



A G E N D A



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

IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

JANUARY 23, 2013

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

CLOSED SESSION MEETING – 5:00 P.M.

REGULAR MEETING – 6:00 P.M.

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH PLANNING COMMISSION,
PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY AND IMPERIAL BEACH
REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION MEETING CALL TO ORDER

ROLL CALL BY CITY CLERK

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

(Subdivision (a) of Govt. Code Section 54956.9)

Name of Case: Case No. 37-2012-00101257-CU-PO-CTL

2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Govt. Code Section 54956.9 (2 cases)

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

a. Property: 735 Palm Ave., Imperial Beach, CA 91932, APN 626-250-03

Agency Negotiator: City Manager and Assistant City Manager

Negotiating Parties: Sudberry-Palm Ave., LLC

Under Negotiation: Price and terms of payment

b. Property: 741 Palm Ave., Imperial Beach, CA 91932, APN 626-250-04

Agency Negotiator: City Manager and Assistant City Manager

Negotiating Parties: Sudberry-Palm Ave., LLC

Under Negotiation: Price and terms of payment

c. Property: 761-779 Palm Ave., Imperial Beach, CA 91932, APN 626-250-05

Agency Negotiator: City Manager and Assistant City Manager

Negotiating Parties: Sudberry-Palm Ave., LLC

Under Negotiation: Price and terms of payment

d. Property: 739 & 743 8th Street and 801-849 Palm Ave., Imperial Beach, CA 91932,
APN 626-250-06

Agency Negotiator: City Manager and Assistant City Manager

Negotiating Parties: Sudberry-Palm Ave., LLC

Under Negotiation: Price and terms of payment

Any writings or documents provided to a majority of the City Council/Planning Commission/Public Financing Authority/Housing Authority/I.B. Redevelopment Agency Successor Agency regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

CLOSED SESSION (Continued)

4. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b)(3)(A)
(1 case)

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

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

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.10) - *All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

2.1 MINUTES.

City Manager's Recommendation: Approve the minutes of the Regular and Special Meetings of December 5, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 81633 through 81845 for a subtotal amount of \$5,160,454.25 and Payroll Checks/Direct Deposit 44996 through 45054 for a subtotal of \$428,802.55 for a total amount of \$5,589,256.80.

2.3 APPROVE RESOLUTION NO. 2013-7291 AND AUTHORIZE INVESTMENT OF CITY OF IMPERIAL BEACH MONIES IN THE LOCAL AGENCY INVESTMENT FUND OF THE CALIFORNIA STATE TREASURY. (0350-30)

City Manager's Recommendation: Adopt resolution and authorize investment of City of Imperial Beach monies in the Local Agency Investment Fund of the California State Treasury.

2.4 RESOLUTION NO. 2013-7292 ADOPTING CITY COUNCIL POLICY NO. 615 "STREET PAVEMENT PRESERVATION". (0720-95)

City Manager's Recommendation:

1. Receive staff report and
2. Adopt resolution.

2.5 RESOLUTION NO. 2013-7286 AFFIRMING STAFF COMMENT LETTER ON TENTATIVE ORDER R9-2013-0001 TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD. (0770-70)

City Manager's Recommendation:

1. Receive staff report;
2. Review staff comment letter, Attachment 3, in concert with Copermittee comment letter (Attachment 2); and
3. Adopt resolution.

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CONSENT CALENDAR (Continued)

- 2.6 RESOLUTION NO. 2013-7288 AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN THE FISCAL YEAR 2011-12 ANNUAL REPORTS FOR THE SAN DIEGO BAY AND THE TIJUANA RIVER WATERSHED URBAN RUNOFF MANAGEMENT PROGRAMS. (0770-87)**
City Manager's Recommendation:
1. Receive staff report; and
2. Adopt resolution.
- 2.7 RESOLUTION NO. 2013-7295 CONFLICT OF INTEREST CODE UPDATE. (0420-30)**
City Manager's Recommendation: Adopt resolution.
- 2.8 RESOLUTION NO. 2013-7293 AUTHORIZING CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SAN DIEGO UNIFIED PORT DISTRICT (PORT DISTRICT) FOR THE ALLOCATION AND USE OF UP TO \$150,000 OF THE PORT DISTRICT'S APPROVED FISCAL YEAR 2014-2018 CAPITAL IMPROVEMENT PROGRAM FUNDS FOR CONSTRUCTION OF THE DATE AVENUE STREET END IMPROVEMENTS. (0150-70)**
City Manager's Recommendation: Adopt resolution.
- 2.9 RESOLUTION NO. 2013-7289 AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE FULL-TIME CORE STAFFING STRATEGY FOR THE LIFEGUARD DIVISION IN THE PUBLIC SAFETY DEPARTMENT. (0510-95)**
City Manager's Recommendation: Adopt resolution.
- 2.10 RESOLUTION NO. 2013-7296 AWARDED A PROFESSIONAL SERVICES CONTRACT TO KOA CORPORATION FOR CONSTRUCTION SUPPORT AND DATA COLLECTION RE: ECO-BIKEWAY 7TH & SEACOAST CIP PROJECT S05-104. (0680-20)**
City Manager's Recommendation:
1. Receive staff report; and
2. Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING/ADOPTION/PUBLIC HEARING (4.1)

- 4.1 ORDINANCE NO. 2012-1132 REPEALING CHAPTER 8.08 AND ADDING A NEW CHAPTER 8.08 TO TITLE 8 OF THE IMPERIAL BEACH MUNICIPAL CODE CONCERNING PERMANENT AND MOBILE FOOD FACILITIES. (0240-28)**
City Manager's Recommendation:
1. Declare the continued public hearing open;
2. Receive report and public testimony;
3. Close the public hearing;
4. Mayor calls for the second reading of the title of Ordinance No. 2012-1132 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, REPEALING CHAPTER 8.08 AND ADDING A NEW CHAPTER 8.08 TO TITLE 8 OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADOPTING BY REFERENCE TITLE 6, DIVISION 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES CONCERNING PERMANENT AND MOBILE FOOD FACILITIES";
5. City Clerk to read title of Ordinance 2012-1132; and
6. Motion to waive further reading and adopt Ordinance No. 2012-1132 by title only.

PUBLIC HEARINGS (5.1)

5.1 ADOPTION OF THE 2013-2020 IMPERIAL BEACH HOUSING ELEMENT (GPA 100060) AND ITS NEGATIVE DECLARATION. MF 1060. (0660-95)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public comments;
3. Close the public hearing; and
4. Adopt Resolution No. 2013-7287.

REPORTS (6.1-6.8)

6.1 PAVEMENT MANAGEMENT PLAN UPDATE. (0720-95)

City Manager's Recommendation:

1. Receive report;
2. Discuss priority street options including the deferral of Elm Avenue (4th to Connecticut) to engage schools and neighbors on possible modifications to make this street more student and neighborhood accommodating; and
3. Direct staff to proceed with the design for construction of selected streets for the next street overlay project.

6.2 FOLLOW-UP REPORT TO CITY COUNCIL ON INTERIM DESIGN STANDARD FOR UNIMPROVED ALLEYS. (0720-95)

City Manager's Recommendation: Staff does not recommend the Interim Alley Improvement Standard, but if Council wishes to adopt it, please direct staff to prepare a resolution or ordinance.

6.3 REPORT ON SEWER SERVICE CHARGE AND CAPACITY FEE STUDY BY CONSULTANT, KARYN KEESE, ATKINS NORTH AMERICAN, INC.. (0830-37)

City Manager's Recommendation:

1. Receive this report;
2. Receive presentation from Consultant Karyn Keese;
3. Discuss the report as presented by the Consultant; and
4. Direct staff to return with the final study report on the February 20, 2013 Council meeting.

6.4 RESOLUTION NO. 2013-7297 APPROVING CHANGE ORDER NO. 9 TO SOUTHLAND PAVING INC. CONTRACT – TO WIT: STREET IMPROVEMENTS RDA PHASE 4/5 CIP S11-105 AND THE TRANSFER OF \$310,000 FROM STREET IMPROVEMENT RDA PHASE 3B (CIP S04-108) AND FROM UNOBLIGATED STATE GAS TAX MONEY TO STREET IMPROVEMENTS RDA PHASE 4/5 CIP S11-105. (0720-25)

City Manager's Recommendation:

1. Receive report;
2. Consider and approve Change Order No. 9; and
3. Adopt resolution approving the transfer of additional funds to complete the payment for the additional work incurred in Change Order No. 9.

6.5 CONSIDERATION TO ADOPT A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SANDAG AND IMPERIAL BEACH REGARDING THE REGIONAL BEACH SAND REPLENISHMENT PROJECT II. (0140-40 & 0220-70)

City Manager's Recommendation:

1. Receive this report and presentation; and
2. Consider and approve the MOU.

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REPORTS (Continued)

6.6 RESOLUTION NO. 2013-7298 AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ISSUE AN RFP FOR A CAPITAL CAMPAIGN FEASIBILITY STUDY FOR A NEW PUBLIC LIBRARY. (0150-20)

City Manager's Recommendation: Council authorizes the City Manager or his designee to:

1. Issue an RFP for a Capital Campaign Feasibility Study for a new public library;
2. Select a preferred company to conduct the study; and
3. Enter into a contract not to exceed \$25,000 for the study.

6.7 RESOLUTION NO. 2013-7294 AUTHORIZING THE FILING OF AN APPLICATION FOR FISCAL YEARS 2011-2013 SMART GROWTH INCENTIVE PROGRAM GRANT THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT. (0140-40 & 0620-50)

City Manager's Recommendation:

1. Receive report; and
2. Adopt Resolution No. 2013-7294 authorizing City of Imperial Beach staff to submit an application to SANDAG for Fiscal Years 2011-2013 Smart Growth Incentive Program Planning Grant Funds in the amount of \$400,000 for the Palm Avenue Commercial & Mixed-Use Corridor project and accepting the terms of the Grant Agreement.

6.8 RESOLUTION 2013-7290 APPROVING A FIVE-YEAR AGREEMENT WITH THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT FOR THE PROVISION OF GENERAL AND SPECIALIZED LAW ENFORCEMENT AND TRAFFIC SERVICES WITHIN THE CITY OF IMPERIAL BEACH, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (0260-10)

City Manager's Recommendation: Adopt resolution.

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT

www.cityofib.com.

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