

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

JULY 6, 2011

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

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

CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:00 p.m.

ROLL CALL

Councilmembers present: Spriggs (arrived at 5:05 p.m.), Bragg, King
Councilmembers absent: None
Mayor Pro Tem Present: Bilbray
Mayor present: Janney
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 LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager
Employee organizations: Imperial Beach Firefighters' Association (IBFA)
Service Employees International Union (SEIU), Local 221
Unrepresented Employees
Management

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: KING, BRAGG, BILBRAY, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: SPRIGGS

MAYOR JANNEY adjourned the meeting to Closed Session at 5:01 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 considered Closed Session Item 1, direction was given and had no reportable action.

REGULAR MEETING CALL TO ORDER

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

ROLL CALL

Councilmembers present: Spriggs, Bragg, King
Councilmembers absent: None
Mayor Pro Tem Present: Bilbray
Mayor present: Janney
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

MAYOR JANNEY announced Item No. 6.2 was removed from the Agenda and requested Item No. 2.2 be pulled from the Consent Calendar.

MOTION BY JANNEY, SECOND BY BRAGG, TO PULL ITEM NO. 2.2 – AUTHORIZATION FOR CITY MANAGER TO SIGN A LETTER EXTENDING A LICENSE AGREEMENT BETWEEN THE CITY AND IMPERIAL BEACH WOMEN’S CLUB TO OCTOBER 30, 2030 FOR DISCUSSION AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.

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

MAYOR JANNEY spoke about the success of the July 4th Big Bay Boom Event.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1, 2.3 & 2.4)

MOTION BY BILBRAY, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.3 AND 2.4. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 78462 through 78606 with the subtotal amount of \$938,187.41 and Payroll Checks 43889 through 43930 for the pay period ending 06/02/11 with the subtotal amount of \$162,633.17 and Payroll Checks 43931 through 43978 for the pay period ending 06/16/11 with the subtotal amount of \$208,117.67 for a total amount of \$1,308,938.25.

2.3 KAMAL NONA (OWNER)/NICK ALJABI (ARCHITECT); TIME EXTENSION FOR A CONDITIONAL USE PERMIT (CUP 060398), DESIGN REVIEW CASE (DRC 060399), SITE PLAN REVIEW (SPR 060400) FOR TWO MIXED USE DEVELOPMENTS WITH TWO RETAIL COMMERCIAL UNITS AND TWO RESIDENTIAL UNITS FOR EACH DEVELOPMENT (FOUR COMMERCIAL AND FOUR RESIDENTIAL UNITS TOTAL) LOCATED AT 1120, 1122 13TH STREET AND 1150, 1152 13TH STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 863. (0600-20)

Adopted Resolution No. 2011-7060, approving a six (6) month time extension for Conditional Use Permit (CUP 060398), Design Review Case (DRC 060399), and Site Plan Review (SPR 060400), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

2.4 MINUTES.

Approved the Minutes of the June 29, 2011 Special City Council Meeting.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.2)

2.2 AUTHORIZATION FOR CITY MANAGER TO SIGN A LETTER EXTENDING A LICENSE AGREEMENT BETWEEN THE CITY AND IMPERIAL BEACH WOMEN'S CLUB TO OCTOBER 30, 2030. (0130-35)

MAYOR JANNEY requested that Item No. 2.2 be considered at a future City Council meeting; that staff return with a review of City policies as they relate to the use of facilities by non-profit organizations; and prior to the consideration of these items the City Attorney will determine if there are any legal issues as a result of Councilmembers serving as officers and/or members of the community organizations.

Consensus of City Council to consider Item No. 2.2 - Authorization for City Manager to sign a letter extending a license agreement between the City and Imperial Beach Women's Club to October 30, 2030 and consider a review of City policies related to the use of City facilities by non-profit organizations (as two separate items) at their meeting of August 3, 2011.

ORDINANCES (3.1)

INTRODUCTION/FIRST READING AND SECOND READING/ADOPTION

3.1 ADOPTION OF RESOLUTION NO. 2011-7061 AND ORDINANCE 2011-1119; AND INTRODUCTION OF ORDINANCE 2011-1118 (AMENDED) PERTAINING TO MEDICAL MARIJUANA DISTRIBUTION FACILITIES. (0610-95)

CITY MANAGER BROWN reported on the item.

BRIANA BILBRAY spoke in support for medical marijuana dispensaries.

MARCUS BOYD spoke in support for medical marijuana dispensaries, he complained about the political and decision making process and requested City Council table their vote on this item in order to continue review of information (Additional speaking time donated by Tracey Rivera).

In response to comments made by Mr. Boyd, COUNCILMEMBER SPRIGGS stated for the record that he is the Associate Vice Chancellor in Student Affairs at U.C.S.D, he is not associated with the Medical School and he does not have a medical background.

CITY ATTORNEY LYON reported City Council, at their meeting of June 15, 2011, made a change in Section 4.60.010A(1) which necessitated a change in Section 4.60.010A(2) so that cultivation is consistent with Council's intent of four or more persons.

MIKE DENNISON spoke in opposition to banning medical marijuana dispensaries and encouraged City Council to conduct further research.

MOTION BY JANNEY, SECOND BY BRAGG, TO ADOPT THE REPORT AND THE JUNE 15, 2011 STAFF REPORT AS THE REPORT REQUIRED PURSUANT TO GOVERNMENT CODE SECTION 65858. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2011-7061 APPROVING FOR THE PURPOSE OF SUBMITTING TO THE CALIFORNIA COASTAL COMMISSION, ORDINANCE NO. 2011-1119 TO ADD CHAPTER 19.61 TO THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, RELATING TO MEDICAL MARIJUANA DISTRIBUTION FACILITIES. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MAYOR JANNEY called for the reading of the title Ordinance No. 2011-1119.

CITY CLERK HALD read the title of Ordinance No. 2011-1119 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADDING CHAPTER 19.61 (MEDICAL MARIJUANA DISTRIBUTION FACILITIES) TO TITLE 19 (ZONING) OF THE IMPERIAL BEACH MUNICIPAL CODE AND REPEALING ORDINANCE 2010-1107."

MOTION BY SPRIGGS, SECOND BY BRAGG, TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2011-1119. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MAYOR JANNEY called for the reading of the title Ordinance No. 2011-1118 (Amended).

CITY CLERK HALD read the title of Ordinance No. 2011-1118 (Amended) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING TITLE 4 (BUSINESS LICENSING AND REGULATION) OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADDING CHAPTER 4.60 (MEDICAL MARIJUANA DISTRIBUTION FACILITIES)."

MOTION BY BRAGG, SECOND BY SPRIGGS, TO DISPENSE THE FIRST READING OF ORDINANCE NO. 2011-1118 (AMENDED) AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING OF JULY 20, 2011. MOTION CARRIED BY THE FOLLOWING VOTE:

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

ORDINANCES – SECOND READING & ADOPTION (4)

See Item No. 3.1 above.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1-6.7)

6.1 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL. (0660-43)

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the item due to the location of a previous place of employment and left Council Chambers at 6:46 p.m.

CITY MANAGER BROWN introduced the item.

ALLISON ROLFE, Project Manager for Pacifica, gave an update report on the construction of the new hotel; she noted that the slab pour, requiring 475 cement trucks, will occur on September 14th.

MAYOR JANNEY suggested that the next update report on the redevelopment of the Seacoast Inn happen in three months rather than on a monthly basis.

COUNCILMEMBER BRAGG returned to Council Chambers at 6:56 p.m.

6.2 REVIEW OF 13TH STREET RIGHT-OF-WAY PROPOSALS INCLUDING BIKE PATH, SIDEWALK, TRAVELED WAY AND PARKING FOR BIKEWAY VILLAGE. (0680-20)

Item pulled from the agenda.

6.3 REPORT ON IMPLEMENTATION OF "IMPERIAL BEACH – THE BIG PICTURE." (0100-10)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item.

COUNCILMEMBER SPRIGGS stated that with the completion of the new hotel expected for late summer of next year, it would be fitting to continue with the Big Picture goals for Seacoast Drive; other suggestions included: a look at recommendations from the Walkability Study such as pedestrian-oriented lighting along Seacoast Drive, an examination of the vacant lots and underutilized buildings near the hotel; develop priorities for short, medium and long-term improvements to the Seacoast area, address the needs of tourists, and to have a collaborative marketing effort with Pacifica.

6.4 IMPERIAL BEACH SHERIFF STATION 2010 YEAR END REVIEW. (0260-80)

SHERIFF'S CAPTAIN MYERS gave a PowerPoint presentation on the item and noted that there were dramatic decreases in crime rates within the City of Imperial Beach for robbery, aggravated assault, burglary, theft, and auto theft.

6.5 UPDATE ON TIJUANA RIVER WATERSHED. (0770-87)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the agencies involved in the projects and planning activities in the Tijuana River watershed.

6.6 APPOINTMENT OF IMPERIAL BEACH REPRESENTATIVE TO SERVE ON THE PORT OF SAN DIEGO'S PUBLIC ART COMMITTEE. (0150-70)

MAYOR JANNEY recommended Danny Lopez to serve on the Port of San Diego's Public Art Committee.

MOTION BY JANNEY, SECOND BY BILBRAY, TO APPROVE THE MAYOR'S NOMINATION OF DANNY LOPEZ AS THE IMPERIAL BEACH REPRESENTATIVE ON THE PORT OF SAN DIEGO'S PUBLIC ART COMMITTEE FOR A THREE YEAR TERM AND AUTHORIZE THE MAYOR TO SEND A LETTER OF RECOMMENDATION TO THE PORT. MOTION CARRIED UNANIMOUSLY.

6.7 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 21-23, 2011. (0140-10)

MAYOR JANNEY recommended Councilmember Bragg to serve as the voting delegate and Councilmember Spriggs as the voting alternate.

MOTION BY JANNEY, SECOND BY BILBRAY, TO DESIGNATE COUNCILMEMBER BRAGG AS THE VOTING DELEGATE AND COUNCILMEMBER SPRIGGS AS THE VOTING ALTERNATE FOR THE 2011 LEAGUE ANNUAL CONFERENCE AND TO DIRECT STAFF TO COMPLETE AND SUBMIT A VOTING DELEGATE FORM TO THE LEAGUE OFFICE BY FRIDAY, AUGUST 26, 2011. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:28 p.m.

/s/
James C. Janney, Mayor

/s/
Jacqueline M. Hald, MMC
City Clerk