

## MINUTES

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

JUNE 17, 2015

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

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

### CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 5:00 p.m.

### ROLL CALL BY CITY CLERK

Councilmembers present: Patton, Bragg, Spriggs  
Councilmembers absent: None  
Mayor Present: Dedina  
Mayor Pro Tem Absent: Bilbray  
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald

### CLOSED SESSION

**MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADJOURN TO CLOSED SESSION AS LISTED ON THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

#### **1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code section 54957

Title: City Attorney

#### **2. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code section 54957.6:

Agency Designated Representatives: City Manager, City Attorney, Assistant City Manager, Human Resources Manager, Administrative Services Director

Employee Organizations: Imperial Beach Firefighters' Association (IBFA), Local 4692  
Service Employees International Union (SEIU), Local 221

Unrepresented Employees: Confidential, Mid-management, Management

Mayor Dedina adjourned to Closed Session at 5:02 p.m. and 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 and 2, City Council gave direction and no reportable action was taken.

### ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 6:01 p.m.

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

Mayor Dedina called the Regular meeting to order at 6:01 p.m.

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

Councilmembers present:	Patton, Bragg, Spriggs
Councilmembers absent:	None
Mayor Present:	Dedina
Mayor Pro Tem Absent:	Bilbray
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Public Safety Director Clark, Senior Planner Foltz, Public Works Director Levien, Administrative Services Director Bradley

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Diana Vera from Sunny Slope Elementary School.

### **AGENDA CHANGES**

Councilmember Spriggs requested a brief discussion on Item No. 2.5 as part of the budget discussion.

### **MOTION BY SPRIGGS, SECOND BY PATTON, TO TAKE ITEM NO. 2.5 WITH THE BUDGET DISCUSSION (ITEM NO. 5.3). MOTION CARRIED BY THE FOLLOWING VOTE:**

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

### **MOTION BY DEDINA, SECOND BY PATTON, TO TAKE ITEM NO. 5.1 BEFORE THE CONSENT CALENDAR. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

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

Councilmember Patton reported on his attendance at the Global Wellness Event at Pier South.

Councilmember Bragg reported that she and Mayor Dedina attended the 65<sup>th</sup> Commencement Ceremony at Mar Vista High School. She also reported on her attendance at the SANDAG Transportation Committee meeting (attending as the MTS representative), the Friends of the Library Book Sale, the MTS Accessibilities Committee meeting, and the closing ceremonies for the I.B. Little League. She noted that the Friends of the Library Executive Board supports naming the store after Freda Elliott-Adams.

Councilmember Spriggs reported on his attendance at a conference that addressed how coastal cities are adapting to sea level rise and he spoke about grants that are available to coastal cities. He also reported on his attendance at a Strategic Planning Workshop by the Metropolitan Wastewater Commission JPA.

Mayor Dedina reported that he and Environmental Program Manager Chris Helmer attended a meeting with various agencies to discuss management of the Tijuana River diverter pipe on the Mexico side. He announced the following upcoming events: Sun and Sea Festival, Mayor's

Breakfast, and the Mayor's 1<sup>st</sup> Annual Imperial Beach Pier Swim and Paddle. He presented a proclamation to Public Safety Director Clark in recognition of his five years of service to the City of Imperial Beach.

Councilmember Patton announced the Imperial Beach Woman's Club is holding the Splish, Splash...It's an "IB" Bash event on Saturday, June 20, 2015.

#### **COMMUNICATIONS FROM CITY STAFF**

City Manager Hall recognized Public Safety Director Clark for his service to the City of Imperial Beach. He announced vouchers for the San Diego County Fair are available to the public.

#### **PUBLIC COMMENT**

Kevin Milton announced he is a candidate for the State Assembly in 2016.

Brian Baretto, with California American Water, provided a brief update on the drought and he announced rebate information is available on their website.

Tim O'Neal recognized Public Safety Director Clark for his leadership in bringing back Fireworks to Imperial Beach. He stated that an additional \$9,000 is needed to make this year's Fireworks event happen. He announced the Duggan family is donating \$7,500 and the IB Resort agreed to a matching fund campaign and will match up to \$9,000.

#### **PRESENTATIONS (1.1)**

##### **1.1 PROCLAMATION IN RECOGNITION OF MARSHA DOHSE MORRISON'S FOUR DECADES OF SERVICE TO THE CHILDREN OF IMPERIAL BEACH. (0410-30)**

Councilmember Bragg presented a proclamation to Marsha Dohse Morrison for four decades of service to the children of Imperial Beach.

#### **PUBLIC COMMENT**

Ed Kravitz, with I.B. Local News, announced there is an upcoming FAA hearing regarding flight paths over the San Diego region and he expressed concern about the impacts development will have on tsunami evacuation routes.

#### **REPORTS (5.1)**

##### **5.1 PROPOSED BSA EAGLE PROJECT PRESENTATION – STEVEN EIS. (0940-10)**

Public Works Director Levien introduced Steven Eis who gave a PowerPoint presentation on the proposed improvements and the design of the proposed project.

**MOTION BY PATTON, SECOND BY BRAGG, TO AUTHORIZE THE CITY MANAGER TO SIGN THE EAGLE PROJECT PLAN FOR STEVEN EIS TO CONTINUE THE PROJECT DEVELOPMENT AND CONSTRUCTION AS APPROVED BY CITY COUNCIL AND CITY STAFF. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **CONSENT CALENDAR (2.1-2.4 & 2.6-2.9)**

**MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.4 AND 2.6 THROUGH 2.9. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

A revised Resolution No. 2015-7600 (Item No. 2.8) was submitted as last minute agenda information.

**2.1 MINUTES.**

Approved the Regular Meeting Minutes of May 20, 2015.

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

Ratified the following registers: Accounts Payable Numbers 86720 through 86779 with a subtotal amount of \$1,964,579.16, EFT #'s 5-8 with a subtotal amount of \$10,788.45, and Payroll Checks/Direct Deposits 46551 through 46567 for a subtotal amount of \$150,940.61 for a total amount of \$2,126,308.22.

**2.3 ADOPTION OF RESOLUTION NO. 2015-7594 AUTHORIZING THE CITY MANAGER TO SIGN AGREEMENTS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH FOR PROMOTIONAL SERVICES RELATED TO THE 2015 4TH OF JULY FIREWORKS SHOW AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE FIREWORKS SHOW WITH THE PORT. (0150-70)**

Adopted resolution.

**2.4 RESOLUTION NO. 2015-7599 APPROVING THE FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT WITH SBC TOWER HOLDINGS LLC. (0800-50)**

Adopted resolution.

**2.6 SECOND READING AND ADOPTION OF ORDINANCE NO. 2015-1151: COASTAL COMMISSION STIPULATED MODIFICATIONS TO THE ZONING IMPLEMENTATION OF THE 2013-2021 IMPERIAL BEACH HOUSING ELEMENT. MF 1060. (0610-95)**

City Council waived further reading in full of the proposed ordinance and adopted Ordinance No. 2015-1151.

**2.7 RESOLUTION NO. 2015-7597 AND SUCCESSOR AGENCY RESOLUTION NO. SA-15-49 TO APPROVE THIRD AMENDMENT TO AGREEMENT WITH MCDUGAL, LOVE, ECKIS, BOEHMER & FOLEY. (0440-30)**

Considered the contract amendment and approved Resolution No. 2015-7597 and Resolution No. SA-15-49.

**2.8 ADOPT RESOLUTION NUMBER 2015-7600 IDENTIFYING THE TERMS AND CONDITIONS FOR PUBLIC SAFETY AND PUBLIC WORKS RESPONSES AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT. (0390-88)**

Adopted resolution.

**2.9 ADOPTION OF RESOLUTION NO. 2015-7601 APPROVING DELIVERY OF BETWEEN 75 AND 150 YARDS OF SAND WITH A COMPOSITION CONDUCIVE TO MASTER SANDCASTLE BUILDING AT THE SUN & SEA FESTIVAL SANDCASTLE COMPETITION. (0160-75)**

Adopted resolution.

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

**3.1 PUBLIC HEARING TO CONSIDER GRANTING A WATER FRANCHISE RENEWAL TO CALIFORNIA-AMERICAN WATER COMPANY FOR A PERIOD OF 25 YEARS AND INTRODUCTION OF ORDINANCE NO. 2015-1152. (0840-70 & 0840-95)**

Mayor Dedina declared the Public Hearing open.

City Manager Hall reported on the item.

City Clerk Hald announced no speaker slips were submitted.

Councilmember Bragg commented that California American Water has been a great partner to the City of Imperial Beach.

City Clerk Hald read the title of Ordinance No. 2015-1152 "An Ordinance of the City Council of the City of Imperial Beach, California granting a franchise renewal to California-American Water Company."

Without dissent from City Council Mayor Dedina closed the public hearing.

**MOTION BY SPRIGGS, SECOND BY PATTON, TO INTRODUCE ORDINANCE 2015-1152 BY TITTLE ONLY, WAIVE THE FULL READING, AND SET THE MATTER FOR SECOND READING AND ADOPTION AT NEXT REGULAR CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

#### **PUBLIC HEARINGS (4.1)**

There was a consensus of City Council to take Item Nos. 4.1 and 5.2 concurrently with separate motions.

#### **4.1 COUNTY OF SAN DIEGO (APPLICANT); CONSIDERATION OF ADMINISTRATIVE COASTAL PERMIT (ACP 140012), DESIGN REVIEW CASE (DRC 140013), SITE PLAN REVIEW (SPR 140014), AND MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED NEW PUBLIC LIBRARY AT 810 IMPERIAL BEACH BOULEVARD (APN 626-400-54-00 & 626-400-71-00). MF 1067. (0600-20)**

Mayor Dedina declared the public meeting open.

Senior Planner Foltz gave a PowerPoint presentation on the item.

San Diego County Supervisor Greg Cox spoke in support for the project. He anticipated completion of the project in the fall of next year. He commented on the support of the City Council, staff and Imperial Beach community. He noted that there will be no fiscal impact to the City Imperial Beach and that the project is fully funded with additional funds awarded for technology. He also stated that it will be a green building, built to LEED Gold standards.

Nancy Dayton, representing the Imperial Beach Woman's Club, thanked everyone involved in the project and expressed appreciation to everyone for addressing the Club's needs and concerns.

Councilmember Patton thanked everyone involved for listening to everyone's needs and requests.

Councilmember Spriggs commented positively on the project design and he spoke in support of the project.

Mayor Dedina spoke positively about the process in engaging the public and he supported the design.

Without dissent from City Council, Mayor Dedina closed the public Hearing.

**MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION 2015-7595, APPROVING ADMINISTRATIVE COASTAL PERMIT (ACP 140012), DESIGN REVIEW CASE (DRC 140013), AND SITE PLAN REVIEW (SPR 140014) FOR THE DEMOLITION OF AN EXISTING LIBRARY AND COMMUNITY ROOM AND CONSTRUCTION OF A NEW LIBRARY AND COMMUNITY ROOM AT 810 IMPERIAL BEACH BOULEVARD (THE COMMUNITY ROOM IS CURRENTLY ADDRESSED 1075 8TH STREET) (APN 626-400-54-00 & 626-400-71-00). MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**REPORTS (5.2)**

**5.2 CONSIDER ADOPTION OF RESOLUTION NO. 2015-7598 THAT WOULD APPROVE THE SUBLEASE BETWEEN THE BOYS AND GIRLS CLUB AND THE COUNTY OF SAN DIEGO FOR TEMPORARY LIBRARY FACILITIES. (0600-20)**

Councilmember Bragg thanked Supervisor Cox for working with the Woman's Club, she recognized the designers of the project, and commended June Engel for her efforts.

**MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION 2015-7598, APPROVING THE SUBLEASE BETWEEN THE COUNTY AND BOYS AND GIRLS CLUB TO PROVIDE TEMPORARY LIBRARY FACILITIES WITHIN PORTIONS OF THE EXISTING BUILDING AT 847 ENCINA AVENUE. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Councilmember Patton left Council Chambers at 7:17 p.m. and returned at 7:19 p.m.

**CONSENT CALENDAR (2.5)**

**2.5 RESOLUTION NO. 2015-7596 AUTHORIZATION TO RENEW THE PARTNERSHIPS WITH INDUSTRY (PWI) GROUP SERVICES AGREEMENT FOR FISCAL YEAR 2015/2016. (0920-20)**

Councilmember Spriggs commented that the contract is for \$35,000 and City Council is being asked to approve it at the level of \$38,000 which is approximately 8.6% over the contracted amount. He expressed concern about being too liberal when it comes to providing for contingencies that are not required as of part of the contract. He noted that if a larger project had a similar level of contingency, concern would be raised. He also noted that if there is a change in cost due to prevailing wage, staff can return with a Consent Calendar item for approval. He objected to approval of an 8.6% increase to a contract without knowing when and how much the actual contingency is going to be and that it violates our basic budgeting principle.

City Manager Hall stated City Council is being asked to approve a contract that is not to exceed \$38,000 should the State's prevailing wage be increased. If City Council desires, they can approve the contract for \$35,000 and if prevailing wage goes up, staff can return with a budget amendment and an amendment to the agreement.

Public Works Director Levien commented on the contract amount of \$35,000, how prevailing wage is determined, the anticipated increase in costs and he stated that the amount requested for approval is budgeted.

Councilmember Spriggs commented on the general principal of handling contingencies in the overall budget process and he noted that it is inefficient to have contingencies considered on a per contract basis.

**MOTION BY BRAGG, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2015-7596 AUTHORIZATION TO RENEW THE PARTNERSHIPS WITH INDUSTRY (PWI) GROUP SERVICES AGREEMENT FOR FISCAL YEAR 2015/2016. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, DEDINA**

**NOES: COUNCILMEMBERS: SPRIGGS**

**ABSENT: COUNCILMEMBERS: BILBRAY**

**5.3 RESOLUTION 2015-7592 OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING THE BUDGETS FOR THE FISCAL YEARS 2015-16 AND 2016-17 AND ELECTING THE POPULATION AND PRICE ADJUSTMENT FACTORS AND ESTABLISHING FISCAL YEAR 2015-16 APPROPRIATIONS LIMIT OF THE CITY OF IMPERIAL BEACH PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B, AND SECTION 7900 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE. (0330-30)**

Administrative Services Director Bradley gave a PowerPoint presentation on the item. He gave an overview of the budget for the next two years, noted the revenues match expenses and that it is a sound budget. He addressed Councilmember Spriggs' question about how he would handle an economic downturn.

City Clerk Hald announced no speaker slips were submitted.

Mayor Dedina recognized staff and City Council for a transparent budgeting process and he spoke in support for pursuing fundraising on all levels.

**MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2015-7592 RATIFYING THE PROPOSED BUDGET FOR FISCAL YEARS 2016 AND 2017 AND ELECTING THE POPULATION AND PRICE ADJUSTMENT FACTORS ESTABLISHING THE FISCAL YEAR 2016 APPROPRIATIONS LIMIT OF THE CITY OF IMPERIAL BEACH. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

**5.4 RESOLUTION 2015-7593 OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE BUDGET FOR THE FISCAL YEARS 2014-15 AND ELECTING THE POPULATION AND PRICE ADJUSTMENT FACTORS AND ESTABLISHING FISCAL YEAR 2014-15 APPROPRIATIONS LIMIT OF THE CITY OF IMPERIAL BEACH PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B, AND SECTION 7900 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE. (0330-30)**

Administrative Services Director Bradley reported on the item. He explained that for transparency, the auditors requested a consolidation of all budget amendment resolutions into one so that they will have a one source audit. He also stated that he did not expect to have the same volume of resolutions in the future.

**MOTION BY SPRIGGS, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2015-7593 AMENDING THE ADOPTED BUDGET FOR FISCAL YEAR 2014-15 AND ELECTING THE POPULATION AND PRICE ADJUSTMENT FACTORS ESTABLISHING THE FISCAL YEAR 2014-15 APPROPRIATIONS LIMIT OF THE CITY OF IMPERIAL BEACH. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**5.5 CONSIDERATION OF RESOLUTION NO. 2015-7602 AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF A PORTION OF STATE ROUTE 75 TO FURTHER FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION AND RIGHT-OF-WAY ADJACENT TO THE PROPOSED BREAKWATER PROJECT. (0600-20)**

Senior Planner Foltz reported on the item and he announced a revised resolution was submitted as Last Minute Information.

Ed Kravitz was opposed to the item.

In response to Councilmember Spriggs question as to whether the proposed changes to the resolution are okay to approve, City Attorney Lyon stated she reviewed them and the changes are fine.

**MOTION BY SPRIGGS, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2015-7602 AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF A PORTION OF STATE ROUTE 75 TO FURTHER FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION AND RIGHT-OF-WAY ADJACENT TO THE PROPOSED BREAKWATER PROJECT WITH THE MODIFICATIONS PRESENTED BY STAFF. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, DEDINA**  
**NOES: COUNCILMEMBERS: SPRIGGS**  
**ABSENT: COUNCILMEMBERS: BILBRAY**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)**

See Consent Calendar Item No. 2.7.

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

None.

**ADJOURN REGULAR MEETING**

Mayor Dedina adjourned the regular meeting at 7:54 p.m.

\_\_\_\_\_  
/s/  
Serge Dedina  
Mayor

\_\_\_\_\_  
/s/  
Jacqueline M. Hald, MMC  
City Clerk