

MINUTES

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

SEPTEMBER 17, 2014

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

REGULAR MEETING – 6:00 P.M.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular City Council meeting to order at 6:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bilbray, Spriggs, Bragg
Councilmembers absent:	None
Mayor Present:	Janney
Mayor Pro Tem Absent:	Patton
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Public Safety Director Clark, Human Resources Manager Cortez, Assistant City Manager Wade, Senior Planner Foltz, Environmental Manager Helmer

MAYOR JANNEY announced Mayor Pro Tem Patton, who is a teacher, is absent because the school he works for is holding an open house tonight.

PLEDGE OF ALLEGIANCE

Imperial Beach Boy Scout Troop 866 led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MAYOR PRO TEM SPRIGGS asked to pull Consent Calendar Item Nos. 2.4 and 2.5 for discussion.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO PULL ITEM NOS. 2.4 AND 2.5 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

MAYOR JANNEY reported that he went on a trip to Washington, D.C. He noted that while there, he was able to meet with some people about Item No. 5.2 and he will talk about that meeting when the item is considered.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1.1-1.2)

**1.1 PROMOTION OF TYRA MOE TO ENGINEER/PARAMEDIC BADGE CEREMONY.
(0410-30)**

Following a review of Tyra Moe's education and work experience, PUBLIC SAFETY DIRECTOR CLARK announced that Ms. Moe is well qualified for the position of Engineer/Paramedic.

MAYOR JANNEY announced that Tyra's father, Doug Moe, will pin Tyra with an Engineer/Paramedic badge. He recognized and thanked the Fire Department staff for their active participation in community events.

MR. DOUG MOE pinned an Engineer/Paramedic badge on Tyra Moe.

**1.2 REPORT OF MAJOR CITY SUPPORTED EVENTS, 4TH OF JULY FIREWORKS AND
THE SUN & SEA FESTIVAL. (0410-30)**

MAYOR JANNEY ALONG WITH PUBLIC SAFETY DIRECTOR CLARK presented Certificates of appreciation to the Port of San Diego, Tim O'Neal and Candy Unger for their efforts on the 4th of July Fireworks Show. Certificates of Appreciation were also given to the Port of San Diego and California American Water for their sponsorship of the Sun and Sea Festival.

Certificates of Appreciation were presented to Shirley Nakawatase and Leah Goodwin for their extraordinary efforts on the Sun and Sea Festival.

LEAH GOODWIN presented Certificates of Appreciation to Valerie Acevez, Sharon Cobb, Leonard Gonzales, Nellie Hazel, Erika Lowery, Kim Paris, Candy Unger in recognition of their efforts with the Sun and Sea Festival. She also thanked the Business Improvement District for their donation and support.

MAYOR JANNEY presented a refund check to Shirley Nakawatase and Leah Goodwin due to overpayment of deposit.

PUBLIC SAFETY DIRECTOR CLARK announced that there is a summary of the two events in the staff report.

CONSENT CALENDAR (2.1-2.3 & 2.6)

**MOTION BY BILBRAY, SECOND BY SPRIGGS, TO APPROVE CONSENT CALENDAR
ITEM NOS. 2.1 THROUGH 2.3 AND 2.6. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

2.1 MINUTES.

Approved the Regular City Council Meeting minutes of July 16, 2014 and August 20, 2014.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 85152 through 85280 with a subtotal amount of \$1,514,247.46 and Payroll Checks/Direct Deposits 46102 through 46164 for a subtotal amount of \$332,975.16 for a total amount of \$1,847,222.62.

2.3 CONSULTANT SELECTION FOR CLIMATE READY SEA LEVEL RISE STUDY. MF 1025. (0620-77)

Approved the selection of Revell Coastal/ USC Sea Grant as the Climate Ready sea level rise consultant.

2.6 RESOLUTION NO. 2014-7515 APPROPRIATING AN ADDITIONAL \$33,000 SEWER ENTERPRISE CIP FUNDS TO THE SEWER SYSTEM CIP PROJECT TO WIT – TELEWISE SEWER MAINLINES PROJECT NO. W15-202. (0830-10)

1. Received report and
2. Adopted Resolution No. 2014-7515 appropriating an additional \$33,000 from the Sewer Enterprise Fund to the CIP Project W14-202.

ORDINANCES – INTRODUCTION/FIRST READING (3.1)

3.1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2014-1147 OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 10.36.160 AND ADDING SECTION 10.36.161 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO PARKING REGULATIONS ON STREET-ENDS WEST OF SEACOAST DRIVE. (0920-95)

CITY MANAGER HALL introduced the item.

PUBLIC SAFETY DIRECTOR CLARK reported on the item. He noted that the daily opening times will be changed from 7:00 a.m. to 5:00 a.m. and the closing times in the commercial areas will be changed from 10:00 p.m. to 12:00 a.m. He announced that on the staff report, parking at the Imperial Beach Blvd. street-end should be corrected to allow for parking between 5:00 a.m. and 12:00 a.m.

City Clerk Hald read the title of Ordinance No. 2014-1147 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 10.36.160 AND ADDING SECTION 10.36.161 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO PARKING REGULATIONS ON STREET-ENDS WEST OF SEACOAST DRIVE.”

MOTION BY BILBRAY, SECOND BY SPRIGGS, TO INTRODUCE AND HOLD THE FIRST READING OF ORDINANCE NO. 2013-1147 BY TITLE ONLY, WAIVE FURTHER READING IN FULL, AND SCHEDULE THE SECOND READING AND ADOPTION OF THE ORDINANCE ON OCTOBER 1, 2014.

Discussion:

COUNCILMEMBER SPRIGGS commented that at a meeting attended by the Seacoast Drive businesses, the issue of changing parking regulations was raised. He stated that he was happy that the City Manager was able to address the issue immediately by saying that the City Council

will be taking action on the matter the following day and that the City is being responsive to those concerns.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY BILBRAY, SECOND BY SPRIGGS, TO INTRODUCE AND HOLD THE FIRST READING OF ORDINANCE NO. 2013-1147 BY TITLE ONLY, WAIVE FURTHER READING IN FULL, AND SCHEDULE THE SECOND READING AND ADOPTION OF THE ORDINANCE ON OCTOBER 1, 2014. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, BILBRAY, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: PATTON

PUBLIC HEARINGS (4)

None.

REPORTS (5.1-5.3)

5.1 ADOPTION OF RESOLUTION NO. 2014-7516 APPROVING AND ADOPTING SIDELETTERS OF AGREEMENT TO THE MEMORANDUMS OF UNDERSTANDING BETWEEN THE CITY AND THE IMPERIAL BEACH FIREFIGHTERS' ASSOCIATION, LOCAL 4692, AND BETWEEN THE CITY AND SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221, AND APPROVING HEALTH BENEFIT CHANGES FOR UNREPRESENTED APPOINTIVE MANAGEMENT AND CONFIDENTIAL EMPLOYEES, AND AMENDING THE FISCAL YEAR 2014/2015 CITY BUDGET APPROPRIATING THE NECESSARY FUNDS FOR HEALTH BENEFIT CHANGES. (0520-50)

The staff report and resolution were submitted as last minute agenda information.

HUMAN RESOURCES MANAGER CORTEZ reported on the item.

MAYOR JANNEY stated that staff informed City Council of a significant cost increase to health insurance. Previously, City Council took action to provide compensation for employees at a certain level without expecting this level of cost increase. City Council did not consider the cost increase to be fair for the employees and therefore directed staff to negotiate with the bargaining units for an agreement that is acceptable to all parties. He stressed that employees are appreciated and that there is a desire to adequately compensate employees.

COUNCILMEMBER BRAGG stated that this action is the right and fair thing to do for the employees. She questioned the timeframe for this benefit.

HUMAN RESOURCES MANAGER CORTEZ responded that this benefit is a temporary change that will be for the period of January 1, 2015 through June 30, 2015. The out-of-pocket cost per month for employees is between 2% - 22.73% which is equivalent to \$158.00 - \$220.00 per month.

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7516 APPROVING AND ADOPTING SIDELETTERS OF AGREEMENT TO THE MEMORANDUMS OF UNDERSTANDING BETWEEN THE CITY AND THE IMPERIAL BEACH FIREFIGHTERS' ASSOCIATION, LOCAL 4692, AND BETWEEN THE CITY AND SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221, AND APPROVING HEALTH BENEFIT CHANGES FOR UNREPRESENTED APPOINTIVE MANAGEMENT AND CONFIDENTIAL EMPLOYEES, AND AMENDING THE FISCAL YEAR 2014/2015 CITY BUDGET APPROPRIATING THE NECESSARY FUNDS FOR HEALTH BENEFIT CHANGES. MOTION CARRIED BY THE FOLLOWING VOTE:

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

5.2 NAVAL BASE CORONADO (NBC) COASTAL CAMPUS ENVIRONMENTAL IMPACT STATEMENT (EIS) COMMENTS. (0620-80)

ASSISTANT CITY MANAGER WADE gave background on the item and noted that the draft letter outlines concerns primarily in the areas of traffic and circulation, utilities, storm water and cumulative impacts. He highlighted key comments in the letter.

MAYOR JANNEY announced that while he was in Washington, D.C., he met with Vice Admiral French, Commander, Navy Installations Command, where he was able to express concerns about the Coastal Campus traffic that may impact the community. He also reported on meetings with Congressman Juan Vargas, Mayor Kevin Faulconer and Laurie Berman, Director of Caltrans District 11 where he was able to express those same concerns. He reported that he had a conversation with Mayor Pro Tem Patton who had similar concerns as those raised by Assistant City Manager Wade. Because of the heavy traffic, Mayor Janney recommended closure of the south gate except for emergency operations. He noted that this project could be beneficial to the business community.

COUNCILMEMBER BRAGG suggested that SANDAG also be included in the discussions. She stressed the importance of getting this right from the beginning and paying attention to the details. She expressed concern about the Levels of Service going down to "E."

In response to questions of Councilmember Bragg, ASSISTANT CITY MANAGER WADE stated that the workshop held in Imperial Beach was well attended and the attendees were active and engaged. All of the questions will be incorporated into the response to comments. He noted that the response period for the EIS ends September 22. Comments can be provided directly to the Navy as well as through their website. Although a projected construction date was not known, he estimated that it would be well into the next calendar year.

COUNCILMEMBER SPRIGGS stated that the letter is comprehensive and responds to the issues. He reported on his attendance at the workshop held in Imperial Beach and noted that the Navy staff expressed cooperation with the community and City staff. He noted that Imperial Beach is a developing community particularly in the areas of visitor serving and tourism, which are engines of growth and employment. He stressed that the Navy needs to understand the importance of access to good, clean, and healthy water-based activities for our community and the growing tourism industry. He also expressed an interest in having the ability to return to the Navy, Congressional representatives and others should there be impacts to the community/tourism as the project develops. He spoke about the importance of preserving

Imperial Beach's position in the future.

CITY MANAGER HALL stated that this is the beginning of the process. The item before City Council is the environmental review to identify potential environmental impacts. He stressed that this will not be the last opportunity to offer suggestions on mitigation of those impacts.

City Council reviewed the draft comment letter regarding the NBC Coastal Campus EIS and provided the following comments/suggestions:

- MAYOR JANNEY: Include closing the south gate and construction of the north gate is first before anything else.
- COUNCILMEMBER BRAGG: Key issues that are critical to the City's response are Item Nos. 2, 5, 7, 8, 9, 12, 16 and 18. Mayor Janney suggested insertion of an extra paragraph highlighting these items at the beginning of the letter.

MOTION BY JANNEY TO ADOPT THE LETTER WITH MODIFICATIONS HIGHLIGHTING THE ISSUES RAISED BY COUNCILMEMBER BRAGG, TO INCLUDE CLOSING OF THE SOUTH GATE AND THAT CONSTRUCTION OF THE NORTH GATE NEEDS TO BE FIRST BEFORE ANY CONSTRUCTION ON THE FACILITY.

COUNCILMEMBER SPRIGGS suggested the addition of environmental concerns and to state that use of the beachfront is growing with planned tourism/development. He stressed the importance of letting the Navy know that as they are growing so is Imperial Beach.

MAYOR JANNEY agreed to modify his motion to include Councilmember Spriggs' comments.

MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT THE LETTER WITH MODIFICATIONS HIGHLIGHTING THE ISSUES RAISED BY COUNCILMEMBER BRAGG, TO INCLUDE CLOSING OF THE SOUTH GATE, THAT CONSTRUCTION OF THE NORTH GATE NEEDS TO BE FIRST BEFORE ANY CONSTRUCTION ON THE FACILITY, AND TO INCLUDE THE COMMENTS RAISED BY COUNCILMEMBER SPRIGGS.

ASSISTANT CITY MANAGER WADE stated for clarification that the letter will be redrafted and staff will work with the Mayor to finalize the letter.

VOTES WERE NOW CAST ON MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT THE LETTER WITH MODIFICATIONS HIGHLIGHTING THE ISSUES RAISED BY COUNCILMEMBER BRAGG, TO INCLUDE CLOSING OF THE SOUTH GATE, THAT CONSTRUCTION OF THE NORTH GATE NEEDS TO BE FIRST BEFORE ANY CONSTRUCTION ON THE FACILITY, AND TO INCLUDE THE COMMENTS RAISED BY COUNCILMEMBER SPRIGGS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

5.3 SUDBERRY-PALM, LLC (APPLICANT); REVIEW DESIGN/FAÇADE AND COMPREHENSIVE SIGN PLAN REVISIONS FOR THE PROPOSED BREAKWATER DEVELOPMENT LOCATED ON THE SOUTHERN PORTION OF PALM AVENUE BETWEEN 7TH AND 9TH STREETS (ALSO KNOWN AS 9TH & PALM). MF 1062. (0600-20)

SENIOR PLANNER FOLTZ gave a PowerPoint presentation on the item and reviewed the proposed revisions.

CITY CLERK HALD announced that no public speaker slips were submitted.

COUNCILMEMBER SPRIGGS stated that if the exception to the height limit is approved and there will be a wireless facility, it should be clear that there will not be additional design features presented to the City Council in the future. He stressed that the antenna needs to be incorporated into the design and within the interior of the tower.

ASSISTANT CITY MANAGER WADE stated that from the design perspective, the facility would look like the tower as it is presented tonight. Wireless facilities, even if they are stealth, require a conditional use permit and therefore, a proposed facility would come before the City Council for review and approval. If something different is proposed the City Council would have the discretion to say yes or no. In response to Councilmember Bragg, he explained that this development has been delayed due to the dissolution of Redevelopment Agencies by the State of California. It has taken three years to get through the dissolution process to keep this project alive and get approved by the State Department of Finance.

ESTEAN LENYON, representing Sudberry Properties, thanked the City Council and other stakeholders for their support. He spoke about higher level of design and noted that the timing of the project is in Caltrans hands.

ANDY STEVENSON, Architect, in response to questions of the City Council, stated that input on the murals is a possibility and they are open to suggestions. With regard to the tower, the glass will be frosted and backlit at night.

COUNCILMEMBER SPRIGGS spoke in support for exploring the mural concept. He noted that it could help make the project a tourist attraction which would be good for business.

COUNCILMEMBER BRAGG spoke about the possibility of the mural concept throughout the City.

COUNCILMEMBER BILBRAY expressed concern about the possibility of glare from the clock tower.

CITY MANAGER HALL stated that staff can return to City Council with the mural concept.

MAYOR JANNEY suggested that staff return to City Council for input on the location and size of the murals.

**MOTION BY BILBRAY, SECOND BY SPRIGGS, TO APPROVE THE DESIGN AND FAÇADE MODIFICATIONS AND DETERMINE THAT THE REVISED PLANS SUBSTANTIALLY CONFORM WITH THE APPROVED PLANS FOR ADMINISTRATIVE COASTAL PERMIT (ACP 110024), DESIGN REVIEW CASE (DRC 110025), SITE PLAN REVIEW (SPR 110026), TENTATIVE MAP (TM 110027), AND MITIGATED NEGATIVE DECLARATION (EIA 110028); RESOLUTION 2011-7131. MOTION CARRIED BY THE FOLLOWING VOTE:
AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, BILBRAY, JANNEY
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: PATTON**

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.4 & 2.5)

2.4 RESOLUTION NO. 2014-7513 AWARDDING A PUBLIC WORKS CONTRACT; TO WIT: ANNUAL MAIN LINE AND MANHOLE REPAIRS FY 11/12 CIP # W12-201. (0830-10)

PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2014-7515 AWARDDING A CONTRACT TO THE LOWEST RESPONSIVE BIDDER, AUTHORIZING THE CITY MANAGER TO SIGN THE CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIVE BIDDER AND AUTHORIZING THE CITY MANAGER TO APPROVE A PURCHASE ORDER FOR THE AMOUNT OF THE BID PRICE. MOTION CARRIED BY THE FOLLOWING VOTE:

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

2.5 MAYOR PROCLAMATION FOR TIJUANA RIVER ACTION MONTH FOR OCTOBER. (0230-70 & 0410-30)

COUNCILMEMBER SPRIGGS reported that this item is significant as it has to do with our environment and he noted that there will be extensive volunteer efforts in recognition of Tijuana River Action Month.

ENVIRONMENTAL PROGRAM MANGER HELMER announced the following activities and cleanups are planned for the months of September and October:

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|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| September 20 th | <ul style="list-style-type: none">• Coastal Cleanup Day
Border Field State Park and Dairy Mart Road Bridge (9AM-12PM)• Salvemos La Playa Playas
Playas de Tijuana (8AM-12PM)• Native Species Planting
Monument Mesa in Border Field State Park (11AM-1PM) |
| September 26 th | <ul style="list-style-type: none">• Composting Workshop and Waste Collection Event
Tijuana (12PM-4PM) |
| September 27 th | <ul style="list-style-type: none">• National Public Lands Day
Native Plant Restoration Border Field State Park (9AM-12PM) |
| October 4 th | <ul style="list-style-type: none">• Effie May Trail Cleanup
Tijuana River Valley (9AM-12PM) |

- October 11th
- Goat Canyon Cleanup Event
Border Field State Park (9AM-12PM)
 - Tijuana Rio Conecta Exhibition Butterfly Release
Playas de Tijuana Lighthouse (All Day)
 - Border Field Gateway Ceremony and Volunteer Appreciation Party
Monument Mesa Friendship Park (12PM-3PM)

MAYOR JANNEY encouraged the community to volunteer and to attend the ceremony at Monument Mesa Friendship Park.

ADJOURN REGULAR MEETING

MAYOR JANNEY adjourned the meeting at 7:48 p.m.

_____/s/_____
James C. Janney
Mayor

_____/s/_____
Jacqueline M. Hald, MMC
City Clerk