

## MINUTES

CITY OF IMPERIAL BEACH  
CITY COUNCIL  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY  
HOUSING AUTHORITY  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

APRIL 17, 2013

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

**REGULAR MEETING – 6:00 P.M.**

### **REGULAR MEETING CALL TO ORDER**

MAYOR PRO TEM BRAGG called the Regular Meeting to order at 6:01 p.m.

### **ROLL CALL BY CITY CLERK**

Councilmembers present:	Patton, Bilbray, Spriggs
Councilmembers absent:	None
Mayor present:	Janney (arrived at 6:40 p.m.)
Mayor Pro Tem present:	Bragg
Staff present:	City Manager Brown; City Attorney Lyon; City Clerk Hald

### **PLEDGE OF ALLEGIANCE**

MAYOR PRO TEM BRAGG announced that on Monday, April 15, 2013, America was under attack by individuals with the intent on killing and maiming innocent people. She led everyone in the Pledge of Allegiance and there was a moment of silence for individual reflection.

### **AGENDA CHANGES**

**MOTION BY BILBRAY, SECOND BY PATTON, TO REMOVE CONSENT CALENDAR ITEM NOS. 2.3 AND 2.4 FROM THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: SPRIGGS, BILBRAY, PATTON, BRAGG</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS: JANNEY</b>

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

COUNCILMEMBER PATTON announced that on Tuesday, April 23, 2013, the volunteers at the Imperial Beach Branch Library will be recognized for their dedicated service.

MAYOR PRO TEM BRAGG stated that Mayor Janney is travelling from Los Angeles and will arrive shortly. She announced that Katy's Café is hosting a Community Coffee with Assemblymember Toni Atkins on April 20, 2013.

### **COMMUNICATIONS FROM CITY STAFF**

None.

**PUBLIC COMMENT**

JUNE ENGEL, Manager of Imperial Beach Branch Library, announced that it is National Library Week and that the San Diego County Library is celebrating its Centennial this year. Commemorative magnets were distributed to Councilmembers.

**PRESENTATIONS (1.1-1.3)**

**1.1 PRESENTATION OF PROCLAMATION TO NAM KIM IN RECOGNITION OF PAN AM TAEKWONDO ACADEMY DAY. (0410-30)**

COUNCILMEMBER BILBRAY presented a proclamation to Nam Kim in recognition of Pan Am Taekwondo Academy Day.

**1.3 PRESENTATION OF PROCLAMATION TO GOLDIN DOLES, PROJECT MANAGER FOR SANDAG, IN RECOGNITION OF BIKE TO WORK MONTH. (0410-30)**

COUNCILMEMBER PATTON presented Goldin Doles, Project Manager for SANDAG, with a proclamation in recognition of Bike to Work Month.

**1.2 PRESENTATION OF PROCLAMATION TO PUBLIC WORKS DIRECTOR HANK LEVIEN IN RECOGNITION OF PUBLIC WORKS WEEK. (0410-30)**

COUNCILMEMBER SPRIGGS presented Public Works Director Hank Levien with a proclamation in recognition of Public Works Week.

**CONSENT CALENDAR (2.1-2.5)**

**MOTION BY SPRIGGS, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.2, AND 2.5. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: SPRIGGS, BILBRAY, PATTON, BRAGG**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: JANNEY**

**2.1 MINUTES.**

Approved the minutes of the Regular Meetings of February 20, 2013 and April 3, 2013 and the Special Closed Session Meeting of April 10, 2013.

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

Ratified the following registers: Accounts Payable Numbers 82254 through 82317 for a subtotal amount of \$252,330.03 and Payroll Checks/Direct Deposit 45170 through 45189 for a subtotal of \$123,615.38 for a total amount of \$375,945.41.

**2.3 ITEM REMOVED FROM THE AGENDA BY PRIOR CITY COUNCIL ACTION.**

**2.4 ITEM REMOVED FROM THE AGENDA BY PRIOR CITY COUNCIL ACTION.**

**2.5 PROPOSED AMENDMENTS TO THE LEAGUE OF CALIFORNIA CITIES BYLAWS. (0140-10)**

Authorized Councilmember Bilbray, our delegate to the League, to submit an affirmative vote on both amendments.

**PUBLIC COMMENT**

JOHN ROCHE, with Dirt Alley Owners Tenant Association (DAOTA), announced that he is trying to get a group of people together to work with the City on paving alleys. He questioned if TransNet money can be used for paving alleys. He announced that there will be a DAOTA meeting at noon on Saturday, April 20, 2013 in Veterans Park.

COUNCILMEMBER BILBRAY responded that he and the Mayor are working with staff on options to get the alleys paved.

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

**3.1 ORDINANCE NO. 2013-1137 AMENDING CHAPTER 13.05 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE SEWER CAPACITY FEE AND ADOPTION OF RESOLUTION NO. 2013-7324 INCREASING THE SEWER CAPACITY FEE FOR DEVELOPMENT IN THE CITY OF IMPERIAL BEACH. (0390-55)**

CITY MANAGER BROWN introduced the item.

MAYOR PRO TEM BRAGG declared the public hearing open.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

MAYOR JANNEY arrived at 6:40 p.m.

During City Council discussion, concern was raised about the increased fees impacting expanded or new development. There was a suggestion to collect enough funds for cost recovery in protecting the sewer system. There was some interest in implementing an incremental increase in fees.

KARYN KEESE, with Atkins North American, Inc., encouraged City Council to consider a Sewer Capacity Fee of \$4,776 per EDU because what isn't collected in capacity fees has to be collected in user fees. A good start would be adoption of staff's recommendation with incremental increases of a fixed amount over the next five years.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR PRO TEM BRAGG closed the public hearing.

MAYOR JANNEY expressed concern about the impacts increased fees would have on new development. He supported keeping the fees as low as possible and would not support a fee that is above staff's recommendation of \$2,667.

MAYOR PRO TEM BRAGG encouraged City Council to be mindful of protecting the City's greatest assets located under the streets.

COUNCILMEMBER BILBRAY agreed with keeping the fee low. However, he was interested in raising the bottom line and recommended adoption of a fee of up to \$3,400.

COUNCILMEMBER SPRIGGS recommended adoption of Resolution No. 2013-7324 as submitted by staff.

**MOTION BY SPRIGGS, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2013-7324 INCREASING THE SEWER CAPACITY FEE FOR DEVELOPMENT IN THE CITY OF IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2013-1137.

CITY CLERK HALD read the title of Ordinance No. 2013-1137 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTIONS OF CHAPTER 13.05 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE SEWER CAPACITY FEE."

**MOTION BY BILBRAY, SECOND BY BRAGG, TO WAIVE FURTHER READING OF ORDINANCE NO. 2013-1137 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.**

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

**4.1 ORDINANCE 2013-1136, AMENDING CHAPTER 10.28.020, SPECIAL SPEED ZONE DESIGNATED. (0750-95)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no public speaker slips were submitted.

PUBLIC WORKS DIRECTOR LEVIEN reported that the street signs on Palm Ave. will remain posted at 35 mph until otherwise determined by another survey.

MAYOR JANNEY called for the second reading of the title of Ordinance No. 2013-1136.

CITY CLERK HALD read the title of Ordinance No. 2013-1136 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH CALIFORNIA AMENDING SECTION 10.28.020 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE DESIGNATION OF SPECIAL SPEED ZONES."

**MOTION BY JANNEY, SECOND BY SPRIGGS, TO WAIVE FURTHER READING, ADOPT ORDINANCE NO. 2013-1136, AND DIRECT STAFF TO KEEP THE CURRENT SPEED ZONE SIGNS POSTED ON PALM AVE. FROM 3<sup>RD</sup> STREET TO 7<sup>TH</sup> STREET UNTIL A NEW SPEED SURVEY IS DONE. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (5)**

None.

**REPORTS (6.1-6.4)**

**6.1 QUARTERLY UPDATE REPORT ON CONSTRUCTION OF THE PIER SOUTH HOTEL. (0660-43)**

CITY MANAGER BROWN introduced the item.

ALLISON ROLFE, Project Manager for Pacifica Hotels, reported that she could not give a date for the opening of the new hotel due to delays. She explained that due to the hotel's association with the Marriott's Autograph Collection, a complete redesign of the interior of the hotel was necessary. Additionally, the Cohen Family Restaurant, the hotel restaurant's operator,

redesigned the kitchen and the interior of the restaurant. She believed that having the hotel under the Marriott Autograph Collection and having the Cohen Family Restaurant run the restaurant are worth the wait and worth doing it right.

MAYOR JANNEY suggested that Ms. Rolfe send pictures of the new hotel to the Chamber of Commerce and to the City Manager.

**6.2 RESOLUTION NO. 2013-7325, CREATING THE TEMPORARY POSITION OF SPECIAL PROGRAM COORDINATOR FOR THE CLEAN & GREEN PROGRAM AND ADOPTING THE CORRESPONDING JOB DESCRIPTION. (0510-20)**

CITY MANAGER BROWN introduced the item.

CHARLES QUISENBERRY questioned if the City conducted interviews for the position.

CITY MANAGER BROWN stated that he has authority to appoint employees.

ASSISTANT CITY MANAGER WADE stated that the position is for a limited duration and is for a special project manager, requiring special, technical and professional skills. There is limited and fixed funding available for the position which limits the opportunity for training any individual hired for the position. Therefore, it is necessary to find an individual who already has the skills necessary for this position.

**MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2013-7325, CREATING THE TEMPORARY POSITION OF SPECIAL PROGRAM COORDINATOR FOR THE CLEAN & GREEN PROGRAM AND ADOPTING THE CORRESPONDING JOB DESCRIPTION. MOTION CARRIED UNANIMOUSLY.**

**6.3 RESOLUTION NO. 2013-7323 APPROPRIATING ADDITIONAL FUNDS TO CONTINUE THE SEACOAST DRIVE AESTHETICS STUDY. (0720-30 & 0720-90)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN announced a revised scope of work was submitted as Last Minute Agenda Information.

LARRY THORNBURGH, Senior Project Manager for Nasland Engineering, gave an overview of the proposal.

COUNCILMEMBER SPRIGGS spoke in support for a test block area and for posting it as a noticed meeting.

COUNCILMEMBER PATTON suggested that the City share the lighting options with businesses and condominium complexes so they know which type of lighting to select to ensure consistent lighting down the street.

MAYOR PRO TEM BRAGG stated that there needs to be a variety of solutions to address the lighting problem. She stressed that the test block needs to be temporary, off site, and at night.

DAVE VANDEWATER indicated support for the item (he was not in attendance).

JULIA SIMMS stated that with completion of Pier South Hotel, the dynamics on Seacoast Drive will change and bring an influx of visitors. She stressed that lighting will help make visitors feel comfortable and make the area have an inviting atmosphere.

RON ROZOK echoed the comments made by Ms. Simms. He said that he enjoys daily walks along Seacoast Drive and looks forward to enjoying evening walks just as he does during the day.

BOB MILLER supported the comments regarding the installation of a test block, he appreciated City Council's continued consideration of pedestrian scale lighting, he stressed the importance of having business owners participate by lighting their businesses, and he suggested that the City do its best on the lighting to increase the ambiance in the evening (additional time donated by RICHARD PILGRIM).

CHARLES QUISENBERRY asked City Council to reject spending any more money on this issue. He said that he drove down Seacoast Drive and saw beautiful lights every 50 to 100 feet which he found to be aesthetically pleasing. He commented that what one person finds pleasing another person may not. He suggested that City Council save \$200,000 by leaving the lights alone. He added that it does not make sense during these financial times to replace lights that work with lights that work. He reminded City Council that they represent all the people of the City and not just those on Seacoast Drive. He complained that the block that he lives on has no street lights. He pleaded with City Council to not replace the lights because of aesthetics.

COUNCILMEMBER SPRIGGS suggested the following detailed motion to ensure staff has clear direction on how to proceed: Before building any permanent, new fixtures on the test block, staff seek vendors who are willing to provide, at no cost to the city, the following temporary fixtures for a few days so the local business community and other IB citizens can be informed and the Council can make a decision as to what it wants:

1. Pedestrian friendly street lights with at least 3 different types of lamps/heads that will let Council compare them with the lights at the end of Palm Ave. The street lights can but do not have to have different poles and bases.
2. Up-lighting on palm trees that will demonstrate how lighting the tree trunks and lighting near the top of the trees will look.
3. Lighting that will wind around palm trees to illustrate how this will look. This lighting should be bright enough to reduce dark areas between street lights, while being esthetically pleasing and not blinding to pedestrians.
4. At least one example of a solar powered street light. I further move that once Council makes a decision on the fixtures for the test block, staff ask the consultants to develop a plan for Seacoast Drive from Palm to IB Blvd. that will recommend the location and types of fixtures to be placed on each block of Seacoast Drive.

And that if companies want to be paid for the test, staff is authorized to spend up to \$10,000 to proceed with the test.

MAYOR JANNEY expressed concern about having a motion that is so specific.

MAYOR PRO TEM BRAGG added the following suggestions:

1. Lighting options that can be attached to commercial buildings;
2. Lighting that can be added to windows of businesses; and
3. To have as many different varieties of lighting solutions that can be envisioned

LARRY THORNBURGH responded that consideration of interior lighting would be a different scope.

COUNCILMEMBER BILBRAY stated that he is not against the project but against the funding source. He questioned how he can tell people who are interested in Sports Park that the City is going to spend money on a test block for lighting in the same amount it costs to fund the Senior Center for one year. He further questioned how he can say that the City has funding issues when the City continues to pay for studies on lighting when at this time the lighting is more than efficient. He stressed that this is not the time or place to be talking about this issue.

MAYOR JANNEY questioned the specificity of Councilmember Spriggs' motion. He stated that the City Council agreed to look at a test block, a proposal has been presented and encouraged City Council to move forward and provide direction to staff.

PUBLIC WORKS DIRECTOR LEVIEN stated that staff can proceed with the test block using the information provided by City Council as a guide.

**MOTION BY JANNEY, SECOND BY SPRIGGS, TO AUTHORIZE STAFF TO EXPEND UP TO \$29,000 AND HAVE STAFF RETURN TO CITY COUNCIL WITH A TEST BLOCK (PREFERABLY ON SEACOAST DRIVE) THAT HAS AS MANY OF THE IDEAS AS ARE FEASIBLE THAT WERE EXPRESSED BY CITY COUNCIL TONIGHT. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: SPRIGGS, PATTON, BRAGG, JANNEY  
NOES: COUNCILMEMBERS: BILBRAY  
ABSENT: COUNCILMEMBERS: NONE**

**6.4 RESOLUTION NO. 2013-7321 AWARDED PUBLIC WORKS CONTRACT TO WIT CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101. (0650-33 & 0750-30)**

CITY MANAGER BROWN introduced the item.

**MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2013-7321 AWARDED PUBLIC WORKS CONTRACT TO WIT CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101. MOTION CARRIED UNANIMOUSLY.**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (7)**

None.

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

None.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:40 p.m.

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/s/  
Lorie Bragg, Mayor Pro Tem

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/s/  
Jacqueline M. Hald, MMC  
City Clerk