

MINUTES

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

NOVEMBER 7, 2012

**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 Meeting to order at 6:02 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bragg, Bilbray
Councilmembers absent:	King
Mayor present:	Janney
Mayor Pro Tem present:	Spriggs
Staff present:	City Manager Brown; Deputy City Attorney Parks; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY SPRIGGS, TO REMOVE ITEM NO. 6.2 AND SCHEDULE IT FOR A FUTURE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

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

COUNCILMEMBER BRAGG commended City Clerk Hald for her efforts on the 2012 Election.

MAYOR JANNEY congratulated Councilmember-Elect Bobby Patton on a successful campaign.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

The following submitted speaker slips in support of the I.B. Little League and/or I.B. Girls Softball (they did not wish to speak):

JAVIER GAMOA

STACEY (last name not provided)

BRIAN COOK

NICK MURNIGHAN

MATTHEW MCCOY

KAREN ODERMATT

REGINA GARRISON

VALERIE ACEVEZ

DON SPICER

TONY PADILLA

CHRIS PADILLA

BRIAN POLTE

TIM O'NEAL

DANYALL BISHOP

ERICKA RALL

DOROTHY WEAKLEY

DOROTHY WEEKLY spoke in support of I.B. Girls Softball and I.B. Little League. She asked City Council to consider their contracts and was opposed to privatizing the Sports Park.

JERRI WENINO, volunteer with I.B. Little League, asked City Council to review their contract and was opposed to privatizing the Sports Park.

SHAWNA CHALMERS submitted a speaker slip in support of the I.B. Little League and/or the I.B. Girls Softball (she did not wish to speak).

ELIZABETH MCKAY, volunteer for I.B. Little League, stated that the I.B. Little League never received a response from the City regarding their contract submittal, she supported discussions involving all interested parties, she questioned the terms of the Jessops contract and noted that the I.B. Little League did a majority of the work relating to the ball fields, she believed that the Sports Park has been mismanaged and she questioned the negotiation process and if it went out to bid.

MAYOR JANNEY announced that a letter stating the City's position and a letter stating the YMCA's position were sent to both the I.B. Little League and I.B. Girls Softball. He noted that the City is trying to bring the best benefit to the citizens of Imperial Beach and open discussions on the matter are anticipated for January or February 2013.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.4)

MOTION BY SPRIGGS, SECOND BY BRAGG, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of October 17, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 81340 through 81458 with a subtotal amount of \$1,453,048.70 and Payroll Checks/Direct Deposit 44907 through 44951 for a subtotal amount of \$306,205.03 for a total amount of \$1,759,253.73.

2.3 RESOLUTION NO. 2012-7264 AUTHORIZING THE CITY OF IMPERIAL BEACH TO PARTICIPATE IN A REGIONAL WASTE TIRE ENFORCEMENT PROGRAM IN PARTNERSHIP WITH THE CITY OF SAN DIEGO – SOLID WASTE LOCAL ENFORCEMENT AGENCY – AND AUTHORIZING THE CITY OF SAN DIEGO TO ACT ON BEHALF OF THE CITY OF IMPERIAL BEACH TO EXECUTE ALL NECESSARY GRANT DOCUMENTS FOR THE PURPOSE OF SECURING GRANT FUNDS AND TO IMPLEMENT AND CARRY OUT THE WORK SPECIFIED IN THE GRANT THROUGH JUNE 30, 2017. (0270-30)

Adopted resolution.

2.4 RESOLUTION NUMBER 2012-7263, APPROVING A THREE-YEAR EXTENSION TO THE REGIONAL COMMUNICATION SYSTEM PARTICIPATING AGENCY AGREEMENT FOR RADIO COMMUNICATIONS IN SAN DIEGO AND IMPERIAL COUNTIES. (0210-10)

Adopted resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3.1-3.2)

3.1 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 BROWN introduced the item.

ASSISTANT CITY MANAGER WADE reported on the item.

CITY MANAGER BROWN stated that he will find out if mobile food vendors pay sales tax.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2012-1132.

CITY CLERK HALD read 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.”

MOTION BY SPRIGGS, SECOND BY BRAGG, TO DISPENSE FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2012-1132 BY TITLE ONLY, SCHEDULE A PUBLIC HEARING FOR DECEMBER 5, 2012 TO CONSIDER THE SECOND READING AND ADOPTION OF ORDINANCE NO. 2012-1132 AND DIRECT STAFF TO PUBLISH NOTICE OF THE PUBLIC HEARING AS PRESENTED TO THE COUNCIL. MOTION CARRIED BY THE FOLLOWING VOTE:

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

3.2 ORDINANCE NO. 2012-1131, CHAPTER 13.14 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE REGULATION OF FATS, OILS AND GREASE DISPOSAL IN THE SEWER COLLECTION SYSTEM AND AMENDING SECTION 13.04.040 OF THE IMPERIAL BEACH MUNICIPAL CODE. (0830-95)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2012-1131.

CITY CLERK HALD read the title of Ordinance No. 2012-1131 "ADDING CHAPTER 13.14 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE REGULATION OF FATS, OILS AND GREASE DISPOSAL IN THE SEWER COLLECTION SYSTEM AND AMENDING SECTION 13.04.040 OF THE IMPERIAL BEACH MUNICIPAL CODE."

MOTION BY SPRIGGS, SECOND BY BRAGG, TO DISPENSE FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2012-1131 BY TITLE ONLY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING OF NOVEMBER 21, 2012.

MAYOR PRO TEM SPRIGGS suggested that staff provide additional notice to the business community.

COUNCILMEMBER BRAGG announced the next Chamber Board meeting is scheduled for November 14, 2012.

CITY MANAGER BROWN responded staff will inform the BID and Chamber of Commerce of this item.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY SPRIGGS, SECOND BY BRAGG, TO DISPENSE FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2012-1131 BY TITLE ONLY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING OF NOVEMBER 21, 2012. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5.1)

5.1 ADOPTION OF RESOLUTION NO. 2012-7262 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND AUTHORIZING THE LEVYING OF THE FISCAL YEAR 2012-13 ANNUAL ASSESSMENT FOR THE DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989. (0465-20)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN reported on the item.

In response to Councilmember Bragg, ASSISTANT CITY MANAGER WADE explained that the BID funds collected were drastically lower (Item 8 of the Annual Report) because the City was holding on to some of the assessments until the BID presented the Annual Report to the City before releasing the funds.

MIKE OSBOURNE, President of the BID, concurred with the comments made by Assistant City Manager Wade.

COUNCILMEMBER BRAGG asked Mr. Osbourne to revise Item 8 to actually reflect the reason for the lower BID collection of funds.

In response to Councilmember Bragg, MIKE OSBOURNE stated that the Chamber of Commerce does not endorse candidates.

MAYOR PRO TEM SPRIGGS questioned if the BID planned on broadly promoting the City and partnering with Pier South to promote the grand opening of the hotel.

MIKE OSBOURNE stated that there is concern about focusing attention on one particular business rather than the full BID.

MAYOR JANNEY informed Mr. Osbourne that it is not necessary to wait until November of the next year to approach City Council about changes to the budget. The BID can approach City Council on an as needed basis to amend their budget.

CITY CLERK HALD announced no public speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7262 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND AUTHORIZING THE LEVYING OF THE FISCAL YEAR 2012-13 ANNUAL ASSESSMENT FOR THE DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

REPORTS (6.1-6.2)

6.1 QUARTERLY INVESTMENT REPORT FOR THE 4TH QUARTER OF FY 2011-2012 AS OF JUNE 30, 2012 (0350-90)

CITY MANAGER BROWN introduced the item.

FINANCE DIRECTOR VONACHEN gave a PowerPoint presentation on the item.

In response to Mayor Pro Tem Spriggs question about investing more into U.S. Corporate Bonds due to a higher yield, FINANCE DIRECTOR VONACHEN stated that there are opportunities to restructure the City's portfolio and she gave a brief overview of the regulations for holding U.S. Corporate Bonds.

CITY MANAGER BROWN added there is a fine balance when giving consideration to safety, liquidity and yield.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7265 REVIEWING AND CONSIDERING THE QUARTERLY INVESTMENT REPORT FOR THE 4TH QUARTER OF THE FISCAL YEAR ENDING JUNE 30, 2012. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

6.2 RESOLUTION NO. 2012-7267 AUTHORIZING CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) 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 (FY) 2014-2018 CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDS FOR CONSTRUCTION OF THE DATE AVENUE STREET END IMPROVEMENT. (0150-70 & 0720-20)

Item removed from agenda by prior City Council action.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (7.1)

7.1 INVESTMENT POLICY – FY 2012-2013 UPDATE. (0350-95)

CITY MANAGER BROWN introduced the item.

FINANCE DIRECTOR VONACHEN gave a PowerPoint presentation on the item.

MAYOR PRO TEM SPRIGGS suggested that Ms. VonAchen look at other municipalities and/or check with the League of California Cities to see if Imperial Beach is adhering to better practices. He questioned what the better investment advisors are doing and who they are and suggested that this information be brought back at the next quarterly report.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2012-7266 ACCEPTING AND APPROVING THE INVESTMENT POLICY UPDATE FOR FY 2012-2013. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. SA-12-17 ACCEPTING AND APPROVING THE INVESTMENT POLICY UPDATE FOR FY 2012-2013. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BILBRAY, KING

