

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
September 7, 2005
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR ROSE called the Closed Session Meeting to order at 5:08 p.m.

ROLL CALL

Councilmembers present:
Councilmembers absent:
Mayor present:
Mayor Pro Tem present:

Winter, McLean
McCoy
Rose
Janney

Staff present:

Assistant City Manager Ritter; City Attorney
Lough; Deputy City Clerk Wolfson

CLOSED SESSION

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Names of Cases:

Jona Knecht, Albert Knecht vs. City of Imperial Beach; Case Number: GIC
835800

John Carr v. City of Imperial Beach, et. al.; GIS 014362

Suyat v. City of IB, San Diego Superior Court No. GIC 831429

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Negotiator: City Manager

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

MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE adjourned the meeting to Closed Session at 5:08 p.m. and she reconvened the meeting to Open Session at 6:08 p.m. Reporting out of Closed Session, MAYOR ROSE announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time.

ROLL CALL

Councilmembers present:	Winter, McLean
Councilmembers absent:	McCoy
Mayor present:	Rose
Mayor Pro Tem present:	Janney
Staff present:	Assistant City Manager Ritter; City Attorney Lough; Deputy City Clerk Wolfson

PLEDGE OF ALLEGIANCE/INVOCATION

PASTOR CAREY NORMAN led everyone in the Pledge of Allegiance and asked everyone to bow his or her head for a moment of silence in recognition of the victims of Hurricane Katrina.

AGENDA CHANGES

None.

MAYOR/COUNCIL ANNOUNCEMENTS

COUNCILMEMBER WINTER announced that the South Bay Union School District will have their Chuckle for Children comic event on October 15th at 8 p.m.

COUNCILMEMBER MCLEAN also spoke about the Chuckle for Children event and noted that his wife is on the board of trustees of the South Bay Union School District.

MAYOR ROSE echoed Pastor Norman's sentiments regarding Hurricane Katrina; she announced that September is national disaster preparedness month and she requested that a future agenda feature a presentation on emergency preparedness.

ASSISTANT CITY MANAGER RITTER introduced Charles Smith, Interim Administrative Services Director.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

NELSON PRICE stated that he and his wife had finished another volume of their family history that will be available for review for a short time at the City Clerk's Department; he spoke of the progression the City has made over the years and expressed his appreciation of the proposed hotel and said that the meeting for it was a sign of maturity for the City; he acknowledged and thanked Tidelands Advisory Committee Chairperson Carey, Port Commissioner Bixler, and Mayor Rose for their dedication and service to the community.

PRESENTATIONS/PROCLAMATIONS (1.1-1.3)

1.1 WALKABLE COMMUNITIES PRESENTATION. (0680-90)

ASSISTANT CITY MANAGER RITTER announced the item and introduced Andy Hamilton.

ANDY HAMILTON, of Walk San Diego (a non-profit organization), gave a PowerPoint presentation. He suggested ways to make communities pedestrian friendly, which also can beautify cities and enhance safety for walkers, drivers, and bicyclists.

Discussion ensued regarding traffic calming methods and applying these methods to areas such as Old Palm Avenue and 9th Street.

ASSISTANT CITY MANAGER RITTER said that staff could incorporate these ideas into a Capital Improvement Project and will bring the item back for Council consideration.

1.2 PRESENTATION OF PROCLAMATION TO DAVE VAN DE WATER IN RECOGNITION OF HIS YEARS OF VOLUNTEER SERVICE ON CITY WEBSITE. (0410-30)

ASSISTANT CITY MANAGER RITTER introduced the item.

MAYOR ROSE welcomed Dave Van de Water and presented him with a proclamation in recognition of his volunteer service on the City website since April 1996.

PORT COMMISSIONER MIKE BIXLER spoke about the committees and organizations that Mr. Van de Water had been involved with, including the Sandcastle and HUSH; he thanked Mr. Van de Water and his wife Jean for their involvement in the community.

1.3 PRESENTATION OF NEW CITY WEBSITE. (0160-84)

ASSISTANT CITY MANAGER RITTER introduced the item and stated that the City's new website will be online in the near future; he thanked Mr. Van de Water for his hard work over the years; he introduced Jim Graczyk, IT Consultant for the City.

JIM GRACZYK stated that the new website will go live October 1st and gave an overview of the site's appearance and features.

PABLO RODRIGUEZ, IT Consultant, spoke about LegisStream, a software program utilized by the City Clerk's Department that will streamline the agenda process and will also make staff reports and attachments accessible to the public via the Internet.

Discussion ensued regarding ways to improve the site, including making it easier to navigate and find items, such as City telephone directory and feedback forms.

COUNCILMEMBER WINTER expressed concern about spam when questioned if complaint forms could be made confidential.

MR. GRACZYK discussed encryption when sending information over the Internet.

CITY ATTORNEY LOUGH responded that the City could not encrypt a complainant's name because that person becomes a potential witness and stated that there are checks in place.

ASSISTANT CITY MANAGER RITTER commented that encryption is most often used for transmitting financial information, and in this case is unnecessary.

Discussion ensued regarding the site's capabilities, such as streaming video.

CONSENT CALENDAR (2.1 - 2.7)

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.7. MOTION CARRIED BY THE FOLLOWING VOTE:

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

2.1 MINUTES.

Approved the minutes of the Regular City Council meeting of July 20, 2005 and the Special City Council Workshop of July 26, 2005.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 59841 through 60023 for the period ending 08/12/05 and Payroll Register Numbers 35844 through 36057 for the period ending 08/18/05 in the amount of \$2,892,722.82.

2.3 RESOLUTION TO AUTHORIZE HDL COMPANIES TO RECEIVE SALES TAX INFORMATION FROM STATE BOARD OF EQUALIZATION. (0310-30 & 0390-80)

Approved Resolution No. 2005-6203 authorizing HdL Companies to obtain sales tax information on behalf of the City.

2.4 IMPERIAL PALMS CONDOMINIUMS; FINAL MAP (TM 04-54) FOR THE PROPOSED CONVERSION OF TEN RESIDENTIAL UNITS TO CONDOMINIUM OWNERSHIP AT 1085 12TH STREET, IN THE R-3000 (TWO-FAMILY RESIDENTIAL) ZONE. OWNER: 12TH AND IMPERIAL, LLC. APPLICANT: ROBERT BATEMAN, SAN DIEGO LAND SURVEYING & ENGINEERING. MF 699. (0600-20)

Approved the Final Map (TM 04-54) and made the findings as listed in the staff report.

2.5 APPROVAL OF AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND SCRIPPS MERCY HOSPITAL FOR EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC FIELD CARE AUDITS AND QUALITY IMPROVEMENT PROGRAM/PLAN. (0250-63)

Adopted Resolution No. 2005-6205 approving the Continuing Education Quality Assurance agreement between the City of Imperial Beach and Scripps Mercy Hospital.

2.6 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING YEAR "ONE" OF FISCAL YEAR 2005/2007 BUDGET BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2007 FOR A GRANT FOR \$16,346 FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS) FISCAL YEAR 2005 URBAN AREA SECURITY INITIATIVE (UASI) GRANT. (0390-88)
Adopted Resolution No. 2005-6202.

2.7 APPROVAL OF AGREEMENT WITH SOUTHWESTERN COLLEGE - CALWORKS WORK-STUDY PROGRAM. (0560-30)
Adopted Resolution No. 2005-6206 approving the CalWORKS Work-Study Program agreement with Southwestern College for 2005-2006.

ORDINANCES - INTRODUCTION/FIRST READING (3.1)

3.1 INTRODUCTION OF ORDINANCE NO. 2005-1034 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING CHAPTER 15.16 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE ADOPTION OF THE CALIFORNIA ELECTRICAL CODE, 2004 EDITION. (0710-95)

ASSISTANT CITY MANAGER RITTER introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

MAYOR ROSE called for the reading of the title of Ordinance No. 2005-1034.

DEPUTY CITY CLERK WOLFSON read the title of Ordinance No. 2005-1034, an Ordinance of the City Council of the City of Imperial Beach amending Chapter 15.16 of the Imperial Beach Municipal Code related to the California Electrical Code, 2004 Edition.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READING OF ORDINANCE NO. 2005-1034 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, MCLEAN, JANNEY, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARINGS (3.2-3.3)

3.2 OFF-STREET PARKING ORDINANCE AMENDMENT TO IBMC CHAPTER 19.48; PROPOSED ORDINANCE NO. 2005-1032 (LCPA/ZCA 04-01). MF 692. (0760-95)

MAYOR ROSE declared the public hearing open.

ASSISTANT CITY MANAGER RITTER introduced the item.

CITY PLANNER NAKAGAWA gave a PowerPoint presentation on the item.

MAYOR ROSE appreciated staff's efforts to improve homes without having to go through a variance process; she was concerned that people coming in under the provisions in the ordinance would have to increase their driveways to 12 feet wide; she also expressed concern that if the ordinance changes the minimum width of a driveway from 9 to 12 feet, there would be an adverse effect on homeowners and neighborhoods with regard to street overlays and second driveways.

CITY PLANNER NAKAGAWA responded that the provision could be reworded so that nonconforming driveways do not need to conform to the 12 feet requirement and that the standards would apply only to new homes.

COMMUNITY DEVELOPMENT DIRECTOR WADE clarified that the 9 versus 12 foot driveway width requirement is the driveway width and the width of the curb cut (driveway apron), and that the driveway width on private property would not necessarily be required to be widened; however, in remodels of over \$25,000 value, the City could require public right-of-way improvements to make driveway aprons standard and make them ADA compatible.

Discussion ensued regarding the percentage of offsite improvements versus onsite improvements, ways for homeowners to improve their homes without creating more obstacles, expanding driveway entrances, and the appeal process.

COUNCILMEMBER WINTER expressed concern that creating a wider apron would create more non-permeable surfaces and desired more landscaping instead.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that staff's objective is to meet storm water regulations regardless of the driveway width.

Council discussion ensued regarding clarifying language for the definition of driveway (if should be determined by ingress or egress) and whether it will apply to the public right-of-way or private property, if the provision is for new construction only, and why the regional standard for driveway widths has gone to 12 feet.

CITY ATTORNEY LOUGH commented that the Environmental Protection Agency has formulated requirements and it is up to the individual cities to meet these requirements regarding storm water runoff; he added that this ordinance ties into the chapter on storm water runoff.

COMMUNITY DEVELOPMENT DIRECTOR WADE spoke with regard to new development and stated that 12 feet is required whether it is on public or private property; if the homeowner is not meeting storm water requirements, then he or she will need to meet the requirements regardless of what method is used; he added that a new home would require that driveway width be compatible with the curb cut.

Additional Council discussion ensued regarding the need for clarifying language on the 12 feet requirement.

CITY ATTORNEY LOUGH stated that staff would work on providing clarifying language.

ASSISTANT CITY MANAGER RITTER suggested bringing the item back to the first meeting in October.

BOB WADHAM stated that the new width requirement would provide less street parking.

MAYOR ROSE requested staff present drawings when the item comes back.

MOTION BY ROSE, SECOND BY WINTER, TO CONTINUE THE ITEM TO THE MEETING OF OCTOBER 4, 2005. MOTION CARRIED BY THE FOLLOWING VOTE:

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

3.3 FLOODPLAIN MANAGEMENT ORDINANCE AMENDMENT TO IBMC CHAPTER 15.50 (FLOOD DAMAGE PREVENTION); PROPOSED ORDINANCE NO. 2005-1033. (0770-95)

MAYOR ROSE declared the public hearing open.

ASSISTANT CITY MANAGER RITTER introduced the item.

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

DEPUTY CITY CLERK WOLFSON announced no speaker slips had been submitted.

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

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

MAYOR ROSE called for the reading of the title of Ordinance No. 2005-1033.

DEPUTY CITY CLERK WOLFSON read the title of Ordinance No. 2005-1033, an Ordinance of the City Council of the City of Imperial Beach, California amending Chapter 15.50 Flood Damage Prevention Regulations of the Imperial Beach Municipal Code.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READING OF THE ORDINANCE NO. 2005-1033 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, MCLEAN, JANNEY, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

ORDINANCES - SECOND READING & ADOPTION (4)

None.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6.1-6.2)

6.1 MONTE AND CAMI SHARITS (PROPERTY OWNER/APPLICANT); VARIANCE (VAR 05-226) TO WAIVE AN ON-SITE GARAGE PARKING REQUIREMENT TO ALLOW FOR AN ADDITION LOCATED AT 514 DAHLIA, IN THE R-1-6000 (SINGLE-FAMILY RESIDENTIAL) ZONE. MF 782. (0600-20)

MAYOR ROSE declared the public hearing open.

ASSISTANT CITY MANAGER RITTER introduced the item.

ASSISTANT PLANNER KANANI gave a PowerPoint presentation on the item.

In response to Mayor Pro Tem Janney, CITY PLANNER NAKAGAWA stated that no variance would be required if the parking requirements ordinance had already been enacted since it fits the criteria as listed in the ordinance; he added that tandem garages would not be required by staff.

Discussion ensued regarding waiving variance fees and "look back" provisions for refunding money.

ASSISTANT CITY MANAGER RITTER commented that the parking ordinance is an LCP amendment and would take an indeterminate amount of time before the ordinance would go into effect.

CITY PLANNER NAKAGAWA added that the ordinance would require certification by the California Coastal Commission, which schedules matters three months after City Council adoption.

CITY ATTORNEY LOUGH stated that if variance fees were to be waived now, then fees should be continued to be waived to prevent being viewed as discriminatory; he recommended not accepting applications for variances on an interim basis until the parking ordinance is in effect.

MAYOR PRO TEM JANNEY expressed concern about setting a precedence if the fees were to be waived.

MAYOR ROSE wanted to minimize the impact to the City due to the definite cost and amount of staff time in processing variances, but she did not want to have an onslaught of variance applicants with hopes of having the fees waived.

COUNCILMEMBER WINTER suggested processing variance applications as normal and then after the ordinance for parking requirements has passed, review how many variances were approved, and make a policy determination at that point.

DEPUTY CITY CLERK WOLFSON announced no speaker slips were submitted.

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

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

MOTION BY ROSE, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2005-6204, APPROVING VARIANCE (VAR 05-226), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION BY ROSE THAT AFTER THE ORDINANCE FOR PARKING REQUIREMENTS IS CERTIFIED BY THE COASTAL COMMISSION THAT THERE BE A REVIEW OF VARIANCES THAT HAVE BEEN GRANTED UNDER THOSE CIRCUMSTANCES.

Discussion ensued.

COMMUNITY DEVELOPMENT DIRECTOR WADE suggested that staff could receive and process the applications for building permits, and since the processing could include plan checks and rechecks, the variances would not be ready for approval by Council until December or January; he stated the caveat to this was that the Coastal Commission's certification is not guaranteed; he added that the parking requirements ordinance would not result in a net decrease of parking and staff was confident that the ordinance would be certified by the Coastal Commission.

VOTES WERE NOW CAST ON THE ORIGINAL MOTION BY ROSE, SECOND BY WINTER, THAT AFTER THE ORDINANCE FOR PARKING REQUIREMENTS IS CERTIFIED BY THE COASTAL COMMISSION THAT THERE BE A REVIEW OF VARIANCES THAT HAVE BEEN GRANTED UNDER THOSE CIRCUMSTANCES. MOTION CARRIED BY THE FOLLOWING VOTE:

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

6.2 IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) FY 05/06 BUDGET AND ACCEPT REPORT ON BID ANNUAL ACTIVITIES FOR FY 04/05. (0465-20)

MAYOR ROSE declared the public hearing open.

MAYOR PRO TEM JANNEY announced he had a potential conflict of interest and left Council Chambers at 8:50 p.m.

ASSISTANT CITY MANAGER RITTER introduced the item.

PAT HUTCHINS, Vice Chair of the Business Improvement District (BID) and President of the Chamber of Commerce, announced that the budget was balanced and ready for review by the auditors.

JERRY BICE, incoming Chair of the BID, was also in attendance and spoke of the BID's plans for the future.

MS. HUTCHINS stated that the BID is considering a banner program as its primary outlay and funds were being set aside for the next year.

Discussion ensued regarding using the street banners for the City's upcoming 50th anniversary and other events.

MS. HUTCHINS expressed her desire to have the businesses located at the Palm Avenue and 13th Street area more involved in BID activities.

DEBBIE JANNEY, BID Chairperson, added that the BID had made plans for expenses involved with storage and putting up and taking down the banners.

MAYOR ROSE congratulated the BID for their hard work.

DEPUTY CITY CLERK WOLFSON announced no speaker slips were submitted.

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

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

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE THE BID FY 05/06 BUDGET. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MAYOR ROSE called a recess at 9:04 p.m. and she reconvened the meeting to Open Session at 9:18 p.m.

ROLL CALL

Councilmembers present: Winter, McLean
Councilmembers absent: McCoy
Mayor present: Rose
Mayor Pro Tem present: Janney

Staff present: Assistant City Manager Ritter; City Attorney Lough; Deputy City Clerk Wolfson

REPORTS (7.1 - 7.6)

Consensus of Council to discuss Item No. 7.2 at this time.

7.2 APPROVAL OF CITY OF IMPERIAL BEACH BICYCLE ROUTE FEASIBILITY AND TRAFFIC CALMING STUDY. (0680-20)

ASSISTANT CITY MANAGER RITTER introduced the item.

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

COUNCILMEMBER WINTER suggested that, with regard to Alternative 3, instead of widening the sidewalk with more cement, have landscaping between the sidewalk and bike lane instead.

PUBLIC WORKS DIRECTOR LEVIEN stated that on page 17 of the staff report was an example of a bike route sign.

JOHN HOLLOWAY, of Kawasaki Theilacker Ueno + Associates (KTU+A), said that Alternative 3 is not recommended due to cost; he stated he has worked with Andy Hamilton of Walk San Diego on traffic calming measures; he commented that space is already there for a bike lane on Palm Avenue before 3rd Street, and an 11 foot lane versus a 12 foot wide lane shortens the distance for crossing and slows drivers down.

MAYOR PRO TEM JANNEY expressed concern with regard to increasing traffic problems entering Palm Avenue from side streets if Alternative 3, which reduces one travel lane, is chosen.

MR. HOLLOWAY responded that when going from two lanes to one really only adds one minute of waiting time according to SANDAG data.

Discussion ensued regarding reducing the speed limit.

CITY ATTORNEY LOUGH stated he would review the requirements for changing the speed limit and would meet with Public Works Director Levien.

COUNCILMEMBER WINTER commented she does not want more paved sidewalks and likes the idea of more parking, and suggested a combination of the alternatives to increase parking and pop-outs that have a minimum amount of landscaping to maintain.

With regard to Mayor Rose's concern about the placement of the bike lane next to cars, MR. HOLLOWAY stated that according to Caltrans bike lanes are not allowed between the curb and

parking; he said children with bicycles are allowed on sidewalks, which are plenty wide; he noted that the Bike Coalition has an education course to avoid being "doored" by drivers and that the ideal width of a bike lane is six feet.

Discussion ensued regarding costs involved with paint striping and pop-outs.

MR. HOLLOWAY commented that the pop-outs, or curb extensions, would have a traffic calming effect and would shorten the distance for pedestrians to cross.

PUBLIC WORKS DIRECTOR LEVIEN said the downside is if the City does the street overlay then the pop-outs would not be ideal.

Discussion continued regarding costs involved and the availability of RDA funds, oversized vehicles parking on the proposed area and parking enforcement, and the installation of a restroom to encourage commute by bicyclists and walkers, and the maintenance involved with the restroom.

BOB WADHAM appreciated efforts of staff; he talked about an emergency plan with regard to evacuating people out of the City and said this is a major feeder on Palm Avenue, and expressed concern with regard to reducing the number of vehicles that can travel on Palm Avenue.

MICHEL DEDINA suggested that the bike path not be on Palm Avenue due to the high speeds by drivers and instead be situated on side streets and alleys (not available to speak).

PUBLIC WORKS DIRECTOR LEVIEN did not expect that the property owners on residential streets to have a positive response toward a bike path on their streets; he added side streets are not wide enough to install bike lanes.

MR. HOLLOWAY commented that bicyclists typically want to be on main streets for commuting purposes; however, Class 3 streets are safer for children commuting to school; he added that the popularity of the Bayshore bikeway would mushroom.

COUNCILMEMBER WINTER spoke of the need to bring people from the bike path to commercial areas and the need to allocate funds the first time and not go back to do cutouts; she expressed her support of Alternative 3 as she wants a buffer between the sidewalk and the street and an attractive bike lane.

MAYOR ROSE supported Councilmember Winter's comments but noted that the approach would stop the overlay project for several months and would postpone the bike path as well.

PUBLIC WORKS DIRECTOR LEVIEN commented that if the overlay were postponed, it may cost more in the future due to its current deteriorating condition.

COMMUNITY DEVELOPMENT DIRECTOR WADE noted that the general plan designation is as a sidewalk/bike lane that is no longer allowed, and that an amendment to the general plan would need to be done before any money is spent on the project.

Discussion ensued regarding pop-out design and placement and the funds needed to allocate toward the project, and the need to postpone the street overlay while Alternative 3 is considered with landscaping.

MOTION BY ROSE TO CHOOSE ALTERNATE 3 WITH MODIFICATIONS TO UTILIZE LANDSCAPING AND PARKING.

PUBLIC WORKS DIRECTOR LEVIEN responded to Mayor Rose, and stated that the bikeway would need to be six feet wide (instead of eight) in order to accommodate landscaping.

VOTES WERE NOW CAST ON THE ORIGINAL MOTION BY ROSE, SECOND BY MCLEAN, TO CHOOSE ALTERNATE 3 WITH MODIFICATIONS TO UTILIZE LANDSCAPING AND PARKING. MOTION CARRIED BY THE FOLLOWING VOTE:

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

7.1 VETERANS PARK ENTRY AND INFORMATION SIGNAGE CONCEPTS. (0920-70)

PUBLIC WORKS DIRECTOR LEVIEN stated that his department is on schedule with regard to this item.

Consensus of Council to continue item to the meeting of September 21, 2005.

7.3 APPROVAL OF LETTER TO SEND TO SELECTED RESIDENTS WITHIN THE STREET IMPROVEMENTS PHASE 2 RDA/CIP PROJECT AREA. (0720-10)

ASSISTANT CITY MANAGER RITTER introduced the item.

MAYOR ROSE supported the program but was concerned that in order to have a second driveway, too many conditions needed to be met; she also discussed confusion with regard to the driveway discrepancy.

PUBLIC WORKS DIRECTOR LEVIEN responded that he only suggests telling homeowners that if they want access to their second concrete pads that the driveway cuts will need to be in compliance with the Imperial Beach Municipal Code and access to noncompliant concrete pads would not be provided access.

COUNCILMEMBER WINTER expressed concern that the City was perpetuating nonconformance.

Discussion ensued regarding the requirement to have the second driveway approach be a minimum of three feet from the adjoining property.

CITY ATTORNEY LOUGH discussed the difference between nonconforming driveways, which are legal, and illegal driveways; he stated that the required conditions for second driveway are from the municipal code; he added that a second driveway would not be illegal if it does not violate the required minimum 50 percent front yard landscape area.

PUBLIC WORKS DIRECTOR LEVIEN stated that an engineers estimate will be obtained, and the cost will be approximately \$2,000; he added that the letter would be tailored to be less specific with regard to when the project would be done and homeowners' costs.

COMMUNITY DEVELOPMENT DIRECTOR WADE commented that staff tried to have a fair compromise between all involved parties.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE THE LETTER PROVIDED AS ATTACHMENT 1 OF STAFF REPORT IN CONCEPT ONLY FOR DISTRIBUTION TO THE RELEVANT PROPERTY OWNERS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

7.4 CITY-WIDE ALLEY ASSESSMENT DISTRICT (CIP S04-902) PUBLIC INFORMATION FLIER/MAILER. (0465-10)

ASSISTANT CITY MANAGER RITTER introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item; he announced that a revised flier was distributed as last minute agenda information.

MOTION BY MCLEAN, SECOND BY ROSE, TO AUTHORIZE STAFF, THROUGH PAT PERINICH & ASSOCIATES, TO MAIL/DISTRIBUTE THE MAILER/FLIER. MOTION CARRIED BY THE FOLLOWING VOTE:

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

7.5 DESIGNATION OF FLAG PARADE DESIGNEE FOR 2005 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE. (0140-10)

ASSISTANT CITY MANAGER RITTER introduced the item.

MOTION BY WINTER, SECOND BY ROSE, TO DESIGNATE COUNCILMEMBER FRED MCLEAN TO CARRY THE CITY OF IMPERIAL BEACH FLAG IN THE FLAG PARADE AT THE OPENING CEREMONIES ON THURSDAY, OCTOBER 6, 2005 AND ADD A CITY OF IMPERIAL BEACH PIN TO THE CITY PIN DISPLAY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	WINTER, JANNEY, ROSE
NOES:	COUNCILMEMBERS:	MCLEAN
ABSENT:	COUNCILMEMBERS:	MCCOY

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

ASSISTANT CITY MANAGER RITTER introduced the item.

COUNCILMEMBER WINTER gave a report on the item; she discussed the letter to Coronado Mayor Tom Smisek that was distributed as last minute agenda information; she expressed concerns about the ability to enforce secondary treatment requirements; she mentioned that the final Supplemental Environmental Impact Status report left many questions unanswered; she suggested that a letter be submitted to Coronado asking for their support; however, the letter submitted as last minute agenda information needed editing.

MOTION BY MCLEAN, SECOND BY ROSE, TO APPROVE A LETTER IN CONCEPT REQUESTING THE CITY OF CORONADO SUPPORT THE CITY OF IMPERIAL BEACH REGARDING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATUS REPORT.

COUNCILMEMBER WINTER responded to Council's concerns regarding secondary treatment alternatives.

VOTES WERE NOW CAST ON THE ORIGINAL MOTION BY MCLEAN, SECOND BY ROSE, TO APPROVE A LETTER IN CONCEPT REQUESTING THE CITY OF CORONADO SUPPORT THE CITY OF IMPERIAL BEACH REGARDING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATUS REPORT. MOTION CARRIED BY THE FOLLOWING VOTE:

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

REPORTS OF MAYOR AND COUNCILMEMBERS

None.

The meeting adjourned at 10:25 p.m.

Diane Rose, Mayor

Attest:
Lisa D. Wolfson
Deputy City Clerk