIREFIGHTER/PARAMEDIC | FP6 | 4,005 | 5,111 |
| 8060 | FIRE ENGINEER | 7 | 4,005 | 5,111 |
| 8070 | FIRE ENGINEER/PARAMEDIC | FP7 | 4,305 | 5,494 |
| 8050 | FIRE CAPTAIN | 8 | 4,739 | 6,049 |

| Job No. | Management and Mid-management | Range | Monthly Salary LOW | | HIGH |
|---|---|---|---|---|---|
| 2020 | ASSISTANT CITY MANAGER | BAND | 5,611 | - | 10,099 |
| 6000 | BUILDING OFFICIAL | BAND | 5,562 | - | 8,209 |
| 2030 | CITY CLERK | BAND | 5,611 | - | 10,099 |
| 3010 | CITY PLANNER | BAND | 4,489 | - | 6,172 |
| 2040 | COMMUNITY DEVELOPMENT DIRECTOR | BAND | 5,611 | - | 10,099 |
| 3025 | ENVIRONMENTAL PROGRAM MANAGER | BAND | 4,489 | - | 6,172 |
| 2010 | FINANCE DIRECTOR | BAND | 5,611 | - | 10,099 |
| 3040 | FINANCE SUPERVISOR | BAND | 4,489 | - | 6,172 |
| 3050 | LIFEGUARD CAPTAIN | BAND | 4,489 | - | 6,172 |
| 3060 | MANAGEMENT ANALYST | BAND | 3,928 | - | 5,050 |
| 6071 | NETWORK ADMINISTRATOR | BAND | 4,489 | - | 6,172 |
| 2050 | PUBLIC SAFETY DIRECTOR/FIRE CHIEF | BAND | 5,611 | - | 10,099 |
| 2060 | PUBLIC WORKS DIRECTOR | BAND | 5,611 | - | 10,099 |
| 3070 | PUBLIC WORKS SUPERINTENDENT | BAND | 4,489 | - | 6,172 |
| 3080 | REDEVELOPMENT COORDINATOR | BAND | 5,562 | - | 7,099 |

| Job No. | Elected and City Manager | Range | Monthly Salary |
|---|---|---|---|
| 1010 | CITY COUNCILMEMBER | N/A | 300 |
| 1020 | CITY MANAGER | N/A | Contract |
| 1030 | MAYOR | N/A | 1,100 |

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **March 5, 2008** |
| **ORIGINATING DEPT.:** | **PUBLIC SAFETY** |
| **SUBJECT:** | **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE PUBLIC SAFETY DIRECTOR/FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR ZONE 4 JOINT EMERGENCY RESPONSES FOR FIRE AND RESCUE RESOURCES** |

## BACKGROUND:

The City of Imperial Beach is a member of the Zone 4 Joint Emergency Responses for Fire and Rescue Resources. The members of the Zone 4 have worked cooperatively for many years to enhance fire protection while ensuring a timely response. The members of the Zone have agreed to respond to emergency alarms outside of their home jurisdiction as set forth in the mutual aid agreements.

## DISCUSSION:

Recently the tribal governments of Viejas Band of Kumeyaay Indians and Barona Band of Mission Indians have instituted fire districts and have requested that they be added to the Zone 4 Mutual Aid Agreements. The members of the Zone 4 wish to enter into a Memorandum of Understanding with the Member Cities for the purpose of extending fire suppression, emergency medical, and rescue services outside of their home jurisdiction and into the jurisdiction of other parties.

The members will include:

- Alpine Fire Protection District
- Bonita-Sunnyside Fire Protection District
- City of Coronado
- City of Imperial Beach
- City of La Mesa
- City of Santee
- East County Fire Protection District
- San Miguel Consolidated Fire Protection District
- Barona Band of Mission Indians
- City of Chula Vista*
- City of El Cajon
- City of National City
- City of Lemon Grove
- Lakeside Fire Protection District
- Viejas Band of Kumeyaay Indians

*The City of Chula Vista has requested to leave the zone.

This resolution will update the current aid agreement by adding tribal governments into the zone. Including these agencies adds additional resources to the aid agreements. These resources include fire trucks, fire engines, and paramedics thereby strengthening the zone and its response capabilities without increasing costs. It is staffs position that this will enhance fire protection and emergency medical response capabilities to all members of the zone by ensuring timely response.

**ENVIRONMENTAL IMPACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

None.

**DEPARTMENT RECOMMENDATION:**

Staff recommends the City Council adopt Resolution 2008-6589 authorizing the Public Safety Director/Fire Chief to enter into a Memorandum of Understanding for Zone 4 Joint Emergency Reponses for Fire and Rescue Resources.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown, City Manager

Attachments: 1. Resolution 2008-6589
2. Memorandum of Understanding for Zone 4 Joint Emergency Responses for Fire and Rescue Resources.

# RESOLUTION NO. 2008-6589

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE PUBLIC SAFETY DIRECTOR/FIRE CHIEF TO ENTER THE CITY OF IMPERIAL BEACH INTO A MEMORANDUM OF UNDERSTANDING FOR ZONE 4 JOINT EMERGENCY RESPONSES FOR FIRE AND RESCUE RESOURCES.**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS,** the certain cities, districts, and tribal governments located in San Diego County wish to enter into a Memorandum of Understanding with the Member Cities for the purpose of addressing the desires of the Parties to extend fire suppression, emergency medical, and rescue services outside of their home jurisdiction and into the jurisdiction of other parties; and

**WHEREAS,** this enhances response capabilities without increasing costs.

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

1. That the above recitations are true and correct.
2. That the City Council hereby approves Resolution No. 2008-6589 authorizing the Public Safety Director/Fire Chief to enter the City of Imperial Beach into a Memorandum of Understanding for Zone 4 Joint Emergency Responses for Fire and Rescue Resources.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

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

**JAMES C. 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 an exact copy of Resolution No. 2008-6589 – A Resolution of the City Council of the City of Imperial Beach, California, **AUTHORIZING THE PUBLIC SAFETY DIRECTOR/FIRE CHIEF TO ENTER THE CITY OF IMPERIAL BEACH INTO A MEMORANDUM OF UNDERSTANDING FOR ZONE 4 JOINT EMERGENCY RESPONSES FOR FIRE AND RESCUE RESOURCES.**

CITY CLERK

DATE

# MEMORANDUM OF UNDERSTANDING FOR ZONE 4 JOINT EMERGENCY RESPONSES FOR FIRE AND RESCUE RESOURCES

**WHEREAS,** certain cities, districts and tribal governments located in San Diego County maintain, as part of their staffing, an organized and equipped fire protection service charged with the duty of fire protection, emergency medical and rescue services within the limits of said jurisdictions, referred to below as the "Parties"; and

**WHEREAS,** it is the desire of the Parties to extend the fire suppression, emergency medical, and rescue services of each of their services be, in some circumstances, outside of the limits of their home jurisdictions, and into the jurisdictions of the other Parties; and

**WHEREAS,** the Parties desire that in some circumstances one or more of the other Parties will respond to fire suppression, emergency medical, and rescue incidents occurring within the limits of their home jurisdictions.

**NOW, THEREFORE BE IT RESOLVED:**

1. The Parties, as set forth individually in Exhibit "A", have agreed to respond to emergency alarms outside of their home jurisdictions with resources, and within the jurisdictional area of the other Parties in accordance with the terms and conditions hereinafter set forth.
2. Any party may, upon determining mutual benefit, agree to provide resources without regard to political and/or jurisdictional boundaries, and adhere to the procedures established in the Operational Plan for determining response patterns that are the subject of this Memorandum of Understanding. All alarms which deal with emergency responses shall adhere as closely as possible to the nearest unit concept, regardless of political jurisdiction.
3. The details as to the method of operation, procedures, type of units and responses, and other planning as may be necessary to effectuate this Memorandum of Understanding shall be covered by the Operational Plan agreed upon and adopted by the Fire Chiefs of the respective parties.
4. There shall be an Operational Committee, consisting of a chief officer or his/her designee from each party, with the purpose of implementing the

provisions of this Memorandum of Understanding relating to operational procedure. Each party shall furnish in writing to the others the name and rank of all participating officers.

5. The duties of Incident Commander shall be assumed by the Fire Officer from a participating party who arrives first at the scene of the incident, regardless of the jurisdiction in which the incident occurs. There shall be an orderly transfer of command when an Officer from the jurisdiction in which the incident occurs arrives at the scene, if said Officer agrees to assume Incident Command.

6. All non-tribal parties hereto agree to indemnify the other parties for any liability imposed upon the other parties pursuant to Government Code §895.2, for injury caused by a negligent or wrongful act or omission of the indemnifying party's officers, agents, or employees which occur during the performance of this Memorandum of Understanding. This indemnification provision is included herein pursuant to Government Code §895.4, and is intended to eliminate the prorate right of contribution described in Government Code §895.2 between the parties so that each party bears the liability and cost of its own negligence. Tribal parties to this Memorandum of Understanding agree to indemnify the other parties for any liability imposed upon the other parties in the manner and for the purposes described in Government Code Sections 895.2 and 895.4. Notwithstanding such agreement, tribal parties observance of the provisions of the Government Code described herein is not a waiver of the tribal parties' sovereign immunity, nor does it imply that the tribal party is subject to the jurisdiction of the federal court, or the courts of any state or political subdivision thereof. Each party to this Memorandum of Understanding waives all claims against other parties to this Memorandum of Understanding for compensation for any equipment loss or damage, or physical injury or death which may result during the performance of this Memorandum of Understanding.

7. Each party to this Memorandum of Understanding shall maintain proper Worker's Compensation Insurance, or the equivalent of Workers' Compensation, covering its own employees without cost to the other parties, and each party shall be responsible for all salaries and benefits for its own personnel without cost to the other parties.

8. Each of the parties shall be fully responsible for all repairs, maintenance and upkeep of its own equipment and vehicles which are used pursuant to this Memorandum of Understanding while said equipment and vehicles are used outside of its home jurisdiction, including gas, oil, lubrication, parts replacement and repair of casualty damage. However, during prolonged suppression activities, the recipient jurisdiction shall replenish chemical agents and fuel as needed; provide minor maintenance of fire suppression equipment; and provide for meals, hydration and the well being of personnel involved in the suppression activity.

9. The assurance of automatic aid as set forth in this Memorandum of Understanding shall constitute the sole consideration for the performance of this Memorandum of Understanding. It is, therefore, understood and agreed that no money payments shall be made between the parties for services provided under the terms of this Memorandum of Understanding, that no charges shall be assessed by any party against any other party for services provided under the terms of this Memorandum of Understanding, and that each party shall be fully responsible for all of its costs in connection with the performance of this Memorandum of Understanding except as provided for in Section 8. This provision shall not be construed to prevent any party, or its representative, from billing patients for ambulance transport and other emergency medical services, provided that billing rates shall be consistent with the adopted fee schedule of the agency providing the services.

10. Nothing in this Memorandum of Understanding shall prevent any party from participating in separate agreements with other fire jurisdictions and shall have no effect upon the existing San Diego County Mutual Aid Agreement.

11. Each party to the Memorandum of Understanding shall warrant that it has sufficient equipment and personnel to handle normal involvements for which it shall be responsible under this Memorandum of Understanding (fire suppression, emergency medical, and rescue incidents). It is not the intent of this Memorandum of Understanding for any agency to subsidize another agency with equipment needed to protect their jurisdiction. The parties to this Memorandum of Understanding shall provide each responding apparatus with a minimum of three, full-time, paid professional firefighters. The parties shall provide a compliment of equipment according to the National Fire Protection Association standards for Pamphlet 1901.

12. This Memorandum of Understanding shall become effective upon the execution by each of the parties hereto and shall continue until terminated by mutual agreement of each of the individual parties, or until any party gives sixty (60) days written notice of intention to terminate to each of the other parties. No cause shall be required for any termination. Termination of this Memorandum of Understanding by any party shall not terminate the Memorandum of Understanding with respect to the remaining parties to the Memorandum of Understanding, each of which may determine its continued participation independently.

13. In order to standardize fire fighting procedures among the co-signers of this Memorandum of Understanding and thus ensure efficient fire suppression and/or rescue operation at the incident where automatic aid is being rendered, the parties to this Memorandum of Understanding shall establish a system of standardized training for their fire suppression personnel.

14. It is mutually understood and agreed that this Memorandum of Understanding does not relieve any of the parties hereto from the necessity and obligation of providing adequate fire protection and/or equipment within their own area, and each party hereto agrees that it shall use reasonable diligence in maintaining its fire fighting equipment in accordance with the minimum

peacetime standards and requirements established by the Insurance Services Organization for jurisdictions of comparable size.

15. This Memorandum of Understanding shall become effective upon execution by these parties hereto and shall continue until terminated by the terminating party(s) providing thirty (30) days written notice to the non-terminating party(s).

**IN WITNESS WHEREOF,** this Memorandum of Understanding has been executed by the parties hereto by their duly authorized officers as indicated in Exhibit "A".

**MEMORANDUM OF UNDERSTANDING**
**FOR**
**ZONE 4 JOINT EMERGENCY RESPONSES**
**FOR FIRE AND RESCUE RESOURCES**

**EXHIBIT "A"**

The signatures of duly authorized officers for the parties hereto participating in the Memorandum Of Understanding For Zone 4 Joint Emergency Responses For Fire And Rescue Resources.

JURISDICTION City of Imperial Beach

Approved: March 5, 2008
Date

By: _____
Signature

Name: Gary Brown
Print

Title: City Manager

By: _____
Signature

Name: Frank Sotelo
Print

Title: Fire Chief/Public Safety Director

*AGENDA ITEM NO.* 3.1

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **March 5, 2008** |
| **ORIGINATING DEPT.:** | **CITY ATTORNEY** |
| **SUBJECT:** | **INTRODUCTION OF ORDINANCE NO. 2008-1067 – ESTABLISHING THE IMPERIAL BEACH REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP)** |

## BACKGROUND:

The City is a member agency of the San Diego Association of Governments ("SANDAG"), a joint powers agency consisting of the City, the county of San Diego, and the seventeen other cities situated in San Diego County. Acting in concert, the member agencies of SANDAG developed a plan whereby the shortfall in funds needed to enlarge the capacity of the regional system of highways and arterials in San Diego County (the "regional system") could be made up in part by a transportation uniform mitigation fee on future residential development.

As a member agency of SANDAG, the City participated in the preparation of a certain "RTCIP Impact Fee Nexus Study," dated September 5, 2006 (the "Nexus Study") prepared pursuant to California Government Code Section 66000 et seq., the Mitigation Fee Act. This Nexus Study, which is attached to this Report, establishes a link between the potential fee and the impacts created by certain categories of development. The voter approval established the ability to levy the fee and created the exemptions that the City is required to establish (*i.e* condo conversions).

## DISCUSSION:

The Nexus Study shows that future development within San Diego County and the cities therein will result in traffic volumes exceeding the capacity of the regional system, as it presently exists. The City Council has been further informed and advised, and, based on the Nexus Study, can find, that if the capacity of the regional system is not enlarged, the result will be substantial traffic congestion in all parts of San Diego County and the City, with unacceptable levels of service throughout San Diego County by 2030.

Absent implementation of a Regional Transportation Congestion Improvement Plan ("RTCIP") fee based on the Nexus Study, existing and known future funding sources will be inadequate to provide necessary improvements to the regional system, resulting in an unacceptably high level of traffic congestion within and around San Diego County and the City.

The purpose of this Ordinance is to set up a fee program, mandated by SANDAG, to require development to reimburse the City for traffic congestion improvement projects that will help relieve congestion caused by development. Upon review of the Nexus Study, the City Council can find that future development within the county and City will substantially adversely affect the regional system, and that unless such development contributes to the cost of improving the regional system, the regional system will operate at unacceptable levels of service.

The Nexus Study also allows the Council to find that the failure to mitigate growing traffic impacts on the regional system within San Diego County and the City will substantially impair the ability of public safety services (police and fire) to respond. The failure to mitigate impacts on the regional system will adversely affect the public health, safety and welfare.

The City Council can further find and determine that there is a reasonable and rational relationship between the use of the RTCIP fee and the type of development projects on which the fees are imposed because the fees will be used to construct the transportation improvements that are necessary for the safety, health and welfare of the residential and nonresidential users of the development projects on which the RTCIP fee will be levied.

The Nexus Study shows there is a reasonable and rational relationship between the need for the improvements to the regional system and the type of development projects on which the RTCIP fee is imposed because it will be necessary for the residential users of such projects to have access to the regional system. Such development will benefit from the regional system improvements and the burden of such development will be mitigated in part by the payment of the RTCIP fee.

The Nexus Study shows that the cost estimates set forth in the Study are reasonable cost estimates for constructing the regional system improvements, and that the amount of the RTCIP fee expected to be generated by new development will not exceed the total fair share cost to such development.

The fees collected pursuant to this chapter shall be used to help pay for the construction and acquisition of the regional system improvements identified in the Nexus Study. The need for the improvements is related to new development because such development results in additional traffic, thus creating the demand for the improvements. The City Council finds that the Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements to the regional system.

The approval of this Ordinance allows the City to hold a hearing and approve development impact fees to meet the SANDAG requirements for the local costs of the regional transportation congestion improvement program. The staff will return to the Council at the second meeting in April to propose a fee to implement the RTCIP program in Imperial Beach to meet the July 1, 2008 deadline. The minimum fee required, and justified by the study, is $2000.00 per new residence.

**ENVIRONMENTAL DETERMINATION:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

**FISCAL IMPACT:**

Adoption of the fee program will allow the City to recover costs that would otherwise be absorbed by the General Fund or divert other funds that could be used for other eligible projects. The City will be required to place $2000.00 per residence in the RTCIP funds regardless of whether it charges the fee.

**DEPARTMENT RECOMMENDATION:**

Staff Recommends the Mayor and City Council:

1. Receive report;
2. Mayor calls for the reading of Ordinance No. 2008-1067;
3. City Clerk reads the title of Ordinance No. 2008-1067 AN ORDINANCE ADOPTING CHAPTER 15.48 OF THE IMPERIAL BEACH MUNICIPAL CODE ADOPTING A TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM FOR THE PURPOSE OF DEFRAYING ACTUAL OR ESTIMATED COSTS OF CONSTRUCTING PLANNED REGIONAL TRANSPORTATION FACILITIES; and
4. Motion to dispense the First Reading of Ordinance No. 2008-1067 and set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication of the Ordinance in a newspaper of General Circulation.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown, City Manager

Attachment:
1. Ordinance 2008-1067
2. RTCIP Impact Fee Nexus Study

# ORDINANCE NO. 2008-1067

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING CHAPTER 15.48 OF THE IMPERIAL BEACH MUNICIPAL CODE, ADOPTING A TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM FOR THE PURPOSE OF DEFRAYING ACTUAL OR ESTIMATED COSTS OF CONSTRUCTING PLANNED REGIONAL TRANSPORTATION FACILITIES

WHEREAS, Article XI, Section 7 of the California Constitution authorizes cities to use their police powers to protect the public health, safety and welfare by, among other things, enacting development impact fees; and

WHEREAS, California Government Code section 66484 authorizes cities to impose by local ordinance a requirement for the payment of fees as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing bridges over waterways, railways, freeways, and canyons, or constructing major thoroughfares; and

WHEREAS, California Government Code section 66000 establishes a procedure under which cities must adopt development impact fees or increase those fees as a condition of approval of a development project; and

WHEREAS, the City of Imperial Beach has not heretofore established development impact fees for those purposes described herein, reflecting an appropriate fee taking into consideration construction costs for public improvements; and

WHEREAS, the City Council intends by this ordinance to establish a requirement, and procedures, for the imposition of development impact fees to share in the costs of the design and construction of local and regional transportation facilities, to insure that that fees permitted by the police power and California Government Code sections 66483 and 66484 are appropriate.

THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. The City of Imperial Beach finds that the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061 (b) (3), General Rule, as follows: "The activity is covered by the General Rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that

the activity in question may have an effect on the environment, the activity is not subject to CEQA."

SECTION 2. Chapter 15.48 of Title 15 of the Imperial Beach Municipal Code, consisting of sections 15.48.010 through 15.48.070, inclusive, is hereby added to read as follows:

**15.48.010 Title.**

This chapter shall be known as the "Imperial Beach Regional Transportation Congestion Improvement Plan Fee Program ("RTCIP") Ordinance

**15.48.020 Findings.**

In adopting this chapter, the City Council of the City of Imperial Beach ("City") finds and determines that:

A. The City is a member agency of the San Diego Association of Governments ("SANDAG"), a joint powers agency consisting of the City, the county of San Diego, and the seventeen other cities situated in San Diego County. Acting in concert, the member agencies of SANDAG developed a plan whereby the shortfall in funds needed to enlarge the capacity of the regional system of highways and arterials in San Diego County (the "regional arterial system") could be made up in part by a transportation uniform mitigation fee on future residential development. As a member agency of SANDAG, the City participated in the preparation of a certain "RTCIP Impact Fee Nexus Study," dated September 5, 2006 (the "Nexus Study") prepared pursuant to California Government Code Section 66000 et seq., the Mitigation Fee Act.

B. The City Council has been informed and advised, and finds, that future development within San Diego County and the cities therein will result in traffic volumes exceeding the capacity of the regional system as it presently exists.

C. The City Council has been further informed and advised, and finds, that if the capacity of the regional arterial system is not enlarged, the result will be substantial traffic congestion in all parts of San Diego County and the City, with unacceptable levels of service throughout San Diego County by 2030.

D. The City Council has been further advised, and so finds that funding, in addition to those fees adopted pursuant to the Nexus Study, will be inadequate to fund construction of the regional arterial system. Absent implementation of a regional transportation congestion improvement plan ("RTCIP") fee based on the Nexus Study, existing and known future funding sources will be inadequate to provide necessary improvements to the regional system, resulting in an unacceptably high level of traffic congestion within and around San Diego County and the City.

E. The City Council has reviewed the Nexus Study, and finds that future development within the county and City will substantially adversely affect the regional arterial system, and that unless such development contributes to the cost of improving the regional arterial system, the regional arterial system will operate at unacceptable levels of service.

F. The City Council finds and determines that the failure to mitigate growing traffic impacts on the regional arterial system within San Diego County and the City will substantially impair the ability of public safety services (police and fire) to respond. The failure to mitigate impacts on the regional arterial system will adversely affect the public health, safety and welfare.

G. The City Council further finds and determines that there is a reasonable and rational relationship between the use of the RTCIP fee and the type of development projects on which the fees are imposed because the fees will be used to construct the transportation improvements that are necessary for the safety, health and welfare of the residential and nonresidential users of the development projects on which the RTCIP fee will be levied.

H. The City Council finds and determines that there is a reasonable and rational relationship between the need for the improvements to the regional arterial system and the type of development projects on which the RTCIP fee is imposed because it will be necessary for the residential users of such projects to have access to the regional arterial system. Such development will benefit from the regional arterial system improvements and the burden of such development will be mitigated in part by the payment of the RTCIP fee.

I. The City Council further finds and determines that the cost estimates set forth in the Nexus Study are reasonable cost estimates for constructing the regional arterial system improvements, and that the amount of the RTCIP fee expected to be generated by new development will not exceed the total fair share cost to such development.

J. The City Council further finds that the cost estimates set forth in the Nexus Study are reasonable cost estimates for the facilities that comprise the regional arterial system, and that RTCIP fee program revenues to be generated by new development will not exceed the total fair share of these costs.

K. The fees collected pursuant to this chapter shall be used to help pay for the construction and acquisition of the regional arterial system improvements identified in the Nexus Study. The need for the improvements is related to new development because such development results in additional traffic, thus creating the demand for the improvements.

L. The City Council finds that the Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements to the regional system.

M. The City Council adopts the Nexus Study and incorporates it in this chapter as though set forth in full.

**15.48.030 Definitions.**

For the purpose of this chapter, the following words, terms and phrases shall have the following meanings:

"City" means City of Imperial Beach

"Commission" means the San Diego County Regional Transportation Commission, formed pursuant to the San Diego County Regional Transportation Commission Act (Cal. Pub. Util. Code section 132000, et seq.), which is governed by the board of directors of SANDAG.

"Development project" or "project" means any project undertaken for the purpose of residential development, or development that includes, as a component, residential development, such as "mixed use" development, including the issuance of a permit for construction.

"Low income residential housing" means new moderate, low, very low, and extremely low income residential units as defined in Health and Safety Code sections 50079.5, 50093, 50105, 50106, and by reference in Government Code section 65585.1.

"Nexus Study" means the RTCIP Impact Fee Nexus Study pursuant to California Government Code section 66000 *et seq.*, which Nexus Study is on file in the City Clerk's office.

"Residential dwelling unit" means a building or portion thereof used by one family and containing but one kitchen, which is designed primarily for residential occupancy including single-family and multifamily dwellings. "Residential dwelling unit" shall not include hotels or motels.

"RTCIP administrative plan" means the TransNet Extension Ordinance and Extension Plan adopted by the San Diego County Regional Transportation Commission Ordinance No. 04-01 on May 28, 2004, containing the detailed administrative procedures concerning the implementation of this chapter the RTCIP program, as may be amended from time to time, a copy of which is on file in the City Clerk's office.

"SANDAG" means the San Diego Association of Governments, a joint powers agency consisting of the City, the county of San Diego, and the seventeen other cities situated in San Diego County.

**15.48.040 Establishment of the transportation uniform mitigation fee.**

A. Adoption. The schedule of fees shall be adopted by resolution approved by the City Council ("resolution").

B. Fee Calculation. The fees shall be calculated according to the calculation methodology set forth in Table 11 of the Nexus Study, as may be amended from time to time. The Nexus Study is applicable to specific residential construction impacts in Imperial Beach, including but not limited to those referenced in Table A1 of the Study within the boundaries of the . Nothing herein prevents the City from collecting fees pursuant to any other fee program for other impacts from residential or non-residential development not specifically addressed in the Nexus Study for other infrastructure within the City. The amount of fees adopted under this Ordinance may also exceed the amount allowed by the Nexus Study based on further studies prepared by the City or SANDAG that justifies an increased amount.

C. Fee Adjustment. The fee schedule may be periodically reviewed and the amounts adjusted by the San Diego County Regional Transportation Commission. By amendment to the resolution, the fees may be increased or decreased to reflect changes in actual and estimated costs of the regional system including, but not limited to, debt service, lease payments and construction costs. The adjustment of the fees may also reflect changes in the facilities required to be constructed, in estimated revenues received pursuant to this chapter, as well as the availability or lack thereof of other funds with which to construct the regional arterial system. SANDAG shall review the RTCIP fee program no less than every ten years after July 1, 2009

D. Purpose. The purpose of the RTCIP fee is to fund those certain improvements to the regional arterial system identified in the Nexus Study.

E. Applicability. The RTCIP shall apply to all new development projects within the City, which include the development of one or more residential dwelling units, unless otherwise exempted by the provision of this chapter.

F. Exemptions. The following new development shall be exempt from the Imperial Beach Regional Transportation Congestion Improvement Program (RTCIP) Fee:

1. Low income residential housing;

2. Government/public buildings, public schools and public facilities;

3. The rehabilitation and/or reconstruction of any legal, residential structure and/or the replacement of a previously existing residential dwelling unit;

4. All new, rehabilitated, and/or reconstructed non-residential structures.

5. Development projects which are the subject of a public facilities development agreement entered into pursuant to Government Code Section 65864 et seq., prior to the effective date of this chapter, wherein the imposition of new fees are expressly prohibited; provided however that, if the term of such a development agreement is extended by amendment or by any other manner after July 1, 2008, the RTCIP fee shall be imposed;

6. Guest dwellings;

7. Kennels and catteries established in connection with an existing residential unit and as defined in Title 19 of the Imperial Beach Municipal Code;

8. The sanctuary building of a church, mosque, synagogue, or other house of worship, eligible for a property tax exemption;

9. Residential units that have been issued a building permit prior to July 1, 2008; and

10. Condominium conversions.

G. Credit. Regional system improvements may be credited toward the RTCIP fee in accordance with the RTCIP administrative plan and the following:

1. Regional Tier.

a. Arterial Credits. If a developer funds or constructs arterial improvements identified on SANDAG's Regional Arterial System and/or that arise out of SANDAG's Congestion Management Program, the developer shall receive credit for all costs associated with the arterial improvements, offsetting the revenue requirements of the RTCIP administrative plan.

b. Other Credits. In special circumstances, when a developer constructs off-site improvements such as an interchange, bridge, or railroad grade separation, credits shall be determined by the City in consultation with the developer.

c. The amount of the development fee credit shall not exceed the revenue requirements of the City's most current funding program (determined by the most current unit cost assumptions) for its share of the regional system or actual costs, whichever is less.

2. Local Tier.

a. The City shall compare facilities in local fee programs against the regional system and eliminate any overlap in its local fee program except where there is a recognized financing district established.

b. If there is a recognized financing district established, the City may credit that portion of the facility identified in both programs against the RTCIP fee in accordance with the RTCIP administrative plan.

**15.48.050 Reimbursements.**

Should a developer construct regional arterial system improvements in excess of the RTCIP fee obligation, the developer may be reimbursed based on actual costs or the approved unit cost assumptions, whichever is less. Reimbursements shall be enacted through a three party agreement including the developer, SANDAG and the City, contingent on funds being available. In all cases, however, reimbursements under such special agreements must coincide with construction of the transportation improvements as scheduled in the five-year capital improvements program adopted annually by SANDAG.

**15.48.060 Procedures for the levy, collection, and disposition of fees.**

A. Authority of City Manager. The City Manager or his/her designee is authorized to levy and collect the RTCIP fee and make all determinations required by this chapter.

B. Payment. Payment of the fees shall be as follows:

1. The fees shall be paid at the time a certificate of occupancy is issued for the development project or upon final inspection, whichever come first (the "payment date"). However, this section should not be construed to prevent payment of the fees prior to issuance of an occupancy permit or final inspection. Fees may be paid at the time application is made for a building permit and the fee payment shall be calculated based on the fee in effect at that time, provided the developer tenders the full amount of his/her RTCIP fee obligation. If the developer makes only a partial payment prior to the payment date, the amount of the fee due shall be based on the RTCIP fee schedule in place on the payment date. The fees shall be calculated according to fee schedule set forth in the resolution and the calculation methodology set forth in Table 11 of the Nexus Study, in effect on the payment date.

2. The fees required to be paid shall be the fee amounts in effect at the time payment is due under this chapter, not the date the ordinance approving this chapter is initially adopted. The City shall not enter into a development agreement, which freezes future adjustments of the RTCIP.

3. If all or part of any development project is sold prior to payment of the fee, the property shall continue to be subject to the requirement for payment of the fee. Accordingly, the fees shall run with the land.

4. Fees shall not be waived.

C. Disposition of Fees. All fees collected hereunder shall be transmitted to a fund established and designated by the City for deposit, investment, accounting and expenditure in accordance with the provisions of this chapter and the Mitigation Fee Act, including any City implementing policies or regulations.

D. Appeals. Appeals shall be filed with the City Council in accordance with the provisions of RTCIP Administrative Plan and administrative rules adopted by Resolution of the City Council. Issues subject to appeal shall be the application of the fee, application of credits, application of reimbursement, application of the legal action stay and application of exemption.

E. Reports to SANDAG. The Finance Director or his/her designee, shall prepare and deliver to the executive director of SANDAG and to the Independent Taxpayer Oversight Committee (ITOC), periodic reports as will be established under section 15.48.070 of this chapter.

**15.48.070 RTCIP fee administrator.**

A. The City Manager is appointed as the administrator of the transportation uniform mitigation fee program. He or she, or designee, is authorized to receive all fees generated from the RTCIP fee within the City, and to invest, account for and expend such fees in accordance with the provisions of this chapter and the Mitigation Fee Act. The detailed administrative procedures concerning the implementation of this chapter shall be contained in the RTCIP administrative plan. Furthermore, the RTCIP administrator shall use the Nexus Study for the purpose of calculating a developer's RTCIP fee obligation. In addition to detailing the methodology for calculating all RTCIP fee obligations of different categories of new development, the purpose of the Nexus Study is to clarify for the RTCIP administrator, where necessary, the definition and calculation methodology for uses not clearly defined in this chapter.

B. The City shall expend only that amount of the funds generated from the RTCIP fee for staff support, audit, administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities and in no case shall the funds expended for salaries and benefits exceed two percent of the annual net amount of revenue raised by the RTCIP fee. The RTCIP administrative plan further outlines the fiscal responsibilities and limitations of the administrator.

SECTION 3. The City Council of the City of Imperial Beach hereby declares that should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 4. This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk shall cause this ordinance to be published pursuant to the provisions of Government Code section 36933.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, held the 5th day of March 2008; and thereafter **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 19th day of March 2008, by the following roll call vote:

**AYES:**
**NOES:**
**ABSENT:**

**JIM JANNEY, MAYOR**

**ATTEST:**

**JACQUELINE M. HALD**
**CITY CLERK**

ATTACHMENT 2

# RTCIP IMPACT FEE NEXUS STUDY

## SEPTEMBER 5, 2006

PREPARED FOR THE
SAN DIEGO ASSOCIATION OF GOVERNMENTS

MuniFinancial
A WILLDAN COMPANY

## WITH CAMBRIDGE SYSTEMATICS

*MuniFinancial Oakland Office*
1700 Broadway, 6th Floor
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Tel: (510) 832-0899
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# Introduction and Summary

This chapter provides a summary of the study's results and explains the background and purpose for the study. The chapter also describes the initial nexus analysis that preceded the current study.

## Summary

The purpose of this study is to provide a single nexus analysis that all local agencies in San Diego County can use to adopt an impact fee and fulfill their contribution to the Regional Transportation Congestion Improvement Plan (RTCIP). This report documents the required statutory findings under California's *Mitigation Fee Act*[1]. The nexus analysis demonstrates that an impact fee of $2,071 per new residence is allowed under the *Mitigation Fee Act.* This fee amount is estimated in 2008 dollars when the RTCIP will be implemented.

## New Development Investments in Regional Transportation

In 2004 voters in San Diego County approved a 40-year extension to TransNet, a program designed to fund improvements to the region's transportation system first initiated in 1987. The prime component of the program is a half-cent sales tax increase that is projected to raise over $8 billion for improvements through 2030. Expenditure of TransNet funds is implemented through the *Regional Transportation Plan* (RTP), prepared by the San Diego Association of Governments (SANDAG) and updated every two years.

The most recent RTP, *Mobility 2030,* was adopted in 2005 and details the need for $42 billion in transportation improvements.[2] Of that total, $22 billion in funding will come from a variety of state and federal sources. The remaining $20 billion will come from existing and new local funding sources including the TransNet sales tax extension. These amounts represent the Reasonably Expected Scenario, one of three scenarios examined in the RTP and the scenario adopted by SANDAG.

In addition to the sales tax extension, the TransNet program requires implementation of a new local funding source for the RTP, the Regional Transportation Congestion Improvement Program (RTCIP).[3] The purpose of the RTCIP is to ensure that new development directly invests in the region's transportation system to offset the negative impacts of growth on congestion and mobility.

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[1] California Government Code, §§66000-66025.

[2] See the Reasonably Expected Scenario that represents the RTP adopted funding and expenditure plan. San Diego Association of Governments, *Final 2030 Regional Transportation Plan, Mobility 2030* (February 2005), Table 4.1, page 43.

[3] San Diego Association of Governments, *TransNet Extension Ordinance and Expenditure Plan,* Commission Ordinance 04-01, May 28, 2004, Sec. 9.

Key components of the RTCIP include:

- Beginning July 1, 2008 each local agency must contribute $2,000 (in $2002) from exactions imposed on the private sector for each new residence constructed in the County.
- Although the RTCIP does not specify a revenue source for this contribution, most local agencies are likely to collect this revenue as a development impact fee imposed on new dwelling units at building permit issuance.
- Revenues must be expended on improvements to the Regional Arterial System (RAS), described below, and in a manner consistent with the expenditure priorities in the most recent adopted RTP.
- The Independent Taxpayer Oversight Committee, created for the TransNet program, is responsible for reviewing local agency implementation of the RTCIP.
- If a local agency does not comply with the RTCIP the agency can lose TransNet sales tax funding for local roads.

Cities have the authority to impose impact fees under the *Mitigation Fee Act* contained in California Government Code sections 66000 through 66025. Counties have the same authority for their unincorporated areas. In doing so, each local agency is required to make findings demonstrating a reasonable nexus between the collection of fees, the need for facilities created by new development, and the expenditure of fee revenues to benefit new development.

# Purpose of Study

The purpose of this study is to provide a single nexus analysis that all local agencies in San Diego County can use to adopt an impact fee and fulfill their contribution to the RTCIP. This report documents the required statutory findings under the *Mitigation Fee Act.*

# Regional Arterial System

SANDAG employs a rigorous process to define the RAS.[4] The most important criterion for determining whether to include an arterial in the RAS is the arterial's role as a "critical link". Critical links provide direct connections between communities ensuring system continuity and congestion relief in high volume corridors. The other criteria for inclusion of an arterial in the RAS include:

- Links to areas with high concentrations of existing or future population or employment;
- Links to activity centers such as hospitals, retail centers, entertainment centers, hotels, colleges, and universities;

[4] San Diego Association of Governments (SANDAG), *Final 2030 Regional Transportation Plan, Mobility 2030* (February 2005), Technical Appendix 7 – Evaluation Criteria and Rankings, Table TA 7.1, p. 105.

- Accommodate high future traffic volumes;
- Accommodate Regional Transit Vision (Red and Yellow Car service); and
- Provide access to intermodal (freight, port, military, or airport) facilities.

The current RAS includes 777 route miles (not lane miles) of arterials. **Figure 1** is a map of the Regional Arterial System. The RAS includes both the regionally significant arterials and the other regional arterials indicated on the map. A list of arterial segments included in the RAS is provided in **Appendix A** to this report. A list of the types of improvements that the RTCIP can fund on the RAS is discussed in the *Implementation* chapter of this report.

# Initial RTCIP Impact Fee Calculation

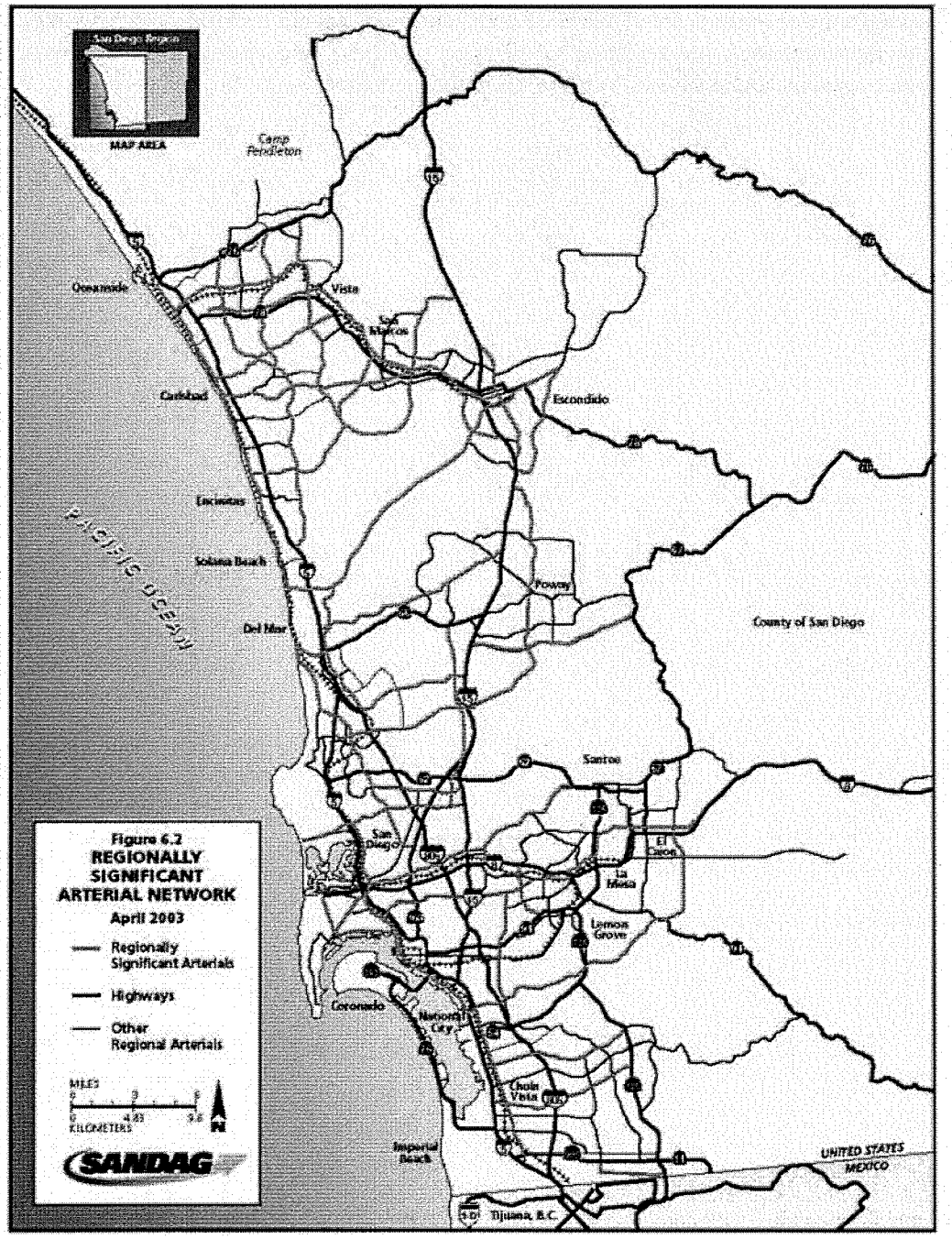
SANDAG staff developed the RTCIP contribution amount of $2,000 per residence using an approach that allocated transportation system improvements proportionately across both existing development and projected growth. The methodology was as follows:

1. The Regional Arterial System carried 10.8 million vehicle miles traveled (VMT) in 2000 and was projected to carry 14.9 million VMT in 2030. The difference of 4.1 million VMT, or 27 percent of the 2030 VMT total was attributed to growth (4.1 ÷ 14.9 = 27 percent).
2. The entire transportation network was projected to accommodate 60.1 million vehicle miles traveled (VMT) in 2030. Of this total, 37.4 million VMT, or 62 percent, were attributed to residential development (37.4 ÷ 60.1 = 62 percent). This amount included any trip that started or ended at a home (home-work, home-school, home-college, and home-other).
3. Multiplying the results of steps #1 and #2 resulted in 16 percent of total VMT in the County in 2030 attributed to new, residential development (0.27 × 0.62 = 16 percent).
4. As of 2000, SANDAG and local agencies had identified improvements for 710 additional lane miles to complete the Regional Arterial System. At a cost of $5.1 million per lane mile (in 2002 dollars) this equals a total cost of $3.6 billion (710 × $5.1 million = $3.6 billion).
5. If all development, existing and new, paid a proportionate share of this cost new residential development's share would be $593 million (0.16 × $3.6 billion = $593 million).
6. Allocating the new residential development share over a projected increase in dwelling units of 320,000 from 2000 to 2030 yielded a cost per unit of slightly less than $2,000 ($593 million ÷ 320,000 = $1,853).

The methodology described above and employed by SANDAG to calculate the RTCIP assumes that all development, existing and new has the same impact on the need for RAS improvements based on the amount of travel demand generated (vehicle trips). Thus existing and new development should share proportionately in the cost of transportation system improvements. For descriptive purposes this can be considered an "average cost" approach.

**Figure 1**

**Regional Arterial System**



For comparison, this approach does not focus on the marginal impacts of new development on congestion, and the cost of additional transportation improvements needed to mitigate those impacts to maintain existing levels of services. Based on our experience preparing transportation fee studies, this "marginal cost" approach would probably result in allocating to new development a greater share of planned transportation system improvements. The approach used by SANDAG is therefore more conservative.

# Nexus Analysis

This chapter documents a reasonable relationship between increased travel demand from new development on the Regional Arterial System (RAS), the cost of RAS improvements needed to accommodate that growth, and an impact fee to fund those investments.

## Approach

Impact fees are calculated to fund the cost of facilities required to accommodate growth. The four steps followed in any development impact fee study and described in detail in the sections that follow include:

1. Prepare growth projections;
2. Identify facility standards;
3. Determine the amount and cost of facilities required to accommodate new development based on facility standards and growth projections;
4. Calculate the public facilities fee by allocating the total cost of facilities per unit of development.

Due to policy considerations SANDAG indicated that the nexus study should employ the same "average cost" approach used in the initial fee calculation to the greatest extent technically defensible under the *Mitigation Fee Act.* Consistent with the initial SANDAG approach, the need for RAS improvements determined by this nexus study is based on the relative amount of travel demand generated by all existing and new, residential and nonresidential, development. As mentioned above (see page 3), this is a conservative approach because a more detailed impact analysis probably would result in allocating to new development a greater share of planned RAS improvements.

The analysis required for each of the four steps listed above is conducted on a countywide basis consistent with SANDAG's initial fee calculation. We updated certain assumptions with more recent data when available. The approach takes a countywide perspective because the RAS represents a countywide network that facilitates mobility between and through cities and unincorporated areas. New development, regardless of location, both adds congestion (increased vehicle trips) to a range of arterials within the RAS and benefits from the expenditure of fee revenue on a range of RAS facilities.

## Growth Projections

This section describes the SANDAG forecast for population and employment, and estimates of land use in terms of dwelling units and nonresidential building square feet. Land use forecasts are converted to vehicle trips to provide a measure of travel demand (further discussed below).

## Population, Employment, and Land Use

The planning horizon for this analysis is 2030, consistent with current land use and transportation forecasts adopted by SANDAG. The nexus analysis uses forecasts of dwelling units and employment to estimate new development demand for transportation improvements. Forecasts for 2030 are from SANDAG's Urban Development Model (UDM). The UDM is one of four interrelated forecasting models used by SANDAG to project land use and transportation for the region.[5] The UDM allocates changes in the region's economic and demographic characteristics to jurisdictions and other geographic areas within the region. The model is based on the spatial interrelationships among economic factors, housing and population factors, land use patterns, and the transportation system. The model generates 2030 forecasts for small geographic areas including the traffic analysis zones used in the transportation modeling process. The UDM complies with federal mandates that transportation plans consider the long-range effects of the interaction between land uses and the transportation system.

The initial SANDAG fee calculation used 2002 as the base year for cost estimates so that is the base year used for this nexus analysis. Dwelling units and employment for 2002 are based on interpolations of development estimates for 2000 and 2005 from the UDM model. Total employment was allocated to land use categories based on analysis of employment by land use using data from five counties and conducted for the Southern California Association of Governments.

**Table 1** lists the 2002 and 2030 land use assumptions based on SANDAG forecasts and used in the nexus analysis.

The employment forecasts are converted to building square footage shown in Table 1 by land use using occupant densities factors shown in **Table 2**. These factors are derived from a study of employment, building square feet, and land use conducted for the Southern California Association of Governments (SCAG). The density factors were derived from a random sample of 2,721 parcels drawn from across five counties (Los Angeles, Orange, Riverside, San Bernardino, and Ventura). We could not identify such a study for San Diego County. The SCAG study's density factors are based on the largest sample of properties that we are aware of, and are used in development impact fee studies throughout the State.

[5] For more information on SANDAG's economic, demographic, and transportation forecasting models, see San Diego Association of Governments, *Final 2030 Forecast Process and Model Documentation,* April 2004.

## Table 1: Population, Employment & Land Use Forecasts

| | 2002 | 2030 | Increase | Percent |
|---|---|---|---|---|
| Residents | 2,909,000 | 3,855,000 | 946,000 | 33% |
| Dwelling Units | | | | |
| Single Family | 648,000 | 778,000 | 130,000 | 20% |
| Multi-family | 372,000 | 527,000 | 155,000 | 42% |
| Mobile Home | 47,000 | 49,000 | 2,000 | 4% |
| Total | 1,067,000 | 1,354,000 | 287,000 | 27% |
| Employment[1] | | | | |
| Retail | 295,000 | 393,000 | 98,000 | 33% |
| Office/Services | 348,000 | 451,000 | 103,000 | 30% |
| Industrial | 383,000 | 628,000 | 245,000 | 64% |
| Subtotal | 1,026,000 | 1,472,000 | 446,000 | 43% |
| Residential[2] | 138,000 | 149,000 | 11,000 | 8% |
| Public[3] | 139,000 | 157,000 | 29,000 | 21% |
| Total | 1,303,000 | 1,778,000 | 475,000 | 36% |
| Building Square Feet (000s)[4] | | | | |
| Retail | 148,000 | 197,000 | 49,000 | 33% |
| Office/Services | 104,000 | 135,000 | 31,000 | 30% |
| Industrial | 345,000 | 565,000 | 220,000 | 64% |
| Total | 597,000 | 897,000 | 300,000 | 50% |

[1] Based on Series 10 forecast data provided by SANDAG. Estimates by major land use type rolled up from County Assessor's categories. Interpolated 2008 data based on 2005 and 2010 forecasts.

[2] Employment on residential land uses such as home-based businesses. Travel demand included in estimates for residential land uses.

[3] Travel demand caused by public land uses so excluded from nexus analysis.

[4] Based on occupant density factors shown in Table 2.

San Diego Association of Governments (SANDAG) Data Warehouse (http:datawarehouse.sandag.org), SANDAG Series 10 forecast of employment by land use; MuniFinancial.

## Table 2: Occupant Density

| Land Use | | |
|---|---|---|
| Commercial | 500 | Square feet per employee |
| Office/Services | 300 | Square feet per employee |
| Industrial[1] | 900 | Square feet per employee |

Note: Source data based on random sample of 2,721 developed parcels across five Los Angeles area counties (Los Angeles, Orange, Riverside, San Bernardino, and Ventura). MuniFinancial estimated weighting factors by land use categories used in the survey to calculate average employment densities by major category (commercial, office, industrial).

[1] Adjusted to correct for over-sampling of industrial parcels in Ventura County.

Source: The Natelson Company, Inc., *Employment Density Study Summary Report,* prepared for the Southern California Association of Governments; October 31, 2001, Table 2-A, p. 15. MuniFinancial.

## *Travel Demand By Land Use Category*

To estimate travel demand by type of land use the nexus study uses vehicle trips rather than vehicle miles traveled (VMT) that were used in the initial SANDAG calculation. Vehicle trips can be calculated in a consistent manner across land use categories based on population and employment estimates by land use category. This enables the impact of development to be distinguished between land use categories, a key requirement of the *Mitigation Fee Act.* VMT, on the other hand, is available from transportation models only for a limited number of "production and attraction" categories: home-work, home-school, home-college, home-other, and non-home.

A reasonable measure of vehicle trips is weekday average daily vehicle trips ends. Because automobiles are the predominant source of congestion, vehicle trips are a reasonable measure of demand for new capacity even though the measure excludes demand for alternative modes of transportation (transit, bicycle, pedestrian).

The following two adjustments are made to vehicle trip generation rates to better estimate travel demand by type of land use:

- Pass-by trips are deducted from the trip generation rate. Pass-by trips are intermediates stops between an origin and a final destination that require no diversion from the route, such as stopping to get gas on the way to work.
- The trip generation rate is weighted by the average length of trips for a specific land use category compared to the average length of all trips on the street system.

**Table 3** shows the calculation of travel demand factors by land use category based on the adjustments described above. Data is based on extensive and detailed trip surveys conducted in the San Diego region by SANDAG. The surveys provide a robust database of trip generation rates, pass-by trips factors, and average trip length for a wide range of land uses.

## Table 3: Travel Demand Factors

| | A | B | C=A+B | D | E=CxD/6.9 | F | G=ExF |
|---|---|---|---|---|---|---|---|
| | Trip Rate Adjustment Factor | | | | | | |
| | Primary Trips[1] | Diverted Trips[1] | Total Excluding Pass-by[1] | Average Trip Length[2] | Adjust-ment Factor[3] | Average Daily Trip Ends[4] | Travel Demand Factor |
| *Residential*[5] | | | | | | | |
| Single Family | 86% | 11% | 97% | 7.9 | 1.11 | 10 | 11.10 |
| Multi-family | 86% | 11% | 97% | 7.9 | 1.11 | 8 | 8.88 |
| Mobile Home | 86% | 11% | 97% | 7.9 | 1.11 | 5 | 5.55 |
| *Nonresidential*[7] | | | | | | | |
| Commercial | 47% | 31% | 78% | 3.6 | 0.41 | 68 | 27.88 |
| Office/Services | 77% | 19% | 96% | 8.8 | 1.22 | 20 | 24.40 |
| Industrial | 79% | 19% | 98% | 9.0 | 1.28 | 8 | 10.24 |

[1] Percent of total trips. Primary trips are trips with no midway stops, or "links". Diverted trips are linked trips whose distance adds at least one mile to the primary trip. Pass-by trips are links that do not add more than one mile to the total trip

[2] In miles.

[3] Systemwide average trip length is 6.9 miles.

[4] Trips per dwelling unit or per 1,000 building square feet.

[5] Single family based on 3-6 units per acre category. Multi-family based on 6-20 units per acre category.

[6] Commercial based on "community shopping center" category. Office/services based on "standard commercial office" category. Industrial based on "industrial park (no commercial)" category.

Sources: San Diego Association of Governments, *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region,* July 1998; MuniFinancial.

## *Shifting Burden of Commercial Development to Residential Development*

Applying the travel demand factors shown in Table 3 directly to development by land use category implicitly assumes that the cause of each vehicle trip on the transportation network is shared equally by the land use at each trip end (origin and destination). But depending on the regional economic forces affecting development in a particular area, the cause of a trip may be related more to the land use at the origin or the destination. For example, in some areas residential development may be caused by job growth, while in other areas the opposite may occur (jobs follow housing). These cause and effect relationships may change over time in the same area. Given the complexity of these regional economic and land use relationships, most transportation impact fee nexus studies make the simplifying but reasonable assumption to weight the origin and destination of a trip equally when identifying the cause of travel demand on a transportation system.

However, there is one regional economic and land use cause and effect relationship that remains consistent across geographical areas and over time. Commercial development is to a large extent caused by the spending patterns of local residents. Commercial development follows residential development or anticipates new development occurring in the near term. This development pattern can be observed throughout metropolitan regions and is driven by

the site location process followed by retailers. When seeking new locations, the most common measure of a potential market used by site location analysts is the number of households within a reasonable driving distance for shopping trips and the median income of those households.

Given this consistent regional economic and land use cause and effect relationship, it is reasonable to allocate at least some of the burden of commercial trip ends to residential development. This approach is used in impact fee nexus studies to more accurately allocate the burden of transportation improvements needed to accommodate growth.[6]

Not all retail spending is related to local residential development. By "local" we mean residents (or businesses) located within the area subject to the impact fee. There are three major sources of retail spending:

1. Local households;
2. Local businesses; and
3. Visitors that travel to the area to shop.

The RTCIP impact fee is limited to residential development so the focus of this nexus study was shifting the appropriate share of travel demand from commercial to residential development. The demand for commercial development by local businesses was not identified.

To determine the amount of commercial development associated with residential development we conducted an analysis of taxable retail sales data for 2004, the most recent complete year of data available from the State Board of Equalization. The analysis calculated the total spending potential of San Diego County households and estimated what portion of that spending occurred within the County. The result was that 62.6 percent of total taxable retail sales was estimated to be associated with local household spending. The remainder was associated with local business and visitor spending. Based on this analysis, residential development directly causes 62.6 percent of commercial development. Consequently, the travel demand associated with that share of commercial development is shifted to residential development.

The results of this analysis are summarized in **Table 4** and presented in detail in **Appendix B**.

## *Total Travel Demand By Land Use Category*

**Table 5** shows estimates of travel demand from existing and new development and the shares that residential and nonresidential development comprise of the total. Travel demand is based on the travel demand factors calculated in Table 3 and the growth estimates in Table 1. Commercial development associated with local household spending as shown in Table 4 is included in the residential land use category. Based on this analysis new residential development will represent about 13 percent of total travel demand in 2030.

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[6] See Economic and Planning Systems, Inc., *Infrastructure Financing Technical Report Southwest Area Plan,* prepared for the City of Santa Rosa Department of Community Development, January 1995, p.28. See also Economic and Planning Systems, Inc., *Road Impact Mitigation Fee Nexus Study,* prepared for the Calaveras Council of Governments, April 28, 2004, p.20.

**Table 4: Allocation of Taxable Retail Spending & Commercial Sq. Ft. in San Diego County**

| | Taxable Retail Sales (2004) | Share | Building Square Feet 2002 | 2025 | Growth |
|---|---|---|---|---|---|
| Total Taxable Retail Spending & Commercial Sq. Ft. | $ 44,470,000 | 100.0% | 148,000 | 197,000 | 49,000 |
| Local Residential Taxable Spending & Sq. Ft. | 27,856,000 | 62.6% | 93,000 | 123,000 | 30,000 |
| Local Business and Visitor Taxable Spending & Sq. Ft. | 16,614,000 | 37.4% | 55,000 | 74,000 | 19,000 |

Sources: Tables 1 and B.4; MuniFinancial.

**Table 5: Travel Demand From Existing and New Development**

| Land Use Category | Travel Demand Factor[1] | Development: Existing[2] (2002) | Development: Growth[2] (2002-2030) | Travel Demand[3]: Existing (2002) | Travel Demand[3]: Growth (2002-2030) | Total |
|---|---|---|---|---|---|---|
| *Residential* | | | | | | |
| Single Family | 11.10 | 648,000 | 130,000 | 7,193,000 | 1,443,000 | 8,636,000 |
| Multi-family | 8.88 | 372,000 | 155,000 | 3,303,000 | 1,376,000 | 4,679,000 |
| Mobile Home | 5.55 | 47,000 | 2,000 | 261,000 | 11,000 | 272,000 |
| Local-serving Commercial[4] | 27.88 | 93,000 | 30,000 | 2,593,000 | 836,000 | 3,429,000 |
| Subtotal | | 1,160,000 | 317,000 | 13,350,000 | 3,666,000 | 17,016,000 |
| Percent of Total | | | | 47.4% | 13.0% | 60.4% |
| *Nonresidential* | | | | | | |
| Other Commercial[5] | 27.88 | 55,000 | 19,000 | 1,533,000 | 530,000 | 2,063,000 |
| Office/Services | 24.40 | 104,000 | 31,000 | 2,538,000 | 756,000 | 3,294,000 |
| Industrial | 10.24 | 345,000 | 220,000 | 3,533,000 | 2,253,000 | 5,786,000 |
| Subtotal | | 1,757,000 | 617,000 | 7,604,000 | 3,539,000 | 11,143,000 |
| Percent of Total | | | | 27.0% | 12.6% | 39.6% |
| Total | | | | 20,954,001 | 7,205,000 | 28,159,000 |
| Percent of Total | | | | 74.4% | 25.6% | 100.0% |

[1] Per dwelling unit for residential land uses and per 1,000 square feet for nonresidential land uses.
[2] Dwelling units for residential land uses and 1,000 square feet for nonresidential land uses.
[3] Estimated total trip ends using the factors shown in Table 3.
[4] Represents share of total commercial square feet and travel demand associated with spending by San Diego County households.
[5] Represents share of total commercial square feet and travel demand associated with spending by San Diego County businesses and visitors.

Source: Tables 1, 3 and 4; MuniFinancial.

# Facilities Standard and Need for Transportation Improvements

The critical policy issue in a development impact fee nexus study is the identification of a facility standard. The facility standard determines new development's need for new facilities. The facility standard is also used to evaluate the existing level of facilities to ensure that new development does not fund infrastructure needed to serve existing development.

The facility standard used by this nexus analysis is average weekday vehicle hours of delay on the Regional Arterial System (RAS) in 2008. Hours of delay provide a reasonable system-

wide measure of the impact of new development on congestion and mobility. SANDAG's transportation forecasting model (TransCAD) demonstrates that hours of delay increase with the level of new development, and decrease with investment in additional transportation system capacity. Projected hours of delay in 2002 is used for the standard because that is the implementation date for the RTCIP, representing existing conditions at the time new development would begin contributing to transportation system improvements.

As mentioned in the last chapter the RAS needed 710 additional lane miles to complete the system as of the year 2000. Through 2002 the region added 73 lane miles to the RAS. This effort reduces the level of investment needed to complete the RAS to 637 lane miles.

The data in **Table 6** from the TransCAD model demonstrates a reasonable relationship between new development and the need for additional investment in the RAS. The table shows the projected increases in vehicle hours of delay from 2002 to 2030 and the benefits of adding 637 lane miles to the RAS. Without any investment in the RAS vehicle hours of delay will increase by 114 percent during this period. With an investment of 637 new lane miles in regional arterials vehicle hours of delay will increase substantially less, by 68 percent.

## Table 6: Regional Arterial System Roadway Statistics

| | | Projected 2030 | |
|---|---|---|---|
| | Existing 2002 | Without Improvements | With Improvements |
| Lane Miles | 2,805 | 2,805 | 3,442 |
| Change, 2002-2030 (amount) | | - | 637 |
| Change, 2002-2030 (percent) | | 0% | 23% |
| Average Weekday Vehicle Hours of Delay | 64,352 | 137,481 | 108,350 |
| Change, 2002-2030 (amount) | | 73,129 | 43,998 |
| Change, 2002-2030 (percent) | | 114% | 68% |

Note: 2002 data interpolated based on 2000 and 2005 data provided by model output (see Source).

Source: San Diego Association of Governments, TransCAD model output.

New development is not the entire cause of the forecasted increase in vehicle hours of delay so as discussed above, new development is only allocated a share of RAS investment costs. The SANDAG transportation model assumes that vehicle miles traveled (VMT) per capita for all existing and new development will increase 9.6 percent from 2000 to 2030 continuing recent trends.[7] Thus some of the increased in vehicle hours of delay is caused by increased travel from existing development. RAS investment costs are being allocated evenly across existing and new development based on total travel demand, incorporating the impact of increased VMT per capita across all types of development (existing and new).

[7] Email communication from Bill McFarlane, Transportation Modeling Section, San Diego Association of Governments, March 8, 2006.

# Facility Costs and Available Funding

This section estimates total costs associated with RAS improvements that are the responsibility of new development. The need for RTCIP funding based on available RTP revenues is evaluated. Finally, this section provides a current list of specific projects identified for investment in the RAS.

## *Unit Cost Estimates and Total Facility Costs*

For the purposes of this nexus analysis, facility costs are estimated in 2008 dollars, the first year of implementation of the RTCIP. The TransNet Ordinance states that the $2,000 revenue requirement per new dwelling unit be increased for inflation based on a construction cost index.[8] The $2,000 amount was based on the original cost estimates prepared for the RTP in 2002 dollars. This subsection explains the approach taken to increase unit costs from 2002 dollars to 2008 dollars.

The currently adopted *Regional Transportation Plan* (RTP), *Mobility 2030,* assumed a unit cost estimate of $5.1 million per lane mile in 2002 dollars for the RAS. Historically, SANDAG has assumed an annual increase of 2.6 percent for road construction costs, but in recent years that rate has risen significantly. To examine this issue SANDAG commissioned a study that examined a range of data on transportation capital project cost inflation since 2002. The study recommended that SANDAG use a 7.26 percent annual rate to increase estimated project costs from 2002 through 2005, and 4.50 percent from 2005 to 2008.[9]

As shown in **Table 7**, the cost estimate for an arterial lane mile is $7.2 million after inflating the 2002 estimate by the factors cited above from the SANDAG study. The total compounded increase from the 2002 estimate is 41 percent. Total costs to complete the arterial system would be $4.6 billion in $2008 based on this unit cost estimate.

## *Available RTP Funding*

To justify the need for the RTCIP impact fee, the fee should only be imposed to the extent additional funding is needed to accommodate new development net of other anticipated funding sources. The RTP examined three funding and expenditure scenarios described below.[10] All dollars are in $2002 and are for the planning horizon 2002 to 2030.

- The Revenue Constrained scenario ($30 billion) was based on existing revenue sources and did not assume extension of the TransNet sales tax.
- The Reasonably Expected scenario ($42 billion) was based on extension of the TransNet sales tax ($8 billion) plus $4 billion more from higher levels of state and federal discretionary funds and increases in state and federal gas taxes based on historical trends.

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[8] San Diego Association of Governments, *TransNet Extension Ordinance and Expenditure Plan,* Commission Ordinance 04-01, May 28, 2004, Sec. 9.

[9] San Diego Association of Governments, *Transportation Project Cost Analysis* (June 17, 2005) completed by URS, p. 8-1.

[10] SANDAG, *Final 2030 Regional Transportation Plan, Mobility 2030* (February 2005), Chapter 4, pp. 35-53.

## Table 7: Estimated Arterial System Capacity Investments ($2008)

| Year | Source | Inflation Rate Annual | Inflation Rate Cummulative | Cost |
|---|---|---|---|---|
| 2002 | SANDAG RTP | NA | NA | $ 5,100,000 |
| 2003 | BLS Compounded Rate 2002-2005[1] | 7.26% | 7.26% | 5,470,000 |
| 2004 | BLS Compounded Rate 2002-2005[1] | 7.26% | 15.05% | 5,868,000 |
| 2005 | BLS Compounded Rate 2002-2005[1] | 7.26% | 23.40% | 6,293,000 |
| 2006 | FHWA Compounded Rate 1960-2004[1] | 4.50% | 28.95% | 6,576,000 |
| 2007 | FHWA Compounded Rate 1960-2004[1] | 4.50% | 34.75% | 6,872,000 |
| 2008 | FHWA Compounded Rate 1960-2004[1] | 4.50% | 40.81% | 7,181,000 |
| Regional Arterial Widenings & Extensions (lane miles) (2002-2030) | | | | 637 |
| Total Regional Arterial System Capacity Investments (2002-2030) (Est. $2008) | | | | $ 4,572,860,800 |

[1] As reported in SANDAG transportation cost analysis study completed by URS (see Sources).

Sources: San Diego Association of Govemments, *Final 2030 Regional Transportation Plan, Mobility 2030* (February 2005), Technical Appeicix 9 - Project Cost Estimates, p. 159; San Diego Association of Govemments, *Transportation Project Cost Analysis* (June 17, 2005) completed by URS, p. 8-1; Table 6; MuniFinancial.

- The Unconstrained Revenue scenario ($67 billion) was based on an analysis of transportation system needs to 2030 and identified potential revenue sources but did not specify which ones to implement.

SANDAG adopted the Reasonably Expected scenario. Under this scenario the RTP invests $24.5 billion for projects that expand system capacity. Other improvements totaling $17.5 billion would improve operations, maintenance, and rehabilitation of highway, road, and transit, and related facilities. The RTP expenditure plan is summarized in **Table 8**, below.

As shown in Table 8, the RTP allocates $500 million for investment in the RAS. Under the Revenue Constrained and Unconstrained Revenue scenarios the total allocation is $350 million and $700 million, respectively.[11] Given the need for a $4.6 billion total investment (Table 7), substantial additional resources are needed.

The RTP indicates that local jurisdictions need to identify matching funds for investment in the RAS because the regional funding provided through the RTP:

> ...is intended to be matched with revenues from the local jurisdictions, which are responsible for improving regional roadways and local streets to meet their residents needs and mitigate the effects of local land use developments.[12]

The RTP further indicates that a regional development impact fee as contemplated by the RTCIP is one of the potential revenues sources for supplementing RTP resources.[13]

[11] Ibid., Table 4.3, p. 46, Table 4.5, p. 49.

[12] Ibid., p. 103.

[13] Ibid., p. 50.

## Table 8: RTP Investment Plan, 2002-2030 ($2002)

| | $ Millions ($2002) | |
|---|---|---|
| Capacity Expansion Investments | | |
| New Transit Facilities | $ 8,500 | 20% |
| Managed High Occupancy Vehicle Lane Facilities | 7,450 | 18% |
| Highway System Completion/Widening Projects | 3,580 | 9% |
| New Local Streets and Roads | 4,430 | 11% |
| Regional Significant Arterials | 500 | 1% |
| Subtotal | $ 24,460 | 58% |
| Other Investments[1] | 17,485 | 42% |
| Total Expenditures | $ 41,945 | 100% |

[1] Includes projects that improve the operations, maintenance, and rehabilitation of highway, road, and transit, and related facilities.

Source: San Diego Association of Governments, *Final 2030 Regional Transportation Plan, Mobility 2030* (February 2005), p. 44; MuniFinancial.

### *Specific RAS Improvement Projects*

**Table 9** shows the RTP's initial planned improvements in the RAS. These projects represent a $700 million investment under the Unconstrained Revenue scenario, or 136 additional lane miles at the 2002 cost estimate of $5.1 million per lane mile. Under the adopted Reasonably Expected scenario the RTP allocates $500 million, sufficient to fund 98 additional lane miles in $2002. These projects are candidates for funding with RTCIP contributions. Funding these improvements with the RTCIP would enable RTCIP resources to expand improvements in the RAS towards full completion of the system (637 lane miles from 2002 to 2030).

# Cost Allocation and Fee Schedule

The vehicle trip rates described in the *Growth Projections* section, above, provide a means to allocate a proportionate share of total RAS improvements to each new development project. Trip rates are a reasonable measure of each development project's demand on the regional transportation system. New development's share of total RAS improvements is divided by total trips generated by new development to calculate a cost per trip. The cost per trip multiplied by the trips generated by a development project determines that project's fair share of total RAS improvements.

## Table 9: Regionally Significant Planned Arterial Improvements

| Arterial | Limits | Type | Jurisdiction |
|---|---|---|---|
| Balboa Ave. | Kearney Villa Rd. - Ruffin Rd. | Widen | City of San Diego |
| Bear Mountain Pkwy. | Canyon Rd. - Valley Pkwy. | Widen | City of Escondido |
| Black Mountain Rd. | Mercy Rd. - Mira Mesa Blvd. | Widen | City of San Diego |
| Black Mountain Rd. | Emden Rd. - Caramel Valley Rd. | Extend | City of San Diego |
| Cannon Rd. | Hidden Valley Rd. - Frost Rd. | Extend | City of Carlsbad |
| Cannon Rd. | El Camino Real - Mystra Dr. | Extend | City of Carlsbad |
| Cannon Rd. | Melrose Dr. - SR 78 | Extend | County of San Diego |
| Citracado Pkwy. | I-15 - Scenic Trail Way | Extend | City of Escondido |
| Citracado Pkwy. | Avenida Del Diablo - Vineyard Ave. | Extend | City of Escondido |
| College Ave. | Montezuma Rd. - Alvarado | Widen | City of San Diego |
| College Ave. | El Camino Real - Carlsbad Village Dr. | Extend | City of Carlsbad |
| Deer Springs Rd. | I-15 - Twin Oaks Valley Rd. | Widen | County of San Diego |
| Del Dios Hwy. | Via Rancho Pkwy. - Valley Pkwy. | Widen | City of Escondido |
| East Valley Pkwy. | East Valley Blvd. - Bear Valley Pkwy. | Widen | City of Escondido |
| El Camino Real | Camino Santa Fe - El Camino Real | Widen | City of San Diego |
| El Camino Real | Manchester Ave. - Tamarack Ave. | Widen | City of Carlsbad |
| El Camino Real | Tamarack Ave. - SR 76 | Widen | City of Oceanside |
| Friars Rd. | Colusa St. - Lia Las Cumbres | Widen | City of San Diego |
| Friars Rd. | SR-163 - Frazee Rd. | Widen | City of San Diego |
| Genesee Ave. | I-5 - Campus Point Dr. | Widen | City of San Diego |
| Genesee Ave. | Osler St. - Marlesta Dr. | Widen | City of San Diego |
| H Street | Bonita Vista High - Otay Lakes | Widen | City of Chula Vista |
| Harbor Dr. | Pacific Hwy. - California St. | Widen | City of San Diego |
| Heritage Rd. | Airway Rd. - Siempre Viva Rd. | Extend | City of San Diego |
| Jamacha Blvd. | Omega St. - Pointe Pkwy. | Widen | County of San Diego |
| Keamy Villa Rd. | SR 52 - Ruffin Rd. | Widen | City of San Diego |
| Manchester Ave. | I-5 - Lux Canyon Dr. | Widen | City of Encinitas |
| Melrose Dr. | Spur Ave. - N Santa Fe Ave. | Extend | City of Oceanside |
| Melrose Dr. | Aspen Way - Palomar Airport Rd. | Extend | City of Carlsbad |
| Mission Ave. | Enterprise St. - Centre City Pkwy. | Widen | City of Escondido |
| Oceanside Blvd. | Oceanside Blvd. - Rancho Del Oro | Widen | City of Oceanside |
| Siempre Viva Rd. | Heritage Rd. - La Media Rd. | Widen | City of San Diego |
| South Santa Fe Ave. | Mar Vista Dr. - Bosstick Blvd. | Widen | County of San Diego |
| Torrey Pines Rd. | N. of Callan St. - S. of Carmel Valley Rd. | Widen | City of San Diego |
| Twin Oaks Valley Rd. | Craven Rd. - Rancho Santa Fe Rd. | Extend | City of San Marcos |
| Twin Oaks Valley Rd. | Deer Springs Rd. - Craven Rd. | Widen | City of San Marcos |
| Via de la Valle | Camino Santa Fe - El Camino Real | Widen | City of San Diego |
| Vista Sorrento Pkwy. | Rose Coral Row - Sorrento Valley Blvd. | Extend | City of San Diego |
| Vista Way | Emerald Dr. - Melrose Dr. | Widen | City of Vista |

Source: San Diego Association of Governments, *Final 2030 Regional Transportation Plan, Mobility 2030 (February 2005),* Technical Appendix 9 - Project Cost Estimates, p. 160.

The projected contribution from new residential development to the RTCIP for RAS improvements is $594 million. This amount is shown in **Table 10** and results in a cost per trip of $210. These amounts are based on the nexus approach taken for this analysis that allocates RAS costs to new residential development based on shares of total travel demand in 2030. They are also based on allocating to residential development the entire burden of trips associated with commercial development that serves households within the County (see earlier discussion under "Shifting Burden of Commercial Development to Residential Development").

## Table 10: Residential Cost per Trip (Estimated for $2008)

| | | |
|---|---|---|
| *Allocation of Total Costs to Residential Land Uses* | | |
| Total Regional Arterial System Investments ($2008) | $ 4,574,297,000 | |
| New Residential Development Share of Total Trips | 13.0% | |
| New Residential Development Share of Total Costs | | $ 594,659,000 |
| *New Residential Vehicle Trips (2002-2030)* | | |
| Single Family | 1,443,000 | |
| Multi-family | 1,376,000 | |
| Mobile Home | 11,000 | |
| Total New Residential Vehicle Trips | | 2,830,000 |
| New Residential Development Cost per Trip (Est. $2008) | | $ 210 |

Tables 5 and 7; MuniFinancial.

The cost per trip of $210 is estimated in 2008 dollars, the first year for implementation of the RTCIP. Prior to local agency implementation of the RTCIP impact fee SANDAG will adjust this amount based on actual cost inflation to 2008 (see the *Inflation Adjustment* section in the next chapter).

The RTCIP does not specify how to impose the impact fee beyond the required contribution of $2,000 per dwelling unit. A single fee for all dwelling units may not adequately ensure a reasonable relationship between each new development project's proportionate share of total improvements and the amount of the fee. Separate fees by major residential land use category based on trip generation rates would more likely fulfill this statutory requirement.[14]

A fee schedule by major residential land use category based on the calculated RTCIP cost per trip from Table 10 is shown in **Table 11**. Fees range from a low of $1,166 for mobile homes to a high of $2,331 for single family units. The average fee per dwelling unit is $2,071. This fee is less than $2,816, the original RTCIP fee amount of $2,000 increased for actual and estimated inflation from 2002 to 2008 based on the rates used in Table 8. As mentioned above SANDAG will adjust this amount based on actual cost inflation to 2008 prior to local agency implementation of the RTCIP impact fee.

Local jurisdictions may adopt a fee schedule with different residential land use categories as long as the fee is based on a cost that is no higher than the maximum justified cost per trip of $210 shown in Table 10. This approach would help ensure compliance with the *Mitigation Fee Act.*

[14] *Mitigation Fee Act, California Government Code,* §66001(b).

## Table 11: RTCIP Impact Fee (Estimated for $2008)

| Land Use | Cost Per Trip | Trip Demand Factor | Fee[1] | New Development (dwelling units) | Estimated Revenue |
|---|---|---|---|---|---|
| Single Family | $ 210 | 11.10 | $ 2,331 | 130,000 | $ 303,030,000 |
| Multi-family | 210 | 8.88 | 1,865 | 155,000 | 289,075,000 |
| Mobile Home | 210 | 5.55 | 1,166 | 2,000 | 2,332,000 |
| Total Estimated Revenue | | | | | $ 594,437,000 |
| Total New Dwelling Units (2002-2030) | | | | | 287,000 |
| Weighted Average RTCIP Impact Fee Per Dwelling Unit (Est. $2008) | | | | | $ 2,071 |

[1] Fee per dwelling unit.

Sources: Tables 1, 3 and 10; MuniFinancial.

# Extension of RTCIP to Nonresidential Land Uses

The RTCIP specifically exempts all nonresidential development. However, one option for increasing contributions from new development for RAS improvements would be to apply the RTCIP to nonresidential development as well. **Table 12** shows new development's total investment in the RAS that could be made under this approach. Fee revenues would increase by a total of $578 million, $491 million from office and industrial development and $87 million from commercial development (estimated in 2008 dollars).

A fee schedule by major nonresidential land use category based on the calculated RTCIP cost per trip from Table 12 is shown in **Table 13.** Fees per 1,000 building square feet range from a low of $1,669 for industrial and $1,784 for commercial and to a high of $3,977 for office/services. As mentioned above these amounts should be adjusted based on actual cost inflation to 2008 prior to local agency implementation of a nonresidential impact fee.

**Table 12: Nonresidential Cost per Trip (Estimated for $2008)**

| | Office/Services & Industrial | | Commercial | |
|---|---|---|---|---|
| *New Nonresidential Development Share of Total Trips* | | | | |
| Commercial[1] | NA | | 530,000 | |
| Office/Services | 756,000 | | NA | |
| Industrial | 2,253,000 | | NA | |
| New Nonresidential Vehicle Trips (2002-2030)[1] | 3,009,000 | | 530,000 | |
| Total Vehicle Trips (2030)[1] | 28,159,000 | | 28,159,000 | |
| New Nonresidential Development Share | 10.7% | | 1.9% | |
| *Allocation of Total Costs to Nonresidential Land Uses* | | | | |
| Total Regional Arterial System Investments ($2008) | $ 4,574,297,000 | | $ 4,574,297,000 | |
| New Nonresidential Development Share of Total Trips | 10.7% | | 1.9% | |
| New Nonresidential Development Share of Total Costs | | $ 489,450,000 | | $ 86,912,000 |
| *New Nonresidential Vehicle Trips (2002-2030)* | | | | |
| Commercial[2] | NA | | 1,366,000 | |
| Office/Services | 756,000 | | NA | |
| Industrial | 2,253,000 | | NA | |
| Total Nonresidential Vehicle Trips (2030)[1] | | 3,009,000 | | 1,366,000 |
| Cost per Trip (Est. $2008) | | $ 163 | | $ 64 |

[1] For the purpose of determining new commercial development's fair share of total costs, trips exclude those assocateid with spending by local (San Diego County) resdients. Commercial trips associated with local residential spending are used to allocate total costs to residential development (see Table 10).

[2] Includes local and regional commercial trips. It would be inpractical to identify on a project-by-project basis that portion of new commercial development associated only with non-local residential spending. Therefore, new commercial development's fair share of total costs is allocated across all new commercial vehicle trips (see Table 5).

Tables 5 and 7; MuniFinancial.

## Table 13: Nonresidential Impact Fee (Estimated for $2008)

| Land Use | Cost Per Trip | Trip Demand Factor | Fee[1] | New Development (ksf) | Estimated Revenue |
|---|---|---|---|---|---|
| Commercial | $ 64 | 27.88 | $ 1,784 | 49,000 | $ 87,416,000 |
| Office/Services | 163 | 24.40 | 3,977 | 31,000 | 123,287,000 |
| Industrial | 163 | 10.24 | 1,669 | 220,000 | 367,180,000 |
| Total Estimated Revenue (Est. $2008) | | | | | $ 577,883,000 |

[1] Fee per 1,000 square feet.

Sources: Tables 1, 3 and 10; MuniFinancial.

# Implementation

Local agencies need to adopt a "Funding Program" to implement the RTCIP.[15] The Funding Program must generate the funding per new residential unit required by the RTCIP. This chapter provides guidance on use of this nexus study by local agencies to implement a Funding Program and comply with the RTCIP. "Local agencies" includes all cities in the County plus the County of San Diego for development in the unincorporated area.

The guidance provided in this study is not a substitute for legal advice and all local agencies should consult with their legal counsel regarding compliance with the *Mitigation Fee Act (Act).* Local agencies are hereby put on notice that the findings and guidance in this study are generalized, and were created for use as a framework to be tailored by each local agency. SANDAG disclaims any responsibility for any liability to users of this study, or any other party, for any loss or damages, consequential or otherwise, including but not limited to time, money, or goodwill, arising from the use, operation or modification of the information in the study. In using this report, local agencies further agree to indemnify, defend, and hold harmless SANDAG, its officers and employees, for any and all liability of any nature arising out of or resulting from use of the study. Distribution of this study shall not constitute any warranty by SANDAG.

# Adoption By Local Agencies

## Adoption Schedule

To meet the requirements of the *Act* and the July 1, 2008 RTCIP deadline, local agencies will need to adopt the RTCIP impact fee by May 1, 2008. This allows for the sixty-day period required under California Government Code section 60017 of the *Act* between the date of adoption and the date the fee becomes effective. The same section of the *Act* includes certain notice and public hearing requirements as well that each local agency must follow. Legal counsel should also advise on timelines, hearings requirements, and all other actions required for fee adoption by the *Act.*

## Ordinance, Resolution, and Nexus Study

Local agencies may need to adopt an ordinance and resolution to implement the fee. The ordinance would provide the authority for the agency to impose the RTCIP impact fee. The resolution would specify the fee amount. Setting the fee by resolution avoids having to amend the local agency's municipal code whenever the fee must be adjusted, facilitating annual updates to the fee for cost inflation.

The local agency fee resolution should reference a nexus study for documentation of the findings required by the *Act.* If the local agency adopts the fee schedule as shown in Table 11, above, for residential development then the fee resolution can reference this nexus study and the local agency does not have to conduct a separate study. If the local agency adopts a

[15] San Diego Association of Governments, *TransNet Extension Regional Transportation Congestion Improvement Program*, Sec. A.

different fee schedule then the agency will need to conduct a new nexus study to justify the fee. The agency's fee program should still generate the same average revenue per residential unit shown in Table 11 for the agency to adequately implement the RTCIP.

### Applying Fee To Nonresidential Development

The local agency may also apply an impact fee to nonresidential development to fund improvements to the RAS. However, as mentioned above in the *Nexus Analysis* chapter, expansion of the RTCIP Funding Program to nonresidential development is not a requirement of the TransNet ordinance and is not necessary for a local agency to implement the RTCIP. If the agency chooses to apply the fee to nonresidential development and adopts the fee schedule as shown in Table 13, above, then the fee resolution can reference this nexus study and the local agency does not have to conduct a separate study. If the local agency adopts a different nonresidential fee schedule then the agency will need to conduct a new nexus study to justify the nonresidential fee.

## Inflation Adjustment

### Adjustment to Initial Fee

As explained above in the *Nexus Analysis* chapter, the initial RTCIP funding requirement of $2,000 per new dwelling unit was calculated based on arterial costs in 2002 dollars. For the purposes of the nexus analysis, facility costs were estimated in 2008 dollars, the first year of implementation of the RTCIP. This analysis used the actual increase in construction costs for the period 2002 to 2005, and an estimated inflation rate for the period 2005 to 2008 (see Table 7). Prior to local agency adoption of a Funding Program in 2008, SANDAG will adjust the fee schedule shown in Table 11 for the actual increase in construction between 2005 and 2008. To make this adjustment, SANDAG will need to:

- Reduce the cost per trip shown in Table 10 (and used for the fee schedule in Table 11) by the compounded annual rate of 4.50 percent over three years used to estimate construction cost inflation from 2005 to 2008;
- Re-inflate the cost per trip from 2005 to 2008 for actual construction cost inflation during that period; and
- Re-calculate the fee schedule shown in Table 11 by the new cost per trip.

### Annual Adjustment Following Implementation

The TransNet ordinance provides for an annual inflation adjustment to the RTCIP impact fee on July 1 of each year beginning in 2009.[16] The inflation adjustment will be two percent or based on the *Engineering News Record* Construction Cost Index, whichever is higher. An index similar to the Construction Cost Index may be used. SANDAG will calculate the fee adjustment. Each local agency will need to adjust their RTCIP impact fee annually.

[16] San Diego Association of Governments, *TransNet Extension Regional Transportation Congestion Improvement Program*, Sec. C.

# Collection and Administration

Each local agency will be responsible for the collection, administration, and expenditure of RTCIP impact fee revenues generated within its jurisdiction. Fee revenues should be placed in a separate fund and administered pursuant to the requirements of the *Act*. For example, interest earnings on fund balances need to be credited to the fund. In addition, the *Act* requires that the local agency provide specific information regarding fee revenues and expenditures annually and every five years in a public report.[17]

The Independent Taxpayer Oversight Committee (ITOC), created for the TransNet program, is responsible for reviewing local agency implementation of the RTCIP. Each local agency must submit their Funding Program for review by the ITOC by April 1, 2008. The ITOC must review and audit each local agency's program annually. The reporting requirements required by the *Act* should be sufficient to meet the ITOC's needs in this regard. If a local agency does not comply with the RTCIP the agency can lose TransNet sales tax funding for local roads.

Local agencies and SANDAG can fund the administrative costs of the RTCIP with a charge added to the RTCIP impact fee. The RTCIP allows up to three percent of program revenues to be used for program administration.[18] SANDAG anticipates adding a one percent administrative charge to the RTCIP fee to fund costs related to the ITOC. Local agencies may add up to two percent for their program administration costs. These charges are similar to any other user fees imposed by local agencies and are not subject to the *Act*. **These charges must be justified based on the actual program administration costs of each agency. Agencies should keep cost records and adjust the administrative charge as appropriate based on actual costs.**

# Use of Revenues

RTCIP impact fee revenues must be expended on improvements to the RAS in a manner consistent with the expenditure priorities in the most recent adopted RTP. Fee revenues may not be expended on road maintenance. RTCIP impact fee revenues may be used for any capital costs associated with improving the RAS including costs associated with:

- Arterial widenings, extensions, and turning lanes;
- Traffic signal coordination and other traffic improvements;
- Reconfigured freeway-arterial interchanges;
- Railroad grade separations; and
- Expanded regional express bus service.

Costs funded by the RTCIP impact fee may include project administration and management, design and engineering, right-of-way acquisition, and construction. The RTCIP requires that

[17] California Government Code, §§66001(d) and 66006(b).

[18] San Diego Association of Governments, *TransNet Extension Regional Transportation Congestion Improvement Program*, Sec. D(2).

each local agency expend revenues within seven years of receipt or have an expenditure plan that justifies keeping revenues for a longer period.[19] The *Act* has a similar requirement with a five years limitation unless there is an expenditure plan that justifies keeping revenues for a longer period.

# Exemptions

The RTCIP program exempts the following residential development from the impact fee:[20]

- New moderate, low, very low, and extremely low income residential units as defined in Health & Safety Code sections 50079.5, 50093, 50105, 50106, and by reference in Government Code section 65585.1;
- Government/public buildings, public schools and public facilities;
- Rehabilitation and/or reconstruction of any legal, residential structure and/or the replacement of a previously existing residential unit;
- Development projects subject to development agreements prior the effective date of the TransNet ordinance (May 28, 2004) that expressly prohibit the imposition of new impact fees, however if the terms of the development agreement are extended beyond July 1, 2008, the requirements of the RTCIP shall apply;
- Guest dwellings;
- Additional residential units located on the same parcel regulated by the provisions of any agricultural zoning;
- Kennels and catteries established in conjunction with an existing residential unit;
- The sanctuary building of a church, mosque, synagogue, or other house of worship eligible for property tax exemption;
- Residential units that have been issued a building permit prior to July 1, 2008; and
- Condominium conversions.

[19] Ibid., Sec. G(4).

[20] Ibid, Sec. E.

# Mitigation Fee Act Findings

Development impact fees are one-time fees typically paid when a building permit is issued and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees, the State Legislature adopted the *Mitigation Fee Act* (*Act*) with Assembly Bill 1600 in 1987 and subsequent amendments. The *Act,* contained in *California Government Code* Sections 66000 through 66025, establishes requirements on local agencies for the imposition and administration of fee programs. The *Act* requires local agencies to document five findings when adopting a fee.

Sample text that may be used for the five statutory findings required for adoption of the RTCIP impact fee are presented in this chapter and supported in detail by the *Nexus Analysis* chapter of this report. All statutory references below are to the *Act.* This sample framework for the mitigation fee act findings is only to provide local agencies with guidance and is not a substitute for legal advice. Local agencies should customize the findings for their jurisdiction and consult with their legal counsel prior to adoption of the RTCIP impact fee.

## Purpose of Fee

For the first finding the local agency must:

> Identify the purpose of the fee. (§66001(a)(1))

SANDAG policy as expressed through the TransNet Extension Ordinance and Expenditure Plan (Commission Ordinance 04-01) is that new development shall contribute towards the Regional Arterial System (RAS) through the Regional Transportation Congestion Improvement Program (RTCIP). The purpose of the RTCIP impact fee is to implement this policy. The fee advances a legitimate public interest by enabling SANDAG to fund improvements to transportation infrastructure required to accommodate new development.

## Use of Fee Revenues

For the second finding the local agency must:

> Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged. (§66001(a)(2))

The RTCIP impact fee will fund expanded facilities on the Regional Arterial System (RAS) to serve new development. These facilities include:

- Roadway widening;
- Roadway extension;

- Traffic signal coordination and other traffic improvements;
- Freeway interchanges and related freeway improvements;
- Railroad grade separations; and
- Improvements required for regional express bus and rail transit.

Costs for planned traffic facilities are preliminarily identified in this report. Costs funded by the RTCIP impact fee may include project administration and management, design and engineering, right-of-way acquisition, and construction. More detailed descriptions of planned facilities, including their specific location, if known at this time, are shown in the *Regional Transportation Plan* and other documents. Local agencies implementing the RTCIP may change the list of planned improvements to meet changing circumstances and needs, as they deem necessary. Fee revenues will be used for the sole purpose of expanding capacity on the RAS to accommodate new development. The RTCIP impact fee will not be used for the purpose of correcting existing deficiencies in the roadway system.

# Benefit Relationship

For the third finding the local agency must:

> Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. (§66001(a)(3))

The local agency will restrict fee revenues to capital projects that expand capacity on the RAS to serve new development. Improvements funded by the RTCIP impact fee will expand a region-wide arterial system accessible to the additional residents and workers associated with new development. SANDAG has determined that the planned projects identified in this report will expand the capacity of the Regional Arterial System to accommodate the increased trips generated by new development. Thus, there is a reasonable relationship between the use of fee revenues and the residential and nonresidential types of new development that will pay the fee.

# Burden Relationship

For the fourth finding the local agency must:

> Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed. (§66001(a)(4))

New dwelling units and building square footage are indicators of the demand for transportation improvements needed to accommodate growth. As additional dwelling units and building square footage are created, the occupants of these structures generate additional vehicle trips and place additional burdens on the transportation system.

The need for the RTCIP impact fee is based on SANDAG transportation model projections of growth that show an increase in vehicle hours of delay on the RAS primarily as a result of new development even with planned improvements to that system. The model estimated impacts from new development based on trip generation rates that varied by land use

category, providing a reasonable relationship between the type of development and the need for improvements.

# Proportionality

For the fifth finding the SANDAG must:

> Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed. (§66001(b))

This reasonable relationship between the RTCIP impact fee for a specific development project and the cost of the facilities attributable to that project is based on the estimated vehicle trips the project will add to the Regional Arterial System. The total fee for a specific residential development is based on the number and type of new dwelling units multiplied the trip generation rate for the applicable residential land use category. The fee for a specific nonresidential development is based in a similar manner on the amount of building square footage by land use category. Larger projects generate more vehicle trips and pay a higher fee than smaller projects of the same land use category. Thus, the fee schedule ensures a reasonable relationship between the RTCIP impact fee for a specific development project and the cost of the Regional Arterial System improvements facilities attributable to the project.

# Appendix A: Regional Arterial System

**Table A.1** lists the arterials included in the Regional Arterial System by the *Regional Transportation Plan* adopted in 2005.

## Table A.1: Regional Arterial System

| Arterial | Limits |
|---|---|
| 1st St | A St - K St. |
| 2nd St | Greenfield Dr - Main St |
| 30th St | National City Blvd - 2nd St |
| 32nd St | Harbor Dr - Norman Scott Rd |
| 54th St | El Cajon Blvd - SR94 |
| 70th St | University Ave - I-8 |
| Ardath Rd | Hidden Valley Rd - I-5 |
| Avocado Ave | Main St - Chase Ave |
| Avocado Blvd | Chase Ave - SR94 |
| Balboa Ave | Mission Bay Dr - I-15 |
| Ballantyne St | Broadway - Main St |
| Barham Dr | La Moree Rd - Mission Rd |
| Barnett Ave | Saint Charles St - Pacific Highway |
| Bay Marina Way (24th St) | I-5 - Terminal Ave |
| Bear Valley Pkwy | East Valley Pkwy - Sunset Dr |
| Bernardo Center Dr | Camino Del Norte - I-15 |
| Beyer Blvd | Main St -Dairy Mart Road |
| Black Mountain Rd | Del Mar Heights - Pomerado Rd |
| Bobier Dr | Melrose Dr - E Vista Way |
| Bonita Rd | E St - San Miguel Rd |
| Borden Rd | Las Posas Rd – Woodland Pkwy |
| Borrego Springs Rd/Yaqui Pass Rd (S-3) | Palm Canyon Dr (S-22)- SR78 |
| Bradley Ave | Marshall Ave - 2nd St |
| Broadway (El Cajon) | SR67 - E. Main St. |
| Broadway (Lemon Grove) | Spring St - College Ave |
| Broadway (San Diego) | C St - Main St |
| Broadway (Vista) | Lincoln Pkwy/SR78 - Washington Ave |
| Buckman Springs Rd/Hwy 80/Sunrise Hwy (S-1) | SR94 - SR79 |
| Buena Creek Rd | Las Posas Rd - Twin Oaks Valley Rd |
| Cabrillo Dr (SR209) | Cochran St - Cabrillo Monument |
| Camino del Norte | Camino Ruiz - Pomerado Rd |
| Camino Del Rio North | Mission Center Rd - Mission Gorge Rd |
| Camino Ruiz | Camino del Norte - SR56 |
| Camino Santa Fe Ave | Sorrento Valley Blvd - Miramar Rd |
| Cannon Rd | Carlsbad Blvd – Melrose Dr |
| Cannon Road | Melrose Drive - SR 78 |
| Canon St | Rosecrans St - Jennings St |
| Carlsbad Blvd | Eaton St - La Costa Ave |

## Table A.1: Regional Arterial System (continued)

| Arterial | Limits |
|---|---|
| Carlsbad Village Dr | I-5 - Coast Blvd/Coast Hwy |
| Carmel Mountain Rd | Sorrento Valley Rd - El Camino Real |
| Carmel Valley Rd | North Torrey Pines Rd - El Camino Real |
| Centre City Pkwy | I-15(N) - I-15(S) |
| Citracado Pkwy | Centre City Pkwy - SR78 |
| Clairemont Mesa Blvd | I-15 - Moraga Ave |
| Coast Hwy (S-21) | La Costa Ave - Via de la Valle |
| College Ave | Federal Blvd - Waring Rd |
| College Blvd | North River Rd - Palomar Airport Rd |
| Community Rd | Twin Peaks Rd - Scripps Poway Pkwy |
| Convoy St | Linda Vista Rd - SR 52 |
| Crosby St | I-5 - Harbor Dr |
| Cuyamaca St | Mission Gorge Rd - Marshall Ave |
| Dairy Mart Rd | SR-905 - I-5 |
| Deer Springs Rd | Twin Oaks Valley Rd - I-15 |
| Dehesa Road | Jamacha Rd - Harbison Canyon Rd |
| Dehesa Road* | Harbison Canyon Rd – Sycuan Rd |
| Del Dios Hwy | Via Rancho Pkwy - Claudan Rd |
| Del Mar Heights Rd (SA 710) | I-5 - Camino Del Norte |
| Discovery St | San Marcos Blvd - La Moree Rd |
| Douglas Dr | SR76 (Mission Ave) - North River Rd |
| E St | I-5 - E Bonita Rd |
| East H St | Hilltop Dr - Mount Miguel Rd |
| East Main St | Broadway - Greenfield Dr |
| East Valley Pkwy | Lake Wohlford Rd - East Valley Pkwy |
| East Via Rancho Pkwy | Broadway - Bear Valley Pkwy |
| East Vista Way | Vista Village Dr - SR76 |
| El Cajon Blvd | Park Blvd - I-8 |
| El Cajon Blvd | Chase Ave - Washington Ave |
| El Camino Real | Via de la Valle - Carmel Valley Rd/SR56 |
| El Camino Real | SR 56 - Carmel Mountain Rd |
| El Camino Real (S-11) | Douglas Dr - Manchester Ave |
| El Norte Pkwy | Woodland Pkwy - Washington Ave |
| Encinitas Blvd | First St - El Camino Real |
| Espola Rd | Summerfield Ln - Poway Rd |
| Euclid Ave | SR94 - Sweetwater Rd |
| Fairmount Ave | I-8 - El Cajon Blvd |
| Faraday Ave | Melrose Dr - College Blvd |
| Federal Blvd | College Ave - SR94 |
| Fletcher Pkwy | I-8 - SR-67 |
| Friars Rd | Sea World Dr - Mission Gorge Rd |
| Garnet Ave | Balboa - Mission Bay Dr |
| Genesee Ave | N. Torrey Pines Rd - SR163 |
| Gilman Dr | La Jolla Village Dr - I-5 |
| Grand Ave | Mission Blvd to Mission Bay Dr |

## Table A.1: Regional Arterial System (continued)

| Arterial | Limits |
|---|---|
| Grape St | North Harbor Dr - I-5 |
| Greenfield Dr | E Main St - I-8 |
| Grossmont Center Dr | I-8 - Fletcher Pkwy |
| H St | I-5 - Hilltop Dr |
| Harbor Dr | Pacific Hwy - I-5 (National City) |
| Hawthorn St | I-5 - North Harbor Dr |
| Heritage Rd | Otay Mesa Rd - Siempre Viva Rd |
| Hill St | I-5 (Oceanside) - Eaton St |
| Hunte Pkwy | Proctor Valley Rd - SR 125 |
| Imperial Ave | Valencia Pkwy - Lisbon St |
| Jackson Dr | Mission Gorge Rd - I-8 |
| Jamacha Blvd | Sweetwater Pkwy - SR94 |
| Jamacha Rd | Main St - SR94 |
| Kearny Villa Rd | Pomerado Rd - Waxie Way |
| Kettner Blvd | I-5 - India St |
| L St | I-5 - I-805 |
| La Costa Ave | Carlsbad Blvd - El Camino Real |
| La Jolla Village Dr | North Torrey Pines Rd - I-805 |
| La Media Rd | Telegraph Canyon Rd - SR905 |
| La Mesa Blvd | University Ave - I-8 |
| Lake Jennings Rd | Mapleview St - I-8 |
| Lake Murray | I -8 - Navajo Rd |
| Lake Wohlford Rd | Valley Ctr Road (N) - Valley Ctr Rd (S) |
| Las Posas Rd | Discovery St - Buena Creek Rd |
| Laurel St | North Harbor Dr - I-5 |
| Lemon Grove Ave | Lisbon St - SR94 |
| Leucadia Blvd | 1st St - El Camino Real |
| Linda Vista Rd | Morena Blvd - Convoy St |
| Lomas Santa Fe Ave | I-5 - Coast Hwy |
| Lytton St | Rosecrans St - Saint Charles St |
| Main St | I-5 - Hilltop Dr |
| Manchester Ave | El Camino Real - I-5 |
| Mapleview St | SR67 - Lake Jennings Rd |
| Mar Vista Dr | Buena Vista Dr - SR78 |
| Market St | Harbor Dr - Valencia Pkwy |
| Marshall Ave | Fletcher Pkwy - West Main St |
| Marshall Ave | Cuyamaca - Fletcher Pkwy |
| Marshall Ave | Main St - Washington Ave |
| Massachusetts Ave | Broadway - University Ave |
| Massachusetts Ave | Lemon Grove Ave - Broadway Ave |
| Melrose Dr | SR76 - Rancho Santa Fe Rd |
| Mira Mesa Blvd | I-805 - I-15 |
| Miramar Rd | I-805 to I-15 |
| Mission Ave | Andreason Dr - Center City Pkwy |
| Mission Ave | Escondido Blvd - Broadway Ave |
| Mission Ave | Coast Hwy - Frazee Rd |

## Table A.1: Regional Arterial System (continued)

| Arterial | Limits |
|---|---|
| Mission Bay Dr | Grand Ave to I-5 |
| Mission Gorge Rd | I-8 - Magnolia Ave |
| Mission Rd | Rancho Santa Fe Rd - Andreason Dr |
| Mission Road (S-13; incl. Main St in Fallbrook) | I-15 - SR76 |
| Montezuma Rd | Fairmount Ave - El Cajon Blvd |
| Montezuma Valley Rd/Palm Canyon Dr (S-22) | SR79 - Imperial Co Line |
| Morena Blvd | Balboa Ave - I-8 |
| National City Blvd | I-5 - C St |
| Navajo Rd | Waring Rd - Fletcher Pkwy |
| Nimitz Blvd | I-8 - Harbor Dr |
| Nobel Dr | I-5 - I-805 |
| Nordahl Rd | SR78- Nordahl Rd |
| North Harbor Dr | Rosecrans St - Grape St |
| North River Rd | Douglas Dr - SR76 (Mission Rd) |
| North Santa Fe Ave | SR76 - Melrose Dr |
| North Torrey Pines Rd (S-21) | Carmel Valley Rd - La Jolla Village Dr |
| Ocean View Hills Pkwy | I-805 - SR905 |
| Oceanside Blvd | Hill St - Melrose Dr |
| Old Highway 80 | SR79 - Sunrise Hwy |
| Old Highway 80 | Buckman Springs Rd - I-8 (In-ko-pah) |
| Olivehain Rd | El Camino Real - Rancho Santa Fe Rd |
| Olympic Pkwy | Brandywine Ave - SR125 |
| Orange Ave | Palomar St - Brandywine Ave |
| Otay Lakes Rd | Bonita Rd - SR 94 |
| Otay Mesa Rd | SR905 - SR125 |
| Otay Valley Rd | Hilltop Dr - Heritage Rd |
| Pacific Highway | Sea World Dr - Harbor Dr |
| Palm Ave | I-5 - I-805 |
| Palomar Airport Rd | Carlsbad Blvd - Business Park Dr |
| Palomar St | I-5 - Orange Ave |
| Paradise Valley Rd | 8th Street - Sweetwater Pkwy |
| Paseo Ranchero | East H St - Otay Mesa Rd |
| Plaza Blvd | National City Blvd - 8th St |
| Poinsettia Lane | Carlsbad Blvd - Melrose Dr |
| Pomerado Rd | I-15 (N) - I-15 (S) |
| Poway Rd | I-15 - SR67 |
| Proctor Valley Rd | Mount Miguel Rd - Hunte Pkwy |
| Questhaven Rd | Twin Oaks Valley Rd - Rancho Santa Fe Rd |
| Rancho Bernardo Rd | I-15 - Summerfield Ln |
| Rancho Del Oro Dr | SR 78 - SR 76 |
| Rancho Penasquitos Blvd | SR56 - I-15 |
| Rancho Santa Fe Rd | Mission Rd - Olivenhain Rd |
| Regents Rd | Moraga Ave - Genesee Ave |
| Rosecrans St | I-8 - Canon St |
| Ruffin Rd | Waxie Way - Balboa Ave |
| San Felipe Rd/Great S. Overland Route (S-2) | S-22 - Imperial Co Line |

## Table A.1: Regional Arterial System (continued)

| Arterial | Limits |
|---|---|
| San Marcos Blvd | Business Park Dr - Mission Rd |
| Scripps Poway Pkwy | I-15 - SR67 |
| Sea World Dr | W Mission Bay Dr - Morena Blvd |
| Siempre Viva Rd | Heritage Rd - SR905 |
| Sorrento Valley Blvd | Sorrento Valley Rd - Camino Santa Fe Ave |
| Sorrento Valley Rd | Carmel Mountain Rd - I-805 |
| South Santa Fe Ave | Broadway (Vista) - Pacific St |
| Sports Arena Blvd | Sea World Dr - Rosecrans St/SR209 |
| Spring St | I-8 - SR125 |
| SR75 | No limits |
| Sunrise Highway | SR79 - I-8 |
| Sunset Cliffs Blvd | I-8 - W Mission Bay Dr |
| Sweetwater Rd | 2nd St - Willow St |
| Sweetwater Rd | 2nd St to Willow St |
| Sweetwater Road | Broadway Ave - Troy St |
| Sycamore Avenue | South Santa Fe Avenue – S. Melrose Dr |
| Ted Williams Pkwy | I-15 - Twin Peaks Rd |
| Telegraph Canyon Rd | I-805 - Otay Lakes Rd |
| Torrey Pines Rd | Prospect Pl - La Jolla Village Dr |
| Twin Oaks Valley Rd | Deer Springs Rd - Questhaven Rd |
| Twin Peaks Rd | Pomerado Rd - Espola Rd |
| Twin Peaks Rd | Ted Williams Pkwy - Espola Rd |
| University Ave | 54th St - La Mesa Blvd |
| Valencia Pkwy | Market - Imperial Ave |
| Valley Center Rd | SR76 - Lake Wohlford Rd |
| Vandegrift Blvd | North River Rd - Camp Pendleton |
| Via de la Valle | Hwy 101 (S-21) - El Camino Real |
| Via Rancho Pkwy | I-15 - Del Dios Hwy |
| Via Rancho Pkwy | Sunset Dr - I-15 |
| Vista Sorrento Pkwy | Sorrento Valley Blvd - Carmel Mtn Rd |
| Wabash Blvd | Norman Scott Rd - I-5 |
| Washington Ave | El Norte Pkwy - Center Valley Pkwy |
| Washington Ave | El Cajon Blvd - Jamacha Rd |
| Washington St | Pacific Hwy - Park Blvd |
| West Main St | I-8 - Marshall Ave |
| West Valley Pkwy | Claudan Rd - Broadway |
| West Vista Way | Jefferson St/SR78 - Vista Village Dr |
| Wildcat Canyon Rd* | Mapleview Street - San Vicente Rd |
| Willow St | Sweetwater Rd - Bonita Rd |
| Willow St | Sweetwater - Bonita Rd |
| Willows Road | I-8 - Viejas Casino |
| Winter Gardens Blvd | SR67 - Greenfield Dr |
| Woodland Dr | Barham Dr - El Norte Pkwy |
| Woodside Ave | Magnolia Ave - SR67 |

* Inclusion in Regional Arterial System contingent upon designation as a four-lane arterial by the County of San Diego.

# Appendix B: Retail Spending and Sales Analysis

This appendix presents the analysis conducted to estimate the amount of commercial development within San Diego County that is associated with spending by local (San Diego County) households. The following steps summarize the approach taken for the analysis and are explained in more detail below.

1. Estimate total potential spending by local households based on estimates of per household spending by retail category;
2. Compare total local household spending potential with total retail sales to estimate by retail category:
   a. Leakage of spending by local households to retail establishments outside the County,
   b. Capture of sales from visitors outside the County by local retail establishments;
3. Calculate the share of retail sales associated with local household spending; and
4. Validate the estimate of total local household spending by analyzing visitor industry data.

All data is from 2004 because this was the last complete year of retail sales data available from the State Board of Equalization (SBOE) at the time of this report.

## Total Household Spending

Total spending by San Diego households is estimated by adjusting per household spending based on statewide data for the difference in median household income between the State and the County.

As an initial step in the analysis, statewide taxable retail sales by category were compared with San Diego County sales to determine if any anomalies existed in San Diego sales patterns that should be accommodated in the model. As shown in **Table B.1**, San Diego has about $44 billion in taxable retail sales in 2004 compared to statewide sales of $500 billion. Sales patterns in the County are very similar to the statewide sales though the County has slightly more spending in retail stores compared to non-retail stores. The retail store categories that exhibit higher levels of spending compared to the state as a whole (apparel, general merchandise, specialty, and food and beverage) are associated with visitor spending, indicative of San Diego's strong tourism industry. We also conjecture that the higher levels of spending in the building material category are associated with spending by Mexican visitors, though we could not find specific data to support this hypothesis.

**Table B.1 - Taxable Retail Sales (2004)**

| | Taxable Retail Sales 2004 ($000s) | | Percent of Category | | |
|---|---|---|---|---|---|
| Retail Category | San Diego County | California | San Diego County | Calif-ornia | Diff-erence |
| *Apparel Stores* | | | | | |
| Women's Apparel | 420,000 | 4,617,000 | 0.9% | 0.9% | 0.0% |
| Men's Apparel | 107,000 | 1,034,000 | 0.2% | 0.2% | 0.0% |
| Family Apparel | 907,000 | 8,819,000 | 2.0% | 1.8% | 0.3% |
| Shoes | 210,000 | 2,487,000 | 0.5% | 0.5% | (0.0%) |
| Subtotal | 1,644,000 | 16,957,000 | 3.7% | 3.4% | 0.3% |
| *General Merchandise* | | | | | |
| General Merchandise | 4,721,000 | 47,948,000 | 10.6% | 9.6% | 1.0% |
| Drug Store | 484,000 | 5,992,000 | 1.1% | 1.2% | (0.1%) |
| Subtotal | 5,205,000 | 53,940,000 | 11.7% | 10.8% | 0.9% |
| *Specialty* | | | | | |
| Gift, Art Goods, Novelty | 167,000 | 1,858,000 | 0.4% | 0.4% | 0.0% |
| Sporting Goods | 353,000 | 3,652,000 | 0.8% | 0.7% | 0.1% |
| Florists | 122,000 | 1,078,000 | 0.3% | 0.2% | 0.1% |
| Photo Equip., and Supplies | 37,000 | 523,000 | 0.1% | 0.1% | (0.0%) |
| Musical Instruments | 121,000 | 1,516,000 | 0.3% | 0.3% | (0.0%) |
| Stationery and Books | 356,000 | 4,018,000 | 0.8% | 0.8% | (0.0%) |
| Jewelry | 258,000 | 2,638,000 | 0.6% | 0.5% | 0.1% |
| Office and School Supply | 1,411,000 | 15,661,000 | 3.2% | 3.1% | 0.0% |
| Other Specialties | 1,716,000 | 18,018,000 | 3.9% | 3.6% | 0.3% |
| Subtotal | 4,541,000 | 48,962,000 | 10.2% | 9.8% | 0.4% |
| *Grocery* | | | | | |
| Grocery - All Type Liq. | 1,005,000 | 12,550,000 | 2.3% | 2.5% | (0.2%) |
| Grocery - All Other | 732,000 | 7,276,000 | 1.6% | 1.5% | 0.2% |
| Subtotal | 1,737,000 | 19,826,000 | 3.9% | 4.0% | (0.1%) |
| *Food and Beverage* | | | | | |
| Restaurant - No Alcohol | 1,890,000 | 19,960,000 | 4.3% | 4.0% | 0.3% |
| Restaurant - Bar -Beer-Wine | 795,000 | 10,792,000 | 1.8% | 2.2% | (0.4%) |
| Restaurant - Bar -All Type Liq. | 1,363,000 | 12,523,000 | 3.1% | 2.5% | 0.6% |
| Subtotal | 4,048,000 | 43,275,000 | 9.1% | 8.7% | 0.4% |
| *Household* | | | | | |
| Home Furnishings | 1,162,000 | 11,991,000 | 2.6% | 2.4% | 0.2% |
| Household Appliances | 387,000 | 4,414,000 | 0.9% | 0.9% | (0.0%) |
| Subtotal | 1,549,000 | 16,405,000 | 3.5% | 3.3% | 0.2% |
| *Building Material* | | | | | |
| Building Material | 2,649,000 | 25,603,000 | 6.0% | 5.1% | 0.8% |
| Hardware Stores | 231,000 | 3,392,000 | 0.5% | 0.7% | (0.2%) |
| Plumbing and Elec. Supply | 414,000 | 4,086,000 | 0.9% | 0.8% | 0.1% |
| Paint, Glass, Wallpaper | 47,000 | 1,074,000 | 0.1% | 0.2% | (0.1%) |
| Subtotal | 3,341,000 | 34,155,000 | 7.5% | 6.8% | 0.7% |
| *Automotive* | | | | | |
| Auto Dealers - New | 5,541,000 | 59,683,000 | 12.5% | 11.9% | 0.5% |
| Auto Dealers - Used | 551,000 | 5,752,000 | 1.2% | 1.2% | 0.1% |
| Auto Supplies and Parts | 421,000 | 5,334,000 | 0.9% | 1.1% | (0.1%) |
| Service Stations | 2,805,000 | 32,760,000 | 6.3% | 6.6% | (0.2%) |
| Subtotal | 9,318,000 | 103,529,000 | 21.0% | 20.7% | 0.3% |
| *Other Retail Stores* | | | | | |
| Liquor Stores | 186,000 | 2,350,000 | 0.4% | 0.5% | (0.1%) |
| Second-hand Merch. | 66,000 | 534,000 | 0.1% | 0.1% | 0.0% |
| Farm Impl. Dealers | 177,000 | 2,976,000 | 0.4% | 0.6% | (0.2%) |
| Farm and Garden Supply | 95,000 | 2,386,000 | 0.2% | 0.5% | (0.3%) |
| Fuel and Ice Dealers | 9,000 | 321,000 | 0.0% | 0.1% | (0.0%) |
| Mobile Home and Camper | 108,000 | 1,453,000 | 0.2% | 0.3% | (0.0%) |
| Boat, Motorcycle, Plane | 321,000 | 3,104,000 | 0.7% | 0.6% | 0.1% |
| Subtotal | 962,000 | 13,124,000 | 2.2% | 2.6% | (0.5%) |
| Subtotal Retail Stores | 32,345,000 | 350,173,000 | 72.7% | 70.0% | 2.7% |
| *Non-Retail Stores* | | | | | |
| Business and Personal Services | 2,147,000 | 22,307,000 | 4.8% | 4.5% | 0.4% |
| All Other Outlets | 9,978,000 | 127,597,000 | 22.4% | 25.5% | (3.1%) |
| Subtotal | 12,125,000 | 149,904,000 | 27.3% | 30.0% | (2.7%) |
| Total | 44,470,000 | 500,077,000 | | | |

Source: *Taxable Sales In California (Sales & Use Tax) During 2004*, California State Board of Equalization.

To separate out household from business spending, all household spending is assumed to occur in retail stores and all business-to-business spending is assumed to occur in non-retail stores. As shown in Table B.1, non-retail stores include "Business and Personal Services" and "All Other Outlets". Both categories are largely composed of retail establishments that sell primarily to businesses. The "All Other Outlets" category primarily includes manufacturing, warehousing and other establishments that sell primarily to businesses. There is some overlap in the source of spending (household versus business) across all retail (store and non-store) categories but this overlap is assumed to be largely offsetting between total retail store and total non-store spending. This approach is commonly used in retail spending and sales analysis to separate household from business spending.

Per household spending estimates were generated based on statewide data for retail stores adjusted for the difference in median household income between the State and the County. San Diego's median income is about one percent less than the State's median income resulting in a commensurate adjustment to state per household spending patterns by retail store category.

San Diego per household spending is multiplied by the number of households in San Diego to estimate total spending for 2004. As shown in **Table B.2** this approach results in a total spending potential for San Diego households of $30 billion.

**Table B.2 - Household Taxable Retail Spending Potential (2004)**

| Major Business Group | Total Spending California Householdes ($000s) | Per Household Spending State | Per Household Spending San Diego County | Total Spending San Diego Households ($000s) |
|---|---|---|---|---|
| Households | | 12,015,591 | 1,043,221 | |
| Median Household Income | | $ 47,493 | $ 47,067 | |
| *Household Spending and Sales* | | Per Household Spending | | |
| Apparel Stores | $ 16,957,000 | $ 1,411 | $ 1,399 | $ 1,459,000 |
| General Merchandise | 53,940,000 | 4,489 | 4,449 | 4,641,000 |
| Specialty | 48,962,000 | 4,075 | 4,038 | 4,213,000 |
| Grocery | 19,826,000 | 1,650 | 1,635 | 1,706,000 |
| Food and Beverage | 43,275,000 | 3,602 | 3,569 | 3,724,000 |
| Household | 16,405,000 | 1,365 | 1,353 | 1,412,000 |
| Building Material | 34,155,000 | 2,843 | 2,817 | 2,939,000 |
| Automotive | 103,529,000 | 8,616 | 8,539 | 8,908,000 |
| Other Retail Stores | 13,124,000 | 1,092 | 1,082 | 1,129,000 |
| Total - Consumer | $ 350,173,000 | $ 29,143 | $ 28,882 | $ 30,131,000 |

Source: U.S. Census, Table P53; California Department of Finance, Rerpot E-5; Table A.1; MuniFinancial.

# Capture and Leakage

Capture and leakage are common concepts used in retail analysis. Not all local household spending occurs in San Diego County; some spending leaks out to other areas when residents travel or are otherwise attracted to retail opportunities outside the County. Furthermore, not all retail store sales in San Diego County are generated by local households; some are captured by stores from customers visiting the County from other locations including Mexico. Given San Diego's attractiveness as a tourist destination and its proximity to the Mexican border, one would expect that a significant share of total retail store sales would represent capture of visitor spending.

Given this regional economic context, we estimated leakage rates by major store category to calculate net local household spending in San Diego County by category. We then compared this estimate of spending with actual sales by store category and calculated the amount of outside capture that the category would need to force local household spending to equal local sales. This analysis is shown in **Table B.3**. The model resulted in a leakage estimate of eight percent of household spending, and capture estimate of 14 percent of retail store sales. The differences between the estimates of local spending and sales by category shown in the middle columns are due to rounding.

**Table B.3 - San Diego County Local Household Taxable Retail Spending & Sales (2004)**

| | A | B | C = A x (1 - B) | D = C / E | E = G x (1 - F) | F = 1 - (C / G) | G |
|---|---|---|---|---|---|---|---|
| | Potential Spending | | Local Spending/Sales Reconciliation | | | Actual Sales | |
| Major Business Group | San Diego Households ($000s) | Leakage | Based on Spending ($000s) | Diff-erence[1] | Based on Sales ($000s) | Outside Capture | San Diego County Sales ($000s) |
| Apparel Stores | $ 1,459,000 | 15% | $ 1,240,000 | 1% | $ 1,233,000 | 25% | $ 1,644,000 |
| General Merchandise | 4,641,000 | 15% | 3,945,000 | (0%) | 3,956,000 | 24% | 5,205,000 |
| Specialty | 4,213,000 | 15% | 3,581,000 | (0%) | 3,587,000 | 21% | 4,541,000 |
| Grocery | 1,706,000 | 0% | 1,706,000 | 0% | 1,702,000 | 2% | 1,737,000 |
| Food and Beverage | 3,724,000 | 15% | 3,165,000 | 0% | 3,157,000 | 22% | 4,048,000 |
| Household | 1,412,000 | 0% | 1,412,000 | 0% | 1,410,000 | 9% | 1,549,000 |
| Building Material | 2,939,000 | 0% | 2,939,000 | (0%) | 2,940,000 | 12% | 3,341,000 |
| Automotive | 8,908,000 | 0% | 8,908,000 | (0%) | 8,945,000 | 4% | 9,318,000 |
| Other Retail Stores | 1,129,000 | 15% | 960,000 | (0%) | 962,000 | 0% | 962,000 |
| Total | $ 30,131,000 | 8% | $ 27,856,000 | (0%) | $ 27,892,000 | 14% | $ 32,345,000 |
| Leakage/Capture Total | | $ 2,275,000 | | | | $ 4,453,000 | |

[1] Difference not equal to zero due to rounding.

Source: Tables A.1 and A.2; MuniFinancial.

The leakage rates in Table B.3 that determine the local spending amounts and outside capture rates were estimated based on (1) survey data of visitor spending in San Diego estimating spending by retail category, and (2) an assumptions that comparison goods such as apparel and general merchandise are likely to have higher leakage rates compared to convenience goods such as groceries. Local households are most likely to spend on comparison goods and travel related activities outside the County in the "apparel stores", "general merchandise", "specialty", and "food and beverage" categories. For these categories a leakage rate of 15 percent was estimated. For all other categories all household spending was assumed to remain local (zero leakage). The "other retail store" was a special case in that

it was the only category where potential local spending was greater than total sales. For this category we assumed a 15 percent leakage rate to generate a zero percent capture rate.

# Local Spending Share of Total Sales

The share of total retail sales in the County associated with spending by local residential development can be calculated from the results of Tables B.1 and B.3. As shown in **Table B.4**, an estimated 62.6 percent of total retail spending (store and non-store) is associated with spending by residential development (households) located in San Diego County.

### Table B.4: Allocation of Taxable Retail Spending in San Diego County (2004)

| | Taxable Retail Sales ($000s) | Share |
|---|---|---|
| Total Taxable Retail Spending | $ 44,470,000 | 100.0% |
| Local Residential Taxable Spending | 27,856,000 | 62.6% |
| Local Business and Visitor Taxable Spending | 16,614,000 | 37.4% |

Sources: Tables B.1, and B.3; MuniFinancial.

# Visitor Industry Spending

Visitor industry spending was analyzed to validate the estimate of retail spending associated with local households. Data regarding spending by overnight visitors from the San Diego Conventions and Visitor Bureau (SDCVB) was supplemented with research on cross-border spending by residents of Mexico (primarily day visitors) to construct a comprehensive model of visitor spending. As shown in **Table B.5**, visitors spent about $8.249 billion in San Diego County in 2004. Of the amount about $3.901 billion was associated with hotel accommodations, food, drugs, services, and other non-retail taxable items. Taxable retail spending equaled the remaining $4.348 billion split between two categories, "restaurants and dining" and "shopping". This estimate of taxable retail spending is nearly equal to the estimated $4.489 billion in capture shown at the bottom of Table B.3, suggesting that the model's estimates of local household spending based on the SBOE data and estimated leakage rates are reasonable.

## Table B.5: Visitor Industry Retail Spending (2004)

| | Total Visitor Spending | | | |
|---|---|---|---|---|
| | Percent | Amount | Non-taxable Retail Sales | Taxable Retail Sales |
| *Visitor Spending (Non-Mexican Visitors - see Note)* | | | | |
| Lodging | 24% | $ 1,324,000 | $ 1,324,000 | $ - |
| Restaurants & Dining[1] | 33% | 1,821,000 | 273,000 | 1,548,000 |
| Attractions & Entertainment | 10% | 552,000 | 552,000 | - |
| Shopping | 23% | 1,269,000 | - | 1,269,000 |
| Other | 10% | 552,000 | 552,000 | - |
| Subtotal | 100% | $ 5,518,000 | 2,701,000 | $ 2,817,000 |
| *Visitor Spending (Mexican Visitors - see Note)* | | | | |
| Lodging[2] | [Incl. in "Other"] | | NA | NA |
| Restaurants & Dining[1,3] | 5% | 137,000 | 21,000 | 116,000 |
| Attractions & Entertainment[2] | [Incl. in "Other"] | | NA | NA |
| Shopping[4] | 52% | 1,420,000 | - | 1,420,000 |
| Other[5] | 43% | 1,174,000 | 1,174,000 | - |
| Subtotal | 100% | $ 2,731,000 | $ 1,195,000 | $ 1,536,000 |
| *Total Taxable Retail Visitor Spending* | | | | |
| Lodging | | | | NA |
| Restaurants & Dining | | | | $ 1,664,000 |
| Attractions & Entertainment | | | | NA |
| Shopping | | | | 2,689,000 |
| Other (primarily groceries) | | | | - |
| Total | | | | $ 4,353,000 |

Note: Non-Mexican visitor spending data based on San Diego Conventions & Visitor Bureau (SDCVB) estimates. Shares by category based on a 2002 visitor survey. The survey focused on overnight visitors and therefore excluded most spending by visitors from Mexico because a large majority of visits are day trips. This study assumes that the SDCVB estimates exclude all Mexican visitor spending. Mexican visitor spending is based on the Ghaddar and Brown study.

[1] Non-taxable retail sales represent tips for service estimated by SDCVB. Same percentage applied to estimate of visitor spending from Mexico.
[2] The Ghaddar and Brown study did not separate out this category in estimates of spending.
[3] Ghaddar and Brown study did not separate out this category for California estimates. Share of spending estimated at one-half of share estimated for Texas and Arizona Mexican visitors based on a higher percentage of day trips in California. Share deducted from food and groceries category.
[4] Includes the clothing (46 percent) and appliances and furniture (six percent) from Ghaddar and Brown study.
[5] Includes groceries (32 percent) personal hygiene (five percent) and other (six percent) from Ghaddar and Brown study.

Sources: San Diego Conventions & Visitor Bureau, *San Diego County Visitor Industry Summary (2004)*; San Diego Conventions & Visitors Bureau, email from Susan Bruinzeel, June 11, 2006; Ghaddar, Suad and Cynthia J. Brown, *The Economic Impact of Mexican Visitors Along the U.S.-Mexico Border: A Research Synthesis,* Center for Border Economic Studies, University of Texas-Pan American, December 2005, Table 4, Figures 1,2, and 3; MuniFinancial.

The only significant discrepancy between the visitor spending estimates based on SDCVB and Mexican visitor survey data, and the outside capture estimates based on the SBOE data, is in the food and beverage category. The visitor spending data for restaurants and dining, substantially the same category as the SBOE food and beverage category, resulted in an

estimate of $1,664 million in taxable spending (see Table B.5). The SBOE model resulted in an outside capture estimate of $883 million (see the difference between total sales and the local spending estimate for this category in Table B.3). The visitor spending estimate of $1,664 million would represent a significant share, about 41 percent, of total sales in the SBOE food and beverage category. Consequently, we suspect that the visitor survey data probably overestimates spending in this category. Rather than reduce estimates of total capture, the approach taken for this study assumes that the visitor survey data underestimates taxable retail spending by an equal amount across all other categories. Therefore the estimate of total retail sales associated with local household spending remains a reasonable estimate for the purposes of this analysis (shifting the burden of commercial traffic associated with local household spending to residential land uses).

ITEM NO. 3.2

*Imperial Beach Redevelopment Agency*

# STAFF REPORT
# IMPERIAL BEACH REDEVELOPMENT AGENCY

| | |
|---|---|
| TO: | HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL<br>CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY |
| FROM: | GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR |
| MEETING DATE: | MARCH 5, 2008 |
| ORIGINATING DEPT.: | COMMUNITY DEVELOPMENT DEPARTMENT<br>GREG WADE, DIRECTOR<br>GERARD E. SELBY, REDEVELOPMENT COORDINATOR |

SUBJECT: PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT:

(1) RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, MAKING CERTAIN FINDINGS AND RECOMMENDING CITY COUNCIL'S APPROVAL OF THE PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA.

(2) RESOLUTION THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED THE INFORMATION IN THE PALM AVENUE COMMERCIAL ENVIRONMENTAL IMPACT REPORT AND THE 21166 STUDY WITH RESPECT TO THE PROPOSED THIRD AMENDMENT TO THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA

(3) INTRODUCTION OF ORDINANCE APPROVING AND ADOPTING THE THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA PERTAINING TO THE ORIGINAL PROJECT AREA

## BACKGROUND

Pursuant to Health and Safety Code section 33333.2(a)(4), the Imperial Beach Redevelopment Agency ("Agency") proposes to extend the time limit for the Agency to commence eminent domain action on properties on which no persons lawfully reside within the Palm Avenue/Commercial Redevelopment Project Area by twelve (12) years, beginning from the date of adoption of the ordinance by the Imperial Beach City Council ("City Council") approving the proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("Proposed Amendment").

On February 7, 1996, by adoption of Ordinance No. 96-901, the City Council approved a final Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("the Original Project Area").

On July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added new territory to the Original Project Area ("the Amendment Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment").

On December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment").

In accordance with Section 308 of the Redevelopment Plan for the Original Project Area ("Section 308"), the Agency has authority to acquire real property, as follows:

> The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire by eminent domain real property on which any persons reside. As used in this Section, the "property on which any persons reside" shall mean that one or more persons reside on the property with the express consent of the property owner.
>
> The Agency shall not have the power to acquire by eminent domain real property outside the [Original Project Area].
>
> No eminent domain proceeding to acquire property within the [Original Project Area] shall be commenced after twelve (12) years following adoption of the ordinance [adopting the Original Redevelopment Plan]. Such time limitation may be extended only by amendment of the [Original Redevelopment Plan].

The Agency's ability to commence eminent domain actions within the Original Project Area thus expired twelve (12) years from adoption of Ordinance No. 96-901.

Health and Safety Code section 33333.2(a)(4) allows the extension of eminent domain powers by an amendment to the Redevelopment Plan for the Original Project Area after the Agency finds, based on substantial evidence, both of the following:

(A) That significant blight remains within the project area.

(B) That this blight cannot be eliminated without the use of eminent domain.

The Draft Report to Council prepared by Keyser Marston Associates presents substantial evidence that significant blight remains within the Original Project Area and that this blight cannot be eliminated without the Agency's use of eminent domain. The adoption of the Proposed Amendment to extend the time for commencement of eminent domain powers by twelve (12) years would allow the Agency to implement its existing redevelopment goals to eliminate blight within the Original Project Area, as stated in the Redevelopment Plan and in the 5 Year Implementation Plan adopted by the City Council sitting as the Agency Board on March 2, 2005.

State law (Health and Safety Code sections 33346 and 33347) requires that before the Proposed Amendment is submitted to the City Council for consideration, the Proposed Amendment must be submitted to the Planning Commission for its report and recommendation concerning the Proposed Amendment and its conformity with the Imperial Beach General Plan and Local Coastal Plan. The City Council, sitting as the Imperial Beach Planning Commission, reviewed and considered the Proposed Amendment on January 20, 2008 and found it to be in conformity with the Imperial Beach General Plan and Local Coastal Plan. The City Council adopted the Agency staff report as the report and recommendation of the Planning Commission at the January 20th meeting and recommended approval of the Proposed Amendment. At a concurrent meeting of the Agency and City on January 20th, the City Council consented to a joint public hearing for the Proposed Amendment on February 20, 2008 and authorized Agency staff to publish and mail the notices required for the joint public hearing in accordance with law.

At the end of January, staff discovered that staff inadvertently omitted mailing notices of the February 20 public hearing to some residents, businesses, and tenants within the Amendment Area. Staff consulted with the Redevelopment Agency Special Legal Counsel on proper course of action. The Special Legal Counsel recommended that Staff mail new notices only to the owners/residents/businesses inadvertently omitted from the first mailings, advising them that the hearing will be opened on the first noticed hearing date but continued to a second hearing date to give them an opportunity to present testimony/objections. The second set of notices was mailed on January 31, 2008. Staff requested that the second public hearing be held on March 5, 2008. Conducting the public hearing on February 20 and March 5 will give all owners, residents, and businesses within the Project Area at least thirty (30) days notice of the joint public hearing. The second set of notices specify that written and oral testimony will be allowed at both hearing dates.

The Redevelopment Agency staff held a Community Meeting on the Proposed Third Amendment to the Palm Avenue Commercial Redevelopment Pertaining to the original Project Area on Thursday, February 7, 2008.

Susan Cola, Special Agency Counsel spoke to the legal issues of eminent domain and Denise Bickerstaff of Keyser Marston Associates, the Agency's Redevelopment Plan Amendment Consultant clarified the purpose of eminent domain in context of eliminating and preventing physical and economic blight.

Approximately 50 residents attended the meeting, several voiced concerns about whether the proposed extension of eminent domain powers will apply to residential property and the traffic congestion caused by increased development (particularly condo projects) within the Original Project Area.

On February 20th, 2008, the City Council opened a Public Hearing on the 3rd Plan Amendment of the Palm/Commercial Project Area for the extension of eminent domain authority for an additional 12 years. The City Council received presentations from Susan Cola of Kane Ballmer & Berkman and Denise Bickerstaff of Keyser Marston and Associates and took comments from the community. The City Council continued the public hearing until March 5, 2008.

**DISCUSSION**

The purpose of the City Council's/Agency's ("Council/Agency") action tonight is as follows:

- Continue the public hearing from February 20, 2008;

- Have the Agency make certain findings regarding blight in the Original Project Area, and make recommendations to the City Council regarding the proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area, as revised by certain text clarifications regarding the exclusion of eminent domain authority on properties on which any persons lawfully reside ("Text Clarification").

- Have the City Council review and consider the information contained in the Original Project Area EIR and the 21166 Study and make the determination, if applicable, that no substantial changes or new information within the meaning of Section 21166 would warrant any additional environmental review in connection with approval of the Proposed Third Amendment, as revised by the Text Clarification; and

- Have the City Council consider whether to approve and adopt the Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area pertaining to the Original Project Area, as revised by the Text Clarification.

  The Text Clarification is as follows:

  > The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire, by use of eminent domain, real property on which any persons lawfully reside~~, including property which is residentially zoned or which contains a legal non-conforming residential use~~.

Agency staff and Special Legal Counsel believe that the Text Clarification is necessary to avoid confusion while preserving the intent of the Proposed Third Amendment to prohibit the Agency's exercise of eminent domain powers on real property on which any persons lawfully reside.

## ENVIRONMENTAL IMPACT

The Environmental Impact Report certified by Resolution No. 96-4569 for the Original Project Area ("Original Project Area EIR") was adopted on January 17, 1996. The Environmental Impact Report certified by Resolution No. 01-36 for the Amendment Area ("Amendment Area EIR") was adopted on July 18, 2001.

Public Resources Code section 21166 ("Section 21166") provides that when an EIR has been certified for a project, no subsequent or supplemental EIR shall be required by the lead agency or by any responsible agency, unless one or more of the following events ("21166 Events") occurs:

(a) Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.

(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The Agency staff has conducted a secondary study to determine whether a subsequent or supplemental EIR is required pursuant to Section 21166 ("21166 Study"). The results of the 21166 Study indicate that the Proposed Amendment will not trigger any of the 21166 Events because the Proposed Amendment does not contemplate and will not result in any new programs or activities, or substantial changes to the Original Project Area.

## PUBLIC NOTICE

California Redevelopment Law guided the notification of the public. Staff coordinated the mailing of a notice to residents and tenants, property and businesses owners, the placement of a public notice in the Eagle and Times, and posting the agenda, with this agenda item being posted at least 72 hours prior to the meeting.

## WRITTEN OBJECTIONS

The Agency received two written objections to the Proposed Third Amendment. A summary of these objections, and the responses by Agency staff, are summarized in Attachment 6.

## CONSULTATION WITH TAXING AGENCIES

Agency staff received letters of inquiry and telephone inquiries from two taxing agencies in response to the notices that were mailed to all affected taxing agencies for the public hearing on the Proposed Third Amendment. A summary of the consultations with the taxing agencies is provided in Attachment 6.

## DEPARTMENT RECOMMENDATIONS

Staff Recommends the Agency and Mayor and City Council:

1. Declare the continued public hearing open;

2. Receive report and public testimony;

3. Close the public hearing;

4. Adopt Resolution No. R-08-143 - A Resolution of the Redevelopment Agency of the City of Imperial Beach, making Certain Findings and Recommending City Council's Approval of the Proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area;

5. Adopt Resolution No. 2008-6593 - A Resolution that the City Council has reviewed and considered the information in the Palm Avenue Commercial Environmental Impact Report and the 21166 Study with respect to the proposed Third Amendment to the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area;

6. Mayor calls for the reading of Ordinance No. 2008-1066;

7. City Clerk reads the title of Ordinance No. 2008-1066 - An Ordinance of the Council of the City Of Imperial Beach, California, Approving and Adopting the Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area pertaining to the Original Project Area; and

8. Motion to dispense the First Reading of Ordinance No. 2008-1066 and set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication of the Ordinance in a newspaper of General Circulation.

## EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.

For Tom Ritter
Gary Brown, City Manager/Executive Director

**ATTACHMENTS**

1. Draft Proposed Amendment (Revised by Text Clarification)
2. Draft Report to Council
3. Five Year Implementation Plan
4. Report and recommendation of the Planning Commission
5. 21166 Study
6. Response to Written Objections and Summary of Consultations with Taxing Agencies
7. Resolution No. R-08-143
8. Resolution No. 2008-6593
9. Ordinance No. 2008-1066

**DRAFT March 5, 2008**

ATTACHMENT 1

# THE THIRD AMENDMENT TO THE REDEVELOPMENT PLAN

# FOR THE

# PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT

# PERTAINING TO

# THE ORIGINAL PROJECT AREA

Prepared by the

Redevelopment Agency

of the

City of Imperial Beach, California

Officially adopted on _____, by the City Council of the City of Imperial Beach, California on passage of Ordinance No. _____.

## I. INTRODUCTION

On February 7, 1996, by adoption of Ordinance No. 96-901, the Imperial Beach City Council (the "City Council") approved a final Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("the Redevelopment Plan"). On July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added the Amendment Area to the Palm Avenue/Commercial Redevelopment Project (the "Original Project Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment"). On December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment"). This Third Amendment to the Redevelopment Plan ("Third Amendment") will extend the time limit to commence acquisition of certain real property within the Original Project Area by use of eminent domain, for twelve (12) years from the adoption of the Third Amendment, by amending Section 308 of the Redevelopment Plan pertaining to the Original Project Area.

## II. AMENDMENT TO SECTION 308

Section 308 of the Redevelopment Plan pertaining to the Original Project Area shall be amended by deleting the first three paragraphs of text and replacing the deleted text with the following text:

> The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire, by use of eminent domain, real property on which any persons lawfully reside.
>
> The Agency shall not have the power to acquire by eminent domain real property outside the boundaries of the Original Project Area.
>
> No eminent domain proceeding to acquire property within the Original Project Area shall be commenced after twelve (12) years following the adoption of this Third Amendment. Such time limitation may be extended only by amendment of the Redevelopment Plan pertaining to the Original Project Area.

## III. NO OTHER CHANGES ADOPTED

All other provisions of the Redevelopment Plan pertaining to the Original Project Area shall remain in full force and effect.

ATTACHMENT 2

# REPORT TO CITY COUNCIL FOR THE PROPOSED ADOPTION OF THE THIRD AMENDMENT TO THE EXISTING REDEVELOPMENT PLAN

Prepared for:

**THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH**

**JANUARY 2008**

# REPORT TO CITY COUNCIL
# FOR THE
# PROPOSED ADOPTION OF THE THIRD AMENDMENT
# TO THE
# EXISTING REDEVELOPMENT PLAN

Prepared for:

## THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH

JANUARY 2008

Prepared by:

**Keyser Marston Associates, Inc.**

500 South Grand Avenue, Suite 1480
Los Angeles, California 90071

1660 Hotel Circle North, Suite 716
San Diego, California 92108

Golden Gateway Commons
55 Pacific Avenue Mall
San Francisco, California 94111

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# I. INTRODUCTION

## A. PURPOSE

This Report to the City Council ("Report") for the proposed adoption of the third amendment ("Third Amendment" or "Amendment") to the existing Redevelopment Plan ("Original Redevelopment Plan" or "Plan") for the Palm Avenue/Commercial Redevelopment Project ("Original Project Area" or "Project Area") has been prepared for the Redevelopment Agency of the Imperial Beach ("Agency") in accordance with Community Redevelopment Law ("CRL") Section 33352. As discussed in the following section, the purpose of the proposed Amendment is to re-establish the Agency's authority to use eminent domain within the Original Project Area for an additional 12 years, except that eminent domain may not be used to acquire real property that is lawfully occupied as residence.

The Report is one of the legally required documents leading to the consideration of the proposed Amendment. The purpose of the Report is to provide the information, documentation, and evidence required by CRL Section 33352 to accompany the proposed Amendment when these documents are submitted by the Agency to the City Council of the City of Imperial Beach ("City Council") for review. Such information, documentation, and evidence is provided to assist the City Council in its consideration of the proposed Amendment and in making the various findings associated with the adoption of the proposed Amendment.

The Report is divided into sections that generally correspond to the subdivisions contained in CRL, Section 33352 (subject to CRL Section 33457.1) which specify the required contents of the Report pertaining to the proposed Amendment as described below:

**Organization of the Report to the City Council**

| CRL Section | | Report Section |
|---|---|---|
| 33352 (a) | The reasons for the selection of the Project Area, a description of the specific projects proposed by the Agency, a description of how these projects will improve or alleviate the conditions described in subdivision (b). *[The reasons for the selection of the Project Area were defined at the time of Plan adoption. This Amendment includes the reasons for re-establishing eminent domain authority within the Original Project Area for 12 additional years (excluding residential uses).]* | Section II |
| 33352 (b) | A description of the physical and economic conditions specified in Section 33031 that exist in the area that cause the Project Area to be blighted. The description shall include a list of the conditions described in Section 33031 that exist within the Project Area and a map showing where in the project the conditions exist. *[This Report identifies existing significant remaining blighting conditions within the Original Project Area.]* | Section III |

| CRL Section | | Report Section |
|---|---|---|
| 33352 (c) | An Implementation Plan that describes the specific goals and objectives of the Agency, specific projects then proposed by the Agency, including a program of actions and expenditures proposed to be made within the first five years of the plan, and a description of how these projects will improve or alleviate the conditions described in Section 33031. *[Included is the existing Five-Year Implementation Plan (2005-2009) which is not proposed for amendment as a result of the adoption of the Third Amendment.]* | Section IV |
| 33352 (d) | An explanation of why the elimination of blight and the redevelopment of the Project Area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the legislative body's use of financing alternatives other than tax increment financing. *[As described in the Report, continued tax increment financing, within the existing Redevelopment Plan limitations, is needed to pay existing and future debt service and fund current and future projects and programs to eliminate remaining blight. The proposed Amendment will not affect project financing or the collection of tax increment.]* | Section III |
| 33352 (e) | The proposed method of financing the redevelopment of the Project Area in sufficient detail so that the legislative body may determine the economic feasibility of the plan. *[As described in this Report, the Amendment will not affect the financing of the Agency's redevelopment program.]* | Not Applicable |
| 33352 (f) | A method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project Area. *[The previously adopted Plan or Method of Relocation is updated within the Report.]* | Section V |
| 33352 (g) | Analysis of the Preliminary Plan. *[Not applicable. Only required when adopting a new project area or adding territory.]* | Not Applicable |
| 33352 (h) | The report and recommendations of the Planning Commission. *[Included within this Report.]* | Section VI |
| 33352 (i) | The summary referred to in Section 33387 (Project Area Committee [PAC] and consultations with residents, businesses and community organizations). *[There is no PAC with the Project Area; and because the Agency will not have the authority to acquire property on which persons reside, a PAC was not required. Owners, residents and occupants within the Project Area will be notified of the joint public hearing on the Amendment.]* | Not Applicable |

| CRL Section | | Report Section |
|---|---|---|
| 33352 (j) | The report required by Section 65402 of the Government Code *[Included in this Report is the Planning Commission's report on the conformity of the Amendment with the General Plan of the City.]* | Section VI |
| 33352 (k) | The report required by Section 21151 of the Public Resources Code. *[Included in the Report is the 21166 Study /Environmental Checklist adhering to the requirements of Section 21151 of the Public Resources Code.]* | Section VIII |
| 33352 (l) | The report of the County Fiscal Officer per Section 33328 of the CRL (base year report). *[Not applicable. Only required when adopting a new project area or adding territory.]* | Not Applicable |
| 33352 (m) | Neighborhood Impact Report. *[Included within this Report.]* | Section IX |
| 33352 (n) | An analysis by the Agency of the report submitted by the County as required by Section 33328 (base year report), which shall include a summary of the consultation of the Agency, with each of the affected taxing entities. *[A base year report is only required when adopting a new project area or adding territory. A summary of consultations with affected taxing entities are included.]* | Not Applicable |

## II. REASONS FOR SELECTION OF THE PROJECT AREA AND PREPARATION OF THE PROPOSED THIRD AMENDMENT

### A. PROJECT BACKGROUND

The Original Redevelopment Plan was adopted by the City Council on February 7, 1996, by Ordinance No. 96-901. The Original Project Area encompasses approximately 250 acres primarily of commercial properties along Palm Avenue (Highway 75) and 13th Street within the City limits. The Original Project Area also includes residential uses primarily along 7th Street, Boulevard Avenue, Calla Avenue and Donax Avenue. The boundaries of the Original Project Area are shown on Map 1.

The Redevelopment Plan for the Original Project Area has been amended twice. The first amendment ("First Amendment") adopted on July 18, 2001, by Ordinance No. 2001-970, added 1,125 acres to the Palm Avenue/Commercial Redevelopment Project ("Added Territory") composed of primarily residential properties within the balance of the City. A separate Redevelopment Plan was adopted to govern the redevelopment of the Added Territory. A second amendment ("Second Amendment") to the Palm Avenue/ Commercial Redevelopment Project was adopted on December 20, 2006, by Ordinance No. 2006-1050. The purpose of the Second Amendment was to clarify that the intent of the Agency and City Council was to have a single merged Project Area and a combined bonded indebtedness limit of $120 million. The Second Amendment also extended the duration and debt repayment/receipt of tax increment limits of the Redevelopment Plan for the Original Project Area and Added Territory by one year as provided by Senate Bill (SB) 1045 related to Educational Revenue Augmentation Fund (ERAF) payment.

The proposed Third Amendment would only extend eminent domain over properties in the Original Project Area except for those in residential uses. The Third Amendment would not in any manner amend the Redevelopment Plan for the Added Territory.

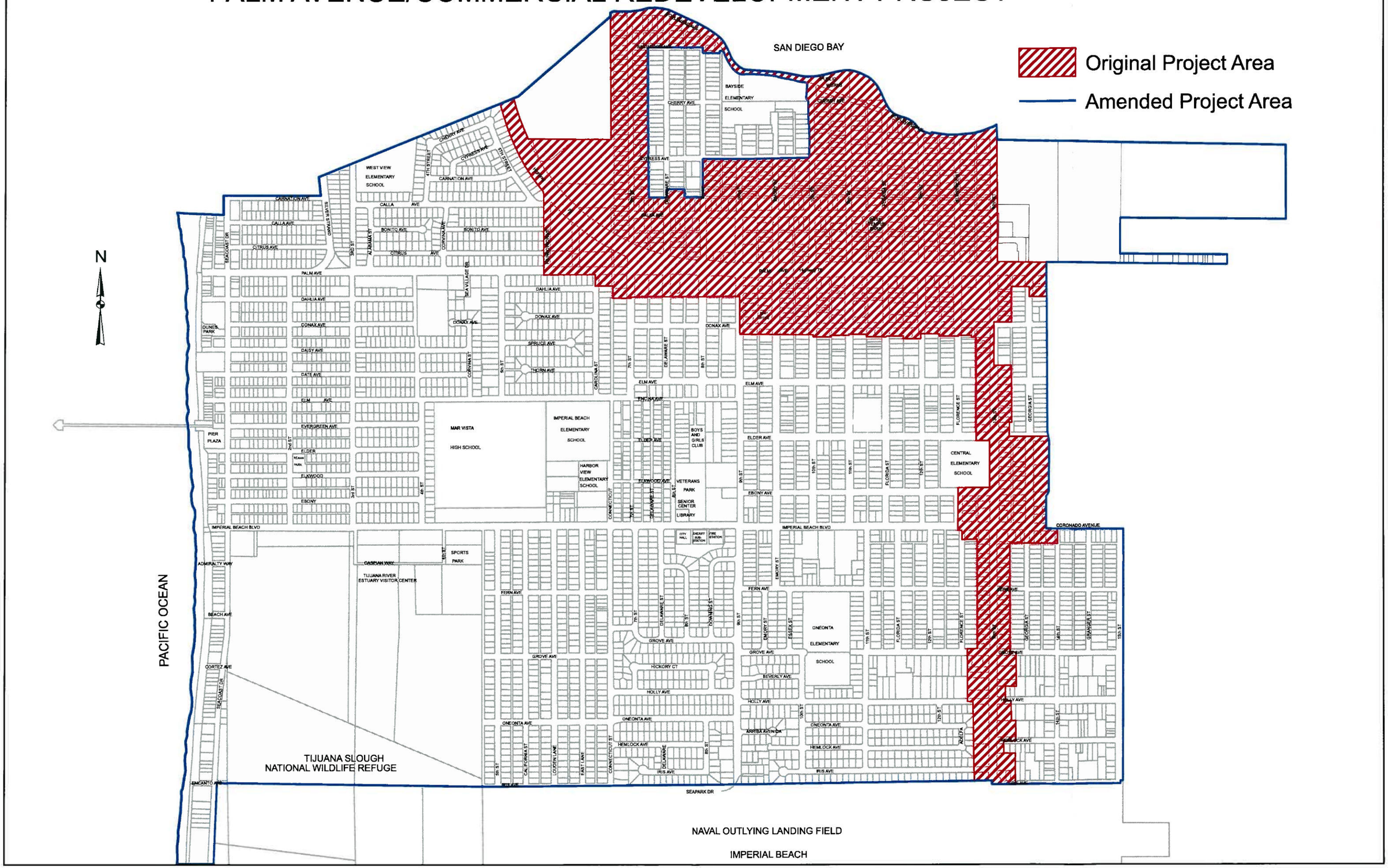
### B. HISTORY AND REASONS FOR ADOPTION OF THE ORIGINAL PROJECT AREA

The following summary of existing conditions noted at the time of adoption of the Original Project Area summarized from the Report on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project prepared by Katz Hollis in December 1995.

At the time of Plan adoption, development along Palm Avenue was characterized as a mixture of low-end retail uses including liquor stores, gas stations, fast food restaurants, auto repair shops, convenience stores, adult oriented uses, thrift shops and other uses housed in primarily deteriorated, obsolete and underutilized single-story strip commercial buildings as well as stand-alone structures. These conditions combined with small parcels, (the average size was 25,000

**Map 1: Project Area Boundaries**

# PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT



square feet) and insufficient parking lacked the requirements to meet contemporary business needs.

City residents cited the deteriorated and obsolete character of the commercial areas as the primary reasons that an overwhelming majority traveled outside of the City to buy goods and services. Evidence of the decline of retail activity was noted in the departure of Safeway and Big Bear grocery stores leaving only one non-chain market to serve the majority of the City's population. In 1995, retail sales leakage was estimated at $27 million per year. At the time of Plan adoption, the City had recently initiated negotiations with large chain grocery stores in an attempt to bring this greatly needed commercial use to the City. Negotiations were unsuccessful because the City could not offer a site large enough to accommodate the needs of grocery stores. Another indicator of impaired investments in the Project Area was low lease rates, which were identified between 15% and 20% below similar properties in competitive areas of adjacent communities. Business failures and a high vacancy rate were also identified as indicators of economic decline.

In addition, Project Area residents were impacted by crime and overcrowding. The crime rate in the Project Area was 65% higher than the crime rate for the County. Finally, according to the U.S. Census, the number of overcrowded households within the Project Area increased by 47% and the number of severely overcrowded units increased by 123% from 1980 to 1990.

## C. REASONS FOR THE PREPARATION OF THE PROPOSED THIRD AMENDMENT

The Third Amendment would extend eminent domain over properties in the Original Project Area except for those in residential use. The following is excerpt from the Redevelopment Plan for the Original Project Area as it relates to eminent domain authority:

> "The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire by eminent domain real property on which any persons reside. As used in this Section, the "property on which any persons reside" shall mean that one or more person resides on the property with the express consent of the property owner".
>
> Furthermore, "No eminent domain proceedings to acquire property within the Project Area shall be commenced after twelve (12) years following the effective date of the ordinance approving and adopting this Plan."

The proposed Third Amendment would amend the Original Redevelopment Plan as follows:

C. [Section 307] Property Acquisition

1. [Section 308] Acquisition of Real Property

"The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire, by use of eminent domain, real property on which any persons lawfully reside, including property which is residentially-zoned or which contains a legal non-conforming residential use.

The Agency shall not have the power to acquire by eminent domain real property outside the boundaries of the Original Project Area.

No eminent domain proceeding to acquire property within the Original Project Area shall be commenced after twelve (12) years following the adoption of this Third Amendment. Such time limitation may be extended only by amendment of the Redevelopment Plan pertaining to the Original Project Area".

As described above at the time of adoption of the Original Redevelopment Plan, a major factor inhibiting redevelopment of the Project Area, and in particular Palm Avenue, was the existence of parcels of irregular shape and inadequate size in multiple ownership (adjacent parcels owned by separate entities). Based on current Assessor data, 91% of the parcels today are in separate ownership.[1] Furthermore, as described later in Part III of this Report, 77% of the parcels along Palm Avenue/Highway 75 are less than 25,000 square feet, which was identified as the minimum developable size for contemporary retail development. The proposed Third Amendment is necessary to provide the Agency with the authority to assist the private sector in assembling parcels to create parcels of adequate size and shape for contemporary businesses that will be of benefit to the Project Area and community.

## D. AGENCY GOALS AND OBJECTIVES

As stated in the Redevelopment Plan, the Agency's goals and objectives of the redevelopment program in the Project Area are as follows:

[1] Adjoining parcels under the same ownership were counted as a single parcel.

1. The revitalization of the Palm Avenue and 13th Street business corridor through the rehabilitation of existing structures, the redevelopment of opportunity sites and through business retention and attraction programs.

2. Improve the City's bay front as a recreational area to serve both passive and active recreational uses, visitors and as an asset for healthy tourist industry.

3. The elimination and prevention of blight and deterioration; and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes and ordinances.

4. The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.

5. The provision for increased revenues to the City, including sales, business license, and other fees, taxes and revenues to the City.

6. The provision for tax increment to provide funds as necessary to finance rehabilitation and development programs which cannot be accomplished through existing publicly funded programs or by the private sector acting alone to eliminate blighting influences in the Project Area.

7. The encouragement of neighborhood serving commercial uses such as markets, movie theaters, family recreation and general goods stores.

8. The creation and development of local job opportunities and the preservation of the area's existing employment base.

9. The elimination or amelioration of certain environmental deficiencies, including substandard vehicular circulation systems; inadequate water, sewer and storm drain systems; insufficient off-street parking; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Project Area.

10. The encouragement of investment by the private sector in the redevelopment of the Project Area by assisting in the alleviation of impediments to such redevelopment.

11. The elimination of blight through abatement of code compliance, reconstruction and assembly of parcels into more developable sites for more compatible uses.

12. The expansion and upgrading of housing opportunities in the community to eliminate blight and improve housing stock and standards for the present population.

13. The encouragement of participation of Project Area businesses, property owners, and community organizations in the redevelopment of the Project Area.

14. To attract State, Federal and other grants, loans and funds.

15. To improve the public view through the purchase and rehabilitation of private facades and signage.

16. To develop or construct various public facilities, including fire, police, transportation, library, recreational or academic facilities as may be beneficial to the public welfare or enjoyment.

## E. AGENCY ACCOMPLISHMENTS

In the 11 years since adoption of the Redevelopment Plan for Original Project Area, the Agency has completed the rehabilitation of the Imperial Beach Promenade Shopping Center (location of Wally's grocery store), and has funded code compliance and neighborhood revitalization activities. In 2003, tax allocation bonds were issued totaling $22.7 million. This bond issue represents the first significant receipt of tax increment since Plan adoption that can be used towards funding projects and programs to eliminate blight and work towards achieving the goals and objectives of the Redevelopment Plan. In 2004, the Agency held a Focus Discussion based on the results of a series of Community's Workshops to establish priorities for the allocation of the bond proceeds. A priority for the community was the revitalization of Palm Avenue. Following a series of community meetings in 2006, a public improvements plan was adopted for Palm Avenue (Old Palm Avenue Revitalization Project) which included proposals to widen the sidewalks to 15 feet, retain palm trees, remove street medians, and to create a three-way stop at 2nd Street. Consideration and aesthetic elements included crosswalks, sidewalks, streetlights and landscaping. Three-dimensional artwork would be installed in the sidewalks depicting the history of the surfboard.

The near-term goals for the Project Area as identified in the Implementation Plan include:

- Pursue public/private partnerships to improve large commercial properties;
- Replace inadequate public infrastructure; and
- Improve and enhance the community's supply of affordable, quality housing.

Ongoing activities include:

- Redevelopment of 9th and Palm Avenue commercial property;

- Implementation of a Façade Improvement Program;
- Pursue Implementation of the Old Palm Avenue Revitalization Project; and
- Rehabilitate low-income housing units.

## F. CONTINUED NEED FOR REDEVELOPMENT ASSISTANCE AND INCLUSION OF NON-BLIGHTED PROPERTIES

Based on building permits issued in the Project Area since Redevelopment Plan adoption 11 years ago, only 6% of the parcels have been redeveloped or have been substantially rehabilitated (rehabilitation value estimated at 25% of the property value after improvements). Although these and other properties are not blighted, their continued inclusion in the Project Area is necessary to attract uses and additional development to continue the revitalization effort. Furthermore, these non-blighted properties will continue to benefit from public improvements such as streetscape projects and other planned Agency activities to enhance the Project Area.

As described above, the Agency has revitalization and design strategies to attract businesses and increase patronage along Palm Avenue. However, to date there has not been any notable development. As identified above, the Agency has attempted to facilitate the development of a catalyst project at 9th and Palm but has been unsuccessful in attracting a developer. In 2005, the Agency issued a Request for Proposals (RFP) and ultimately entered into an Exclusive Negotiation Agreement (ENA) with the DR Horton (development team of Lennar and Holton). Proposed was a three story mixed-use development including 223 residential units and 74,896 square feet of retail on the ground floor. However, when the housing market declined DR Holton withdrew. The Agency re-issued an RFP in 2007, and received two responses: one for a mixed-use project and one for a purely commercial project. The feasibility of the proposals are currently being analyzed. Both have large financing gaps and would require Agency assistance.

The 9th and Palm project is an example of the need for Agency assistance to revitalize the Project Area. This site is seen as one of the largest, if not the largest site in the Project Area that can accommodate a gateway project that will act as a catalyst for redevelopment of other sites in the Project Area, particularly along Palm Avenue. However, despite on-going discussions between the property owners and the City, the property owners have been unable to redevelop the property on their own. Development of other retail sites will likely be more difficult due to the large number of small parcels and diversity of ownership. Property owners may be reluctant to sell without the Agency having eminent domain authority and the ability to condemn property. The need to acquire parcels through eminent domain may be necessary to facilitate development along Palm Avenue and, as noted earlier, is the reason for the proposed Third Amendment.

## III. SIGNIFICANT REMAINING PHYSICAL AND ECONOMIC BLIGHTING CONDITIONS IN THE PROJECT AREA

## A. AMENDMENT PROCEDURES AND REQUIRED FINDINGS

### 1. Amendment Procedures

Section 33457.1 of the CRL provides that "[t]o the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to the redevelopment plan shall contain the findings required by Section 33367..." Therefore, because the Agency is not adding territory or adopting a new project area, the Agency will follow applicable provisions, to the extent warranted, of CRL Sections 33320.1, *et seq.* and 33450, *et seq.*, pursuant to Section 33457.1. Specifically, the Agency will not have to adopt a Survey Area or amend the Preliminary Plan or declare a base year, which are required actions for the adoption of a new project area or the addition of territory.

As required by CRL Section 33333.4 (a)(3), every redevelopment plan that provides eminent domain authority must include a time limit not to exceed 12 years. As noted in the Introduction to this Report, the Redevelopment Plan for the Original Project Area has such a time limit which will expire on February 7, 2008. As provided by law, this limit may be extended by 12 years by amendment of the Redevelopment Plan after the Agency finds, based on substantial evidence, both of the following:

- That significant blight remains within the Project Area; and
- That this blight cannot be eliminated without the use of eminent domain.

As described in the preceding Section F, only 6% of the properties in the Project Area have been substantially improved or redevelopment since Plan adoption. As described below, 21% of the properties are impacted by physical blighting conditions and the Project Area overall is impacted by the physical and economic blighting conditions described herein. There has been little significant reinvestment in the Project Area, as evidenced by the low levels of building permit activity. Most of the investment in properties in the Project Area has been in residential rehabilitation and construction. While these activities may create new housing units, they do not directly alleviate the physical blighting conditions affecting commercial properties in the Project Area. In addition to inadequate build and lot sizes, inadequate parking, and inadequate building configurations, retail and apartment properties are affected by depreciated or stagnant property values, and the Project Area continues to lack necessary commercial facilities yet has a relatively high number of adult-oriented businesses. Crime and residential

overcrowding continue to be a threat to the public safety and welfare. These blighting conditions are described in more detail in the subsequent pages in this report. A significant condition of blight is the existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes given present market conditions. These conditions impact 80% of the commercial properties along Palm Avenue. Due to the prevalence of these conditions, the market demand for larger parcels and the lack of investment, it is anticipated that the use of eminent domain authority may be necessary to eliminate this blighting condition.

### 2. Existing Land Uses

Table 1 shows the overall breakdown of the existing land uses within the Project Area by acreage, number of parcels and the number of buildings, although the approximately half (51%) of the Project Area land area is developed with residential uses and commercial uses. Those particular commercial uses that are located on Palm Avenue, totaling 13% of the Project Area, define the character of the Project Area. A large portion (31%) of the Project Area is devoted to public right-of-way including Palm Avenue, which is State Highway 75 with six lanes and median. The balance of the Project Area totaling 5% of the area is developed with public/quasi public, industrial uses and approximately five acres of vacant land. It should be noted that although only 4.3 acres are developed with industrial uses, this represents all of the industrial area within the City. Map 2 shows the distribution of land uses within the Project Area.

### 3. Urbanization Status of the Project Area

As defined in CRL, Section 33320.1, to qualify as a redevelopment project, an area must be both blighted and predominantly urbanized. At the time the Redevelopment Plan was adopted in 1996, the Project Area was determined to be predominantly urbanized. Since the proposed Amendment does not include adding territory to the Project Area, no further analysis of urbanization or findings must be made.

### 4. Definition of Remaining Blight

The following is the definition of blight as currently presented in Section 33031 of the CRL.

**Physical Blighting Conditions**

1. Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is

**Table 1: Existing Land Uses**

**TABLE 1**
**EXISTING LAND USES**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| | No. Acres | % of Total | No. Parcels | % of Total | No. of Buildings | % of Total |
|---|---|---|---|---|---|---|
| Residential - Single Family | 64.8 | 25% | 239 | 33% | 243 | 39% |
| Residential - Multi Family | 73.6 | 29% | 310 | 43% | 257 | 41% |
| Residential - Mobile Home | 12.0 | 5% | 3 | 0% | 0 | 0% |
| Commercial - Retail | 36.5 | 14% | 98 | 14% | 86 | 14% |
| Commercial - Office | 1.9 | 1% | 4 | 1% | 18 | 3% |
| Industrial | 4.3 | 2% | 9 | 1% | 7 | 1% |
| Public/Quasi-Public [1] | 2.6 | 1% | 6 | 1% | 12 | 2% |
| Public Right-Of-Way | 47.4 | 19% | - | 0% | 0 | 0% |
| Vacant | 5.1 | 2% | 30 | 4% | 2 | 0% |
| Unknown | 6.8 | 3% | 23 | 3% | 0 | 0% |
| **TOTAL** | **255** [2] | **100%** | **722** [3] | **100%** | **630** [4] | **100%** |

[1] Includes 4 churches, one convalescent home and one mortuary (vacant).

[2] Based on Metroscan Assessor Data.

[3] Based on Metroscan Assessor Data.

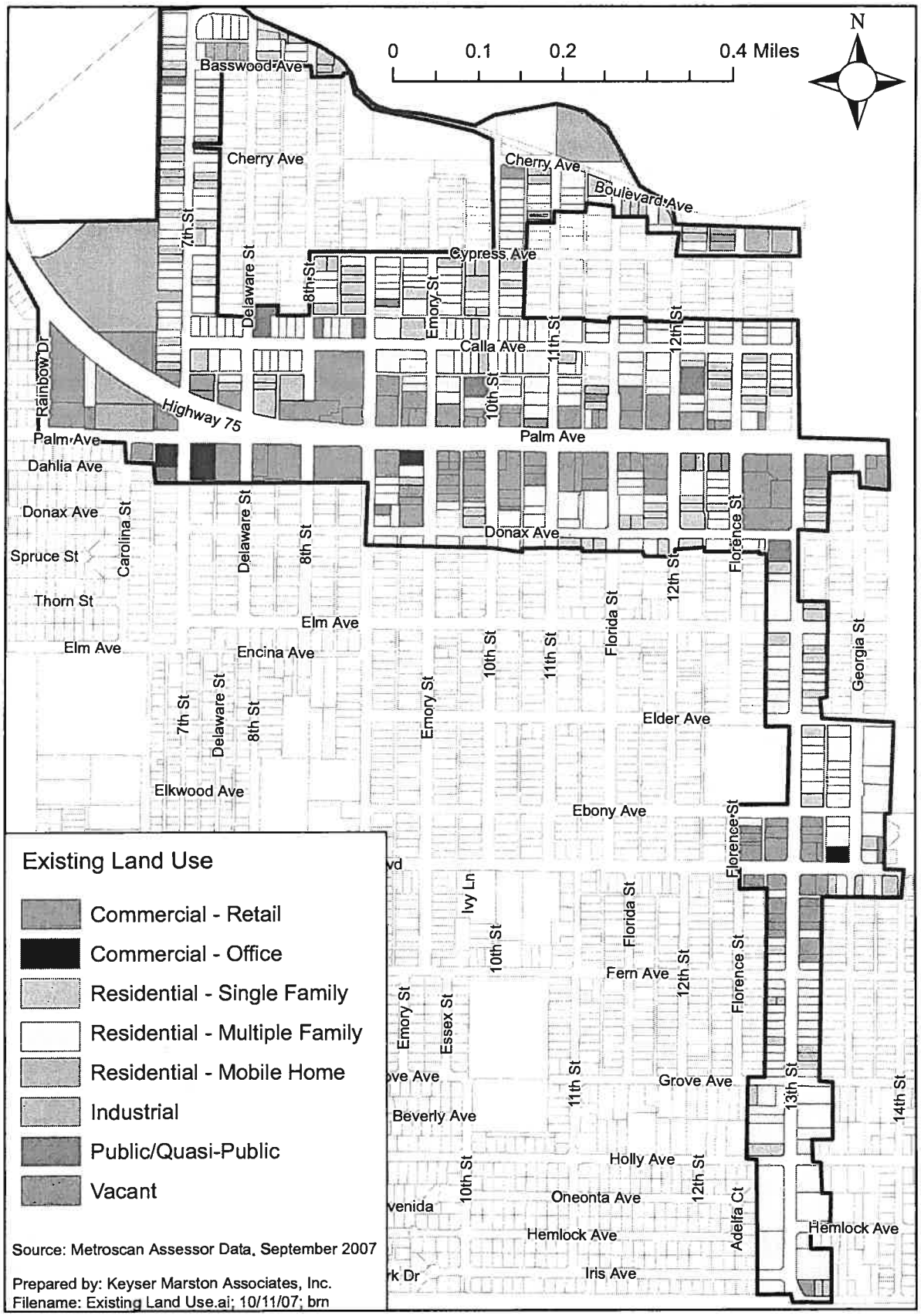
[4] Based on number of buildings reported in Report to City Council on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, prepared by Katz Hollis, December 1995.

Source: Metroscan, FY 06/07

Prepared by: Keyser Marston Associates, Inc.
Filename: Landuse Table; TABLE; 10/26/2007; cb, bm

**Map 2: Existing Land Uses**

MAP 2
Existing Land Uses
Palm Avenue/Commercial Redevelopment Project



vulnerable to serious seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

2. Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard design, defective or obsolete design or construction, given the present general plan, zoning or other development standards.

3 Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the Project Area.

4. The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.

**Economic Blighting Conditions**

1. Depreciated or stagnant property values.

2. Impaired property values, due in significant part, to hazardous wastes on property where the agency authority may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).

3. Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.

4. A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.

5. Serious residential overcrowding that has resulted in significant public health and safety problems.

6. An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.

7. A high crime rate that constitutes a serious threat to the public safety and welfare.

The blight criteria at the time the Redevelopment Plan was adopted in 1996 consisted of the following:

**Physical Blighting Characteristics**

1. Buildings in which it is unsafe or unhealthy for persons to live or work. Serious building code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or similar factors can cause these conditions.

2. Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate building size given present standards and market conditions, lack of parking, or other similar factors.

3. Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.

4. The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.

**Economic Blighting Characteristics**

1. Depreciated or stagnant property values or impaired investments, including but not necessarily limited to, those properties containing hazardous wastes that require the use of agency authority.

2. Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities.

3. A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.

4. Residential overcrowding or an excess of bars, liquor stores, or businesses that cater exclusively to adults that has led to problems of public safety and welfare.

5. A high crime rate that constitutes a serious threat to the public safety and welfare.

The common practice is to demonstrate significant remaining blight based upon both definitions of blight currently effective and those that were at the time of adoption of a

redevelopment plan. Therefore, in addition to the current blight standards described above, this Report addresses those blighting conditions that were identified in the 1996 Report to the City Council prepared for the adoption of the Redevelopment Plan that still remain applicable to the adoption of the proposed Amendment.

## B. PHYSICAL CONDITIONS THAT CAUSE BLIGHT

### 1. Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

A survey was conducted in July 1995 to assess the status of building conditions in the Project Area. Although the most visible blight associated with commercial properties in the Project Area was obsolescence that contributed to the deteriorated physical appearance of the structures, the results of the survey indicated that of the 630 buildings in the Project Area, 558 (89%) were in need of some form of maintenance. Of these buildings, 20% were in need of moderate to extensive rehabilitation.[2]

The rating categories used in the field survey to assess building conditions were generally defined as follows: buildings rated as excellent or good condition ("A") were in need of little or no maintenance; building rated as deferred maintenance ("B") needed superficial improvements such as minor structural repairs; buildings rated as moderate rehabilitation ("C") were in need of a substantial amount of improvements such as a new roof, exterior siding, minor foundation repairs, etc.; and buildings rated as extensive rehabilitation ("D") were in very poorly maintained, having significant structural damage and need several major repairs.[3]

A review of building permits issued in the Project Area since adoption demonstrates that there has been relatively little significant investment in the Project Area. In total, 93 permits have been issued for 72 parcels (properties) in the Project Area or 10% of the 722 parcels. In terms of buildings, of the estimated 630 buildings in the Project Area, 55 or 9% have been issued a building permit since Project adoption. Table 2 summarizes building permit activity in the Project Area. Although initially this investment would seem significant, there have been only 17 new buildings or 3% of the total buildings and an additional 19 buildings or 3% were issued permits for major rehabilitation (rehabilitation valued at 25% of the total property value after improvements). Most of the permit activity

[2] Report to City Council on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, prepared by Katz Hollis, December 1995, Table 4 "Deterioration and Dilapidation".
[3] Katz Hollis, December 1995, page 18.

has been improvements that were of relatively small value. Even considering the value of improvements at 12% of the value of the property after improvement (half of what is considered a significant rehabilitation), the number of major rehabilitations remains at 3%. In total, 6% of the buildings have had major rehabilitation or were redeveloped since Plan adoption.

Most of the investment has been in residential properties. In total, 28 residential properties have been improved including 15 new buildings and 13 major rehabilitations. Although the Project Area is associated with commercial development along Palm Avenue and 13th Street, there have only been two new commercial buildings and six have been issued permits for major rehabilitation. Table 2 summarizes new construction and major rehabilitation activities for commercial and residential properties in the Project Area, and Map 3 shows the location of the improved properties.

As mentioned above, at the time of Plan adoption, the conditions of all buildings in the Project Area were documented. In comparing the types of permits that have been issued (minor rehabilitation, major rehabilitation and new construction) and the number of buildings improved to the number buildings identified at Plan adoption as deteriorated and dilapidated buildings, the number of improved buildings can be estimated. As shown in Table 3, there were 127 buildings rated as need of moderate to extensive rehabilitation, which would be equivalent to deteriorated and dilapidated buildings that are unsafe or unhealthy for persons to live or work. There have been 36 permits for major rehabilitation or new construction issued since Plan adoption. Assuming that these permits were issued for a portion of the 127 properties rated as in need of moderate to extensive rehabilitation, it can be assumed that 72% of the buildings continue to be in a deteriorated or dilapidated condition and in need of substantial rehabilitation or reconstruction.

**2. Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard design, defective or obsolete design or construction, given the present general plan, zoning or other development standards.**

As noted at the time of adoption, the most obvious characteristic of substandard design on Palm Avenue and 13th Street was obsolescence resulting from a combination of factors including age of structure, lack of maintenance and the ability to meet contemporary market needs. [4]

[4] Katz Hollis, December 1995, page 9.

**Table 2: Building Permit Activity – Improved Properties (1996 – 2006)**

**TABLE 2**
**BUILDING PERMIT ACTIVITY - IMPROVED PROPERTIES (1996 - 2006)**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| Existing Land Use[1] | Total No. Of Permits[2] | % of total Permits | Total No. of Buildings | No. of Buildings Improved[3] | % of total Buildings by Use[4] | No. of Major Rehabs at 25% of Value[5] | % of total Buildings in Project Area[4] | No. of Major Rehabs at 12% of Value[5] | % of total Buildings In Project Area[4] | No. of New Buildings[6] | % of total Buildings in Project Area[4] | No. of Improved Properties[7] | % of Total Properties in Project Area[8] |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Single Family Residential | 17 | 18% | 244 | 8 | 3% | 0 | 0% | 4 | 2% | 6 | 2% | 14 | 6% |
| Multiple Family Residential | 31 | 33% | 258 | 20 | 8% | 2 | 1% | 9 | 4% | 9 | 4% | 28 | 9% |
| Mobile Home/Trailer Park | 1 | 1% | 3 | 1 | 33% | 0 | 0% | 0 | 0% | 0 | 0% | 1 | 25% |
| Commercial Retail | 38 | 41% | 86 | 24 | 28% | 5 | 6% | 6 | 7% | 1 | 1% | 25 | 26% |
| Commercial Office | 4 | 4% | 18 | 1 | 6% | 0 | 0% | 0 | 0% | 1 | 6% | 2 | 50% |
| Light Industrial | 1 | 1% | 7 | 1 | 14% | 0 | 0% | 0 | 0% | 0 | 0% | 1 | 11% |
| Public/Institutional[9] | 1 | 1% | 12 | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 1 | 17% |
| **TOTAL** | 93 | 100% | 630 | 55 | 9% | 7 | 1% | 19 | 3% | 17 | 3% | 72 | 10% |

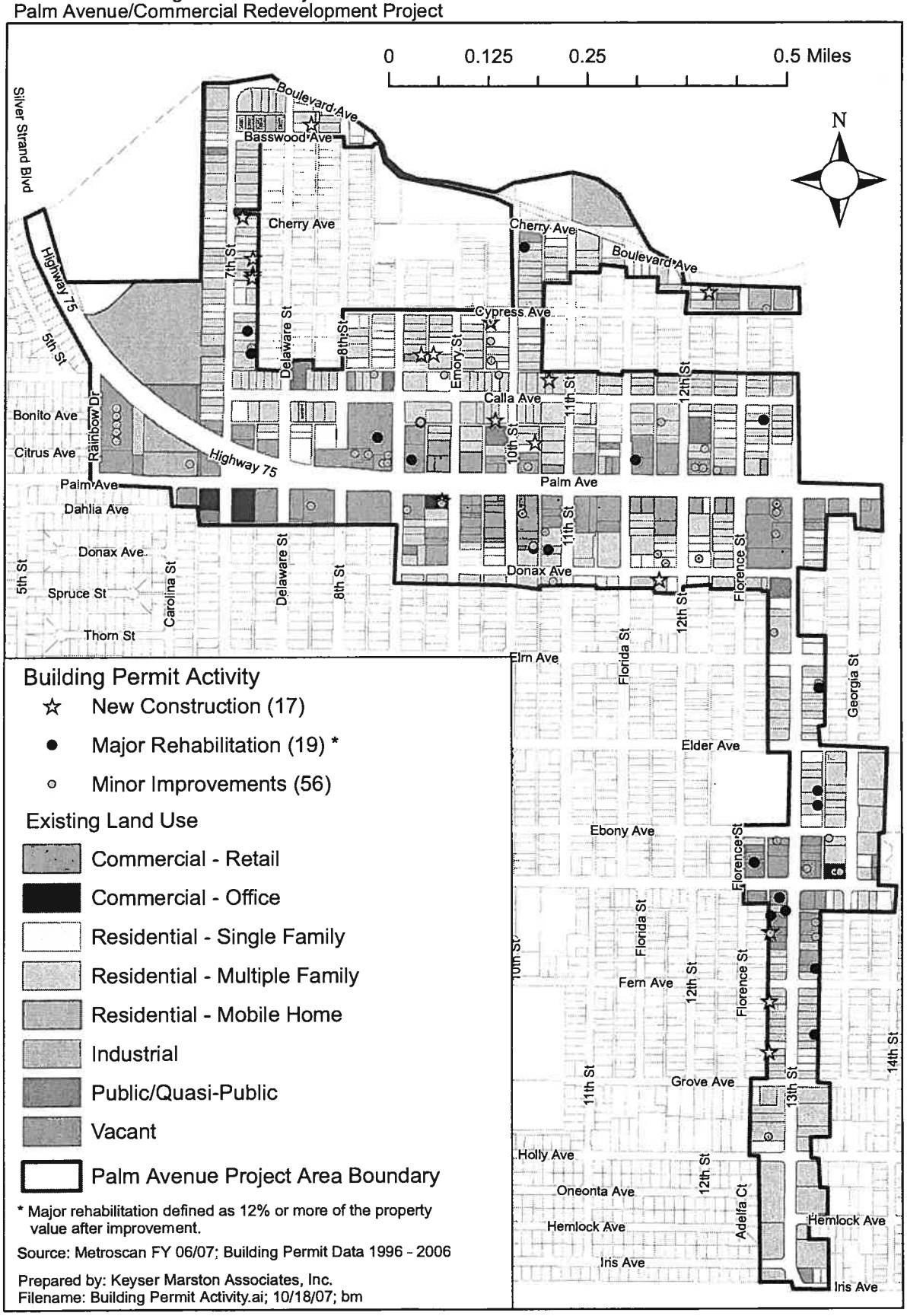
Source: Imperial Beach building permit data from 1996 to 2006

[1] Based on Assessor data existing land use designations.
[2] Total all permits, may include more than one permit issued for a structure.
[3] Includes minor and major rehabilitation permits. Multiple permits issued for one structure are counted once.
[4] Total Building count based upon Katz Hollis 1995 field survey (total of 630 buildings), with the exception of the Mobile Home/Trailer Park Land use, which is based upon 2007 Assessor data.
[5] Major rehabilitation is defined as value of the rehabilitation which constitutes 25% of the value of the property after rehabilitation inclusive of the land. Because there were so few rehabilitations that qualify as a major rehabilitation with the measure of 25% of the value after improvements, for comparison purposes, KMA also identified the number of rehabilitations that meet the measurement of 12% or more of the value of the improved property.
[6] New buildings only. Additions are considered major rehabilitations.
[7] Multiple improved buildings on the same property are not considered in total. All improvements on a property are counted once.
[8] Based on 2007 Assessor data - a total of 722 parcels.
[9] Public/Institutional category consists only of a permit for a soundwall along Palm Ave, which was not included in the building count.

Prepared by: Keyser Marston Associates, Inc.
Filename: Major Rehabilitation and New Construction; 10/26/2007; bm

**Map 3: Location of Building Permit Activities**

MAP 3
Location of Building Permit Activity
Palm Avenue/Commercial Redevelopment Project




* Major rehabilitation defined as 12% or more of the property value after improvement.

Source: Metroscan FY 06/07; Building Permit Data 1996 - 2006

Prepared by: Keyser Marston Associates, Inc.
Filename: Building Permit Activity.ai; 10/18/07; bm

**Table 3: Deterioration and Dilapidation at Project Adoption and Subsequent Improvements**

**TABLE 3**
**DETERIORATION AND DILAPIDATION AT PROJECT ADOPTION AND SUBSEQUENT IMPROVEMENTS**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| Building Use | Buildings Identified in Need of Deferred Maintenance | % of Total Buildings[1] | Permits Issued for Minor Improvements | % of Total Buildings[1] | Buildings Identified in Need of Major Improvements or Extensive Rehabilitation | % of Total Buildings[1] | Permits issued for New Construction or Major Rehabilitation | % of Total Buildings[1] | Total Permits Issued | % of Total Buildings[1] |
|---|---|---|---|---|---|---|---|---|---|---|
| Residential - Single Family | 149 | 24% | 7 | 1% | 72 | 11% | 10 | 2% | 17 | 3% |
| Residential - Multiple Family | 195 | 31% | 13 | 2% | 33 | 5% | 18 | 3% | 31 | 5% |
| Residential - Other | 1 | 0% | 1 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| **Subtotal** | 345 | 55% | 21 | 3% | 105 | 17% | 28 | 4% | 49 | 8% |
| Commercial Office | 15 | 2% | 3 | | 16 | 3% | 1 | 0% | 4 | 1% |
| Commercial Retail | 54 | 9% | 31 | | 0 | 0% | 7 | 1% | 38 | 6% |
| **Subtotal** | 69 | 11% | 34 | 5% | 16 | 3% | 8 | 1% | 42 | 7% |
| Industrial - Light | 6 | 1% | 1 | 0% | 1 | 0% | 0 | 0% | 1 | 0% |
| Private Institutional | 3 | 0% | 0 | | 3 | 0% | 0 | 0% | 0 | 0% |
| Public Institutional[2] | 5 | 1% | 0 | 0% | 0 | 0% | 1 | 0% | 1 | 0% |
| Mixed Use | 2 | 0% | 0 | 0% | 1 | 0% | 0 | 0% | 0 | 0% |
| Vacant | 1 | 0% | 1 | 0% | 1 | 0% | 0 | 0% | 1 | 0% |
| **TOTAL** | 431 | 68% | 57 | 9% | 127 | 20% | 37 | 6% | 94 | 15% |

Source: Building condition survey performed by Katz Hollis, July 1995; and City of Imperial Beach building permit data 1996 - 2006.
Note: Multiple permits issued for a single property were counted as a single permit.

[1] Based on a total of 630 buildings from the Katz Hollis survey.
[2] Includes the new construction permit for the Palm Ave sound wall.

Prepared by: Keyser Marston Associates, Inc.
Filename: Major Rehabilitation and New Construction; 10/26/2007; bm

In February of 2007, Grubb & Ellis Commercial prepared a feasibility study for the City of Imperial Beach and the Sandra Dimenstein Trust (the owner), to assist the City in evaluating the economic feasibility in assisting the owner of the Miracle Center (two block commercial center on the south side of Palm Avenue between Delaware and 9th Streets) in improving the center to make it a more inviting gateway to the City and improving the tenant mix in order to generate greater sales tax revenue. The feasibility study identified contemporary retailer standards including preferred parking ratio, maximum store depth and desired retail frontage. The following analysis compares these same design considerations to all the commercial retail uses in the Project Area to evaluate how the existing uses compare to contemporary standards which hinder the use and capacity of retail uses in the Project Area.

i. Contemporary Parking Requirements

The City requires a minimum of four parking spaces per 1,000 square feet of retail space. Many retailers require a slightly higher ratio of 5 per 1,000 square feet and restaurants require up to as much as 8 per 1,000. Typical building site coverage at most retail centers is 25% to 30%.[5]

Based upon Assessor data for parcel size and building area, the site coverage for commercial retail parcels[6] in the Project Area was determined by dividing the building area by parcel area. As shown on Table 4, of the 98 retail parcels in the Project Area 48 or 49% have more than 30% lot coverage (more than 30% of the parcel is covered with building area). These retail buildings house 107 tenants or 52% of the retail tenants in the Project Area. Map 4 shows the footprints of retail buildings in the Project Area and the associated parcel (property) lines. The map also indicates which retail properties have 30% or less coverage and those retail developments that exceed the contemporary building to parking ratio. These data indicate that almost half of the commercial properties in the Project Area will be unlikely to have enough open areas to accommodate both modern retail space and contemporary retail parking requirements.

ii. Maximum Store Depth and Minimum Storefront Width Requirements

Industry standard store depths are generally between 50 and 60 feet, with 75 feet being the maximum acceptable depth. A contemporary retail center provides approximately 50 feet of storefront.[7]

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[5] Miracle Center Market Study, prepared for the City of Imperial Beach & the Sam & Sandra Dimenstein Trust by Grubb & Ellis, February 2007.
[6] Includes retail and service oriented uses and excludes office buildings.
[7] Miracle Center Market Study February 2007.

**Table 4: Commercial Retail Parking**

**TABLE 4**
**COMMERCIAL RETAIL PARKING**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| Retail Parcels | | | Retail Tenants | | |
|---|---|---|---|---|---|
| Total Retail Parcels | Number of Retail Parcels with Over 30% Lot Coverage | Percent of Retail Parcles With Over 30% Lot Coverage | Total Retail Tenants [1] | Number of Retail Tenants Located at Parcels with Over 30% Lot Coverage | Percent of Retail Tenants Located at Parcels with Over 30% Lot Coverage |
| 98 | 48 | 49% | 204 | 107 | 52% |

Note: 30% is the average parcel coverage to allow sufficient site area to provide parking to contemporary standards.

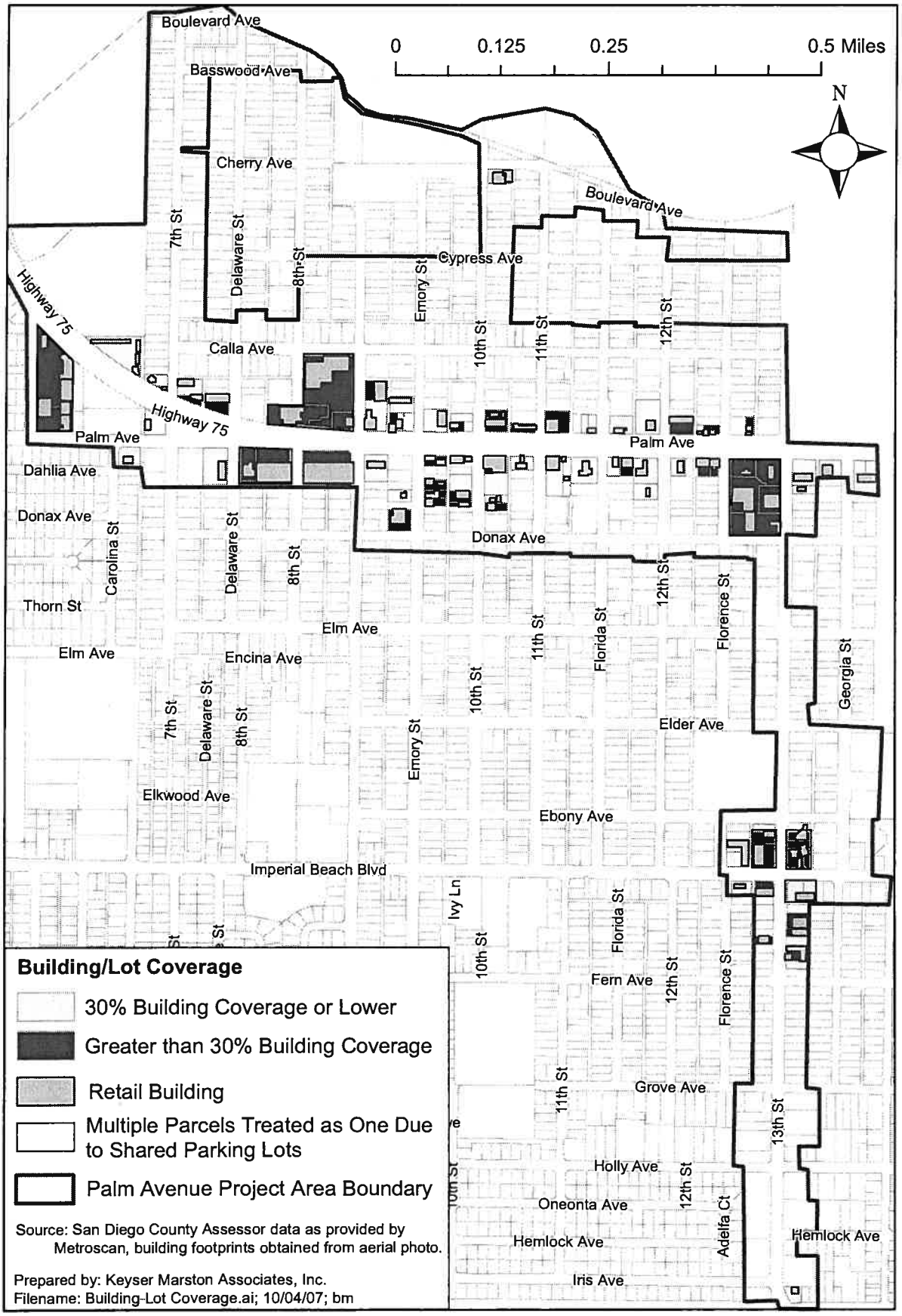
[1] Includes retail and service-oriented uses.

Source: Metroscan assessor parcel size and building area data. For parcels where building data was not available, the building area was estimated from aerial photographs. Retail tenants were identified in a windshield survey performed by KMA on October 1, 2007.

Prepared by: Keyser Marston Associates, Inc.
Filename: Retail Parking; 10/26/2007; bm

**Map 4: Existing Retail Parking Comparison to Contemporary Parking Standards**

MAP 4
Existing Retail Parking Comparison to Contemporary Parking Standards
Palm Ave/Commercial Redevelopment Project



There are certain retail uses that require larger spaces such as grocery stores and drugstores, but these uses represent only a small portion of the retailers in the Project Area. Based upon aerial photographs, overall building dimensions can be estimated for retail buildings in the Project Area. As shown on Table 5, of the 67 retail buildings with multiple tenants,[8] 32 or 48% have a depth of 50 feet or less, representing the desired building depth for the average retail use. Using the maximum desirable depth of 75 feet, 54 retail buildings or 81% have a depth of 75 feet or less. In total, 12 buildings or 18% exceed the useable maximum building depth of 75 feet.

Based upon a windshield survey conducted in October 2007, Keyser Marston Associates, Inc. (KMA) identified the location of the retail uses in the Project Area by building. Assuming that all retailers in multiple tenant buildings occupy an equal portion of the building, 34 multiple tenant buildings or 52% of all multiple tenant retail buildings have less than 50 feet of storefront width (Table 6). In terms of tenants, 141 tenants or 86% of all retail tenants occupy storefronts with less than a 50-foot width. Map 5 shows the location of retail buildings with average storefront tenant's spaces of less than 50 feet in width.

iii. Age and Obsolescence

Age is often a factor in substandard design and is therefore a factor that prevents or substantially hinders the economically viable use or capacity of buildings or lots. Based on Marshall and Swift Valuation Service,[9] commercial and industrial buildings have a general life of 30 to 55 years, public buildings have a slightly longer practical life of up to 60 years, multiple-family dwellings have a life of 50 to 60 years and single-family residential have the longest life of up to 65 years or longer with major rehabilitation. The practical age of buildings varies by use, quality of construction and maintenance. The above-mentioned guidelines provide a conservative indication for building useful service life. For example, buildings used for automobile service have a general life of 40 to 45 years with storage facilities having a shorter life span of 40 years. Table 7 presents data on the age of buildings by use in the Project Area compared to the remainder of the City based upon construction date information provided by MetroScan.[10]

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[8] Certain freestanding single tenant retails uses were excluded from the analysis due to their unique use requirements including banks, automotive repair, gas stations, car wash, free standing fast food restaurants, the CVS Drugstore and the vacant El Camino Hotel.

[9] The Marshall and Swift Valuation Service provides cost data, depreciation factors, and typical useful service life for determining replacement costs of buildings and other improvements. The data presented is based on years of evaluation experience, thousands of appraisals and continued analysis of the cost and life cycles of buildings.

[10] MetroScan is a service which provides current County Assessor data.

**Table 5: Existing Retail Building Depths Compared to Contemporary Standards**

**TABLE 5**
**STOREFRONT DEPTH**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| | Retail Buildings [1] | | Retail Tenants [2] | |
|---|---|---|---|---|
| **Contemporary Retail Tenant Space Depth Standards** | **Retail Buildings** | **% of Total Buildings** | **Retail Tenants** | **% of Total Tenants** |
| Store Depth 50 Feet or Less (preferred) | 32 | 48% | 64 | 39% |
| Store Depth 50 to 60 Feet (acceptable) | 12 | 18% | 24 | 15% |
| Store Depth 60 to 75 Feet (max usable depth) | 10 | 15% | 38 | 23% |
| Store Depth Greater than 75 Feet (exceeds standards) | 12 | 18% | 37 | 23% |
| **TOTAL** | 66 | 100% | 163 | 100% |

[1] Based on a sample of 66 buildings (67% of total). A total of 32 retail buildings with specialized uses were not included in this analysis including service stations, freestanding fast food restaurants, banks, carwashes, a freestanding drug store, a motel, and a utility building.
[2] Includes retail and services oriented uses.

Source: Assessor parcel size and building data. For parcels where building data was not available, the building area was estimated from aerial photographs. Retail tenants were identified in a windshield survey performed by KMA on October 1, 2007. Retail storefront linear feet is an average estimated from dividing the total building frontage by the number of tenants.

Prepared by: Keyser Marston Associates, Inc.
Filename: Retail Building Depth; 10/26/2007; bm

**Map 5: Retail Building Depths**

MAP 5
Retail Building Depth
Imperial Beach Redevelopment Project

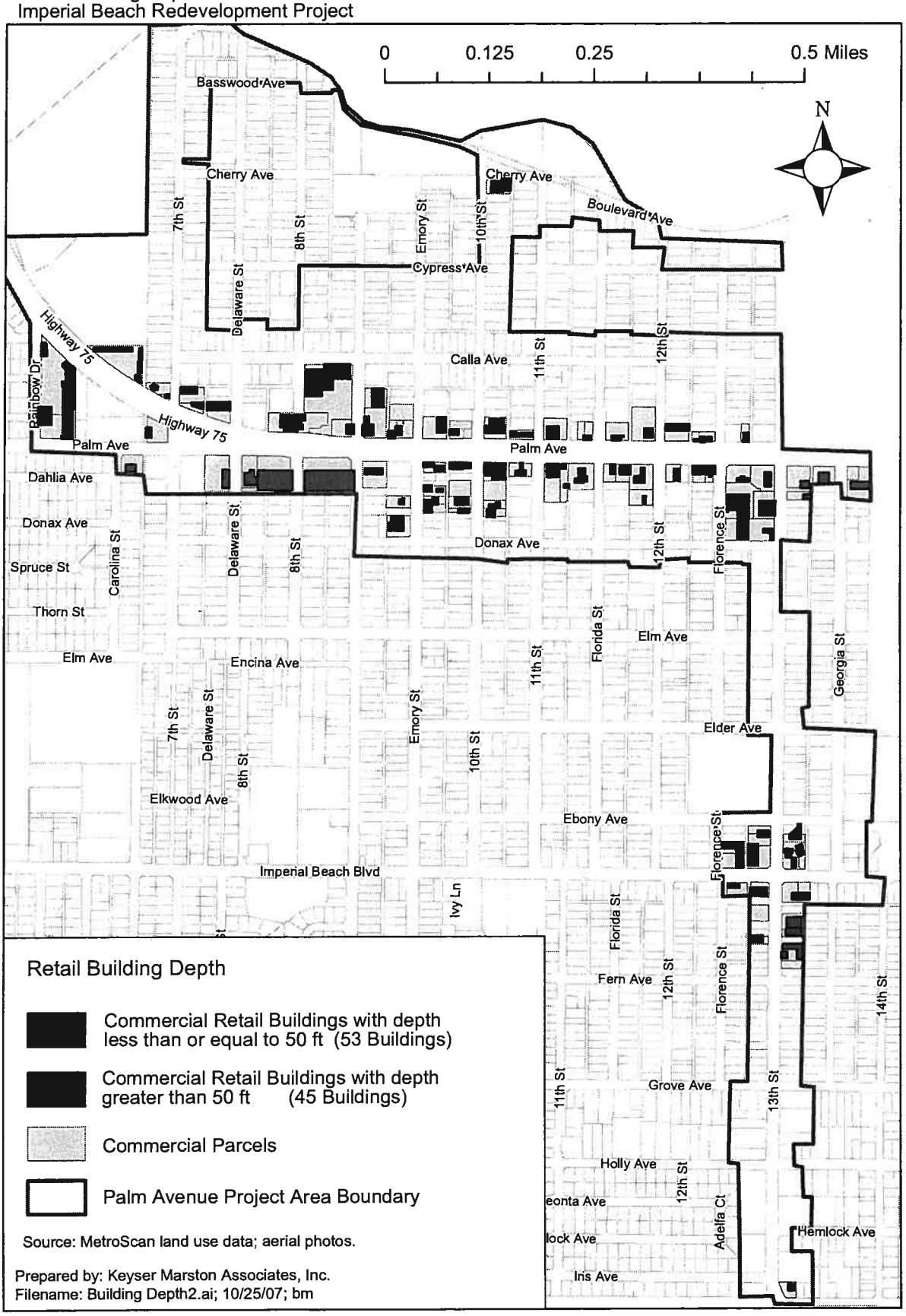


**Table 6: Existing Retail Storefront Width Compared to Contemporary Standards**

**TABLE 6**
**RETAIL STOREFRONT WIDTH**
**Palm Avenue/Commercial Redevelopment Project**

| Retail Buildings [1] | | | Retail Tenants [2] | | |
|---|---|---|---|---|---|
| Total Retail Buildings | Retail Buildings With Tenant Storefronts of Less than 50 Feet in Width | % of Buildings With Less than 50 Feet in Storefront Width | No. of Retail Tenants | No. of Retail Tenants Located in Buildings With Less than 50 Foot Storefront Width | % of Retail Tenants With Less Than 50 Foot Storefront Width |
| 66 | 34 | 52% | 164 | 141 | 86% |

[1] Based on a sample of 66 buildings (67% of total). A total of 32 retail buildings with specialized uses were not included in this analysis including freestanding service stations, fast food restaurants, banks, freestanding drug stores, car washes, a motel, and a utility building.
[2] Includes retail and services oriented uses.

Source: Assessor parcel size and building data. For parcels where building data was not available, the building area was estimated from aerial photographs. Retail tenants were identified in a windshield survey performed by KMA on October 1, 2007. Retail storefront linear feet is an average estimated from dividing the total building frontage by the number of tenants.

Prepared by: Keyser Marston Associates, Inc.
Filename: Retail Storefronts; 10/26/2007; bm

**Map 6: Retail Storefront Width**

MAP 6
Retail Storefront Width
Palm Avenue/Commercial Redevelopment Project

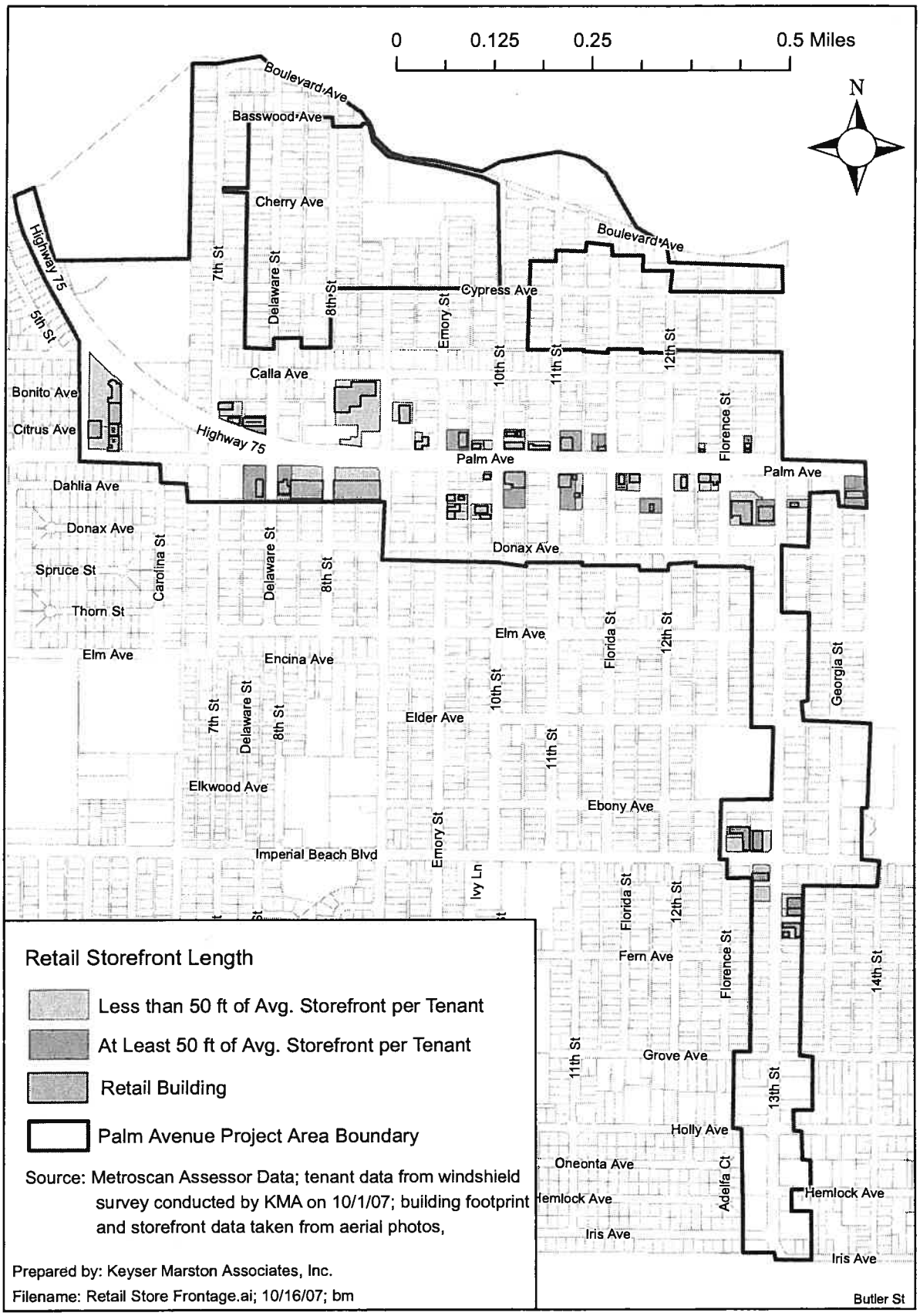


**Table 7: Building Age by Use Type**

**TABLE 7**
**BUILDING AGE BY USE TYPE / USEFUL SERVICE LIFE BY USE TYPE**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| Land Use | | Pre 1950's | | 1950 - 1959 | | 1960 - 1969 | | 1970 - 1979 | | 1980 - 1989 | | 1990 - 1999 | | 2000 - Present | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total No. Buildings | No. Bldgs | % of Total | No. Bldgs | % of Total | No. Bldgs | % of Total | No. Bldgs | % of Total | No. Bldgs | % of Total | No. Bldgs | % of Total | No. Bldgs | % of Total |
| Single Family Residential | 238 | 38 | 16% | 35 | 15% | 23 | 10% | 6 | 3% | 66 | 28% | 56 | 24% | 14 | 6% |
| Multi - Family Residential | 206 | 18 | 9% | 43 | 21% | 42 | 20% | 56 | 27% | 34 | 17% | 8 | 4% | 5 | 2% |
| Commercial Retail | 42 | 1 | 2% | 5 | 12% | 13 | 31% | 11 | 26% | 5 | 12% | 5 | 12% | 2 | 5% |
| Commercial Office | 2 | | | | | 1 | 50% | 1 | 50% | | | | | | |
| Industrial | 2 | | | | | | | 1 | 50% | 1 | 50% | | | | |
| Public/Quasi - Public | 1 | | | | | 1 | 100% | | | | | | | | |
| Vacant Parcels | 3 | | | | | | | | | 1 | 33% | | | 2 | 67% |
| TOTAL | 494 | 57 | 8% | 83 | 11% | 80 | 11% | 75 | 10% | 107 | 15% | 69 | 10% | 23 | 3% |

| Land Use | Typical Useful Service Life (years)[1] | Total No. Buildings | Number of Buildings That Have Reached Useful Service Life | Percent of Buildings That Have Reached Useful Service Life |
|---|---|---|---|---|
| Single Family Residential | 65 | 238 | 10 | 4% |
| Multi - Family Residential | 50 | 206 | 49 | 24% |
| Commercial Retail | 40 | 42 | 18 | 43% |
| Commercial Office | 45 | 2 | 1 | 50% |
| Industrial | 40 | 2 | 0 | 0% |
| Public/Quasi - Public | 60 | 1 | 0 | 0% |
| TOTAL | N/A | 494 | 78 | 16% |

Source: Metroscan Assessor Data, August 2007

Note: This analysis is based on a sample of buildings within the project area. Of the 722 total parcels within the Project Area, 219 did not contain building year information. These parcels were not included, leaving a 494 parcel sample (68%).

[1] Based on the average typical service life for average quality Class D buildings according to the Marshall and Swift Valuation Service.

Prepared by: Keyser Marston Associates, Inc.
Filename: Building Age by Landuse; 10/26/2007; bm

The Assessor has building age data for approximately 68% of the properties within the Project Area. As shown on Map 7, building age information is fairly evenly distributed for properties throughout the Project Area. Although this information is not 100% complete, it does provide a substantial sampling of building age which is assumed to be reflective of the overall building age in the Project Area. Based on available data, 31% of the single-family homes and 30% of multiple-family buildings are 48 years or older and have reached the end of their useful life. The effective life of these buildings can be extended with substantial rehabilitation. However, as noted in the building permit data, only 4% of the single-family residential units in the past 10 years have been issued permits for substantial rehabilitation or new construction. There has been a slightly higher percentage of investment in multiple-family units, with 9% having been rehabilitated or newly constructed. As noted above, commercial buildings have a shorter effective life. Based on Assessor data, 70% of the commercial buildings with data available are 20 years or older. Similar to the residential buildings, only 8% of the commercial buildings have redeveloped or have been substantially rehabilitated in the past 10 years. Based on these trends, the rate of reinvestment is not keeping pace with the need to redevelop the aging building stock.

### 3. Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the Project Area

At the time of Project adoption, the zoning of properties in the Project Area was analyzed to identify the number of properties located in incompatible zones. Of the 2,132 residential units in the Project Area, 111 units (49 single-family and 62 multiple-family units and trailers) were within areas that had commercial zoning designations. These properties were concentrated along Palm Avenue, 13th Street and Florence Street. Residents of these incompatible uses were noted to be the most impacted, as they are subject to traffic, particularly along 13th Street (major thoroughfare to Ream Field Naval Base) and Palm Avenue (the main commercial corridor in the City), noise and, in some cases, fumes caused by commercial businesses.[11]

In addition, there are a number of industrial uses and the City's Public Works Yard located in the predominantly residential area in the northern portion of the Project Area generally referred to as the City's Bayfront Focus Area. As shown in Table 8, based on Assessor data and confirmed by KMA in a windshield survey conducted on October 1, 2007, there is one commercial property and nine industrial properties developed on residential zoned land in the Bayfront Focus Area.

[11] Report to City Council on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, prepared by Katz Hollis, December 1995, page 9.

**Map 7: Generalized Building Age**

MAP 7
Generalized Building Age
Palm Avenue/Commercial Redevelopment Project

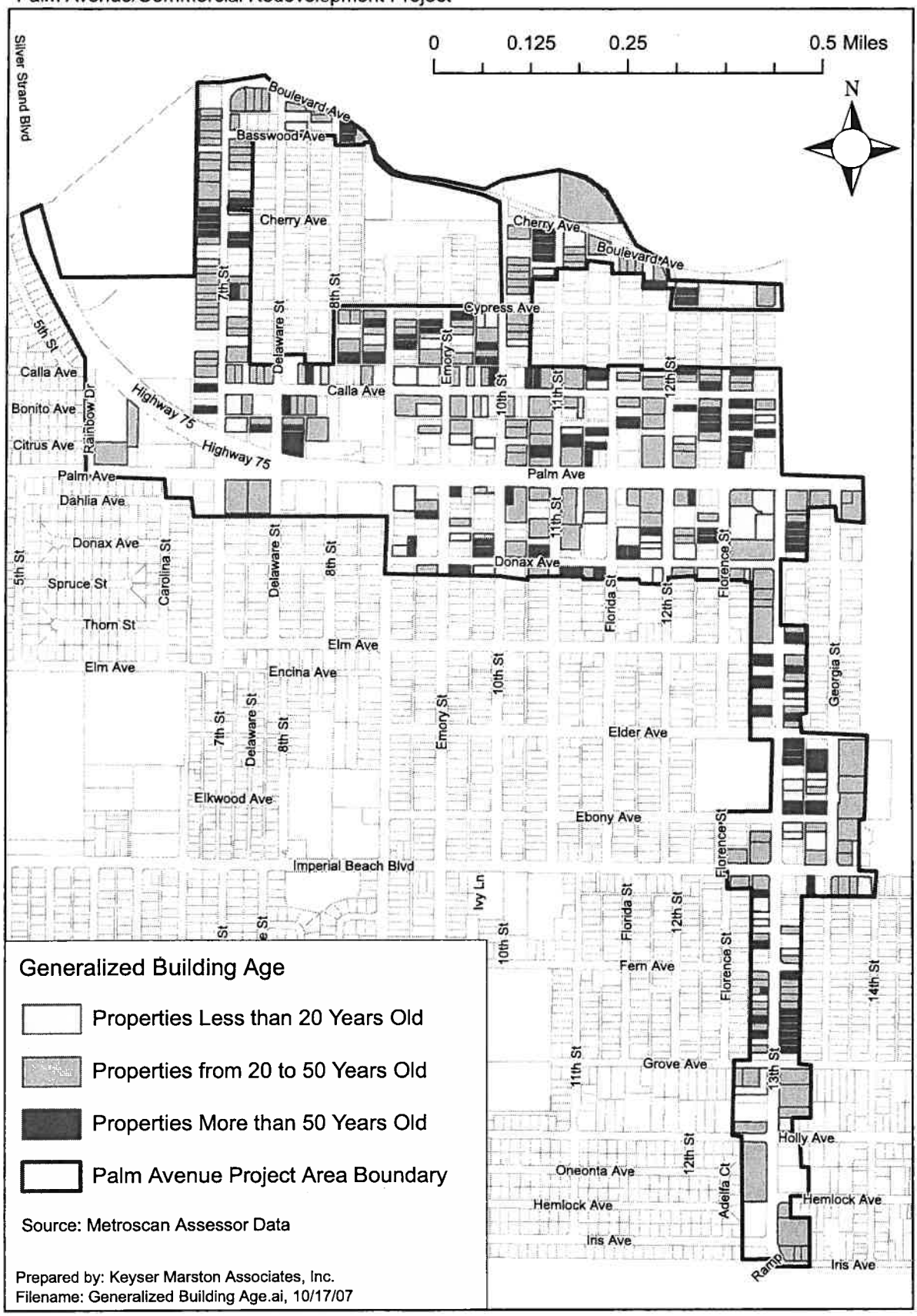


**Table 8: Non-Conforming Parcels and Residential Units**

**TABLE 8**
**NON-CONFORMING PARCELS AND RESIDENTIAL UNITS**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| | Non-Conforming Parcels | | |
|---|---|---|---|
| **Use in Non-Conforming Zone** | Total No. of Parcels | Total No. of Non-Conforming Parcels[1] | % of Non-Conforming Parcels |
| Commercial Properties in a Residential Zone | 102 | 1 | 1% |
| Industrial Properties in a Residential Zone | 9 | 9 | 11% |
| Residential Properties in a Commercial Zone | 552 | 73 | 89% |
| **TOTAL** | 663 | 82 | 100% |
| Non Conforming parcels as a percent of all parcels | | | 12% |

| | Non-Conforming Residential Units | | |
|---|---|---|---|
| **Residential Unit Type** | Total No. of Units [2] | Total No. of Non-Conforming Units | % of Non-Conforming Units |
| Single Family | 264 | 37 | 10% |
| Multiple Family | 1,679 | 151 | 40% |
| RV Park[2] (Bernardo Shores RV Park, located at 500 Highway 75) | 123 | 123 | 33% |
| Trailers[2] (Trailer Park Located at 674 Palm Ave) | 65 | 65 | 17% |
| Other | 1 | 0 | 0% |
| **TOTAL** | 2,132 | 376 | 100% |
| Non-Conforming residential units as a percent of all residential units | | | 18% |

Source: City of Imperial Beach Zoning Code, adopted November 2, 1994; and San Diego County Assessor

[1] Based on windshield survey performed by KMA on October 1, 2007.

[2] Based on Katz Hollis field survey, July 1995, Table 10 Profile of Tenant Occupancy, Report to City Council on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, December 1995.

Prepared by: Keyser Marston Associates, Inc
Filename: Non-Conforming Uses; 10/26/2007; bm

These non-conforming uses are all located in the R-3000 medium residential zones which does not allow for commercial development. The non-conforming commercial property consists of a parcel occupied by California American Water Company located at the corner of Cherry Avenue and 10th Street. The industrial parcels in residential zones are located along Basswood, Cherry and Boulevard Avenues along the San Diego Bay. As part of its long-term economic development strategy, the City has targeted this area, known as the Bayfront Focus Area, for potential conversion of the City's Public Works Yard and adjacent industrial parcels into ecotourism-oriented lodging and a low key cultural museum with cooperation of the property owners and the community.

There are 73 residential uses on commercial parcels located in commercial zones representing 88% of all non-conforming uses. The non-conforming residential uses are located in the C-1 General Commercial zone along Palm Avenue and at two C-3 Neighborhood Commercial nodes along 13th Street. Residential uses are not allowed in commercial zones by right but may be allowed in commercial zones if above certain commercial uses with a conditional use permit. None of the non-conforming uses identified in Table 8 or shown on Map 9 are in mixed-use projects (residential over commercial). The largest numbers of non-conforming residential units are located in the 123-unit recreational vehicle park (Bernardo Shores Mobile RV Park) and the 65-unit Imperial Beach Trailer Park on the south side of Palm Avenue, near the intersection of 7th Street and Palm Avenue. However, even excluding the mobile homes and trailers there are still 188 non-conforming residential units or 50% of the non-conforming residential units and 9% of the total estimated residential units in the Project Area.

It would be expected that values for non-conforming properties would be lower than comparable properties in compatible land use zones. As shown on Table 9, this is true for residential properties in the Project Area. Based on Assessor data, the average assessed value of a non-conforming single-family home in the Project Area is $129,202 compared to $240,539 for the balance of the Project Area or 46% less. Similarly, for multiple-family uses, the average assessed value of non-conforming multiple residential buildings in the Project Area is $243,383 compared to $477,927 for the balance of the Project Area or 49% less. On a per square foot basis, the value for non-conforming single-family homes is even lower. The average value per square foot for a single-family home (building and land) in the Project Area averages $8.59 per square foot compared to $24.13 (64% higher) per square foot for conforming single-family homes in the Project Area and $29.57 (71% higher) per square foot for single-family homes outside the Project Area. The gap between the value per square foot for non-conforming multiple-family dwellings in the Project Area ($32.80) compared with conforming multiple-family dwellings in the Project Area ($36.02) is 9%. Although still significant, the difference is far less dramatic than noted for non-conforming single-family home values. In the balance of the City, the value of conforming multiple-family dwellings ($42.26) is

**Map 8: Location of Non-Conforming Use**

MAP 8
Location of Non-Conforming Uses
Palm Ave/Commercial Redevelopment Project

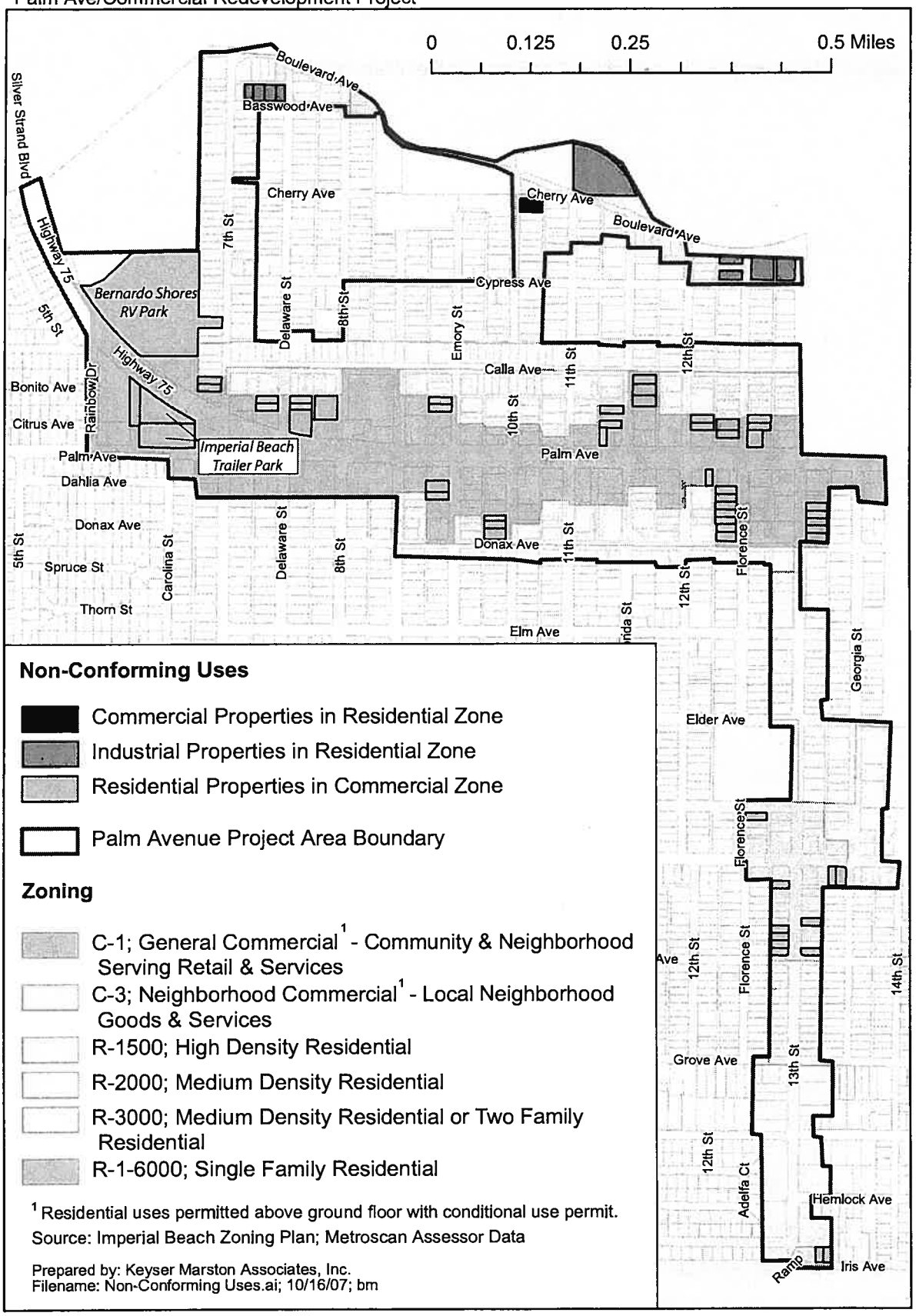


**Table 9: Assessed Values of Non-Conforming Residential Uses**

**TABLE 9**
**ASSESSED VALUE OF NON-CONFORMING USES**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

| | Total Assessed Value | | | | | Assessed Value Per Square Foot | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Average Assessed Value of Non-Conforming Uses in Project Area | Average Assessed Value of Conforming Uses In Project Area | % Diff. | Average Assessed Value Citywide (outside PA) | % Diff. | Average Assessed Value of Non-Conforming Uses in Project Area | Average Assessed Value of Conforming Uses In Project Area | % Diff. | Average Assessed Value Citywide (outside PA) [1] | % Diff. |
| **Single Family Residential** | $129,202 | $240,539 | 46% | $202,334 | 36% | $8.59 | $24.13 | 64% | $29.57 | 71% |
| **Multiple Family Residential** | $243,383 | $477,927 | 49% | $342,489 | 29% | $32.80 | $36.02 | 9% | $42.26 | 22% |

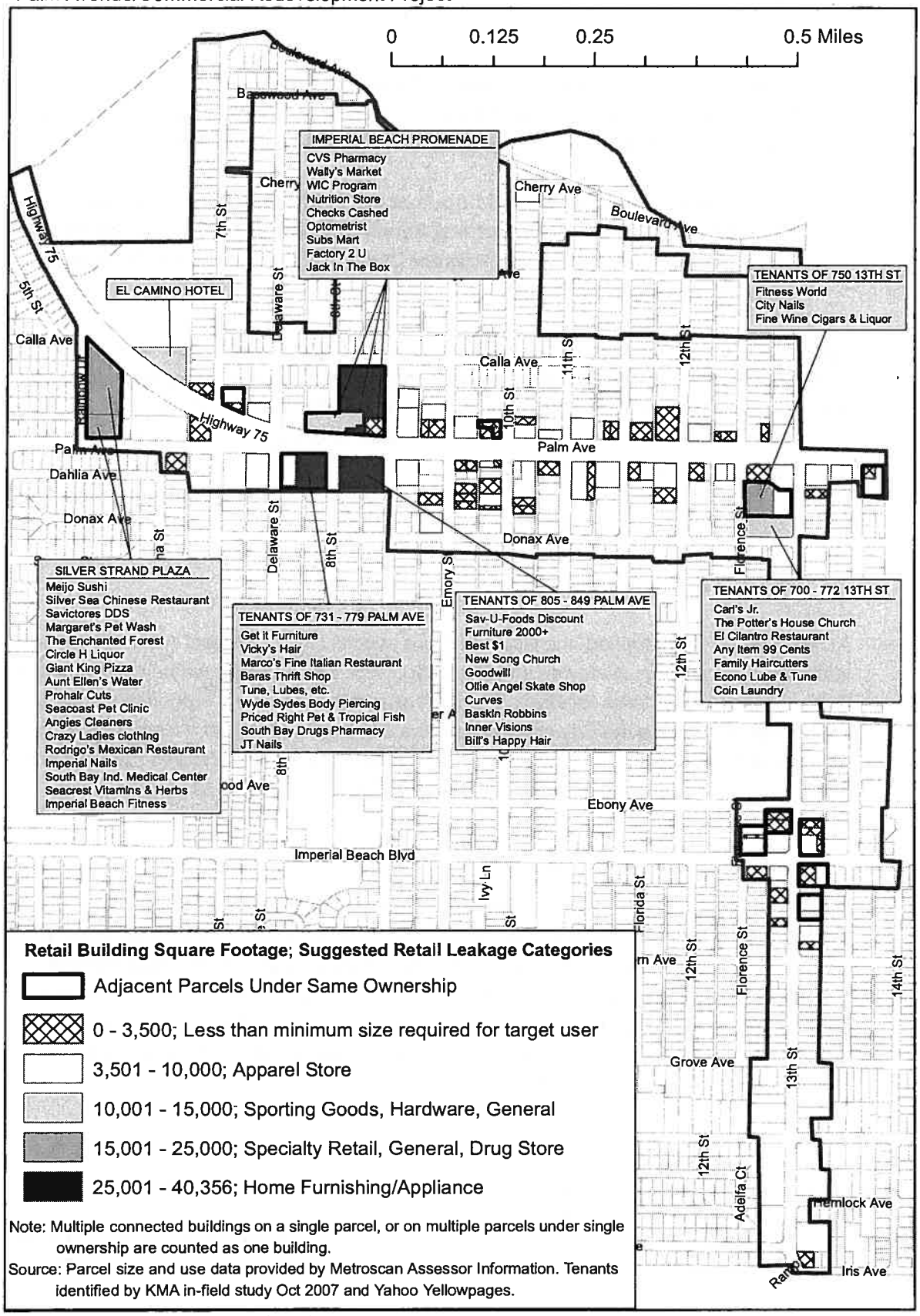
Note: Mobile homes/trailers not included in residential assessed values.
[1] Assessor Data for multiple family residential parcels yielded only 13 parcels outside of the Project Area with lot square footage data necessary to determine assessed value per square foot.

Source: City of Imperial Beach Zoning Code, adopted November 2, 1994; and San Diego County Assessor

Prepared by: Keyser Marston Associates, Inc.
Filename:Non-Conforming Uses; 10/26/2007; bm

**Map 9: Retail Building Square Footage Requirements for Categories of Retail Sales Leakage**

MAP 9
Retail Building Square Footage Requirements for Categories of Retail Sales Leakage
Palm Avenue/Commercial Redevelopment Project




Note: Multiple connected buildings on a single parcel, or on multiple parcels under single ownership are counted as one building.

Source: Parcel size and use data provided by Metroscan Assessor Information. Tenants identified by KMA in-field study Oct 2007 and Yahoo Yellowpages.

Prepared by: Keysert Marston Associates, Inc

Filename: Retail Building Square Footage2.ai; 10/25/07; bm

significantly greater (22%) than non-conforming multiple-family units within the Project Area.

Due to the fact that there is only one non-conforming commercial property and all industrial properties in the City, located in the Project Area, a similar analysis of values of non-conforming uses to similar uses citywide could not be performed.

**4. The Existence of Subdivided Lots that are in Multiple Ownership and Whose Physical Development has been impaired by Their Irregular Shapes and Inadequate Sizes Given Present General Plan and Zoning Standards and Present Market Conditions**

Appropriate parcel size and dimension is necessary if land is to be effectively utilized. In order for property to be attractive for redevelopment, parcels must be large enough to build a structure that not only meets building code standards, but that also accommodates current industry standards. Furthermore, fragmented ownership within the Project Area also limits the development potential of the area because most of the small and irregularly shaped parcels are in single ownership. The issue of inadequate parcel size was noted as an impediment to development at the time of Plan adoption.

i. Background

At the time of Plan adoption, the City and more specifically the Project Area had recently lost two grocery stores (Safeway and Big Bear). The City had initiated negotiations with large chain grocery stores to attract new supermarkets to the City. Negotiations were unsuccessful because the City could not offer a site large enough to accommodate the needs of the supermarkets. In this instance, representatives of the stores stated that a minimum site of three to five acres was needed. The average size of parcels along Palm Avenue is approximately 25,000 square feet, or a little more than half an acre.[12]

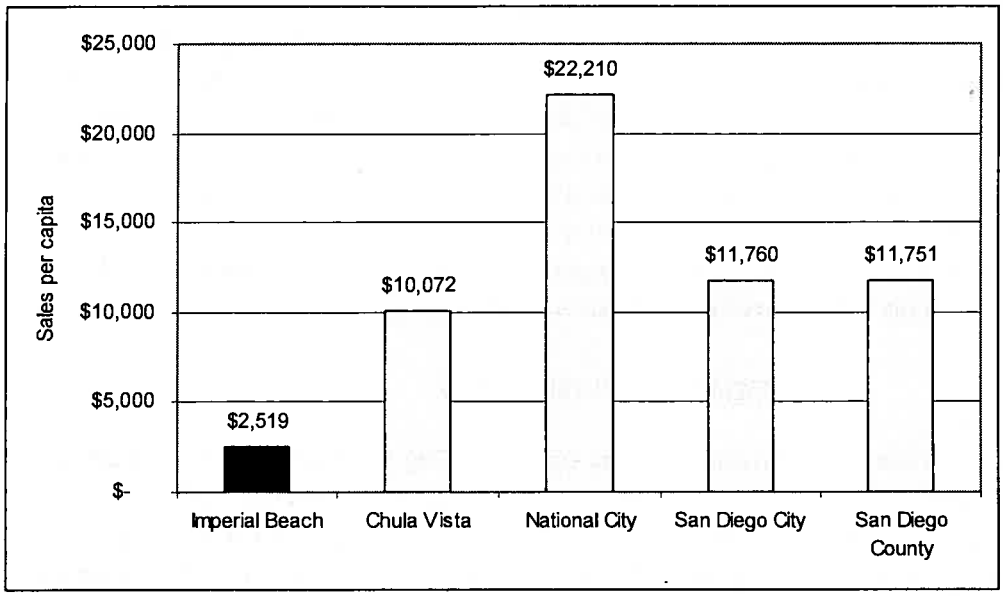
Also, at the time of Plan adoption, it was estimated that the City captured less than 60% of its retail sales market potential. The San Diego Association of Governments (SANDAG) surveyed residents in Imperial Beach in September of 1994 to assess the basic shopping needs of the community. SANDAG found that 52% of those surveyed shopped for apparel outside of the City and 65% shopped for furniture and appliances outside the City. The top two types of businesses most required were a full service grocery store and a department store. A lack of a variety of commercial uses was cited as a factor in retail sales leakage.

[12] Report to City Council on the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, prepared by Katz Hollis, December 1995, page 4.

ii. Underrepresented Retailers and Minimum Site Requirements

The issue of retail sales leakage and lack of commercial development has not changed since Plan adoption. As described in the City's 2004 Comprehensive Annual Financial Report (CAFR), the City had the lowest retail sales per capita in the County, at $2,545 per capita versus per capita sales of $15,482 in San Diego, $10,194 in Chula Vista, and $14,045 in San Diego County overall. As shown in Chart 1, a review of the most recently-available taxable retail sales statistics shows that the low level of retail sales in the City persists. For the one-year period from the fourth quarter of 2005 through the third quarter of 2006, taxable retail sales data for the City was compared to the same data for adjacent cities and the County on a per-capita basis. While the City has per capita sales of $2,519, the cities of San Diego, Chula Vista and National City enjoyed sales per capita of $11,760, $10,072 and $22,210, respectively. Per capita sales in the County stood at $11,751.

**Chart 1: Comparison of Retail Sales Per Capita**




Retail sales from 4th quarter 2005 through 3rd quarter 2006. Source: State Board of Equalization. Population as of 2006 from City-Data.com and U.S. Census.

As discussed below, there is sufficient demand for commercial uses, but if these uses could be attracted to the City, the existing building stock and parcel configuration can't accommodate the larger contemporary retailers.

## Targeted Retailers

The State Board of Equalization reports retail sales tax generated in a City within seven categories:

- Apparel Stores
- General Merchandise Stores
- Food Stores
- Eating and Drinking Places
- Home Furnishing and Appliances
- Building Materials and Farm Implements
- Other Retail Stores

Retail sales leakage is determined by comparing the retail buying potential of a community by category to actual sales in that category. In categories were buying potential in greater than actual sales, residents are shopping elsewhere for these goods. As shown in Table 10, in four of the seven retail categories, the City of Imperial Beach experiences significant retail sales leakage. Although the community would like a full service supermarket, residents in the City buy locally for their food needs and in fact residents outside of the City buy food supplies in the City as indicated by a surplus spending of 43% within this category. In the category of Eating and Drinking Places sales are 8% above the buying potential, indicating a relative equilibrium between demand and supply. However, in the remaining five categories there is significant retail sales leakage with an overall retail sales leakage of 44%.[13]

## Parcel Size Requirements

One of the issues in attracting businesses to the City is the availability of buildings and more particularly sites large enough to accommodate the retailer's building and parking requirements. The following analysis compares the site requirements of regional retailers within the major categories of retail sales leakage to the existing commercial retail parcels within the Project Area. Using Assessor data to identify parcel size and field survey data, retail parcels were identified in the Project Area.

[13] No retail sales figures are reported within the category of Apparel Stores. This is because there are too few stores to report sales and preserve business privacy. However, given the fact that there are so few retailers as to be a privacy issue it can be assumed that leakage occurs in this category given the size of the population in the City. Retail sales from the category of Apparel Stores is included within the category of "Other Retail Stores."

**Table 10: City of Imperial Beach Potential Retail Sales**

**TABLE 10**
**CITY OF IMPERIAL BEACH POTENTIAL RETAIL SALES**
**PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT**

**Share of Income Spent on Retail Goods in Imperial Beach**

| | |
|---|---|
| Population in City of Imperial Beach [1] | 26,656 |
| Per Capita Income [1] | 18,617 |
| Gross City of Imperial Beach Income [1] | 496,254,752 |

| Establishment Type | Imperial Beach Sales [2] ($000s) | Income Share [3] | Imperial Beach Potential Sales [4] ($000s) | Income Share [3] | Surplus/ (Leakage) ($000s) | (%) |
|---|---|---|---|---|---|---|
| Apparel Stores [5] | N/A | N/A | 7,099 | 1.4% | N/A | N/A |
| General Merchandise Stores [6] | 5,802 | 1.2% | 22,466 | 4.6% | (16,665) | (74%) |
| Food Stores [7] | 30,010 | 6.1% | 20,960 | 4.3% | 9,051 | 43% |
| Eating & Drinking Places | 18,200 | 3.7% | 16,847 | 3.4% | 1,353 | 8% |
| Home Furnishing & Appliances | 1,044 | 0.2% | 6,183 | 1.3% | (5,139) | (83%) |
| Building Materials & Farm Imp. | 251 | 0.1% | 13,789 | 2.8% | (13,538) | (98%) |
| Other Retail Stores [8] | 13,463 | 2.7% | 22,795 | 4.7% | (9,332) | (41%) |
| Retail Stores Total | 62,723 | | 111,593 | | (48,870) | (44%) |
| Retail Expenditures as Share of Income [3] | | 14% | | 22% | | |

Source: State Board of Equalization, Claritas, US Census Bureau, California Department of Finance

[1] Population and income data taken from Claritas, September 2007.
[2] All sales data adjusted for inflation to October 2007 dollars.
[3] Share of income determined from the gross income of the City of Imperial Beach.
[4] Imperial Beach Potential Sales is based on the income share percentages of San Diego County.
[5] Sales totals for this class of retail businesses are not shown because their publication would result in the disclosure of confidential information. These totals are included with Other Retail Stores.
[6] Assumes that general merchandise stores are 95% taxable.
[7] Assumes that Food Stores are 35% taxable.
[8] Includes apparel stores, auto dealers, auto supply, specialty retailers, and others.

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In instances where adjoining parcels are under the same ownership, the parcels are considered as a single parcel. Building sizes were estimated from aerial photographs.

Shown on Table 11 are the five categories of retail sales leakage (Apparel Stores included) within the City of Imperial Beach. For purposes of identifying the needs for regional/national retailers within these categories, sample retailers have been identified for each of the retail sales categories including: Apparel Stores (Chico's, the Gap, TJ Maxx); General Merchandise Stores (i.e. Longs, Walgreens, Big Lots); Home Furnishings and Appliances (i.e. Best Buy, Bed Bath & Beyond, Linens N' Things); Building Materials and Farm Implements (i.e. ACE Hardware, Home Depot, Orchard Supply); and Other Retail (Big 5, Michael's, Staples).

With the exception of large apparel stores such as TJ Maxx, smaller specialty apparel stores could be accommodated on the majority of the retail parcels. However, the remaining four categories require parcel sizes ranging from 10,000 to 115,000 square feet. As shown on Map 10, only six parcels or 7% of the 98 retail parcels are large enough to accommodate these uses including the Silver Strand Plaza, Imperial Beach Promenade, 700 Palm Avenue (includes South Bay Drugs and Pharmacy), the former El Camino Hotel, 800 Palm Avenue (includes Goodwill), 750 Palm Avenue (includes Fitness World) and 700 13th Street (includes Econo Lube & Tune). With the exception of the vacant El Camino Hotel and 700 and 800 Palm Avenue, which have been the subject of past and recent Requests for Proposals for development issued by the Agency and marketed as a single site, the other large parcels have been redeveloped and no other parcels are large enough to accommodate the targeted retailers. This means that to accommodate large retailers, site assembly will be required. In other words, the vast majority of the retail parcels within the Project Area are of inadequate size to accommodate contemporary retailers within the categories of demand. It can be assumed that these parcels are also of irregular shape for these same contemporary uses because they do not have adequate dimensions (shape) to provide the necessary parcel area for development.

**Table 11: Sales Leakage Categories and Related Building and Parcel Size Requirements**

TABLE 11
SALES LEAKAGE CATEGORIES AND RELATED BUILDING AND PARCEL SIZE REQUIREMENTS
PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT

| Apparel Store | Preferred Building Size Range (Sq Ft) | No. Buildings in Range or Above Minimum Req. [1] | % of Total [2] | Minimum Parcel Req. (Acres) | No. Parcels > Minimum Req. [3] | % of Total [4] |
|---|---|---|---|---|---|---|
| Chico's | 3,500 + | 50 [5] | 51% | 0.1 | 89 | 91% |
| GAP | 6,000 - 10,000 | 18 | 18% | 0.2 | 63 | 64% |
| TJ Maxx | 30,000 + | 2 [6] | 2% | 2.07 | 1 | 1% |
| | | | | | Average | 52% |

| General Merchandise Store | Preferred Building Size Range (Sq Ft) | No. Buildings in Range | % of Total | Minimum Parcel Req. (Acres) | No. Parcels > Minimum Req. | % of Total |
|---|---|---|---|---|---|---|
| Big Lots | 20,000 - 60,000 | 5 [7] | 5% | 1.38 | 3 | 3% |
| Longs Drugs | 16,000 - 23,000 | 3 [8] | 3% | 1.1 | 4 | 4% |
| Walgreens | 12,000 - 18,000 | 3 [9] | 3% | 1.72 | 2 | 2% |
| | | | | | Average | 3% |

| Home Furnishing & Appliances | Preferred Building Size Range (Sq Ft) | No. Buildings in Range | % of Total | Minimum Parcel Req. (Acres) | No. Parcels > Minimum Req. | % of Total |
|---|---|---|---|---|---|---|
| Bed, Bath & Beyond | 35,000 - 50,000 | 2 [6] | 2% | 2.41 | 1 | 1% |
| Best Buy | 30,000 - 45,000 | 2 [6] | 2% | 2.07 | 1 | 1% |
| Linens N' Things | 25,000 - 37,500 | 3 [10] | 3% | 1.72 | 2 | 2% |
| | | | | | Average | 1% |

| Building Materials & Farm Imp. | Preferred Building Size Range (Sq Ft) | No. Buildings in Range | % of Total | Minimum Parcel Req. (Acres) | No. Parcels > Minimum Req. | % of Total |
|---|---|---|---|---|---|---|
| ACE Hardware | 12,000 - 15,000 | 2 [11] | 2% | 0.82 | 8 | 8% |
| Home Depot | 95,000 - 115,000 | 0 | 0% | 6.8 | 0 | 0% |
| Orchard Supply Hardware | 55,000 - 61,000 | 0 | 0% | 4.75 | 0 | 0% |
| | | | | | Average | 3% |

| Other Retail | Preferred Building Size Range (Sq Ft) | No. Buildings in Range or above Minimum Req. | % of Total | Minimum Parcel Req. (Acres) | No. Parcels > Minimum Req. | % of Total |
|---|---|---|---|---|---|---|
| Big 5 | 10,000 - 20,000 | 4 [12] | 5% | 0.5 | 20 | 20% |
| Michael's | 18,000 - 21,000 | 1 [13] | 3% | 1.25 | 3 | 3% |
| Staples | 20,000 + | 5 [7] | 5% | 1.38 | 3 | 3% |
| | | | | | Average | 9% |

Source: Nadel Research Architects; Retail Tenant Profiles and Developer Advertising Sheets, ICSC Conference (March 17 - 18); KMA 2007 list of "Major Retailers with Expansion Plans in California."

[1] Building area estimated from aerial photograph.
[2] Based on an aerial count of 98 retail buildings in the Project Area. Assessor data was used to identify retail land uses and an aerial photograph was consulted to count the buildings on the retail designated parcels.
[3] Existing retail parcels identified by Metroscan assessor information, September 2007.
[4] Based on a total of 98 retail parcels in the Project Area.

[5] Includes the 8 largest buildings in the Project Area which consist of the Imperial Beach Promenade, Silver Strand Plaza, El Camino Hotel, and four strip centers located at 700 13th St, 750 13th St, 731 Palm Ave, and 805 Palm Ave.
[6] Includes the 2 largest buildings in the Project Area which consist of the Imperial Beach Promenade and the Strip Center at 805 Palm Ave.
[7] Includes the 5 largest buildings in the Project Area which consist of the Imperial Beach Promenade, Silver Strand Plaza, and the Strip Center at 805 Palm Ave.
[8] Includes 2 buildings within Silver Strand Plaza and one at the Strip Center located at 750 13th St.
[9] Includes the CVS Drug Store at the Imperial Beach Promenade as well as two buildings from the 700 and 750 13th St strip centers.
[10] Includes the 3 largest buildings in the Project Area which consist of the Imperial Beach Promenade and the strip centers at 731 and 805 Palm Ave.
[11] Includes the CVS Drug Store at the Imperial Beach Promenade as well as the strip center located at 700 13th St
[12] Includes the CVS Drug Store at the Imperial Beach Promenade, two buildings from the strip centers located at 700 and 750 13th St, and The El Camino Hotel.
[13] Includes the 731 Palm Ave strip center

Note: Retail Sales Leakage Categories based on Potential Retail Sales Table.
Note: The strip centers at 731 and 805 Palm Ave are actually multiple buildings with separate connected rooves.

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## C. ECONOMIC CONDITIONS THAT CAUSE BLIGHT

### 1. Depreciated or stagnant property values

#### a. *Property Sales Prices*

The Report to the City Council prepared for the adoption of the Redevelopment Plan indicated that sales prices for residential properties were at least 26% below sales prices for residential properties in the remainder of the City. Local real estate brokers interviewed indicated that the lower sales prices could be attributed in part to the age of the properties, the existence of illegal units on the properties, the close proximity of apartments to single-family homes, and the deteriorated condition of portions of the housing stock.

In order to assess current property sales prices, data on recent property sales (2004 through September 2007) were analyzed for the apartment and retail properties in the Project Area. Results of these analyses are summarized in the following paragraphs.

Retail Property Sales Prices

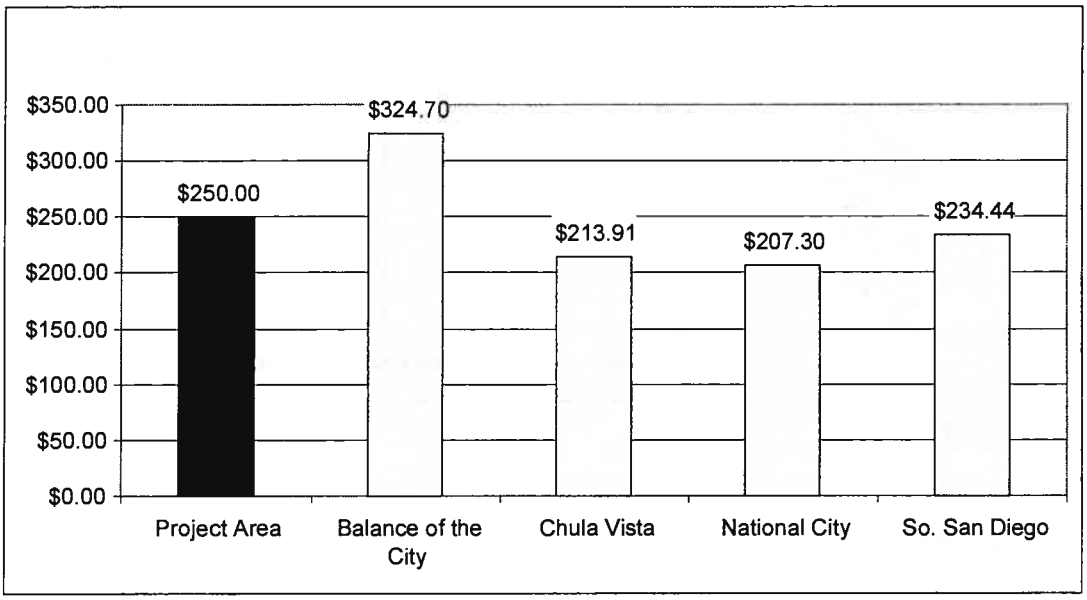
Retail property sales prices within the Project Area were compared to sales prices for retail properties in the balance of the City[14] and nearby competing areas (southern San Diego (east of the City border)), Chula Vista and National City as these areas provide the alternative shopping venues for residents in the City.

The seven retail properties transacted in the Project Area were comprised of five freestanding retail buildings constructed in the 1950s and 1960s, one retail strip center constructed in 1969 and a retail building constructed in 1992. All but one of the buildings were less than 10,000 square feet in building area and all were constructed on properties that were less than one-half acre in area. An initial comparison revealed that the median sales price in the Project Area was higher than the median sales prices for retail properties in the Chula Vista, National City and south San Diego (see Chart 2) though it was lower than the median for the balance of the City. However, the majority of retail properties transacted in Chula Vista and National City were also older, smaller stand alone retail properties. However, these older properties in National City and Chula

[14] Although the majority of commercial uses within the City are located in retail along other portions of Palm Avenue and on Sea Coast Drive adjacent to Ocean frontage.

Vista house local-serving retailers providing convenience goods[15] and services for residents in the immediate neighborhood and are also not suited for contemporary retail uses either.

**Chart 2: Retail Property Sales Prices – All Properties**




Source: Loopnet, CoStar

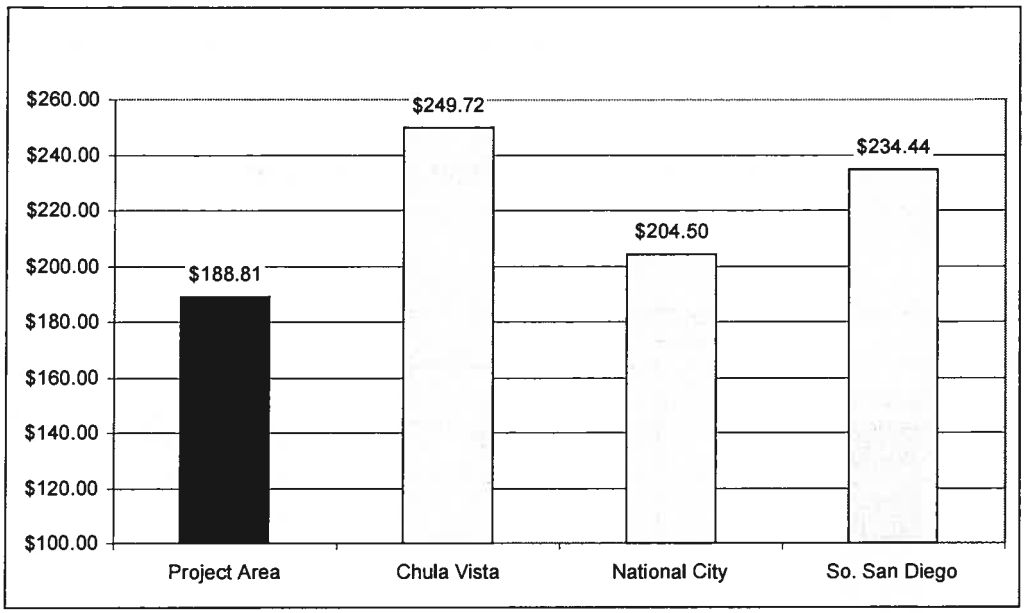
When sales prices are compared to the newer retail centers (those constructed between 1980 and 2007 and generally geared toward broader contemporary community-serving retailers such as supermarkets, general merchandise, household furnishings and other comparison goods[16]), sales prices are below the comparison areas. As shown in Chart 3, the median sales price per square foot in the Project Area was below the median in all of the comparison areas.[17]

[15] Convenience goods are items that buyers want to purchase as conveniently as possible and are generally non-durable goods of low value that are frequently purchased in small quantities (i.e. groceries, sundries and small impulse purchases). Source: Enotes.com, Encyclopedia of Business and Finance. http://business.enotes.com/business-finance-encyclopedia/consumer-industrial-goods/print.

[16] Comparison (shopping) goods are those that are of higher value than convenience goods and generally purchased after the buyer compares the products of more than one store or looks at more than one assortment of goods before purchasing. Source: Enotes.com, op. cit.

[17] The balance of the City was not included in this comparison since all the properties transacted were freestanding buildings under 3,000 square feet in area.

**Chart 3: Retail Property Sales: Project Area vs. Newer (1980-2007) Retail Properties**



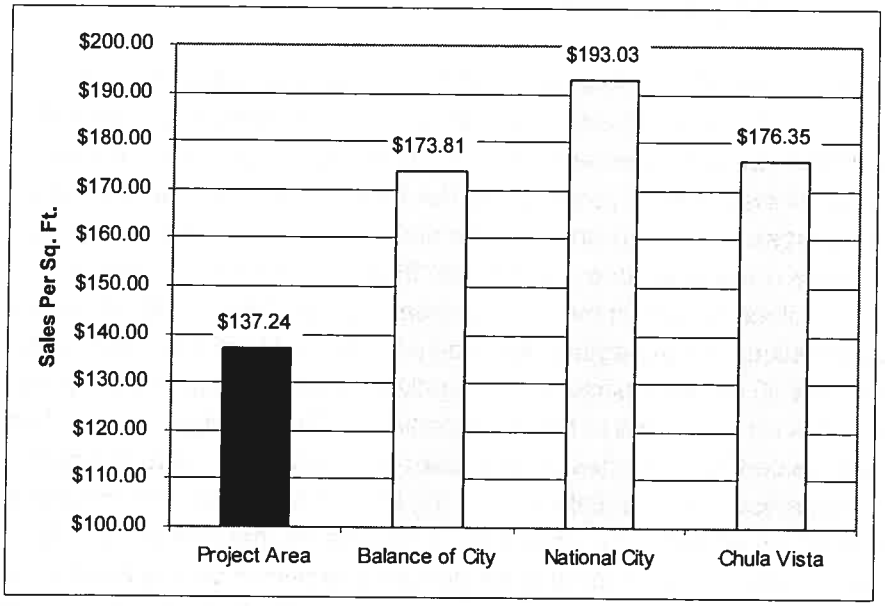

Source: Loopnet

Apartment Property Sales Prices

Apartment property sales prices in the Project Area were compared to prices in the balance of the City and in National City and Chula Vista. The apartments transacted in the Project Area were comprised of properties ranging between roughly 4,200 and 93,000 square feet and included from 4 to 80 units. Most of the properties were no larger than 20,000 square feet in building area and had fewer than 30 units. The comparison properties for National City and Chula Vista were limited to those that had between 3 and 40 units and therefore are comparable.[18] As shown in Chart 4 and Chart 5, on both a per-square-foot basis and on a per-unit basis, sales prices were below the comparison areas. Sales prices in the balance of the City were 27% higher per square foot, while sales prices were 41% and 28% higher in National City and Chula Vista, respectively.

[18] Larger apartment complexes are more frequently under corporate ownership; professionally managed, and provide amenities such as gyms and recreational facilities not typically provided for smaller properties and therefore typically are not comparable to smaller apartment complexes. Thus they were excluded from the analyses.

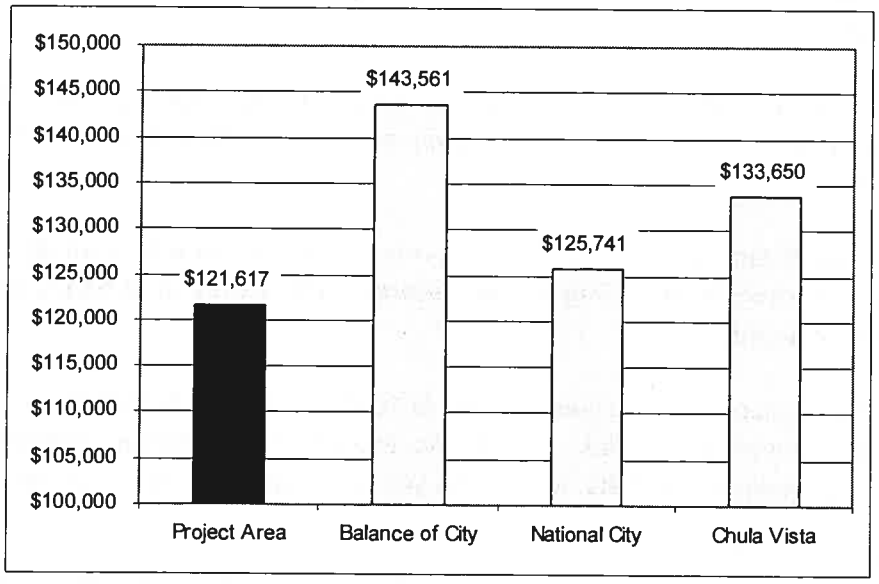
**Chart 4: Apartment Sales Comparables – Price Per Square Foot**




Source: Loopnet

On a price per unit basis, sales prices were also lowest in the Project Area, though the per-unit sales price was only 3% higher in National City. In the balance of the City, sales prices were 18% higher and 10% higher in Chula Vista.

**Chart 5: Apartment Sales Comparables – Price Per Unit**




Source: Loopnet

*b. Property Assessed Values*

As described in Subsection III.B in this Report, the assessed value of the non-conforming properties in the Project Area are significantly lower than those of conforming uses. Eighteen percent of the residential properties are in commercial zones, and all of the industrial properties in the Project Area (representing all of the industrial properties in the City) are in residential zones. One of the commercial properties is in a residential zone. Combined, these non-conforming properties represent 12% of the parcels in the Project Area. The analysis of total assessed value and assessed value on a per-square-foot basis for the residential properties shown on Table 9 on page 36 herein illustrates the negative impact of the presence of non-conforming uses on the values of these properties.[19] The average assessed value of single-family residential properties is 46% lower than assessed value of single-family residential properties in residential zones in the Project Area and 36% lower than assessed value for single-family residential property in the balance of the City. On a per-square-foot basis, non-conforming single-family assessed values are 64% and 71% lower than the assessed value for conforming parcels in the Project Area and the balance of the City, respectively.

For multi-family residential parcels, the assessed value for non-conforming parcels are 49% lower than the assessed value for conforming parcels in the Project area and 29% lower than the assessed value in the balance of the City. On a per-square-foot basis, assessed value for the non-conforming properties are 9% and 22% lower than the assessed value for conforming parcels in the Project Area and the balance of the City, respectively.

These data indicate that the residential non-conforming uses, which represent 11% of the parcels in the Project Area, are depreciated relative to similar properties in the Project Area and the City.

**2. A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.**

When the Redevelopment Plan was adopted in 1995, the Project Area lacked a number of necessary commercial facilities. At that time, there was only one supermarket (Wally's), 8 convenience markets, four banks and one drug store. A survey conducted

[19] The industrial property in the Project Area comprises all of the industrial property in the City, therefore no comparison could be made. Because there was only one commercial non-conforming property, a comparison to conforming commercial property would not be meaningful.

by SANDAG revealed that the majority of respondents purchased goods and services (clothing, health services, furniture, appliances/electronics) outside of the City. Survey respondents also indicated that they felt discouraged from shopping in the City due to three key reasons: 1) the stores they wanted to shop in were not in the City; 2) the shopping areas were poorly maintained and unattractive; and 3) there was no shopping center in the City.

During a survey of business tenants conducted in October 2007, there was still only one supermarket (Wally's), seven convenience markets, two banks and one credit union, and three drug stores. It was noted that there were also three small discount stores and three check-cashing businesses in the Project Area. These data indicate that while the number of pharmacies has increased, the Project Area still has only one supermarket and offers fewer full-service banks and convenience markets. Although retail sales would indicate that food store shopping needs are being met in the community, this is likely attributed to the necessity of shopping locally at the convenience stores for every day food needs rather than an indication that a single full service grocery store is eager to service the community. As previously described in this Report, there has been little new development of necessary commercial facilities in the Project Area, with building permits issued for two new buildings and permits for major rehabilitation for only four properties. These developments include the construction of a new 2-story medical center, a new/remodeled Union Bank building, and a car wash on Palm Avenue; and two retail strip centers on 13th Street; and a retail strip center on Imperial Beach Boulevard. One of the major impediments to the development of new necessary commercial facilities is the fact that many of the commercial parcels are small in size and under separate ownership. A regional chain grocery store such as a Vons or Albertsons typically requires a site size of 2.5 to 3.5 acres. Besides Wally's, there are only two parcels large enough to accommodate a grocery store. The lack of a development site of sufficient size has made it difficult to attract the types of retail businesses that residents would patronize rather than going to adjacent communities to shop.

### 3. Serious residential overcrowding that has resulted in significant public health or safety problems

At the time of adoption, based upon 1990 U.S. Census data, it was estimated that within the Census tracts that overlay the Project Area, 17% of households were overcrowded, with almost 8% in severely overcrowded households. A review of 2000 Census data for the 3 Census tracts that overlay the Project Area indicates that overcrowding conditions have actually worsened in the Project Area and vicinity (see Table 12). Overall, the percentage of overcrowding households has increased to 28%. The proportion of severely overcrowded household has increased from roughly 8% in 1990 to 15% in 2000. In addition, the percentage of overcrowded housing units exceeds the Citywide

percentage (at 20%) and the San Diego County percentage (12%). The Project Area percentage of overcrowded households is more than double the Countywide average.

**Table 12: Percent of Overcrowded Housing Units**

| Persons Per Room | | Project Area | Imperial Beach | San Diego County |
|---|---|---|---|---|
| 1.00 or Less | (Ideal) | 72% | 81% | 88% |
| 1.01 - 1.50 | (Overcrowded) | 13% | 9% | 5% |
| 1.51 or more | (Severely Overcrowded) | 15% | 11% | 7% |

Source: U.S. Census Bureau

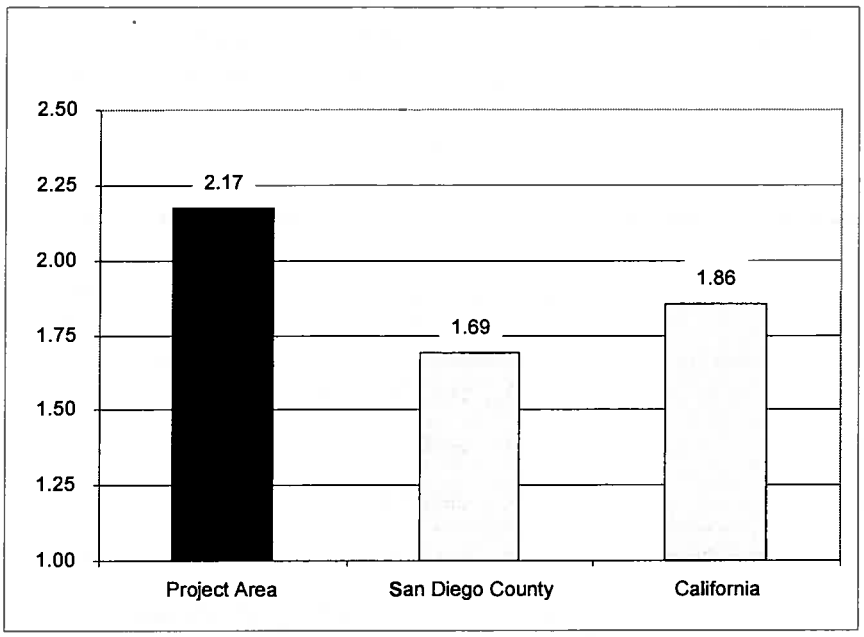
### 4. An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant in public health, safety, or welfare problems

At the time of adoption, it was noted that there were 31 liquor outlets within the Project Area (7 bars and 24 other liquor outlets including liquor stores), a gun shop and an adult bookstore and theater. In addition, the alcoholic beverage outlet ratio in the City was nearly three times higher than that of the State as there was one outlet for every 538 residents in the City versus one outlet for every 1,395 residents Statewide. In 1995, all of the 31 liquor outlets and the other adult oriented business were located within the crime reporting district or beat 702, which was ranked by the County Sheriff's Department as the area with the highest incidence of FBI Index crimes in San Diego County. There were multiple instances of crimes at many of these businesses, including incidents or robbery, assault, attempted murder, and sexual assaults.

In a visual survey of the Project Area conducted in October 2007, 30 adult-oriented businesses were identified including 28 liquor outlets, a tobacco store and one adult bookstore. As in 1995, the adult-oriented uses are located along Palm Avenue and 13th Street (see Map 10) and are in beat 702. The number alcohol outlets per 1,000 persons in the Project Area and immediate environs,[20] was compared to the same ratio for the County as a whole. As shown in Chart 6, the Project Area has 2.17 alcohol outlets per 1,000 persons versus only 1.69 outlets per 1,000 persons Countywide, thus the concentration of liquor outlets in the Project Area is 29% higher than the Countywide average and 17% higher than the State average. As will be described in the following subsection of this Report, beat 702 remains one of the high crime areas within San Diego County.

[20] The three census tracts that overlay the Project Area.

**Chart 6: Retail Alcohol Licenses Per 1,000 Persons**




Number of retail alcoholic beverage licenses as of June 30, 2007. Source: California Department of Alcoholic Beverage Control website, Oct. 24, 2007 at: http://www.abc.ca.gov/datport/SubscrMenu.asp.

In addition to having a relatively high percentage of liquor outlets, the Project Area exceeds the Countywide limits for the number of liquor outlets, indicating that Imperial Beach has a disproportionate share of liquor outlets. The ABC limitations on the number of liquor licenses issued is applied on a Countywide basis to each County in California in accordance with Section 23815 of the Business and Professions Code. The limitations are established based upon the type of license issued. "On-Sale" licenses are issued to licensees that will serve alcohol on their premises. These types of businesses include bars, restaurants, private and social clubs, and similar business operations. "Off-Sale" licenses are issued to licensees that will sell alcohol for consumption off the business premises. Off-Sale licensees include liquor and grocery stores, and similar operations. These types of "retail" licenses are further divided into those that allow the sale of beer and wine only, and "general" licenses that allow the sale of all types of alcoholic beverages.

While individual jurisdictions may have numbers of liquor licenses that exceed the average for the County, a comparison of the number of licenses in an area to the number of licenses allowed in a specific county can indicate whether an area has a relatively high concentration of liquor outlets. As shown on Table 13, while the number of On-Sale General licenses (which generally include restaurants, bars and nightclubs that serve all types of alcoholic beverages) is 30% below the Countywide average, the

number of Off-Sale General licenses (stores that sell all types of alcoholic beverages) is double the Countywide average and combined, the number of Off-Sale Beer and Wine and Off-Sale General licenses exceeds the Countywide average by 50%. These data are further indication of the high concentration of alcoholic beverage outlets in the Project Area.

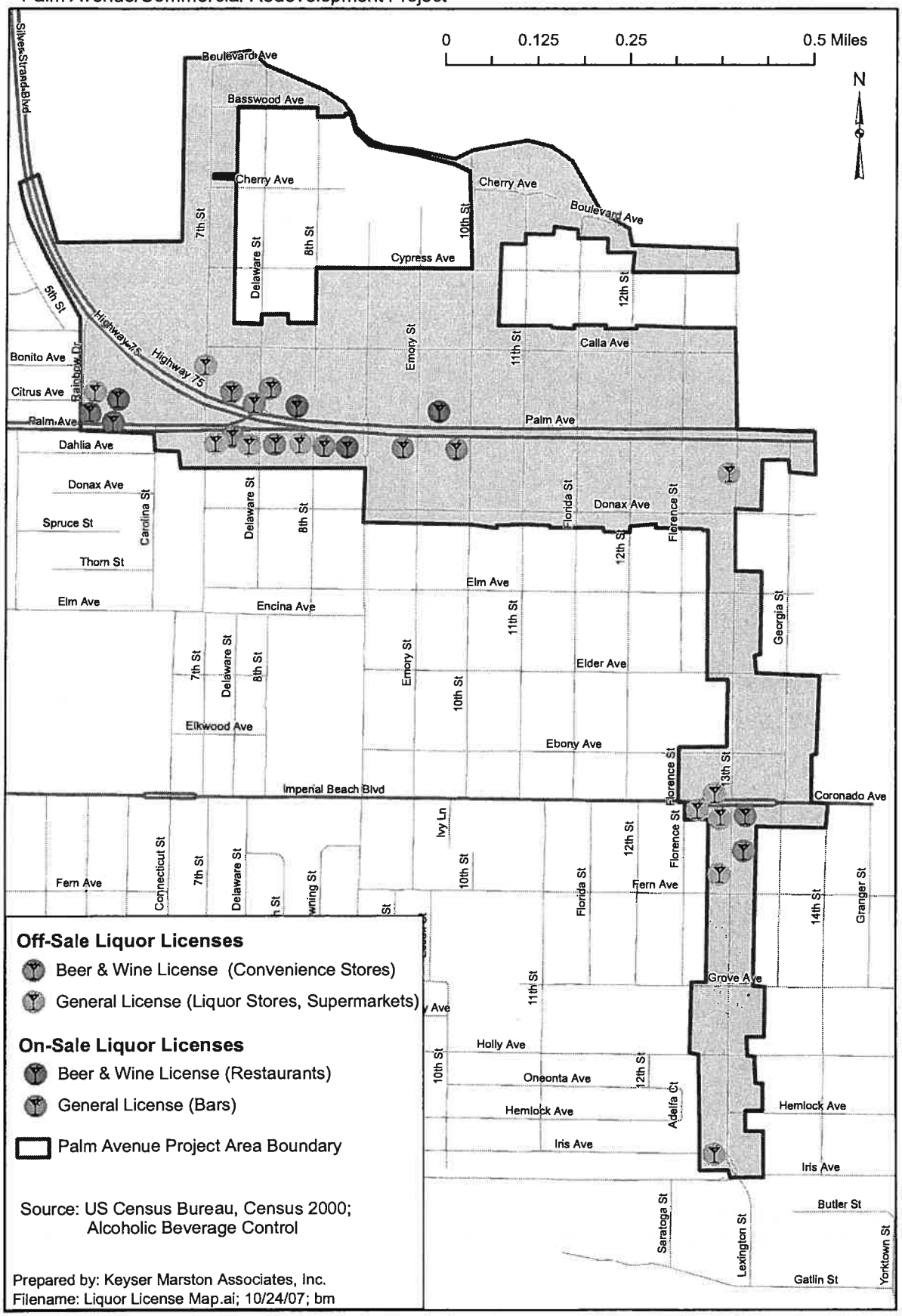
**Table 13: Ratio of Alcoholic Beverage Licenses in the Project Area vs. Countywide Limits**

| License Type | ABC Limit per County (by no. of persons) | Project Area | Percent +/- ABC Limits |
|---|---|---|---|
| On-Sale General | 1 per 2,000 | 0.7 | -30% |
| Off-Sale General | 1 per 2,500 | 2.0 | 100% |
| Off-Sale Beer/Wine | 1 per 2,500 | 1.1 | 10% |
| Off-Sale Beer/Wine + Off-Sale General | 1 per 1,250 | 1.5 | 50% |

Source: California Department of Alcoholic Beverage Control website at http://www.abc.ca.gov/.

**Map 10: Location of Retail Liquor Licenses**

MAP 10
Liquor License Distribution
Palm Avenue/Commercial Redevelopment Project



### 5. A high crime rate that constitutes a serious threat to the public safety and welfare

At the time of adoption of the Redevelopment Plan, the level of crime within the Project Area was considered "excessively high" by the San Diego Sheriff's Department (SDSD). Over 50% of the Project Area was located in beat 702, which had the highest crime rate of any of the top ten beats patrolled by the SDSD. Beat 702 and the other 2 beats that overlay the Project Area were contributors to the fact that the City had the highest "calls for service" level within SDSD jurisdiction and that Imperial Beach had a crime rate 65% higher than the County overall.

A review of 2006 crime statistics for the three beats that overlay the Project Area (beats 702, 705 and 710) and the City revealed that the Project Area continues to have a disproportionate share of crime in Imperial Beach. As shown in Table 14, the Project Area beats account for over 50% of crime in 12 of the 14 crime categories tracked.[21]

**Table 14: 2006 Crime Statistics**

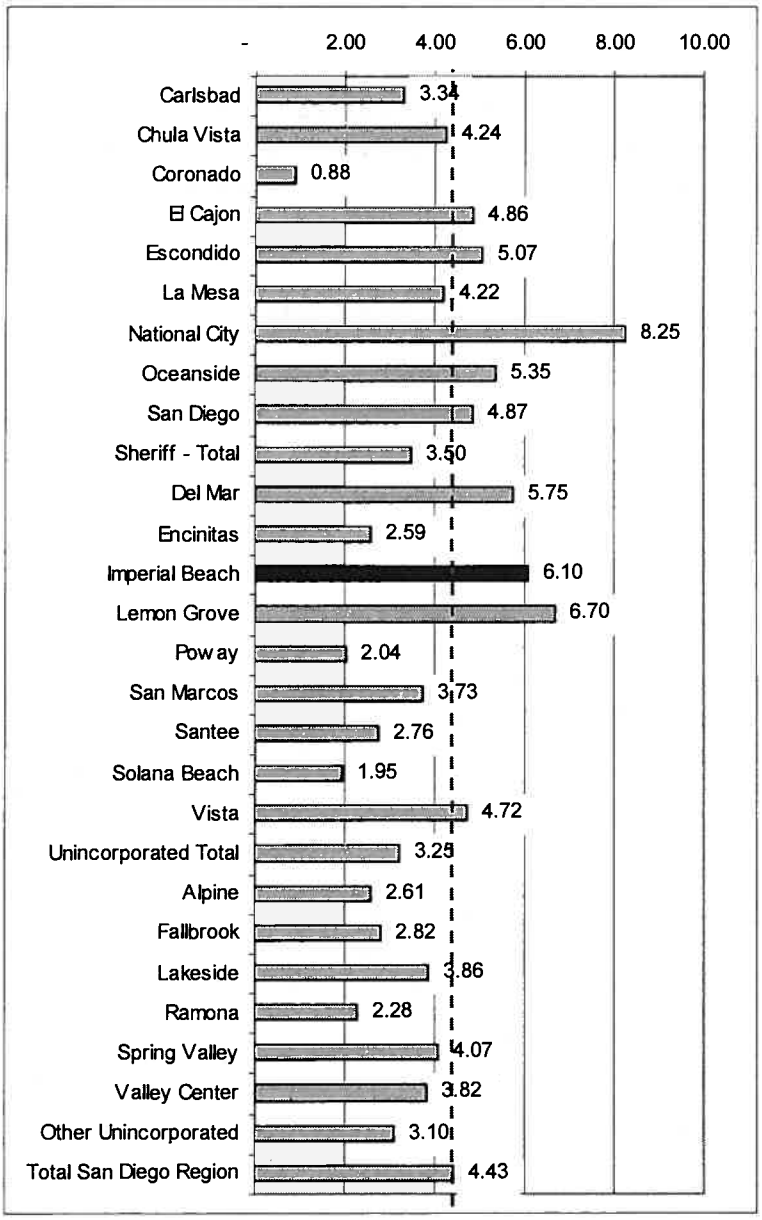
| | City | Beat 702 | Beat 705 | Beat 710 | Total Project Area Beats | Project Area as a % of City |
|---|---|---|---|---|---|---|
| Murder | 1 | - | - | 1 | 1 | 100% |
| Rape | 17 | 4 | 2 | 1 | 7 | 41% |
| Armed Robbery | 11 | 7 | - | 3 | 10 | 91% |
| Strong Arm Robbery | 23 | 8 | 1 | 3 | 12 | 52% |
| Aggravated Assault | 116 | 18 | 18 | 19 | 55 | 47% |
| Total Violent Crime | 168 | 37 | 21 | 27 | 85 | 51% |
| Res. Burglary | 94 | 21 | 13 | 15 | 49 | 52% |
| Non. Res. Burglary | 75 | 30 | 5 | 8 | 43 | 57% |
| Total Burglary | 169 | 51 | 18 | 23 | 92 | 54% |
| Theft ≥ $400 | 119 | 36 | 9 | 20 | 65 | 55% |
| Theft < $400 | 223 | 70 | 22 | 34 | 126 | 57% |
| Total Thefts | 342 | 106 | 31 | 54 | 191 | 56% |
| Motor Vehicle Theft | 236 | 57 | 25 | 53 | 135 | 57% |
| Total Property Crime | 747 | 214 | 74 | 130 | 418 | 56% |
| Crime Index | 915 | 251 | 95 | 157 | 503 | 55% |

Source: Automated Regional Justice Information System (ARJIS) for the San Diego region, August 3, 2007. http://www.arjis.org/regional.html.

[21] Not including murder. Because there was only one murder in the City in 2006, the percentage share of crime within the City is not meaningful.

In addition, the City of Imperial Beach continues to have relatively high levels of violent crime in comparison to other jurisdictions in San Diego County. As shown in Chart 7, the violent crime index (rate of crimes per 1,000 persons) for Imperial Beach is among the highest, at 6.1, well above the San Diego Region index of 4.43. The Imperial Beach violent crime index is the third highest in the County, ranking only lower than National City and Lemon Grove.

**Chart 7: 2006 FBI Violent Crime Indices for the San Diego Region**




Source: Burke, Cynthia Ph. D., "Twenty-Five Years of Crime in the San Diego Region: 1982 through 2006" SANDAG: April 2007, Appendix Table 3.

## D. SUMMARY OF REMAINING BLIGHTING CONDITIONS

As described in this Section III of this Report, the Project Area continues to be affected by a number of serious blighting conditions. Map 11 illustrates the mapable blighting conditions in the Project Area. In summary, these blighting conditions include the following:

- **Buildings in which is unsafe and unhealthy for persons to live or work.** The Project Area suffers from a low level of investment in the repair and rehabilitation of deteriorated and dilapidated buildings, as evidenced by the limited amount of new construction and major rehabilitation that has occurred. Only 6% of properties have had major rehabilitation or new construction (where the value of the new construction or rehabilitation is 12% or more of the value of the property after construction). This has occurred despite the fact that at the time of Plan adoption, a field survey by Katz Hollis indicated that 20% of the buildings in the Project Area were in need of moderate to extreme rehabilitation.

- **Factors that prevent and substantially hinder the economically viable use or capacity of buildings or lot,** as evidenced by obsolete and substandard design, given current market standards. For retail properties, this is evidenced by the age and obsolescence of the buildings, the lack of adequate space for on-site parking, excessive store depths and inadequate storefront widths that do not meet current market standards. Forty-nine percent of retail properties have inadequate lot space for parking, 18% have excessive store depths or inadequate storefront widths; 43% of the retail buildings have exceeded their normal useful service life; and 16% of all buildings have exceeded the normal useful service life of buildings.

- **Incompatible adjacent uses that have prevented the economic development of those parcels and other portions of the Project Area,** as evidenced by the fact that 12% of parcels in the Project Area have non-conforming uses. The industrial properties in the Project Area are all located in an area that is zoned for residential use. There have been no major permits issued for new construction and rehabilitation for these parcels. Nine percent of the residential parcels in the Project Area (excluding the RV park and trailer park) are non-conforming uses. Only one of these parcels have received permits for new development or major rehabilitation. The residential uses have been negatively impacted by this condition as evidenced by the fact that the assessed value of these residential properties are significantly below (45-46% below) the assessed value of conforming residential uses within the Project Area.

- **Lots of irregular shape and inadequate size for proper usefulness and development that are in multiple ownership,** and that have inhibited the ability of the private sector and the Agency in attracting needed retailers and services to the Project Area. The irregular shape and inadequate size of these lots, along with the age, size

and obsolescence of the buildings, makes it difficult to accommodate retailers and service providers that require adequate on-site parking, and contemporary site and building configurations. As a result, the City, for which the portion of Palm Avenue within the Project Area represents the primary commercial corridor, is experiencing retail sales leakage in several categories including apparel, general merchandise, home furnishings and appliances, building materials, and other retail categories. Since the adoption of the Redevelopment Plan in 1996, the Project Area continues to have only one grocery store; has not been able to attract new retailers in comparison goods categories such as home furnishings, hardware and other comparison goods; and has fewer full-service banks and convenience stores. Residents must therefore be continuing to shop at the small convenience stores for food and outside of the City in neighboring communities for comparison goods.

- **Depreciated property values**, as evidenced by the low median sales prices for, apartments and retail properties. Retail property sales prices are from 8% to 24% below sales prices for contemporary retail properties on a per-square-foot basis. Apartment sales prices are from 21% to 29% lower than sales prices in competing areas (the balance of the City, Chula Vista and National City) on a per-square-foot basis and from 3% to 15% lower on a per-unit basis. These uses account for 68% of the parcels and 94% of the buildings in the Project Area, indicating that the majority of properties in the Project Area have lower values than competing properties in adjacent areas.

- **A lack of necessary commercial facilities that are normally found in neighborhoods**, as evidenced by the fact that the Project Area has only one full service grocery store to serve the Project Area and the City.

- **Serious residential overcrowding** that has gotten worse since the Redevelopment Plan was adopted. The percent of housing units that are overcrowded (more than 1 person per room) has increased from 9% to 13% and the percent of housing units that are severely overcrowded (more than 1.5 persons per room) has increased from 8% to 15%. This has resulted in 28% of the housing units in the Project Area being overcrowded, while 20% and 12% of units are overcrowded in the City as a whole and in San Diego County, respectively.

- **An excess of bars, liquor stores, and adult uses that has resulted in significant public health, safety and welfare problems,** as evidenced by ratios of retail alcohol licenses that exceed the Countywide average allowed by state law. The for off-sale licenses (stores selling alcoholic beverages to be consumed off of the premises), the number of beer and wine licenses combined with the number of general alcohol licenses, exceeds the Countywide ratio of 1 license per 1,250 persons by 50%. The majority of the alcohol outlets in the Project Area are located within the highest crime areas of the City.

- **A high crime rate that constitutes a serious threat to the public health and safety**, as evidenced by the fact that Imperial Beach has the third highest level of violent crime in San Diego County. One of the police reporting beats in the Project Area beat 702 accounted for 22% of violent crime and 29% of property crime in the City. Amongst violent crime, beat 702 accounted for 64% of armed robberies, 32% of strong arm robbery in the City. Amongst property crime, beat 702 accounted for 30% of burglaries, 31% of thefts, and 24% of motor vehicle thefts in the City. Overall, the Project Area accounted for 51% of violent crime and 56% of property crime in the City, while accounting for 18% of the City.[22]

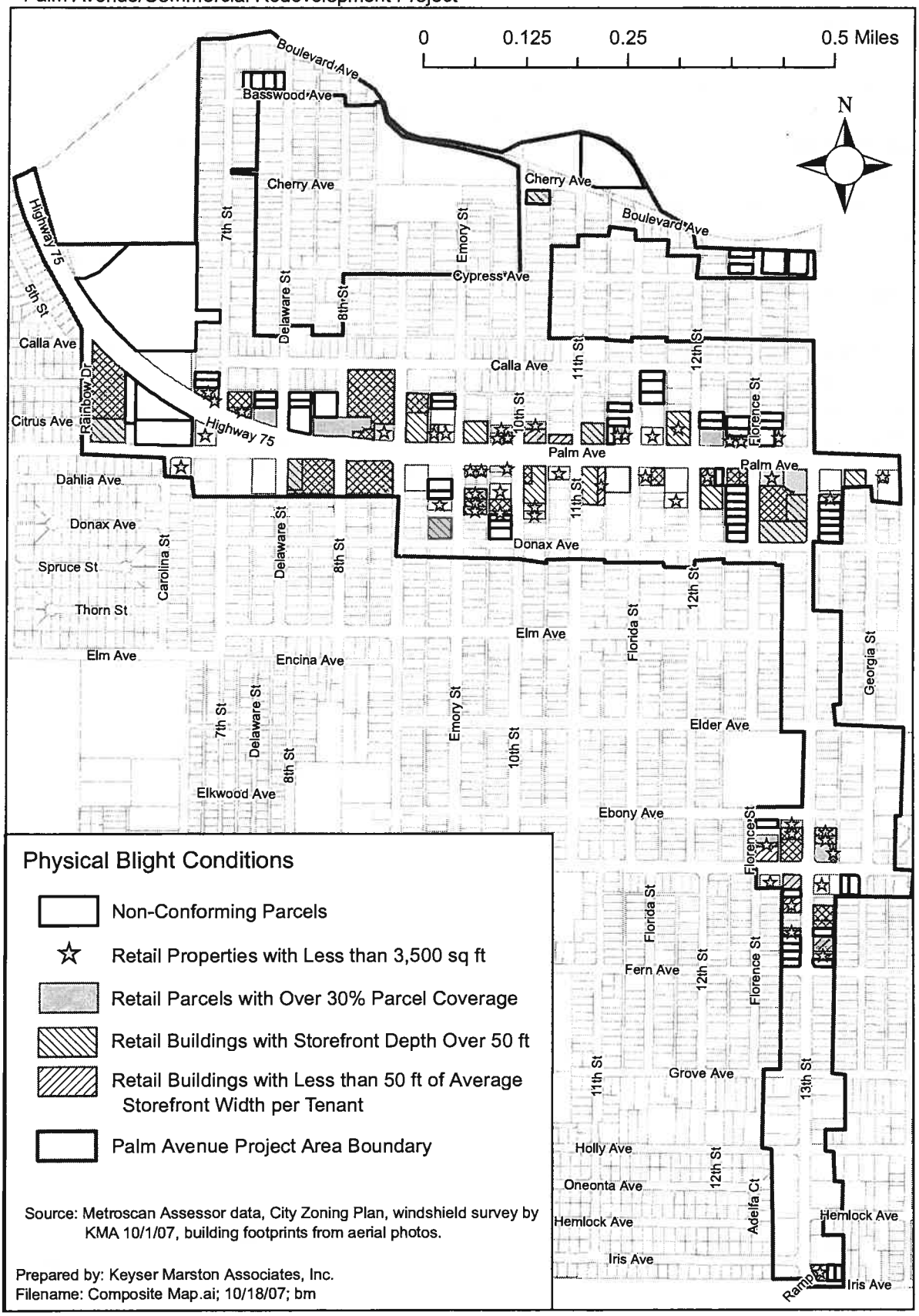
## E. INABILITY OF THE PRIVATE SECTOR WITHOUT AGENCY ASSISTANCE TO REHABILITATION THE PROJECT AREA AND NEED FOR THIRD AMENDMENT

The inadequate lot and building sizes, age and obsolesce, and other blighting conditions described herein are a significant deterrent to the private sector, as demonstrated by the fact that the amount of new construction and major rehabilitation of properties in the Project Area has been limited. For example, the Miracle Center Market Study completed in 2007 by Grubb & Ellis for the proposed redevelopment of an existing 67,700 square foot obsolete strip retail center concluded that investment to upgrade the center to meet contemporary retail market standards and attract higher quality tenants would not yield a sufficient return, despite the fact that redevelopment scenario included participation of the existing owner and therefore land acquisition costs were not a factor in the analysis. Redevelopment scenarios where acquisition costs must be factored in would be even less economically feasible. Based upon these conditions, significant blight remains in the Project Area that cannot be eliminated without the use of eminent domain, which would allow the Agency to acquire properties to create developable sites of sufficient size and shape to allow redevelopment.

[22] Total acreage of the urbanized portions of the City is estimated to be 1,369 acres.

**Map 11: Composite Blight Map**

MAP 11
Composite Blight Map
Palm Avenue/Commercial Redevelopment Project




Source: Metroscan Assessor data, City Zoning Plan, windshield survey by KMA 10/1/07, building footprints from aerial photos.

Prepared by: Keyser Marston Associates, Inc.
Filename: Composite Map.ai; 10/18/07; bm

## IV. IMPLEMENTATION PLAN

Per Section 33352(c) of the CRL, the Implementation Plan must be prepared as part of the Report to the City Council and must describe the specific goals and objectives of the Agency, specific projects proposed by the Agency, including a program of actions and expenditures proposed to be made within the first five years of the adoption of the Redevelopment Plan, a description of how these projects will improve or alleviate the blighting conditions in the Project Area, and show how the requirements for low and moderate income housing in the community will be met. On March 2, 2005, the Agency adopted the current Implementation Plan for the Project Area for the five-year period between 2004/05-2008/09.

The sole purpose of the proposed Amendment is to extend the Agency's authority to use eminent domain to acquire properties within the Project Area excluding properties on which persons reside. Therefore, the specific goals, objectives, programs and expenditures contained in the existing Implementation Plan will not change as a result of the proposed Amendment. The current Implementation Plan is incorporated into this Report and included as Appendix A.

## V. METHOD OR PLAN FOR RELOCATION

Section 33352(f) of the CRL requires that the Agency's Report to the City Council contain a "Method or Plan" for "the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project Area, which...shall include the provision required by Section 33411.1." Additionally, Section 33411 of the CRL requires the Agency prepare a feasible "method or plan" for relocation of non-profit local community institutions to be temporarily or permanently displaced from facilities actually used for institutional purposes in the Project Area.

Section 33411.1 requires the legislative body to insure that "...such method or plan of the Agency...shall provide that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwelling[s]. The Agency shall not displace such person or family until such housing units [sic] are available and ready for occupancy."

The Report to the City Council initially prepared at the time of adoption of the Project Area contained a Method or Plan for Relocation for the Project Area. This Plan or Method of Relocation restates the Agency's Plan or Method of Relocation for the Project Area. However, it is not intended to be a "Relocation Plan" within the meaning of Section 6038 of the "Relocation Assistance and Real Property Acquisition Guidelines" promulgated by the California Department of Housing and Community Development (California Code of Regulations, Division 1 of Title 25, commonly called the "State Guidelines"). As described below, a Section 6038 Relocation Plan is not prepared until the Agency initiates negotiations for the acquisition of real property and prior to proceeding with any phase of a public improvement or facility project or other implementation activity that would result in any displacement other than an insignificant amount of non-residential displacement.

### A. AGENCY DISPLACEMENT

As noted in the Report, the Agency anticipates that its projects and programs for the Project Area will provide an incentive for existing owners and the private sector to develop or redevelop underutilized and blighted properties and to achieve the goals and objectives for the redevelopment of the Project Area. To the extent that the Agency, directly or through agreements with owners, developers or others, causes occupants to be displaced, the Agency will be responsible for providing relocation benefits. The Agency is not responsible for any displacement that may occur as a result of private development activities not directly assisted by the Agency under a disposition and development agreement, participation agreement, or other similar agreement.

## B. RELOCATION IN THE EVENT OF AGENCY DISPLACEMENT

Displacement of businesses or tenants is a possibility under Agency programs and activities over the remaining life of the Redevelopment Plan. Should such displacement occur, the Agency will provide persons, families, business owners and tenants displaced by Agency activities with monetary and advisory relocation assistance consistent with the California Relocation Assistance Law (State Government Code, Section 7260 *et seq.*), the State Guidelines adopted and promulgated pursuant thereto, and the provisions of the Redevelopment Plan.

The Agency will pay all relocation payments required by State and Federal law. The following portions of this Method or Plan for Relocation outline the general relocation rules and procedures that must be adhered to by the Agency in activities requiring the relocation of persons and businesses. Also identified below are the Agency determinations and assurances that must be made prior to undertaking relocation activities. The Agency's functions in providing relocation assistance and benefits are also summarized.

## C. RULES AND REGULATIONS

The Agency has adopted rules and regulations that: (1) implement the requirements of California Relocation Assistance Law (Government Code, Chapter 16 of Division 7 of Title 1, commencing with Section 7260) (the "Act"); (2) are in accordance with the provisions of the State Guidelines; (3) meet the requirements of the CRL and the provisions of the Redevelopment Plan, and (4) are appropriate to the particular activities of the Agency and not inconsistent with the Act or the State Guidelines. These rules and regulations, herein after referred to as the "Agency Rules and Regulations" govern the Agency's implementation of State law and the State Guidelines. The Agency Rules and Regulations are included herein as Appendix B.

## D. AGENCY DETERMINATIONS AND ASSURANCES

1. The Agency may not proceed with any phase of a project or other activity that will result in the displacement of any person or business until it makes the following determinations:

    a. Fair and reasonable relocation payments will be provided to eligible persons as required by State and Federal law, the State Guidelines, and Agency Rules and Regulations adopted pursuant thereto.

    b. A relocation assistance advisory program offering the services described in the State Guidelines will be established.

c. Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures, provided for in the State Guidelines.

d. Based upon recent survey and analysis of both the housing needs of persons who will be displaced and available replacement housing, and considering competing demands for that housing, comparable replacement dwellings will be available, or provided, if necessary, within a reasonable period of time prior to displacement that are sufficient in number, size and cost for the eligible persons who require them.

e. Adequate provisions have been made to provide orderly, timely and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.

f. If required, a Relocation Plan meeting the requirements of state law and the State Guidelines has been prepared.

2. No person shall be displaced until the Agency has fulfilled the obligations imposed by State and Federal law, the California Community Redevelopment Law, the Redevelopment Plan, the State Guidelines and the Agency Rules and Regulations.

3. No persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and an otherwise standard dwelling. The Agency shall not displace such persons or families until such housing units are available and ready for occupancy.

4. If any portion of the Project Area is developed by the Agency with low or moderate income housing units, the Agency shall require, by contract or other appropriate means that such housing be made available for rent or purchase to the persons and families of low and moderate income displaced by Agency activities. Such persons and families shall be given priority in renting or buying such housing; provided, however, that failure to give such priority shall not affect the validity of title to real property.

5. If suitable housing units are not sufficiently available in the community for low and moderate income persons and families to be displaced by the Agency from the Project Area, the City Council shall assure that sufficient land is made available for suitable housing for rental or purchase by low and moderate income persons and families. If suitable housing units are not sufficiently available in the Project Area for use by such persons and families of low and moderate income displaced by Agency activities within the Project Area, the Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation, or construction of housing units within the City in accordance with the Agency Rules and Regulations.

6. Permanent housing facilities shall be made available within three years from the time occupants are displaced by the Agency, and pending the development of such facilities, they will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the City at the time of their displacement.

## E. RELOCATION ASSISTANCE ADVISORY PROGRAM AND ASSURANCE OF COMPARABLE REPLACEMENT HOUSING

The Agency shall implement a relocation assistance advisory program, which satisfies the requirements of the state law and Article 2 of the State Guidelines and the Civil Rights Act. Such program shall be administered so as to provide advisory services which offer maximum assistance to minimize the hardship of displacement and to ensure that: (a) all persons and families displaced from their dwellings are relocated into housing meeting the criteria for comparable replacement housing contained in the State Guidelines; and (b) all persons displaced from their places of business are assisted in reestablishing with a minimum of delay and loss of earnings. No eligible person shall be required to move from his/her dwelling unit unless an adequate replacement dwelling unit is available to such person.

The following outlines the general functions of the Agency in providing relocation assistance advisory services. Nothing in this section is intended to permit the Agency to displace persons other than in a manner prescribed by law, the State Guidelines and the adopted Agency rules and regulations prescribing the Agency's relocation responsibilities.

## F. ADMINISTRATIVE ORGANIZATION

### 1. Responsible Entity

The Agency is responsible for providing relocation payments and assistance to site occupants (persons, families, business owners and tenants) displaced by the Agency from the Project Area, and the Agency will meet its relocation responsibilities through the

use of its staff and consultants, supplemented by assistance from local realtors and civic organizations.

**2. Functions**

The Agency's staff and/or consultants will perform the following functions:

a. Prepare a Relocation Plan as soon as possible following the initiation of negotiations for acquisition of real property by the Agency and prior to proceeding with any phase of a public improvement or facility, project or other implementation activity that will result in any displacement other than an insignificant amount of non-residential displacement. Such Relocation Plan shall conform to the requirements of the Section 6038 of the State Guidelines. The Agency shall interview all eligible persons, business concerns, including non-profit organizations, to obtain information upon which to plan for housing and other accommodations, as well as to provide counseling and assistance needs.

b. Provide such measures, facilities or services as needed in order to:

1) Fully inform eligible persons as to the availability and the eligibility requirements for relocation benefits and assistance, as well as the procedures for obtaining such benefits and assistance, in accordance with the requirements of Section 6046 of the State Guidelines.

2) Determine the extent of the need of each such eligible person for relocation assistance in accordance with the requirements of Section 6048 of the State.

3) Assure eligible persons that within a reasonable period of time prior to displacement there will be available comparable replacement housing meeting the criteria described in Section 6008(c) of the State Guidelines, sufficient in number and kind for and available to such eligible persons.

4) Provide current and continuing information on the availability, prices and rentals of comparable sales and rental housing, and of comparable commercial properties and locations, and as to security deposits, closing costs, typical down payments, interest rates, and terms for residential property in the area.

5) Assist each eligible person to complete applications for payments and benefits.

6) Assist each eligible, displaced person to obtain and move to a comparable replacement dwelling.

7) Assist each eligible person displaced from his/her business in obtaining and becoming established in a suitable replacement location.

8) Provide any services required to insure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, sexual orientation, marital status or other arbitrary circumstances.

9) Supply to such eligible persons information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal or State programs that offer assistance to displaced persons.

10) Provide other advisory assistance to eligible persons in order to minimize their hardships. Such assistance may include counseling and referrals with regard to housing, financing, employment, training, health and welfare, as well as other assistance.

11) Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the Project, which policies shall be in accordance with the provisions of Section 6058 of the State Guidelines.

12) Notify each individual tenant and owner-occupant to be displaced with at least 90 days written advance notice prior to requiring any such person to move from a dwelling or to move a business.

13) Coordinate the Agency's relocation assistance program with the project work necessitating the displacement and with other planned or proposed activities of other public entities in the community or other nearby areas that may affect the implementation of its relocation assistance program.

### 3. Information Program

The Agency shall establish and maintain an information program that provides for the following:

1) Within 15 days following the initiation of negotiations and not less than 90 days in advance of displacement, except for those situations described in subsection 6042(e) of the State Guidelines, the Agency shall prepare and

distribute informational materials (in the language most easily understood by the recipients) to persons eligible for Agency relocation benefits and assistance.

2) Conducting personal interviews and maintaining personal contacts with occupants of the property to the maximum extent practicable.

3) Utilizing meetings, newsletters and other mechanisms, including local media available to all persons, for keeping occupants of the property informed on a continuing basis.

4) Providing each person written notification as soon as his/her eligibility status has been determined.

5) Explaining to persons interviewed the purpose of relocation needs survey, the nature of relocation payments and assistance to be made available, and encouraging them to visit the relocation office for information and assistance.

**4. Relocation Record**

The Agency shall prepare and maintain an accurate relocation record for each person to be displaced as required by the State of California.

**5. Relocation Resources Survey**

The Agency shall conduct a survey of available relocation resources in accordance with Section 6052 of the State Guidelines.

**6. Relocation Payments**

The Agency shall make relocation payments to or on behalf of eligible displaced persons in accordance with and to the extent required by State and Federal law.

*a. Temporary Moves*

Temporary moves would be required only if adequate resources for permanent relocation sites are not available. Staff shall make every effort to assist the site occupant in obtaining permanent relocation resources prior to initiation of a temporary move, and then only after it is determined that Agency activities in the Project Area will be seriously impeded if such move is not performed. The

Agency will provide such displaced residents with relocation assistance, services and benefits in accordance with Agency Rules and Regulations.

*b. Last Resort Housing*

The Agency shall follow state law and the criteria and procedures set forth in Article 4 of the State Guidelines for assuring that if the Agency action results, or will result in displacement, and comparable replacement housing will not be available as needed, the Agency shall use its funds or other authorized funding for the Project to provide such housing.

*c. Eviction Policy*

Eviction for cause is permissible only as a last resort and must conform to state and local law. If a person is evicted for cause on or after the effective date of a notice of displacement issued, displaced persons retain the right to the relocation payments and other assistance for which they may be eligible.

*d. Grievance Procedures*

The Agency may adopt grievance procedures to implement the provisions of the state law and Article 5 of the State Guidelines. The purpose of the grievance procedures is to provide Agency requirements for processing appeals from Agency determinations as to the eligibility for, and the amount of a relocation payment, and for processing appeals from persons aggrieved by the Agency's failure to refer them to comparable permanent or adequate temporary replacement housing. Potential displacees will be informed by the Agency of their right to appeal regarding relocation payment claims or other decisions made affecting their relocation.

*e. Relocation Appeals Board*

Any person who disagrees with a determination regarding eligibility for, or amount of, a relocation payment, may have his/her claim received and reconsidered in accordance with the grievance procedures outlined in the Agency Rules and Regulations.

## VI. REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION AND REPORT REQUIRED BY SECTION 65402 OF THE GOVERNMENT CODE

Section 33352(h) of the CRL requires that the Agency's Report to the City Council contain the report and recommendations of the Planning Commission on the proposed Amendment. Section 33352 (j) of the CRL requires that the Agency's Report to the City Council contain the report required by Section 65402 of the Government Code. Section 65402(c) states among other things, that no real property should be acquired by dedication or otherwise for public purposes, no real property shall be disposed of, no street shall be vacated or abandoned and no public building or structure shall be constructed or authorized until such activities have been submitted to and reported upon by the local planning agency as to conformity with the jurisdiction's adopted general plan.

The Agency is expected to authorize transmittal of the Amendment to the Planning Commission on January 9, 2008, at which time the Planning Commission will make its report and recommendation to the Agency. The Agency resolution receiving the Amendment and transmitting the Amendment to the Planning Commission, and the Planning Commission's report regarding the consistency of the proposed Amendment with the General Plan, and recommendation on the proposed Amendment will be added to this Report in a Supplemental Report to the City Council.

## VII. COMMUNITY CONSULTATIONS

Section 33352(i) of the CRL requires the Agency's report to the legislative body (City Council) to contain the summary referred to in CRL Section 33387, i.e., a summary of consultations with the Project Area Committee (PAC), if any. CRL Section 33385.3 states that if a PAC does not exist, and the Agency proposes to amend a redevelopment plan, the Agency shall establish a PAC if the proposed amendment would grant the authority to the Agency to acquire by eminent domain property on which persons reside if the project area is one in which a substantial number of low- and moderate-income persons reside.

Since the Agency anticipates extending its ability to utilize eminent domain only for non-residential property in the Original Project Area, a PAC is not required for the Amendment. The Agency will consult with and obtain the advice of property owners, business owners, tenants, community organizations, and other interested parties at a community information meeting and at the joint public hearing of the Agency Board and City Council on the proposed Amendment. The community information meeting is scheduled for February 7, 2008. The joint public hearing is scheduled for February 20, 2008.

Notice for the community information meeting will be included in the notice for the joint public hearing. Per CRL Section 33349, the Agency will send a first class mailing containing the required notice of the joint public hearing of the Agency Board and City Council to the last known assessee (the "property owner") of each parcel of land and to all tenants and business owners within the Project Area. This notice will explain the purpose of the public hearings and contain other pertinent information such as the meeting date, time and location. The notice of the joint public hearing will also be published in a newspaper of record for four (4) consecutive weeks in compliance with the CRL. The days of publication are scheduled for January 17, January 24, January 31, and February 7, 2008. Copies of the notice of the joint public hearing meeting will be included within a supplement to this Report submitted to the City Council prior to the adoption of the proposed Amendment.

## VIII. ENVIRONMENTAL REVIEW

Section 33352 (k) of the CRL requires that the Agency's Report to the City Council contain the report required by Section 21151 of the Public Resources Code (environmental review document).

An Environmental Impact Report (EIR) was adopted for the Original Project Area when it was established in 1996. An additional EIR was prepared and adopted for the First Amendment which added territory to the Project Area in 2001. These two EIRs provide a program-level assessment of the potential environmental effects of the redevelopment projects within the City and the amendment to add territory. According to both EIRs, all significant environmental impacts would be reduced to below a level of significance following incorporation of mitigation measures with the exception of impacts associated with air quality.

To assess the potential impact of the proposed Third Amendment, the Agency prepared a study and environmental checklist as required under CEQA which considered the potential impacts of the Amendment on the following:

A. Land Use
B. Population, Housing, and Employment
C. Traffic and Circulation
D. Air Quality
E. Public Services
F. Public Utilities
G. Geology and Seismicity
H. Flooding and Drainage
I. Noise
J. Historical and Cultural Resources
K. Biological Resources

Per CEQA, no subsequent of supplemental EIR need be prepared for a project once a previous EIR has been certified unless the Lead Agency determines that, either: 1) substantive changes are proposed in the project that will require major revisions to the EIRs; 2) substantial changes have or will occur with respect to the circumstances under which the project is undertaken that will require major revisions to the EIRs; or 3) new information of substantial importance that was not known or could not have been known with the exercise of reasonable diligence at the time of the certification of the EIRs shows any one of a number of impacts on either potential impacts of the project, the alternatives considered, or the mitigation measures considered.

The Third Amendment will not affect land uses or alter the proposed activities or projects in the existing Redevelopment Plan. The 21166 Study/Environmental checklist will be reviewed and considered by the Agency after the joint public hearing and prior to the Agency's recommendation regarding the Amendment. Given the nature of the proposed Third Amendment and based upon the findings of the 21166 Study/Environmental Checklist, it is

anticipated that the Agency will adopt findings that no new effects would occur and that no new mitigation measures are required for the Third Amendment and that therefore no new environmental documentation will be required.

The 21166 Study/Environmental Checklist prepared for the proposed Amendment is included within this Report as Appendix B.

## IX. NEIGHBORHOOD IMPACT REPORT AS WARRANTED BY THE PROPOSED AMENDMENT

Section 33352(m) of the CRL requires that the Agency's Report to the City Council contain a neighborhood impact report if the redevelopment project contains low or moderate income housing. The purpose of the neighborhood impact report is to describe in detail the impact of the proposed actions upon the residents of the Project Area and surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report is also to include: (a) the number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of the redevelopment project; (b) the number of persons and families (households) of low or moderate income expected to be displaced by the project; (c) the general location of housing to be rehabilitated, developed, or constructed pursuant to Section 33413 of the CRL; (d) the number of dwelling units housing persons and families of low and moderate income planned for construction or rehabilitation, other than replacement housing; (e) the projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation; and (f) a projected timetable for meeting the relocation, rehabilitation and replacement housing objectives.

A neighborhood impact report was prepared and included in the Report on the Redevelopment Plan at the time of adoption in 1996. The neighborhood impact report discussed the potential impacts to residents in the Project Area and surrounding areas based upon information contained in the EIR for the Redevelopment Plan, the Method or Plan for Relocation, and other sources included in the 1995 Report in the following areas:

- Relocation
- Traffic Circulation
- Environmental Quality
- Community Facilities and Services
- School Population and Quality of Education
- Property Assessment and Taxes
- Residential Displacement and Low and Moderate Income Housing

- Other Matters Affecting the Physical and Social Quality of the Environment

The proposed Amendment will not alter the Agency's planned projects and programs to alleviate blighting conditions in the Project Area. The Amendment will not change the current restrictions in the Redevelopment Plan on the use of eminent domain, which is not permitted for properties on which persons reside. Therefore, the Amendment is not expected to cause the relocation of residents through Agency action or have any impacts on residents and the environment that were not considered in the EIR prepared for the original adoption of the Redevelopment Plan. In the event that Agency projects and programs would cause displacement of residents, as described in Section VI of the Report, the Agency will provide any persons, families, business owners and/or tenants displaced by Agency activities with monetary and advisory relocation assistance consistent with the California Relocation Assistance Law (State Government Code, Section 7260 *et seq.*), the State Guidelines adopted and promulgated pursuant thereto, and the provisions of the Redevelopment Plan.

# APPENDIX A

# IMPLEMENTATION PLAN
# FOR 2004/05 – 2008/09

Palm Avenue/Commercial Redevelopment Project

# Five-Year Implementation Plan

## (2004-05 through 2008-09)

Adopted: March 2, 2005

Imperial Beach Redevelopment Agency
825 Imperial Beach Blvd.
Imperial Beach, California 91932

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# Five-Year Implementation Plan

## Palm Avenue/Commercial Redevelopment Project

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## Introduction

This document is the Five-Year Implementation Plan ("Plan") for the Palm Avenue/Commercial Redevelopment Project of the Imperial Beach Redevelopment Agency ("Agency"). This Plan presents the Agency's anticipated projects and programs, goals and objectives, as well as estimated revenue for the five-year planning period of 2004-05 through 2008-09. Adopting this Plan does not approve any of the listed projects. Specific project implementation activities are subject to environmental review and discretionary approvals by the Agency. This Plan replaces the Agency's existing Five-Year Implementation Plan that was approved in 2001 when the Palm Avenue/Commercial Redevelopment Project was adopted.

## Implementation Plan Objectives

The Palm Avenue/Commercial Redevelopment Plan presents the following objectives for addressing the blighting conditions found in the Palm Avenue/Commercial Corridor Project Area ("Project Area"). These objectives, will guide the Agency's implementation activities detailed in this Plan.

REUSE

To eliminate adverse neighborhood conditions and to prevent the acceleration of such conditions in and about the Amendment Area.

PRESERVE

To effect the comprehensive planning and rehabilitation of Amendment Area in such a manner as to maintain and upgrade residential and non-residential neighborhoods, and to improve the public infrastructure within and serving residential and non-residential areas in accordance with the General Plan.

INVEST

To encourage the optimum utilization of real property, to develop a more efficient and effective circulation system, and to upgrade public improvements in order to maintain the values of residential and non-residential neighborhoods.

LIVE

To eliminate sub-standard housing through the rehabilitation of residential units, and where deterioration makes rehabilitation infeasible, to replace such dwellings on a one-for-one basis as necessary and consistent with other provisions of the Redevelopment Plan.

## Anticipated Projects and Programs

The following section describes the non-housing and housing projects and programs proposed for the five-year planning period.

### Existing Blight in the Project Area

According to the Agency's documents prepared to justify establishing a redevelopment program, the Project Area contained numerous blighting conditions including the following:

- Buildings and Infrastructure that is Dilapidated, Unsafe and Unhealthy
- Inadequate Public Infrastructure
- Physical Conditions that Hinder Economic Viable Use
- Incompatible Uses
- Irregular Lots under Mixed Ownership

The following is a list of the programs and projects the Agency proposes to implement during the next five years to address these blighting conditions:

### Commercial Programs and Projects

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Palm Avenue Commercial Redevelopment**<br><br>Pursue a public/private partnership to improve large commercial properties in the Palm Avenue commercial corridor that will stimulate further improvements in the area.<br><br>This project will eliminate factors that hinder economically viable uses, eliminate incompatible uses and irregular lots under mixed ownership. | $8 million<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | INVEST<br><br>PRESERVE<br><br>REUSE |
| **Commercial Development Opportunities**<br><br>As additional tax increment revenues are realized, the Agency would like to use these proceeds to rehabilitate additional commercial properties through public/private partnerships that may include mixed residential development.<br><br>This program is expected to eliminate factors that hinder economically viable uses, eliminate incompatible uses and irregular lots under mixed ownership. | Future<br><br>Tax Increment<br><br>Revenue | REUSE<br><br>INVEST |

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Old Palm Mixed Use Redevelopment**<br><br>Improve the pedestrian oriented atmosphere of the "Old Palm" Avenue by encouraging the construction of mixed use projects and funding streetscape improvements, signage and the other recommendations contained in the "Old Palm Avenue Focus Study" to assist in the area's destination identification. This program may include re-use of the San Diego Unified Port District parking lot at the corner of Seacoast Drive and Old Palm Avenue. This underutilized property is a link between the Seacoast Commercial area and the Old Palm Avenue neighborhood.<br><br>This program will eliminate factors that hinder economically viable uses and inadequate public infrastructure. | $1.5 million<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | INVEST<br><br>REUSE<br><br>PRESERVE |
| **Improve Appearance of Commercial Uses**<br><br>Develop commercial master plans for Palm Avenue and 13th Street to improve the appearance of existing uses and attract new commercial, residential and mixed-use offerings to the Project Area. Master planning efforts may be pursued concurrently with the development of a façade improvement program and a General Plan update.<br><br>This project will eliminate factors that hinder economically viable and incompatible uses. | $100,000<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | REUSE<br><br>INVEST |
| **Facade Improvement Program**<br><br>Provide financial assistance to owners/tenants for exterior improvements to commercial buildings, including storefronts, awnings, lighting, signage, code violations and handicapped accessibility.<br><br>Completion of this project will improve dilapidated buildings, which are unsafe or unhealthy buildings as well as eliminate factors that hinder economically viable uses. | $250,000<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | PRESERVE<br><br>INVEST |

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Economic Development Program**<br><br>Develop a program with the Imperial Beach business community for retaining existing businesses in the Project Area. Specific programs may include a year round special events program.<br><br>This project will eliminate factors that hinder economically viable uses. | Future<br>Tax Increment<br>Revenue | INVEST |
| **Implement Ecotourism Study**<br><br>Implement results of the Ecotourism Study to assist businesses that suffer from non-seasonal economic downturns and cause many tourist oriented businesses to curtail operations during the off-season.<br><br>This project will eliminate factors that hinder economically viable uses. | Future<br>Tax Increment<br>Revenue | INVEST |
| **Sand Replenishment Project**<br><br>Army Corps of Engineers is developing a sand replenishment project to restore the beach areas along the Imperial Beach coast.<br><br>Completion of this public infrastructure project will restore an area, which is an economic asset to the Project Area, as well as enhance the safety of coastal properties. | $1.0 million<br>Future<br>Tax Increment<br>Revenue | PRESERVE<br>INVEST |
| **Promote Recreational and Resort Uses**<br><br>Develop a Seacoast Commercial Master Plan to attract high quality resort development and recreational opportunities. A master plan will ensure that surrounding residential uses are not unduly burdened by new development and may be pursued concurrently with a general plan update.<br><br>This project will eliminate factors that hinder economically viable uses and address inadequate public infrastructure. | $50,000<br>Bond Proceeds | INVEST<br>PRESERVE |

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Bayfront Revitalization**<br><br>Engage the Bayfront community in a master planning process to identifying redevelopment (re-use) options for the Public Works Yard and other industrial uses in this area. This effort may include a feasibility analysis of the long-term use options for the Pond 20 area. Either project (Bayfront re-use or Pond 20) may be pursued concurrently with a General Plan update.<br><br>This project will address factors that hinder economically viable uses, inadequate public infrastructure, incompatible uses and irregular lot under mixed ownership. | $100,000<br><br>Bond Proceeds | PRESERVE<br>REUSE<br>INVEST |

## Capital Improvement Program

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Capital Infrastructure Projects**<br><br>Preliminary street improvements as listed in Exhibit 1 include; street overlay, curb and gutter replacement, new and rehabilitated sidewalks, along with new and rehabilitate handicapped access ramps where appropriate and others.<br><br>These projects will improve inadequate public infrastructure as well the healthy and safety infrastructure in the overall Project Area. | $4.1 million<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | REUSE<br>PRESERVE<br>INVEST |
| **Park and Recreation Improvements**<br><br>Veterans Park rehabilitation, Teaple Park restrooms, Sports Park improvements, Birders Point and State Route 75 bike path improvements.<br><br>These projects will improve inadequate public park infrastructure and the healthy and safety of park and recreation improvements. | $1.0 million<br><br>Bond Proceeds<br><br>& $400,000<br><br>Tax Increment<br><br>Revenue | PRESERVE<br>INVEST |

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Storm Drain Improvements**<br><br>Fund expansion and upgrades of storm drain system detailed in Exhibit 2.<br><br>Improvements of the storm drain public infrastructure will improve the healthy and safety of the overall Project Area by reducing flooding and urban runoff into the San Diego Bay and Pacific Ocean. | $600,000<br><br>Future<br><br>Tax Increment<br><br>Revenue | INVEST<br><br>REUSE |
| **Alley Assessment Formation and Construction**<br><br>Fund the needed legal, planning and engineering work required to establish alley improvement assessment districts. Attachment 1 is a preliminary map of alley segments targeted for improvement.<br><br>This project will improve inadequate public infrastructure and the health and safety conditions to surrounding buildings. | $500,000<br><br>Bond Proceeds<br><br>& Future<br><br>Tax Increment<br><br>Revenue | REUSE<br><br>INVEST |
| **Public Facilities & Information Technology**<br><br>Implementing the general redevelopment program will require improvements to the following facilities: Public Works Yard, Marina Vista Center in addition to various technology upgrades such as setting up a comprehensive redevelopment internet site.<br><br>These projects will eliminate factors such as inadequate and unsafe public infrastructure and buildings. | $1.3 million<br><br>Future<br><br>Tax Increment<br><br>Revenue | PRESERVE<br><br>INVEST |

## Housing Projects and Programs

| Project/Program Description | Estimated Redevelopment Investment | Goals Achieved |
|---|---|---|
| **Neighborhood Revitalization**<br><br>This program funds various rehabilitation efforts by the Agency including Code Compliance activities, staffing for neighborhood revitalization committee, graffiti abatement program and materials for the "Paint IB" program.<br><br>This project will eliminate factors hindering economically viable uses and unsafe and unhealthy buildings. | $750,000<br>Future<br>Tax Increment<br>Revenue | LIVE<br>REUSE |
| **Rehabilitation Loan Program**<br><br>The program will improve the area's existing housing stock by making loans to owner occupants. These loans will be used to rehabilitate the property of owner occupants to comply with City codes or make improvements to the exterior of their homes.<br><br>This project will eliminate factors hindering economically viable uses and unsafe and unhealthy buildings. | Future<br>Tax Increment<br>Revenue | LIVE<br>REUSE |
| **Affordable Housing Development**<br><br>The program seeks to purchase deteriorated housing units and finance their improvements, to provide gap financing for projects that will bring continued revitalization to the area and to provide housing opportunities for all, including seniors and low-income residents.<br><br>Completion of this project will eliminate factors hindering economically viable uses and unsafe and unhealthy buildings. | $4.1 million<br>Bond Proceeds<br>& Future<br>Tax Increment<br>Revenue | LIVE<br>PRESERVE<br>INVEST |

## Five-Year Budget

The Agency is using redevelopment along with other financing tools and partnerships to facilitate enhancement of the Project Area as a whole. The Agency has approximately $26.7[1] million in cash assets on hand at the beginning of the five-year planning period covered by this Plan. It is estimated that the Agency will receive $16.2 million in total property tax increment revenue during the five-year planning cycle, of which $3.4 million is set-aside for affordable housing activities and $3.2 is required in statutory payments to affected taxing agency's leaving approximately $9.6 million for non-housing activities. Actual revenues and expenditures may differ from these forecasts and are therefore subject to change.

The total costs associated with implementing the projects and programs listed in this Plan are estimated to be $31.4[2] million; this compares to the $33.7[3] million in revenue the Agency has or will receive during the five-year term of this Plan.

## Project Area Background

Originally adopted as a 250-acre Project Area addressing commercial properties, the Project Area was amended in 2001 to include 1,125-acres (the remaining residential portions of the City) for a total Project Area of 1,375-acres. Most of the developed portions of the City of Imperial Beach are in the Project Area, excluding Ream Field Naval Base. While functioning as a single Project Area, each constituent area has different time limits to undertake redevelopment activities, incur debt, receive property tax revenue and exercise eminent domain. These limitations are summarized on the following page.

[1] Includes net bond proceeds of approximately $20,420,290 per 2003-2004 Audit.

[2] Includes estimate of debt service payments.

[3] Includes projected investment income of $275,000 and net bond proceeds of approximately $20,420,290 per 2003-2004 Audit, but not remaining cash on hand of$ 6,300,000.

| Redevelopment Plan Limits | Date |
|---|---|
| Final Date to Incur Indebtedness | |
| Original Area | 3/9/2017 |
| Amended Area | 8/17/2022 |
| Duration of Redevelopment Plan | |
| Original Area | 3/9/2027 |
| Amended Area | 8/17/2032 |
| Final Date to Collect Tax Increment Revenue | |
| Original Area | 3/9/2042 |
| Amended Area | 8/17/2047 |
| Eminent Domain | |
| Original Area | 3/9/2008 |
| Amended Area | No-Authority |
| Financial Limitations | |
| Bonded Indebtedness Limit | $120,000,000 |

*Note:* Includes 1-year time limit extension granted under Senate Bill 1045.

## Projects Completed

The Agency has completed several projects as well as established many programs to facilitate redevelopment of the Project Area, since its inception in 1996. Specific projects and programs include the following:

- Completion of the Imperial Beach Promenade Shopping Center;
- Funding Code Compliance and Neighborhood Revitalization Activities;
- Issuance of $22,765,000 of Series 2004 Tax Allocation Bonds; and
- Adopting an Economic Development Plan.

## Ten-Year Housing Compliance Plan

This section addresses specific requirements in state law with respect to prior affordable housing activities and the anticipated housing program in the future.

Redevelopment agencies use implementation plans to establish 10-year objectives to achieve compliance with state law regarding their affordable housing programs. These housing objectives generally fall into three categories:

- Housing Production – based on the number of housing units constructed or substantially rehabilitated over a 10-year period, a redevelopment agency is to ensure that a percentage of these units are affordable to very-low, low- and moderate- income households.
- Replacement Housing – redevelopment agencies must ensure that any housing units destroyed or removed as a result of redevelopment project are replaced within four years.
- Targeting Household Types – Identify the amount of housing set-aside funds the redevelopment agency will allocate during the 10-year period on increasing and improving the supply of housing affordable to very low income households and low income households, and housing for residents under the age of 65.

The housing program objectives the Agency will implement during the next ten years are described below.

### Housing Production

To estimate the number of housing units that need to be affordable to low- and moderate- households, the Agency estimated the total number units to be constructed or substantially rehabilitated in the Project Area and applied mandates established by the Redevelopment Law.

The chart on the following page summarizes the production goals over various time periods as required by Redevelopment Law. The number of required affordable housing units is based upon statutory thresholds, and the Agency is responsible for ensuring that the appropriate number of affordable units is created during the 10-year planning period.

| Actual and Projected Housing Needs by Time Period | | | |
|---|---|---|---|
| Time Period | Actual/Assumed Housing Units Constructed and Substantially Rehabilitated in the Project Area | Affordable Units Required | |
| | | Total | Very Low |
| Prior to 2005 | 91 | 13.7 | 5.5 |
| **10 Year Forecast** | **182** | 27.3 | 10.9 |
| 2005 to 2009 | **91** | 13.7 | 5.5 |
| 2010 to 2014 | **91** | 13.7 | 5.5 |
| Redevelopment Plan Duration *(Until 2047)* | 637 | 96 | 38 |

As shown in the above table, while the Agency has not produced any affordable housing units it does not have a substantial deficiency in the amount of affordable units required to fill this gap. Over the 35-year duration of the Redevelopment Plan, the Agency anticipates a need for 96 affordable units (including 38 very low-income units) with 41[4] affordable units (including 16 very low-income units) being produced over the next 10 years. Fulfillment of these production goals is shown on the following table.

| Fulfillment of Affordable Housing Production Requirements by Time Period | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Time Period** | Units Required (see previous table) | | Units Produced | | **Additional Units Required** | | **Net Surplus Units Produced** | |
| | Total | VL | Total | VL | Total | VL | Total | VL |
| Prior to 2005 | 14 | 5 | 0 | 0 | **14** | **5** | **0** | **0** |
| **10 Year Forecast** | **27** | **11** | **41** | **16** | **0** | **0** | **0** | **0** |
| Redevelopment Plan Duration *(Until 2047)* | 96 | 38 | 96 | 38 | **0** | **0** | **0** | **0** |

As shown in the above table, the Project Area is not projected to produce a housing surplus. The Agency proposes to meet the majority of its housing production requirement through acquisitions of existing housing units in need of rehabilitation.

## Replacement Housing

During the Implementation Plan period, the Agency does not anticipate that any Agency-assisted projects will result in the displacement or removal of

[4] Combination of the previous 5 years along with the projections for the next 10 years.

housing units. Consequently, the Agency does not anticipate that any housing will need to be replaced at this time.

## Expenditures by Household Types

Based on preliminary estimates as of November 2004, the Agency anticipates that the low and moderate-income housing fund will have a fund balance of $4,814,923[5]. Over the five-year period ending on June 30, 2009, it is conservatively estimated that the Project Area will generate another $2,691,624 in 20% housing set aside revenue.

At a minimum, the Agency's low- and moderate- income housing set-aside revenue is to be expended in proportion to the community's need for very low- and low- income housing, as well as the proportion of the population under the age of 65.

Based on statistics from the Regional Housing Needs Assessment, used by local government to meet state requirement for affordable housing by category, and 2000 Census statistics, the following minimum thresholds for housing program expenditures would be required over the term of the Implementation Plan.

| Household Type | Minimum Percentage of Housing Set Aside Expenditures over Implementation Plan |
|---|---|
| **Very Low Income Households**<br>(Based on community's need for housing for households earning less than 54% of County median income) | 16% |
| **Low Income Households**<br>(Based on community's need for housing for households earning less than 86% of County median income) | 10% |
| **Household Under Age 65**<br>(Based on percentage of the City's 2000 Census population under the age of 65) | 92% |

**Notes:**
Percentage of very low and low income household expenditures based upon City of Imperial Beach Regional Housing Needs Assessment in which 14 (16%) of the total 87 units in the City's housing are applicable for very low income households and 9 units (10%) are applicable for low income households.

Percentage of expenditures for housing under the age of 65 based on 2000 Census data for the City, wherein 2,029 residents (8%) of the total population of 26,992 are under the age of 65.

[5] Includes approximately $4.1 million in bond proceeds.

- **Housing Set-Aside Expenditures since July 2002.** These proportionality requirements affect expenditures over a ten-year period, although the law permits the compliance initially for a period beginning in January 2003 and ending in December 2012. It is estimated the Agency has expended $8,639 of the $900,000[6] housing set-aside funds received since July 2002. Although there have been no expenditures based on specific low- and moderate-income categories, the Agency expects to be in compliance with all income categories after fully implementing its residential rehabilitation programs and projects.

| Housing Expenditures and Proportionality Since July, 2002 | | | | |
|---|---|---|---|---|
| **Income Category** | **2002-03** | **2003-04** | **2004-05** | **Period to Date** |
| Very Low Income | $0 | $0 | $0 | $0 |
| Low Income | $0 | $0 | $0 | $0 |
| Moderate Income | $0 | $0 | $0 | $0 |
| **Total Expenditures** | **$0** | **$0** | **$0** | **$0** |

- **Family Units Assisted by Housing Set-Aside Fund Since January 2003.** State law also requires a recap of the number of the projects assisted by the housing set-aside fund over the past Implementation Plan period divided by family projects (open to all age groups) and senior projects (restricted to residents age 65 and older). The Agency has not expended housing set-aside funds on any physical projects.

- **Housing Units Constructed During Prior Implementation Plan Without Housing Set-Aside Funds.** Since January 2000, no other funding source was used by the Agency to construct affordable units featuring long term covenant restricted units (affordable units with covenants of at least 45 years for ownership housing or 55 years for rental housing).

[6] Total through fiscal year 2003-04.

## Exhibit 1 - Street Improvements

The following is a preliminary list of street segments designated for public right-of-way improvements. This list is subject to change/modification based on field surveys of changing street conditions and Agency revenues realized.

- Alabama Street from Calla to Palm
- Calla from Rainbow to 547 Calla
- Carolina from Elm to Palm
- Corvina from Palm to Calla
- Dahlia from 5th to Carolina
- Delaware from Grove to I.B. Boulevard
- Downey from 9th to Grove
- Ebony from 2nd to 4th
- Ebony from 11th to 13th
- Elder from 3rd to 4th
- Elm from Florida to 13th
- Emory from Palm to North City limit
- Emory from Grove to Fern
- Encina from 7th to 9th
- Evergreen from 3rd to 4th
- Fern from 13th to 15th
- Florence from I.B. Boulevard to Ebony
- Florence from Grove to I.B. Boulevard
- Florida from Elder to Donax
- Georgia from Elm to Palm
- Georgia from Elm to I.B. Boulevard

- Grove from Connecticut to Delaware
- Grove from Oneonta School to 13th
- Grove from 14th to 15th
- Palm from Beach end to Delaware
- Seacoast from Palm Avenue to I.B. Boulevard
- Silverstrand from Palm to Carnation
- 2nd from I.B. Boulevard to Palm
- 3rd from Elm to Palm
- 5th from Palm to Elm
- 8th from Sav-On to Boulevard
- 10th from Iris to Grove
- 11th from Holly to Grove
- 11th from I.B. Boulevard to Elm
- 11th from Donax to Palm
- 11th from Palm to Cherry
- 12th from Grove to I.B. Boulevard
- 12th from Elm to Palm
- 14th from Fern to I.B. Boulevard
- 15th from Grove to I.B. Boulevard

## Exhibit 2 - Storm Drain Improvements

The following is a preliminary list of storm drain segments designated for improvements. This list is subject to change/modification based on field surveys of changing storm drain conditions and Agency revenues realized.

- Channel from Essex Street to Emory Street to 9th Street to I.B. Blvd.
- Channel along property line between 5th Street and Corvina Street (700 and 800 blocks)
- Storm Drain Interceptor near intersection of 8th Street and Calla Avenue
- Underground pipe - Elm Avenue from Florence to 11th Street
- Underground pipe - Alley west side of Bayside Elementary School
- Underground pipe - Seacoast Drive 700 -1000 blocks

## Attachment 1 - Alley Improvements

The attachment on the following page is a preliminary map of alley segments designated for public right-of-way improvements. This map is subject to change/modification based on; field surveys of changing alley conditions, Agency revenues realized as well as public approval of alley assessment districts for the cost of physical improvements and on-going maintenance.

ATTACHMENT 4

Imperial Beach Redevelopment Agency

AGENDA ITEM NO. 7.3

**STAFF REPORT**
**IMPERIAL BEACH REDEVELOPMENT AGENCY**

| | |
|---|---|
| **TO:** | **CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY**<br>**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL (SITTING AS THE PLANNING COMMISSION)** |
| **FROM:** | **GARY BROWN, EXECUTIVE DIRECTOR** |
| **MEETING DATE:** | **JANUARY 9, 2008** |
| **ORIGINATING DEPT.:** | **COMMUNITY DEVELOPMENT DEPARTMENT**<br>**GREG WADE, DIRECTOR**<br>**GERARD E. SELBY, REDEVELOPMENT COORDINATOR** |
| **SUBJECT:** | **GENERAL PLAN AND LOCAL COASTAL PLAN CONSISTENCY REQUIREMENT FOR PROPOSED THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AND SETTING A JOINT PUBLIC HEARING** |

## BACKGROUND

The City of Imperial Beach does not have a Planning Commission. The Imperial Beach City Council assumes the duties of the Imperial Beach Planning Commission for the purposes of making certain legal findings required by law.

Pursuant to Health and Safety Code section 33333.4(g)(2), the Imperial Beach Redevelopment Agency ("Agency") proposes to extend the time limit for the Agency to commence eminent domain action on non-residential properties within the Palm Avenue/Commercial Redevelopment Project Area by twelve (12) years, beginning from the date of adoption of the ordinance by the Imperial Beach City Council ("City Council") approving the proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("Proposed Amendment"). State law (Health and Safety Code sections 33346 and 33347) requires that before the Proposed Amendment is submitted to the City Council for consideration, the Proposed Amendment

must be submitted to the Planning Commission for its report and recommendation concerning the Proposed Amendment and its conformity with the Imperial Beach General Plan and Local Coastal Plan.

On February 7, 1996, by adoption of Ordinance No. 96-901, the City Council approved a final Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("the Redevelopment Plan").

On July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added the Amendment Area to the Palm Avenue/Commercial Redevelopment Project (the "Original Project Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment").

On December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment").

In accordance with Section 308 of the Redevelopment Plan for the Original Project Area ("Section 308"), the Agency has authority to acquire real property, as follows:

> The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire by eminent domain real property on which any persons reside. As used in this Section, the "property on which any persons reside" shall mean that one or more persons reside on the property with the express consent of the property owner.
>
> The Agency shall not have the power to acquire by eminent domain real property outside the [Original Project Area].
>
> No eminent domain proceeding to acquire property within the [Original Project Area] shall be commenced after twelve (12) years following adoption of the ordinance [adopting the Original Redevelopment Plan]. Such time limitation may be extended only by amendment of the [Original Redevelopment Plan].

The Agency's ability to commence eminent domain actions within the Original Project Area thus expires on February 7, 2008.

Health and Safety Code section 33333.4(g)(2) allows the extension of eminent domain powers by an amendment to the Redevelopment Plan for the Original Project Area after the Agency finds, based on substantial evidence, both of the following:

(A) That significant blight remains within the project area.

(B) That this blight cannot be eliminated without the use of eminent domain.

The Draft Report to Council prepared by Keyser Marston Associates presents substantial evidence that significant blight remains within the Original Project Area and that this blight cannot be eliminated without the use of eminent domain. The adoption of the Proposed Amendment to extend the time for commencement of eminent domain powers by twelve (12) years would allow the Agency to implement its existing redevelopment goals to eliminate blight within the Original Project Area, as stated in the Redevelopment Plan and in the 5 Year Implementation Plan adopted by the City Council sitting as the Agency Board on March 2, 2005.

## DISCUSSION

The purpose of the Imperial Beach Redevelopment Agency ("Agency") action tonight is to refer the proposed amendment to the City Council sitting as the Planning Commission for report and recommendation; adopt the Draft Report to Council and authorize the transmittal of the proposed Third Amendment and the Report to Council to the City Council of the City of Imperial Beach for consideration upon the recommendation of the City Council/Planning Commission; and consent to the joint public hearing.

The purpose of the City Council/Planning Commission action tonight is to receive the draft report as required by Sections 33346 and 33347 of the California Health and Safety Code and the proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the original project area, and make a report and recommendation regarding consistency of the proposed Third Amendment with the General Plan and Local Coastal Plan.

The purpose of the City Council action tonight is to receive the Draft Report to Council and the proposed Third Amendment to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the original project area; and consent to the joint public hearing.

## GENERAL PLAN AND LOCAL COASTAL PLAN ANALYSIS

### General Plan/Community Plan Designations

The City of Imperial Beach General Plan and Zoning Code guide development within Imperial Beach. The General Plan was adopted in 1996. Land use designations per the General Plan include: Single Family Residential, Two-Family Detached, Two-Family Residential, Medium Residential, High-Density Residential, Public Facilities, General Commercial, Seacoast Commercial, Neighborhood Commercial, Open Space, and Urban Reserve.

### Zoning Ordinance

The Project Area consists of the following zoning designations: R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, R-1500, C-1, C-2, C-3, OS, PF, and UR.

### Finding of No Additional Impacts

Agency staff conducted a secondary study ("21166 Study") to determine whether a subsequent or supplemental environmental impact report is required for the Proposed

Amendment. The 21166 Study analyzed the environmental factors potentially affected by the Proposed Amendment, including impacts on:

A. Land Use
B. Population, Housing, and Employment
C. Traffic and Circulation
D. Air Quality
E. Public Services
F. Public Utilities
G. Geology and Seismicity
H. Flooding and Drainage
I. Noise
J. Historical and Cultural Resources
K. Biological Resources

The 21166 Study concludes that because the Proposed Amendment does not entail any new redevelopment activities and would allow the Agency to effectively implement activities already contemplated and approved in the Redevelopment Plan for the Original Project Area, the Proposed Amendment is the same project that was analyzed in the EIR for the Original Project Area and the EIR for the Amendment Area. The Redevelopment Plan for the Original Project Area was determined to be consistent with the General Plan and Local Coastal Plan per Resolution No. 95-1150 of the City Planning Commission, which was passed on September 28, 1995. For the same factual reasons as documented in the 21166 Study, and because the Redevelopment Plan requires that all redevelopment activities must conform to the General Plan and the Local Coastal Plan, staff finds that the Redevelopment Plan, as amended by the Proposed Amendment, will not have any new impacts on the General Plan and Local Coastal Plan. Therefore, the Redevelopment Plan, as amended by the Proposed Amendment, is also consistent with the General Plan and Local Coastal Plan, including, but not limited to, the City's Housing element, which substantially complies with the applicable legal requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.

## ENVIRONMENTAL REVIEW

The City Council/Planning Commission's finding of consistency with the General Plan and Local Coastal Plan is not a project. Therefore, the City Council/Planning Commission's actions contemplated by this report are not subject to CEQA.

The Agency and Council's formal acceptance of the Report to Council is not a project. Therefore, the Council actions contemplated by this report are not subject to CEQA.

## PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being posted at least 72 hours prior to the meeting.

## DEPARTMENT RECOMMENDATIONS

Redevelopment Agency

1. Receive the Proposed Third Amendment and Report to Council.

2. Refer the Proposed Third Amendment and Report to Council to the City Council/Planning Commission for its report and recommendation concerning the Amended Plan and its conformity to the Imperial Beach General Plan and Local Coastal Plan.
3. Upon the report and recommendation of the City Council sitting as the Planning Commission, recommending approval of the Proposed Third Amendment and finding its conformity with the Imperial Beach General Plan and Local Coastal Plan, transmit the Proposed Third Amendment and Report to Council to the City Council for consideration of adoption at the joint public hearing.
4. Consent to the joint public hearing, which shall be held no earlier than thirty (30) days after the required notices are published and mailed in accordance with Health and Safety Code section 33452.

Planning Commission

1. Adopt this report as the Report of the Planning Commission;
2. Adopt the finding that the Proposed Amendment conforms to the General Plan and Local Coastal Plan;
3. Adopt the Proposed Amendment; and
4. Authorize transmittal of this report and recommendations concerning the adoption of the Proposed Amendment to the Agency and City Council.

City Council

1. Receive the Proposed Third Amendment and Report to Council for consideration at the joint public hearing.
2. Consent to the joint public hearing, which shall be held no earlier than thirty (30) days after the required notices are published and mailed in accordance with Health and Safety Code section 33452.

**EXECUTIVE DIRECTOR'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown, Executive Director

**ATTACHMENTS**

1. Draft Proposed Amendment
2. Draft Report to Council
3. Five Year Implementation Plan
4. Imperial Beach General Plan and Local Coastal Plan
5. Resolution No. R-08-135
6. Resolution No. 2008-6565
7. Resolution No. 2008-6566

# 21166 STUDY/ENVIRONMENTAL CHECKLIST
# REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH

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**PROJECT**: Palm Avenue/Commercial Redevelopment Project (PACRP) – Proposed Amendments

**LEAD AGENCY:** Redevelopment Agency of the City of Imperial Beach

**CONTACT PERSON AND TELEPHONE:** Gerard Selby, Redevelopment Coordinator (619) 424-2226

**PROJECT LOCATION:**

Imperial Beach was incorporated as a General Law City on July 18, 1956. Imperial Beach is a 4.5 square mile city with a population of 28,002. Its coastal setting and Mediterranean climate provide a unique and attractive living environment. Average maximum temperatures are 74$^0$F in summer and 64$^0$F during the winter. Low temperatures range between 45$^0$F in winter and 58$^0$F during the summer. Precipitation averages 9.5 inches per year, most of which is received during the winter. Imperial Beach claims the distinction of being the "Most Southwesterly City" - in the continental United States. The City is located in the Southwest corner of San Diego County, 25 minutes away from Lindbergh International Airport in downtown San Diego and only 5 miles from the Mexican Border.

The Palm Avenue/Commercial Redevelopment Project ("PACRP") is located in the City of Imperial Beach. On February 7, 1996, by adoption of Ordinance No. 96-901, the City Council approved a final Redevelopment Plan for the PACRP ("the Redevelopment Plan"). On July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added the Amendment Area to the Palm Avenue/Commercial Redevelopment Project (the "Original Project Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment"). On December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment"). The PACRP area encompasses all properties in the City with the exception of the Tijuana Estuary and the Naval Auxiliary. The PACRP area also includes approximately 86 acres that are located in the City of San Diego. The PACRP area's estimated 785 net acres is generally bounded by the Pacific Ocean to the west, San Diego Bay to the north, the City boundary to the east, and the Naval Auxiliary to the south (Map 1).

**APPLICANT**

Redevelopment Agency of the City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach CA 91932

## GENERAL PLAN/COMMUNITY PLAN DESIGNATIONS

The City of Imperial Beach General Plan and Zoning Code guide development within Imperial Beach. The General Plan was adopted in 1996. Land uses designations per the General Plan include: Single Family Residential, Two-Family Detached, Two-Family Residential, Medium Residential, High-Density Residential, Public Facilities, General Commercial, Seacoast Commercial, Neighborhood Commercial, Open Space, and Urban Reserve.

## ZONING ORDINANCE

The PACRP consists of the following zoning designations: R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, R-1500, PF, C-1, C-2, C-3, OS, and UR.

## PROJECT DESCRIPTION

The PACRP Area consists of approximately 1,377 acres of mostly developed urban land and was adopted by the Imperial Beach City Council ("City Council") in 1996 and subsequently amended in 2001 to include the remaining residential portions of the City of Imperial Beach. The PACRP was adopted to eliminate conditions of blight in the PACRP project area through the construction, revitalization, and/or upgrade of commercial, residential, and public properties and facilities within the City of Imperial Beach. Redevelopment activities supported by the PACRP are authorized through January 2026.

The PACRP Environmental Impact Report was adopted by the Imperial Beach City Council ("City Council") in 1996. The 2001 PACRP amendment in 2001 also approved Palm Avenue/Commercial Redevelopment Project, Amendment No. 1 Environmental Impact Report. The PACRP Environmental Impact Report and the PACRP Amendment No. 1 Environmental Impact Report provide a program-level assessment of the potential environmental effects of forming a redevelopment project within Imperial Beach and amending the PACRP. The PACRP EIR analyzed an estimated approximately 893 acres of residential land uses, approximately 61 acres of commercial, and approximately 111 acres of public facilities. According to the PACRP EIR and the PACRP Amendment No. 1 EIR, all significant environmental impacts would be reduced to below a level of significance following mitigation incorporation (identified in the PACRP EIR and the PACRP Amendment No. 1 EIR), with the exception of those impacts associated with air quality.

The Redevelopment Plan for the Original Project Area of the PACRP currently provides that the Agency may acquire real property within the Original Project Area by any lawful means, including by eminent domain. The Agency's authority to exercise eminent domain will expire on February 7, 2008. The Redevelopment Agency of the City of Imperial Beach has determined that the following amendment is necessary to the PACRP:

A. Extension of the Imperial Beach Redevelopment Agency's time limit to acquire real property within the Original Project Area, excluding residentially zoned property and

property with legal non-conforming residential uses, by twelve (12) years from adoption of the ordinance authorizing the amendment.

If approved, this amendment will allow the Agency to effectively implement the redevelopment activities already contemplated and approved in the Redevelopment Plan for the Original Project Area.

1. SURROUNDING LAND USE(S) AND PROJECT SETTING

The PACRP area is bordered on the north by San Diego Bay and the U.S. Naval Communication Station, on the south by U.S. Navy Outlying Landing Field, on the west by the Pacific Ocean, and on the east by the City of San Diego. The City of San Diego General Plan land use designations north of Palm Avenue include open space and to the south of Palm Avenue exists multiple residential areas at 10 to 14 units per acre, Palm Avenue is General Commercial, south of Palm Avenue and east of the Imperial Beach City limits the residential character reflects the existing residential development on both sides of the City line.

Portions of the City of Coronado that abut Imperial Beach are designated in the Coronado General Plan for military use with a Wildlife Preserve Overlay designation.

## OTHER REQUIRED AGENCY APPROVALS

None.

## PREVIOUS ENVIRONMENTAL DOCUMENTATION

- PACRP Environmental Impact Report. 1996. Redevelopment Agency of the City of Imperial Beach
- PACRP Amendment No. 1 Environmental Impact Report. 2001. Redevelopment Agency of the City of Imperial Beach

## CONSULTATION

A. Redevelopment Agency of the City of Imperial Beach
Gerard E. Selby, Redevelopment Coordinator

B. Documents and Resources:

- Palm Avenue/Commercial Redevelopment Project Environmental Impact Report. 1996. Redevelopment Agency of the City of Imperial Beach
- Palm Avenue/Commercial Redevelopment Project Amendment No. 1 Environmental Impact Report. 2001. Redevelopment Agency of the City of Imperial Beach

- Palm Avenue/Commercial Redevelopment Project Second Five-Year Implementation Plan (2004-2009). 2004. Redevelopment Agency of the City of Imperial Beach
- Draft Report to City Council for the Adoption of the Third Amendment to the Existing Redevelopment Plan, 2007
- Draft Third Amendment to the Existing Redevelopment Plan
- City of Imperial Beach General Plan & Coastal Plan
- CEQA Deskbook: A Step-by-Step Guide on how to comply with the California Environmental Quality Act. 1999. Solano Press Books

## SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors potentially affected by this project and analyzed in this document include:

A. Land Use
B. Population, Housing, and Employment
C. Traffic and Circulation
D. Air Quality
E. Public Services
F. Public Utilities
G. Geology and Seismicity
H. Flooding and Drainage
I. Noise
J. Historical and Cultural Resources
K. Biological Resources
L. Mandatory Findings of Significance

## ENVIRONMENTAL CHECKLIST AND DISCUSSION OF ENVIRONMENTAL EVALUATION

The City of Imperial Beach certified the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001. The conclusions drawn regarding the degree of environmental impact in this 21166 Study/Environmental Checklist are based on a comparison of the effects of the proposed project (i.e. amendment of the PACRP) with the results/conclusions outlined in the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001.

The proposed PACRP amendment (proposed project) is the same project as that identified and analyzed under the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001. Consequently, as outlined in §21090(b) of the CEQA Guidelines, all public/private undertakings pursuant to or in furtherance of a redevelopment plan will be deemed to be a single project.

The 21166 Study/Environmental Checklist has been prepared following the guidance outlined in §15162 and §21166. These sections indicate that no subsequent or supplemental EIR will

be prepared for the project (once a previous EIR has been certified) unless the Lead Agency determines that, on the basis of substantial evidence in light of the whole record, one or more of the following elements are identified:

1. Substantial changes are proposed in the project that will require major revisions of the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revisions of the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001 was certified as complete, shows any of the following:

    - The project will have one or more significant effects not discussed in the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001;
    - Significant effects previously examined will be substantially more severe than shown in the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001;
    - Mitigation measures or alternatives found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - Mitigation measures or alternatives which are considerably different that those analyzed in the PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001 would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Upon completion of this 21166 Study/Environmental Checklist that adheres to the guidance outlined in §15162, should the Lead Agency determine that no new effects could occur or no new mitigation measures would be required, the Lead Agency may approve the activity as being within the scope of the project analyzed in the programmatic EIR (i.e. PACRP Environmental Impact Report in 1996 and the PACRP Amendment No. 1 Environmental Impact Report in 2001), and no new environmental documentation would be required (CEQA Guidelines §15168 (C)(2) and §21166.

As defined in this 21166 Study/Environmental Checklist, a "No Impact" response indicates that the potential environmental impact associated with implementation of the proposed project (i.e. the amended PACRP) would be the same as the impacts identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR. A "Less Than Significant Impact" response indicates that, although environmental impact or changes in the environment would occur with implementation of the proposed project beyond those identified in the PACRP EIR and the PACRP Amendment No. 1EIR, the impact would still be below a level of significance. A response of "Potentially Significant Unless Mitigation Incorporated" indicates that implementation of the proposed project would potentially result in new or more substantial impacts above and beyond that identified in the PACRP EIR and the PACRP Amendment No. 1 EIR. Any necessary new mitigation required would be designed to reduce the potential impact to below a level of significance. A response of "Potentially Significant Impact" indicates that the proposed project would potentially result in impacts considered significant and beyond those already identified in the PACRP EIR in 1996 and the PACRP Amendment No. 1 EIR in 2001.

The following evaluation checklist lists each potential environmental effect and provides information supporting the conclusion drawn as the degree of impact associated with the proposed project.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **I. LAND USE.** Would the Project: | | | | |
| a) Adversely affect the General Plan land use designations or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over a project? | | | | X |
| b) Result in a conflict with the environmental goals, objectives, and recommendations of the community in which it is located? | | | | X |
| c) Result in project bulk, scale, materials, or style that would be incompatible with surrounding development? | | | | X |
| d) Substantially alter the existing or planned character of the area, such as could occur with the construction of a subdivision in a previously undeveloped area? | | | | X |
| e) Result in the improper siting of commercial developments adjacent to | | | | X |

| | | | | |
|---|---|---|---|---|
| sensitive uses? | | | | |
| f) Substantially change the existing landform? | | | | X |
| g) Result in the siting of noxious activities on the sites immediately adjacent to sensitive uses? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. As outlined in the PACRP EIR and PACRP Amendment No. 1 EIR, implementation of the redevelopment activities in the PACRP area would result in increases in the development of residential, commercial, and public facilities. Prescribed mitigation, as noted in the PACRP EIR and the PACRP Amendment No. 1 EIR, state that development within the PACRP will process all future development plans in the manner stipulated by the City of Imperial Beach General Plan and Local Coastal Plan, and all applicable City regulations or policies. As outlined in the PACRP EIR and the PACRP Amendment No. 1 EIR, redevelopment within the PACRP Project Area represents an increase in the intensity of development and changes to existing uses of land. However, as redevelopment activities must conform to the goals and policies of the Imperial Beach General Plan and Zoning Code (provides land use compatibilities and design guidelines that ensure compatibility with adjacent land uses, infrastructure, and parking), potential impacts to land use would be reduced to below a level of significance. Adoption of the amended PACRP would not result in any additional impacts to land use in the PACRP project area than those already identified and mitigated for in the PACRP EIR and PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Land Use not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **II. POPULATION, HOUSING, AND EMPLOYMENT.** Would the Project: | | | | |
| a) Bring substantial population growth in an area? | | | | X |
| b) Result in an increase in jobs? | | | | X |
| c) Result in an increase in commercial space? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. As outlined in the PACRP EIR and the PACRP Amendment No. 1 EIR, potential impacts to Population, Housing, and Employment resulting from redevelopment activities would be less than significant. Prescribed mitigation, as noted in the PACRP EIR and the PACRP Amendment No. 1 EIR, states that the number of new housing units and the resultant population increase are consistent with the Imperial Beach General Plan and Local Coastal Plan, and the City's and SANDAG's population projections. The PACRP amendment will not result in an increase in employment, as the anticipated amount of commercial development is identical to those contained in the General Plan. The PACRP will process all future development plans in the manner provided for by the City of Imperial Beach General Plan and Local Coastal Plan, and all applicable City regulations or policies. Adoption of the amended PACRP would not result in any additional impacts to Population, Housing and Employment in the PACRP project area than those already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP Environmental Impact and the PACRP Amendment No. 1 EIRs would not result in any additional environmental impact(s) to Population, Housing, and Employment not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **III. TRAFFIC AND CIRCULATION.** Would the Project: | | | | |
| a) Result in an increase in projected traffic that is substantial in relation to the existing traffic load and capacity of the street system? | | | | X |
| b) Add substantial amount traffic to a congested freeway segment, interchange, or ramp? | | | | X |
| c) Substantially alter the present circulation movement, including effects on existing public access to beaches, parks, or other open space areas? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. As outlined in the PACRP EIR and the PACRP Amendment No. 1 EIR, the potential impacts to Traffic and Circulation resulting from redevelopment activities would be less than significant. Prescribed mitigation, as noted in the PACRP EIR and the PACRP Amendment No. 1 EIR, states that the no significant adverse impacts are expected on the local circulation system as a result of Redevelopment Plan implementation, but traffic growth could contribute cumulatively to significant unavoidable adverse impacts on regional congestion levels. These changes are not expected to be significant relative to impacts that have already been stated in the General Plan/Local Coastal/Zoning Code Update – Environmental Impact Report. The General Plan EIR proposes a number of measures to mitigate traffic impacts along the road segments, and at various intersections. The PACRP will process all future development plans as presented in the City of Imperial Beach General Plan and Local Coastal Plan, and all applicable City regulations or policies. Individual traffic and parking impact analyses will be prepared for any specific development action proposed that would have significant environmental effects related to Traffic and Circulation.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP Environmental Impact and the PACRP Amendment No. 1 EIRs would not result in any additional environmental impact(s) to Traffic and Circulation not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **IV. AIR QUALITY.** Would the Project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | | X |
| c) Result in cumulatively considerable net increase of any criteria pollutant for which the project regions is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursor)? | | | | X |
| d) Expose sensitive receptors to substantial number of people? | | | | X |
| e) Create objectionable odors affecting a substantial number of people? | | | | X |
| f) Release substantial quantities of air contaminants beyond the boundaries of the premises upon which the stationary source emitting the contaminants is located? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. Implementation of the PACRP will not result in emissions greater than San Diego County Air Pollution Control District significance thresholds. Implementation of the PACRP will result in unavoidable adverse impacts upon regional air quality, but because it is consistent with the Imperial Beach General Plan, it is by extension consistent with the Air Quality Management Plan, and its impacts on attaining the goals of these plans will be largely beneficial. Any specific development action that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Air Quality not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **V. PUBLIC SERVICES.** Would the Project: | | | | |
| a) Have an effect upon or result in a need for new or altered government services in any of the following areas: | | | | |
| i.) Fire Protection? | | | | X |
| ii.) Police Protection? | | | | X |
| iii.) Schools? | | | | X |
| iv.) Parks and Recreation? | | | | X |
| v.) Other public facilities? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. The PACRP EIR and PACRP Amendment No. 1 EIR determined that the demand for police services, fire services, schools, and parkland and recreation services would increase. With the implementation of the redevelopment activities in the PACRP area, prescribed mitigation, as noted in the PACRP EIR and PACRP Amendment No. 1 EIR, states that the anticipated structural rehabilitation activities in the older commercial portions of the City could alleviate impacts if the latest features in fire resistive construction and the addition of automatic fire detection and protection systems such as sprinklers are included. Rehabilitation and new construction that include these improvements will help to reduce both the current and future demand on fire protection services. All future development within the PACRP will conform to the City of Imperial Beach General Plan and Local Coastal Plan, and all applicable City regulations or policies. In addition, the Sheriff's Department would review all residential, commercial or mix-use redevelopment projects for Crime Prevention Through Environmental Design (CPTED) strategies. The PACRP EIR and PACRP Amendment No. 1 EIR anticipates that existing non-conforming land uses in the project area will at some point in the future conform to the land uses designated by the General Plan. As projected in the General Plan, future development will result in a modest increase in student population. The South Bay Unified School District and Sweetwater Union High School District each receive annual mandatory tax increment sharing payments. The National Recreation and Park Association ("NRPA") recommends 6 to 10 acres of parkland per thousand of population. All of the City's parkland, including school sites, and the beach, but excluding the estuary and State Park, total approximately 80.07 acres. Based upon the City's current population of 26,992, minimum parkland requirements would total 162 acres. Unfortunately, this is not an attainable figure for Imperial Beach, due to insufficient developable vacant land, and economic constraints within the city. The Parks, Recreation and Access Element of the General Plan and Local Coastal Plan recommends more mini-parks, neighborhood parks, community parks, activity centers, special use, and all-purpose parks. New development in PACRP will contribute parkland and park impact fees, and therefore provide adequate parkland to meet their own demand. PACRP will

also use Tax Increment and bond funds to create and enhance recreational facilities. Thus, PACRP development will not exacerbate existing parkland needs generated by the current population. Based upon San Diego County Library standards, the 5,000 square feet Imperial Beach Branch Library is currently has a space requirement deficit of approximately 4,447 square feet. Population projections are based on the land-use designation of the General Plan, thus no further mitigation other than policies contained in the General Plan are necessary. The Redevelopment Agency is authorized by Redevelopment Law to enter into agreements for library facilities improvements. Adoption of the amended PACRP would not result in any additional impacts to public services in the PACRP project area than those already identified and mitigated for in the PACRP EIR and PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Public Services not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **VI. PUBLIC UTILITIES.** Would the Project: | | | | |
| a) Result in a need for new systems or require substantial alterations to existing utilities, the construction of which would create physical impacts to the following areas: | | | | |
| i.) Electricity? | | | | **X** |
| ii.) Natural Gas? | | | | **X** |
| iii.) Water? | | | | **X** |
| iv.) Wastewater? | | | | **X** |
| v.) Solid Waste? | | | | **X** |
| vi.) Communications? | | | | **X** |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. The PACRP EIR and PACRP Amendment No. 1 EIR determined that the implementation of the redevelopment activities in the PACRP area would not cause significant impacts relative to electrical supplies provided to existing users. Energy conservation measures that conform to California Code of Regulations Title 24 Requirements will be required for all future developments

The PACRP EIR and PACRP Amendment No. 1 EIR determined that the implementation of the redevelopment activities in the PACRP project area would not cause significant impacts relative to water supplies provided to existing users. Future development will still be required on an individual basis, to ensure an adequate supply of water without adverse effect on other users. New development is required to implement water conservation methods recommended by the California Department of Water Resources. The Redevelopment Agency is authorized to use various funding mechanism to upgrade the existing water system serving the PACRP project area.

The PACRP EIR and PACRP Amendment No. 1 EIR concluded that the implementation of the redevelopment activities in the PACRP area would not cause significant impacts relative to Wastewater. The City is a member of the San Diego Metropolitan Sewerage System. The existing wastewater treatment facilities have sufficient capacities to handle current and future sewage generation. Future developments will be required to implement water conservation measures. The Redevelopment Plan contains provisions for upgrading the sewer system in order to adequately serve proposed development within the PACRP project area. In addition, all new development must provide evidence of the wastewater treatment facility's ability to serve before the issuance of building permits.

The PACRP EIR and PACRP Amendment No. 1 EIR established that the implementation of the redevelopment activities in the PACRP area would not cause significant impacts relative to Solid Waste. With the implementation of the redevelopment activities in the PACRP area, prescribed mitigation, as noted in the PACRP EIR and PACRP Amendment No. 1 EIR, states that the mitigation measures will reduce refuse generation to acceptable levels. The City has instituted the separation of yard clippings from trash and the recycling of metal and glass. Future developments will be required to implement any source reduction or recycling programs developed or adopted by the City. With the implementation of the redevelopment activities in the PACRP area, prescribed mitigation, as noted in the PACRP EIR and PACRP Amendment No. 1 EIR, states that the mitigation measures will reduce refuse generation to acceptable levels. The City has instituted the separation of yard clippings from trash and the recycling of metal and glass. Future developments will be required to implement any source reduction or recycling programs developed or adopted by the City. Adoption of the amended PACRP would not result in any additional impacts to Public Services in the PACRP project area than those already identified and mitigated for in the PACRP EIR and PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The PACRP EIR and PACRP Amendment No. 1 EIR ascertained that the implementation of the redevelopment activities in the PACRP area would not cause significant impacts relative to Communications. The various tele-communications providers indicate that they are capable of providing adequate communication facilities to the PACRP project area.

Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Public Utilities not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **VII. GEOLOGY AND SEISMICITY.** Would the Project: | | | | |
| a) Result in a substantial increase in wind or water erosion of soils, either on- or off-site? | | | | X |
| b) Expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. Adoption of the amended PACRP would not result in any additional impacts to Public Services in the PACRP project area than those already identified and mitigated for in the PACRP EIR and PACRP Amendment No. 1 EIR. As outlined in the PACRP EIR and PACRP Amendment No. 1 EIR, the PACRP project area is underlain by the Baypoint formation consisting of recent marine mud. The implementation of redevelopment projects in the PACRP project area will require some grading in order to provide building pads, parking facilities, utilities and drainage. Site specific geology and geo-technical investigations to explore and evaluate rock, soil, groundwater, seismic and geological conditions will be prepared pursuant to the Imperial Beach Municipal Code and/or other applicable City policies.

There are three major regional zones of faulting within the San Diego Region: San Jacinto Fault Zone, Elsinore Fault Zone, and Rose Canyon Zone. The closest to the City of Imperial Beach are the Sweetwater and La Nacion Faults; neither of the two faults appears to have been active in recent time. The City of Imperial Beach enforces a number of programs to reduce the effects of seismicity (groundshaking and displacement) as a result of earthquakes. These programs include the requirement that all construction of new buildings and rehabilitation of existing buildings be in conformance with the latest adopted edition of the Uniform Building Code. Site-specific geology and geo-technical investigations to explore and evaluate rock, soil, groundwater, seismic and geological conditions will be prepared pursuant to the Imperial Beach Municipal Code and/or other applicable City policies. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Geology and Seismicity not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **VIII. FLOODING AND DRAINAGE.** Would the Project: | | | | |
| a) Substantially increase impervious surfaces and associated increased runoff? | | | | X |
| b) Substantially alter the on- and off-site drainage patterns due to changes in runoff flow rates or volumes? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. The implementation of the Redevelopment Plan could result in adverse impacts that might expose individuals and property to flooding, and increase the amount of storm water runoff generated in the PACRP project Area. With build-out of the PACRP project Area, the carrying capacity of existing storm drain facilities will be significantly affected by additional impervious surface improvements. However, the Redevelopment Plan authorizes the agency participation in the construction of needed public improvements, relative to storm drainage facilities, as outlined in the City's Master Plan of Drainage. Compliance with water quality standards within the PACRP is assured through permit conditions provided by development review process of the City of Imperial Beach. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Flooding and Drainage not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **IX. NOISE.** Would the Project: | | | | |
| a) Result or create a significant increase in the existing ambient noise level? | | | | X |
| b) Expose people to noise levels that exceed the City's adopted noise ordinance? | | | | X |
| c) Result in land uses which are not compatible with aircraft noise levels? | | | | X |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. The implementation of the Redevelopment Plan would result in increase noise levels along major streets, however, relative to noise-generation, the anticipated increase in vehicular trips within the PACRP project area would result in a less-than significant increase in noise levels along streets within the PACRP project area. Prescribed mitigation, as noted in the PACRP EIR and the PACRP Amendment No. 1 EIR, states that prior to the issuance of building permit within the PACRP, applicants must submit evidence that all applicable exterior and interior noise standards established by the City of Imperial Beach General Plan and Local Coastal Plan will be met. All site preparation and construction activities will be limited to daytime hours. Adoption of the amended PACRP would not result in any additional impacts to Noise in the PACRP project area than those already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Noise not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

| Issues: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant With Mitigation | No Impact |
|---|---|---|---|---|
| **X. HISTORICAL AND CULTURAL RESOURCES.** Would the Project: | | | | |
| a) Cause an alteration, including the adverse physical and/or the destruction of historical or cultural resources? | | | | **X** |
| b) Impact significant paleontological resource? | | | | **X** |

Discussion:

The proposed PACRP amendment, if approved, would extend the Agency's authority to non-residential property within the Original Project Area by twelve (12) years to allow the Agency to implement the redevelopment activities approved in the Redevelopment Plan for the Original Project Area of the PACRP. As outlined in the PACRP EIR and the PACRP Amendment No. 1 EIR, there are relatively few prehistoric sites recorded in the Imperial Beach area. As with much of the urbanized areas of the San Diego region, potential archeological sites have been seriously degraded. Within the PACRP project area, archeological sites have been identified in an area near the northern boundary along the Otay River and near the Oneonta Slough. Also, there appears to have been a U.S. Cavalry post on the present site of Westview Elementary School. If archeological resources are discovered during grading or other excavation operations, all grading activity will cease, and a qualified archeologist will investigate the site. Any development on sites with structures more than 45 years old will be reviewed in regard to the significance of the older structure. Any proposed project on the same site as, or near to, the historically significant structure mentioned above should be reviewed for the manner in which the proposed construction affects the subject historic structure. Adoption of the amended PACRP would not result in any additional impacts to Historical and Cultural Resources in the PACRP project area than those already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR. Any specific development action proposed that could have a significant impact on the environment would be required to undergo separate environmental review as determined by the Redevelopment Agency of the City of Imperial Beach.

The amended PACRP, as proposed, is the same project as that analyzed in the PACRP EIR and the PACRP Amendment No. 1 EIR would not result in any additional environmental impact(s) to Historical and Cultural Resources not already identified and mitigated for in the PACRP EIR and the PACRP Amendment No. 1 EIR.

(i.e., amendment of the PACRP) analyzed in this 21166 Study/Environmental Checklist is the same project as that analyzed in the PACRP Environmental Impact Report and PACRP Amendment No. 1 Environmental Impact Report certified respectively in 1996 and 2001 by the City of Imperial Beach and would not result in any new significant impacts not already identified and mitigated for under the previous EIRs.

B. As outlined in §15162 and §21166 of the CEQA Guidelines and based on the conclusions reported in this 21166 Study/Environmental Checklist, no subsequent or supplemental environmental impact report is required for the proposed project for the following reasons:

- No substantial changes are proposed in the project which would require major revisions of the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports due to the involvement of new significant environmental effects, nor a substantial increase in the severity of previously identified significant effects;

- No substantial changes would occur with respect to the circumstances under which the project is undertaken that will require major revisions of the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports due to the involvement of new significant environmental effects, nor a substantial increase in the severity of previously identified significant effects;

- No new information of substantial importance is available, which was not known and could not have been with the exercise of reasonable diligence at the time the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports of 1996 and 2001 were certified as complete. The following conclusions are supported by the 21166 Study/Environmental Checklist:

    i. The project will not result in one or more significant effects not previously discussed in the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports of 1996 and 2001;
    ii. No significant effects, previously examined in the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports of 1996 and 2001 will be substantially more severe than previously known;
    iii. No mitigation measures or alternatives, found not to be feasible in the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports of 1996 and 2001, would in fact be feasible and substantially reduce one or more significant effects of the project;
    iv. No mitigation measures or alternatives, which are considerably different than those analyzed in the PACRP Environmental Impact and PACRP Amendment No. 1 Environmental Impact Reports of 1996 and

2001 and would substantially reduce one or more significant effects on the environment.

The Lead Agency has determined that no new effects could occur and no mitigation measures are required; the proposed activity is the same project analyzed in the PACRP EIR and PACRP Amendment No. 1 EIR of 1996 and 2001, and no new environmental documentation is required per CEQA Guideline §15168 (c) (2) and Public Resources Code §21166.

## 17. ENVIRONMENTAL ADMINISTRATOR DETERMINATION

The 21166 study for this project has been reviewed and the environmental determination is hereby approved:

_____

Gerard E. Selby, Redevelopment Agency of the City Imperial Beach
Redevelopment Coordinator

**Response to Written Objections**
**and Summary of Consultations with Taxing Agencies**
**For the Third Amendment to the Palm Avenue/Commercial Redevelopment Plan**

The following paragraphs describe the written objections received prior to the hearing and on the date of the commencement of the hearing on February 20, 2008.

**Response to Written Objections**

Objection No. 1:

Letter dated February 20, 2008 from Elizabeth Stockdale, Executor of the Stockdale Family Trust: Ms. Stockdale objected to the proposed Amendment and stated that she has seen eminent domain used by the City to acquire property from her family and did not think that the property was used to benefit the community. She expressed concern about the ability to use eminent domain at the whim of the City Council and Redevelopment Agency.

Response to Objection No. 1:

In accordance with the requirements of the CRL, eminent domain would be used as a last resort by the Agency in situations where negotiations to acquire property have been unsuccessful. Despite having the authority to utilize eminent domain for the past twelve years, the Agency has not used it due to the Agency's sensitivity to the concerns of the community. In addition, acquiring property by eminent domain is an expensive, time-consuming and cumbersome process. In addition to being required to pay fair market value for any property acquired, the Agency would also be required to pay relocation benefits to any persons or businesses that the Agency displaces. In addition, eminent domain can only be used after the Agency holds a public hearing and makes certain findings regarding the use of eminent domain.

Objection No. 2:

Letters dated February 8, 2008 and February 15, 2008 from Ms. Anne Young Malewicz (on behalf of her mother Ms. Catherine M. Young): In the letter dated February 8, 2008, Ms. Malewicz requested clarification on whether eminent domain could be used to acquire vacant lots or residential land. In the letter dated February 15, 2008, Ms. Malewicz states that she would not support the use of eminent domain for the acquisition of residential vacant land and asked that the Amendment be altered to exclude specific parcels of vacant residential land owned by her mother.

Response to Objection No. 2:

In response to the February 8th letter, Agency staff provided a written response that stated that Ms. Young's property is excluded from the propose extension of the Agency's eminent domain powers due to the fact that it is residentially zoned. After consulting with Agency special legal counsel, however, staff issued a letter correction dated February 21, 2008 to clarify the status of vacant residential land and that vacant property that is residentially zoned could theoretically be subject to acquisition by eminent domain because it is not "property on which any persons lawfully reside." The letter also stated that the Agency would not exempt specific properties as a matter of fairness to all property owners but that the Agency

**CLARIFICATION, TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA.**

_____ _____

CITY CLERK DATE

ATTACHMENT 8

# RESOLUTION NO. 2008-6593

**A RESOLUTION OF THE CITY OF IMPERIAL BEACH CITY COUNCIL, STATING FOR THE RECORD THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED THE INFORMATION IN THE PALM AVENUE COMMERCIAL ENVIRONMENTAL IMPACT REPORT AND THE 21166 STUDY WITH RESPECT TO THE PROPOSED THIRD AMENDMENT TO THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA**

The City of Imperial Beach City Council ("City Council") does hereby resolve as follows:

**WHEREAS,** on February 7, 1996, by adoption of Ordinance No. 96-901, the Imperial Beach City Council (the "City Council") approved a final Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project ("the Original Project Area"); and

**WHEREAS,** on July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added new territory to the Original Project Area ("the Amendment Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment"); and

**WHEREAS,** on December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment"); and

**WHEREAS**, the Palm Avenue Commercial Environmental Impact Report, pertaining to the Original Project Area ("Original Project Area EIR"), was certified by Resolution No. 96-4569, adopted on January 17, 1996; and

**WHEREAS**, the Palm Avenue Commercial, Amendment No. 1 Environmental Impact Report, pertaining to the Amendment Area ("Amendment Area EIR"), was certified by Resolution No. 01-36, adopted on July 18, 2001; and

**WHEREAS**, the Original Project Area EIR and the Amendment Area EIR are on file in the Office of the City Clerk; and

**WHEREAS**, the Imperial Beach Redevelopment Agency ("Agency") has prepared a proposed Third Amendment to the Redevelopment Plan Pertaining to the Original Project Area (the "Proposed Third Amendment"), which would only affect the portion of the Redevelopment Plan pertaining to the Original Project Area; and

**WHEREAS**, at the joint public hearing on March 5, 2008, Agency staff recommended clarification to the language of the Proposed Third Amendment, as follows ("Text Clarification"):

> The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire, by use of eminent domain, real property on which any persons lawfully reside~~, including property which is residentially zoned or which contains a legal non-conforming residential use~~.

**WHEREAS**, the Agency adopted a resolution recommending that the City Council approve and adopt the Proposed Third Amendment, as revised by the Text Clarification (hereinafter referenced collectively as "the Proposed Third Amendment"); and

**WHEREAS**, Public Resources Code section 21166 ("Section 21166") provides that when an EIR has been certified for a project, no subsequent or supplemental EIR shall be required by the lead agency or by any responsible agency, unless one or more of the following events ("21166 Events") occurs:

(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available; and

**WHEREAS**, the Agency has conducted a secondary study to determine whether a subsequent or supplemental EIR is required pursuant to Section 21166 ("21166 Study"), the results of which are on file in the office of the City Clerk; and

**WHEREAS**, the Proposed Third Amendment does not contemplate and will not result in any new programs or activities, or substantial changes to the Original Project Area and is, therefore, considered as the same project; and

**WHEREAS**, after reviewing and considering the 21166 Study, the City Council has determined that none of the 21166 Events has occurred;

**NOW THEREFORE, BE IT RESOLVED**, by the City Council, as follows:

1. That the information contained in Original Project Area EIR and the 21166 Study have been reviewed and considered by the City Council and the City Council finds and determines that none of the 21166 Events has occurred.

2. Upon the adoption by the City Council of the City of Imperial Beach of the ordinance approving the Proposed Third Amendment, the Executive Director of the Agency is directed to file a Notice of Determination ("NOD") with the Clerk of the Recorder's Office at the County of San Diego regarding the Proposed Third Amendment.

**PASSED, APPROVED, AND ADOPTED** by the City Council of Imperial Beach, California, at its regular meeting held on March 5, 2008 by the following roll call vote:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

_____

**JAMES C. JANNEY, MAYOR**

**ATTEST:**

_____

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

**APPROVED AS TO FORM:**

_____

**JAMES P. LOUGH**
**CITY ATTORNEY**

**I, City Clerk, of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2008-6593 – RESOLUTION OF THE CITY COUNCIL STATING FOR THE RECORD THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED THE INFORMATION IN THE PALM AVENUE COMMERCIAL ENVIRONMENTAL IMPACT REPORT AND 21166 STUDY WITH RESPECT TO THE PROPOSED THIRD AMENDMENT TO THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA**

_____ _____

**CITY CLERK** **DATE**

# ORDINANCE NO. 2008-1066

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AND ADOPTING THE THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA PERTAINING TO THE ORIGINAL PROJECT AREA**

The City Council of the City of Imperial Beach does hereby ordain as follows:

**WHEREAS**, on February 7, 1996, by adoption of Ordinance No. 96-901, the Imperial Beach City Council (the "City Council") approved a final Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area ("the Original Project Area"); and

**WHEREAS**, on July 18, 2001, by adoption of Ordinance No. 2001-970, the City Council added new territory to the Original Project Area ("the Amendment Area") and adopted Plan Amendment No. 1, pertaining only to the Amendment Area ("First Amendment"); and

**WHEREAS,** on December 20, 2006, by adoption of Ordinance No. 2006-1050, the City Council adopted a text amendment to the Redevelopment Plan, clarifying that the amendment to the Redevelopment Plan under Ordinance No. 2001-970 added the Amendment Area to the Original Project Area and was not intended to add a new project area by its own terms ("Second Amendment"); and

**WHEREAS**, the Original Project Area and Amendment Area shall be collectively referred to as "the Project Area," unless otherwise referenced separately herein; and

**WHEREAS,** the Redevelopment Agency of the City of Imperial Beach ("Agency") has formulated and prepared a proposed Third Amendment to the Redevelopment Plan Pertaining to the Original Project Area (the "Proposed Third Amendment"), which would only impact the portion of the Redevelopment Plan pertaining to the Original Project Area; and

**WHEREAS,** the Planning Commission, on January 9, 2008, made its report and recommendation supporting the Proposed Third Amendment and finding that the Proposed Third Amendment conforms to the Imperial Beach General Plan and Local Coastal Plan; and

**WHEREAS**, the Agency submitted the Proposed Third Amendment to the City Council, together with the Report to the City Council which includes: the reasons for adopting the Proposed Third Amendment; a description of the physical and economic conditions existing in the Original Project Area causing significant remaining blight; an explanation of why the significant remaining blight in the Original Project Area cannot be eliminated without the use of eminent domain; an explanation of why the removal of the

significant remaining blight in the Original Project Area cannot be reasonably be expected to be accomplished by private enterprise acting alone or by the use of financing alternatives other than tax increment financing; an explanation of the proposed method of financing the redevelopment of the Original Project Area under the Redevelopment Plan, as amended by the Proposed Third Amendment ("Amended Redevelopment Plan"); an implementation plan for the achievement of the goals and objectives of the Agency for the Original Project Area under the Amended Redevelopment Plan; a Neighborhood Impact Report, a summary of the community consultations and meetings, a plan and method for the relocation of persons and businesses that may be temporarily or permanently displaced from housing or business facilities as a result of the Amended Redevelopment Plan; the report and recommendation of the Planning Commission, including the report required by Government Code Section 65402; a summary of the Agency's consultations with affected taxing agencies; and the 21166 Study stating that Palm Avenue/Commercial Redevelopment Project Environmental Impact Report ("EIR") for the Redevelopment Plan pertaining to the Original Project Area is applicable to the Proposed Third Amendment and a separate EIR for the Proposed Third Amendment is not required, per CEQA Guideline 15162, because the Proposed Third Amendment does not propose any new projects or substantial changes to the Original Project Area; and

**WHEREAS**, the City Council and the Agency held a joint public hearing on February 20, 2008 to consider the approval and adoption of the Proposed Third Amendment, which joint public hearing was held with the consent of both the Agency and City; and

**WHEREAS**, the City Council continued the joint public hearing to March 5, 2008 to continue consideration of the approval and adoption of the Proposed Third Amendment, which joint public hearing was held with the consent of both the Agency and City; and

**WHEREAS**, notice of said hearing was published in a newspaper of general circulation in the City of Imperial Beach in accordance with Government Code section 6063; and

**WHEREAS**, copies of the notice of joint public hearing were mailed to residents and businesses and to the last known assessee of each parcel of land in the Project Area by first class mail; and

**WHEREAS**, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which levies taxes upon property in the Project Area; and

**WHEREAS**, at the joint public hearing on March 5, 2008, Agency staff recommended clarification to the language of the Proposed Third Amendment, as follows ("Text Clarification"):

The Agency may, but is not required to, purchase, lease, obtain option upon or otherwise acquire any interest in real property by gift, devise, exchange, purchase, lease, by the use of eminent domain, or any other means authorized by law. The Agency shall not have the power to acquire, by use of eminent domain, real property on which any persons lawfully reside~~, including property which is residentially zoned or which contains a legal non-conforming residential use~~.

**WHEREAS**, the Agency adopted a resolution finding, based upon substantial evidence, that significant blight remains within the Original Project Area and this blight cannot be eliminated without the Agency's use of eminent domain ("Agency Resolution"); and

**WHEREAS**, the Agency Resolution recommends that the City Council approve and adopt the Proposed Third Amendment, as revised by the Text Clarification (hereinafter referenced collectively as "the Proposed Third Amendment"); and

**WHEREAS**, the City Council has considered the Proposed Third Amendment, the Agency's Report to the City Council, other recommendations of the Agency, the Report and recommendation of the Planning Commission, the economic feasibility of the Amended Redevelopment Plan; has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for and against any and all aspects of the Proposed Third Amendment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that all of the foregoing recitals are true and correct.

SECTION 2. The purposes and intent of the City Council are the achievement of the following goals and objectives with respect to the Original Project Area:

1. The revitalization of the Palm Avenue and 13th Street business corridor through the rehabilitation of existing structures, the redevelopment of opportunity sites through business retention and attraction programs.

2. The improvement of the City's bay front as a recreational area to serve both passive and active recreational uses, visitors and as an asset for healthy tourist industry.

3. The elimination and prevention of blight and deterioration; and the conservation, rehabilitation and redevelopment of the Original Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes and ordinances.

4. The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.

5. The provision for increased revenues to the City, including sales, business license, and other fees, taxes and revenues to the City.

6. The provision for tax increment to provide funds as necessary to finance rehabilitation and development programs, which cannot be accomplished through existing publicly funded programs or by the private sector acting alone to eliminate blighting influences in the Original Project Area.

7. The encouragement of neighborhood serving commercial uses such as markets, movie theaters, family recreation and general goods stores.

8. The creation and development of local job opportunities and the preservation of the area's existing employment base.

9. The conservation and rehabilitation of urban reserve bay frontage.

10. The elimination or amelioration of certain environmental deficiencies, including substandard vehicular circulation systems; inadequate water, sewer and storm drain systems; insufficient off-street parking; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Original Project Area.

11. The encouragement of investment by the private sector in the redevelopment of the Original Project Area by assisting in the alleviation of impediments to such redevelopment.

12. The elimination of blight through abatement of code compliance, reconstruction and assembly of parcels into more developable sites for more compatible uses.

13. The expansion and upgrading of housing opportunities in the community to eliminate blight and improve housing stock and standards for the present population.

14. The encouragement of participation of Original Project Area businesses, property owners, and community organizations in the redevelopment of the Original Project Area.

15. The expansion and upgrading of public transportation facilities.

16. The attraction of State, Federal and other grants, loans and funds.

17. The improvement of the public view through the purchase and rehabilitation of private facades and signage.

18. The development or construction of various public facilities, including fire, police, transportation, library, and recreational or academic facilities as may be beneficial to the public welfare or enjoyment.

SECTION 3. The City Council hereby approves and adopts the Proposed Third Amendment as the Third Amendment to the Redevelopment Plan. The Redevelopment Plan, as amended by the Third Amendment, is hereby incorporated by this reference and designated, approved, and adopted as the official Redevelopment Plan.

SECTION 4. The City Council hereby finds and determines, based on substantial evidence in the record, including, but not limited to, any evidence specified after each of the following findings, the Agency's Report to Council and all documents referenced therein, oral and written staff reports, and evidence and testimony received at the joint public hearing on the adoption of the Proposed Third Amendment, that:

a. Significant blight remains within the Original Project Area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.).

   The basis of this finding includes, but is not limited to, the following facts: the facts set forth in Section III of the Report to Council regarding the physical and economic blighting conditions existing in the Original Project Area, both now and at the time of plan adoption.

b. The significant blight cannot be eliminated without the Agency's use of eminent domain.

   The basis of this finding includes, but is not limited to the following facts: the facts set forth in Section II of the Report to Council regarding the minimal progress of private developers to develop suitable sites without the Agency's ability to assemble small parcels with diverse ownership by exercise and/or threat of exercise of eminent domain powers.

c. The Amended Redevelopment Plan will redevelop the Original Project Area in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare.

   This finding is based upon, but not limited to, the programs and projects of redevelopment activities proposed by the Agency for the Original Project Area, as set forth in Section IV of the Report to Council.

d. The adoption and carrying out of the Amended Redevelopment Plan is economically sound and feasible.

   The basis of this finding includes, but is not limited to, the following facts: (1) the Proposed Third Amendment will not result in significant new

unexpected development within the Original Project Area, (2) it is not contemplated that eminent domain will be used predominantly or exclusively to acquire property within the Original Project Area, (3) in 2003, the Agency issued tax allocation bonds in the amount of $22,700,000, of which sufficient funds are still available for expenditure on programs and projects contemplated by the Implementation Plan for the Original Project Area, (4) the Agency has the ability to issue additional tax allocation bonds for the Project Area up to an amount not to exceed $120,000,000, collectively, for the Project Area; (5) the financial provisions of the Amended Redevelopment Plan authorize the Agency to finance implementation activities with financial assistance from the City of Imperial Beach or any other available source, public or private. Potential revenue sources include tax increment revenues; proceeds from tax increment bonds; and notes, loans, grants and contributions from the City, the County, the State, the Federal government and project developers, property disposition proceeds and the repayment of loans and advances by the Agency.

e. The Proposed Third Amendment is consistent with the Imperial Beach General Plan and Local Coastal Plan, including, but not limited to, to the City's Housing Element, which substantially complies with applicable legal requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.

The basis of this finding includes, but is not limited to, the report and recommendation of the Planning Commission.

f. The carrying out of the Amended Redevelopment Plan will promote the public peace, health, safety and welfare of the City, and will effectuate the purposes and policies of the Community Redevelopment Law.

The basis of this finding includes, but is not limited to, the fact that under the Amended Redevelopment Plan the Agency will be able to continue and finish addressing and correcting the same blighting conditions in the Original Project Area currently being addressed by the existing Redevelopment Plan, for the same purposes of stimulating development, contributing toward needed public improvements, improving economic and physical conditions in the Original Project Area and the overall quality thereof, and increasing employment opportunities in the Project Area and the rest of the City of Imperial Beach.

g. The condemnation of real property, as provided for in the Proposed Third Amendment, is necessary to the execution of the Amended Redevelopment Plan, and adequate provisions have been made for payment for property to be acquired as provided by law.

This finding is based upon the information provided in Section III of the Report, including, without limitation, the fact that the following purposes of the existing, as well as the Amended Redevelopment Plan, cannot be achieved without the condemnation of real property currently under diverse private ownership: (1) the removal of substandard buildings as defined by the Building and Safety Code and incompatible uses to permit the development of the Project Area through new construction and better economic use; (2) the removal of impediments to land disposition and development through the assembly of land into reasonably sized and shaped parcels appropriate for commercial/retail development served by an improved public facilities, and the elimination of unnecessary title encumbrances restricting the uses of the land surface; (3) overcrowding or improper location of structures on the land; conversion to incompatible types of uses, obsolete building types; detrimental land uses or conditions such as incompatible uses and structures or mixed use; inadequate public utilities and facilities; and other equally significant environmental deficiencies; and (4) such other similar purposes necessary for the elimination of significant remaining blight in the Original Project Area, the prevention of the spread thereof, and the renewal, redevelopment and restoration of the Original Project Area in accordance with law and the Amended Redevelopment Plan.

h. The Agency has a feasible method or plan for the relocation of families and persons displaced from the Original Project Area in the event that the implementation of the Amended Redevelopment Plan results in temporary or permanent displacement of any occupants of housing facilities in the Original Project Area.

This finding is based upon, but not limited to, Sections 311 through 315 of the Redevelopment Plan, which set forth the relocation housing requirements (Section 312), procedure for adoption of a replacement housing plan prior to acquisition of real property or the execution of any agreement resulting in displacement (Section 313), assistance in finding other locations (Section 314), and relocation payments in accordance with Government sections 7260 et seq (Section 315)(collectively, "Relocation Requirements").

i. There are, or shall be provided, in the Original Project Area, or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Original Project Area, decent, safe and sanitary dwellings equal in number to the number of and available to the displaced families and persons and reasonably accessible to their places of employment. Moreover, families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Community Redevelopment Law Sections 33411 and 33411.1, and dwelling units

housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to provisions of Community Redevelopment Law Sections 33334.5, 33413 and 33413.5.

These findings are based upon, but not limited to, the fact that no person or family will be required to move from any dwelling unit until suitable relocation housing is available for occupancy, and that such housing must meet the standards established by applicable state or federal law, and the Agency's Relocation Requirements.

j. There are no non-contiguous areas within the Original Project Area.

k. Inclusion of any lands, buildings, or improvements which are not detrimental to public health, safety or welfare is necessary for the effective redevelopment of the area of which they are a part, and any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from the area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion.

This finding is based on the following justifications for the inclusion of any such properties: (1) the need to plan and carry out redevelopment of the Original Project Area as a uniform whole in order to effectuate redevelopment of the Original Project Area; (2) the need to impose uniform requirements over geographically defined and identified areas of the City because such properties are impacted by the substandard conditions existing on surrounding properties, and correction of such conditions may require the imposition of design, development, or use requirements on the standard properties in the event they are rehabilitated or redeveloped by their owners; (3) the fact that such properties will share in the physical, social and economic benefits which accrue to the area as a whole through the elimination of substandard conditions, including the replacement or provision of new public improvements and facilities within or serving the entire Project Area; and (4) the fact that such properties are part of an area found to be blighted.

l. The elimination of significant remaining blight and the redevelopment of the Original Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid assistance of the Agency.

This finding is based upon, but not limited to, the Report to Council that: (1) describes both the physical and economic conditions in the Original Project Area and the scope of redevelopment needed to provide the needed infrastructure, services and blight alleviation; and (2) demonstrates that due to the unprofitability and economic infeasibility of

the undertaking necessary to carry out such redevelopment, private enterprise acting alone cannot accomplish, and likely will not initiate, the necessary redevelopment. The economic infeasibility of redevelopment results from current conditions in the Original Project Area that prevent the realization of normal returns sought by investors. For example, modern commercial/retail development standards require larger parcels than those prevalent in the Project Area, and the additional cost of acquiring multiple properties of varying ownership to create developable parcels of sufficient size, in addition to demolition and other related costs, negates any potential returns to investors. Moreover, no private investor will be willing to invest in the non-revenue generating activities required under the Amended Redevelopment Plan, such as improving compatibility between facilities with adjacent land uses.

m. The Original Project Area is predominantly urbanized as defined in subdivision (b) of Section 33320.1 of the Community Redevelopment Law.

This finding is based in part upon the fact that the Original Project Area, which had previously been found to be predominantly urbanized under the existing Redevelopment Plan, remains unchanged under the Amended Redevelopment Plan.

n. The time limitations that are contained in the Amended Redevelopment Plan are reasonably related to the proposed projects to be implemented in the Original Project Area and to the ability of the Agency to eliminate blight within the Original Project Area.

This finding is based in part upon the fact that the economic feasibility analysis for the Original Project Area was based upon the time limitations of the Redevelopment Plan, which, with the exception of the extension for the Agency power of eminent domain, remain unchanged under the Amended Redevelopment Plan, ensuring that anticipated cash flow will coincide with anticipated expenditures and redevelopment strategies at every stage and throughout the term of the Amended Redevelopment Plan.

o. The implementation of the Amended Redevelopment Plan will improve or alleviate the significant remaining blight within the Original Project Area.

This finding is based upon the information provided in Section III of the Report.

p. The City Council is satisfied that permanent housing facilities will be available within three (3) years from the time occupants of the Original Project Area are displaced and that, pending the development of the facilities, there will be available to the displaced occupants adequate

temporary housing facilities at rents comparable to those in the community at the time of their displacement.

This finding is based in part upon the Agency's assurances regarding displaced residents and relocation housing and the procedures involved in implementing the Agency's Relocation Requirements.

SECTION 5. All written and oral objections to the Proposed Third Amendment, if any, filed with and presented to the City Council and any written responses thereto, have been considered by the City Council at the time and in the manner required by law, and such written and oral objections are hereby overruled.

SECTION 6. In order to implement and/or facilitate the implementation of the Proposed Third Amendment, if hereby approved, this City Council hereby declares its intention to undertake and complete any proceeding necessary to be carried out by the City of Imperial Beach under the provisions of the Amended Redevelopment Plan.

SECTION 7. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Amended Redevelopment Plan.

SECTION 8. If any part of this Ordinance or the Proposed Third Amendment is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan.

SECTION 9. The City Clerk shall certify to the passage of this Ordinance and cause the same to be published in some daily newspaper printed and published in the City of Imperial Beach.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 5th day of March 2008; and thereafter PASSED AND ADOPTED at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 5th day of March 2008, by the following roll call vote:

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

_____
JAMES C. JANNEY, MAYOR

ATTEST:

_____
JACQUELINE M. HALD, CMC
CITY CLERK

APPROVED AS TO FORM:

_____
JAMES P. LOUGH
CITY ATTORNEY

**I, City Clerk, of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2008-1066 – An ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AND ADOPTING THE THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA PERTAINING TO THE ORIGINAL PROJECT AREA**

_____ _____
**CITY CLERK** **DATE**

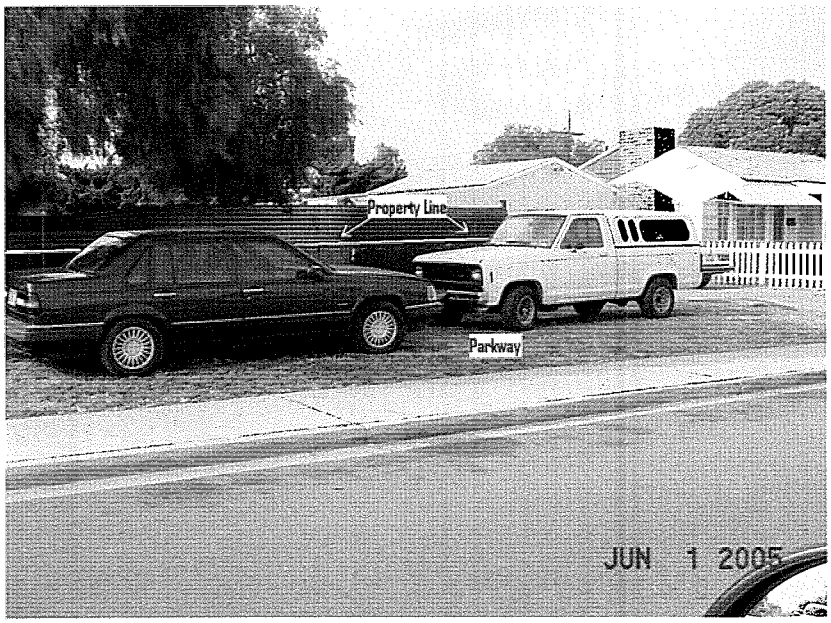
AGENDA ITEM NO. 4.1

# STAFF REPORT
# CITY OF IMPERIAL BEACH

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **COMMUNITY DEVELOPMENT DEPARTMENT**<br>**GREG WADE, DIRECTOR**<br>**DAVID GARCIAS, CODE COMPLIANCE OFFICER** |
| **SUBJECT:** | **SECOND READING AND ADOPTION OF ORDINANCE 2008-1065 TO AMEND THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING SECTION 10.36.085 TO CHAPTER 10.36 TO THE IMPERIAL BEACH MUNICIPAL CODE, RELATED TO PARKING, STANDING, AND STOPPING VIOLATIONS OF THE MUNICIPAL CODE.** |

## BACKGROUND / DISCUSSION:

The Code Compliance Division and the San Diego Sheriff's Department provide enforcement in an effort to help improve, preserve, and maintain clean and well-kept residential neighborhoods and commercial areas. To assist the City's code enforcement and parking enforcement efforts, staff is proposing an ordinance prohibiting the parking of vehicles on public sidewalks and parkways making it a violation of the Imperial Beach Municipal Code. This addition would clarify the current problem of vehicles parking in the undeveloped parkways and on the sidewalks within the City.




Currently, the City Code prohibits vehicles from parking on unpaved areas on private property, prohibits more than three vehicles in a front yard setback, and, within the public right of way prohibits any vehicle from parking, standing, or stopping unless both right wheels are within eighteen inches of the right-hand curb or edge of the street. However, the City Code does not specifically prohibit vehicles from parking on either the sidewalks or in the parkways.

The Imperial Beach Municipal Code defines a parkway in section 10.04.060 as that portion of a street other than a roadway or a sidewalk.

The California Vehicle Code section 555 defines a sidewalk as that portion of a highway, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

Vehicles parking on the undeveloped parkways or on the sidewalks create a "Visual Blight" which conflicts with the efforts of cleaning up and revitalizing our neighborhoods and can cause safety concerns when creating visual obstructions. Many neighborhoods have large undeveloped parkways located either between the sidewalks and the property lines, between the sidewalks and the streets, or between the curb and the property line.

The proposed ordinance would clarify and delineate a specific code section prohibiting these occurrences, similar to other cities, and allow for parking citations to be issued for these violations when deemed appropriate by the designated enforcement officers.

The parking citation fine would be $50.00. Once issued, the citation process would be turned over to the Finance Department for collection purposes similar to other parking violations the City processes.

City Council conducted a first reading of the ordinance at the meeting of February 20, 2008.

**CONCLUSION:**

This ordinance assists the City's code enforcement and parking enforcement efforts to improve, preserve, and maintain clean, safe, and well-kept residential neighborhoods and commercial areas.

**FISCAL ANALYSIS:**

The ordinance may produce an undetermined increase in revenue to the City.

**DEPARTMENT RECOMMENDATION:**

Staff Recommends that the Mayor and City Council:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2007-1065;
3. City Clerk reads the title of Ordinance No. 2007-1065, an Ordinance of the City Council of the City of Imperial Beach, California adding section 10.36.085 to Chapter 10.36 to the Imperial Beach Municipal Code, related to parking, standing, and stopping; and
4. Motion to dispense second reading and adopt Ordinance No. 2007-1065 by title only.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown

Gary Brown, City Manager

Attachment:

1. Draft Ordinance 2008-1065.

# ORDINANCE NO. 2008-1065

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA ADDING SECTION 10.36.085 TO CHAPTER 10.36 TO THE IMPERIAL BEACH MUNICIPAL CODE, RELATED TO PARKING, STANDING, AND STOPPING**

**THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 10.36 of Title 10 of the Imperial Beach Municipal Code is hereby amended to add section 10.36.085 as follows:

**10.36.085. Stopping, standing, or parking in parkways and sidewalks prohibited.**

No person shall stop, stand or park a vehicle within any parkway or sidewalk.

SECTION 2. The City Clerk is directed to prepare and have published a summary of this ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

**EFFECTIVE DATE:** This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Imperial Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code section 36933.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 20th day of February 2008; and

**THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 5th day of March 2008, by the following vote:

| | |
|---|---|
| **AYES:** | **COUNCILMEMBERS:** |
| **NOES:** | **COUNCILMEMBERS:** |
| **ABSENT:** | **COUNCILMEMBERS:** |

_____
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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

**APPROVED AS TO FORM:**

_____

**JAMES P. LOUGH**
**CITY ATTORNEY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2008-1065 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA ADDING SECTION 10.36.085 TO CHAPTER 10.36 TO THE IMPERIAL BEACH MUNICIPAL CODE, RELATED TO PARKING, STANDING, AND STOPPING.

_____ _____

CITY CLERK DATE

AGENDA ITEM NO. 6.1

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **COMMUNITY DEVELOPMENT DEPARTMENT**<br>**GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR**<br>**JIM NAKAGAWA, AICP, CITY PLANNER**<br>TF **TYLER FOLTZ, ASSOCIATE PLANNER** |
| **SUBJECT:** | **CONTINUED PUBLIC HEARING: ROBERT MILLER: REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878.** |

## PROJECT DESCRIPTION/BACKGROUND:

At the City Council meeting of February 20, 2008, Council took action to continue the public hearing to March 5, 2008.

See the attached Staff Report from the February 20, 2008 meeting.

## DEPARTMENT RECOMMENDATION:

1. Consider public testimony at the advertised public hearing.

2. Consider adoption of Resolution No. 2008-6577, approving a Regular Coastal Permit (CP 060427) and Tentative Map (TM 060428) 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: Item No. 6.1 from 2/20/08 meeting, which includes:
1. Resolution 2008-6577
2. Plans
3. Applicant Letter Requesting to Not Construct Trash/Recycle Enclosure at 1037 Seacoast Dr.

Return to Agenda

*AGENDA ITEM NO. 6.1*

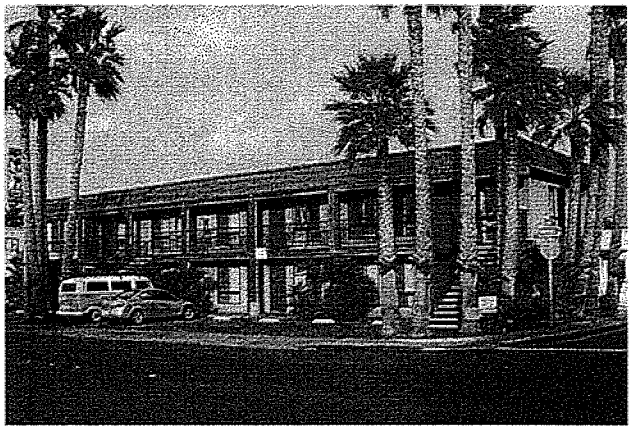
**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** FEBRUARY 20, 2008
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
JIM NAKAGAWA, AICP, CITY PLANNER
TF TYLER FOLTZ, ASSOCIATE PLANNER

**SUBJECT:** PUBLIC HEARING: ROBERT MILLER: REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878.

## PROJECT DESCRIPTION/BACKGROUND:



This is an application for a Regular Coastal Permit (CP 060427) and Tentative Map (TM 060428), originally submitted on July 19, 2006, that proposes a 37-unit condominium conversion of two existing apartment buildings located at 1037 and 1047 Seacoast Drive (APN 625-391-23-00; 625-392-24-00), totaling approximately 19,060 square-feet. The property is designated C-2 (Seacoast Commercial) on the Zoning Map. The buildings were constructed in 1971.

## PROJECT EVALUATION/DISCUSSION:

The applicant has submitted documentation required by the City's condominium conversion regulations (Chapter 18.84). The building is in fair overall condition and the structural elements of the building have performed adequately.

1037 Seacoast Drive currently has 9 residential units and 9 unenclosed parking

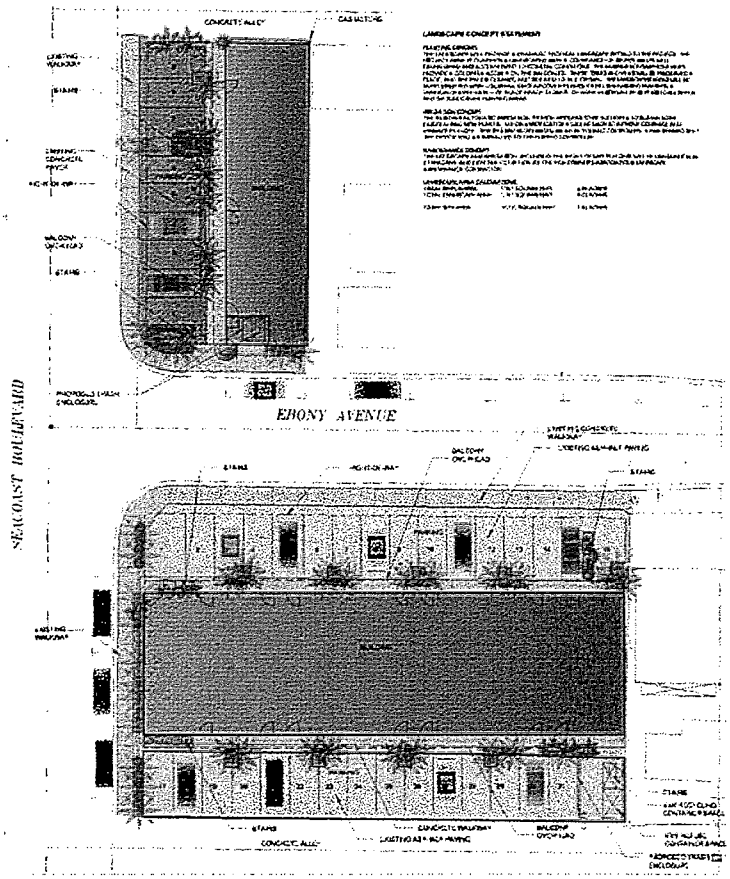
spaces that access off of Seacoast Drive. 1047 Seacoast Drive has 28 residential units and 31 unenclosed parking spaces that access off of Ebony Avenue.

The existing trash and recycling enclosure at 1047 Seacoast Drive will be demolished and rebuilt according to current sizing standards. The building at 1037 Seacoast Drive does not have a trash or recycling enclosure. After considering multiple options, staff proposes that the applicant add a trash and recycling enclosure within the existing building so that residents at 1037 Seacoast Drive do not need to walk across Ebony Avenue and around the building at 1047 Seacoast Drive to be able to properly dispose of trash or recyclables. The applicant has provided a design that would alter an office space into a trash and recycling enclosure that would access off of Ebony Avenue; however the enclosure only would be able to contain two 1.5 cubic yard bins (instead of the typical 3 cubic yard bins). While a functional design for the enclosure at 1037 Seacoast Drive has been prepared, the applicant is requesting that this requirement be waived. The applicant does not want to construct the enclosure because it would require the removal of two mature palm trees and an off-site parking space along Ebony Avenue.

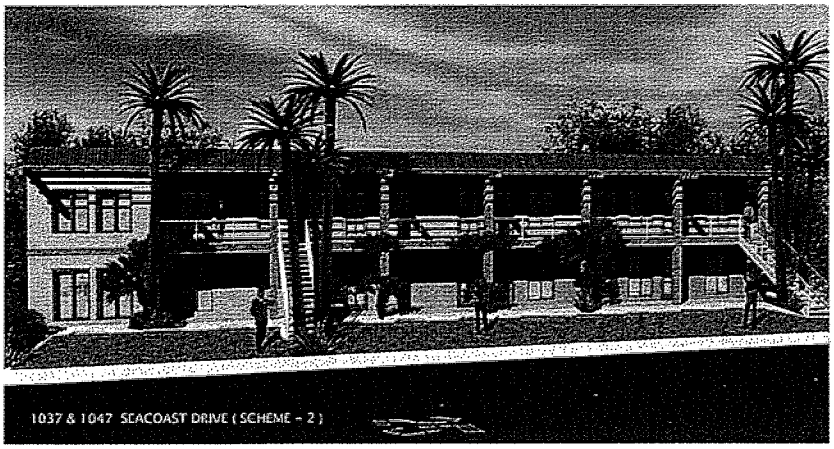
Surrounding structures consist of single family and multiple-family residential buildings.

***General Plan/Local Coastal Plan/Zoning Consistency:*** The structure is nonconforming with respect to current zoning. Conversions are not required to conform to current general plan/zoning designations since the City does not have specific condominium conversion policies in the general plan.

***Storm Water/Landscaping***: The City requires new development to conform to state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters before it is discharged into the city's storm sewers or to the beach. The applicant has provided a storm water management plan showing that the project will be in compliance with state water quality/urban runoff requirements.




***Property Improvements:*** Based on the Property Condition Report, prepared by LandAmerica, dated July 18, 2006, the building is in fair overall condition. The applicant proposes to improve and upgrade the existing building, as per the recommendations included in the aforementioned document.




Improvements will include the following: install 5/8" drywall between units; paint exterior of both buildings; replace sinks and fixtures; replace windows for 1047 Seacoast Drive; asphalt paving overlay at 1047 Seacoast Drive; replace electrical ranges; replace refrigerators; provide dishwashers; replace sheet vinyl flooring; replace electrical wall heaters; underground electrical conduit; replace all water heaters; replace all lighting fixtures and switches with designer fixtures in accordance with Title 24; replace all cabinets in bathrooms and kitchens with new wood finished cabinets; install new countertops in bathrooms and kitchens; replace all tub and shower valves; refinish all existing tub and shower enclosures; replace all medicine cabinets; tile all bathroom floors, entryways & kitchens; install new carpet in bedrooms, dining and family rooms; install all new electric appliances; install washer and dryer in units; install all new plumbing fixtures; add new monuments; refinish iron details to street facing buildings; refinish balcony railings; improve landscaping; enclose trash area; install new designer lights.

**COASTAL PERMIT FINDINGS:**

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

Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required.

**ENVIRONMENTAL STATUS:** The project is Categorically Exempt as a Class 1K project pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301(k) (Division of existing multiple-family residences into common interest ownership).

**COASTAL JURISDICTION:** This project is located in the coastal zone as defined by the California Coastal Act of 1976. The City Council public hearing will serve as the required coastal permit hearing and the City Council will consider the findings under the California Coastal Act. Pursuant to the City of Imperial Beach Zoning Ordinance Section 19.87.050, review of the proposal will consider whether the proposed development satisfies the required findings prior to the approval and issuance of a Coastal Development Permit. The project is located in the Appeal Jurisdiction of the California Coastal Commission as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map and, as such, is appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

**FISCAL IMPACT:**

The applicant has deposited $4,500.00 in Project Account Number 060427 to fund the processing of this application. Additional funds will be needed to further process the project.

**DEPARTMENT RECOMMENDATION:**

1. Consider public testimony at the advertised public hearing.

2. Consider adoption of Resolution No. 2008-6577, approving a Regular Coastal Permit (CP 060427) and Tentative Map (TM 060428) 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 2008-6577
2. Plans
3. Applicant Letter Requesting to Not Construct Trash/Recycle Enclosure at 1037 Seacoast Dr.

c: file MF 878
Robert Miller, 1167 5th Street, Imperial Beach, CA 91932
Tina Kessler, 9707 Waples Street, San Diego, CA 92121
Frank Sotelo, Public Safety
Hank Levien, Public Works Director
Ed Wilczak, Building Official
Jacque Hald, City Clerk
Diana Lilly, California Coastal Commission

# RESOLUTION NO. 2008-6577

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878.**

**WHEREAS,** on February 20, 2008, the City Council of the City of Imperial Beach held a duly advertised and noticed public hearing to consider the merits of approving or denying an application for Regular Coastal Permit (CP 060427) and Tentative Map (TM 060428) originally filed on July 19, 2006 for the proposed conversion to condominium ownership of thirty-seven (37) residential units located at 1037 and 1047 Seacoast Drive (APN 625-391-23-00; 625-392-24-00) in the C-2 (Seacoast Commercial) Zone and legally described as follows:

Parcel 1:
Lots 13, 14, and 15 in Block 17 of Imperial Beach, in the City of Imperial Beach, County of San Diego, State of California, according to the Map thereof No. 1139, filed in the office of the County Recorder of San Diego County, June 16, 1908

Parcel 2
Lot 1 in Block 18 of Imperial Beach, in the City of Imperial Beach, County of San Diego County, State of California, according to Map thereof No. 1139, filed in the office of the County Recorder of San Diego County, June 16, 1908.

**WHEREAS,** pursuant to the requirements of the California Environmental Quality Act (CEQA), it was determined that the project is categorically exempt from the requirements of the CEQA as a Class 1k project pursuant to CEQA Guidelines Section 15301(k); and

**WHEREAS,** documentation has been submitted by the applicant that demonstrate compliance with the notification requirements of Map Act Section 66452.9; and

**WHEREAS,** the following tentative map findings are provided pursuant to Map Act Section 66474:

**<u>TENTATIVE MAP FINDINGS</u>:**

1. **The proposed tentative tract map is consistent with the General Plan/Local Coastal Plan.**

   Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required. The City must either approve or deny a conversion within 120 days after the application has been deemed complete.

2. **The design or improvement of the proposed major subdivision is consistent with the General Plan/Local Coastal Plan.**

   Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required. The City must either approve or deny a conversion within 120 days after the application has been deemed complete.

3. **The site is physically suitable for the type of development.**

   The subject site consists of two rectangular, relatively level, square foot parcels totaling approximately 19,060 square-feet. The thirty-seven (37) residential units already exist and the site has been suitable for this development. The tentative map will establish condominium ownership for thirty-seven (37) units.

4. **The design of the major subdivision will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife, or their habitat.**

   The project does not involve any new construction and the existing development is in a developed urban area. Therefore, the proposed tentative map will not affect fish or wildlife habitat.

5. **The design of the major subdivision will not cause serious public health problems.**

   The existing development is already served by private water and municipal sewer service and the conversion would not result in public health problems.

6. **The design of the major subdivision will not conflict with any easement of record.**

   A Title Report submitted by the applicant, dated April 26, 2006, indicates that there are no easements on the site that would conflict with the subdivision.

7. **All requirements of the California Environmental Quality Act (CEQA) have been fulfilled.**

   The project is exempt from the requirements of the CEQA under CEQA Guidelines Section 15301k (Class 1k – division of existing multiple-family or single-family residences into common interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt).

## COASTAL PERMIT FINDINGS

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

   Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach that Regular Coastal Permit (CP 060427) and Tentative Map (TM 060428) originally filed on July 19, 2006 for the proposed conversion to condominium ownership of thirty-seven (37) residential units located at 1037 and 1047 Seacoast Drive (APN 625-391-23-00; 625-392-24-00) in the C-2 (Seacoast Commercial) Zone are hereby approved subject to the following:

**CONDITIONS OF APPROVAL:**

**A. PLANNING:**

1. The site shall be developed in accordance with tentative map, dated September 27, 2006, on file in the Community Development Department and the conditions herein. Final landscaping, drainage, and façade improvement plans are subject to approval by the Community Development Department.
2. All drainage must be in compliance with approved storm water management plan dated August 9, 2007.
3. Approval of the Tentative Map (TM 060428) is valid for three years from the date of final action and would expire **February 20, 2011**. The conditions of approval must be satisfied and the Final Map recorded on or before February 20, 2011, unless the City grants an extension of time.
4. Approval of the Coastal Permit (CP 060427) is VALID for three years from the date of the Notice of Final Action and the Regular Coastal Permit to expire **February 20, 2011**.
5. Applicant shall pay any outstanding negative balances in the project accounts (060427) prior to approval and recordation of the Final Map.
6. Approval of this request shall not waive compliance with any portion of the Uniform Building Code and Municipal Code in effect at the time building permits were issued for the original development.
7. Applicant shall provide the required documentation pursuant to Subdivision Map Act Section 66427.1.
8. 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.
9. Applicant shall sign and return the Final Map Notification Agreement.
10. Applicant shall provide an updated Title Report dated within 60 days of the Final Map submittal.
11. Applicant shall comply with the requirements of the Condominium Conversion Ordinance 2005-1023.
12. Construct or reconstruct trash or refuse enclosure and a recycling enclosure to comply with IBMC 19.74.090 at both 1037 and 1047 Seacoast Drive. The enclosure for 1037 Seacoast Drive should conform to the trash enclosure renderings, dated October 18, 2007; internal enclosure drawings should conform to conceptual

landscape plan, dated July 30, 2007, which provides for two 1.5 cubic yard containers. Increased trash/recycling pick up should be provided to accommodate for the smaller bins. Final plans are subject to approval at Building permit plan check.

13. Applicant shall provide all improvements and repairs discussed in the Physical Elements Report, dated July 18, 2006 prior to approval of Final Map, which include repair and/or replacement of the following: install 5/8" drywall between units; paint exterior of both buildings; replace sinks and fixtures; replace windows for 1047 Seacoast Drive; asphalt paving overlay at 1047 Seacoast Drive; replace electrical ranges; replace refrigerators; provide dishwashers; replace sheet vinyl flooring; replace electrical wall heaters; underground electrical conduit; replace all water heaters; replace all lighting fixtures and switches with designer fixtures in accordance with Title 24; replace all cabinets in bathrooms and kitchens with new wood finished cabinets; install new countertops in bathrooms and kitchens; replace all tub and shower valves; refinish all existing tub and shower enclosures; replace all medicine cabinets; tile all bathroom floors, entryways & kitchens; install new carpet in bedrooms, dining and family rooms; install all new electric appliances; install washer and dryer in units; install all new plumbing fixtures; add new monuments; refinish iron details to street facing buildings; refinish balcony railings; improve landscaping; enclose trash area; install new designer lights.

14. All improvements are subject to Building Official approval prior to final map recordation.

15. Owner may elect to enter an agreement for a lien contract and covenant not to convey units with the City of Imperial Beach in lieu of performing improvements prior to Final Map approval. Within this agreement, the owner shall be required to complete or satisfy all conditions set forth in this resolution prior to conveyance of units or release of lien. The lien contract and covenant not to convey agreement also shall state that the City shall perform the construction of the driveway approach for the property fronting Seacoast Drive, north of Ebony Avenue to be consistent with ADA requirements (per conditions 19 through 22 of this resolution) as part of its CIP project, and that the owner shall reimburse the City for the cost of construction prior to conveyance of units or release of lien, as an alternative to the owner performing the construction itself.

**B. CITY ENGINEER:**

16. The Final Map shall be in substantial compliance with the approved tentative map dated September 27, 2006.

**C. PUBLIC WORKS:**

17. Ensure that the hot water tank P.T. discharge pipe is piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge 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. 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. Note: All roof drains currently are piped to impervious surfaces and ultimately lead to the street.

19. Reconstruct driveway approach on Seacoast Drive for units at 1037 Seacoast Drive in accordance with Regional Standard Drawing G-14A. Sidewalk cuts must coincide with the existing sidewalk 5-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise the Curb & Gutter cut for the driveway, must not leave an existing curb and gutter section less than 9 feet in length. **Note: The construction of an ADA compliant driveway approach will require an easement agreement dedicating the necessary footage for the construction of the ADA compliant driveway to all be in the right-of-way – approximately 1.5 feet.**

20. Reconstruct the driveway approach on Ebony Avenue for units at 1047 Seacoast Drive in accordance with Regional Standard Drawing G-14A. Sidewalk cuts must coincide with the existing sidewalk 5-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise the Curb & Gutter cut for the driveway, must not leave an existing curb and gutter section less than 9 feet in length. **Note: The construction of an ADA compliant driveway approach will require an easement agreement dedicating the necessary footage for the construction of the ADA compliant driveway to all be in the right-of-way – approximately 1.5-feet.**

21. Replace the ADA access ramps at the southeast and northeast intersection of Ebony Avenue and Seacoast Drive per Regional Standard Drawings G-27. **Note: The construction of an ADA compliant driveway approach will require an easement agreement dedicating the necessary footage for the construction of the ADA compliant driveway to all be in the right-of-way.**

22. Replace the ADA access ramps at the alley intersections to the north of 1037 Seacoast Drive with a Type D (Regional Standard Drawing G-31) and to the south of 1047 Seacoast Drive with a "driveway style approach. **Note: The construction of an ADA compliant driveway approach will require an easement agreement dedicating the necessary footage for the construction of the ADA compliant driveway to all be in the right-of-way.**

23. Replace the separated – "1 ½ inch" - sidewalk section(s) on Seacoast Drive at the 1037 Seacoast Drive building near the Seacoast Drive and Ebony Avenue intersection per Regional Standard Drawing G-7.

24. 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.

25. Construct or reconstruct trash or refuse enclosure and a recycling enclosure to comply with IBMC 19.74.090. Minimum trash enclosure is 6' x 9' and minimum recycling enclosure is 4' x 8' with 6-foot masonry walls and locking gate. The enclosure for 1037 Seacoast Drive should conform to the trash enclosure

renderings, dated October 18, 2007; internal enclosure drawings should conform to conceptual landscape plan, dated July 30, 2007, which provides for two 1.5 cubic yard containers. Final plans are subject to approval at Building permit plan check.

26. Applicant shall underground all utilities for both buildings in accordance with IBMC13.08.030 – Subdivisions – Undergrounding Required (All privately owned public utility distribution systems and service facilities with the boundaries of any subdivision shall henceforth be placed underground.) and 13.08.040 Subdivision – Responsibility of subdivider to underground – Exempted facilities.

    A. The subdivider shall be responsible for the requirements of this chapter an shall make the necessary arrangements with each of the public utility companies for the installation of underground facilities and the relocation of existing facilities. The subdivider shall provide the city with letters signed by said public utilities indicating that such arrangements have been made with the public utilities companies stipulating that the undergrounding of utilities facilities will be accomplished concurrent wit the filing of the final map of any subdivision as required by this code and the state Subdivision Map Act and subject to the approval of the City...."

27. 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. The Agreement must include language that restricts future impervious surface area on the parcel to be no greater that that approved in the Final Map.

28. 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.

29. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt. Asphalt shall be AR4000 ½ mix (hot).

30. In accordance with IBMC 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.

31. Install survey monuments on northeast and southwest property lines in or adjacent to the sidewalk of 1047 Seacoast Drive unit. Record same with county office of records.

32. 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 Visqueen (or equivalent product) to prevent sediment removal into the storm drain system.

33. Any disposal/transportation of solid waste/construction waste in roll off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

**C. BUILDING:**

34. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach

**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 20th day of February 2008, by the following roll call vote:

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

**JAMES C. JANNEY, MAYOR**

**ATTEST:**

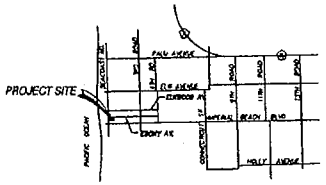
**JACQUELINE M. HALD, CMC**
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2008-6573 – A Resolution of the City Council of the City of Imperial Beach, California, APPROVING REGULAR COASTAL PERMIT (CP 060427) AND TENTATIVE MAP (TM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878.

_____ _____

CITY CLERK DATE

# TENTATIVE MAP / SITE PLAN
# 1037-1047 SEACOAST DRIVE
## CONDOMINIUM CONVERSION
City of Imperial Beach, California




VICINITY MAP
N.T.S.

### LEGEND

| | |
|---|---|
| PROJECT BOUNDARY | |
| EXISTING TOPO | |
| EASEMENT NUMBER | △ |
| PAD ELEVATION | P617.6 |
| FINISH FLOOR ELEV | FF618.1 |
| SEWER | |
| WATER | |
| STORM DRAIN | |
| FIRE HYDRANT | |
| STREET LIGHT | |
| DRAINAGE FLOW ARROW | |

*UNLESS SHOWN OTHERWISE

### PROJECT SUMMARY

| | SQ. FT. | AC. | % OF SITE |
|---|---|---|---|
| LANDSCAPE AREA | 2,141 | 0.05 | 6% |
| BUILDING COVERAGE AREA | 10,784 | 0.25 | 67% |
| HARDSCAPE AREA | 2,715 | 0.10 | 27% |
| TOTAL SITE AREA | 19,640 | 0.44 | 100% |

### BUILDING SUMMARY

**BUILDING 1**
**1037 SEACOAST DRIVE**

| # of BEDRMS | # of UNITS | LIVING SQ. FT. | TOTAL LIVING SQ. FT. |
|---|---|---|---|
| 2 | 1 | 678 | 678 |
| STUDIO | 8 | 530 | 4,240 |
| TOTAL | 9 | | 4,918 |

**BUILDING 2**
**1047 SEACOAST DRIVE**

| # of BEDRMS | # of UNITS | LIVING SQ. FT. | TOTAL LIVING SQ. FT. |
|---|---|---|---|
| 2 | 0 | 678 | 0 |
| STUDIO | 29 | 430 | 12,470 |
| TOTAL | 38 | | 12,940 |

**1037 & 1047 SEACOAST DRIVE**

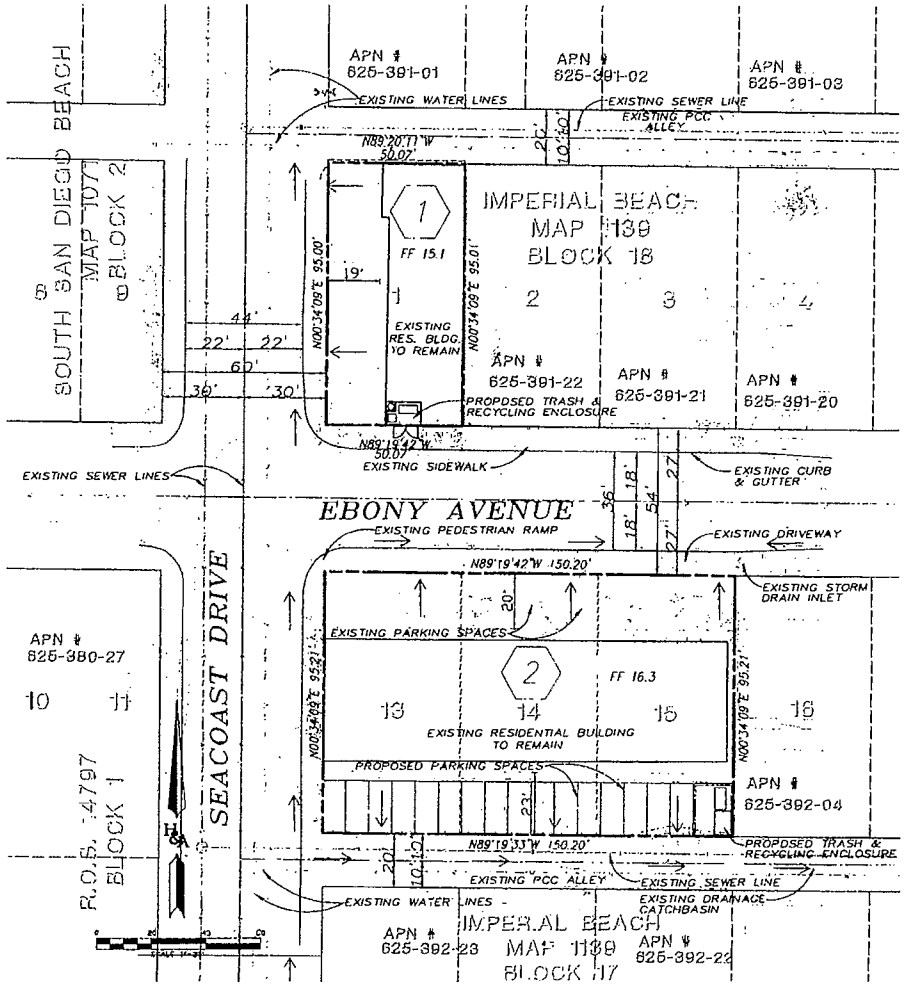
| # of BEDRMS | # of UNITS | LIVING SQ. FT. | TOTAL LIVING SQ. FT. |
|---|---|---|---|
| 2 | 1 | 678 | 678 |
| STUDIO | 36 | 430 | 15,480 |
| TOTAL | 37 | | 16,158 |

### CONDOMINIUM NOTE

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA CONTAINING 37 RESIDENTIAL AIR SPACE CONDOMINIUM UNITS AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT.

### PUBLIC UTILITIES

| | |
|---|---|
| SEWER | CITY OF IMPERIAL BEACH |
| WATER | CALIFORNIA AMERICAN WATER COMPANY |
| STORM DRAIN | CITY OF IMPERIAL BEACH |
| TELEPHONE | AT&T |
| GAS AND ELECTRIC | SDG&E |
| CABLE T.V. | COX CABLE |
| POLICE & FIRE | SAN DIEGO SHERIFF'S - IMPERIAL BEACH DIVISION |
| SCHOOL FACILITIES | SOUTHBAY UNION SCHOOL DISTRICT (PRIMARY SCHOOLS) SWEETWATER UNION HIGH SCHOOL DISTRICT |




### GENERAL NOTES

1. GROSS SITE AREA: APPROX. 0.44 ACRES (18,050 SF)
2. TOTAL NUMBER OF LOTS: EXISTING: 4 PROPOSED: 2
3. TOTAL NUMBER OF UNITS: 37
4. EXISTING ZONING IS: C-2 (SEACOAST COMMERCIAL ZONE)
5. ASSESSOR'S PARCEL NUMBERS: 625-391-23 & 625-392-24
6. SOURCE OF TOPOGRAPHY: R.J. LUND, FLOWN ON MAY 30, 2006.
7. PEDESTRIAN RAMPS INSTALLED IN ACCORDANCE WITH CITY OF IMPERIAL BEACH AND ADA CRITERIA.
8. THERE ARE 41 EXISTING PARKING SPACES ON THE SITE. (ASSUMED TO BE LEGALLY ESTABLISHED NON-CONFORMING CONDITION)
9. FLOOR AREA RATIO: 0.72 (18,055 SF FLOOR AREA/18,730 SF GROSS SITE AREA)
10. DRAINAGE SHALL BE DIRECTED TOWARDS LANDSCAPING TO THE MAXIMUM EXTENT PRACTICABLE.

### PUBLIC SAFETY NOTES

1. APPROVED NUMBERS OR ADDRESSES SHALL BE PROVIDED FOR ALL NEW AND EXISTING BUILDINGS IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY AND FROM ANY ALLEY THAT FRONTS THE PROPERTY. LETTERING SHALL BE A MINIMUM OF FOUR INCHES HIGH, WITH A MINIMUM 3/4 INCH STROKE, ON A CONTRASTING BACKGROUND.
2. ALL ELECTRIC, GAS, AND WATER METERS SHALL BE CLEARLY MARKED TO INDICATE THE UNIT OR PORTION OF THE BUILDING THEY SERVE.
3. KNOX KEY BOX SHALL BE INSTALLED 6 TO 8 1/2 FEET ABOVE THE WALKING SURFACE AND AS CLOSE TO THE MAIN ENTRY DOOR AS POSSIBLE. IN MULTI-FAMILY BUILDINGS, THE BOX SHOULD BE LOCATED NEAR THE CENTER POINT OF THE BUILDING.
4. PROVIDE KEY TO FIRE DEPARTMENT FOR EMERGENCY ACCESS, TO BE PLACED IN KNOX-BOX (RAPID ENTRY SYSTEM)
5. PROVIDE KNOX KEY SWITCH TO OVERRIDE ANY PARKING GARAGE/PARKING AREA SECURITY GATES.
6. ON EACH FLOOR PROVIDE ONE (1) 2A-10BC MINIMUM RATED FIRE EXTINGUISHER PER 6,000 SQUARE FEET. TRAVELED DISTANCE (DEFINED AS ACTUAL WALKING DISTANCE) NOT TO EXCEED 75 FEET. FIRE EXTINGUISHERS SHOULD BE INSTALLED IN PLAIN VIEW, IN AN ACCESSIBLE SPOT, NEAR ROOM EXITS THAT PROVIDE AN ESCAPE ROUTE. INSTALL EXTINGUISHERS SO THAT THE TOP IS NO MORE THAN FIVE FEET ABOVE THE FLOOR
7. INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS SHALL BE IN ACCORDANCE WITH CFC 1006.
8. FIRE ALARM ANNUNCIATOR PANEL SHALL BE CLEARLY MARKED "FIRE ALARM PANEL". THE LETTERS SHALL NOT BE LESS THAN 1 INCH HIGH ON A CONTRASTING BACKGROUND.
9. DOORS LEADING INTO ELECTRICAL CONTROL PANEL ROOMS SHALL BE CLEARLY MARKED "ELECTRICAL ROOM". THE LETTERS SHALL BE NOT LESS THAN 1 INCH HIGH ON CONTRASTING BACKGROUND.

### LEGAL DESCRIPTION

PARCEL 1.

LOTS 13, 14, AND 15 IN BLOCK 17 OF IMPERIAL BEACH, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 1139, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 18, 1908.

PARCEL 2.

LOT 1 IN BLOCK 18 OF IMPERIAL BEACH, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1139, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 18, 1908.

### OWNER

ROBERT E. MILLER,
TRUSTEE OF THE ROBERT E. MILLER AND
BETTY A. MILLER TRUST OF 1981
AS RESTATED IN ITS ENTIRETY ON DECEMBER 16, 1987

REPRESENTATIVE

### APPLICANT

SEA COAST REGIONAL, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
1010 TURQUOISE STREET
SUITE 200
SAN DIEGO, CA 92109
(858) 274-2300

REPRESENTATIVE

LICENSED LAND SURVEYOR DAVID W. AMBLER L.S. 7237 LS 7237 Exp 12-31-01 STATE OF CALIFORNIA

DAVID W. AMBLER, L.S. 7237
MY LICENSE EXPIRES 12/31/01
DATED 6-19-2007

PREPARED BY:
HUNSAKER & ASSOCIATES SAN DIEGO, INC.
PLANNING 5960 Kearny Mesa Road
ENGINEERING San Diego, Ca 92111
SURVEYING (858)279-8440 FAX (858)576-1474

| NO. | REVISIONS | DATE | BY |
|---|---|---|---|
| 1 | SUBMITTAL | 01/11/06 | HBA |
| 2 | RESUBMITTAL | 02/24/06 | HBA |
| 3 | RESUBMITTAL | 06/13/07 | HBA |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |

TENTATIVE MAP / SITE PLAN
1037-1047 SEACOAST DRIVE
CONDOMINIUM CONVERSION
City of Imperial Beach, California

SHEET 1 OF 1

H&A JOB NO. 2545-01

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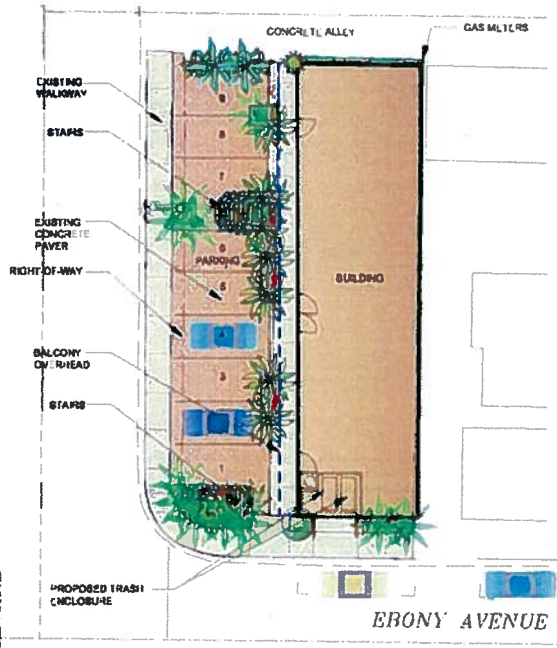



## LANDSCAPE CONCEPT STATEMENT

**PLANTING CONCEPT**
THE LANDSCAPE WILL PROVIDE A DRAMATIC TROPICAL LANDSCAPE SETTING TO THE PROJECT. THE PROJECT AREA IS CURRENTLY LANDSCAPED WITH A COMBINATION OF GRADED PALMS, WELL ESTABLISHED AND ACCLIMATIZED TO COASTAL CONDITIONS. THE EXISTING ROUGHAN MAGNA VINES PROVIDE A COLORFUL ACCENT ON THE BALCONIES. THESE TREES AND VINES WILL BE PRESERVED IN PLACE, AND THE PALMS CLEANED AND SHAPED TO THE CROWN. THE LANDSCAPED AREAS WILL BE SUPPLEMENTED WITH COLORFUL GROUNDCOVER PLANTS TO FILL THE EXISTING PLANTERS. A THREE-INCH DEEP LAYER OF BLACK BEACH STONES, OR BARK MULCH WILL BE APPLIED TO ALL SHRUB AND GROUNDCOVER PLANTING AREAS.

**IRRIGATION CONCEPT**
THE EXISTING AUTOMATIC IRRIGATION SYSTEM APPEARS TO BE SUFFICIENT TO SUSTAIN BOTH EXISTING AND NEW PLANTS. MINOR MODIFICATIONS WILL BE MADE TO IMPROVE COVERAGE AND MINIMIZE RUN-OFF. THE SYSTEM IS OPERATED BY AN AUTOMATIC CONTROLLER. A RAIN SENSING SHUT OFF DEVICE WILL BE INSTALLED TO THE EXISTING CONTROLLER.

**MAINTENANCE CONCEPT**
THE LANDSCAPE AND IRRIGATION, INCLUDING THE RIGHT OF WAY PLANTING, WILL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION BY THE HOMEOWNERS ASSOCIATION'S LANDSCAPE MAINTENANCE CONTRACTOR.

**LANDSCAPE AREA CALCULATIONS:**

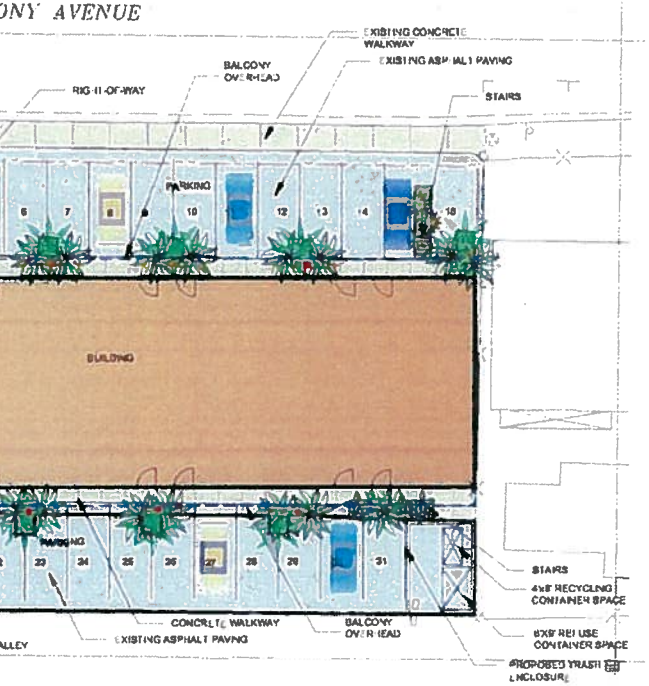
| | | |
|---|---|---|
| TOTAL SHRUB AREA | 1,381 SQUARE FEET | 0.03 ACRES |
| TOTAL LANDSCAPE AREA | 1,381 SQUARE FEET | 0.03 ACRES |
| TOTAL SITE AREA | 18,750 SQUARE FEET | 0.43 ACRES |

## CONCEPTUAL PLANT LIST
PROPOSED PLANT MATERIALS

| | |
|---|---|
| **PROPOSED TREES** | |
| WASHINGTONIA FILIFERA | WASHINGTONIA PALM |
| **PROPOSED SHRUBS** | |
| CHAMAEROPS HUMILIS | MEDITERRANEAN FAN PALM |
| CYCADA REVOLUTA | SAGO PALM |
| DRACAENA MARGINATA | DRAGON TREE |
| **PROPOSED GROUNDCOVERS** | |
| ASPARAGUS DENSIFLORUS 'MYERS' | MYERS ASPARAGUS |
| CARISSA MACROCARPA | NATAL PLUM |
| DORMANTA REPENS VARIEGATED | VARIEGATED PERIWINKLE |
| EUONYMUS JAPONICUS 'GREEN MOUND' | GREEN MOUND EUONYMUS |
| LIRIOPE MUSCARI | BLUE LILY TURF |
| MAHONIA BEALEI | BEALE'S MAHONIA |
| PHORMIUM TENAX 'SUNDOWNER' | NEW ZEALAND FLAX |
| PITTOSPORUM TOBIRA | TOBIRA |
| RHAPHIOLEPIS INDICA | INDIAN HAWTHORN |
| STRELITZIA NICOLAI | GIANT BIRD OF PARADISE |
| STRELITZIA REGINAE | BIRD OF PARADISE |
| TULBAGHIA VIOLACEA | WILD IVY GARLIC |
| **PROPOSED VINES** | |
| BOUGAINVILLEA SPP. | BOUGAINVILLEA |
| FICUS PUMILA | CREEPING FIG |

## CONCEPTUAL PLANT LIST
EXISTING PLANT MATERIALS

| | |
|---|---|
| **EXISTING TREES** | |
| CHAMAEROPS HUMILIS | MEDITERRANEAN FAN PALM |
| PHOENIX RECLINATA | SENEGAL DATE PALM |
| WASHINGTONIA ROBUSTA | MEXICAN FAN PALM |
| **EXISTING SHRUBS** | |
| ASPARAGUS MYERS | MYERS ASPARAGUS |
| CARISSA MACROCARPA | NATAL PLUM |
| DORMANTA REPENS VARIEGATED | VARIEGATED PERIWINKLE |
| EUONYMUS JAPONICUS 'GREEN MOUND' | GREEN MOUND EUONYMUS |
| LIRIOPE MUSCARI | BLUE LILY TURF |
| MAHONIA BEALEI | BEALE'S MAHONIA |
| PHORMIUM TENAX 'SOLID BRONZE' | NEW ZEALAND FLAX |
| PITTOSPORUM TOBIRA | TOBIRA |
| PITTOSPORUM TOBIRA VARIEGATED | TOBIRA |
| RHAPHIOLEPIS INDICA | INDIAN HAWTHORN |
| STRELITZIA NICOLAI | GIANT BIRD OF PARADISE |
| STRELITZIA REGINAE | BIRD OF PARADISE |
| TULBAGHIA VIOLACEA | WILD IVY GARLIC |
| **EXISTING VINES** | |
| BOUGAINVILLEA SPP. | BOUGAINVILLEA |
| FICUS PUMILA | CREEPING FIG |




SCALE IN FEET

July 30, 2007

Estrada Land Planning

# LANDSCAPE CONCEPT PLAN

## 1037 - 1047 SEACOAST BOULEVARD CONDOMINIUM CONVERSION

**PREMIER COASTAL DEVELOPMENT**

ATTACHMENT 3

September 10, 2007

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

**Subject: 1037-47 Seacoast Drive – Trash Enclosure**

Dear Tyler,

Thank you for taking the time to meet with Mr. Robert Miller and myself last week regarding 1037-47 Seacoast Drive. We wish to state our opposition of the location of the proposed trash enclosure. Originally, the City requested that the owner provide alternative locations for the proposed trash enclosure. Unfortunately, each location proposed by the owner was not supported by City staff.

Per City Staff's recommendation for approval the applicant designed the enclosure to be constructed inside the 1037 Seacoast building. As you are aware, the new enclosure design requires the removal of two mature Palm trees along the Seacoast Drive corridor and will eliminate one on-street parking space in the visitor serving area.

Once again, thank you for taking the time to meet with us. Should you have any questions or comments, please do not hesitate to contact me at (619) 948-9288.

Sincerely,

CHRIS DUGGAN
President/Principal
CTS Strategies

AGENDA ITEM NO. 7.1

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **PUBLIC WORKS** HAL |
| **SUBJECT:** | **RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2009** |

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**BACKGROUND:**
Pursuant to Chapter 13.06 of the Imperial Beach Municipal Code, a sewer service fee is charged to all residential and non-residential customers in the city limits of the City of Imperial Beach that discharge sewage into the sewer lines maintained by the city, or is considered by the San Diego Metropolitan Sewer System to be within the city jurisdiction. Ordinance 2005-1030, Section 2, adopted by Council on July 20, 2005, states:

"Ordinance 2005-1030, Section 2:

> "The rates established hereunder shall increase each July 1st, beginning in the year 2006 through July 1, 2010, inclusive, by the amount of five and one-half percent (5.5%) to account for expected increased costs of sewer service. Rates, beginning in July 1, 2011 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, or by a more appropriate future determiner of Imperial Beach Cost of Living that may be developed. Prior to the scheduled increase each year, the City Council shall hold a public hearing in conjunction with the process of adoption or review of the City budget adoption of the annual City budget to determine if there are costs reasonably borne by the City to justify the annual increase established hereunder. If the City Council determines that the actual costs of the sewer program do not require the automatic annual increase, the City Council shall amend the sewer rates to reflect the actual costs of service, including adequate reserves for contingencies. Nothing herein prevents the City Council from enacting fees that cover the actual costs of the sewer program."

Since the sewer service charges are codified in the Imperial Beach Municipal Ordinance, changes to the sewer service charges must be made through a new ordinance. And, since the ordinance proposes a change in a sewer service fee, a public hearing must be held to effect sewer service fee changes.

Additionally the 2006 California Supreme Court decision (Bighorn-Desert View Water Agency v. Verjil, (2006) 39 Cal. 4th 205), the court ruled that a public agency's water rate and charges for ongoing water delivery are subject to the initiative provision of Article 13C, Section 3, as added to the California Constitution by Proposition 218. The *Bighorn* decision raises concerns about the applicability of this decision relative to waste water (sewer) service charges, particularly with regard to public noticing requirements. In an abundance of caution, staff is proposing a 45-day public hearing period and the distribution of notices of the proposed fee increase to all affected property owners.

**DISCUSSION:**

The attached resolution would set the time and place of a public hearing to review and approve the subject sewer service charge rate increase. The proposed time and place of the public hearing is:

Wednesday, May 21, 2008
City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

The following adoption schedule is proposed:

- Mail the 45-day notice no later than April 3, 2008
- Public Hearing and First Reading of Ordinance, May 21, 2008
- Second Reading of Ordinance, June 4, 2008

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

The estimated noticing costs are $4,000 plus 20-hours of staff time.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Adopt the attached resolution.
3. Direct staff to mail a notice of a public hearing time and place to each property owner and also to place this notice in the I.B. Eagle & Times newspaper as described herein.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Gary Brown, City Manager

Attachments:

1. Resolution 2008-6587

**RESOLUTION NO. 2008-6587**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2009**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS,** pursuant to Chapter 13.06 of the Imperial Beach Municipal Code, a sewer service fee is charged to all residential and non-residential customers in the city limits of the City of Imperial Beach that discharge sewage into the sewer lines maintained by the city, or is considered by the San Diego Metropolitan Sewer System to be within the city jurisdiction, sewer service charges; and

**WHEREAS,** Ordinance No. 2005-1030 Section 2 states that the city council shall increase each July 1st, beginning in the year 2006 through July 1, 2010, inclusive, by the amount of five and one-half percent (5.5%) to account for expected increased costs of sewer service; and

**WHEREAS,** Ordinance No. 2005-1030 Section 2 states that rates, beginning in July 1, 2011 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, or by a more appropriate future determiner of Imperial Beach Cost of Living that may be developed; and

**WHEREAS,** Ordinance No. 2005-1030 Section 2 states that the city council shall hold a noticed public hearing in conjunction with the process of adoption or review of the City budget adoption of the annual City budget to determine if there are costs reasonably borne by the City to justify the annual increase established hereunder; and

**WHEREAS,** a recent California Supreme Court case (Bighorn-Desert View Water Agency v. Virjil, (2006) 39 Cal. 4th 205) raises concerns about the applicability of this decision relative to the waste water (sewer) Service Charge rate increases, particularly with regard to public noticed public hearing requirements; and

**WHEREAS,** in an abundance of caution it is appropriate to establish a 45-day notice for a Public Hearing to hearing comments and protests on proposed solid waste rate increases.

**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 time and place of the public hearing is:
   Wednesday, May 21, 2008
   City Council Chambers
   825 Imperial Beach Blvd.
   Imperial Beach, CA 91932
3. The City Manager is directed to mail out the 45-day Public Hearing notice to all property owners within the City of Imperial Beach.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th day of March 2008, by the following roll call vote:

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

**JAMES C. 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. 2008-6587– A Resolution of the City Council of the City of Imperial Beach, California, Setting the Time and Place for a Public Hearing and First Reading of Ordinance to Consider Adoption of the Sewer Service Charge for Fiscal Year 2009

CITY CLERK

DATE

Imperial Beach Redevelopment Agency

AGENDA ITEM NO. 7.2

**STAFF REPORT**
**IMPERIAL BEACH REDEVELOPMENT AGENCY**

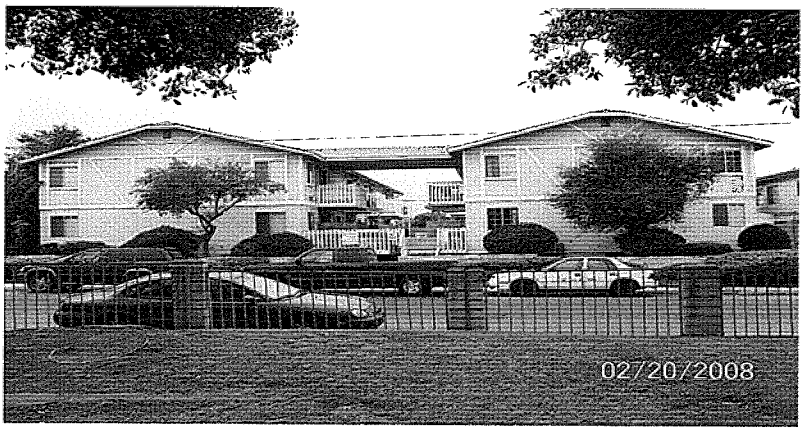
| | |
|---|---|
| **TO:** | **CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY** |
| **FROM:** | **GARY BROWN, EXECUTIVE DIRECTOR** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **COMMUNITY DEVELOPMENT DEPARTMENT**<br>**GREG WADE, DIRECTOR**<br>**GERARD E. SELBY, REDEVELOPMENT COORDINATOR** |
| **SUBJECT:** | **COMMITMENT LETTER FOR A PROPOSED AFFORDABLE HOUSING PROJECT WITH CHELSEA INVESTMENT CORPORATION FOR THE ACQUISITION AND REHABILITATION OF 624 12TH STREET** |

## BACKGROUND

According to California Redevelopment Law, at least twenty percent (20%) of tax increment and redevelopment bond proceeds must be set aside for projects or programs for the development or substantial rehabilitation of affordable housing.

In the Palm Avenue/Commercial Redevelopment Project 5-Year Implementation Plan, a goal of the Affordable Housing program was to seek to purchase deteriorated housing units and finance their improvements, to provide gap financing for projects that will bring continued revitalization to the area and to provide housing opportunities for all, including seniors and low-income residents.

Chelsea Investment Corporation ("Chelsea") has requested financial assistance in the form of a low-interest (3%) loan from the Imperial Beach Redevelopment Agency ("Agency") that will likely require no payments to the Agency over the 55-year term of the loan unless the project is sold to another party. The requested funds will be used to acquire and rehabilitate an existing 15-unit apartment building at 624 12th Street in Imperial Beach for affordable rental housing (Attachment 1). Chelsea has requested a commitment letter from the Agency prior to entering into a purchase and sale agreement with the current owners of the property.




**624 12th Street**

## DISCUSSION

As it is a State mandated function of the Agency to expend these housing set-aside funds on projects and programs that provide for the development or substantial rehabilitation of affordable housing, Agency staff views the request from Chelsea as an excellent opportunity to acquire and rehabilitate an existing apartment building and convert it to affordable housing through the use of the Agency's set-aside funds.

Chelsea has requested that the Agency provide financial assistance in the amount of $1,741,000 for the acquisition and rehabilitation of 624 12th Street. Chelsea's other funding sources will include tax-exempt bonds, low-income housing tax credits, and a deferred developer fee.

The project would provide affordable low-income rental housing for qualifying households of 50% (very low income) and 60% (low income) of the Average Median Income (AMI) for the County of San Diego. A qualifying household of four at 50% AMI would have an income of less then $39,500 and a qualifying household of four at 60% AMI would have an income of less then $42,120. The Median income for a four-person household the San Diego region is $79,000.

A draft commitment letter is attached (Attachment 2). The letter briefly describes the financial commitment of the Agency and that the commitment is subject to the condition that the Agency's final approval of the Loan shall be contingent upon the Agency's and Chelsea's approval and execution of a Rehabilitation Loan Agreement, evidencing the terms and conditions of the Loan, on or before June 10, 2008.

## ENVIRONMENTAL IMPACT

The allocation of Agency funds conditioned upon final approval of the Loan is not a "project" within the meaning of California Environmental Quality Act (CEQA). The City of Imperial Beach/Agency, acting as the lead agency will perform all actions required by CEQA prior to approval of the Loan.

## FISCAL IMPACT

Currently, the Agency has approximately $7.4 million in housing set-aside funds. This total includes both bond and tax increment funds. The Agency, at minimum, must expend affordable housing funds in proportion to the community's need for very low-and low-income housing. The minimum percentages of housing fund expenditures over the 10-year Implementation Plan's Housing Compliance Plan is 16% for very low and 10% for low income. The Agency is mid-way through the Housing Compliance Plan and the Agency has expended approximately $1,210,000 or roughly 16.5% of the funds for very low income housing. The proposed project targets both low and very low-income categories. The proposed expenditure will exceed the minimum targets. The City will exceed its very low-income housing goal for the 10-year Housing Compliance Plan. The Agency will use the 2003 Tax Allocation Bond Proceeds first and then use Tax Increment funds to fill the financial gap should the Agency direct staff to negotiate a loan agreement.

## DEPARTMENT RECOMMENDATIONS

Staff recommends that the Redevelopment Agency authorize the Executive Director to execute a Commitment Letter to the Chelsea Investment Corporation expressing the conditional commitment of the Agency's Low and Moderate Income Funds for the substantial rehabilitation and development of affordable housing at 624 12th Street.

## EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.

Tom Ritter

For Gary Brown, Executive Director

## ATTACHMENTS

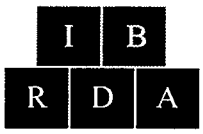
1. Project Description
2. Draft Commitment Letter
3. Resolution R-08-142

ATTACHMENT 1

# PROJECT DESCRIPTION
# 624 12TH STREET
# IMPERIAL BEACH, CA

| | | | | | |
|---|---|---|---|---|---|
| I. | Location | | 624 12th Street | | |
| II. | Site Area | | 14,810 | sf | |
| | | | .34 | Acres | |
| III. | Gross Building Area | | | | |
| | ❑ Residential Area | | 14,000 | sf | 100% |
| | ❑ Common Area | | 0 | sf | 0% |
| | ❑ Total Gross Building Area (GBA) | | 14,000 | | 100% |
| | ❑ Far | | | | |
| IV. | Construction Type | | Type V | | |
| V. | Density | | 47 | Units/Acre | |
| VI. | Number of Stories | | 2 | Stories | |
| VII. | Unit Mix | | # of Units | | Unit Size |
| | ❑ Two Bedroom | | 16 Units | 100% | 875 sf |
| VIII. | Affordability Mix | | | | |
| | ❑ Units @ 50% AMI | | 8 | 50% | |
| | ❑ Units @ 60% AMI | | 8 | 50% | |
| | | Total | 16 | 100% | |
| | % Affordable | | 100% | | |
| | Average Affordability | | 55% of AMI | | |
| IX. | Parking | | | | |
| | ❑ Parking Spaces | | 21 | Spaces | |

ATTACHMENT 2




*Imperial Beach Redevelopment Agency*

February 28, 2008

Chelsea Investment Corporation
5993 Avenida Encinas, Suite 101
Carlsbad, CA 92008

SUBJECT: Funding for 15-16 Affordable Apartments - 624 12th Street, Imperial Beach

Dear Ms. Autry:

The purpose of this letter is to express the Imperial Beach Redevelopment Agency's ("Agency's) commitment to provide $1,472,000 million in gap financing for the development of an affordable rental project with 15-16 units available to very low-income persons and households at the above referenced location ("Agency Loan"). The Agency Loan would be a 3% interest residual receipts loan for a term of fifty-five (55) years in consideration for the Agency's recording of affordability covenants on the real property at 624 12th Street, Imperial Beach, for a period of not less than fifty-five (55) years. This commitment is made to [insert developer's legal name], subject to the condition that the Agency's final approval of the Loan shall be contingent upon the Agency and Developer's agreement on the terms and conditions of the Loan.

This commitment will expire ninety (90) days from the date of this letter. The Agency will reserve these funds for the Project during the commitment period.

The Agency supports the production of affordable housing, and is pleased to participate in this project.

Sincerely,

Gary Brown
Executive Director

c: Gerard E. Selby, Redevelopment Coordinator
Susan Cola, Special Counsel – Imperial Beach Redevelopment Agency

ATTACHMENT 3

**RESOLUTION NO. R-08-142**

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A LETTER TO CHELSEA INVESTMENT CORPORATION EXPRESSING THE CONDITIONAL COMMITMENT OF AGENCY LOW AND MODERATE INCOME FUNDS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING AT 624 12TH STREET

The Redevelopment Agency of the City of Imperial Beach ("Agency") does hereby resolve as follows:

**WHEREAS,** Chelsea Investment Corporation ("Developer") has submitted a proposal to the Agency for the development of 15-16 affordable residential rental units located at 624 12th Street, in the City of Imperial Beach, California ("the Property"), for availability to and occupancy by very low income persons and households (the "Project"); and

**WHEREAS**, the Developer desires to acquire the Property for development of the Project and has requested a commitment letter from the Agency to earmark approximately $1,741,000 of the Agency's low and moderate income funds as gap loan financing for the Project ("Agency Loan") prior to the Developer's execution of a purchase and sale agreement for acquisition of the Property; and

**WHEREAS**, the Agency desires to provide the commitment requested by the Developer for a period not to exceed 90-days ("Commitment Expiration Date"), subject to the condition that the actual funding of the Agency Loan for the Project be contingent upon: (1) the Developer's and Agency's approval and execution, before the Commitment Expiration Date, of an Owner Participation Agreement for development of the Project, which evidences the terms and conditions of the Agency Loan, and (2) compliance with all requirements under Public Resources Code sections 21000 et seq. ("the California Environmental Quality Act); and

**WHEREAS**, the provision of the Agency's loan of low and moderate income housing funds for the Project is in accordance with the goals and purposes of the Community Redevelopment Law (Health and Safety Code sections 33000 et seq.)("CRL") and the Redevelopment and Implementation Plans adopted by the Agency for the Palm Avenue/Commercial Redevelopment Project Area; and

**NOW THEREFORE, BE IT RESOLVED**, by the Redevelopment Agency Board of the City of Imperial Beach, as follows:

1. The above recitals are deemed to be true and incorporated herein by this reference.

2. The Executive Director of the Agency is hereby authorized to execute a commitment letter to the Developer, subject to the conditions stated in the above recitals.

3. The Executive Director is hereby authorized to take all implementing actions in furtherance of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the Redevelopment Agency of the City of Imperial Beach, California, at its regular meeting held on March 5, 2008 by the following roll call vote:

**AYES: BOARDMEMBERS:**

**NOES: BOARDMEMBERS:**

**ABSENT: BOARDMEMBERS:**

_____

**JAMES C. JANNEY, CHAIR**

**ATTEST:**

_____

**JACQUELINE M. HALD, CMC**

**CITY CLERK**

**APPROVED AS TO FORM:**

_____

**JAMES P. LOUGH**

**AGENCY GENERAL COUNSEL**

I, City Clerk, of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. R-08-142 – **RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IMPERIAL BEACH, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A LETTER TO CHELSEA INVESTMENT CORPORATION EXPRESSING THE CONDITIONAL COMMITMENT OF AGENCY LOW AND MODERATE INCOME FUNDS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING AT 624 12TH STREET**

_____ _____

CITY CLERK DATE

*AGENDA ITEM NO. 7.3*

**STAFF REPORT**
**CITY OF IMPERIAL BEACH**

| | |
|---|---|
| **TO:** | **HONORABLE MAYOR AND CITY COUNCIL** |
| **FROM:** | **GARY BROWN, CITY MANAGER** |
| **MEETING DATE:** | **MARCH 5, 2008** |
| **ORIGINATING DEPT.:** | **CITY MANAGER** |
| **SUBJECT:** | **POND 20** |

---

**BACKGROUND:**

Attached is a 2/12/08 letter from Mayor Janney and Councilmember Hueso asking the Port to explore development on Pond 20.

Pond 20 is in the City of San Diego, but within our redevelopment area (See San Diego Ordinance O-18971 adopted August 7, 2001.) The City also had an MOU with San Diego, copy attached. The MOU is no longer in effect.

On August 19, 2002, City Council adopted Resolution 2001-5544 to pursue "...APPROPRIATE MEASURES TO CALL FOR RESIDENTIAL/SMART GROWTH DEVELOPMENT CONCEPTS TO BE AN ALLOWABLE USE ON THE POND 20 SITE."

In a 7/25/05 letter, copy attached, the City suggested to the Port that Imperial Beach buy Pond 20, and the Port could use the money to buy another site for hotel development. This idea didn't work out. In a letter of June 30, 2006, copy attached, we suggested that if the Port was going to use Pond 20 for mitigating impacts from other developments, Imperial Beach should benefit economically. We did not receive a response to this letter.

Since development of Pond 20 may entail environmental controversy, enclosed is a letter of December 30, 1999 to Barry Johnson, "Position Regarding Development Opportunities in Pond 20..." and the summary of the "Jurisdictional Wetland Delineation for Pond 20..." dated March 17, 2000.

There now appears to be renewed interest in developing at least a portion of Pond 20.

**DEPARTMENT RECOMMENDATION:**

Ratify the attached letter from Mayor Janney and Council member Hueso to the Port.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Tom Ritter

FOR Gary Brown, City Manager

Attachments:

1. Letter to Michael Bixler dated February 12, 2008
2. City of San Diego Ordinance Number O-18971 adopted on August 7, 2001
3. MOU (Pond 20) dated June 3, 2000
4. Resolution No. 2001-5544 adopted December 5, 2001
5. Letter to Bruce Hollingsworth dated July 25, 2005
6. Letter to Bruce Hollingsworth dated June 30, 2006
7. Letter to Barry Johnson dated December 30, 1999
8. Summary of Jurisdictional Wetland Delineation Report by Merkel & Associates, Inc.

ATTACHMENT 1

THE CITY OF SAN DIEGO

**COUNCILMEMBER BENJAMIN HUESO**

DISTRICT EIGHT

February 12, 2008

Michael Bixler, Chair
Port Commission
San Diego Unified Port District
P. O. Box 120488
San Diego, CA 92112-0488

Dear Chairman Bixler:

For over eight years our cities and the Port have struggled with how to develop Pond 20. In 2006 the Port moved toward possibly using the site as a mitigation wetlands for other projects rather than development, but we think this would fall short of the Pond's true potential.

We write you to request that the Port work with both our cities to reinvigorate efforts to use at least part of Pond 20 as a site for commercial/visitor serving uses. We believe the site has high potential for visitor serving commercial and mixed-use development as well as environmental benefits that should be brought to the forefront as soon as possible. Pond 20 can be the catalyst for improvements along the Palm Avenue corridor and improved fiscal resources for both cities and the South County region.

If you agree, we'd like to meet you and Port staff to discuss what actions can be taken to make this happen in the near future. We can review several potential actions such as: examine Pond 20's economic and physical feasibility for development, develop a master plan to guide development and preservation, explore revenue sharing, and renew the memorandum of understanding that the Port, San Diego and Imperial Beach signed in 2000. Whatever actions we take, we hope they lead to economic and environmental benefits to the Port, our cities, and the region.

We look forward to working with the Port on this exciting project.

Sincerely,

Ben Hueso, Council Member
Council District 8
City of San Diego

James C. Janney, Mayor
City of Imperial Beach

cc: Mayor of San Diego Jerry Sanders
County of San Diego Supervisor Greg Cox
City Council of San Diego
City Council of Imperial Beach
San Diego Port Commissioners
City Manager of Imperial Beach
South County Economic Development Council

ATTACHMENT 2

(O-2002-7)

ORDINANCE NUMBER O-18971 (NEW SERIES)

ADOPTED ON AUG 07 2001

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO TRANSFERRING REDEVELOPMENT AUTHORITY IN APPROXIMATELY 68 ACRES OF PROPERTY IN THE CITY OF SAN DIEGO, INCLUDING A PORTION OF POND 20, TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY.

WHEREAS, in 1996, the Imperial Beach City Council approved and adopted the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project [the Plan]; and

WHEREAS, the Imperial Beach Redevelopment Agency has prepared Amendment No. 1 to the Plan [the Amended Plan]; and

WHEREAS, the Amended Plan proposes to add approximately 1,125 acres to the Palm Avenue/Commercial Redevelopment-Project Area [the Amendment Area]; and

WHEREAS, the proposed Amendment Area extends beyond Imperial Beach City limits and includes approximately 63 acres of the southern portion of Pond 20 and 5 acres in the Palm Avenue West neighborhood of the Nestor community in the City of San Diego; and

WHEREAS, on November 22, 2000, the City of San Diego [San Diego] entered into a Memorandum of Understanding [the MOU] with the San Diego Unified Port District and the City of Imperial Beach authorizing the Imperial Beach Redevelopment Agency to commence proceedings for including territory within the City of San Diego in the proposed Amendment Area; and,

WHEREAS, pursuant to Health and Safety Code section 33213, the City Council of the City of San Diego may authorize the redevelopment of an area within its territorial limits by the City of Imperial Beach if such area is contiguous to territory in the City of Imperial Beach; and,

WHEREAS, those portions of the City of San Diego lying within the boundaries of the proposed Amendment Area, as shown on Exhibit "A" , which is attached and incorporated by this reference, are contiguous to the City of Imperial Beach; NOW, THEREFORE,

BE IT ORDAINED:

Section 1. Amendment No. 1 to the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project, including the maps and other reports that are incorporated into the Amended Plan by reference, is incorporated into this Ordinance by this reference. A copy of the Amended Plan is on file in the Office of the Clerk of the City of San Diego as Document No. D-18971.

Section 2. The Council approves the Amended Plan as the Redevelopment Plan for the Amendment Area.

Section 3. The Council authorizes the City of Imperial Beach to undertake the redevelopment of San Diego's portions of the Amendment Area, as shown in Exhibit A, in all respects as if the Amendment Area was within the territory of the City of Imperial Beach.

Section 4. The Council recognizes that the City Council of the City of Imperial Beach and the Imperial Beach Redevelopment Agency shall have all the rights, powers and privileges with respect to San Diego's portions of the Amendment Area, as shown in Exhibit A, as if the Amendment Area were within the territory of the City of Imperial Beach.

Section 5. Because the City of San Diego is an affected taxing entity as defined in Health and Safety Code section 33353.2, the Imperial Beach Redevelopment Agency shall pay to the City of San Diego such payments from tax increments actually received from the Amendment Area as described in Health and Safety Code section 33607.5.

Section 6. The Council directs the City Clerk to send a certified copy of this Ordinance to the City Clerk of the City of Imperial Beach.

Section 7. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 8. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By Elisa A. Cusato
Elisa A. Cusato
Deputy City Attorney

EAC:ai
07/3/01
Or.Dept:Redev.
Aud.Cert:n/a
O-2002-7
Form=o&t.frm

# GENERAL PLAN LAND USES

The Redevelopment Agency of the City of Imperial Beach

PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT, AMENDMENT NO. 1

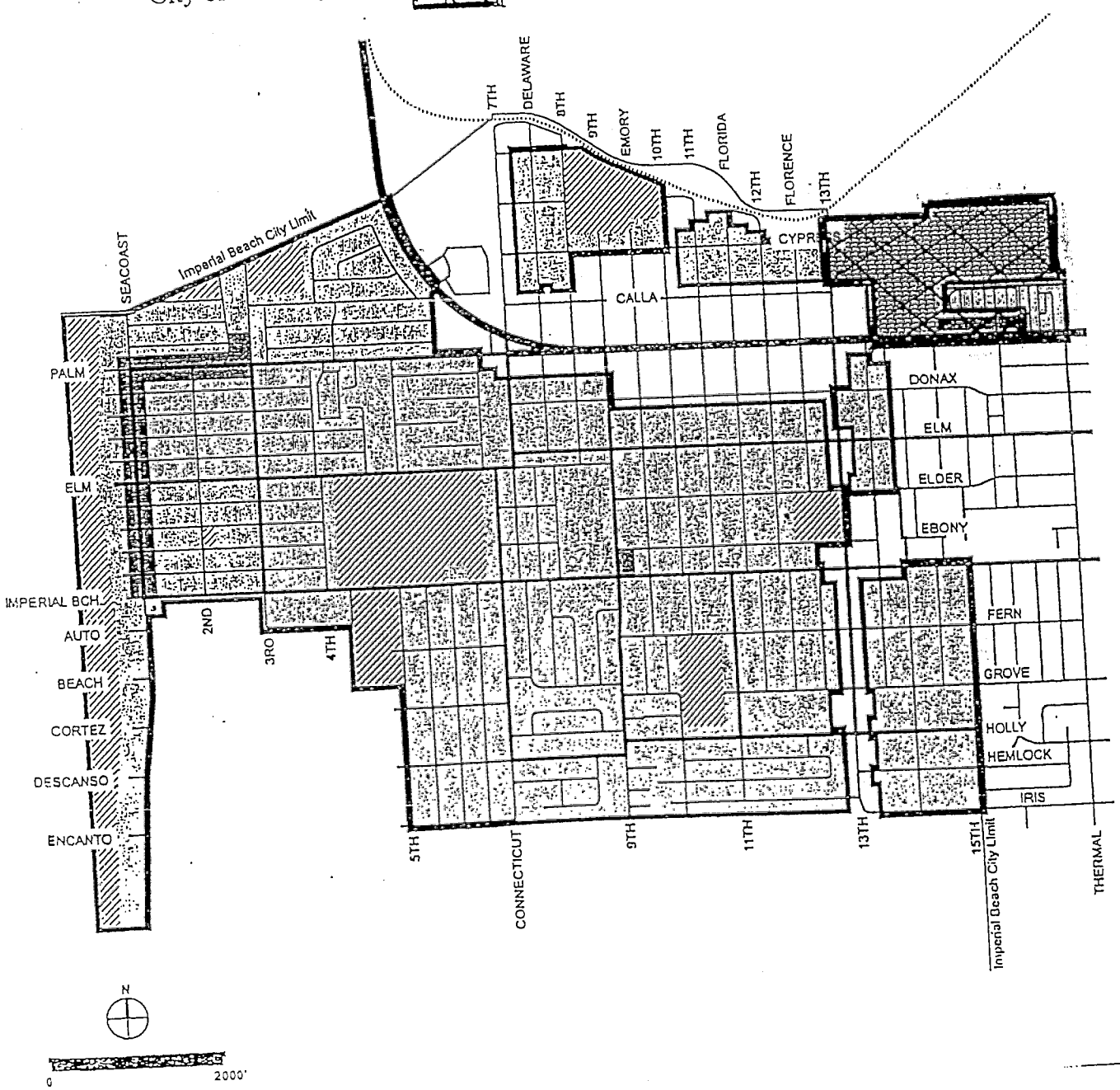
RESIDENTIAL
Single- and multi-family development permitted at various densities (1-29 units per net acre)

COMMERCIAL
Includes Seacoast, Neighborhood, and Community Commercial designations

PUBLIC FACILITIES

URBAN RESERVE/OPEN SPACE

City of San Diego



Passed and adopted by the Council of The City of San Diego on AUG 07 2001 by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|---|---|---|---|---|
| Scott Peters | ☑ | ☐ | ☐ | ☐ |
| Byron Wear | ☑ | ☐ | ☐ | ☐ |
| Toni Atkins | ☑ | ☐ | ☐ | ☐ |
| George Stevens | ☑ | ☐ | ☐ | ☐ |
| Brian Maienschein | ☑ | ☐ | ☐ | ☐ |
| Donna Frye | ☑ | ☐ | ☐ | ☐ |
| Jim Madaffer | ☑ | ☐ | ☐ | ☐ |
| Ralph Inzunza | ☑ | ☐ | ☐ | ☐ |
| Mayor Dick Murphy | ☑ | ☐ | ☐ | ☐ |

AUTHENTICATED BY:

DICK MURPHY,
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

By ....., Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JUL 17 2001, and on AUG 07 2001.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

By ....., Deputy.

(Seal)

.. CHARLES G. ABDELNOUR, Clerk of the City of San Diego, California, hereby certify that this is a true copy of papers on file and of record in the office of the Clerk of said City.

CHARLES G. ABDELNOUR, City Clerk

By _____, Deputy

Dated 7/23/2004

*This information is available in alternative formats upon request.*

CC-1255-A (Rev. 11-95)

Office of the City Clerk, San Diego, California

Ordinance Number O-18971 Adopted AUG 07 2001

ATTACHMENT 3

Document No. 40715

DUPLICATE ORIGINAL

Filed
SD UNIFIED PORT DISTRICT Clerk's Office

MEMORANDUM OF UNDERSTANDING
(Pond 20)

ATTACHMENT 3

This Memorandum of Understanding (the "MOU") is entered into as of this 13th day of June, 2000 by and between the City of Imperial Beach ("Imperial Beach"), the City of San Diego, ("San Diego"), and the San Diego Unified Port District (the "Port"), on the basis of the following facts, purposes, and understandings of the parties.

RECITALS

A. WHEREAS, there is mutual agreement to initiate a preliminary redevelopment study to explore future jurisdictional and development issues for the Port owned site within city limits of San Diego, known as Pond 20, and adjacent properties incidental to its viable development; Attached Exhibit A displays Pond 20 subject area and is incorporated herein by reference.

B. WHEREAS, Imperial Beach is currently processing an amendment to the existing Imperial Beach Redevelopment Plan ("Amended Plan"), which amendment will include new territory as redevelopment areas within the City of Imperial Beach (the "Amended Project Areas"). Attached Exhibit B displays Amended Project Areas and is incorporated herein by reference.

C. WHEREAS, the Port is planning to promote viable economic development of Pond 20 pursuant to State law governing such purposes for the Port.

D. WHEREAS, Pond 20 is contiguous to the city limits of Imperial Beach. Given the close proximity of Pond 20 and the Amended Project Areas, it may be advantageous from both planning and economic development perspectives to include Pond 20 in the area to be subject to Imperial Beach's Amended Project Areas.

E. WHEREAS, Imperial Beach, San Diego and the Port desire to enter into this MOU to study the feasibility of a cooperative relationship in the redevelopment of Pond 20.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and conditions contained in this MOU, the parties agree as follows:

AGREEMENT

Section 1. Site Feasibility. Upon execution of this agreement, the Port shall immediately initiate comprehensive pre-development due diligence efforts for Pond 20 which shall include but not limited to the following: title research, jurisdictional controls and governing doctrines, hazardous materials investigations, all necessary soils and engineering analysis, comprehensive environmental analysis, investigation of Coastal Commission and Army Corps of Engineers development issues, full geo-technical / topographical site study, and grading plan. In addition,

DOCUMENT NO. RR-2025-0

JUL 1 8 2000

the Port, as lead agency regarding site feasibility will, upon execution of this MOU, and immediately after these aforementioned studies have been performed commence a market and feasibility study to determine the highest and best economic development of Pond 20. The Port, as lead agency, reserves the right to conduct the aforementioned studies in accordance with its best judgement and to its own satisfaction.

Section 2. Redevelopment Jurisdiction. San Diego agrees to allow Imperial Beach and the Port to include the Pond 20 area in a preliminary redevelopment study area for the purposes of determining the feasibility of future inclusion into the adjacent Imperial Beach Redevelopment Project Area. Deannexation/annexation of the Pond 20 area is not under consideration by the parties to this agreement. Imperial Beach shall be the lead agency for the initiation of the preliminary redevelopment study area, and shall bear the entire cost of the study.

Section 3. Masterplan. The Port, Imperial Beach, and San Diego, based on the outcome of the aforementioned preliminary redevelopment study area process and the pre-development due diligence efforts, agrees to support formulation of a holistic restoration/enhancement masterplan to provide a balanced approach that would increase the wetland and wildlife habitat values for the Pond 20 area and provide for limited economic development opportunities. However, no development rights or approval of any sort are conferred or guaranteed by this MOU.

Section 4. Tax Revenue Sharing. The Port, Imperial Beach, and San Diego agree to explore relevant potential tax revenue sharing opportunities from any future redevelopment project area adoption or expansion activities resulting from the inclusion of the Pond 20 area in the preliminary redevelopment study area.

Section 5. Environmental Remediation. The Port, Imperial Beach and San Diego agree that the Port, as the owner of Pond 20, will have sole responsibility for any necessary remediation of hazardous materials relating to Pond 20 prior to any potential reuse activities.

Section 6. Environmental Review. The Port, Imperial Beach and San Diego agree that the Port shall be the "lead agency" for the environmental review, and shall bear the cost of this review.

Section 7. General Provisions.

a) Term. This MOU shall take effect as of the date it is signed by all parties and shall terminate on the date five (5) years after the date of the MOU.

b) Amendments. Neither this MOU nor any of the terms hereof may be amended, modified, waived, or terminated except by unanimous consent of the parties evidenced by a written instrument signed by the Port, Imperial Beach and San Diego. The parties may enter into operating memoranda to implement the provisions of this MOU without formal amendment to this MOU.

DUPLICATE ORIGINAL

c) Defaults and Remedies. Failure or delay by any party(ies) to perform any material term or provision of this MOU constitutes a default under this MOU. The non-defaulting party(ies) shall notify the defaulting party that a default exists and the defaulting party must cure or commence to cure such default within thirty (30) days of receipt of the notice of default.

In addition to any other rights or remedies, any party(ies) may institute legal action to cure, correct or remedy any default, to recover damages for any default, to require the defaulting party to specifically perform the terms and conditions of this MOU, or to obtain any other remedy consistent with the purpose of the MOU. Such legal actions must be instituted in the Superior Court or other appropriate court of the County of San Diego.

d) State Law. This MOU, and the rights and obligations of the parties to this MOU, shall be interpreted and enforced in accordance with and governed by the laws of the State of California. The language in all parts of this MOU shall be, in all cases, construed according to its fair meaning and not strictly for or against the Port, Imperial Beach or San Diego.

e) Legal Action. If litigation is initiated attacking the validity of this MOU, each party in good faith shall defend and seek to uphold this MOU. In the event of litigation between the parties regarding this MOU, the party prevailing in such litigation shall be entitled to recover its reasonable attorneys fees (including costs attributable to in-house counsel) and costs in such litigation from the non-prevailing party. If any term or provision of this MOU shall, to any extent, be invalid or unenforceable the remainder of this MOU not deemed to be invalid shall remain in full force and effect on the parties.

f) Successors and Assigns. This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

g) Time of Essence. The parties hereby acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation and provision hereof and that failure to timely perform any of the terms, conditions, obligations or provisions hereof, by a party to this MOU, shall constitute a material breach and default under this MOU by the party so failing to perform.

h) Execution of Other Instruments. Each party to this MOU agrees that it shall, upon request of a party hereunder, take any and all steps and execute, acknowledge and deliver to the requesting party, any and all further instruments necessary or expedient to effectuate the purposes of this MOU.

i) Entire Agreement. This MOU constitutes the entire agreement between the Port, Imperial Beach and San Diego with respect to the subject matter hereof and supersedes all prior offers and negotiations, oral and written.

DUPLICATE ORIGINAL

j) Notice. Any notice, demand, complaint, request, or other submission under this MOU shall be in writing. Service shall be deemed sufficient if the notice is deposited in the United States mail, postage paid. Proper notice shall be effective on the date it is mailed, unless prohibited otherwise in this MOU. For the purpose of the MOU, unless otherwise agreed in writing, notices shall be mailed to:

| | |
|---|---|
| For the City of San Diego: | Director of Economic Development and Community Services<br>City of San Diego<br>202 'C' Street<br>San Diego, CA 92101 |
| With Copy to: | General Counsel<br>Redevelopment Agency of the City of San Diego<br>1200 Third Avenue, Suite 1100<br>San Diego, CA 92101 |
| For the Port: | Executive Director<br>San Diego Unified Port District<br>3165 Pacific Highway<br>San Diego, CA 92101 |
| With Copy to: | Port Attorney<br>San Diego Unified Port District<br>3165 Pacific Highway<br>San Diego, CA 92101 |
| For the City of Imperial Beach: | City Manager<br>City of Imperial Beach<br>825 Imperial Beach Boulevard<br>Imperial Beach, CA 91932 |
| With Copy to: | |

DUPLICATE ORIGINAL

IN WITNESS WHEREOF, the Port, Imperial Beach and San Diego have executed this MOU by proper persons duly authorized as the date first herein above written.

IMPERIAL BEACH:

CITY OF IMPERIAL BEACH

Dated: 6/22/00

By: _____

Its: _____

SAN DIEGO:

CITY OF SAN DIEGO

Dated: 11/3/00

By: _____

Its: _____

PORT:

PORT OF SAN DIEGO

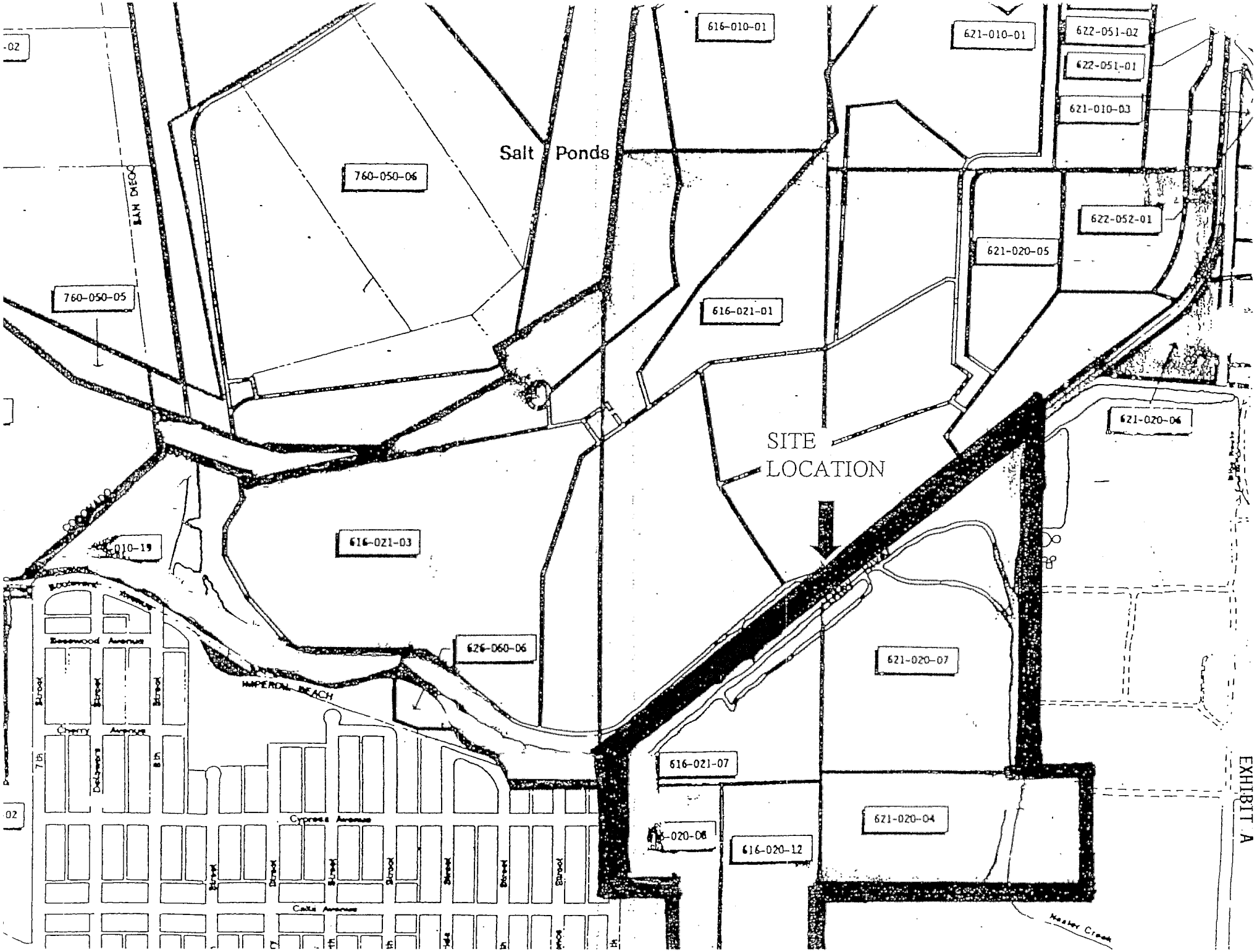
Dated: _____

By: _____

Its: Senior Director, Business and Financial Services Treasurer

I APPROVE the form and legality of this MOU this 22 day of November 2000

CASEY GWINN, City Attorney
By _____
Deputy City Attorney


Salt Ponds
760-050-06
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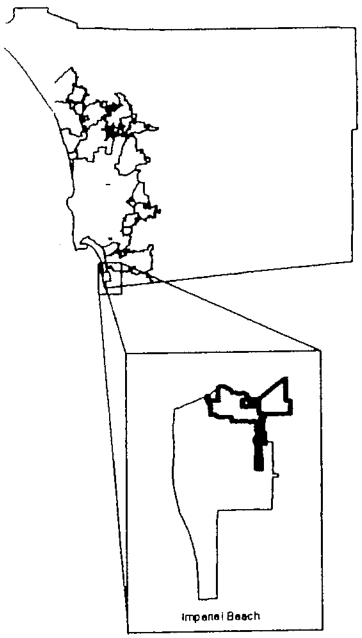
616-010-01
621-010-01
622-051-02
622-051-01
621-010-03
622-052-01
621-020-05
616-021-01
621-020-06
SITE
LOCATION
616-021-03
626-060-06
621-020-07
616-021-07
621-020-04
616-020-12
Imperial Beach
Cypress Avenue
Cactus Avenue
Cherry Avenue
Elm Street
Hayes Creek

EXHIBIT A

City of Imperial Beach

# Redevelopment District Amended Plan

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PROPRIETARY INFORMATION: The use of SanGIS information used in the production of this map is pursuant to sublicense agreement only. Any resale or relicensing of this information is prohibited, except in accordance with such sublicensing agreements.

San Diego ASSOCIATION OF GOVERNMENTS

September 2000

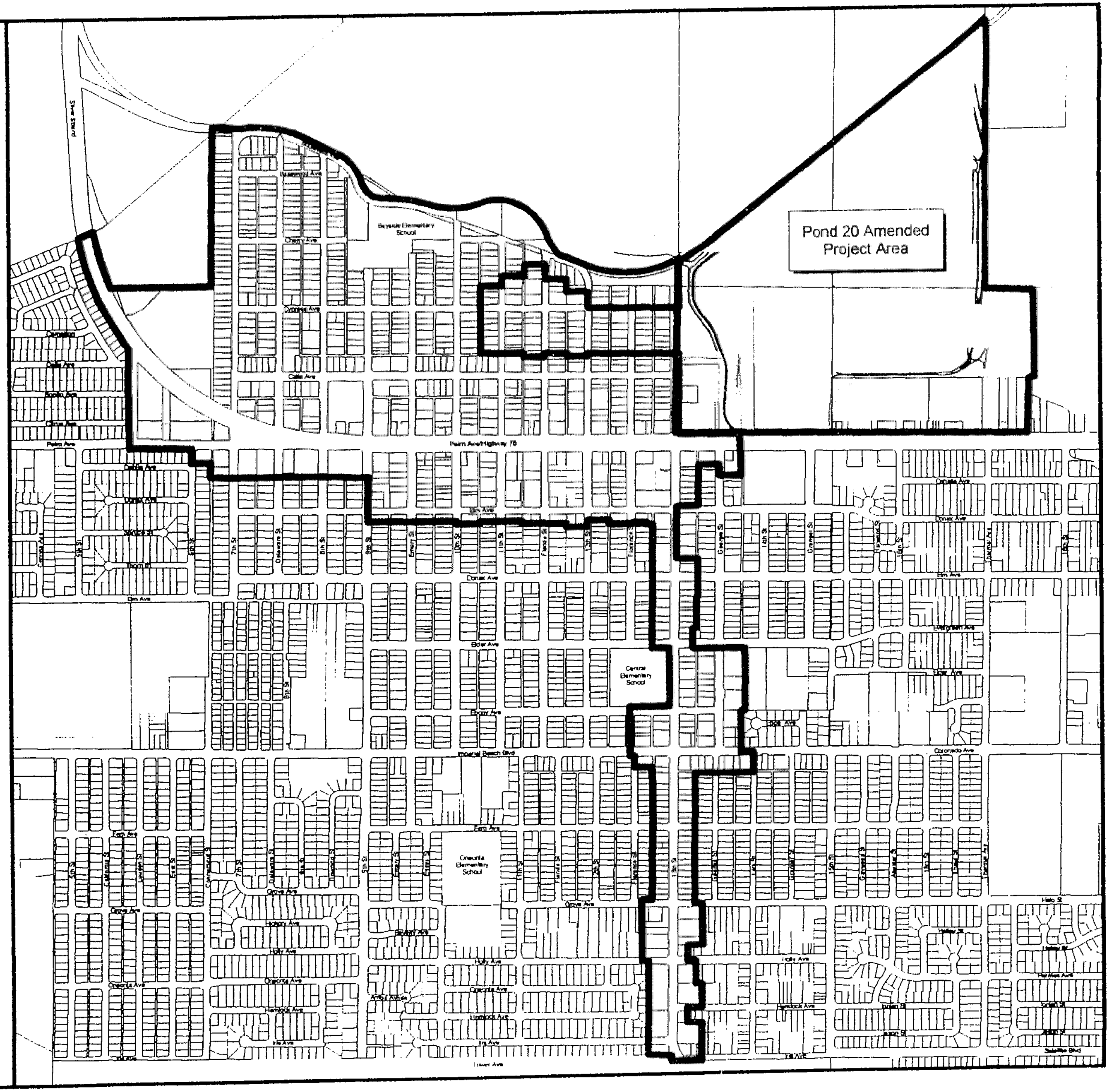



Exhibit B

ATTACHMENT 4

# RESOLUTION NO. 2001-5544

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING STAFF TO PURSUE APPROPRIATE MEASURES TO CALL FOR RESIDENTIAL / SMART GROWTH DEVELOPMENT CONCEPTS TO BE AN ALLOWABLE USE ON THE POND 20 SITE**

**WHEREAS,** Pond 20 is a large, vacant land area in the City of San Diego, and within the City of Imperial Beach's Redevelopment Agency jurisdiction; and

**WHEREAS,** The City of San Diego, the City of Imperial Beach, and the Port of San Diego, have entered into a Memorandum of Understanding to explore its future development; and

**WHEREAS,** Various environmental groups have supported balanced development of the site; and

**WHEREAS,** The site is adjacent to transportation corridors, bike trails, a wildlife refuge, and residential and commercial areas; and

**WHEREAS,** Smart Growth is a development concept which may be a beneficial application to this specific site; and

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

1. Authorize adoption of Reso. No. 2001-5544 which authorizes the City Manager to direct City staff to pursue appropriate measures to call for residential / Smart Growth development concepts to be an allowable use on the Pond 20 site.

2. That City staff pursue the property's designation as Statewide Model Smart Growth site, if necessary.

3. That City staff pursue special legislation or amendment to Assembly Bill 93 as necessary to pursue such a designation and allowable use.

4. That the Imperial Beach Port Commissioner is directed to support, aid and abet such a designation and allowable use.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 5th of December, 2001, by the following roll call vote:

| | | |
|---|---|---|
| AYES: | COUNCILMEMBERS: | **MCCOY, ROGERS, WINTER, BENDA, ROSE** |
| NOES: | COUNCILMEMBERS: | **NONE** |
| ABSENT: | COUNCILMEMBERS: | **NONE** |

*Diane Rose*

**DIANE ROSE, MAYOR**

ATTEST:

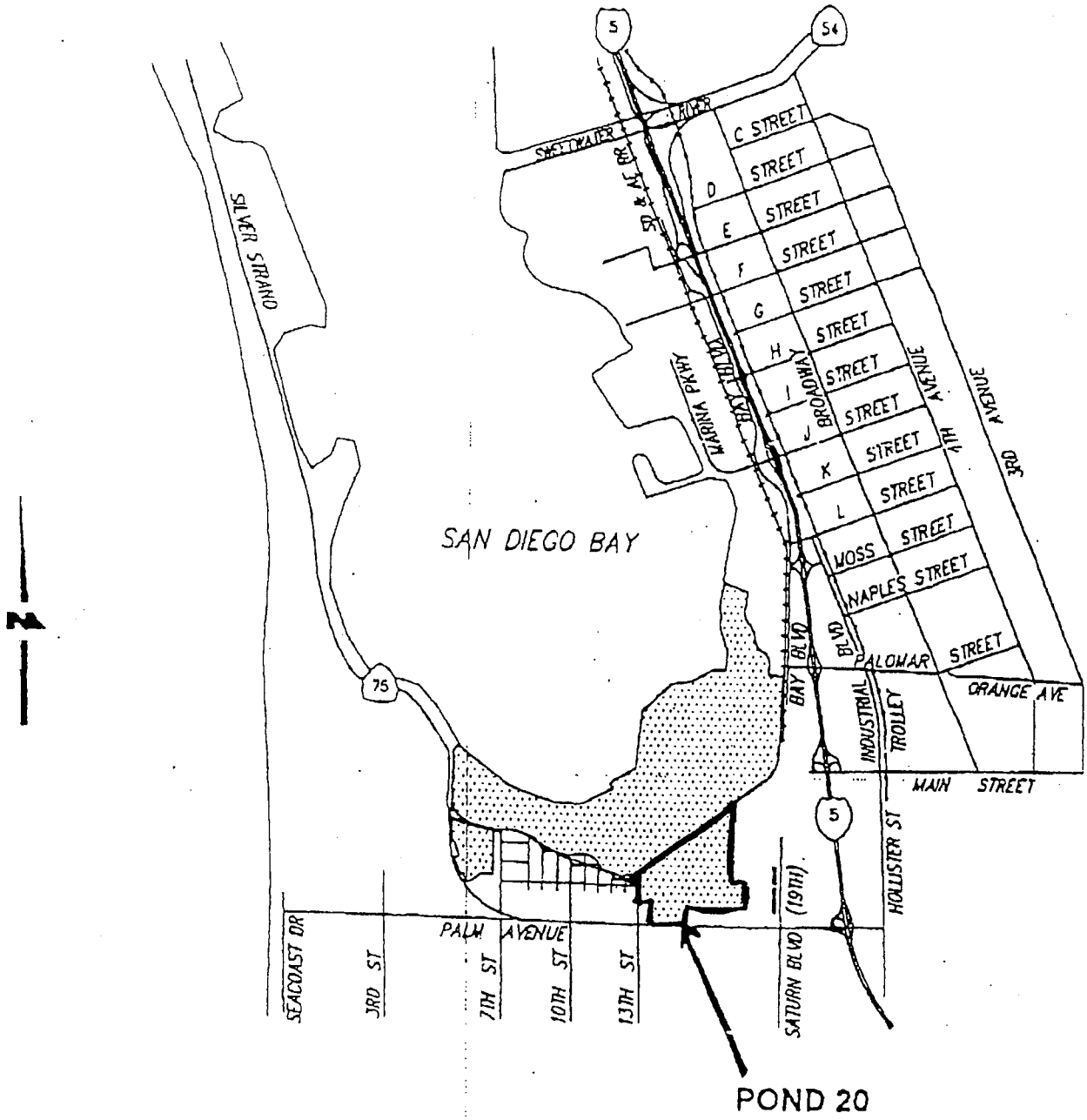
*Linda A. Troyan*

**LINDA A. TROYAN, 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. 2001-5544 – A Resolution Authorizing the City Manager to Direct City Staff to Pursue Appropriate Measures to Call for Residential / Smart Growth Development Concepts to be an Allowable Use on the Pond 20 Site.

CITY CLERK

8/19/02
DATE




# VICINITY MAP

NOT TO SCALE

| 14:03 | NO. | BY | DATE | REVISIONS: |
|---|---|---|---|---|

ATTACHMENT 5 POND 20

# City of Imperial Beach, California

ATTACHMENT 1

*OFFICE OF THE CITY MANAGER*

July 25, 2005

Mr. Bruce Hollingsworth
President, San Diego Unified Port District
PO Box 120488
San Diego, CA 92112

RE: POND 20

Bruce

Dear Mr. Hollingsworth:

This letter is written to suggest a new approach and partnership between the Port District and Imperial Beach and to offer an attractive investment opportunity to the Port that will benefit both the Port and the City of Imperial Beach.

In November of 2000, the City, the Port, and San Diego entered into a Memorandum of Understanding on Pond 20 to examine potential redevelopment opportunities on the site. Since then, we have reviewed a number of possibilities, but our efforts were hindered by the creation of the Airport Authority and its ownership of Pond 20, as well as the site's complex development challenges. Also, many now think that Pond 20 may be best used for wetlands mitigation.

In light of today's exigencies, we think there is a new way to capture long-term economic value from Pond 20. We suggest for your consideration a simple idea within the spirit of our Memorandum of Understanding to foster economic development within our City. Specifically, that the City purchase Pond 20 from the Port for a fair market price, approximately $3.329 million, similar to the price the Port is currently paying the Airport Authority. The Port would be free of its financial burden to purchase Pond 20, and would then use the monies it receives from the City to purchase another mutually agreed upon site in Imperial Beach to develop a visitor servicing facility, such as a hotel. The hotel would be developed in accord with a development agreement between the City and the Port that would generally conform to the City's specific plan requirements and process. As a result of these transactions, the Port would own valuable property that could be leased to private parties for development of a hotel. The City would benefit from the Port's development expertise and would receive tax increment, sales taxes, and TOT from new facilities.

825 Imperial Beach Boulevard • Imperial Beach, California 91932 • (619) 423-8303 • Fax (619) 429-9770

Admittedly, this simple concept has many complex questions, but before delving into the details we first wish to see if the Port is interested in pursuing the concept and working with us to bring our dream to reality.

For your consideration, I have included maps and photographs depicting four attractive development sites. They offer opportunities along the South Bay and along the Pacific coast. One site is ocean front property. The sites are:

- Bayview Prospects:
  1. Bernardo Shores/El Camino Motel plus properties east of the Camino Motel
  2. 497 11th Street

- Seacoast Prospects:
  1. Properties around the Port's Parking area at Palm Ave and Seacoast Drive.
  2. Beach Town properties at the northwest corner of Seacoast Drive and Imperial Beach Blvd. This property is located right on the coast.

We are not sure how you would like to proceed, but please give us your initial reaction to our ideas; we would like to determine whether you wish to pursue the development prospects further. We think you will probably want to discuss our proposal with your Commissioners, and I can assure you that City Council is interested in pursuing this matter further. Let us know if you want to discuss this matter in greater depth and how we can assist in your initial assessment.

We hope you find this to be an attractive proposal meriting your close attention, and we look forward to working with you to enhance the Port's assets in Imperial Beach.

Sincerely,

Gary

Gary Brown
City Manager

Cc: City Council
Commissioner Mike Bixler

ATTACHMENT 6

file: Pond 20

# City of Imperial Beach, California

ATTACHMENT 2

*OFFICE OF THE CITY MANAGER*

June 30, 2006

Mr. Bruce Hollingsworth
President, San Diego Unified Port District
PO Box 120488
San Diego, CA 92112

Re: POND 20

Dear Mr. Hollingsworth:

This letter recaps our meeting on Pond 20 and our understanding of its status. As background, the Port, the City of San Diego, and Imperial Beach had signed an agreement placing Pond 20 in Imperial Beach's redevelopment area in order to help Imperial Beach gain economic self-sufficiency.

After several years of exploring development options for Pond 20 in conjunction with Port staff, we found them to be infeasible. The City then offered to buy the Pond if the Port re-invested the funds in other tidelands development opportunities in Imperial Beach. It was the City's intent to make Pond 20 available as a mitigation resource for development projects, and the Port could have reserved a portion of Pond 20 for its own mitigation needs.

It is our understanding that the Port now wishes to retain all of Pond 20 for mitigation of projects that it will develop or cause to be developed. We believe this is an acceptable use of Pond 20 if Imperial Beach can economically benefit from it. We say this because Pond 20 was set aside for the purpose of helping Imperial Beach achieve economic self-sufficiency, and it's still a goal we should strive for. Specifically, we believe Imperial Beach should benefit economically when Pond 20 facilitates development on other Port sites or any time the Pond is used for mitigation that assists development. For example, if a development in San Diego or any other jurisdiction uses Pond 20 for mitigation and therefore moves ahead, Imperial Beach should receive compensation for the mitigation and economic benefits granted to the development. Our City could receive compensation in a number of ways including, but not limited to: a per square foot fee for land used for mitigation, the establishment of a long term endowment to help the Port pay for contract services it purchases from Imperial Beach, an equity position for the City in developments fostered by mitigation on Pond 20, or in other ways on which we can agree.

825 Imperial Beach Boulevard • Imperial Beach, California • 91932 • (619) 423-8303 • Fax (619) 429-9770

In summary, we believe the Port's use of Pond 20 as a mitigation resource is appropriate if Imperial Beach can receive compensation in some form because Pond 20 was designated to help the City achieve financial stability. I trust we can move ahead in the near future to work out the specifics and achieve our mutual goals.

Sincerely,

Gary Brown
City Manager

Cc: City Council
Commissioner Bixler

ATTACHMENT 7

COPY

December 30, 1999

Mr. Barry Johnson, City Manager
City of Imperial Beach,
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

**Re: Position Regarding Development Opportunities in Pond 20 of the former Western Salt Ponds**

Dear Mr. Johnson,

The undersigned groups would like to take this opportunity to clarify our position related to the Pond 20 area of the former Western Salt Ponds. When the San Diego Bay National Wildlife Refuge was established in June of 1999, we supported the exclusion of certain, less productive, areas of Pond 20 understanding that those areas would be evaluated for possible development. Particularly, we understood that there was the desire to develop a portion of the pond adjacent to the highway. While we will expect that any fill or development of this pond will be fully mitigated, we understand the City of Imperial Beach's need for economic development and support evaluation of this area for appropriate development.

The areas closest to the Bay we understand have been reserved for restoration of the Otay River channel and we would request that areas immediately adjacent to that should also be considered and evaluated for restoration as possible mitigation. We urge that the design and construction on the developed portion incorporate measures to protect the viability of the portion that will be restored. We would appreciate being informed which portion is being considered for development and what buffering measures are being considered. We urge that benign public access for wildlife observation and passive recreation be considered for the buffer between the two portions. We also request that public access and nature viewing be considered in the development plans themselves.

We hope that this clarify's our position relative to Pond 20. Please call Laura Hunter with any questions at (619) 235-0281.

Sincerely,

Laura Hunter
Environmental Health Coalition

James A. Peugh
San Diego Audubon Society

Bruce Reznik
San Diego Baykeeper

Marco Gonzalez
San Diego Chapter of the Surfrider

Patricia McCoy
Southwest Wetlands Interpretive Association

Ted Godshalk
Paradise Creek Educational Park

Michael Klein
Nature Festivals of San Diego County

Attachment 8

# JURISDICTIONAL WETLAND DELINEATION
## FOR POND 20
## IMPERIAL BEACH, CALIFORNIA

*Merkel & Associates, Inc.*
March 17, 2000

## SUMMARY

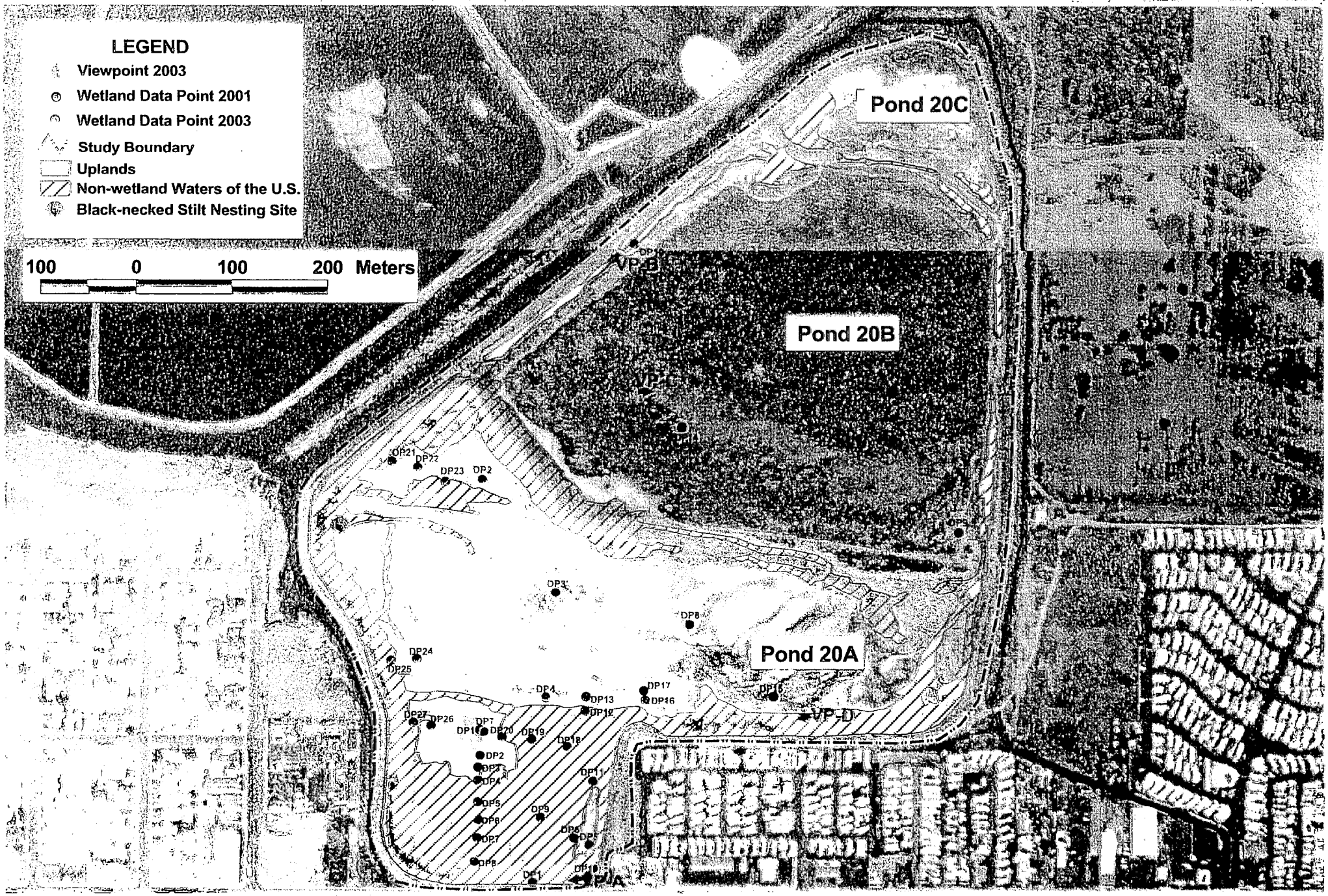
Merkel & Associates, Inc. has conducted a jurisdictional determination and wetland delineation of the Western Salt in the Pond 20 study area at the south end of San Diego Bay. The site lies south of the Otay River channel, north of Palm Avenue, and east of 13th Street in Imperial Beach. The Pond 20 site is confined by a dike that includes three smaller pond cells (herein termed Ponds 20A., 20B, and 20C). The areas was formerly utilized by Western Salt Company and its predecessors for commercial salt harvesting. Over the past century, various internal berms have been constructed, repaired, and removed by operational changes and flooding. These changes have resulted in changing topographic conditions that make a continued discussion of the three pond cells worth while in the context of jurisdiction under federal and state wetland regulatory programs.

The fieldwork at the Pond 20 site was performed on March 2 and March 3, 2000. Wetland delineations were conducted in accordance with the 1987 U.S. Army Corps of Engineers' (CORPS) Wetland Delineation Manual (Corps 1987). Additional jurisdictional non-wetland waters were mapped using physical evidence of normal high water conditions. One isolated wetland habitat in Pond 20A was determined to be present on-site; it included 0.51 acre of Southern Coastal Salt Marsh (Holland 52120). Habitat quality here is poor, but the area does support at least occasional use by the state endangered Belding's Savannah Sparrow. An additional 37.39 acres of jurisdictional non-wetland waters of the U.S. were also found on-site. Most of this latter area is situated within the southerly and westerly portions of Pond 20A. These other waters are principally the result of long-term storm water ponding due to low permeability soils and high groundwater tables that limit drainage from the abandoned salt evaporator pond. While the ponds receive water from direct rainfall, they also receive street drainage from a portion of the urbanized Palm Avenue areas of Imperial Beach. Because the use of the pond for the purpose it was initial constructed for has been terminated, activities are considered abandoned and the pond would revert to waters of the U.S. even if the site were initially constructed in an upland.

The western portion of Pond 20A may have historically supported salt marsh habitat in the 1800s, prior to its conversion near the turn of the last century for salt production. Historic aerial photographs of the area in the 1940s show some vestigial salt marsh south of Pond 20A; immediately south of Palm Avenue in areas that have since been filled. The eastern portion of Pond 20A, immediately north of an off-site mobile home park, includes an area that retains long-ago isolated braided stream patterns associated with the historic mouth of Nestor Creek. These are not considered jurisdictional do to the historic diversion of Nestor Creek to the north and the lack of any recent evidence of ponding in these elevated locations.

Pond 20B encompasses portions of a sandy outflow alluvial fan presumably laid down during the 1916 flooding by the Otay River. This portion of the pond is somewhat higher than the elevations within Pond 20A. Pond 20B is still surrounded by linear bands of standing water at the inner base of the dike. These low areas are excavated channels from which dike fill material was taken to reconstruct the dikes after the 1916 floods. Pond 20B has ceased to be used for salt pond operations since at least 1944. All subsequent photographs show no evidence of submersion over the broad interior area. This location is presently cloaked in a poorly developed, limited diversity Diegan Coastal Sage Scrub. However, due to a high rodent population, raptor use is substantial and diverse.

A third relatively small area located to the extreme northeast portion of the study area, Pond 20C, has been separated from Pond 20B by berms for most of the last century. Like Pond 20B this area is defined by a limited amount of non-wetland waters located at the base of constructed dikes.

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S

**POND 20 Jurisdictional Determination and Wetland Delineation Map**

In document dated "Revised 6/10/03" contained in 6/10/03 document

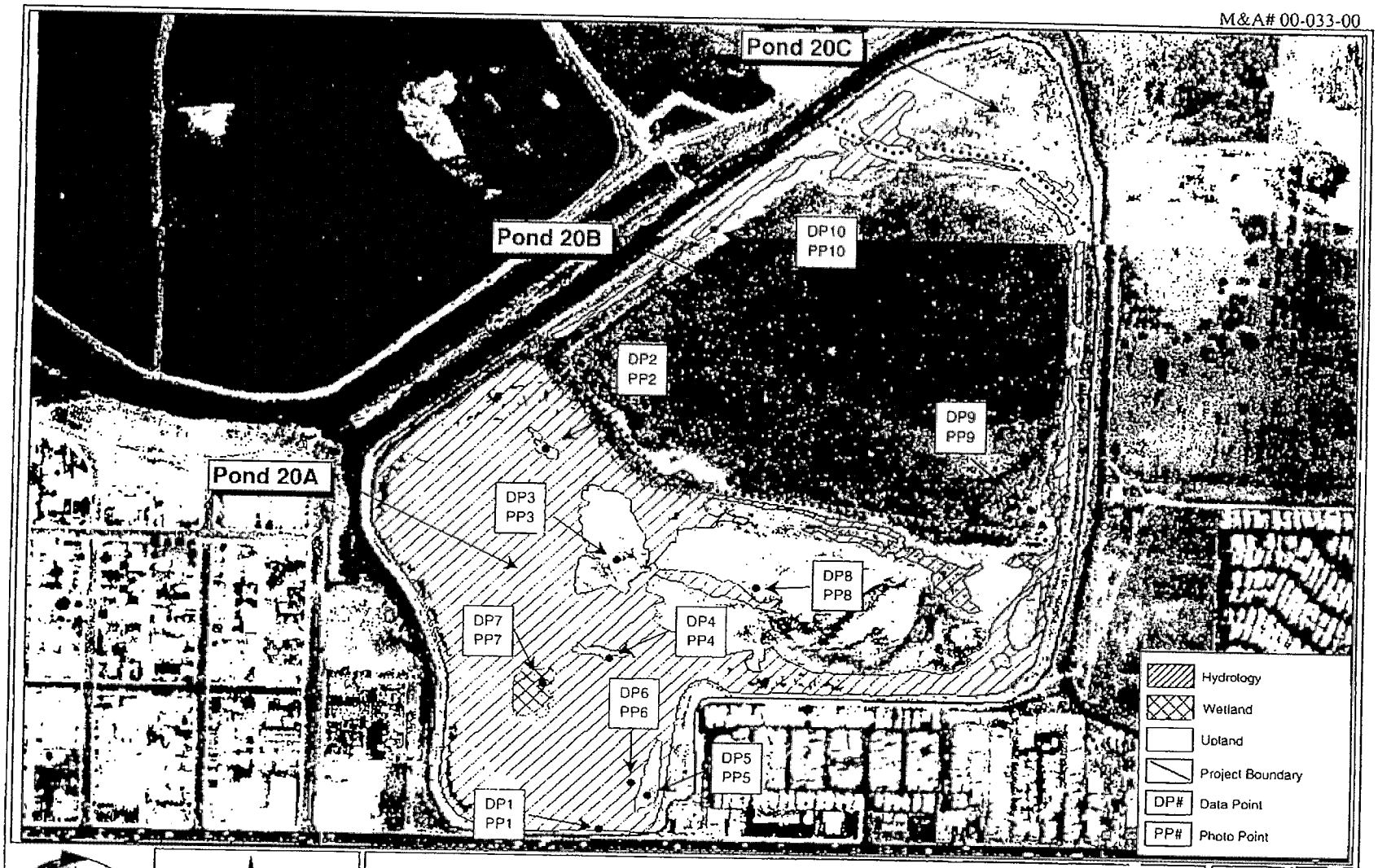
**April-May 2003**

Imperial Beach, CA

*Merkel & Associates, Inc.*

**Figure 2**

M&A# 00-033-00




Scale: 1" = 1000'

**Pond 20, Imperial Beach**
**Jurisdictional Wetlands and Non-wetland Waters of the U.S.**

Figure 2

*Merkel & Associates, Inc.*

Contained in document dated 9/6/02