

MINUTES

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

APRIL 18, 2012

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

***CLOSED SESSION MEETING – 5:15 P.M.
REGULAR MEETING – 6:00 P.M.***

CLOSED SESSION CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:19 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bragg, King
Councilmembers absent:	Bilbray
Mayor present:	Janney
Mayor Pro Tem present:	Spriggs
Staff present:	City Manager Brown; City Attorney Lyon; City Clerk Hald

CLOSED SESSION

MOTION BY KING, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (1 CASE)**
Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b)(3)(A)
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (1 CASE)**
Initiation of Litigation pursuant to Govt. Code Section 54956.9(c)
- 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (1 CASE)**
Pursuant to Govt. Code §54956.9(a)
Case No. 11CV0984 BTM (WMc)

MOTION CARRIED BY THE FOLLOWING VOTE:

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

MAYOR JANNEY adjourned the meeting to Closed Session at 5:20 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council discussed Closed Session Item Nos. 1 thru 3. Direction was given and no reportable action was taken.

REGULAR MEETING CALL TO ORDER

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

ROLL CALL BY CITY CLERK

Councilmembers present: King, Bragg
Councilmembers absent: Bilbray
Mayor present: Janney
Mayor Pro Tem present: Spriggs
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

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

COUNCILMEMBER KING reported the South County Economic Development Council is promoting the south county with a "South County Rocks" marketing campaign.

MAYOR JANNEY thanked Councilmember Bilbray for attending the Imperial Beach History Walk ribbon cutting ceremony at Veterans Park.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.7)

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

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

2.1 MINUTES.

Approved the minutes of the Regular Meeting of February 15, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 80265 through 80325 with a subtotal amount of \$97,212.98 and Payroll Checks 44550 through 44571 for a subtotal amount of \$142,931.69 for a total amount of \$240,144.67.

2.3 RESOLUTION NO. 2012-7179 IN SUPPORT OF SAN DIEGO COUNTY WATER AUTHORITY'S LEGAL BATTLE AGAINST METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA. (0150-20)

Adopted resolution.

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CONSENT CALENDAR (Continued)

- 2.4 RESOLUTION NO. 2012-7182 AUTHORIZING PARTICIPATION IN THE REGIONAL COOPERATIVE CARE PROGRAM (RCCP) JOINT POWERS AUTHORITY AGREEMENT ESTABLISHING PERMANENT GOVERNANCE OF THE RCCP. (0250-20)**
Adopted resolution.
- 2.5 RESOLUTION NO. 2012-7183 ADOPTING UPDATED CONFLICT OF INTEREST CODE. (0420-30)**
Adopted resolution.
- 2.6 RESOLUTION NO. 2012-7181 ADOPTING A COUNCIL POLICY SETTING PROCEDURES FOR IMPOSING OR INCREASING A FEE OR CHARGE UNDER PROPOSITION 218. (0390-95)**
Adopted resolution.
- 2.7 RESOLUTION NO. 2012-7186 APPROVING A COMMITMENT TO THE MINIMUM REQUIRED 10 PERCENT MATCH FOR BICYCLE TRANSPORTATION ACCOUNT (BTA) GRANT APPLICATION FOR THE 13TH STREET CLASS 2 BIKE LANE DESIGN AND CONSTRUCTION PROJECT. (0390-86)**
Adopted resolution.

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

- 3.1 ADOPTION OF URGENCY ORDINANCE NO. 2012-1125 AND ORDINANCE NO. 2012-1126 ADDING CHAPTER 10.59 (ULTRALIGHT VEHICLES ON PUBLIC PROPERTY) TO THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO ULTRALIGHT VEHICLES. (0750-95)**

CITY MANAGER BROWN introduced the item.

PUBLIC SAFETY DIRECTOR CLARK reported on the item and responded to questions from City Council.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2012-1125.

CITY CLERK HALD read the title of Ordinance No. 2012-1125 “AN URGENCY ORDINANCE ADDING CHAPTER 10.59 (ULTRALIGHT VEHICLES ON PUBLIC PROPERTY) OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO ULTRALIGHT VEHICLES.”

MOTION BY KING, SECOND BY SPRIGGS, TO WAIVE FURTHER READING, DISPENSE INTRODUCTION BY TITLE ONLY AND ADOPT ORDINANCE NO. 2012-1125. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

CITY ATTORNEY LYON reported the date of adoption for Ordinance No. 2012-1126 should be corrected to May 2, 2012. She explained the adoption of Urgency Ordinance No. 2012-1125, which is now in effect, was necessary because it relates to public safety and welfare. Ordinance No. 2012-1126 goes through the normal ordinance process and takes effect in 45 days. By having both ordinances, the whole time period is covered from tonight and into the future.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2012-1126.

CITY CLERK HALD read the title of Ordinance No. 2012-1126 "AN ORDINANCE ADDING CHAPTER 10.59 (ULTRALIGHT VEHICLES IN PUBLIC PROPERTY) THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO ULTRALIGHT VEHICLES."

MOTION BY SPRIGGS, SECOND BY BRAGG, TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 2012-1126 BY TITLE ONLY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5.1)

5.1 RESOLUTION NO. 2012-7180 SETTING THE ANNUAL SEWER CAPACITY FEE. (0390-55)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN reported the sewer capacity fee is unchanged from the past year.

CITY CLERK HALD announced no public speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7180 SETTING THE ANNUAL SEWER CAPACITY FEE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

REPORTS (6.1-6.3)

6.1 PRESENTATION AND REPORT ON WATER QUALITY. (0230-70)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a Power Point presentation on the types of water monitoring programs and the quality of the receiving waters in the area. He also spoke about the Border 2020 Program which will address environmental and public health problems in the border region.

MAYOR JANNEY suggested contacting Steve Smullen of IBWC about the issues relating to the operation of the diverters.

6.2 RESOLUTION NO. 2012-7184 APPROVING A VOLUNTARY SEPARATION INCENTIVE PROGRAM. (0520-60)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER WADE gave a Power Point presentation on the item.

FINANCE DIRECTOR MCGRANE reported it would take approximately 3.5 months to recover the costs for the severance payout and the proposed a cap of \$250,000 to limit the separation incentive, health insurance, and related leave balance payments.

MOTION BY KING, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2012-7184 APPROVING A VOLUNTARY SEPARATION INCENTIVE PROGRAM.

COUNCILMEMBER KING expressed appreciation for a phased approach rather than making cuts all at once.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY KING, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2012-7184 APPROVING A VOLUNTARY SEPARATION INCENTIVE PROGRAM. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

MAYOR JANNEY noted with less staff there will be reduced services for the community.

6.3 LONG TERM VISION. (0330-30)

Information from the California Association for Economic Development was submitted as last minute agenda information.

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY reviewed the long term actions listed on the staff report and stated contracting out city services is not a significant item. He also stated he was not in support of increasing taxes at this time and that staff should continue to pursue grant opportunities. He stated City revenues are comprised of sales, property, and transient occupancy taxes and fees, and spoke in support of increasing density which could lead to an increase in property and sales taxes. He also suggested considering 13th Street, the Bayfront area, and the west side of 7th Street for increased density while preserving the single family residential areas.

MAYOR PRO TEM SPRIGGS spoke in favor of considering the areas of the city that can support higher density. He spoke about the need for a broader tax base, for more businesses that generate sales tax, for property improvements that generate property tax increases, and for promoting tourism. Referring to the information submitted as last minute agenda information, he said the government's role is to influence business investment through local decision making as it pertains to zoning, incentives, marketing, quality of government services, regulations, taxes, spending and adding value to community assets. It is fundamental to have an economic growth strategy and have a focus based on core assets. Investments should take place around core industries that can help the community grow, with tourism and ecotourism being the keys to Imperial Beach's growth. He spoke about the need for a strategy, to build consensus on where

to go, to take action rather than react, not to take a scattered gun approach and to focus efforts in areas with the highest potential for return, specifically in areas that support the visitor and ecotourism industries.

COUNCILMEMBER BRAGG supported the comments made by Mayor Janney and Mayor Pro Tem Spriggs. She noted that time is of the essence and supported immediate sources of revenue such as vacation rentals, and decreasing costs by reducing Sheriff staffing.

MAYOR JANNEY explained that City Council reviewed short term goals at the previous City Council meeting and that the focus tonight is only on long term ideas. He spoke in opposition to changing the zoning on Seacoast Drive due to public outcry during the commercial zoning review workshops. He questioned how to encourage the Port to utilize two pieces of their property for more than just parking lots. He encouraged the pursuit of improvements along Palm Avenue to encourage new retail/commercial and residential projects. He noted that visitor serving uses are limited to a small area.

MAYOR PRO TEM SPRIGGS spoke about the need for an agreement on where we put our investments and the need for a strategic approach to attract investors and visitors. He supported a review of the City's internal processes (Item 4 on the staff report) as some business owners have expressed concern over the permitting process and the desire to make it faster. He also spoke about making it a more investor friendly place and improving street lighting on Seacoast Drive to help businesses.

COUNCILMEMBER KING stated that there are a lot of priorities in the city such as public safety, streets, sewer, water, and infrastructure necessary to allow residents to live in a safe and sanitary manner. He stated that Imperial Beach is a popular destination in spite of the shortage of lighting on Seacoast Dr. On most issues, City Council has been unified.

MAYOR JANNEY called a recess at 7:36 p.m. and called the meeting to order at 7:44 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	King, Bragg
Councilmembers absent:	Bilbray
Mayor present:	Janney
Mayor Pro Tem present:	Spriggs
Staff present:	City Manager Brown; City Attorney Lyon; City Clerk Hald

MAYOR JANNEY asked City Manager Brown to return to City Council with further information on long term ideas. He requested information on revenues in relation to zoning, and what might be possible if we built out the City in terms of revenue generation, and where might the revenue streams come from. He stressed that raising taxes is not an option and asked for other options within the City's available revenue streams.

MAYOR PRO TEM SPRIGGS suggested a review of the City's internal processes, to review the big picture and economic development plan, to contact the SCEDC to give a presentation on what other south county communities have done to increase economic activity, property values and revenue, and to get moving toward medium and long term revenue enhancement. He suggested staff provide additional information on these suggestions at a future meeting.

COUNCILMEMBER KING stated that the city has always had structural issues in terms of how it was developed and have has some exceptional planning more recently. He spoke in support for activating the 13th Street area.

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 7:51 p.m.

/s/
James C. Janney, Mayor

/s/
Jacqueline M. Hald, MMC
City Clerk