



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

MARCH 20, 2013

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

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.

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 (1.1)

1.1* PRESENTATION OF CERTIFICATES TO 2012 FIRE PREVENTION WEEK POSTER CONTEST WINNERS. (0410-30)

*No Staff Report

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.

CONSENT CALENDAR (2.1-2.6) - 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 RESOLUTION NO. 2013-7312 INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M. (0345-10)

City Manager's Recommendation:

1. Receive staff report;
2. Authorize the Public Works Director to initiate the Engineer's Report for AD-67M; and
3. Approve and adopt the proposed resolution.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 82084 through 82167 for a subtotal amount of \$1,502,443.68 and Payroll Checks/Direct Deposit 45125 through 45147 for a subtotal of \$121,414.60 for a total amount of \$1,623,858.28.

2.3 RESOLUTION NO. 2013-7310 DECLARING APRIL AS "ENVIRONMENTAL AWARENESS MONTH" IN THE CITY OF IMPERIAL BEACH. (0230-40)

City Manager's Recommendation: Approve declaration and resolution.

2.4 RESOLUTION NO. 2013-7309 APPROVING THE SAN DIEGO COUNTY OPERATIONAL AREA PUBLIC WORKS MUTUAL AID AGREEMENT. (0210-40)

City Manager's Recommendation: Adopt resolution which authorizes the City Manager to execute the County of San Diego Operational Area Public Works Mutual Aid Agreement and designates the Director of Public Works or his designee as the Coordinator to take action under this agreement.

2.5 RESOLUTION 2013-7308 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF IMPERIAL BEACH FOR PUBLIC SAFETY SERVICES AND TIDELANDS MAINTENANCE SERVICES FOR FISCAL YEARS 2012/2013 THROUGH 2020/2021. (0150-70)

City Manager's Recommendation: Adopt Resolution 2013-7308, authorizing the City Manager to enter into agreements with the San Diego Unified Port District at the costs and conditions established as attached in the agreement between San Diego Unified Port District and City of Imperial Beach for Tidelands Maintenance Services, and the agreement between the San Diego Unified Port District and City of Imperial Beach for Sheriff, Fire, Emergency Medical, Lifeguard and Animal Control Services, respectively.

2.6 AUTHORIZATION TO ENTER INTO A CONTRACT TO RECRUIT A CITY MANAGER. (0550-70)

City Manager's Recommendation: There is no recommended firm yet. The recommendation will be presented to Council before or at the meeting of March 20.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.1)

3.1 ORDINANCE NO. 2013-1135 AND PUBLIC HEARING; REX BUTLER FOR BIKEWAY VILLAGE LLC (APPLICANT) AND THE CITY OF IMPERIAL BEACH: ZONING CODE AMENDMENT (ZCA) 100008 FOR ECOTOURISM COMMERCIAL USES AT 536 13TH STREET & 535 FLORENCE STREET AND AIRPORT PARCEL 616-021-10-00 @ 500 13TH STREET. MF 1034 (0610-95)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and entertain testimony;
3. Close public hearing;
4. Mayor calls for the first reading of the title of Ordinance No. 2013-1135 modifying Ordinance No. 2012-1127 that approved the Zoning Code Amendment (ZCA 100008) and rezoning to establish the Commercial/ Recreation-Ecotourism (C/R-ET) designation/ zone (Chapter 19.25) and applying this C/R-ET zone to the project site;
5. City Clerk to read Ordinance 2013-1135 by title only; and
6. Motion to waive further reading of Ordinance No. 2013-1135 and set the matter for adoption at the next regularly scheduled City Council meeting.

ORDINANCES – INTRODUCTION/FIRST READING (3.2)

3.2 ORDINANCE 2013-1136, AMENDING CHAPTER 10.28.020, SPECIAL SPEED ZONE DESIGNATED. (0750-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the introduction of Ordinance No. 2013-1136;
3. City Clerk to read title of Ordinance 2013-1136; and
4. Motion to waive further reading of Ordinance No. 2013-1136 and set the matter for adoption at the next regularly scheduled City Council meeting.

ORDINANCES – SECOND READING/ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1-6.3)

6.1 SPORTS PARK DISCUSSION. (0920-40)

City Manager's Recommendation:

1. Consider and discuss the options listed in the staff report and receive public comment;
2. Support Option 2 as outlined in the staff report which the South Bay Family YMCA assumes all operational responsibilities at Sports Park and implements only a \$25 per-player fee with the City or other sources absorbing the \$25 per-hour field lighting fee and the 20% of net proceeds concession stand fee; and
3. Direct staff to negotiate a Use Agreement between the City of Imperial Beach and South Bay Family YMCA for the operation of Sports Park pursuant to the general terms outlined under Option 2.

On March 15, 2013, staff is meeting again with Imperial Beach Little League to discuss the potential for an agreement with the Y to operate Sports Park. As such, staff may have additional or modified recommendations for the City Council to consider at the meeting on March 20, 2013.

Continued on Next Page

REPORTS (Continued)

- 6.2 RESOLUTION NO. 2013-7311 SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER CONFIRMATION OF THE INTEGRATED SOLID WASTE MANAGEMENT SERVICES MAXIMUM FEE INCREASE REQUESTED BY EDCO DISPOSAL CORPORATION PURSUANT TO THE 2009 CONTRACT AMENDMENT. (0270-40)**

City Manager's Recommendation:

1. Receive report and
2. Adopt resolution.

- 6.3 RESOLUTION NO. 2013-7307 AMENDING WESTERN RIM CONSTRUCTORS, INC. CONTRACT FOR THE ECO BIKEWAY 7TH & SEACOAST (S05-104) PROJECT BY AWARDING ADDITIVE BID NO. 1. (0680-20)**

City Manager's Recommendation:

1. Receive report;
2. Consider adding the signal light at the intersection of Palm Avenue and Rainbow Drive; and
3. Adopt Resolution 2013-7307 amending the PROJECT contract and awarding Additive Bid No. 1 to Western Rim Constructors, Inc. at a bid price of \$120,227.25.

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



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*
MEETING DATE: MARCH 20, 2013
ORIGINATING DEPT.: PUBLIC WORKS *HOB*
SUBJECT: RESOLUTION NO. 2013-7312 INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M

BACKGROUND:

At the regular scheduled meeting on June 17, 1992, City Council approved and adopted Resolution 92-4130, which formed a Special Assessment District pursuant to the "Lighting and Landscaping Act of 1972" (AD-67M). The purpose of the Assessment District was to pay for the construction and operation and maintenance of streetlights on Highway 75 in the area shown on Attachment 2.

DISCUSSION:

The proposed Resolution is the formal action of the City Council ordering the preparation of the required Engineer's "Report" for the annual levy of assessments. The proposed assessments are for the purpose of paying San Diego Gas and Electric operating and maintenance expenses of the new street lighting on Highway 75/Palm Avenue. The operating and maintenance will consist of energy costs, lamp maintenance, replacement of light standards as required, and San Diego Gas and Electric ownership costs.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Since the District, when established, fixed the assessment fee per parcel, all costs that have been incurred above that fixed amount has been born by the City's General Fund. It is estimated that the FY 2013/2014 cost to the City will be about \$18,000.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Authorize the Public Works Director to initiate the Engineer's Report for AD – 67M
3. Approve and adopt the proposed resolution.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7312
2. AD 67M Boundaries

RESOLUTION NO. 2013-7312

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, INITIATING PROCEEDINGS FOR THE 2013 ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT (AD-67M)

WHEREAS, the City Council of the City of Imperial Beach, California has previously formed a special assessment district pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special assessment district known and designated as ASSESSMENT DISTRICT NO. 67-M (hereinafter referred to as the "Assessment District"); and

WHEREAS, at this time the City Council is desirous to take proceedings to provide for the annual levy of assessments for the next ensuing fiscal year to provide for the annual costs for maintenance of improvements within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

RECITALS

SECTION 1. That the above recitals are all true and correct.

DECLARATION OF INTENTION

SECTION 2. That the public interest and convenience requires, and it is the intention of this legislative body to initiate proceedings for the annual levy and collection of special assessments for the payment of annual maintenance and/or servicing costs within the Assessment District.

No new improvements or any substantial changes in existing improvements or zones are proposed as a part of these proceedings.

REPORT OF ENGINEER

SECTION 3. That this improvement is hereby referred to the ASSESSMENT ENGINEER, who is hereby directed to make and file the "Report" generally containing the following:

A. Plans and specifications describing the general nature, location and extent of the improvements to be maintained;

B. An estimate of the cost of the maintenance and/or servicing of the improvements for the Assessment District for the referenced fiscal year;

C. A diagram for the Assessment District, showing the area and properties proposed to be assessed;

D. An assessment of the estimated costs of the maintenance and/or servicing, assessing the net amount upon all assessable lots and/or parcels within the Assessment District in proportion to the benefits received.

SECTION 4. That upon completion of the preparation of said "Report", the original shall be filed with the City Clerk, who shall then submit the same to this legislative body for its immediate review and consideration.

FISCAL YEAR

SECTION 5. That the above "Report" shall include all costs and expenses of said maintenance and/or servicing relating to the fiscal year commencing July 1, 2013 and ending June 30, 2014.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013 by the following vote:

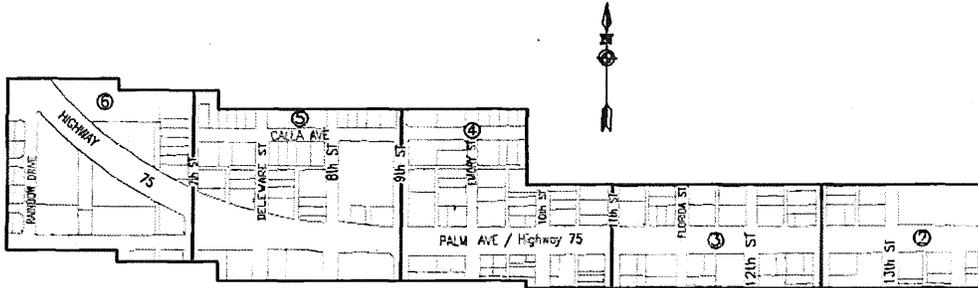
AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

ASSESSMENT DIAGRAM FOR ASSESSMENT DISTRICT NO.67M(STREET LIGHTING)



I HEREBY CERTIFY THAT THE AREA WITHIN MAP SHOWING PROPOSED BOUNDARY OF ASSESSMENT DISTRICT PLAT NO. 67M, CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS RESOLUTION NO. _____.

FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 20____.

CITY CLERK OF IMPERIAL BEACH

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS _____ DAY OF _____, 20____.

SUPERINTENDENT OF STREETS
CITY OF IMPERIAL BEACH

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS _____ DAY OF _____, 20____, SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF SAID CITY ON THE _____ DAY OF _____, 20____. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

CITY CLERK, CITY OF IMPERIAL BEACH

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK IN BOOK OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

COUNTY RECORDER OF COUNTY OF SAN DIEGO

ENGINEER OF WORK:
B D S ENGINEERING
CIVIL ENGINEERING
LAND SURVEYING

8889 Federal Boulevard
Limon, Calif. 91948
TEL: 92-4892

Thomas A. Jones 3/15/12
THOMAS A. JONES R.C.E. 34867 DATE 3/15/12 92-13 JOB NO.

PLAT NO.67M
SHEET 1 OF 6 SHEETS



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*
MEETING DATE: MARCH 20, 2013
ORIGINATING DEPT.: ADMINISTRATIVE SERVICES DEPARTMENT *KV*
SUBJECT: RATIFICATION OF WARRANT REGISTER

BACKGROUND:

None

DISCUSSION:

As of April 7, 2004 all large warrants above \$100,000 will be separately highlighted and explained on the staff report.

<u>Vendor:</u>	<u>Check:</u>	<u>Amount:</u>	<u>Description:</u>
City of San Diego	82090	\$594,859.00	Metro Sewer 3 rd QTR
San Diego County Sheriff	82111	\$469,379.28	12/2012 Law Enf.
Western Rim Constructors	82166	\$245,136.99	Eco Bikeway

The following registers are submitted for Council ratification.

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
82084-82123	3/1/2013	\$1,132,628.83
82124-82167	3/7/2013	\$ 369,814.85
	Sub-total	<u>\$1,502,443.68</u>

Note:

Check number 82087 was voided automatically by the system it is a part of check 82088.

<u>Payroll Checks/Direct Deposit</u>		
45125-45147	P.P.E. 2/21/2013	\$121,414.60
	Sub-total	<u>\$121,414.60</u>
	TOTAL	<u>\$1,623,858.28</u>

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Warrants are issued from budgeted funds.

DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council ratify the warrant register.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Warrant Registers

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
03/01/2013	82090	CITY OF SAN DIEGO	896				594,859.00
601-5060-436.21-04	01/29/2013	METRO SEWERAGE SYST		1000070455		08/2013	594,859.00
03/01/2013	82091	COLE OFFICE PRODUCTS INC	1400				1,204.85
101-1920-419.30-01	01/10/2013	COPY PAPER		312391-0	130584	07/2013	1,204.85
03/01/2013	82092	COLONIAL LIFE & ACCIDENT	941				236.28
101-0000-209.01-13	02/14/2013	PR AP PPE 02/07/2013		20130214		08/2013	118.14
101-0000-209.01-13	02/28/2013	PR AP PPE 2/21/2013		20130228		08/2013	118.14
03/01/2013	82093	COUNTY OF SAN DIEGO RCS	1065				3,332.50
101-3010-421.21-25	02/01/2013	JAN 13 MTZ NETWORKING		13CTOFIBN07	130117	08/2013	2,325.50
101-3020-422.21-25	02/01/2013	JAN 13 MTZ NETWORKING		13CTOFIBN07	130117	08/2013	53.00
101-3030-423.20-06	02/01/2013	JAN 13 MTZ NETWORKING		13CTOFIBN07	130117	08/2013	954.00
03/01/2013	82094	COUNTY RECORDER	1818				100.00
101-0000-221.01-02	02/14/2013	NOTICE OF EXEMPTION FEE		02-14-2013		08/2013	50.00
101-0000-221.01-02	02/20/2013	NOTICE OF EXEMPTION		02-20-2013		08/2013	50.00
03/01/2013	82095	COX COMMUNICATIONS	1073				740.74
101-6010-451.29-04	02/15/2013	SP PARK MTHLY CABLE		03-06-2013	130126	08/2013	140.74
503-1923-419.21-04	02/24/2013	INTERNET 10MPBS		03-18-2013	130126	08/2013	600.00
03/01/2013	82096	DATA FLOW	1902				252.30
101-1210-413.28-11	01/14/2013	2012 W2 FORMS		67557	F13053	07/2013	252.30
03/01/2013	82097	DOCUFLOW SOLUTIONS	367				118.60
503-1923-419.30-22	01/23/2013	REPAIR PRINTER		8054	130360	07/2013	118.60
03/01/2013	82098	EYE/COMM	1891				1,494.60
601-5060-436.29-04	02/26/2013	2013 SEWER RATE INCREASE		44885		08/2013	1,494.60
03/01/2013	82099	FEDERAL EXPRESS CORP.	911				36.25
101-1210-413.28-09	02/08/2013	POSTAGE/INSURANCE PYMT		2-171-03255	130220	08/2013	36.25
03/01/2013	82100	I B FIREFIGHTERS ASSOCIATION	214				300.00
101-0000-209.01-08	02/28/2013	PR AP PPE 2/21/2013		20130228		08/2013	300.00
03/01/2013	82101	ICMA RETIREMENT TRUST 457	242				6,482.54
101-0000-209.01-10	02/28/2013	PR AP PPE 2/21/2013		20130228		08/2013	6,482.54
03/01/2013	82102	MANAGED HEALTH NETWORK	2432				389.20
101-1130-412.20-06	02/14/2013	EMPLOYEE EAP		3200045691	130072	08/2013	389.20
03/01/2013	82103	MONJARAS AND WISMeyer GROUP IN	2419				286.00
101-1130-412.30-02	01/14/2013	FIRE/PARAMEDIC JOB ANALYS		9124	130657	07/2013	110.00
101-1130-412.30-02	01/15/2013	FIRE ENG JOB ANALYSIS		9113	130657	07/2013	110.00
101-1130-412.30-02	01/21/2013	FIRE CAPTIAN JOB ANALYS		9136	130657	07/2013	66.00
03/01/2013	82104	MPC OUTLET	2157				3,180.56
503-1923-419.30-22	02/06/2013	(4) HP P7-1200, 5 SCREENS		209681	130650	08/2013	3,180.56

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
03/01/2013	82105	PADRE JANITORIAL SUPPLIES	1430				591.61
101-1910-419.30-02	02/12/2013	SOAP/TISSUE/SEAT CVR	339237	130025	08/2013		458.72
101-3030-423.30-02	01/30/2013	TOWELS	338894	130025	07/2013		132.89
03/01/2013	82106	PAL GENERAL ENGINEERING INC.	2411				6,104.00
210-1235-513.20-06	02/25/2013	13TH & EBONY RETENTION	10077-R	130135	08/2013		6,104.00
03/01/2013	82107	PARS	2425				400.00
101-1920-419.20-06	02/08/2013	PARS ARS	24981	130076	08/2013		80.00
101-3020-422.20-06	02/08/2013	PARS ARS	24981	130076	08/2013		80.00
101-3030-423.20-06	02/08/2013	PARS ARS	24981	130076	08/2013		80.00
101-6010-451.20-06	02/08/2013	PARS ARS	24981	130076	08/2013		80.00
101-6040-454.20-06	02/08/2013	PARS ARS	24981	130076	08/2013		80.00
03/01/2013	82108	PRO LINE PAINT COMPANY	52				92.85
101-6040-454.30-02	02/05/2013	RUST CONVERSION CTG	9794-6	130021	08/2013		92.85
03/01/2013	82109	PRUDENTIAL OVERALL SUPPLY	72				657.83
101-5020-432.25-03	01/30/2013	UNIFORM RENTALS	30317219	130090	07/2013		129.74
101-5020-432.25-03	02/06/2013	PW UNIFORM RENTAL	30318675	130090	08/2013		143.61
101-5020-432.25-03	02/13/2013	PW UNIFORM RENTALS	30320179	130090	08/2013		108.46
101-5020-432.25-03	02/20/2013	PW UNIFORM RENTALS	30321680	130090	08/2013		142.56
101-5020-432.25-03	02/27/2013	PW UNIFORM RENTAL	30323213	130090	08/2013		133.46
03/01/2013	82110	RANCHO AUTO & TRUCK PARTS	1685				189.42
501-1921-419.28-16	02/06/2013	OIL FILTER	7693-146756	130019	08/2013		5.66
501-1921-419.28-16	02/06/2013	#600 STOP PAD SET/SEALS	7693-146770	130019	08/2013		33.30
501-1921-419.28-16	02/06/2013	#600 DRUMS/ROTORS	7693-146782	130019	08/2013		68.43
501-1921-419.28-16	02/07/2013	#600 BRAKE DRUMS/ROTORS	7693-146845	130019	08/2013		56.03
501-1921-419.28-16	02/11/2013	#619 U-JOINTS	7693-147156	130019	08/2013		15.41
501-1921-419.28-16	02/11/2013	#619 U-JOINTS	7693-147187	130019	08/2013		22.25
501-1921-419.28-16	02/11/2013	RETURN CREDIT U-JOINTS	7693-147188	130019	08/2013		15.41-
501-1921-419.28-16	02/11/2013	RETURN CREDIT 600/A-1	7693-147202	130019	08/2013		73.83-
501-1921-419.28-16	02/13/2013	CHEV MTM 38419	7693-147426	130019	08/2013		32.88
501-1921-419.28-16	02/13/2013	FILTERS/WIPERS FLUID	7693-147471	130019	08/2013		44.70
03/01/2013	82111	SAN DIEGO COUNTY SHERIFF	882				469,379.28
101-3010-421.20-06	02/08/2013	DECEMBER SHERIFF LAW	02-08-2013		08/2013		471,066.00
101-0000-338.60-03	02/08/2013	DECEMBER SHERIFF LAW	02-08-2013		08/2013		1,686.72-
03/01/2013	82112	SEIU LOCAL 221	1821				1,219.26
101-0000-209.01-08	02/28/2013	PR AP PPE 2/21/2013	20130228		08/2013		1,219.26
03/01/2013	82113	SKS INC.	412				15,349.13
501-1921-419.28-15	02/06/2013	400 GAL REG FUEL	1253545-IN	130049	08/2013		1,588.95
501-1921-419.28-15	02/11/2013	1100 GAL REG FUEL	1253629-IN	130049	08/2013		4,337.86
101-5000-532.20-06	02/07/2013	55.40 GAL DIESEL	1253581-IN	130049	08/2013		342.90
101-5000-532.20-06	02/11/2013	97.30 GAL DIESEL	1253625-IN	130049	08/2013		517.15
501-1921-419.28-15	02/14/2013	500 GAL REG, 500G DIESEL	1253731-IN	130049	08/2013		4,037.06

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
501-1921-419.28-15	02/21/2013	1000 GAL REG FUEL		1253847-IN	130049	08/2013	4,109.92
101-5000-532.20-06	01/28/2013	85.60 GAL DIESEL		1253345-IN	130049	07/2013	415.29
03/01/2013	82114	SPARKLETT'S	2341				30.72
101-1210-413.30-01	02/09/2013	FINANCE WATER		10552239 020913	130206	08/2013	22.56
101-3020-422.30-01	01/18/2013	PS WATER		12529930 011813	130511	07/2013	8.16
03/01/2013	82115	SUNGARD PUBLIC SECTOR USER'S G	2039				195.00
101-1210-413.28-12	01/19/2013	PERLY SHOUSE - 2013 SUGA		2013IMPB	F13050	07/2013	195.00
03/01/2013	82116	TERRA BELLA NURSERY, INC.	1946				149.96
101-6020-452.30-02	02/01/2013	COMPOST		86257	130034	08/2013	48.59
101-6040-454.30-02	02/13/2013	PLANTS		86807	130034	08/2013	101.37
03/01/2013	82117	THOMAS SANTOS	2209				135.00
101-3020-422.28-04	02/14/2013	TRAINING PC II ARREST		010540195		08/2013	135.00
03/01/2013	82118	US BANK	2458				1,128.58
101-0000-209.01-20	02/28/2013	PR AP PPE 2/21/2013		20130228		08/2013	1,128.58
03/01/2013	82119	VERIZON WIRELESS	2317				1,543.36
101-1210-413.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	81.93
101-5020-432.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	537.62
101-3040-424.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	67.69
101-3020-422.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	165.60
101-3030-423.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	363.78
101-3070-427.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	70.39
101-1230-413.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	95.69
503-1923-419.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	157.26
503-1923-419.27-05	02/08/2013	JAN 09-FEB 08		1162384023		08/2013	3.40
03/01/2013	82120	VERONICA TAM AND ASSOCIATES LL	2398				1,450.00
245-1240-513.20-06	02/04/2013	HOUSING JAN 2013		1499	120466	08/2013	1,450.00
03/01/2013	82121	WALKSANDIEGO	1551				2,506.40
101-5020-432.20-06	01/31/2013	CONSULT SVCS JAN 2013		131-23	110859	07/2013	2,506.40
03/01/2013	82122	WEST GROUP CTR	826				126.48
101-1020-411.28-14	02/01/2013	JAN 13 INFO CHGS		826531024	130226	08/2013	126.48
03/01/2013	82123	ZUMAR INDUSTRIES INC.	875				440.74
101-3020-422.20-11	01/29/2013	BUILDING IDENTIFICATION S		0143235	F13045	07/2013	235.63
101-6020-452.30-02	02/21/2013	NO PARKING FIRE LANES		0143711	130017	08/2013	205.11
03/07/2013	82124	ACCUANTEMP'S	70				5,347.35
101-1210-413.21-01	02/12/2013	FINANCE TEMP BAKER, M		37320365	130516	08/2013	1,836.00
101-1210-413.21-01	02/21/2013	FN TEMP STAFF BAKER, M		37384612	130516	08/2013	1,836.00
101-1210-413.21-01	02/26/2013	BAKER, M FIN TEMP STAFF		37412494	130516	08/2013	1,675.35
03/07/2013	82125	ARROWHEAD MOUNTAIN SPRING WATE	1340				86.74
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101-3020-422.27-04	02/17/2013	6194237246664	4117109		08/2013		.70
101-5020-432.27-04	02/15/2013	6194238311966	4113748		08/2013		5.47
101-3030-423.27-04	02/15/2013	6194238322966	4113749		08/2013		3.85
503-1923-419.27-04	02/11/2013	6194243481712	4093189		08/2013		15.96
101-1230-413.27-04	02/17/2013	6196281356950	4117112		08/2013		9.43
101-1920-419.27-04	02/17/2013	6196282018442	4117118		08/2013		.10
601-5060-436.27-04	02/15/2013	C602221236777	4113740		08/2013		17.83
101-1920-419.27-04	02/15/2013	C602224829777	4114810		08/2013		102.39
101-1110-412.27-04	02/15/2013	C602224831777	4114812		08/2013		194.82
101-1020-411.27-04	02/15/2013	C602224832777	4114813		08/2013		58.27
101-1230-413.27-04	02/15/2013	C602224833777	4114814		08/2013		402.09
101-1130-412.27-04	02/15/2013	C602224834777	4114815		08/2013		52.45
101-1210-413.27-04	02/15/2013	C602224835777	4114816		08/2013		206.32
101-6030-453.27-04	02/15/2013	C602224836777	4114817		08/2013		77.64
101-6010-451.27-04	02/15/2013	C602224837777	4114818		08/2013		86.33
101-3020-422.27-04	02/15/2013	C602224838777	4114819		08/2013		291.30
101-3030-423.27-04	02/15/2013	C602224839777	4114820		08/2013		197.74
101-5020-432.27-04	02/15/2013	C602224840777	4114821		08/2013		297.12
601-5060-436.27-04	02/15/2013	C602224841777	4114822		08/2013		151.63
101-3070-427.27-04	02/17/2013	6196281359503	4117114		08/2013		.62-
503-1923-419.27-04	02/20/2013	3372571583448 1/20-2/19	03-29-2013		08/2013		358.59
503-1923-419.27-04	02/20/2013	3393431504727 1/20-2/19	03-29-2013		08/2013		179.30
503-1923-419.27-04	02/20/2013	3393439371447 1/20-2/19	03-29-2013		08/2013		179.30
503-1923-419.27-04	02/20/2013	3393442323406 1/20-2/19	03-29-2013		08/2013		179.30
03/07/2013	82127	BAUER COMPRESSOR, INC.	2468				2,880.81
101-3020-422.21-04	02/25/2013	COMPRESSOR	0000165877		08/2013		2,880.81
03/07/2013	82128	BRAVO SIGN & DESIGN	2				144.00
101-0000-321.72-10	02/26/2013	OL REFUNDS	0011069		08/2013		144.00
03/07/2013	82129	CDW GOVERNMENT INC	725				592.34
503-1923-419.20-06	02/14/2013	SAMSUNG DVI LED	X806757	130120	08/2013		7.57
503-1923-419.30-02	02/14/2013	SAMSUNG DVI LED	X806757	130120	08/2013		433.89
503-1923-419.30-02	02/15/2013	PEERLESS ARM MOUNT	X862454	130120	08/2013		150.88
03/07/2013	82130	CVA SECURITY	797				130.00
101-6010-451.21-04	02/18/2013	CITY HALL MONITORING	24628	130100	08/2013		30.00
101-1910-419.28-01	03/01/2013	EOC ALARM MONITORING	24723	130100	09/2013		30.00
101-1910-419.28-01	03/01/2013	CITY HALL ALARM MONT	24828	130100	09/2013		30.00
101-1910-419.28-01	03/01/2013	CITY HALL OPEN/CLOSE MONT	24832	130100	09/2013		40.00
03/07/2013	82131	CITY OF CHULA VISTA	823				72,790.00
101-3050-425.20-06	02/13/2013	OCTOBER ANIMAL CONTROL	AR133173	130130	08/2013		18,085.00
101-3050-425.20-06	02/13/2013	NOV 12 ANIMAL CONTROL	AR133174	130130	08/2013		18,260.00
101-3050-425.20-06	02/13/2013	DEC 12 ANIMAL CONTROL	AR133175	130130	08/2013		18,285.00
101-3050-425.20-06	02/21/2013	JAN 2013 ANIMAL CONT	AR133202	130130	08/2013		18,160.00

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101-3010-421.21-25	03/01/2013	SHERIFF RADIOS	13CTOFIBN08	130117	09/2013		2,325.50
101-3020-422.21-25	03/01/2013	SHERIFF RADIOS	13CTOFIBN08	130117	09/2013		53.00
101-3030-423.20-06	03/01/2013	SHERIFF RADIOS	13CTOFIBN08	130117	09/2013		954.00
03/07/2013	82133	COUNTY RECORDER	1818				50.00
101-0000-221.01-02	02/25/2013	NOTICE OF EXEMPTION	02-25-2013		08/2013		50.00
03/07/2013	82134	CTE INC, CLARK TELECOM & ELECT	2316				1,407.09
101-1910-419.28-01	02/20/2013	CITY HALL ELECTRICAL	1418	130662	08/2013		1,407.09
03/07/2013	82135	DANIEL HOLIAN	2365				64.90
101-3030-423.28-04	02/10/2013	REIMBURSEMENT FOR TEXTBOOK	78999524		08/2013		64.90
03/07/2013	82136	DEPARTEMENT OF FORESTRY &	1153				188.00
101-3020-422.28-04	02/21/2013	FSTEP TRAINING EXTRICATIO	111355		08/2013		188.00
03/07/2013	82137	DEPARTMENT OF CORRECTIONS AND	169				5,205.15
101-6020-452.21-04	02/20/2013	WORK CREW JAN 2013	1800179234	130217	08/2013		4,335.89
101-6040-454.21-04	02/20/2013	WORK CREW JAN 2013	1800179234	130217	08/2013		869.26
03/07/2013	82138	DON LAFAVE	2				38.40
101-0000-322.73-02	02/26/2013	REFUND BUILDING PERMIT	4317		08/2013		36.80
101-0000-344.75-03	02/26/2013	REFUND BUILDING PERMIT	4317		08/2013		1.60
03/07/2013	82139	DRUG TESTING NETWORK INC	1195				157.90
101-1130-412.20-06	02/15/2013	RANDOM DRUG TESTING	64999	130079	08/2013		157.90
03/07/2013	82140	EDWARD A. LIPKA	2215				1,750.00
502-1922-419.30-02	02/20/2013	CAL/OSHA TRAINING	IBPW-1301	130652	08/2013		1,750.00
03/07/2013	82141	FARNUM DEVELOPMENT INC	905				1,050.00
101-3020-422.29-04	02/25/2013	POWER NEW AIR COMPRES	BR2116	130589	08/2013		1,050.00
03/07/2013	82142	FASTENAL	909				10.31
101-6040-454.30-02	02/15/2013	SECURITY HEXKEY	CACHU30296	130010	08/2013		10.31
03/07/2013	82143	FIRE ETC	924				647.94
101-3020-422.30-02	02/11/2013	CHEMGUARD CLASS A FOAM	44830	130229	08/2013		647.94
03/07/2013	82144	GO-STAFF, INC.	2031				747.77
101-3020-422.21-01	02/12/2013	MEDLEY, A /PS TEMP STAFF	103817	130660	08/2013		242.52
101-3020-422.21-01	02/19/2013	MEDLEY, A/ PS TEMP STAFF	104083	130660	08/2013		505.25
03/07/2013	82145	GRAINGER	1051				855.24
101-6040-454.30-02	02/01/2013	RETURNED PARTS	9056957252	130011	08/2013		147.30-
101-6020-452.30-02	02/11/2013	NITRILE GLOVES	9064333967	130011	08/2013		239.25
101-6040-454.30-02	02/12/2013	PLUG IN CFL/LIGHTS	9064948798	130011	08/2013		259.81
101-6040-454.30-02	02/19/2013	DIMMING BALLANT LAMPS	9070698684	130011	08/2013		282.86

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101-6040-454.30-02	02/15/2013	FUSE DIA D HOLDER	9068871962	130011	08/2013	95.77	
03/07/2013	82146	HUDSON SAFE-T LITE RENTALS	2382			985.90	
101-5010-431.21-23	02/21/2013	REFL ROLLUP CLAMP/DOWELS	00014783	130071	08/2013	985.90	
03/07/2013	82147	JESUS GONZALEZ	2172			294.37	
101-3030-423.28-04	02/21/2013	MILEAGE REIMBURSMNT	02-17-2013		08/2013	294.37	
03/07/2013	82148	JOHN DEERE LANDSCAPES	1986			1,370.52	
101-6040-454.30-02	02/07/2013	90 DEG ELBOW/COUPLING	63681514	130031	08/2013	59.85	
101-6040-454.30-02	02/13/2013	ROUNDUP QUICK PRO	63712643	130031	08/2013	222.53	
101-5010-431.30-02	02/05/2013	TREE TIES/PLANT TABS	63666806	130031	08/2013	268.90	
101-5010-431.30-02	02/07/2013	90 DEG ELBOW/COUPLING	63681514	130031	08/2013	59.85	
101-6040-454.30-02	02/07/2013	RECIEVED x2 WRONG ACCT #	63681514	130031	08/2013	59.85	
101-5010-431.30-02	02/12/2013	TREES	63706489	130031	08/2013	263.52	
101-5010-431.30-02	02/21/2013	NODE CONTROLLER/FILTER	63763103	130031	08/2013	500.88	
101-5010-431.30-02	02/21/2013	CAP/FITTING	63766859	130031	08/2013	4.94	
101-6020-452.30-02	02/27/2013	2 CYCLE OIL	63801158	130031	08/2013	49.90	
03/07/2013	82149	KANE, BALLMER & BERKMAN	1828			915.71	
405-1260-413.20-06	02/11/2013	LEGAL SVCS 1/14 SHARE	18781	130661	08/2013	915.71	
03/07/2013	82150	KIWANIS CLUB OF IMPERIAL BEACH	639			247.00	
101-1110-412.28-12	01/15/2013	KIWANIS MEMBERSHIP DUES F	STATEMENT 11513	F13040	07/2013	72.00	
101-1110-412.28-11	02/22/2013	2013 KIWANIS CALENDAR AD	KIWANIS022213	F13054	08/2013	175.00	
03/07/2013	82151	MCDUGAL LOVE ECKIS &	962			8,227.00	
101-1220-413.20-02	01/31/2013	JANUARY 2013 RETAINER	83208	130218	07/2013	8,227.00	
03/07/2013	82152	MOBILE HOME ACCEPTANCE CORPORA	1533			297.00	
101-5020-432.25-01	02/21/2013	PW TRAILER MARCH 2013	170310	130124	08/2013	297.00	
03/07/2013	82153	PARTNERSHIP WITH INDUSTRY	1302			1,221.97	
101-6040-454.21-04	02/19/2013	GROUNDSKEEPING JAN 13	GS04621	130108	08/2013	733.18	
101-6040-454.21-04	02/19/2013	GROUNDSKEEPING JAN 13	GS04621	130108	08/2013	488.79	
03/07/2013	82154	PITNEY BOWES INC	271			207.36	
101-1920-419.25-02	03/03/2013	RENTAL POSTAGE MACHINE	744801	130114	09/2013	207.36	
03/07/2013	82155	PMI	23			258.41	
101-3020-422.21-04	02/15/2013	MEDICAL EQUIPMENT	0397624	F13049	08/2013	258.41	
03/07/2013	82156	PROTECTION ONE ALARM MONITORIN	69			279.50	
601-5060-436.20-23	02/20/2013	SEWER ALARMS 3/2013	91890709	130087	08/2013	279.50	
03/07/2013	82157	SDGE	289			2,781.22	
101-5010-431.27-01	03/04/2013	1694 230 1484 1/29-2/28	03-19-2013		08/2013	18.97	
101-5010-431.27-01	02/28/2013	1912 409 2723 1/25-2/26	03-15-2013		08/2013	10.20	
101-5010-431.27-01	03/01/2013	2741 969 9359 1/31-2/28	03-16-2013		08/2013	138.52	

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101-5010-431.27-01	02/28/2013	5576 188 0541 1/25-2/26		3-15-2013		08/2013	72.78
601-5060-436.27-01	03/01/2013	8773 823 6424 1/28-2/27		03-16-2013		08/2013	10.04
101-5010-431.27-01	03/04/2013	3448 930 964 6 1/29-2/28		03-19-2013		08/2013	672.97
							10.04
03/07/2013	82158	SHARP REES-STEALY MEDICAL CNTR	390				238.00
101-1130-412.21-04	02/09/2013	NEW EMPLOYEE PHYSICAL		257	130086	08/2013	143.00
601-5060-436.21-04	02/09/2013	NEW EMPLOYEE PHYSICAL		257	130086	08/2013	95.00
03/07/2013	82159	SKS INC.	412				
101-6040-454.30-02	02/28/2013	2.5 GAL BLUE DIF		N729630-IN	130049	08/2013	3,912.88
501-1921-419.28-15	02/28/2013	999.8 GAL REG FUEL		1253963-IN	130049	08/2013	58.24
							3,854.64
03/07/2013	82160	SOUTH WEST SIGNAL	488				
101-5010-431.21-04	02/28/2013	SIGNAL MAIT FEB 2013		51054	130038	08/2013	278.13
101-5010-431.21-23	02/28/2013	PEDESTRAIN BUTTON/REPLACE		51064	130038	08/2013	160.00
							118.13
03/07/2013	82161	SPARKLETTS	2341				
101-3020-422.30-01	02/15/2013	PS DRINKING WATER		12529930	130511	08/2013	38.04
							38.04
03/07/2013	82162	TERRA BELLA NURSERY, INC.	1946				
101-5010-431.30-02	02/07/2013	TOP SOIL		86568	130034	08/2013	608.71
601-5060-436.30-02	03/05/2013	MULCH		87970	130034	09/2013	64.78
601-5060-436.30-02	03/05/2013	MULCH		87981	130034	09/2013	181.31
601-5060-436.30-02	03/05/2013	MULCH		87996	130034	09/2013	181.31
03/07/2013	82163	UNION BANK OF CALIFORNIA	735				
101-1210-413.20-27	02/13/2013	BANKING SVCS 11/2012-1/13		794060	130288	08/2013	875.00
							875.00
03/07/2013	82164	WAGE WORKS INC.	2210				
101-1920-419.21-04	02/19/2013	FSA ADMIN FEE		125AIO219862	130115	08/2013	97.25
							97.25
03/07/2013	82165	WESTERN PUMP INC	752				
501-1921-419.28-13	02/22/2013	APCD ANNUAL TEST		W14444	130048	08/2013	425.00
							425.00
03/07/2013	82166	WESTERN RIM CONSTRUCTORS, INC.	2481				
401-5020-432.20-06	01/31/2013	ECO BIKEWAY		1	130656	07/2013	245,136.99
401-5020-432.20-06	02/28/2013	ECO BIKEWAY THRU 2/28/13		2	130656	08/2013	37,755.98
							207,381.01
03/07/2013	82167	WHITE CAP CONSTRUCTION SUPPLY	1434				
101-5010-431.30-22	01/28/2013	48' TECH LEVEL W/ CASE		10000084610	130018	07/2013	558.22
101-5010-431.30-02	02/19/2013	ROTARY HAMMER		10000114096	130018	08/2013	303.68
101-6040-454.30-02	02/15/2013	SURVEY VESTS		10000110524	130018	08/2013	27.89
							226.65

DATE RANGE TOTAL * 1,502,443.68 *



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *GB*

MEETING DATE: MARCH 20, 2013

ORIGINATING DEPT.: PUBLIC WORKS *Wof*

SUBJECT: RESOLUTION NO. 2013-7310 DECLARING APRIL AS
"ENVIRONMENTAL AWARENESS MONTH" IN THE CITY OF
IMPERIAL BEACH

BACKGROUND:

The first Earth Day was celebrated in the United States on April 22, 1970. Since then, through the efforts of government, grassroots organizations, and concerned citizens alike, Earth Day has evolved into a day of environmental recognition celebrated around the globe. An important focus of many Earth Day events is the promotion of responsible waste management practices and the protection of local water quality.

The State of California requires all cities to implement proactive programs to reduce the amount of waste sent to landfills. Similarly, the State water quality regulations require cities to implement programs that increase knowledge and awareness on urban runoff and storm water pollution. To address these requirements, the City is implementing a number of education activities and special events during the month that improve the quality of life and increases knowledge and awareness of key environmental issues.

DISCUSSION:

The City plans to take advantage of the general atmosphere of environmental awareness during the month of April to more effectively engage the community on the City's integrated waste management and storm water programs. In recognition of Earth Day, staff is recommending adoption of a resolution from City Council that would declare April as "Environmental Awareness Month". Several activities are planned around the month of April to encourage community involvement. These activities include:

- o Recycling Awareness Outreach: The EDCO Environmental Times newsletter for April will focus on opportunities for Imperial Beach residents and businesses to "Reduce, Reuse, and Recycle".
- o Energy Roadshow South Bay Tour (April 19, 2013): The City and the South Bay Energy Action Collaborative will host an energy conservation educational trailer during the farmers market to provide information to residents on ways to reduce home energy conservation use.
- o Annual Citywide Garage Sale (April 27, 2013): The City will hold its annual Citywide Garage Sale for residents to sell and exchange used items. The City provides an online map and free advertisement for residents who participate in this one day event.

- o 11th Annual Creek to Bay Cleanup (April 27, 2013): The City sponsors the annual I Love a Clean San Diego Creek to Bay Cleanup as a collaborative watershed activity for the San Diego Bay WURMP. Cleanup sites will be held all around San Diego including at YMCA Camp Surf, Otay Valley Regional Park, and Silver Strand State Beach.
- o Home Front Cleanup (May 4, 2013): The City and EDCO will hold its annual Home Front Cleanup event at Mar Vista High School from 7:00 a.m. – 2:00 p.m. Residents can drop off any item - except hazardous materials - free of charge. EDCO will provide recycling for green waste, scrap metals, cardboard, mixed recyclables, and electronics.
- o Watershed Presentations at Mar Vista High School: The City sponsors I Love a Clean San Diego to conduct watershed presentations to local schools as a collaborative watershed activity for the San Diego Bay WURMP. Presentations on storm water pollution prevention are scheduled for students at Mar Vista High School.
- o In May staff will provide an update to council on the new proposed storm water permit and the work the City is doing to ensure the protection of our local receiving waters.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

None

DEPARTMENT RECOMMENDATION:

Approve declaration and attached Resolution

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7310

RESOLUTION NO. 2013-7310

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DECLARING APRIL AS "ENVIRONMENTAL AWARENESS MONTH" IN IMPERIAL BEACH

WHEREAS, April 22nd is internationally recognized as Earth Day; and

WHEREAS, Earth Day was initiated in 1970 to inspire awareness of and appreciation for the Earth's environment; and

WHEREAS, residents, businesses, government entities, and others can care for the environment by reducing the generation of waste, recycling, minimizing water consumption, lowering energy use, and preventing urban runoff; and

WHEREAS, the City of Imperial beach is required by the State of California to promote waste reduction, reuse, and recycling programs as a means of reducing the amount of waste sent to local landfills, in addition to increase the knowledge and awareness in the community on urban runoff and storm water pollution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The month of April is declared "Environmental Awareness Month" in the City of Imperial Beach.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *GB*

MEETING DATE: MARCH 20, 2013

ORIGINATING DEPT.: PUBLIC WORKS *HBT*

SUBJECT: RESOLUTION NO. 2013-7309 APPROVAL OF SAN DIEGO COUNTY OPERATIONAL AREA PUBLIC WORKS MUTUAL AID AGREEMENT

BACKGROUND:

The San Diego County Office of Emergency Services in partnership with the County Department of Public Works has drafted and proposed to local jurisdictions a public works mutual aid agreement to facilitate the sharing of resources during the event of a man-made or natural emergency. This agreement proposes a working framework of cooperation during an emergency between all jurisdictions in the County who sign onto the agreement. The City has similar but different agreements in place for sharing public safety resources during emergencies and for sharing wastewater resources with neighboring jurisdictions; however, there are no existing arrangements in place for sharing public works resources under the declaration of a local emergency.

DISCUSSION:

The most effective means of providing timely assistance to a jurisdiction impacted by a disaster is to have agreements in place in advance of the disaster. This agreement allows jurisdictions affected by a state of emergency to request assistance by the agreement Coordinator through the County Emergency Operation Center's website (webEOC). The agreement Coordinator is the designated person for each agency who has the authority to act on behalf of the jurisdiction to ask for assistance or authorize the response of resources for assistance. The Director of Public Works or designee is proposed to be the City's agreement Coordinator for this agreement.

The main points of the agreement are listed below:

- The jurisdiction has to declare a state of emergency through its governing body.
- Jurisdictions are under no obligation to provide assistance.
- Jurisdictions shall designate an agreement "Coordinator" who is responsible to arrange for the sharing of resources according to the agreement.
- Shared resources will be under supervision of the requesting agreement Coordinator.
- The assisting Coordinator shall keep track of costs and expenses of the assisting agency.
- The requesting agency shall reimburse the costs and expenses of the assisting agency including administration and overhead costs within (60) days of invoice receipt.
- The requesting agency shall release the assisting agency's resources at the earliest possible time or whenever the assisting agency determines that the resources are required within the assisting agency's own jurisdiction.

- The City has the option to opt out of this agreement with no obligation at any time with a (90) day notice.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is no cost to execute this agreement. In the case of a declared state of emergency, the requesting agency will be responsible for reimbursement of costs for the use of shared resources.

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council

- 1) Authorize the City Manager to execute the County of San Diego Operational Area Public Works Mutual Aid Agreement
- 2) Designate the Director of Public Works or his designee as the Coordinator to take action under this agreement
- 3) Adopt Resolution No. 2013-7309

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7309
2. Public Works Mutual Aid Agreement

RESOLUTION NO. 2013-7309

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVAL OF SAN DIEGO COUNTY OPERATIONAL AREA PUBLIC WORKS MUTUAL AID AGREEMENT

WHEREAS, San Diego County Office of Emergency Services in partnership with the County Department of Public Works has drafted and proposed to local jurisdictions a public works mutual aid agreement to facilitate the sharing of Public Works resources during the event of a man-made or natural emergency; and

WHEREAS, this agreement proposes a working framework of cooperation during an emergency for the jurisdictions in the County that sign onto the agreement; and

WHEREAS, this agreement requires the designation of an agreement "Coordinator" who is responsible for the implementation of the agreement in the event of a local emergency; and

WHEREAS, this agreement is necessary to help facilitate a regional response to an unexpected man-made or natural disaster in San Diego County.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The City Manager is authorized and directed to execute the County of San Diego Operational Area Public Works Mutual Aid Agreement.
3. The Director of Public Works or his designee is designated as the Coordinator to take action under this agreement

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

County of San Diego Operational Area Public Works Mutual Aid Agreement

This Mutual Aid Agreement is made and entered into by those parties who have adopted and signed this agreement.

WHEREAS, County of San Diego Office of Emergency Services, County of San Diego Department of Planning and Land Use, and all eighteen (18) cities within the County have expressed a mutual aid interest in the establishment of a plan to facilitate and encourage Public Works Mutual Aid Agreements throughout the County of San Diego; and

WHEREAS, the parties hereto have determined that it would be in their best interests to enter into an agreement that implements that plan and sets forth procedures and the responsibilities of the parties whenever emergency personnel, equipment, and facility assistance is provided from another party's public workers to the other; and

WHEREAS, no party should be in a position of depleting unreasonably its own resources, facilities, or services providing such mutual aid; and

WHEREAS, such an agreement is in accord with the California Emergency Services Act set forth in Title 2, Division 1, Chapter 7 (Section 8550 et seq.) of the Government Code and specifically with Article 14 (Section 8630 et seq.) of the Act; and

WHEREAS, all parties must use the Standardized Emergency Management System (SEMS) in order to be eligible for possible state funding of response-related personnel costs pursuant to activities identified in the California Code of regulation;

In consideration of the conditions and covenants contained herein, the parties agree as follows:

1. For this Agreement, the following terms shall be ascribed the following meanings:
 - a. "Coordinator" shall mean the person designated by each party to act on behalf of that party on all matters relative to mutual aid, to include but not be limited to requests, responses, and reimbursement.
 - b. "Local Emergency" shall mean the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons or property within the territorial limits of one of the parties caused by human or natural conditions such as air pollution, fire, flood, storm, wind, earthquake, explosion,

transportation accident, hazardous material problem, tsunami, sudden or severe energy shortage, epidemic, riot or other occurrences, other than conditions resulting from a labor controversy, which occurrences, or the immediate threat thereof, are likely to be beyond the control of the personnel, equipment, or facilities of that party to this Agreement and which personnel, equipment or facilities of the other party are therefore desired to combat.

- c. An "Operational Area" for the coordination of Public Works Mutual Aid shall normally be a County and all the jurisdictions within the County that are parties to this Agreement. A different public works operational area may be established by the parties in some unique cases.
2. Coordinators designated by each party shall be designated by Title, Name, Address and Phone Number, and if said Coordinator changes, the other parties of the Agreement shall be notified in writing as soon as practical after the appointment has been made through the Agreement Coordinator designated in Paragraph 17 hereinafter.
3. When a local emergency has been proclaimed by a party's governing body or authorized official, the Coordinator may request assistance.
4. When request for assistance is received, the assisting Coordinator shall promptly advise of the extent of response, provide whatever personnel, equipment, and/or facilities are available without jeopardizing the safety of persons or property within their jurisdiction. No party receiving a request for assistance shall be under any obligation to provide assistance or incur any liability for not complying with the request.
5. When the assisting Coordinator's personnel, equipment, and/or facilities are no longer required or when the assisting Coordinator advises that the resources are required within their own jurisdiction, the requesting Coordinator shall immediately arrange for the return of those resources.
6. The requesting party shall be responsible for the safekeeping of the resources provided by the assisting party. The requesting Coordinator shall remain in charge of the incident or occurrence and shall maintain control and direction of the resources provided by the assisting party. The request may include providing supervisory personnel to take direct charge of the resources under the general direction of the requesting Coordinator. The requesting Coordinator shall make arrangements for feeding, assisting personnel, fueling, servicing, and repair of equipment if such support is requested by the assisting Coordinator. The assisting party's personnel shall not be deemed employees of requesting party and vice versa.

7. The requesting party agrees to pay all direct, indirect, administrative and contracted costs of the assisting party incurred as a result of providing assistance pursuant to this Agreement, based upon standard rates applicable to assisting party's internal operations. Payment shall be made within sixty (60) days after receipt of a detailed invoice. Payment may be delayed if agreed upon by both parties. Requesting party shall not assume any liability for the direct payment of any salary or wages to any officer or employee of the assisting party.

8. DEFENSE AND INDEMNIFICATION

8.1 Claims Arising from Sole Acts or Omissions of a Party

Each Party to this MOU hereby agrees to defend and indemnify the other Parties to this MOU, their agents, officers and employees, from any claim, action or proceeding against another Party, arising solely out of its own acts or omissions in the performance of this MOU. At each Party's sole discretion, each Party may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve any Party of any obligation imposed by this MOU. Parties shall notify each other promptly of any claim, action or proceeding and cooperate fully in the defense.

8.2 Claims Arising from Concurrent Acts or Omissions

The Parties hereby agree to defend themselves from any claim, action, or proceeding arising out of the concurrent acts or omissions of the Parties. In such cases, Parties agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs, except as provided in paragraph 8.4 below.

8.3 Joint Defense

Notwithstanding paragraph 8.2 above, in cases where Parties agree in writing to a joint defense, Parties may appoint joint defense counsel to defend the claim, action, or proceeding arising out of the concurrent acts or omissions of Parties. Joint defense counsel shall be selected by mutual agreement of said Parties. Parties agree to share the costs of such joint defense and any agreed settlement in equal amounts, except as provided in paragraph 8.4 below. Parties further agree that no Party may bind the others to a settlement agreement without the written consent of the others.

8.4 Reimbursement and/or Reallocation

Where a trial verdict or arbitration award allocates or determines the comparative fault of the Parties, those Parties may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments and awards, consistent with such comparative fault.

9. This agreement shall in no way abrogate or waive any of the immunities available under Federal, State, and local law and regulations, including but not limited to the California Emergency Services Act, Government Code Sections 8550 et. seq.
10. When mutual aid is provided, the requesting and assisting agencies, will keep account records of the personnel, equipment, mileage, and materials provided as required by Federal and State law, the California Disaster Assistance Act, and FEMA guidelines to maximize the possibility of Federal and State disaster reimbursement. Each Party shall have access to another Party's records for this purpose.
11. This agreement shall take effect immediately upon its execution and shall remain in effect until terminated.
12. Any party may withdraw from this agreement without cause upon delivery of ninety (90) days prior written notice to the Agreement Coordinator designated in Paragraph 18 below.
13. To the extent that they are inconsistent with this agreement, all prior agreements for Public Works Mutual Aid between the parties are hereby null and void.
14. Requests for mutual aid assistance under this agreement when more than one city is impacted by a disaster will be channeled through the County of San Diego Office of Emergency Services to ensure maximum effectiveness in allocating resources to the highest priority needs.
15. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.
16. This agreement in no way acts to abrogate or waive any immunity available under the Tort Claims Act.
17. The County of San Diego Department of Public Works shall act as the initial Agreement Coordinator of this program for the purpose of:
 - a. Receipt of new members to the agreement.
 - b. Maintaining a current list of signatory parties and representatives.
 - c. Circulating annually a list of all parties and representatives to all signatory parties.
 - d. Arranging for amendments to agreement as may be necessary.

The party acting as Agreement Coordinator may transfer these responsibilities to another party with the consent of that party and upon notification of the other parties to the agreement.

18. All signatory parties agree that any other qualified public agency or quasi public agency may become a party to this agreement by executing a duplicate copy of this agreement and sending same to the Agreement Coordinator, initially the County of San Diego Department of Public Works, addressed as follows:

The San Diego County Department of Public Works
County Operations Center
5500 Overland Avenue, Suite 310
San Diego, CA, 92123

IN WITNESS THEREOF, the parties hereto have executed this agreement by their duly authorized officers on the dates hereinafter indicated.

This Mutual Aid Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

Attest

Ronald Lane
Director, Office of Emergency Services
County of San Diego

By: _____

Date: _____

Richard E. Crompton
Director, Department of Public Works
County of San Diego

By: _____

Date: _____

[Name of Authorizer]
[Title of Authorizer]
City of [name of city]

By: _____

Date: _____

Approved as to form:
[Name of Authorizer]
Office of County Counsel
County of San Diego

By: _____

Date: _____



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *GB*

MEETING DATE: MARCH 20, 2013 *GB*

ORIGINATING DEPT.: PUBLIC SAFETY / PUBLIC WORKS

SUBJECT: ADOPTION OF RESOLUTION 2013-7308 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF IMPERIAL BEACH FOR PUBLIC SAFETY SERVICES AND TIDELANDS MAINTENANCE SERVICES FOR FISCAL YEARS 2012/2013 THROUGH 2020/2021

BACKGROUND:

The San Diego Unified Port District contracts with the City of Imperial Beach for two major areas of service, Public Safety and Public Works, to the non-ad valorem parcels owned by the Port. The Public Safety component consists of Law Enforcement via the Sheriff's contract, Fire-Rescue, Lifeguards and Animal Control. The Public Works component consists of various tidelands maintenance tasks as specified in the agreement. This agreement most recently expired on June 30, 2012. Since then, the City and the Port District have been operating on a series of short-term extensions while negotiations were completed.

DISCUSSION:

A new agreement has been reached which provides for the Port to purchase essentially the same services from the City of Imperial Beach within the Port service area as the prior contract. Key differences in the new contract include:

- Contract term of nine years, prior contract was 3 for years
- Compensation structured for a level of service based on an hourly rate for the full cost recovery of services provided. Prior contracts were based on fixed a percentage of the approved annual budget for City services
- Re-evaluation of financial terms every three years, prior contract allowed re-evaluation based on unanticipated shifts in costs on an annual basis
- Future fiscal year adjustments are now based on either the San Diego Consumer Price Index (CPI) or the San Diego Port District revenue performance, whichever is less. The prior contract was based on estimated impacts to the related cost of services
- Future fiscal year adjustments can now result in reduction in compensation by the Port. Prior contracts assumed an increase to costs of services, and thus to Port compensation

- Whether increased or decreased, compensation impacts are capped at a range of +4% to -4% annually. Caps did not apply to prior contract
- Contract establishes measurable, verifiable levels of service for all services provided by the City, prior contract required an audit only of the Lifeguard expenses.
- Port can alter levels of service based on major fiscal events affecting its financial status

PUBLIC SAFETY: Level of service agreements for Public Safety is as follows:

Law Enforcement: The Port District will purchase from the city law enforcement services as follows. Sheriff will assign one full-time 24/7 patrol deputy, and all related supervision and equipment costs, to the service area that includes the Port's interests along Seacoast Drive, as well as 5,850 hours of specialized services including traffic, detectives, SPO, CSO's, all focused on proactive law enforcement and code enforcement in the Port service area. Reporting and invoicing will be modified to demonstrate actual services and expenses in the Port service area.

Fire-Rescue: The Port's purchase of Fire-Rescue services is based on proportional hours of coverage area in the Port service area, which represents approximately 12% of developed area in the City of Imperial Beach. The basis is 24/7 coverage within the area, for provision of Fire and Paramedic services with automatic aid agreements in force from San Diego, Coronado, Chula Vista, and National City.

Lifeguard Services: Since the Port District properties include the entire shoreline in Imperial Beach, the Port of San Diego agrees to purchase ocean and beach safety services. Lifeguards will provide ocean and beach safety services as required to adequately protect beachgoers. Levels are determined by Imperial Beach Lifeguard professionals based on accepted standards of coverage and the conditions of the beach, surf and crowds throughout the year. Coverage provided is primarily daylight hours, seven days a week. The Port District also agrees to provide needed capital equipment to perform all associated tasks with these services.

Animal Control: The Port District recognizes the importance of properly addressing stray animals and municipal code regulating proper ownership of animals related to its interests, and will purchase animal control services within the Port service area. Services will mirror the services that are in force with the City of Imperial Beach's contract with the City of Chula Vista for animal control services. This includes daytime animal control patrol services, emergency non-patrol time responses, spay/neuter services and animal care facility services.

PUBLIC WORKS: Level of services agreements for Public Works are as outlined below.

The Port of San Diego agrees to purchase tidelands maintenance services on Port District property within the City, which includes:

- Beach front
- Mel Portwood Pier Plaza
- Imperial Beach Pier
- Dunes Park
- Twelve street ends along Seacoast Drive
- Two parking lots located on Seacoast at Palm and Elkwood

The Port District will compensate the City for all expenses related of agreed upon services which include:

- Trash collection
- Sand and street sweeping
- Graffiti removal
- Maintenance of:
 - Electrical & lighting
 - Utilities
 - Signage
 - Fences and gates
 - Restrooms
 - Beach, lifeguard towers and plaza
 - Pier
 - Sports, stage and amphitheater
 - Playground and picnic area
 - Parking lot pay boxes
 - Planted areas
 - Turfs
 - trees
 - Irrigation systems
 - Handrails
 - Painted surfaces
 - Asphalt and concrete
- Dead Animal Removal
- Pest control management services

The Port District agrees to pay full costs for all labor, supervision, materials, equipment and incidentals associated with provision of these services.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

The new agreements provide needed enhancements in compensation to cover the full costs for services rendered to the Port District.

For Fiscal Year 2012/13 the Port has agreed to purchase Public Safety and Public Works services resulting in compensation to the City of Imperial Beach as follows:

Public Safety	FY 2012/13
Law Enforcement	\$ 1,752,389
Fire-Rescue	\$ 221,733
Lifeguards	\$ 1,476,073
Animal Control	\$ 30,970
Total Public Safety	\$ 3,481,165
Tidelands Maintenance	\$ 900,578
Total Compensation	\$ 4,381,743

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council Adopt Resolution 2013-7308, authorizing the City Manager to enter into agreements with the San Diego Unified Port District at the costs and conditions established in the Agreement Between San Diego Unified Port District and City of Imperial Beach for Tidelands Maintenance Services, and the Agreement Between the San Diego Unified Port District and City of Imperial Beach for Sheriff, Fire, Emergency Medical, Lifeguard and Animal Control Services, respectively.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachment:

1. Resolution No. 2013-7308

RESOLUTION NO. 2013-7308

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF IMPERIAL BEACH FOR PUBLIC SAFETY SERVICES AND TIDELANDS MAINTENANCE SERVICES FOR FISCAL YEARS 2012/2013 THROUGH 2020/2021.

WHEREAS, the San Diego Port District has contracted with the City of Imperial Beach to provide Public Safety and Public Works services in Port District areas within the City; and

WHEREAS, the most recent agreement for said services expired on June 30, 2012; and

WHEREAS, the San Diego Port District and the City of Imperial Beach have completed negotiations and reached an agreement for a nine year term for provision of both Public Safety and Public Works services according to the scope, terms and conditions of the agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The City Manager is authorized to enter into the nine-year agreement between the San Diego Unified Port District and the City of Imperial Beach for Tidelands Maintenance Services
2. The City Manager is authorized to enter into the nine year agreement between the San Diego Unified Port District and the City of Imperial Beach for Police, Fire, Emergency Medical, Lifeguard and Animal Control Services.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*
MEETING DATE: WEDNESDAY, MARCH 20, 2013
SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT TO RECRUIT A CITY MANAGER

BACKGROUND:

With the pending retirement of the current city manager, the City wishes to ensure that it will have excellent candidates from which to choose. Many cities use recruiting firms to assist in their search for senior level people including city managers.

DISCUSSION:

As of this writing, interviews are underway with firms that specialize in municipal recruitments. All appear to have excellent contacts and insights into city management. In general they conduct an executive search with the following steps:

- Develop a profile of the ideal candidate
Assess a community's needs, challenges, and characteristics sought in a city manager. This includes discussions with Councilmembers and may, at Council's discretion, include discussions with staff, community leaders, and others.
- Outreach
Market the position through various media and personal contacts.
- Review and screen applications
Assess and compare candidates' backgrounds with the traits and experiences sought by the City. This will result in a recommendation of five to ten candidates for further consideration by Council, and Council will decide whom to interview.
- Interviews of finalists
The consultant will develop questions for Council and assist in setting-up the interview process Council wishes to use. The process can range from a single interview panel consisting of City Council, to several panels consisting of City staff and others such as managers or department heads from other cities in addition to the City Council panel. After the first interviews Council may wish a second interview with its top one or two choices. The final selection and job offer are Council's decision.
- Negotiate with the Council's top choice
The consultant will assist in negotiations with the selected candidate to create an employment contract between the City and the candidate.
- Follow-up
The firms will usually be available to work with Council and the new manager to assess their relationship during the first six months after the manager starts work. The firms also offer a guarantee that if within the first year, the City and manager part ways, the firm will perform another executive search for the cost of expenses only and without a professional fee.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

The cost will probably be in the range of \$25,000 to \$30,000.

CITY MANAGER'S RECOMMENDATION:

There is no recommended firm yet. The recommendation will be presented to Council before or at the meeting of March 20.



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*

MEETING DATE: MARCH 20, 2013
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, ASSISTANT CITY MANAGER/ COMMUNITY DEVELOPMENT DIRECTOR *GW*
JIM NAKAGAWA, AICP, CITY PLANNER

SUBJECT: *JW* FIRST READING/ INTRODUCTION OF ORDINANCE NO. 2013-1135 AND PUBLIC HEARING; REX BUTLER FOR BIKEWAY VILLAGE LLC (APPLICANT) AND THE CITY OF IMPERIAL BEACH: ZONING CODE AMENDMENT (ZCA) 100008 FOR ECOTOURISM COMMERCIAL USES AT 536 13th STREET & 535 FLORENCE STREET AND AIRPORT PARCEL 616-021-10-00 @ 500 13th STREET. MF 1034

PROJECT DESCRIPTION/ BACKGROUND:

On May 2, 2012, the City Council adopted Resolution No. 2012-7188 approving General Plan/ Local Coastal Program Amendment (GPA/ LCPA 100007) and Design Review (DRC 100006) and Site Plan Review (SPR 100009) discretionary permit applications for the Bikeway Village project that proposes the conversion/ adaptive reuse of two approximate 15,000 square foot warehouse structures on two combined parcels totaling 42,340 square feet at 535 Florence and 536 13th Streets



Aerial View
Bikeway Village - Imperial Beach, California

land **STUDIO E**

and on the adjacent 1.15-acre (50,094-square-foot) northern parcel (APN 616-021-10-00) at 500 13th Street. This LCP Amendment redesignated the subject site from R-3000-D (Residential – Two-Family – Detached) to Commercial/ Recreation – Ecotourism (C/R-ET) that allows a number of retail and visitor-accommodating commercial uses (such as a bike shop, café, art gallery, bookstore, hostel, and boutiques/retail shops) that would ultimately replace the existing quasi-industrial uses.

On May 16, 2012, the City Council adopted Ordinance No. 2012-1127 that rezoned the subject site from R-3000-D (Residential – Two-Family – Detached) to Commercial/ Recreation – Ecotourism (C/R-ET) Zone.

On March 7, 2013, the Coastal Commission certified the LCP Land Use Plan (LUP) Amendment #1-12 as submitted by the City. However, the Coastal Commission rejected the Implementation Program (IP/ Zoning) Amendment #1-12 as submitted but provisionally certified the IP subject to the following modification:

Section 19.25.060, Development Regulations and Design Standards, subsection G. Climate Change/Sustainability provisions, Adaptation Measures, subsection 2(b) Sea Level Rise (SLR) to read as follows:

Sea Level Rise (SLR). Buildings may have a useful life of 50 to 100 years or more. Global warming scenarios project an increase in sea level rise due to the effects of greenhouse gases. The State of California projects a rise of 10 to 17 inches by the year 2050 and a rise of 31 to 69 inches by the year 2100 (State of California, Sea Level Rise Task Force of the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), *Sea Level Rise Interim Guidance Document*, October 2010). Project proponents shall, **using best available science**, assess their project for its vulnerability to impacts from sea level rise and, if vulnerable, propose a reasonable adaptation strategy that may take the form of hard structures (such as seawalls, levees, bulkheads, or rip-rap), soft structures (such as wetland restoration, low impact development (LID), detention basins, bioinfiltration, or bioswales), accommodation (such as elevated grades, elevated structures, floodable development, or floating structures), or withdrawal (such as buffers, rolling easements, disassembly design, or managed retreat). **However, revetments and other shoreline protection devices that alter natural shoreline processes shall be permitted when required to serve coastal dependent uses or to protect existing principal structures, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. New development shall be sited and designed to account for sea level rise such that the need for hard protective structures is avoided.**

The City of Imperial Beach has been participating in a study of sea level rise (SLR) scenarios for San Diego Bay. The study is posted on the City's website under the Government menu at the Public Notices tab. The SLR maps from the study do not show this site as subject to inundation for either the scenario years of 2050 or 2100. The existing project elevations range from 10 to 20 feet above mean sea level and the SLR estimate for the year 2100 is 55 inches. At the March 7, 2013



hearing, the Coastal Commission lauded the City's efforts to address sea level rise issues.

PROJECT EVALUATION/ DISCUSSION:

The Coastal Commission was concerned that subsequent studies on sea level rise (SLR) may provide updated inundation levels that may differ from the October 2010 State of California *Sea Level Rise Interim Guidance Document* cited in the ordinance. Also, the Coastal Commission historically has not been supportive of shoreline protection devices in the form of hard structures such as vertical sea walls and rock revetments except when required to serve coastal-dependent uses or to protect existing principal structures, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. New development must be sited and designed to account for sea level rise such that the need for hard protective structures is avoided. The suggested modifications would address these concerns.



LOCAL COASTAL PROGRAM (LCP)/ GENERAL PLAN (GP): Once the City Council has adopted the suggested modifications, the City would submit its action to the Executive Director of the Coastal Commission, who determines in writing that the City Council's actions were legally adequate to satisfy the requirements of the Commission's certification order. The Commission's certification is final upon the date the Commission concurs with the Director's report of the City's acceptance of the suggested modifications.

ENVIRONMENTAL DETERMINATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): The City approved the Final Mitigated Negative Declaration (SCH# 2012031034) on May 2, 2012. Monitoring for cultural resources will be required during the construction of this project on the northern parcel. Mitigating for hazardous materials will also be required as the bikeway was built on top of train tracks that contain hazardous substances and some of the materials were found on the northern parcel.

COASTAL PERMIT JURISDICTION: The project site is located in the original state jurisdiction area of the coastal zone as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map; therefore, the coastal development permit (CDP) application is to be filed with and considered by the California Coastal Commission under Section 30519(b) of the California Public Resources Code.



FISCAL ANALYSIS:

The applicant has deposited \$ 10,000 in Project Account Number 100006 to fund the processing of this application. Additionally, the development of this project is anticipated to generate sales and property taxes that would contribute to the fiscal health of the City and mitigate for the leakage of tax revenues.

DEPARTMENT RECOMMENDATION:

1. Declare the public hearing open;

2. Receive report and entertain testimony;
3. Close public hearing;
4. Mayor calls for the first reading of the title of Ordinance No. 2013-1135 modifying Ordinance No. 2012-1127 that approved the Zoning Code Amendment (ZCA 100008) and rezoning to establish the Commercial/ Recreation-Ecotourism (C/R-ET) designation/ zone (Chapter 19.25) and applying this C/R-ET zone to the project site;
5. City Clerk to read Ordinance 2013-1135 by title only;
6. Motion to waive further reading of Ordinance No. 2013-1135 and set the matter for adoption at the next regularly scheduled City Council meeting.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Ordinance No. 2013-1135
 2. Modified Commercial/Recreation-Ecotourism (C/R-ET) Zone (Chapter 19.25)
- C: file MF 1034 Bikeway Village
 Rex Butler, Bikeway Village LLC, 2 Sandpiper Strand, Coronado, CA 92118
rexbutler@mac.com
 Donna Steel, Senior Planner, RECON Environmental, Inc., 1927 Fifth Avenue, San Diego, CA 92101
dsteel@reconenvironmental.com
 John Sheehan, AIA, Studio E Architects, 2258 First Avenue, San Diego, CA 92101
jsheehan@studioearchitects.com
 Robert O. Sukup RCE, The Seabright Company, 4322 Sea Bright Place, Carlsbad, CA 92008
seabrightorsukup@roadrunner.com
 Neil Hadley, ASLA, Land Lab, 931 Chalcedony Street, Suite A, San Diego, CA 92109
nhadley@land-lab.com
 Seth Torma, KOA Corporation, 5095 Murphy Canyon Rd., Suite 330, San Diego, CA 92123
satorma@koacorporation.com
 Greg Cox, County of San Diego Board of Supervisors District 1, 1600 Pacific Highway Room 325, San Diego, CA 92101
greg.cox@sdcounty.ca.gov
 Otay Mesa Nestor Community Planning Group, Steve Schroeder, 1421 Thermal Avenue, San Diego, CA 92154
omncpg@gmail.com jswanson@coronado.ca.us
 Brian Collins, Refuge Manager, US Fish and Wildlife Service, P.O. Box 2358, Chula Vista, CA 91912
Brian.Collins@fws.gov
 Chris Kluth, SANDAG, 401 B Street, Suite 800, San Diego, California 92101
Chris.Kluth@sandag.org
 San Diego County Bicycle Coalition P.O. Box 34544, San Diego, CA 92163
execdir@sdcbc.org
 Sam Jenniches, California State Coastal Conservancy, 1330 Broadway, 13th Floor, Oakland, CA 94612-2530
sjenniches@scc.ca.gov
 California Coastal Commission, Diana Lilly, Coastal Planner, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-1735
Diana.Lilly@coastal.ca.gov
 Brian Holland, AICP, LEED AP, Climate Program Director, ICLEI – Local Governments for Sustainability USA c/o City of Chula Vista, Department of Conservation, 276 Fourth Avenue, Building 300, Chula Vista, CA 91910
brian.holland@iclei.org

ORDINANCE NO. 2013-1135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH MODIFYING ORDINANCE NO. 2012-1127 THAT AMENDED TITLE 19 (ZONING) OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADDING CHAPTER 19.25 COMMERCIAL/ RECREATION – ECOTOURISM (C/R-ET) ZONE AND APPLYING THE C/R-ET ZONE TO THE BIKEWAY VILLAGE SITE. MF 1034.

WHEREAS, on May 2, 2012, and on May 16, 2012, the City Council of the City of Imperial Beach held duly advertised public hearings to consider the merits of approving or denying an application for Zoning Code Amendment (ZCA) 100008 to add Chapter 19.25 Commercial/ Recreation – Ecotourism (C/R-ET) Zone to the Imperial Beach Zoning Ordinance and applying the C/R-ET Zone to the subject site for the Bikeway Village project that proposes the conversion/ adaptive reuse of two approximate 15,000 square foot warehouse structures at 535 Florence, 536 13th Streets (APN 626-192-03-00 and 626-192-04-00) and on a vacant parcel at 500 13th Street APN 616-021-10-00 (“Subject Site”). The Subject Site is legally described as follows:

Lots 15 through 20 in Block 4 of South San Diego, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 133, filed in the Office of the County Recorder of San Diego County on July 5, 1887, together with those portions of the East 10.00 feet of Florence Street and the North 10.00 feet of Cypress Avenue, as vacated and closed to public use immediately adjoining the above described land on the west and south; and,

Lots 21 through 26, inclusive, in Block 4 of South San Diego, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 133, filed in the Office of the County Recorder of San Diego County on July 5, 1887, together with that portion of the North 10.00 feet of Cypress Avenue adjoining said Lot 21 on the South as vacated and closed to public use by the Council of the City of Imperial Beach on October 29, 1968, by Resolution No. 1439, a certified copy of which was recorded in the Office of the County Recorder of San Diego County on November 4, 1968, as File No. 193024 of Official Records; and

That portion of the Northwest Quarter of the Southeast Quarter of Section 20, Township 18, South, Range 2 West, in the City of San Diego, County of San Diego State of California being described as follows:

BEGINNING at the Southeast corner of said Northwest Quarter of the Southeast Quarter of said Section 20; thence along the Southerly line thereof North 89°21'08" West, 420.06 feet; thence leaving said Southerly line North 00°37'24" East, 87.74 feet to the Southerly line of said San Diego and Arizona Eastern Railway right-of-way, said point being a point on a curve concave to the North having a radius of 997.95 feet, to which said beginning a radial bears South 00°20'53" West; thence Easterly 434.13 feet along said curve through a central angle of 24°55'29" to the Easterly line of said Northwest Quarter of the Southeast Quarter; thence along said Easterly line South 00°38'17" West 182.87 feet to the POINT OF BEGINNING.

WHEREAS, the California Coastal Commission, on March 7, 2013, certified the Local Coastal Program Land Use Plan (LUP) Amendment #1-12 as submitted by the City but rejected the Implementation Program (IP/ Zoning) Amendment #1-12 as submitted and provisionally certified the IP subject to modifications required by the Commission for final certification; and

WHEREAS, the City Council acknowledges receipt of and agrees to the Coastal Commission's resolution of certification including any terms or modifications required by the Commission for final certification; and

WHEREAS, the City Council finds that the proposed C/R-ET Zone to be consistent with General Plan Policies L-4f and L-6 that encourage visitor-serving and tourist-oriented commercial uses and the proposed zoning code amendment would, as modified by the Coastal Commission, be externally consistent with the General Plan/ Local Coastal Plan pursuant to Government Code Section 65860; and

WHEREAS, the City Council finds that the proposed C/R-ET Zone promotes the recommendation provided in the Urban Waterfront and Ecotourism Study of 2005 to facilitate policies that provide for tourist-oriented amenities; and

WHEREAS, this project complies with the requirements of the California Environmental Quality Act (CEQA) as the Final Mitigated Negative Declaration (MND) was adopted for this project on May 2, 2012; and

WHEREAS, the Mitigated Negative Declaration (SCH# 2012031034) reflected the decision-making body's independent judgment and analysis; that the decision-making body had, pursuant to CEQA Guidelines Section 15074(b), reviewed and considered the information contained in this MND and the comments received during the public review period; that revisions in the project plans or proposals made by or agreed to by the project applicant, pursuant to CEQA Guidelines Section 15070(b)(1), would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and that, on the basis of the whole record before the decision-making body (including this MND) there is no substantial evidence that the project as proposed, as conditioned, or as revised, will have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1: That Section 19.25.060., Development Regulations and Design Standards, subsection G. Climate Change/Sustainability provisions, Adaptation Measures, subsection 2(b) Sea Level Rise (SLR) of Exhibit A of Ordinance No. 2012-1127 is hereby modified to read as follows:

Sea Level Rise (SLR). Buildings may have a useful life of 50 to 100 years or more. Global warming scenarios project an increase in sea level rise due to the effects of greenhouse gases. The State of California projects a rise of 10 to 17 inches by the year 2050 and a rise of 31 to 69 inches by the year 2100 (State of California, Sea Level Rise Task Force of the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), *Sea Level Rise Interim Guidance Document*, October 2010). Project proponents shall, **using best available science**, assess their project for its vulnerability to impacts from sea

level rise and, if vulnerable, propose a reasonable adaptation strategy that may take the form of hard structures (such as seawalls, levees, bulkheads, or rip-rap), soft structures (such as wetland restoration, low impact development (LID), detention basins, bioinfiltration, or bioswales), accommodation (such as elevated grades, elevated structures, floodable development, or floating structures), or withdrawal (such as buffers, rolling easements, disassembly design, or managed retreat). However, revetments and other shoreline protection devices that alter natural shoreline processes shall be permitted when required to serve coastal dependent uses or to protect existing principal structures, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. New development shall be sited and designed to account for sea level rise such that the need for hard protective structures is avoided.

SECTION 2: That Chapter 19.25 C/R-ET Commercial/ Recreation – Ecotourism Zone of Title 19 of the Imperial Beach Municipal Code is hereby modified and is attached hereto as Exhibit A and made a part of Ordinance No. 2013-1135.

SECTION 3: That this ordinance shall only become effective upon the date the Coastal Commission concurs with the Director's report of the City's acceptance of the suggested modifications.

Appeal Process under the California Code of Civil Procedure (CCP): The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 20th day of March, 2013; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 3rd day of April, 2013, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Ordinance No. 2013-1135 - An Ordinance of the City of Imperial Beach modifying Ordinance No. 2012-1127 that adopted Zoning Code Amendment (ZCA) 100008 adding Chapter 19.25 Commercial/ Recreation – Ecotourism (C/R-ET) Zone to the Imperial Beach Zoning Ordinance and applying the C/R-ET Zone to the subject site for the Bikeway Village project. MF 1034

CITY CLERK

DATE

Chapter 19.25. C/R-ET (COMMERCIAL/ RECREATION-ECOTOURISM) ZONE

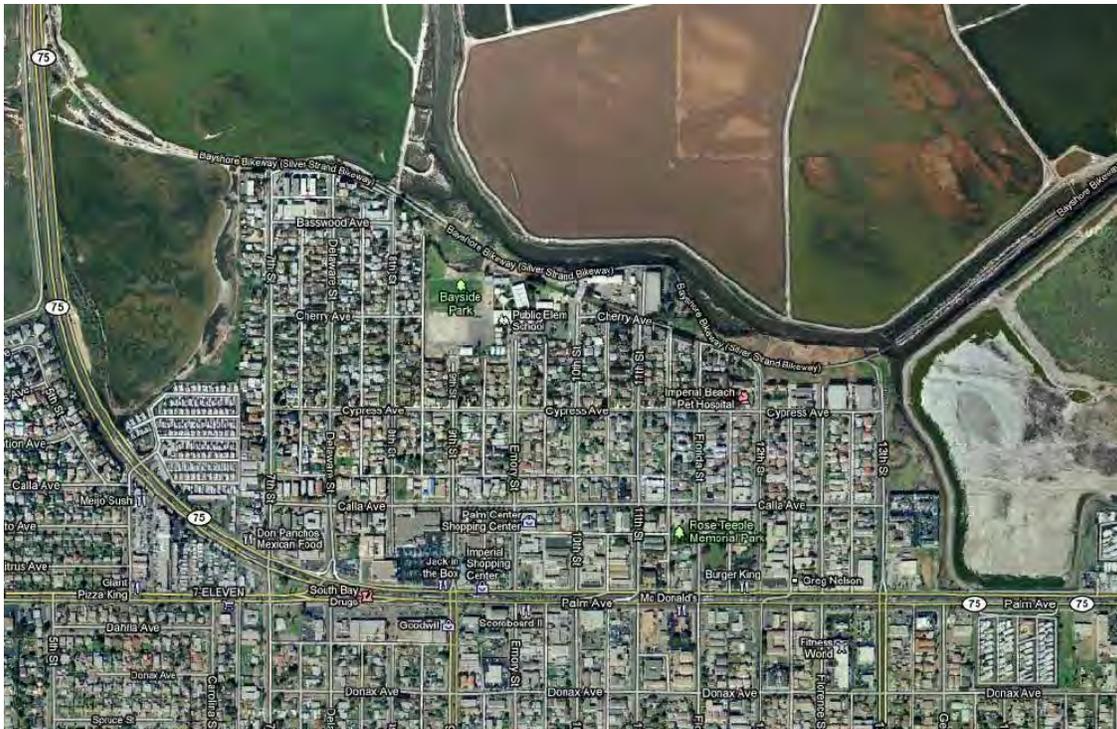
19.25.010. Purpose of zone.

The purpose of the C/R-ET zone is to provide land to meet the demand for goods and services required primarily by the recreation and ecotourist visitor. This zone is intended to implement the recommendations of the 2005 Urban Waterfront and Ecotourism Study. It would also implement Parks and Recreation Element Policy P-7 of the General Plan (Increase Tourist Related Commercial Land Uses) which provides that “The City and its business community should take direct action to increase the amount of tourist-oriented businesses both along the beachfront, South San Diego Bayfront and inland areas.”

The International Ecotourism Society (TIES) defines ecotourism as “responsible travel to natural areas that conserves the environment and sustains the well-being of local people.” It is intended that the C/R-ET zone will accommodate the land use needs of the recreation and ecotourism market niches. Among the uses envisioned for the C/R-ET zone include small-scale visitor-serving retail and services such as specialty stores, shops, eating and drinking establishments (such as restaurants and cafes), recreational uses, fitness, athletic and health club uses, and visitor accommodations (such as hostels, hotels and motels).



Imperial Beach is identified as a strong market for birders.



The bayfront area of Imperial Beach is recommended for recreation and ecotourism uses.



Imperial Beach provides an attractive venue for recreational uses that include bicycling and surfing.



The rare and endangered bird species in the Imperial Beach area provide a unique opportunity to capitalize on the birding market.

19.25.020. Regulated land uses.

Process Legend: P = permitted by right; C = conditional use permit; N = not permitted		
Land Use	Process	Notes/Additional Regulations
Commerical use types		
1. Adult bookstore, adult hotel/motel, adult mini-motion picture theater adult picture arcade, adult picture theater, sexual encounter studio, rap parlor, model studio	N	
2. Antique Stores	P	
3. Arcades/Game centers	C	
4. Art studio, Galleries, Museums	P	

5. Athletic and Health clubs	<i>P</i>	
6. Automotive uses: gas and auto sales	<i>N</i>	
7. Bars or Cocktail lounges,	<i>C</i>	
With live entertainment	<i>C</i>	
8. Beach equipment rental, Bike rental, Surf shop, Fishing supply	<i>P</i>	
9. Body piercing establishment	<i>N</i>	
10. Bookstore	<i>P</i>	
11. Boutique	<i>P</i>	
12. Child care facility	<i>N</i>	
13. Clinic	<i>N</i>	
14. Department store	<i>N</i>	
15. Drive-in Restaurant	<i>N</i>	
16. Drive-thru establishment	<i>N</i>	
17. Food and beverage sales	<i>P</i>	
18. Fortune telling establishment	<i>N</i>	
19. Kennel	<i>N</i>	
20. Kiosk	<i>P</i>	
21. Liquor store	<i>N</i>	
22. Massage therapy	<i>P</i>	SB 731
23. Medical marijuana dispensary	<i>N</i>	
24. Mortuary	<i>N</i>	
25. Palm reading establishment	<i>N</i>	
26. Pawn shop	<i>N</i>	
27. Personal convenience services	<i>P</i>	
28. Pool/Billiard Hall	<i>C</i>	
With live entertainment	<i>C</i>	
29. Postal services, private	<i>P</i>	
30. Professional offices, Financial institutions, and Real estate	<i>P</i>	
31. Restaurants and cafes (eating and drinking establishments)	<i>P</i>	
With live entertainment	<i>C</i>	
32. Retail food stores	<i>P</i>	
33. Retail sales	<i>P</i>	
34. Secondhand or used merchandise sales	<i>N</i>	See definition
35. Tattoo establishment	<i>N</i>	
Residential/ transient habitation use types		
36. Accessory buildings, structures, private garages	<i>N</i>	
37. Bed and breakfast (H-4)	<i>P</i>	
38. Boarding house	<i>N</i>	
39. Boutique hotel (H-6)	<i>P</i>	§ 19.25.90.G
40. Emergency shelter	<i>N</i>	

41. Hostel	<i>P</i>	§ 19.25.90.F
42. Hotels, motels (H-1, H-2, H-3)	<i>P</i>	
43. Inn (hotel H-5)	<i>P</i>	§ 19.25.90.E
44. Live/Work units	<i>P</i>	§ 19.25.40
45. Motor home/Manufactured Housing Community	<i>N</i>	
46. Mixed-use development	<i>N</i>	
47. Multi-family residential units	<i>N</i>	
48. Second-family units	<i>N</i>	
49. Senior housing, Nursing home, Retirement home	<i>N</i>	
50. Short-term rentals	<i>P</i>	§ 19.25.40
51. Single-family detached	<i>N</i>	
52. Timeshares	<i>N</i>	
Industrial use types		
53. Automotive uses: auto repair, body repair, dismantling, wrecking yard	<i>N</i>	
54. Custom/incidental manufacturing	<i>C</i>	§19.25.90.A.
55. Energy facility	<i>N</i>	
56. Green Building utilities	<i>P</i>	
57. Equipment rental yard	<i>N</i>	
58. Light manufacturing, Manufacturing, Industrial	<i>N</i>	
59. Wireless communications facilities	<i>C</i>	Chapter 19.90
Civic, Public, and Semi-public use types		
60. Campsites	<i>N</i>	
61. Religious assembly (church, mosque, temple, synagogue, etc)	<i>C</i>	
62. Clubs, fraternal/veteran/service organizations	<i>N</i>	
With live entertainment	<i>N</i>	
63. Government or quasi-public building	<i>C</i>	
64. Library	<i>C</i>	
65. Public parking lot	<i>C</i>	
66. Schools, private	<i>N</i>	
67. Theatres/ Assembly	<i>C</i>	
Open Space and Recreation use types		
68. Playground and recreational facility (active)	<i>C</i>	
69. Public park (passive)	<i>P</i>	
70. Public riding and hiking trails	<i>P</i>	

19.25.030. Land Use and Design Determination

The Community Development Director or his or her designee shall make determinations of land use and design. The Director shall assign proposed uses to the appropriate category. The Director shall make architectural/design determinations that are within the intent of this code when not expressly prescribed by this code. For any ambiguity or question of a Director's determination,

the applicant or any citizen may file an appeal of the determination to the Planning Commission for an interpretation pursuant to Section 19.02.080.

19.25.040. Minimum Active Commercial Use

A minimum of 60% of the ground floor of the parcels with street frontages shall have active commercial uses, uses that contribute to a high level of pedestrian activity such as retail shops, restaurants, hotels, museums and galleries.

19.25.050. Development Review Process Jurisdiction.

Site plan and design review by the City Council will be required for all proposed development involving major new construction. Site plan and design review by the Community Development Director (administrative approval) will be required for any addition, construction, remodel or alteration of existing buildings or exterior facade alterations to existing buildings.

19.25.060. Development Regulations and Design Standards.

The development standards for the C/R-ET zone are intended to create a small-scale commercial development that preserves coastal views, promotes ecotourism and recreation activities and encourages pedestrian activity through the design and location of buildings, façade treatments, landscaping, street furniture, and travel ways.

To accommodate recreation and ecotourism uses, development may take the form of adaptive reuse of existing structures or existing structures may be demolished to create new development.

A. Adaptive Reuse provisions:

1. Blank sterile walls shall be articulated with building openings (such as doors and windows), moldings, and other façade treatments to create a tourist commercial venue that is at pedestrian scale.
2. For adaptive reuse proposals in districts characterized by historic or architecturally significant structures, façade changes shall be consistent with and preserve the design theme of such structures.
3. Pedestrian-oriented walkway treatments and landscaping of the public realm shall be provided.



Active commercial uses such as shops and restaurants generate pedestrian activity.



Adaptive reuse provides an opportunity to transform a sterile façade into an attractive pedestrian-scale experience.

4. The Community Development Director and the City Council may approve the design for adaptive reuse proposals that deviate from the prescribed standards in this chapter but yet are consistent with the intent of this chapter.

B. New development/redevelopment provisions:

1. A site and design review plan shall be submitted to function as a regulating plan (enabled by AB 1268, Government Code Section 65302.4) that will contain block, building, land use, public space, landscaping, and architectural elements.
2. The effect of the site and design review plan shall represent a design statement that is consistent with the intent of Chapter 19.25 which is to provide a small-scale commercial venue that preserves coastal views and encourages pedestrian activity through the design and location of buildings, façade treatments, landscaping, street furniture, and travel ways.

C. Setback/Yards/Separation/Building Line, and Stepback provisions

1. For properties fronting on a public street, the front building line shall be set on the front lot line if the sidewalk and parkway improvements are at least 10 feet in width. If the sidewalk and parkway improvements are less than 10 feet in width, the front building line shall be set back a reasonable distance from the right-of-way line as determined through a site plan review process in order to accommodate for sidewalk and parkway improvements. For buildings proposed to be set back greater than allowed, a site plan and perspective renderings that analyze and demonstrate the effect that the proposed spatial forms may have on pedestrians shall be submitted for approval. An example of increased setback that may be justified would be provisions for outdoor dining and plazas for public seating areas.

Buildings that front along the sidewalk and parkway improvements enhance the pedestrian experience.
2. Side yard: 5 feet for interior lots. For corner lots, the side building line shall be set on the exterior side lot line if the sidewalk and parkway improvements are at least 10 feet in width. If the sidewalk and parkway improvements on the exterior side are less than 10 feet in width, the side building line shall be set back no more than five feet of the right-of-way line.
3. Rear yard: 10 feet if abutting residentially-zoned property.
4. Stepback: 5 feet at second floor if abutting residentially-zoned property.
5. Detached buildings shall be located not less than six feet from any other building on the same lot.

D. Building Height provisions

1. 15-foot minimum floor-to-ceiling height for commercial spaces on the ground floor. 20-foot minimum height required for single-story buildings.

- 2. No building in the C/R-ET Zone shall exceed two stories or twenty-six feet in height, whichever is less.

E. Lot size provisions

- 1. The minimum area for any new lot created in the C/R-ET zone shall be 5,000 square feet with a minimum width of 50 feet along the street frontage.



Xeriscape example

F. Landscaping provisions

- 1. Landscaping and open space shall be provided pursuant to Chapter 19.50.
- 2. Drought tolerant native or naturalizing non-invasive xeriscape elements shall be incorporated into the landscape plan.
- 3. Landscaping of the parkway areas adjacent to pedestrian walkways shall be provided.
- 4. Stormwater shall drain, to the extent practicable and in concert with engineered drainage plans, toward landscaped areas in order to provide bio-filtration of urban runoff.



Storm water BMP example

G. Climate Change/ Sustainability provisions:

1. Mitigation Measures:

- a. **Storm Water.** Storm water runoff shall be minimized (in addition to satisfying the storm water requirements of IBMC Chapters 8.30, 8.31, and 8.32) by infiltrating runoff on-site provided that geotechnical studies support infiltration/percolation capabilities.

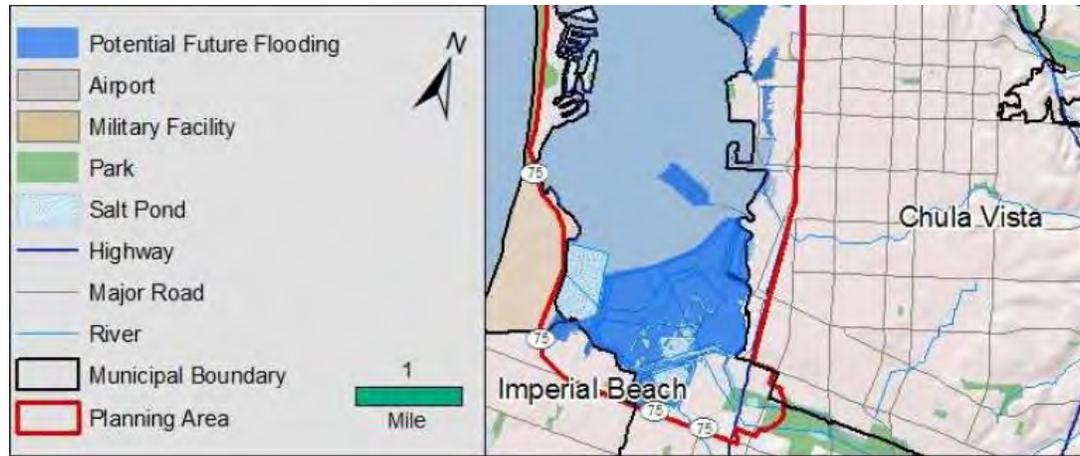


Green Building utility example

- b. **Green Building.** The 2010 California Green Building Standards Code (CALGreen Code) became effective January 1, 2011. Projects shall propose additional sustainable elements that minimize the production of greenhouse gases (GHG) and exceed the requirements of the CALGreen Code to possibly include small scale wind turbines, solar panels for water heating and power generation, use of recycled water and materials, and other elements that may qualify for LEED (Leadership in Energy and Environmental Design) certification.

2. Adaptation Measures:

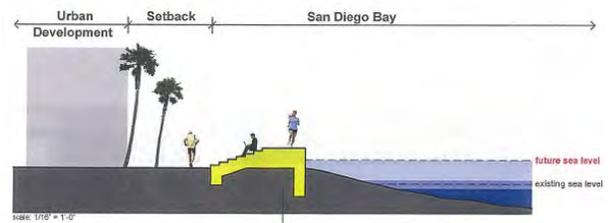
- a. **Sustainability.** Projects shall propose additional sustainable elements that minimize the production of greenhouse gases (GHG) and exceed the requirements of the CALGreen Code to possibly include small scale wind turbines, solar panels for water heating and power generation, use of recycled water and materials, and other elements that may qualify for LEED (Leadership in Energy and Environmental Design) certification.



b. **Sea Level Rise (SLR).** Buildings may have a useful life of 50 to 100 years or more. Global warming scenarios project an increase in sea level rise due to the effects of greenhouse gases. The State of California projects a rise of 10 to 17 inches by the year 2050 and a rise of 31 to 69 inches by the year 2100 (State of California, Sea Level Rise Task Force of the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), *Sea Level Rise Interim Guidance Document*, October 2010). Project proponents shall, **using best available science,** assess their project for its vulnerability to impacts from sea level rise and, if vulnerable, propose a reasonable adaptation strategy that may take the form of hard structures (such as seawalls, levees, bulkheads, or rip-rap), soft structures (such as wetland restoration, low impact development (LID), detention basins, bioinfiltration, or bioswales), accommodation (such as elevated grades, elevated structures, floodable development, or floating structures), or withdrawal (such as buffers, rolling easements, disassembly design, or managed retreat). **However, revetments and other shoreline protection devices that alter natural shoreline processes shall be permitted when required to serve coastal dependent uses or to protect existing principal structures, and when**

Where necessary, Sea Level Rise adaptation measures shall be included and may include the following:

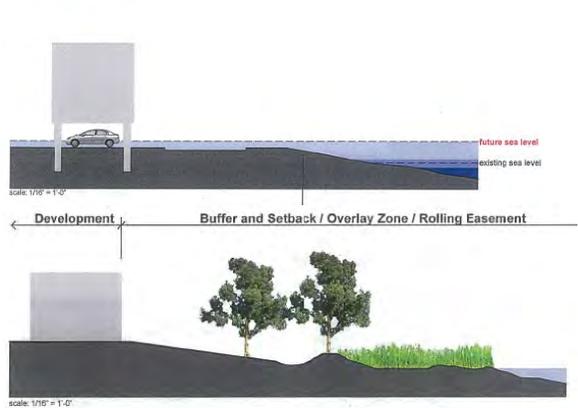
option C - Seawall - stepped



option E - Bioswales and other vegetated drain channels



option G - Elevated Structure



designed to eliminate or mitigate adverse impacts on local shoreline sand supply. New development shall be sited and designed to account for sea level rise such that the need for hard protective structures is avoided.

H. Parking provisions

- 1. Parking shall be provided (on-site and/or off-site) as required pursuant to Chapter 19.48 and with the approval of a site and design review plan.
- 2. Views of parking facilities shall be buffered with elements such as landscaping or street walls. Parking structures shall be designed with articulation and attractive façade treatment in order to be compatible with the character of a small town commercial tourist district.
- 3. Where appropriate, reverse angle/back-in parking is permitted in order to accommodate for bicycle safety.
- 4. Bicycle parking shall be provided pursuant to Section 5.106.4 of the CALGreen Code.



The façade of any proposed parking structure shall be articulated to be compatible with the surrounding development.

I. Building Façade provisions:

- 1. Blank/sterile unarticulated street/building walls are not allowed.
- 2. Building openings (in the form of windows, doors etc.) shall be provided along street frontages. Openings shall not span vertically more than one story.
- 3. Permitted building materials include: brick and tile masonry, stucco (cementitious finish), native stone, pre-cast masonry (for trim and cornice elements), gypsum reinforced fiber concrete (for trim elements), metal (for beams, lintel, trim and ornamental elements), split-faced block (for piers and foundation walls), wood lap and Hardie-plank siding.
- 4. For new development, roof lines shall be varied to create architectural interest. Variations in pitch shall be symmetrical and eaves shall overhang 24 inches.
- 5. For new development, flat and parapet roofs shall be articulated with cornices or coping elements that project out 24 inches.
- 6. Green roof, skylights, roof vents, wind turbines, roof drains, and solar panels shall be integrated into the architectural style of the building.
- 7. Roof materials permitted include: clay and concrete tile, slate, standing seam metal, and dimensional asphalt shingles.



An example of roof articulation.



19.25.070. Signage provisions.

1. Proposed signage shall be consistent with Chapter 19.52.
2. The character of the sign, which shall be at pedestrian scale, and its illumination shall be consistent with that of the building and not consist of more than three colors.



Examples of pedestrian-scale signage.

19.25.080. Public Realm/Street Furniture provisions.

1. Street lighting shall be mission-style or of another historical theme and located 16 feet above grade with a maximum average spacing of 60 feet on center.
2. Acceptable sidewalk materials include: brick, masonry, tile, permeable and landscape pavers, and stamped Portland cement concrete.
3. Seat walls and seating for outdoor dining may be permitted within the right-of-way with the approval of a site and design plan and an encroachment permit or license agreement.
4. Sufficient right of way dedication shall be provided to accommodate at least 10 feet of walkway and landscape improvements along public streets.
5. Public trash and recycling receptacles shall be attractively designed and placed in strategic locations so that they are convenient but do not obstruct pedestrian travel.
6. Utility meters, utility pedestals, and back-flow preventers shall be located or buffered such that they are not visible from public venues.



Examples of street furniture and public improvements, including public art, that are design-sensitive and pedestrian-scale.

19.25.090. Miscellaneous Provisions.

- A. **Custom/Incidental Manufacturing** refers to the small scale on-site production of goods by hand which involves only the use of hand tools or domestic mechanical equipment that do not exceed five horse power or a single kiln not exceeding 8 cubic feet and that such use is restricted as a secondary use to the primary retail or service use where such products are sold directly to consumers. Typical uses include ceramic studios, candle making shops or custom jewelry crafts stores.
- B. **Conditional Use Permit.** Conditions for any conditional use permit may include, but shall not be limited to requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and



dedications, regulations of vehicular ingress and egress and traffic circulation; regulations of signs; regulations of hours of operation; establishment of development schedules or time limits for performance or completion; requirements for periodic review; and such other conditions as may be deemed necessary to ensure compatibility with existing surrounding uses, and to preserve the public health, safety and welfare.

- C. **Refuse and Recycling Containers.** Private refuse and recycling containers in conformance with Section 19.74.090 shall be buffered from public venues with landscaping and/or screen walls.
- D. **Coastal Development Permit.** If the project site proposed for recreational and ecotourism development is located in the original coastal development permit (CDP) jurisdiction of the California Coastal Commission, applicants shall proceed with other required discretionary permits through the city prior to filing for a CDP application with the Commission.
- E. **“Boutique hotel”** (hotel H-6) means a small elegant lodging facility that is unique and is characterized by personalized service.
- F. **“Ecotourism”** means responsible travel to natural areas that conserves the environment and sustains the well-being of local people.
- G. **“Hostel”** means a place where travelers may stay for a limited duration at low cost in a facility that is appropriately recognized by a state, national or international hostel organization and that may include dormitory-like sleeping accommodations.
- H. **“Inn”** (hotel H-5) means a commercial establishment that affords public lodging on a less than monthly basis and may include meals and other services to travelers.



[Boutique hotel example](#)



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*
MEETING DATE: MARCH 20, 2013
ORIGINATING DEPT.: PUBLIC WORKS *Had*
SUBJECT: INTRODUCTION & FIRST READING OF ORDINANCE 2013-1136, AMENDING CHAPTER 10.28.020, SPECIAL SPEED ZONE DESIGNATED

BACKGROUND:

In November 2012, staff gave the City Traffic Engineer Consultant, KOA Corporation, direction to initiate a Speed Survey in the City of Imperial Beach. The last comprehensive Speed Survey conducted in the City was dated April 2003. In California, speed surveys are required at least every 10 years in order for the speed limits to be enforced. KOA Corporation has completed a draft of the 2013 Speed Survey and delivered it to the City on March 11, 2013. The 2013 Speed Survey will be available separately as attachment No. 3.

DISCUSSION:

The survey found that of the 16 street segments surveyed, the following speed limits must be changed:

- **Palm Avenue (Seacoast to 3rd)** – reduced from 30 mph to 25 mph
- **Palm Avenue (3rd to 7th)** – increased from 35 mph to 40 mph
- **13th Street (S.R. 75 to Cypress)** – changed from NOT POSTED to 30 mph

For the speed change surveyed on Palm Avenue (3rd to 7th), the survey was conducted prior to the current construction project commenced on this street segment. The current construction project is, in part, a traffic calming design. With the completion of the construction anticipated in May 2013, this street segment will require a new speed survey under the new road conditions. Staff will schedule a new survey for Palm Avenue (3rd to 7th) after the roadwork on this street is completed. Thus until the new survey is completed the City will not repost this street section. The posted speed will remain 35 mph.

Attachment 2 (figure 2) shows the recommended speed limits of the street segments surveyed. All non-surveyed streets remain at the prima fascia speed of 25 mph. A complete copy of the report is on file with the City Clerk's office.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

The cost of the survey was \$9,800.

The cost to update the signs for the changed speed limits is estimated at \$300.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Mayor call for introduction of Ordinance No. 2013-1136
3. City Clerk read title of the ordinance
4. Motion to dispense first reading of Ordinance No. 2013-1136.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Ordinance No. 2013-1136
2. Figure 2 (Recommended Speed Limit and Study Segment Locations)
3. Speed Survey Report dated March 2013

ORDINANCE NO. 2013-1136

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH,
CALIFORNIA AMENDING SECTION 10.28.020 OF THE IMPERIAL BEACH
MUNICIPAL CODE RELATED TO THE DESIGNATION OF
SPECIAL SPEED ZONES**

WHEREAS, California Vehicle Code (“CVC”) sections 22357 and 22358 provide that local entities may declare *prima facie* speed limits of more than 25 miles per hour on city streets on the basis of an engineering and traffic survey; and

WHEREAS, pursuant to CVC section 22358, the local authority may determine and declare the speed limits that are found most appropriate to facilitate the orderly movement of traffic and are reasonable and safe; and

WHEREAS, CVC section 627 provides that the engineering and traffic survey shall be in accordance with the methods determined by the California Department of Transportation and shall include consideration of prevailing speeds as determined by traffic engineering measurements, accident records, and highway, traffic, and roadside conditions not readily apparent to the driver, and may also consider residential density in conducting the traffic and engineering survey; and

WHEREAS, *prima facie* speed limits established under CVC sections 22357 and 22358 may not be enforced by radar unless the speed limit has been justified by an engineering and traffic survey within the last five, seven, or ten years, as provided in CVC section 40802; and

WHEREAS, CVC section 21351 authorizes a local authority to place and maintain or cause to be placed and maintained, such appropriate signs, signals, or other traffic control devices as may be necessary to properly indicate and carry out provisions of the CVC or local traffic ordinances or to warn or guide traffic; and

WHEREAS, in accordance with the foregoing provisions of the CVC, the City of Imperial Beach conducted an engineering and traffic survey in April 2003, a Citywide speed survey update in May 2010 and a speed survey certification of May 2010, establishing the current *prima facie* speed limits under Imperial Beach Municipal Code (“IBMC”) section 10.28.020; and

WHEREAS, pursuant to CVC section 40802, after a ten year period, the City of Imperial Beach must undertake a engineering and traffic survey to establish the basis for the *prima facie* speed limits in IBMC section 10.28.020; and

WHEREAS, the City of Imperial Beach hired a consultant, KOA Corporation, one of the leading traffic engineering firms in California, which completed an engineering and traffic survey pursuant to the foregoing CVC sections.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:

Section 1: The City of Imperial Beach is authorized to use radar enforcement of speed limits on local streets pursuant to the *prima facie* speed limits specified in the CVC and on other streets if the speed limits established by the City are consistent with the results of an engineering and traffic survey conducted according to the standards set forth in the CVC.

Section 2: The City Council of the City of Imperial Beach finds and declares that the 2013 Engineering and Traffic Survey for the City of Imperial Beach by KOA Corporation is in full compliance with the requirements of the CVC.

Section 3: Based on the findings and recommendations of the 2013 KOA Engineering and Traffic Survey for the City of Imperial Beach, section 10.28.020 entitled "Special speed zones designated" of the Imperial Beach Municipal Code is hereby amended to read as follows:

"It is determined that on the basis of a 2013 engineering and traffic investigation conducted by KOA Corporation, the prima facie speed limit shall be as set forth in this section on those streets or parts of the streets designated when signs are erected giving notice thereof:

Name of Street or Portion Affected	Declared Prima Facie Speed Limit (in Miles per Hour)
13 th Street from State Route 75 to Imperial Beach Boulevard	35
13 th Street from Imperial Beach Boulevard to Iris Avenue	30
13 th Street from State Route 75 to Cypress Avenue	30
15 th Street from Imperial Beach Boulevard to Iris Avenue	30
9 th Street from State Route 75 to Imperial Beach Boulevard	35
9 th Street from Imperial Beach Boulevard to south limit	30
Connecticut Street from Elm Avenue to Imperial Beach Boulevard	25
Elm Avenue from 7 th Street to East City Limits	30
Elm Avenue from Seacoast Drive to 7 th Street	25
Imperial Beach Boulevard from Seacoast Drive to Connecticut Street	35
Imperial Beach Boulevard from Connecticut Street to East City Limits	35
Palm Avenue from 3 rd Street to 7 th Street	40
Palm Avenue from Seacoast Drive to 3 rd Street	25
Rainbow Drive from State Route 75 to Palm Avenue	30

Seacoast Drive from Imperial Beach Boulevard to South limit	25
Seacoast Drive from Palm Avenue to Imperial Beach Boulevard	25

Section 4: The *prima facie* speed limit for locations set forth in Section 3 hereof, shall be as set forth in Section 3 of this Ordinance when signs are erected giving notice thereof.

Section 5: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 6: The City Clerk is directed to prepare and have published a summary of this ordinance no less than five days prior to the consideration of its adoption and again within fifteen (15) days following adoption indicating votes cast.

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 20th day of March 2013;

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Imperial Beach, California, on the 3rd day of April 2013, by the following vote:

AYES:
NAYS:
ABSENT:

Jim Janney, Mayor

ATTEST:

Jacqueline Hald, City Clerk

APPROVED AS TO FORM:

Jennifer M. Lyon, City Attorney

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2013-1136, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 10.28.020 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE DESIGNATION OF SPECIAL SPEED ZONES"

JACQUELINE HALD, CITY CLERK

DATE _____

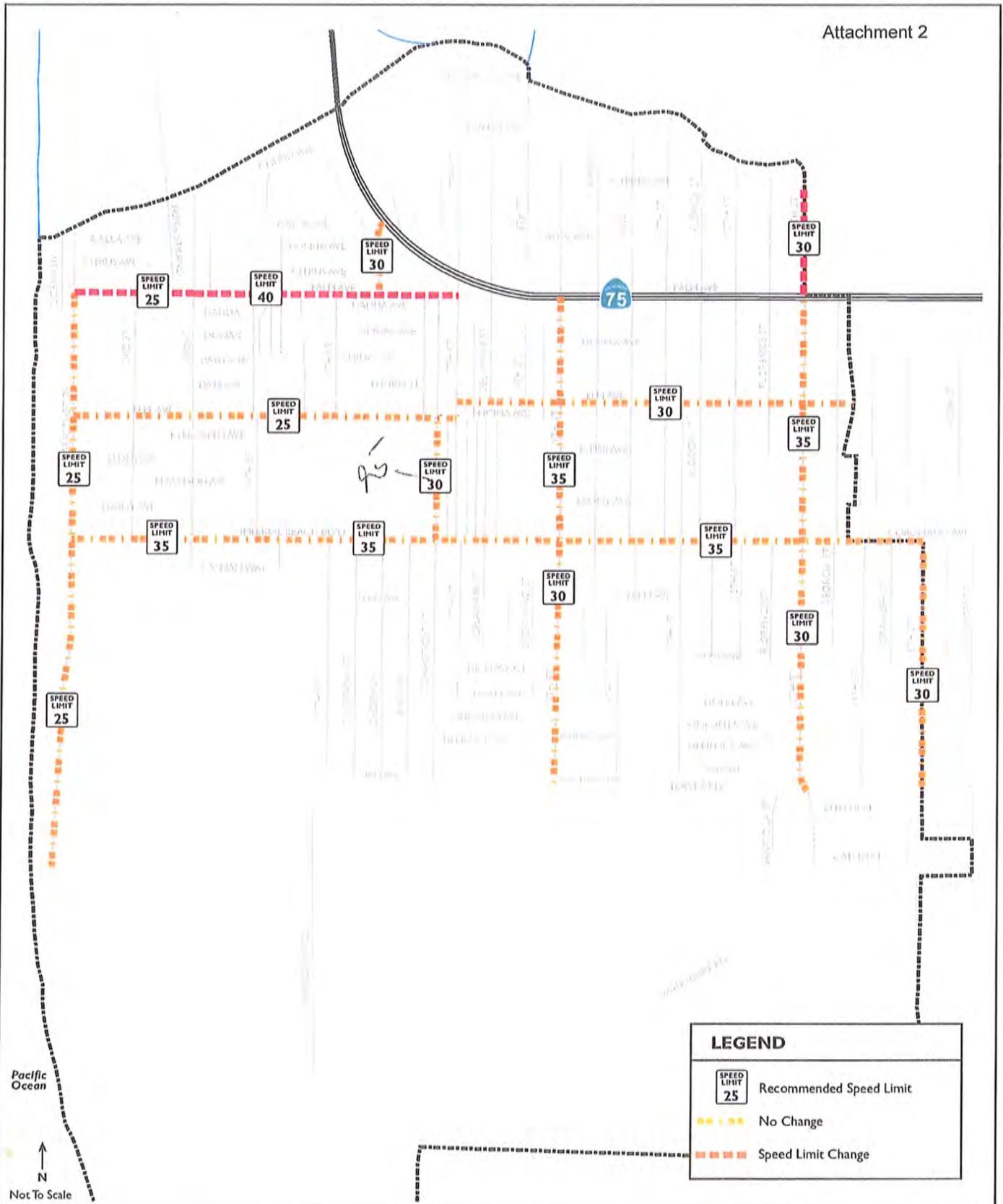


Figure 2
Recommended Speed Limit and Study Segment Locations

Item No. 3.2

Attachment 3
to be provided at or prior to
City Council Meeting



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER *GB*
MEETING DATE: MARCH 20, 2013
ORIGINATING DEPT.: CITY MANAGER'S OFFICE
GREG WADE, ASSISTANT CITY MANAGER *GW*
SUBJECT: SPORTS PARK DISCUSSION

BACKGROUND:

The City of Imperial Beach has an excellent opportunity to significantly expand and enhance recreational opportunities and other specialized services and programs offered at the City's Sports Park Recreation Complex ("Sports Park") that would greatly benefit all residents of Imperial Beach. The City has been exploring this opportunity with the South Bay Family YMCA and has also been in discussions with both the Imperial Beach Little League and Imperial Beach Girls Softball organizations in order to maintain the operation of these two important youth recreation programs at Sports Park.

In the months leading up to the dissolution of the City's Redevelopment Agency on February 1, 2012, which was mandated by the adoption of State Assembly Bill (AB) 26 on June 28, 2011, staff had been anticipating and assessing exactly how it would adjust to the significant loss of redevelopment revenue with which it had previously funded a majority of City projects and a significant portion of City staffing. One of the many areas that staff investigated as a potential source of greater revenue and improved community benefit was the City's Sports Park. Since 2000, the City has invested approximately \$1.7 million in improvements to Sports Park, with another \$160,000 project (Sports Park-Imperial Beach Blvd. Crosswalk) set to begin in June. With the issuance of redevelopment bonds in 2003 and again in 2010, most of the City's infrastructure improvements such as streets, sidewalks, street lighting, and park improvements, including Sports Park improvements, were funded through redevelopment. With the elimination of redevelopment, however, the City has been confronted with many difficult budgeting and staffing decisions while also striving to meet the vital service needs of the community. Additionally, without redevelopment, funding of the City's infrastructure and capital needs, including those at Sports Park, will now present an even greater challenge.

Though the effort to balance City service and infrastructure needs with adequate administrative and staff support in the face of limited revenues has always been a challenge for the City, the loss of redevelopment greatly exacerbated this challenge. Prior to and after the elimination of redevelopment, therefore, the City has been actively engaged in assessing budget impacts and evaluating every opportunity to increase revenues while reducing costs. As noted above, one of the areas that staff identified this potential was at Sports Park, where flat or decreasing revenues along with limited recreational programs had been observed. As such, from August of 2011 through June of 2012, staff assessed and then presented to the City Council some options for increasing revenues including updated user fees along with providing additional recreation

programs and services. This resulted in the adoption of updated Sports Park user fees in June 2012. During these City Council presentations, however, the options for increasing revenues appeared to result in minimal revenue enhancements while providing only slightly expanded recreational opportunities. In addition to the adoption of these new user fees, therefore, staff continued to investigate other options both to reduce costs at Sports Park while also increasing the amount of recreational services, programs and opportunities that could be provided to the citizens of Imperial Beach.

With this objective in mind, in June 2012 the City requested and received three proposals for the proposed operation of Sports Park. Proposals were submitted by the following organizations:

1. Boys and Girls Club of South County
2. The South Bay Family YMCA
3. The Calvary Chapel Youth Sports (CCYS) Program

In reviewing these proposals, the following primary objectives were considered by the City:

1. The organization should assume all operations, recreation programming, staffing, maintenance and oversight of the entire Sports Park.
2. Costs to the City should be minimized to the maximum extent possible.
3. Both Imperial Beach Little League ("IBLL") and Imperial Beach Girls Softball (IBGS) would remain operating at their respective fields and would be given first priority for field use.
4. If necessary, IBLL and IBGS could be charged reasonable rates for field use, fielding lighting and other fees to provide for the successful operation of Sports Park including greatly expanded recreational opportunities for the entire community.

Of the three proposals submitted to the City, the CCYS Program did not meet all of the above objectives and the Boys and Girls Club proposal would have cost the City approximately \$180,000 to do so. By far the most responsive and cost-effective proposal was submitted by the South Bay Family YMCA. As such, in July 2012, City staff began informal discussions with the Y regarding the possibility of assuming operations of Sports Park on behalf of the City.

DISCUSSION:

South Bay Family YMCA Proposal

As outlined in their proposal for the operation and management of Sports Park, a copy of which is included in Attachment 1, the South Bay Family YMCA (the "Y") proposed to do the following:

- Assume all operational costs associated with the Sports Part Recreation Center and surrounding amenities.
- Staff the facility, offer programs, and manage use of adjacent fields and outdoor facilities.
- Provide expanded recreational opportunities and programs including but not be limited to:

- Organized teen programming
 - Skate clinics
 - Music lessons
 - Youth and adult basketball
 - Flag Football
 - Volleyball
 - Rugby
 - 'Hot Shots' pee-wee sports programs
 - Fitness classes including, but not limited to, Zumba, Boot Camp, and Interval Training
 - Youth and teen day camps during school breaks
 - Tumbling/beginning gymnastics
 - Parent/child interaction classes
 - Tutoring
- Operate the baseball and softball fields adjacent to the recreation center while continuing the existing relationships with current leagues as well as expanding opportunities to other potential users.
 - Implement a membership model initially for youth and teens only which would provide members the opportunity to use facilities including the gymnasium and the skate park. Additionally, members would receive special member pricing on fee-based programs.

Suggested Pricing:

In their proposal, the Y recommends setting fees and price points for all programs and facilities to be affordable for the surrounding community and continue to observe their mission that no one is turned away because of an inability to pay. This would extend to their operation of the Sports Park with scholarships for programs offered as needed.

The Y's proposal recommends the following suggested pricing model:

- Resident and non-resident pricing will be offered for all programs and services
- Initial pricing for field use would mirror proposed pricing of the Sports Park Master Fee Schedule approved by the City Council in June 2012
- Annual Membership pricing would be \$96 for youth (ages 5-11) and \$150 for teens (ages 12-17)
- Youth sports programs pricing would range between \$43 and \$65 for Imperial Beach residents and \$53 and \$75 for non-residents
- Fitness classes would start at \$3 per class for Imperial Beach residents (minimum of 10 participants per class)
- Members would have unlimited use of the skate park as part of the membership and non-members would pay a day use rate as the skate park which would be staffed by YMCA personnel

Suggested Facility Upgrades/Modifications:

As part of their proposal, the Y proposes the following improvements to the Sports Center:

- The Y would provide new outdoor signage for the recreational facility and surrounding amenities identifying it as a YMCA.
- In order to offer multiple programs with the Sports Park Recreation Center, the YMCA recommends the installation of enhanced flooring in the gymnasium as the current flooring is not conducive to multiple types of programs. An estimate was provided for the installation of multi-purpose flooring that would be conducive to sports and fitness programs such as volleyball, basketball, Zumba, gymnastics, and martial arts among others.
- The Y has requested that the City consider this capital investment, estimated at \$54,000, to ensure enhanced and successful programs at Sports Park.
- Although not a part of the Y's original proposal, the City has programmed \$80,000 in the current budget to re-roof the Recreation Center building as this had been a contemplated major maintenance project.

Partnership Opportunities:

Beyond these services, programs, fees and proposed improvements, the Y included in their proposal an offer of partnerships with the City of Imperial Beach and other Y organizations, the YMCA of San Diego County, as well as other outside organizations. Additionally, the Y identified as a benefit of this potential partnership the proximity of YMCA Camp Surf to Sports Park and the opportunities that relationship offers. The Y already collaborates with Camp Surf on programs such as kayaking, water sports, day camps, and family programs, and a partnership with the City at Sports Park would serve as an opportunity to expand their Camp Surf collaboration as well to further benefit the Imperial Beach community.

In the staff's evaluation the Y's proposal to assume all Sports Park operations, the following primary objectives and benefits were identified:

- The City's annual operational costs at Sports Park of over \$200,000 would be eliminated
- The amount and variety of recreational opportunities and other specialized programs and services available to the citizens of Imperial Beach would be greatly expanded and enhanced
- IBLL and IBGS would continue to operate at Sports Park and be given first priority on field use
- Direct oversight and management of all areas of Sports Park would be greatly improved and expanded
- Opportunities for partnerships through the Y with other organizations would be created further benefitting the citizens of Imperial Beach

In consideration of and in exchange for offering these expanded recreational opportunities and specialized services and programs at Sports Park, staff recommends that in any agreement

reached with the Y, the City would lease the Sports Park complex to the Y for one dollar (\$1.00) per year.

Given the operational and maintenance responsibilities the Y has offered to assume, revenue sources including field use fees and other charges were also considered by the Y in their Sports Park proposal. In the past, IBLL and IBGS have operated at Sports Park without paying field use, field lighting or any other fees to the City. Given the financial impacts caused by the loss of redevelopment revenue, however, the City had advised the Y that field use fees could be considered for any and all users of Sports Park. Therefore, fees were contemplated in the Y's proposal for all Sports Park users, including IBLL and IBGS.

Beginning in September 2012, staff had the first of several meetings and discussions with representatives of both IBLL and IBGS and advised them at that time that the City was in discussions with the Y about the possibility of the Y assuming operational and maintenance responsibilities for Sports Park. Prior to that time, staff had been discussing new field use agreements with both IBLL and IBGS as each of their respective agreements had expired on December 31, 2011. Therefore, staff advised both the IBLL and IBGS softball that they could continue the use of their respective fields pursuant to their prior field use agreements with the City while discussions with the Y regarding the entire operation of Sports Park continued.

Proposed Field Use Fees for IBLL and IBGS

In January 2012, having fully evaluated the costs associated with providing all maintenance and operational services necessary to operate Sports Park, and in exchange for providing those services, including electricity and water utility costs, the Y proposed the following fees for IBLL and IBGS:

1. IBLL and IBGS would be charged \$25 per player per season.
2. The use of lights on all fields would be charged at \$25 per hour.
3. IBLL and IBGS would have continued use of the concession stand in accordance with existing practices for their league games and tournaments. The leagues would pay the Y 20% of all net proceeds.
4. For all revenue generating opportunities outside of league events, IBLL and IBGS would have first right of refusal (priority for such to be determined in advance by the leagues and communicated to the Y) for operation of the concession stand at such events. The leagues would pay the Y 20% of all net proceeds from these events.
5. If the leagues choose not to operate the concession stand for any league or non-league events, the Y may operate the concession stand or vendor out this operation on a case by case basis.
6. When any of the fields are not in use by the IBLL and/or IBGS, the Y may program those fields with Y programs, rent space to other teams or leagues, and allow open use of the fields by Imperial Beach residents.
7. YMCA will monitor use of all fields during hours of Sports Park operations.

It should be noted that even with the above proposed fees, along with the additional recreation programs and services also proposed, the Y still anticipates operating at a substantial loss at least for the first few years were they to assume the operation of Sports Park.

After receiving this proposal from the Y, and pursuant to City Council direction provided in December 2013, City staff met independently with both the IBLL and IBGS and then with each league and the Y together to discuss the above proposal. These meetings occurred in January and February of this year. Both the IBLL and IBGS raised concerns regarding the fees proposed above. Their primary concerns involved the adequacy and level of field maintenance (some of which has been provided by each league, particularly IBLL, in the past) and the financial impacts to members and to the leagues themselves that the fees might create. Given this input, staff proposed an alternative to the above field use fee proposal.

IBGS

Given these concerns, during the meeting with IBGS and the Y, staff offered to absorb the \$25 per-hour field lighting costs as well as the 20% concession stand payment through other sources, including the City. With this proposal, therefore, IBGS would only be responsible for the \$25 per player fee. In our meeting on February 15, 2013, this offer was made to IBGS. Although IBGS representatives were willing to consider this proposal, they advised staff that they would need to seek authorization from their Board of Directors. At the writing of this staff report, the IBGS Board of Directors had not yet provided their response to this alternative proposal.

IBLL

In a meeting with IBLL and the Y on February 7, 2013, during which the above proposal was discussed, IBLL suggested a counter-proposal in which IBLL would assume all responsibility for operation of little league fields and the surrounding facilities (bathroom, score keeper/announcer's booths, storage, fencing, etc.). This would include the cost for all maintenance and payment of utilities (electricity and water). In a letter to IBLL dated March 1, 2013, staff outlined the proposals discussed in the meeting on February 7th, including the City's understanding of the counter-proposal offered by IBLL (see Attachment 2). In its letter, the City also made the same alternative offer given to IBGS: that the \$25-per-hour field lighting cost and the 20% concession stand payment would be absorbed by other sources, including the City, with IBLL responsible only for the \$25 per player fee.

On March 10, 2013, staff received an email from IBLL with a letter responding to the above proposals dated March 7, 2013 (see Attachment 3). Essentially, IBLL continued to request all operational and maintenance responsibility for Fields C, D, E and F, and the structures and facilities surrounding those fields (Attachment 4 contains a map of Sports Park showing field locations. IBGS uses Fields A and B and IBLL uses Fields C, D, E and F, with only fields A through D having field lights). There were, however, the following significant modifications to the City's understanding of the proposal offered by IBLL:

- IBLL would not be responsible for any Major repairs to the electrical and watering system. Little League would do minor repairs as needed. Anything under \$1,000 would be defined as a minor repair. Anything over \$1,000 would be defined as a major repair.

- Prior to a contract taking effect, the City and IBLL would conduct a walk-through of the facilities documenting current conditions of buildings used by IBLL. All Major repairs would be the responsibility of the City.
- When the fields are not being used by IBLL, IBLL would have priority option to rent the fields to other organizations and/or leagues. Rental fees would be collected and placed into a field maintenance account. A quarterly report would be submitted to the City. If the fields are not being rented, the organization controlling the recreation center may use the fields at no cost.

This counter-proposal differs significantly from what the Y has offered and would also not achieve a primary objective sought by the City, which is to minimize to the maximum extent possible, any and all on-going maintenance responsibilities at Sports Park. Additionally, staff has advised IBLL, both in our meetings and in the letter sent on March 1, 2013, that based upon staff's analysis, their proposal would be significantly more costly to IBLL than the City's alternative proposal and perhaps even more costly than the Y's original proposal. Finally, although the Y is investigating whether or not an arrangement in which IBLL assumed *all* responsibility for operations and maintenance of Fields C, D, E and F and the facilities surrounding those fields (though in the above proposal, IBLL has not agreed to do so) and one in which the Y would have little or no use of those fields, at the writing of this staff report, the Y has not yet indicated if such an arrangement would be feasible for them.

Costs at Sports Park

As mentioned above, staff has evaluated the costs associated with operations and maintenance of all of Sports Park, particularly the costs associated with utility services and maintenance for the IBLL and IBGS playing fields. Looking at field lighting costs only as provided by San Diego Gas & Electric (SDG&E), the City paid \$15,582 to light Fields A, B, C and D in 2012. Looking at each of the four meters dedicated only to the field lights, the City paid \$8,521 of the total amount to light Fields C and D in 2012. Additionally, the City replaces field light bulbs and Federal Aviation Administration (FAA) light bulbs annually and incurs the following costs for this effort:

- Rental of an 80-foot man lift: \$700.00 per day
 - Contractor labor: \$400.00 (\$80.00 per hour at 5 hours)
 - Field light bulbs: \$300.00 (6 bulbs at \$50.00 - \$60.00 each)
 - FAA lights bulbs: \$30.00 (6 bulbs at \$5.00 to \$10.00 each)
- Total: \$1,430.00 annually
 IBLL: \$ 715.00 (half the cost)
- Lighting Cost for Fields C & D: \$8,521.00

IBLL Field Lighting Cost Total: \$9,236.00 annually

According to IBLL, 284 players have registered for this current season. Considering the above field lighting costs alone, this would amount to \$33.00 per player for this season.

In addition to these costs, IBLL already has an SDG&E account and pays directly for electrical service to the concession stand. However, there is also electricity serving several structures and facilities surrounding Fields C, D, E and F including the bathroom, score keeper/announcer's booths, and the batting cage. This electrical service is served by three additional meters. Statements provided by SDG&E for these meters show a total of \$3,156 paid

by the City in 2012 for electrical service. Though it is not clear exactly what structures and facilities these meters serve, since the Sports Park Recreation Center building is served independently by its own meter, it is reasonable to assume that at least half of this cost (\$1,578) would be attributable to the Fields C, D, E and F and the surrounding structures, which would add another \$6 per player to the annual costs incurred by IBLL.

Looking at the water costs for Sports Park, the City's water bill for Sports Park in Fiscal Year 2011-12 totaled \$10,116. Although it is more difficult to assess and separate water use given that water service to Sports Park is taken from and metered at only one location on Imperial Beach Boulevard, assuming that approximately one-third of that cost would be attributable to the irrigation of Fields C, D, E and F and to the bathroom and concession stand, that total would be \$3,372, or another \$12 per player currently registered for this season.

Adding together the costs for field lighting, electricity and water alone, IBLL would incur approximately \$51 per player for this current season. This cost, however, does not include the electricity cost already being paid by IBLL for the concession stand nor does it include the routine maintenance costs of all structures, facilities and fields which IBLL would assume with their counter-proposal. As a point of reference, the City's costs for staff, materials and capital outlay for Sports Park maintenance totaled approximately \$40,000 for Fiscal Year 2011-12. Although, due to overhead and labor costs, this is likely much higher than what would be incurred by IBLL, a conservative estimate for such maintenance, which would have to meet an acceptable standard and level of care as required by the City, would be at least \$5,000 per year, or another \$18 per player for the current season. Therefore, the costs that would be assumed by IBLL under their proposal could amount to \$69 per player for this current season.

Field Use Fees in Other Cities

According to IBLL, registration fees for the current season are \$100 per player for every division except Wiffle Ball, which has a registration fee of \$50 per player. Additionally, IBLL applies a similar policy for its participants as the Y by allowing everyone to play even if they cannot afford to pay, resulting in several participants not paying during any given season. Although both IBLL and IBGS have not been required to pay field use or lighting fees at Sports Park, most, if not all cities throughout San Diego County charge such fees for all users of their parks including youth leagues such as little league and girls softball.

In order to determine if the fees proposed by the Y were reasonable in comparison to fees charged for similar uses in other cities, staff requested that the Y conduct and submit a field cost survey of field use, lighting and little league fees charged by other cities in San Diego County. Attachment 5 provides a table showing the information gathered from that survey.

Based upon the information shown in Attachment 5, staff believes the proposed field use and lighting fees initially proposed by the Y to be reasonable. This is especially true when looking at the actual costs related to field maintenance and utility costs for lighting and water as discussed above. Adding the above-described costs to the IBLL registration fees, the total cost on a per-player basis would amount to \$119 per player for Wiffle Ball and \$169 per player for all other IBLL divisions per season. Additionally, based upon the schedules provided by IBGS and IBLL, at \$25 per hour for field lighting, IBGS would expect to pay a total of \$3,750 and IBLL a total of \$4,750 for field lighting per season. Taken together, the combined total cost (\$8,500) would only be slightly more than half of what the City paid for field lighting in 2012 (\$15,582). Further indication of the actual costs to fully operate, maintain and manage ball fields for little league play is evidenced by the registration fees charged by Eastlake Little League whose fees start at

\$245 for one child. Given their costs, it appears that Eastlake Little League has accounted for the operational costs associated with owning, operating and maintaining their ball fields.

Despite the information provided, however, staff would nevertheless recommend that the City seek to absorb the lighting and concession stand costs proposed by the Y so that IBLL and IBGS would be responsible only for payment of the proposed \$25 per-player fee.

Summary

As described above, there are a few options that the City Council may wish to consider in its discussions regarding a potential agreement with the Y to operate Sports along with the continuing operation of both IBLL and IBGS. These options can be summarized as follows:

Option 1 – Y proposal: the Y assumes all operational responsibilities at Sports Park and implements a \$25 per-player fee, a \$25 per-hour field lighting fee and a 20% of net proceeds concession stand fee.

Option 2 – Staff Proposal: the Y assumes all operational responsibilities at Sports Park and implements only a \$25 per-player fee with the City or other sources absorbing the \$25 per-hour field lighting fee and the 20% of net proceeds concession stand fee.

Option 3 (IBLL Only) – IBLL Proposal*: IBLL assumes all operational and routine maintenance responsibilities (excluding “major” maintenance items in excess of \$1,000) and responsibility for all utility costs associated with the fields, facilities and structures surrounding Fields C, D, E and F. The City would be responsible for any initially identified major maintenance and for all future “major” maintenance. IBLL would manage and rent Fields C, D, E, and F with proceeds going into a field maintenance fund. The Y would have use of the fields if not used by or rented to others by IBLL.

Option 4 (IBLL Only) – Staff Revised IBLL Proposal*: IBLL assumes *all* operational and maintenance responsibilities (including routine and “major” maintenance) and responsibility for all utility costs associated with the fields, facilities and structures surrounding Fields C, D, E and F.

* Given the logistical difficulties and added costs of locating and capping irrigation/water lines and installing meters, staff does not recommend the installation of any additional water meter(s) and would therefore recommend that, should the City Council support either Option 3 or 4, that staff would determine a percentage of cost formula for water use for which IBLL would be responsible.

Having considered the Y’s proposal, along with the proposal offered by staff and the counter-proposals offered by IBLL, staff firmly believes that the option most beneficial to all parties, including both IBLL and IBGS, as well as to the citizens of Imperial Beach, is Option 2. This option places operational and maintenance responsibility with one organization with a proven track record of managing and providing exceptional recreation programs and other community services while benefitting the entire community, including those involved in IBLL and IBGS. Although this option would require both IBLL and IBGS to pay an annual \$25 per player fee, which neither league has ever had to do, each league would still have priority use and access to their respective fields at a cost that is well below actual costs incurred and below even what

IBLL has offered to assume under Option 3. In exchange for this, the Y would assume responsibility for all operations, maintenance and utilities except for those agreed to be absorbed by the City. This would eliminate any need to disconnect and/or separate out utility service and costs which would also be beneficial and less expensive to all parties. Finally, this option most effectively achieves all of the above-stated objectives for the future of Sports Park by providing greatly expanded recreational opportunities and specialized services to the entire community, maintaining the operation IBLL and IBGS, and greatly reducing the City's maintenance and staffing costs.

ENVIRONMENTAL REVIEW:

None required with this action.

FISCAL IMPACT:

Entering into an agreement with the South Bay Family YMCA for the operation of Sports Park would result in the following fiscal impacts to the City:

- Annual operational and maintenance cost savings to the City of over \$200,000.
- Annual costs to the City in the amount of approximately \$15,000 for ball field lighting would be incurred under Option 2.
- Initial capital outlay of \$54,000 by the City for the resurfacing of the gymnasium floor as contemplated in the Fiscal Year 2012-13 budget.
- Initial capital outlay of approximately \$80,000 by the City to reroof the Recreation Center building as contemplated in the Fiscal Year 2012-13 budget.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

1. Consider and discuss the above options and receive public comment;
2. Support Option 2 as outlined above in which the Y assumes all operational responsibilities at Sports Park and implements only a \$25 per-player fee with the City or other sources absorbing the \$25 per-hour field lighting fee and the 20% of net proceeds concession stand fee; and
3. Direct staff to negotiate a Use Agreement between the City of Imperial Beach and South Bay Family YMCA for the operation of Sports Park pursuant to the general terms outlined under Option 2.

On March 15, 2013, staff is meeting again with IBLL to discuss the potential for an agreement with the Y to operate Sports Park. As such, staff may have additional or modified recommendations for the City Council to consider at the meeting on March 20, 2013.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. South Bay Family YMCA Sports Park Proposal & Cover Letter
2. Letter to Imperial Beach Little League – March 1, 2013
3. Letter from Imperial Beach Little League – March 7, 2013
4. Sports Park Field Map/Exhibit
5. Field Use and League Fee Survey



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June 8, 2012

Honorable Mayor Jim Janney
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

RE: Proposed YMCA Partnership

Dear Mayor Janney:

It was a pleasure to meet with you and City Manager Gary Brown regarding the possibility of bringing YMCA services to the City of Imperial Beach. In response to our initial discussion, this letter is intended to simply and concisely provide basic information on the YMCA's experience, mission, and how it could enhance the delivery of high-quality, affordable, and lasting services of benefit to people of all ages living and working in Imperial Beach.

First, a little information about us—The YMCA of San Diego County is a charitable, nonprofit corporation and has provided services of benefit to the people and communities of San Diego County for over 130 years and the South Bay Family YMCA has been in operation for more than 52 years. Enclosed please find an overview of the YMCA of San Diego County and other materials to help introduce our organization. We also invite you to explore our web site at www.southbay.ymca.org. The YMCA of San Diego County is chartered by the YMCA of the USA, the largest charitable nonprofit organization providing social, recreational, educational, health and wellness services in the United States.

In all that we say and all that you see, we hope you find that the YMCA is a value-based organization emphasizing caring, honesty, respect and responsibility to others and ourselves in all of our programs and services.

The most tangible means the YMCA fulfills its charitable purpose and maintains its status as a 501(c)(3) nonprofit corporation is by providing public benefits in the following 6 ways:

1. The standard the YMCA is held to by Internal Revenue Service codes is that services must be generally affordable to the public and must be inclusive. Inclusive means that no person can be denied access to services.
2. In addition to services being affordable, the YMCA provides financial assistance by reducing fees or subsidizing those that cannot afford the full fee established for YMCA programs or services. Access to all YMCA services and financial aid is provided without regard for age, ethnicity, race, gender, or religion.



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3. The YMCA provides subsidized services to special needs or high-risk populations. Subsidized service may be as broad as sponsoring a variety of activities for teenagers in the community or as specific as one-on-one mentoring for an at-risk youth by a trained and qualified adult. Often the YMCA's facilities are accessed at no or reduced cost to provide these services.
4. The YMCA seeks to increase resources to address under met community needs. The YMCA has a very successful record of community collaborations and partnerships linking public, private, and other nonprofit organization's resources, financial and human, for the most effective approach to pressing community needs.
5. The YMCA has experience in securing grants and successfully managing private and publicly funded programs for specific high-need services.
6. The YMCA is ultimately a volunteer-based organization, thereby increasing affordable services to the broadest base of the population as possible. Local individuals are empowered, from setting policy to program delivery, to enhance the quality of life for others in their community and themselves.

The YMCA strongly believes in collaborations and partnerships to achieve the greatest good in enhancing the quality of life for all in our communities. The YMCA has successfully developed and operates facilities and services in collaboration with municipal governments, other public entities, other nonprofit organizations, and private enterprises throughout the County, California and the nation.

The YMCA is experienced and committed to working with others to build stronger communities. The YMCA would be open to a broad range of cooperation and collaboration with all aspects of the City to enhance community services.

Second, a little on how the YMCA operates and what it can bring to a partnership with the City.

- ◆ First and foremost, as a nonprofit charitable purpose organization the YMCA has had to develop very practical and proven approaches to serving the broadest range of the population as possible and remain economically viable. While the YMCA receives some revenues from government sources to provide specific high-need services, the YMCA generally does not depend on public funding for general operations. So our basic approach is to create a financially balanced operation. In short, we know how to manage within our means.



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- ◆ Second, the YMCA would offer its experience in financial development to provide financial aid for participation of individual's and families with a real need and subsidize specific services to high-need populations.
- ◆ Third, the YMCA has and would make available its experience and expertise in capital project feasibility, planning, project execution, and facility management. The YMCA of San Diego County:
 - Has completed well over \$50,000,000 in capital improvements to local YMCA facilities in the last 5 years and opened two new YMCA facilities in 2011, and will add 5 new facilities by 2014.
 - Currently operates 28 YMCA branch facilities and operating units, 3 resident camps, numerous satellite programs and over 175 childcare sites.
- ◆ Fourth, the YMCA has learned that to be economically viable it must provide high- quality services and personnel plus well equipped and maintained facilities. A high value is placed on satisfaction and retention of people using the facilities and services. Established systems of accountability in customer care would be employed in the staffing, training, and operation of the Center.
- ◆ Fifth, the YMCA is primarily a membership organization. Our emphasis on membership is to create an attitude of belonging. People coming to YMCAs, as an individual of any age or as a family, find organized activities that they can participate in to develop relationships and a sense of belonging, rather than just finding a facility with equipment to use. This approach, along with a high value on satisfaction, has resulted in the YMCA touching the lives of nearly one out of every ten people in San Diego County.
- ◆ Sixth, the YMCA has learned the lesson of economies of scale and has developed centralized services both on a local and national basis that would be available in the operation of the Sports Park including:
 - Personnel training and certifications programs
 - Human resources
 - Financial development/Fundraising; grant writing and management
 - Finance and financial management
 - Marketing and communications
 - Facility planning, operations, and management
 - Insurance and risk management
 - Technology/MIS
 - Program Development/Management: Sports, Childcare, Teens, Health & Fitness
 - Membership Development and Retention



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The YMCA's access to these resources and centralized services could relieve the City of administrative burden and costs as well as limit the City's operating and liability risk.

In summary the YMCA partnership would benefit the City and all who live and work in Imperial Beach by:

1. Sound fiscal planning and management practices aimed at establishing the least possible dependence on the City's general revenues.
2. Experience in fundraising and in securing additional revenues for financial aid and subsidized services.
3. Expertise in the development, construction, operation, and maintenance of facilities.
4. Maintain high-quality and responsive services.
5. Links to local and national resources.
6. Lessen administrative burden and risk.

We hope that you will find this letter and the enclosed materials helpful. In addition, we also enclose a proposal outlining the types of services and programming we would propose to provide in the operation of the Sports Park. We definitely look forward to further exploring how the YMCA can work with you and the City of Imperial Beach in raising the quality of life for all.

Sincerely,

Tina Williams
Executive Director
South Bay Family YMCA

Enclosures



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South Bay Family YMCA

Proposed Operation of Imperial Beach Recreation Center

July 2012

Mission Statement

The South Bay Family YMCA is dedicated to improving the quality of human life and too helping all people realize their fullest potential as children of God through development of the spirit, mind and body.

At the Y, we're for youth development, healthy living, and social responsibility.

South Bay Family YMCA
Proposal to operate the Imperial Beach Recreation Center
425 Imperial Beach Blvd
Imperial Beach, CA 91932

Proposal:

In looking for positive solutions to cost saving measures, the City of Imperial Beach has requested that the South Bay Family YMCA consider operation of an existing recreation center, contiguous ball fields, a skate park, play area, and picnic pavilions. The free standing recreation center contains a concrete sport court lined for basketball and roller hockey; a teen recreation area with pool tables, couches, and other games; a snack bar; front desk; restrooms, and three music rooms.

After reviewing all facilities and current costs, the South Bay Family YMCA would propose to assume all operational costs associated with the recreation center and surrounding amenities. The YMCA would also staff the facility, offer programs, and manage use of adjacent fields and outdoor facilities.

YMCA staff is very excited about the prospect of operation of this facility. Suggested programs would include but not be limited to:

- Organized teen programming
- Skate clinics
- Music lessons
- Youth and adult basketball
- Flag Football
- Volleyball
- Rugby
- 'Hot Shots' pee-wee sports programs
- Fitness classes including, but not limited to, Zumba, Boot Camp, and Interval Training
- Youth and teen day camps during school breaks
- Tumbling/beginning gymnastics
- Parent/child interaction classes
- Tutoring

In addition to programming to meet the community's needs, the Y would also operate the baseball and softball fields adjacent to the recreation center. Our goal would be to continue existing relationships with current league users as well as expanding opportunities to other potential users.

As is always our goal, the fees and price points for all programs and facilities would be affordable for the surrounding community. As is our mission at the YMCA, no one is turned away because of an inability to pay. Should we be selected to operate this recreation center and surrounding park facilities, our mission would extend to this facility as well and scholarships for programs would be offered as needed.

We anticipate implementing a membership model initially for youth and teens only. These memberships would provide members the opportunity to use facilities when they want to including the gymnasium and skate park. Additionally, members would receive special member pricing on fee-based programs.

Suggested Pricing:

- Resident and non-resident pricing will be offered for all programs and services
- Initial pricing for field use would mirror proposed pricing that will be reviewed and voted on later this month by the Imperial Beach City Council
- Youth sports pricing would range from \$43-\$65 for Imperial Beach residents; \$53 to \$75 for non-residents
- Fitness classes would start at \$3/class for Imperial Beach residents (minimum of 10 participants per class)
- Membership pricing would be consistent with what is currently offered at our branch; \$96 for youth (ages 5-11), \$150 for teens (ages 12-17)
- Members would have unlimited use of the skate park as part of the membership
- Non-members would pay a day use rate as the skate park would be staffed by YMCA personnel

Suggested Facility Upgrades/Modifications

- The YMCA would provide new outdoor signage for the recreational facility and surrounding amenities identifying it as a YMCA.
- The YMCA will appreciate input from the City of Imperial Beach on representation of the partnership and communication of such through signage.
- In order to offer multiple programs at this facility, the YMCA recommends enhanced flooring in the gymnasium. The current flooring is not conducive to multiple types of programs.

Attached hereto is an estimate for flooring which is multi-purpose and would be conducive to sports as well as fitness programs, providing a safe option for programs like volleyball, basketball, Zumba, gymnastics, and martial arts to name just a few.

- The South Bay Family YMCA would request that Imperial Beach consider this capital investment to ensure enhanced and successful programs into the future.

Partnership Opportunities:

As our YMCA would view this as a partnership opportunity with the City of Imperial Beach, we frequently collaborate and partner with organizations within our Association, the YMCA of San Diego County, as well as outside organizations. A benefit of partnership within our Association is the proximity of YMCA Camp Surf to this recreational facility. Our Y already collaborates with Camp Surf on programs such as kayaking, water sports, day camps, and family programs. Our partnership with the Imperial Beach Recreational Center would serve as an opportunity to expand our Camp Surf collaboration as well to further benefit the Imperial Beach community.

Conclusion:

This proposal is intended to initiate discussion towards the South Bay Family YMCA's operation of the Imperial Beach Recreation Center. We hope this will be an open, interactive process to reach a mutually beneficial goal for both organizations - a shared vision for greater community impact and service provision. The South Bay Family YMCA looks forward to the next steps in this partnership discussion.



City of Imperial Beach, California

COMMUNITY DEVELOPMENT DEPARTMENT

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 628-1356 Fax: (619) 424-4093

March 1, 2013

Don Spicer
President
Imperial Beach Little League
PO Box 1041
Imperial Beach, CA 91932

SUBJECT: SPORTS PARK – IMPERIAL BEACH LITTLE LEAGUE PROPOSAL

Dear Don:

First of all, thank you very much for taking the time to meet with us and continue our discussions about the future operation of Sports Park and Imperial Beach Little League. At our meeting with the Imperial Beach Little League (the "IBLL") and the YMCA (the "Y") on February 7, 2013, we discussed the possibility of the Y taking over all operations at Sports Park through an agreement with the City of Imperial Beach (the "City"). Included in those discussions were the terms under which the Y would assume responsibility for all field, building and structural maintenance and utility costs necessary for the on-going operation of Sports Park. Specifically, as outlined in the attached proposal and discussed with IBLL on February 7th, in exchange for the Y assuming those responsibilities, IBLL would continue to have first priority for the use of Fields C, D, E and F and would pay twenty-five dollars (\$25.00) per player, twenty-five dollars (\$25.00) per hour for field light usage and twenty percent (20%) of net proceeds received from IBLL's use and operation of the concession stand. Additionally, when any of the fields are not in use by IBLL, the Y would program the fields with Y programs, could rent space to other teams or leagues, and would allow open use of the fields by Imperial Beach residents when not in use by the Y or IBLL.

After discussing this proposal on February 7th, the IBLL responded with a counter-proposal. Our understanding of that proposal is as follows:

- a. IBLL would have first priority for use of Fields C, D, E and F at Sports Park.
- b. IBLL would be responsible for all routine and major maintenance of buildings it uses for its operations and storage of its equipment, for maintenance of its portion of the concession stand and for all routine and major maintenance of Fields C, D, E, and F at Sports Park.

- c. IBLL would be responsible for all routine and major maintenance of and payment for all electrical and water service utilities provided to the buildings and fields noted in "b" above. If necessary, a separate water meter will be installed at IBLL's expense to separately meter water service provided to these facilities. If installation of a water meter is not provided, water service charges would be established based on fixtures and water service needs for the areas noted in "b" above (i.e., based on fixtures units and/or area of irrigation).
- d. When any of the fields are not in use by IBLL, the Y would program Fields C, D, E and F with Y programs and could rent space to other teams or leagues. Both IBLL and the Y would allow open use of the fields by Imperial Beach residents when not in use by either IBLL or Y programs or renters. Any damage caused during use of the fields by Y programs or renters would be repaired by the Y. The Y would have oversight of the entire Sports Park and would be responsible for field scheduling.
- e. In exchange for "a" through "d" above, IBLL would not be responsible for payment of \$25.00 per player, \$25.00 per hour for lighting or payment of 20% of net proceeds received from use and operation of the concession stand.

Additionally, although not discussed during our meeting on February 7th, given the above maintenance responsibilities the IBLL would assume, the City believes it would be prudent and therefore necessary to require IBLL to establish a facilities maintenance reserve fund into which IBLL would contribute an annual amount of funding sufficient to address any required major or extraordinary maintenance or repair of facilities noted in "b" and "c" above. The amount of this annual reserve contribution would be set at two percent (2%) of IBLL's operating budget or one thousand dollars (\$1,000.00), whichever is greater. This reserve fund would be established and funded annually with financial records of the fund provided to the City and the Y on an annual basis.

As mentioned above, this constitutes the City's understanding of the counter-proposal offered by IBLL during our meeting on February 7, 2013. Please review the above and provide any clarifications, corrections or comments as necessary. Having done so ourselves, City staff feels compelled to advise you that, considering even the minimum costs IBLL has offered to assume with this counter-proposal (i.e., field lighting and water costs), we firmly believe that your proposal would be more expensive to IBLL than the proposal offered by the Y. As such, if IBLL is willing to agree to the twenty-five dollar (\$25.00) per player charge proposed by the Y, City staff would be willing to recommend to the City Council that the \$25.00 per hour field lighting charge and the 20% concession stand payment be absorbed through other funding sources, including the City. That is, IBLL would only be responsible for the \$25.00 per player charge. Please consider all of this information and let us know the following: 1) if we have accurately described your counter-proposal and 2) if IBLL wishes to pursue its counter-proposal or the City's alternative proposal.

As it is our hope to discuss the Sports Park proposal with the City Council in open session at their meeting on March 20, 2013, we ask that you reply with your comments to the above no later than Wednesday, March 13, 2013. If, for any reason, you are unable to meet this schedule, please let us know as soon as possible.

If you have any questions or require any clarification on this information, please do not hesitate to call me at 619-628-1354. Thank you once again for your consideration of the City's desire and objective to

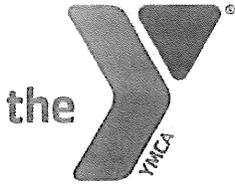
expand, increase and enhance the recreational opportunities at Sports Park for all residents of Imperial Beach.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Wade', written in a cursive style.

Gregory Wade
Assistant City Manager/Community Development Director

C: Tina Williams, South Bay YMCA



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Field Management Proposal for City of Imperial Beach Sports Park

425 Imperial Beach Blvd.

Submitted by South Bay Family YMCA

The following proposed field use fees are based on the South Bay Family YMCA operating and maintaining all fields and facilities at the Sports Park. This proposal assumes all costs for maintenance and operation, including electricity and water, are borne by the YMCA.

1. Little League and Softball teams will be charged \$25 per player per season. The use of lights on all fields will be charged at \$25 per hour. This is in addition to the per player fee.
2. Snack Shack use and operation: The Imperial Beach Little League and Softball League will have continued use in accordance with existing practices for their league games and tournaments. The leagues will pay the South Bay Family YMCA 20% of all net proceeds. Payment schedule to be determined.
3. For all revenue generating opportunities outside of league events, the IB LL and IB Softball League will have first right of refusal (priority for such to be determined in advance by the leagues and communicated to the YMCA) for operation at such events. The leagues will pay the YMCA 20% of all net proceeds from these events; payment schedule to be determined.
4. If the leagues choose not to operate the snack shack for any league or non-league events, the YMCA may operate the snack shack or vendor out this operation on a case by case basis.
5. When any of the fields are not in use by the IB LL and/or IB Softball League, the YMCA may program those fields with Y programs, rent space to other teams or leagues, and allow open use of the fields by Imperial Beach residents.
6. YMCA will monitor use of all fields during hours of Sports Park operations.

SOUTH BAY FAMILY YMCA
1201 Paseo Magda, Chula Vista, CA 91910
P 619 421 8805 F 619 421 8012 www.southbay.ymca.org

March 7, 2013

Greg Wade
Assistant City Manager/Community Development Director
City of Imperial Beach
825 Imperial Beach Blvd
Imperial Beach, CA 91932

SUBJECT: SPORTS PARK – IMPERIAL BEACH LITTLE LEAGUE PROPOSAL

Dear Greg:

After reviewing the Sports Park – Imperial Beach Little League Proposal letter, dated March 1st we discussed the proposal with our Board of Directors and submit the following counter proposal:

As to section “a”:

- a. IBLL would have first priority for use of Fields C, D, E and F at Sports Park.

IBLL would like it to include the following:

Imperial Beach Little League shall have priority use of the baseball fields, designated as Fields C, D, E and F.

As to section “b”:

- b. IBLL would be responsible for all routine and major maintenance of buildings it uses for its operations and storage of its equipment, for maintenance of its portion of the concession stand and for all routine and major maintenance of Fields C, D, E and F at Sports Park.

Imperial Beach Little League would be responsible for routine maintenance of buildings it uses for its operations and storage of its equipment. In addition, IBLL will be responsible for the routine maintenance of its portion of the concession stand. Imperial Beach Little League would do all routine maintenance of said baseball fields indicated in “a”.

Prior to a contract taking affect the City and Imperial Beach Little League would conduct a walk through of the facilities documenting current conditions of buildings used by Imperial Beach Little League. All Major repairs would be the responsibility of the City.

As to section “c”:

- c. IBLL would be responsible for all routine and major maintenance of and payment for all electrical and water service utilities provided to the buildings and fields noted in “b” above. If necessary, a separate water meter will be installed at IBLL’s expense to separately meter water service to these facilities. If installation of a water meter is not provided, water service changes would be established based on

fixtures and water service needs for the areas noted in "b" above (i.e., based on fixtures units and/or area of irrigation.

Imperial Beach Little League would be responsible for all routine maintenance, paying for electricity and water used. Water cost shall be determined by California American Water, who has indicated that a meter could be installed that would read the gallons of water used during the watering cycle of the baseball fields. Field lights would be paid by Imperial Beach Little League who shall have control of the lights.

Imperial Beach Little League shall not be responsible for any Major repairs to the electrical and watering system. The current age and condition of equipment and pipes is too uncertain. Little League would do minor repairs as needed. Anything under \$1,000 would be defined as a minor repair. Anything over \$1,000 would be defined as a major repair.

As to section "d":

d. When any of the fields are not in use by IBLL, the Y would program Fields C, D, E and F with Y programs and could rent space to other teams or leagues. Both IBLL and the Y would allow open use of the fields by Imperial Beach residents when not in use by either IBLL or Y programs or renters. Any damage caused during use of the fields by Y programs or renters would be repaired by the Y. The Y would have oversight of the entire Sports Park and would be responsible for field scheduling.

Imperial Beach Little League would be responsible for field scheduling and maintenance of fields as indicated above. The League would be responsible for mowing, edging, dragging and chaulking for League events. All buildings and storage areas used by Little League would be maintained by Little League, such as painting and minor repairs. The bathroom located behind field C would be maintained by the League, such as cleaning, supplying tissue and hand soap. Minor repairs would be made by the League.

When the fields are not being used by the League, Imperial Beach Little League will have priority option to rent the fields to other organizations and/or Leagues. This rental fee would be collected and placed into a field maintenance account. A quarterly report would be submitted to the City.

If the fields are not being rented the organization controlling the recreation center may use the fields at no cost.

As to section "e":

e. In exchange for "a" through "d" above, IBLL would not be responsible for payment of \$25.00 per player, \$25.00 per hour for lighting or payment of 20% of net proceeds received from use and operation of the concession stand.

IBLL does not agree to \$25.00 per player, \$25.00 per hour for lighting or payment of 20% of our net proceeds received from the use and operation of the concession stand.

The above counter proposal has been viewed and approved by the Imperial Beach Board of Directors. Please contact if you have any follow questions or amendments.

Respectfully,

Don Spicer
President



Legend

Facility Type

	Batting Cage
	Building
	Dugout
	Storage Container



**City of Imperial Beach
Sports Park Field Use Agreement
Exhibit A**

ATTACHMENT 5

FIELD USE AND LEAGUE FEE SURVEY

<u>City/League</u>	<u>Cost per child</u>	<u>Field Use Fee</u>	<u>Team Fee</u>	<u>Cost for Lights</u>
City of Chula Vista:				
Field Use Fees:				
Youth Services Council (YSC) Member	\$11 per child per season \$15 per child per season w/ trash buy-out*		\$11 per team	\$25 per hour
Non-YSC Member		\$25 per hour – resident \$50 per hour – non-resident		\$15 per hour
Chula Vista American Little League	\$140 – age 4-6 (T-Ball) \$185 – age 6-14		\$11 per team	\$25 per hour
Eastlake Little League**	\$245 – 1 child \$375 – 2 children \$425 – 3 children	\$13 per hour (non-league)		\$16 per hour
City of San Marcos:				
Field Use Fees:				
Youth Sports	\$3 per player			\$21 per hour (\$26 next year)
Winterball	\$6 per player			\$21 per hour (\$26 next year)
San Marcos Youth Baseball	\$120-\$160 per child			\$21 per hour (\$26 next year)
San Marcos Girls Softball	\$95 – Pee Wee \$150 – Age 8 and up			\$21 per hour (\$26 next year)
City of San Diego:				
Field Use Fees:				
Youth Leagues		\$25 one-time reservation fee	\$20 per team	\$7.75 per hour
Luckie Waller Little League	\$85 – ages 4-12 \$125 – ages 4-12 w/ trash buy-out* \$95 – ages 13-14 \$135 – ages 13-14 w/ trash buy-out*	\$25 one-time reservation fee	\$20 per team	\$7.75 per hour
Southwest Little League	\$90 per player	\$25 one-time reservation fee	\$20 per team	\$7.75 per hour
Mira Mesa Girls Softball	\$135 early registration \$150 regular registration	\$25 one-time reservation fee	\$20 per team	\$7.75 per hour

* Trash buy-out eliminates City trash pick-up fee and requires teams to provide trash service.

** Eastlake Little League owns and maintains their own fields and facilities



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *[Signature]*

MEETING DATE: MARCH 20, 2013

ORIGINATING DEPT.: PUBLIC WORKS *[Signature]*

SUBJECT: RESOLUTION NO. 2013-7311 SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER CONFIRMATION OF THE INTEGRATED SOLID WASTE MANAGEMENT SERVICES MAXIMUM FEE INCREASE REQUESTED BY EDCO DISPOSAL CORPORATION PURSUANT TO THE 2009 CONTRACT AMENDMENT

BACKGROUND:

On June 16, 1999, City Council adopted Resolution No. 99-5080 selecting EDCO Disposal Corporation as the City's provider of integrated waste management services. EDCO commenced services for the City on January 1, 2000. There have been three amendments to the Agreement since Resolution No. 99-5080 was adopted. The elements of Amendment No. 3 was considered and approved by the City Council on March 18, 2009 per Resolution No. 2009-6722 as part of the approval to mail a 45-day public hearing notice to all record owners within the City of Imperial Beach, all of which was done in accordance with legal requirements, including Proposition 218.

The EDCO Agreement with amendments provides for an annual rate adjustment. If a rate adjustment is to be requested for the succeeding year, EDCO must submit the request to the City no later than March 1st. Otherwise, the annual rate adjustment is forgone until the following fiscal year. Upon receipt of the rate adjustment request, the rates are subject to approval by City Council.

On February 27, 2013, EDCO Vice President, John Snyder, delivered a letter to Public Works requesting a Solid Waste Fee adjustment in the maximum allowable service fee. The letter is provided in Attachment 2. The EDCO Agreement specifies the method and formula to be used in calculating the maximum allowable rate adjustment based on the Consumer Price Index (CPI) and fluctuations in disposal tipping fees. The formula is applied to three customer rate categories: 1) single family residential, 2) commercial and multifamily residential and 3) roll-off services. Collectively the proposed EDCO rate adjustments equate to a 1.89% increase for basic residential service, a 1.84% increase in basic commercial service, and 2.04% increase in standard roll-off rates. The proposed increases are to be effective July 1, 2013. City staff's review of the letter request found the rate fee adjustment consistent with the format and procedures contained within the EDCO agreement. The last EDCO service rate adjustment was in 2012.

DISCUSSION:

The attached resolution would set the time and place for a public hearing to review and approve

the subject maximum fee request by EDCO Disposal Corporation and direct staff to provide public notice for the public hearing. Since the City already undertook the Proposition 218 notice and hearing requirements in 2009 regarding these solid waste fee increases, another notice and public hearing process is not legally required. However, City staff proposes to have public hearing noticed by publication, to provide the public with additional opportunity to comment on the increase, If the City Council confirms an increase, notices will be mailed out to the property owners informing them of the increase at least 30 days prior to the fee increase effective date. Any fee increase shall be confirmed by resolution pursuant to the 2009 contract amendment and in accordance with the Imperial Beach Municipal Code. The proposed time and place of the public hearing is:

6:00 p.m., Wednesday, May 1, 2013
City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

No significant fiscal impact

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council

1. Receive this report.
2. Adopt the attached resolution.
3. Direct staff to place a notice in the I.B. Eagle and Times newspaper as described herein.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7311
2. EDCO Rate Letter

RESOLUTION NO. 2013-7311

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER CONFIRMATION OF THE INTEGRATED SOLID WASTE MANAGEMENT SERVICES MAXIMUM FEE INCREASE REQUESTED BY EDCO DISPOSAL CORPORATION PURSUANT TO THE 2009 CONTRACT AMENDMENT

WHEREAS, on June 16, 1999, City Council adopted Resolution No. 99-5080 selecting EDCO Disposal Corporation's (EDCO) bid proposal for Integrated Waste Management Services commencing January 1, 2000; and

WHEREAS, an Agreement between the City of Imperial Beach and EDCO for Integrated Waste Management Services was subsequently signed on August 4, 1999; and

WHEREAS, EDCO commenced services for the City on January 1, 2000; and

WHEREAS, Amendment No.1 was signed and effective November 20, 2002 which changed the termination date of the Agreement; and

WHEREAS, Amendment No. 2 was signed and effective March 26, 2008, which changed the eligible rate adjustment date from annually each January to annually each July; and

WHEREAS, the elements of Amendment No. 3 was considered and approved by the City Council on March 18, 2009 per Resolution No. 2009-6722 as part of the approval to mail a 45-day public hearing notice to all record owners within the City of Imperial Beach, all of which was done in accordance with legal requirements, including Proposition 218; and

WHEREAS, the public hearing notice was published in the Imperial Beach Eagle & Times newspaper March 19, 2009 and mailed to all property owners on March 20, 2009; and

WHEREAS, the Agreement specifies the method and formula to be used in calculating the maximum allowable rate adjustment based on the Consumer Price Index (CPI) and fluctuations in disposal tipping fees; and

WHEREAS, EDCO was granted a maximum allowable increase in the disposal rates for calendar years 2002, 2004, 2005, 2006, 2007, FY 2008/09 and FY 2012/13; and

WHEREAS, EDCO has requested a maximum allowable rate increase for FY 2013/14 based on formulas and methods described in the Agreement; and

WHEREAS, City staff have reviewed the proposed EDCO rate adjustment and concur that it follows the formulas and methods stated in the Agreement; and

WHEREAS, although another notice and hearing process is not necessary to confirm the previously approved fee increase, the City has elected to proceed with a public hearing noticed by publication to proceed with the maximum allowable rate increase proposed by EDCO, and shall propose a resolution to confirm the fee increase pursuant to the 2009 contract amendment and in accordance with the Imperial Beach Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The time and place of the public hearing is 6:00 p.m. Wednesday, May 1, 2013 at:
City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, CA 91932
3. Staff shall place a notice in the I.B. Eagle and Times newspaper as described herein.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK

EDCO

WASTE & RECYCLING SERVICES

Attachment 2

February 27, 2013

Mr. H.A. (Hank) Levien
Director of Public Works
City of Imperial Beach
495 Tenth Street
Imperial Beach, CA 91932

Dear Mr. Levien,

EDCO has proudly served the citizens and businesses in Imperial Beach with waste collection and recycling services for several years. During that time our organization has been dedicated to providing the highest level of service while operating in a safe and professional manner.

As you are aware, EDCO's Solid Waste and Recycling Services Agreement with the City of Imperial Beach allows for periodic rate adjustments. Changes in the rate structure must be based on the Consumer Price Index (CPI) and any fluctuation in disposal tipping fees. For FY-2014 collectively these adjustments equal a 1.9% increase for basic residential service and a 1.8% increase for basic commercial service and are proposed to be effective July 1, 2013.

As always if you should have any questions or require more information please contact me at (619) 287-5696 ext 4204 or email jsnyder@edcodisposal.com.

Sincerely,



John Snyder
Vice President

"We'll Take Care of It"

6670 Federal Boulevard • Lemon Grove, California 91945
(619) 287-7555 • Fax: (619) 287-5242 • www.edcodisposal.com • Printed on Recycled Paper

Commercial and MFR Bin Rates

Attachment 2

Step One: Deduct franchise fees from gross rate revenue

Revenue Component (including Franchise Fees) PRIOR YEAR	Annual Amount	Percent of Gross Revenue Including Franchise Fees
Actual Gross Commercial and MFR Rate Revenue	\$ 1,512,605	100.0%
Actual Commercial and MFR Franchise Fees	\$ 544,538	36.0%
Actual Commercial MFR Rate Revenue Net of Franchise Fees	\$ 968,067	64.0%

Step Two: Determine disposal expense and service revenue as a percent of actual rate revenue

Revenue Component (net of Franchise Fees) PRIOR YEAR	Annual Amount	Percent of Gross Revenue Net of Franchise Fees
Actual Commercial and MFR Rate Revenue Net of Franchise Fees	\$ 968,067	100.0%
Less: Actual Commercial and MFR Refuse Disposal Expense	\$ 303,963	31.4%
Actual Commercial and MFR Service Revenue	\$ 664,105	68.6%

Step Three: Calculate percentage change in adjustment factors

Adjustment Factor	Old	New	Percent Change
Disposal Tipping Fee per Ton	\$ 47.91	\$ 48.58	1.40%
CPI- Los Angeles Index	231.928	236.648	2.04%

Step Four: Calculate weighted percentage change in commercial and MFR rates

Components of Actual Revenue	Component Weight	Percent Change	Weighted Rate Adjustment
Refuse Disposal	31.4%	1.40%	0.44%
Service	68.6%	2.04%	1.40%
Total	100.0%	N/A	1.84%

Step Five: Apply weighted percentage change to commercial and MFR rates (Includes .03 for mailing notices)

Service	Current Rate	Weighted Rate Adjustment	Adjusted Monthly Rate
1 ea 3 yard bin once per week	\$ 146.19	1.84%	\$ 148.87
1 ea 3 yard bin twice per week	\$ 266.81	1.84%	\$ 271.71
1 ea 3 yard bin three times per week	\$ 387.42	1.84%	\$ 394.53
1 ea 3 yard bin four times per week	\$ 508.07	1.84%	\$ 517.39
1 ea 3 yard bin five times per week	\$ 628.68	1.84%	\$ 640.22
1 ea 3 yard bin six times per week	\$ 749.31	1.84%	\$ 763.06

Step Six: Franchise Fee Adjustment

Service	Adjusted Monthly Rate	Add: Franchise Fee Incremental	Final Rate	total increase
1 ea 3 yard bin once per week	\$ 148.87	\$ -	\$ 148.87	1.83%
1 ea 3 yard bin twice per week	\$ 271.71	\$ -	\$ 271.71	1.84%
1 ea 3 yard bin three times per week	\$ 394.53	\$ -	\$ 394.53	1.84%
1 ea 3 yard bin four times per week	\$ 517.39	\$ -	\$ 517.39	1.83%
1 ea 3 yard bin five times per week	\$ 640.22	\$ -	\$ 640.22	1.84%
1 ea 3 yard bin six times per week	\$ 763.06	\$ -	\$ 763.06	1.84%

Rolloff Rates

Step One: Calculate percentage change in CPI

Adjustment Factor	Old	New	Percent Change
CPI- Los Angeles Index	231.93	236.65	2.04%

Step Two: Apply percentage change in Consumer Price Index to rolloff rates

Service	Current Rate	Rate Adjustment	Adjusted Rate
Standard rolloff charge per load	\$ 220.65	2.04%	\$ 225.14
Compactor charge per load	\$ 330.98	2.04%	\$ 337.71
Delivery or relocation charge	\$ 63.17	2.04%	\$ 64.46
Charge per ton for each ton over weight limit	\$ 74.98	1.40%	\$ 76.03

Step Three: Franchise Fee Adjustment

Service	Adjusted Rate	Add: Franchise Fee Incremental	Final Rate	total increase
Standard rolloff charge per load	\$ 225.14	\$ -	\$ 225.14	2.0%
Compactor charge per load	\$ 337.71	\$ -	\$ 337.71	2.0%
Delivery or relocation charge	\$ 64.46	\$ -	\$ 64.46	2.0%
Charge per ton for each ton over	\$ 76.03	\$ -	\$ 76.03	1.4%

Single Family Residential Rates

Step One: Deduct franchise fees from gross rate revenue

Revenue Component (including Franchise Fees) PRIOR YEAR	Annual Amount	Percent of Gross Revenue Including Franchise Fees
Actual Gross Single Family Rate Revenue	\$ 1,660,866	100.0%
Actual Single Family Franchise Fees	\$ 597,912	36.0%
Actual Single Family Rate Revenue Net of Franchise Fees	\$ 1,062,954	64.0%

Step Two: Determine disposal expense and service revenue as a percent of actual rate revenue net of Franchise Fees

Revenue Component (net of Franchise Fees) PRIOR 12 MONTHS	Annual Amount	Percent of Gross Revenue Net of Franchise Fees
Actual Single Family Rate Revenue Net of Franchise Fees	\$ 1,062,954	100.0%
Less: Actual Single Family Refuse Disposal Expense	\$ 238,083	22.4%
Actual Single Family Service Revenue	\$ 824,872	77.6%

Step Three: Calculate percentage change in adjustment factors

Adjustment Factor	Old	New	Percent Change
Disposal Tipping Fee per Ton	\$ 47.91	\$ 48.58	1.40%
CPI- Los Angeles Index	231.928	236.648	2.04%

Step Four: Calculate weighted percentage change in single family rates

Components of Actual Revenue	Component Weight	Percent Change	Weighted Rate Adjustment
Refuse Disposal	22.4%	1.40%	0.31%
Service	77.6%	2.04%	1.58%
Total	100.0%	N/A	1.89%

Step Five: Apply weighted percentage change to single family rates

Includes .03 for Printing and Mailing cost

Service	Current Rate	Weighted Rate Adjustment	Adjusted Monthly Rate
35 gallon cart	\$ 25.61	1.89%	\$ 26.09
64 gallon cart	\$ 26.40	1.89%	\$ 26.90
90 gallon cart	\$ 27.29	1.89%	\$ 27.81
Additional 64 gallon refuse cart	\$ 6.45		\$ 6.45
Additional 90 gallon refuse cart	\$ 6.88		\$ 6.88

Interim Step: HHW Rate base adjus	HHW fund in Current Rate	New HHW fund in Rate	Rate change
HHW Base	\$ 12,000	\$ 12,000	\$ -
Monthly rate	\$ 0.22	\$ 0.22	\$ -

Step Six: Franchise Fee Adjustment

Service	Adjusted Monthly Rate	Add: Franchise Fee Incremental	Final Rate	total increase
35 gallon cart	\$ 26.09	\$ -	\$ 26.09	1.87%
64 gallon cart	\$ 26.90	\$ -	\$ 26.90	1.89%
90 gallon cart	\$ 27.81	\$ -	\$ 27.81	1.91%
Additional 64 gallon refuse cart	\$ 6.45	\$ -	\$ 6.45	0.00%
Additional 90 gallon refuse cart	\$ 6.88	\$ -	\$ 6.88	0.00%



AGENDA ITEM NO. 6.3

STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *GB*

MEETING DATE: MARCH 20, 2013

ORIGINATING DEPT.: PUBLIC WORKS *HCL*

SUBJECT: RESOLUTION NO. 2013-7307 AMENDING WESTERN RIM CONSTRUCTORS, INC. CONTRACT FOR THE ECO BIKEWAY 7TH & SEACOAST (S05-104) PROJECT BY AWARDDING ADDITIVE BID NO. 1

BACKGROUND:

On December 12, 2012, City Council adopted Resolution No. 2012-7281 awarding the Eco Bikeway 7th and Seacoast CIP project (S05-104) (PROJECT) to Western Rim Constructors, Inc. at a bid price of \$1,415,498.35. The PROJECT was funded \$1,500,000 from a SANDAG Active Transportation Grant and a City of Imperial Beach \$600,000 TRANSNET match. The total funds available for the PROJECT were \$2,100,000.

The PROJECT was advertised for a base bid to construct the Eco Bikeway 7th and Seacoast plus a bid for additive item No. 1. The contract was to be awarded based on the lowest responsive and responsible bidder for the base bid. At the City's option, the Additive bid item could be added to the contract. The Additive Bid item was for the installation of a signal light at the intersection of Palm Avenue and Rainbow Drive. The base bid included the installation of the signal light underground conduits, but with no signal light installation. The purpose of this was to provide for a future signal light installation without requiring the street to be torn up for that later installation. The bid price for Western Rim Constructors, Inc. Additive Bid Item No. 1 was \$120,227.25. Western Rim Constructors, Inc. would still have been the lowest responsible and responsive bidder at the time of the contract award with the addition of Additive Bid Item No. 1.

In Resolution 2012-7281, Western Rim Constructors, Inc. was awarded the contract to construct the PROJECT base bid only. PROJECT construction commenced on or about January 22, 2013 and remains under construction with an estimated completion date of May 21, 2013.

DISCUSSION:

Recently staff inquired with SANDAG about the eligibility of the Active Transportation Grant to pay for the proportionate share of the installation of the signal light – Additive Item No. 1 – as part of the ongoing construction of the PROJECT. SANDAG staff has responded that the Active Transportation Grant funds can be used to pay for the proportionate share of the signal light installation at the intersection of Palm Avenue and Rainbow Drive. Proportionate share means that 71% of the additive cost would be paid from the Active Transportation Grant and 29% from TRANSNET.

Staff is presenting the addition of Additive Bid No. 1 as an option that City Council may want to consider awarding to Western Rim Constructors, Inc. as part of this current PROJECT. The installation of the new signal light at Palm Avenue and Rainbow Drive intersection coincident with the PROJECT will provide for a more orderly traffic flow through Palm Avenue and adjacent street intersections. The Environmental impact report for the Bicycle Transportation Plan and ECO Bikeway Palm Avenue Traffic Calming Plan section 4.1.5 traffic mitigation measures "...noted that the signal is not a required mitigation measure, but it is recommended to improve the flow of traffic." Installing the signal light under this contract with 71% of the cost funded through a grant is probably the least costly installation option available to the City.

ENVIRONMENTAL DETERMINATION:

Project is exempt from CEQA pursuant to CEQA Guidelines Section 15302(c): Replace or Reconstruction of Existing Utility Systems and Facilities.

FISCAL IMPACT:

Revenue:	TRANSNET	\$ 600,000.00
	Active Transportation Account Grant	\$1,500,000.00
	TOTAL FUNDS AVAILABLE	\$2,100,000

Expenditure:	Construction Support Consultant	\$ 22,000.00
	Public Works Admin	\$ 30,000.00
	Construction Contract (base bid)	\$1,415,498.35
	Construction Contract (Additive Bid)	\$ 120,227.25
	TOTAL EXPENDITURES	\$1,587,725.60

Note: Active Transportation cost = \$1,127,285.18
 City of Imperial Beach TRANSNET = \$ 460,440.42

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Consider adding the signal light at the intersection of Palm Avenue and Rainbow Drive.
3. Adopt Resolution 2013-7307 amending the PROJECT contract and awarding Additive Bid No. 1 to Western Rim Constructors, Inc. at a bid price of \$120,227.25.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7307

RESOLUTION NO. 2013-7307**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING WESTERN RIM CONSTRUCTORS, INC. CONTRACT FOR THE ECO BIKEWAY 7TH & SEACOAST (S05-104) PROJECT BY AWARDDING ADDITIVE BID NO. 1**

WHEREAS, on December 12, 2012, City Council adopted Resolution No. 2012-7281 awarding the Eco Bikeway 7th and Seacoast CIP project (S05-104) (PROJECT) to Western Rim Constructors, Inc. at a bid price of \$1,415,498.35; and

WHEREAS, the PROJECT was funded \$1,500,000 from a SANDAG Active Transportation Grant and a City of Imperial Beach \$600,000 TRANSNET match with total funds available for the PROJECT of \$2,100,000; and

WHEREAS, the PROJECT was advertised for a base bid to construct the Eco Bikeway 7th and Seacoast plus a bid for additive item No. 1; and

WHEREAS, the Additive Bid item was for the installation of a signal light at the intersection of Palm Avenue and Rainbow Drive; and

WHEREAS, in Resolution 2012-7281, Western Rim Constructors, Inc. was awarded the contract to construct the PROJECT base bid only; and

WHEREAS, at the City's option, the Additive bid item could be added to the contract; and

WHEREAS, the bid price for Western Rim Constructors, Inc. Additive Bid Item No. 1 was \$120,227.25; and

WHEREAS, Western Rim Constructors, Inc. would still have been the lowest responsible and responsive bidder at the time of the contract award with the addition of Additive Bid Item No. 1; and

WHEREAS, recently staff inquired with SANDAG about the eligibility of the Active Transportation Grant to pay for the proportionate share of the installation of the signal light – Additive Item No. 1 – as part of the ongoing construction of the PROJECT; and

WHEREAS, SANDAG staff has responded that the Active Transportation Grant funds can be used to pay for the proportionate share of the signal light installation at the intersection of Palm Avenue and Rainbow Drive; and

WHEREAS, proportionate share means that 71% of the additive cost would be paid from the Active Transportation Grant and 29% from TRANSNET; and

WHEREAS, the addition of Additive Bid No. 1 is an option that City Council may want to consider awarding to Western Rim Constructors, Inc. as part of this current PROJECT; and

WHEREAS, the installation of the new signal light at Palm Avenue and Rainbow Drive intersection coincident with the PROJECT will provide for a more orderly traffic flow through Palm Avenue and adjacent street intersections; and

WHEREAS, installing the signal light under this contract with 71% of the cost funded through a grant is probably the least costly installation option available to the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. Approve adding Additive Bid No. 1 to the PROJECT contract with Western Rim Constructors, Inc.
3. Authorize the City Manager to amend the PROJECT contract with Western Rim Constructors, Inc. by adding Additive Bid No. 1 – Signal light at the intersection of Palm Avenue and Rainbow Drive.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th day of March 2013, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK