

## MINUTES

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

NOVEMBER 5, 2014

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

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

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

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

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

Councilmembers present: Bilbray, Bragg  
Councilmembers absent: Spriggs  
Mayor Present: Janney  
Mayor Pro Tem Present: Patton  
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald,  
Human Resources Manager Cortez, Assistant City  
Manager Wade, Public Works Director Levien,  
Environmental Program Manager Helmer

MAYOR JANNEY announced that Councilmember Spriggs was unable to make it to the meeting tonight due to a family situation.

### **PLEDGE OF ALLEGIANCE**

BOY SCOUT TROOP 866 led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

COUNCILMEMBER BRAGG requested a discussion on Consent Calendar Item No. 2.5.

**MOTION BY PATTON, SECOND BY BRAGG, TO TAKE ITEM NO. 2.5 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

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

COUNCILMEMBER BRAGG reported that MTS will have police officers onboard the Trolley's Blue Line starting December 2, 2014, Tuesday through Friday, from 2:00 p.m. to 12:00 a.m. In response to Mayor Janney's question about when the new buses will be put in service along Route 933/934, she stated it will begin in 2015.

MAYOR PRO TEM PATTON announced the opening of the new Coronado Brewing Co. restaurant in Imperial Beach.

MAYOR JANNEY stated that the family who runs Coronado Brewing Co. is local to Imperial Beach.

**COMMUNICATIONS FROM CITY STAFF**

PUBLIC WORKS DIRECTOR LEVIEN introduced Kyle Henderson, the City's new custodian.

HUMAN RESOURCES MANAGER CORTEZ introduced Sunem Carballo, the City's new Deputy City Clerk.

CITY MANAGER HALL explained that some positions were left vacant as a result of the dissolution of Redevelopment Agencies and that the City is now able to fill some of those positions.

HUMAN RESOURCES MANAGER CORTEZ announced that the following are new employees with the City:

- Paulina Mamahua – Administrative Assistant
- Nadia Moreno – Office Specialist
- Ryan Barr – Firefighter - EMT

CITY PLANNER NAKAGAWA reported on his attendance at a University of Southern California community outreach workshop on a sea level rise computer model that is being developed by the U.S. Geological Survey. Councilmember Spriggs and Tidelands Advisory Committee Member Ellis also attended the workshop. He invited the public to a presentation on the Climate Understanding Resilience in the River Valley Project (CURRV) by Danielle Boudreau, November 15, 2014 at 10:00 a.m. at the Tijuana Estuary Visitors Center.

**PUBLIC COMMENT**

JUNE ENGEL, Imperial Beach Branch Library Manager, announced that 550 mail-in ballots were dropped off at the Imperial Beach Library, which was one of 15 ballot drop-off locations in San Diego County. She reported on the Dia de los Muertos (Day of the Dead) event, which is the library's signature program.

**PRESENTATIONS (1)**

None.

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

**MOTION BY BRAGG, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.4 AND 2.6. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**2.1 MINUTES.**

Approved the Regular City Council Meeting Minutes of September 17, 2014.

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

Ratified the following registers: Accounts Payable Numbers 85381 through 85574 with a subtotal amount of \$1,272,309.51 and Payroll Checks/Direct Deposits 46195 through 46271 for a subtotal amount of \$446,402.55 for a total amount of \$1,718,712.06.

**2.3 RESOLUTION 2014-7520 FOR THE SALE OF CERTAIN SURPLUS CITY PROPERTY. (0380-45)**

Adopted resolution.

**2.4 RESOLUTION 2014-7522 AUTHORIZING THE APPROVAL OF THE 2014 SEWER SYSTEM MANAGEMENT PLAN AUDIT AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD (SWRCB) ORDER 2006-0003-DWQ. (0830-90)**

Adopted resolution.

**2.6 REVIEW PROPOSED PROJECT FOR THE FISCAL YEAR 2015/16 COMMUNITY BLOCK GRANT (CDBG) ADDITIONAL ESTIMATED FUNDING AND SCHEDULE A HEARING ON DECEMBER 10, 2014 FOR CONSIDERATION AND DIRECTION. (0650-34)**

City Council reviewed this proposed CDBG Project for the purchase of replacement Self-Contained Breathing Apparatus, and a public hearing will be scheduled on December 10, 2014, to consider this recommended project and ratify the City Manager's signature on the Fiscal Year 2015/16 CDBG Application.

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

**3.1 ORDINANCE 2014-1148 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, SECTIONS 2.12.140 AND 2.18.010 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COUNCIL PROCEDURES AND CITY COMMISSIONS. (0410-95)**

CITY MANAGER HALL reported Rosenberg's Rules of Order are more consistent with California municipal law as compared to Robert's Rules of Order. If there is an item that is not covered by the City's municipal code, then Rosenberg's Rules of Order will be used as a guide for decision making. He also reported that there is a clean-up item relating to reappointments to boards and commissions.

CITY CLERK HALD announced no speaker slips were submitted.

CITY ATTORNEY LYON stated that the municipal code has an extensive chapter on City Council procedures. She further stated that Robert's Rules of Order is a parliamentary rule book and is not user friendly for City Councils. Rosenberg's Rules of Order, which were drafted by a judge with extensive experience on boards and commissions, can be referred to by the City Council when needed.

CITY CLERK HALD read the title of Ordinance 2014 -1148 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, SECTIONS 2.12.140 AND 2.18.010 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COUNCIL PROCEDURES AND CITY COMMISSIONS."

**MOTION BY PATTON, SECOND BY BILBRAY, TO INTRODUCE ORDINANCE 2014-1148 BY TITLE ONLY, WAIVE FULL READING OF THE ORDINANCE WHICH AMENDS VARIOUS SECTIONS OF TITLE 2 OF THE IBMC AND SCHEDULE THE SECOND READING AND ADOPTION OF THE ORDINANCE ON DECEMBER 3, 2014. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**PUBLIC HEARINGS (4.1)**

**4.1 ADOPTION OF RESOLUTION NO. 2014-7527 AUTHORIZING REMOVAL OF LIENS AND THE PLACEMENT OF OUTSTANDING PENALTIES, FINES AND INTEREST FOR 822 GEORGIA STREET IN ABEYANCE AND ESTABLISHING AN AMORTIZATION SCHEDULE FOR THOSE COSTS. (0470-20)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER HALL introduced the item.

ASSISTANT CITY MANAGER WADE reported on the code compliance history of the property and the financial hardship experienced by the owner. He requested City Council's consideration of placing the civil penalties and fines in an abeyance schedule and requiring a probationary period of seven years. This would allow the property owner to pay off his property taxes and develop the property. He also announced that a revised resolution was submitted as last minute agenda information.

**MOTION BY BRAGG, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2014-7527 AUTHORIZING REMOVAL OF LIENS AND THE PLACEMENT OF OUTSTANDING PENALTIES, FINES AND INTEREST FOR 822 GEORGIA STREET IN ABEYANCE AND ESTABLISHING AN AMORTIZATION SCHEDULE FOR THOSE COSTS.**

MAYOR JANNEY announced that the goal is to improve the property, not financial gain.

WILLIAM ADAMS, representing the property owner, stated that it is the intention of the property owner to develop the property. However, the owner must first pay off the tax liens.

MAYOR JANNEY closed the public hearing.

**VOTES WERE NOW CAST ON ORIGINAL MOTION BY BRAGG, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2014-7527 AUTHORIZING REMOVAL OF LIENS AND THE PLACEMENT OF OUTSTANDING PENALTIES, FINES AND INTEREST FOR 822 GEORGIA STREET IN ABEYANCE AND ESTABLISHING AN AMORTIZATION SCHEDULE FOR THOSE COSTS. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, BRAGG, PATTON, JANNEY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: SPRIGGS**

**REPORTS (5.1-5.5)**

**5.1 ADOPTION OF RESOLUTION NO. 2014-7521 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2013-2014 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2014-2015. (0465-20)**

CITY MANAGER HALL introduced the item.

In response to Mayor Pro Tem Patton, CHRISTINE LAPAUSKY, BID Chairperson, stated that the Taste of I.B. event will be larger than in the past. There will be a 5K event in the morning, Taste of I.B. in the afternoon and a concert event in the evening.

CITY MANAGER HALL stated that the concert event is the Symphony by the Sea event, sponsored by the Port of San Diego.

In response to Councilmember Bragg's questions about the Taste of I.B. event, JOANNE BARROWS, President of the Chamber of Commerce, stated that in 2012 they sold \$1,726.00 in tickets and last year they sold \$2,500.00 in tickets. She also stated that forty businesses participated in the event last year.

COUNCILMEMBER BRAGG stated that the BID is designed to benefit all the businesses in Imperial Beach and asked that the event be opened up to businesses along 13<sup>th</sup> Street.

JOANNE BARROWS AND CHRISTINE LAPAUSKY responded to questions about the 2013-14 budget.

COUNCILMEMBER BRAGG asked that moving forward they include explanations for expenditures and she encouraged them to partner with the San Diego Tourism Authority.

**MOTION BY BILBRAY, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2014-7521 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2013-2014 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2014-2015. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**5.2 RESOLUTION NO. 2014-7524 APPROVING AN ADDENDUM TO THE CITY ENGINEER CONSULTING AGREEMENT TO INCLUDE PROVIDING STAFFING SERVICES. (0700-05)**

CITY MANAGER HALL reported on the item.

MAYOR JANNEY spoke in support of the item. He stated that he understood that staffing is a problem and that with this agreement, projects can be completed expeditiously.

**MOTION BY JANNEY, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2014-7524 APPROVING AN ADDENDUM TO THE CITY ENGINEER CONSULTING AGREEMENT TO INCLUDE PROVIDING STAFFING SERVICES. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**5.3 DESIGN OF 700 AND 800 BLOCKS, DELAWARE STREET SIDEWALK CONSTRUCTION. (0720-50)**

CITY MANAGER HALL introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the project.

CITY CLERK HALD announced no speaker slips were submitted.

COUNCILMEMBER BRAGG suggested that staff hold the the public meetings in the neighborhood. She spoke about the importance of doing community outreach and getting input from the residents.

MAYOR JANNEY spoke in support for exploring vacation of public rights-of-way where the road would never be widened or where the right-of-way would never be used and to relinquish the ownership to the adjacent property owners.

PUBLIC WORKS DIRECTOR LEVIEN stated that he can explore this matter further and added that it is hard to know what will be done in 20 years.

MAYOR JANNEY requested a future discussion on parkways and to develop guidelines that will assist property owners on what type of landscaping (not only turf) is possible in the parkways.

PUBLIC WORKS DIRECTOR LEVIEN stated that the municipal code does not require turf and that plants above a certain height limit have to be approved by the City. He noted that staff is following direction to make the City more walkable.

In response to COUNCILMEMBER BRAGG'S concern about the removal of trees, CITY MANAGER HALL stated that City staff can work with property owners on installing tree grates and irrigation to allow for the planting of trees in the parkways.

COUNCILMEMBER BRAGG suggested that installation of street lights be made part of the project.

MAYOR JANNEY stated that the City Council should have the opportunity to decide if the installation of street lights is to be part of this project or not.

**CONCURRENCE OF CITY COUNCIL TO APPROVE THE DESIGN CONCEPT FOR THE 700 AND 800 BLOCKS OF DELAWARE STREET; TO DIRECT STAFF TO MEET WITH AFFECTED RESIDENTS TO FINALIZE THE SCOPE OF WORK; AND TO DIRECT STAFF TO RETURN TO A FUTURE REGULAR CITY COUNCIL MEETING WITH THE 90% COMPLETED DRAWINGS AND THE ENGINEER'S ESTIMATE FOR THE CONSTRUCTION COSTS.**

**5.4 RESOLUTION NO. 2014-7525 AWARDED A PUBLIC WORKS CONTRACT; TO WIT: ANNUAL SLURRY SEAL CIP S14-106. (0720-25)**

PUBLIC WORKS DIRECTOR LEVIEN reported on the item and noted that this project is a cost effective way to extend the life of streets between overlays.

**MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2014-7525 AWARDED A PUBLIC WORKS CONTRACT; TO WIT: ANNUAL SLURRY SEAL CIP S14-106. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**5.5 RESOLUTION 2014-7523 AFFIRMING THE PUBLIC WORKS DIRECTOR SIGNATURE AND SUBMISSION OF THE FISCAL YEAR 2013-14 JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM (JRMP) ANNUAL REPORT TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD. (0770-65)**

CITY MANAGER HALL introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item. He responded to questions regarding the business inspection program and noted that businesses have come to expect storm water inspections every year and they know what they are required to do. He also stated that with the new storm water permit, there will be flexibility to do less inspections because there is little turnover in businesses. Rather than conduct inspections every year, staff can do them every five years and respond to code cases reported to the City. This would save staff time and effort.

**MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7523 AFFIRMING THE PUBLIC WORKS DIRECTOR SIGNATURE AND SUBMISSION OF THE FISCAL YEAR 2013-14 JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM (JRMP) ANNUAL REPORT TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

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

None.

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

**2.5 RESOLUTION NO. 2014-7526 – CONFLICT OF INTEREST CODE UPDATE. (0420-30)**

COUNCILMEMBER BRAGG stated that staff determined that the Parks and Recreation Committee members do not need to file Conflict of Interest forms.

CITY MANAGER HALL reported on the item.

**MOTION BY PATTON, SECOND BY BILBRAY TO ADOPT RESOLUTION NO. 2014-7526 – CONFLICT OF INTEREST CODE UPDATE. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**ADJOURN REGULAR MEETING**

MAYOR JANNEY adjourned the Regular meeting at 7:30 p.m.

**CLOSED SESSION MEETING CALL TO ORDER**

MAYOR JANNEY called the Closed Session meeting to order at 7:30 p.m.

**ROLL CALL BY CITY CLERK**

Councilmembers present: Bilbray, Bragg  
Councilmembers absent: Spriggs  
Mayor Present: Janney  
Mayor Pro Tem Present: Patton  
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald

**CLOSED SESSION (1)**

**MOTION BY PATTON, SECOND BY BILBRAY, TO ADJOURN CLOSED SESSION UNDER:**

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957

Title: City Manager

**MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, BRAGG, PATTON, JANNEY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: SPRIGGS**

**ADJOURN SESSION**

MAYOR JANNEY adjourned the meeting to Closed Session at 7:31 p.m. and he reconvened the meeting to Open Session at 7:57 p.m. Reporting out of Closed Session, he announced City Council decided that a Special meeting will be held on November 13, 2014 to allow Councilmember Spriggs to participate in the Closed Session item.

MAYOR JANNEY adjourned the Closed Session meeting at 7:58 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
James C. Janney  
Mayor

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