



# A G E N D A

## IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY



JUNE 1, 2011

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

**CLOSED SESSION MEETING – 4:45 P.M.**  
**REGULAR MEETING – 6:00 P.M.**

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

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

### **CLOSED SESSION CALL TO ORDER BY MAYOR**

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

### **CLOSED SESSION**

#### **1. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager

Employee organizations: Imperial Beach Firefighters' Association (IBFA)  
Service Employees International Union (SEIU), Local 221  
Unrepresented Employees  
Management

#### **2. CONFERENCE WITH LEGAL COUNSEL**

Pursuant to Government Code Section 54956.9(b)(3)(A)

No. of Cases: 2

**RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)**

### **REGULAR MEETING CALL TO ORDER BY MAYOR**

### **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**

Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority 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.

**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\* DEBUT OF NEW SAN DIEGO COUNTY LIBRARY BOOKMARKS FEATURING IMPERIAL BEACH LIFEGUARDS. (0150-20)**

\* No staff report.

**CONSENT CALENDAR (2.1 - 2.9)** - All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.

**2.1 MINUTES.**

City Manager's Recommendation: Approve the minutes of the City Council Workshop Meeting of April 13, 2011 and the Regular City Council Meetings of April 20, 2011 and May 4, 2011.

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

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 78293 through 78379 with the subtotal amount of \$789,772.93 and Payroll Checks 43814 through 43850 for the pay period ending 05/05/11 with the subtotal amount of \$157,266.28 for a total amount of \$947,039.21.

**2.3 RESOLUTION NO. 2011-7049 AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT. (0380-45)**

City Manager's Recommendation: Adopt resolution.

**2.4 RESOLUTION NO. 2011-7050 AUTHORIZING ADOPTION OF THE 2009 EDITION OF THE SAN DIEGO AREA REGIONAL STANDARD DRAWINGS. (0720-95)**

City Manager's Recommendation: Adopt resolution.

**2.5 RESOLUTION NO. 2011-7047 AUTHORIZING THE CITY OF IMPERIAL BEACH TO RECEIVE CLEANUP AND ABATEMENT ACCOUNT FUNDS FOR THE LOS LAURELES CANYON TRANS-BORDER TRASH TRACKING STUDY. (0390-86 & 0620-75)**

City Manager's Recommendation: Adopt resolution.

**2.6 RESOLUTION NO. 2011-7046 TIME EXTENSION APPROVAL FOR CONDITIONAL USE PERMIT (CUP 05-285) AND SITE PLAN REVIEW (SPR 05-286) FOR A MIXED-USE PROJECT LOCATED AT 198-200 PALM AVENUE, IN THE SEACOAST COMMERCIAL (C-2) ZONE: GREG NEIL OWNER/APPLICANT. MF 807. (0600-20)**

City Manager's Recommendation: Adopt resolution.

**2.7 RESOLUTION NO. 2011-7051 AUTHORIZING RENEWAL OF THE AGREEMENT WITH PARTNERSHIPS WITH INDUSTRIES FOR TIDELANDS MAINTENANCE SERVICES. (0920-20)**

City Manager's Recommendation: Adopt resolution.

**2.8 RESOLUTION NO. 2011-7044 AUTHORIZING THE EXPENDITURE PLAN FOR THE FY 2010-2011 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT ALSO KNOWN AS THE COPS GRANT. (0260-15 & 0390-86)**

City Manager's Recommendation: Adopt resolution.

**2.9 RESOLUTION NO. R-11-260 AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE EXCLUSIVE NEGOTIATION AGREEMENT WITH SUDBERRY PROPERTIES. (0640-10)**

City Manager's Recommendation: Adopt resolution.

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

**3.1 FIRST READING OF ORDINANCE NO. 2011-1117 – AFFIRMATIVE ACTION. (0380-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the first reading of the title of Ordinance No. 2011-1117;
3. City Clerk to read title of Ordinance No. 2011-1117 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REPEALING CHAPTER 2.44 OF THE IMPERIAL BEACH MUNICIPAL CODE REGARDING AFFIRMATIVE ACTION IN PUBLIC CONTRACTING;" and
4. Motion to waive further reading and dispense introduction by title only and set the matter for adoption at the next regularly scheduled City Council meeting.

**ORDINANCES – SECOND READING & ADOPTION (4)**

None.

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. 2011-7048 SUE ELENBAAS AND MICHAEL HENTSCH (APPLICANT/OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 110001) AND CONDITIONAL USE PERMIT (CUP 110002) TO PROVIDE A SENIOR HOUSING DEVELOPMENT ("BY THE SEA") LOCATED AT 829 EMORY STREET (APN 626-322-04-00) IN THE R-3000 (TWO FAMILY RESIDENTIAL) ZONE. MF 1064. (0600-20)**

City Manager's Recommendation:

1. Open the public hearing and entertain testimony;
2. Close the public hearing; and
3. Adopt Resolution No. 2011-7048 approving the Administrative Coastal Permit (ACP 110001) and Conditional Use Permit (CUP 110002), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

**REPORTS (6.1-6.7)**

**6.1\* PRESENTATION ON NAVAL FLIGHT PATTERNS RELATED TO EXPANDED HELICOPTER OPERATIONS BY CAPT. LINDSEY. (0620-80)**

\* No staff report.

**6.2 SYSTEMATIC CODE COMPLIANCE PROGRAM UPDATE. (0470-95)**

City Manager's Recommendation: Receive update report and consider:

1. Continuing the systematic Code Compliance Program "as-is" with anticipated and on-going case loads and impacts;
2. Adding an additional part-time Code Compliance Officer to handle the additional work load impacts due to the implementation of the Systematic Code Compliance Program;
3. Discontinuing or temporarily suspending the Systematic Code Compliance Program, and resume complaint based enforcement with proactive enforcement limited to blatant or egregious violations observed by City Staff or the general public. This option could also be combined with an increase in staff as proposed in Option 2.

***Continued on Next Page***

**REPORTS (Continued)**

**6.3 REVIEW AND DIRECTION REGARDING PROCESSING AND FISCAL ALTERNATIVES FOR AN OFF-LEASH TEST SITE ON THE BEACH BETWEEN PALM AVE. AND CARNATION AVE. (NORTH CITY LIMITS). (0920-90)**

City Manager's Recommendation:

1. Enter into an MOU with IB Yappy regarding operation and maintenance of the trial off-leash area. Without this, the City should not proceed with any additional processing for an off-leash beach area.
2. If the MOU is completed, process a Coastal Development Permit and necessary environmental review.
3. Give policy direction on whether IB Yappy should be required to pay for the processing of the Coastal Development Permit and environmental review.
4. Prepare an Ordinance suspending enforcement of the on-leash provision of the Municipal Code until the trial is terminated (Maximum of 6 months).
5. If during the public hearing or during the review process there is a significant opposition or potential litigation, the City should abandon the leash free idea.
6. Consider a Workshop to discuss a City Council policy on community group requests that require considerable City staff and financial resources.
7. Consider tabling this request until there is more fiscal certainty and State budget actions are known.

**6.4 IMPERIAL BEACH SHERIFF STATION 2010 YEAR END REVIEW. (0260-80)**

City Manager's Recommendation: Receive presentation by Sheriff.

**6.5 ADA COMPLIANCE IMPROVEMENTS AT 9<sup>TH</sup> STREET AND IMPERIAL BEACH BLVD. (0720-40)**

City Manager's Recommendation:

1. Receive report;
2. Receive an oral and visual presentation by staff on project details; and
3. Provide direction to staff on what design concepts are acceptable to Council and the Community.

**6.6 RESOLUTION NO. 2011-7043 APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF IMPERIAL BEACH REGARDING FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES. (0250-32)**

City Manager's Recommendation: Adopt resolution.

**6.7 RESOLUTION NO. 2011-7045 APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE (SHELTER) AND ANIMAL CONTROL SERVICES. (0200-50)**

City Manager's Recommendation: Adopt resolution.

**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](http://www.cityofib.com).

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/s/  
Jacqueline M. Hald, MMC  
City Clerk

**MINUTES**

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

**APRIL 13, 2011**

**Community Room (Behind City Hall)  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

**WORKSHOP MEETING – 6:00 p.m.**

**CALL TO ORDER BY MAYOR**

MAYOR JANNEY called the Workshop meeting to order at 6:03 p.m.

**ROLL CALL BY CITY CLERK**

Councilmembers present: Spriggs, Bragg, King  
Councilmembers absent: None  
Mayor Pro Tem present: Bilbray  
Mayor Present: Janney  
Staff present: City Manager Brown, City Attorney Lyon, City Clerk Hald,  
Community Development Director Wade, Public Works Director  
Levien, Public Safety Director Clark, Human Resources Manager  
Leichtle, Finance Supervisor Buangan, Sheriff's Captain Myers

**PUBLIC COMMENT**

None.

**REPORTS (1-2)**

**1. TRANSMITTAL OF PROPOSED FISCAL YEAR 2011-12 AND 2012-13 OPERATING BUDGETS. (0330-30)**

CITY MANAGER BROWN gave a PowerPoint presentation on the item.

City Council, along with executive management staff, reviewed their budget priorities.

In response to requests of City Council, City Manager Brown stated staff will explore and then present to City Council marketing and revenue generating ideas; staff will also present to City Council a review of the Vision Plan Report.

**2. COMMENTS ON VISION FOR SEACOAST AREA. (0620-90)**

CITY MANAGER BROWN stated staff will return to City Council with a presentation on reports/studies that have been done on the Seacoast area.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:15 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk

MINUTES

IMPERIAL BEACH CITY COUNCIL  
REDEVELOPMENT AGENCY  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY

APRIL 20, 2011

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

*CLOSED SESSION MEETING – 5:00 P.M.*  
*REGULAR MEETING – 6:00 P.M.*

**CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:00 p.m.

**ROLL CALL**

Councilmembers present: Spriggs, Bragg, King  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem Present: Bilbray  
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**CLOSED SESSION**

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

- 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(3)(A)  
No. of Cases: 1
- 2. CONFERENCE WITH LABOR NEGOTIATOR**  
Pursuant to Government Code Section 54957.6:  
Agency Negotiator: City Manager  
Employee organizations: Imperial Beach Firefighters' Association (IBFA)  
Service Employees International Union (SEIU), Local 221  
Unrepresented Employees  
Management
- 3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Pursuant to Government Code Section 54957  
Title: City Attorney

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:01 p.m. and he reconvened the meeting to Open Session at 6:03 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council considered Closed Session Items 2 and 3, direction was given and had no reportable action; and Item 1 was removed from the agenda.

**REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:04 p.m.

**ROLL CALL**

Councilmembers present: Spriggs, Bragg, King  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem Present: Bilbray  
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

**AGENDA CHANGES**

None.

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

COUNCILMEMBER KING reported on a SANDAG meeting he attended with City Manager Brown and Community Development Director Wade where they discussed the capabilities of SANDAG to conduct studies that the City currently uses consultants for; by utilizing SANDAG the City could save on staff time, reduce costs, and increase the City's ranking when being considered for projects by SANDAG.

COUNCILMEMBER BRAGG reported on a League of California Cities meeting she attended in Ontario on October 14<sup>th</sup>; she expressed disappointment with the Governor's budget and noted elected city officials throughout the State are grappling with budget challenges similar to those facing the City of Imperial Beach.

MAYOR JANNEY thanked Councilmember King and staff for meeting with SANDAG; he thanked Public Works Director Levien, staff and the Chamber of Commerce for the new Woody logo street signs; and he announced SANDAG will release the draft 2050 Regional Plan on Friday.

**COMMUNICATIONS FROM CITY STAFF**

None.

**PUBLIC COMMENT**

JUNE ENGEL, Imperial Beach Library Branch Manager, announced a collection of old newspapers were donated to the library by the Bonita Museum and Cultural Center.

JOHN WALSH stated projects over \$25,000 requires a labor compliance program in accordance with the California Labor Code 1771.5(b), the Coastal and Beach Protection Act of 2002 requires a labor compliance program; there should be prevailing wage for all tradesmen on site; there should be one apprentice for every 5 journeymen; and he spoke in support for a ratio of Imperial Beach residents to work on the construction of the new hotel.

**PRESENTATIONS (1.1)**

**1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)**

MAYOR JANNEY, along with MARCO TOPETE, of EDCO, presented the Recycle All-Star Award Certificate, \$100 check and other premiums to Bruce Rockwell.

MR. TOPETE announced the Home Front Clean-up event is scheduled for the first Saturday in May.

**1.2 PRESENTATION BY SANDAG ON THE IMPERIAL BEACH ENERGY ROADMAP. (0140-40 & 0230-20)**

SUSAN FREEDMAN, Senior Regional Energy Planner at SANDAG, presented a PowerPoint presentation on the item; she reviewed how to save energy in City government buildings and in the community which would result in cost savings and benefits to the environment.

JULIE YUNKER from SDG&E reported on incentive/rebate programs.

**CONSENT CALENDAR (2.1 - 2.2)**

**MOTION BY BILBRAY, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.2. MOTION CARRIED UNANIMOUSLY.**

**2.1 MINUTES.**

Approved the revised minutes of the Regular City Council Meeting of November 17, 2010, (*revision on Page 6, Item 6.3*). and the minutes of the Regular City Council Meeting of February 16, 2011.

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

Ratified the following registers: Accounts Payable Numbers 72997 through 78111 with the subtotal amount of \$576,901.35 and Payroll Checks 43706 through 43741 for the pay period ending 03/24/11 with the subtotal amount of \$149,281.69, for a total amount of \$726,183.04.

**ORDINANCES – INTRODUCTION/FIRST READING (3)**

None.

**ORDINANCES – SECOND READING & ADOPTION (4)**

None.

**PUBLIC HEARINGS (5)**

None.

**REPORTS (6.1-6.5)**

**6.1 CITY COUNCIL SELECTION OF OPTIONAL SITES FOR FURTHER STUDY FOR AN OFF-LEASH AREA FOR DOGS ON THE BEACH. (0920-90)**

COUNCILMEMBER SPRIGGS announced the need to recuse himself from discussion of the item as his residence is within 500 feet of some of the proposed off-leash sites; he requested the opportunity to speak to the item as well as remain in the audience; he left the dais and took a seat in the audience at 6:46 p.m.

CITY ATTORNEY LYON stated California Regulations 18702.4(b) allows Councilmember Spriggs, who has a potential conflict of interest on the item, to properly recuse himself and then speak as a member of the general public; he can only speak as it affects his personal interests, he is not allowed to advocate on the behalf of others and he can listen from the audience.

CITY MANAGER BROWN reported on the item and discussed the proposed sites for off-leash areas for dogs on the beach; he noted that the dog beaches located in the other cities are in isolated areas away from residences.

ED SPRIGGS, speaking on his own behalf, stated he observed dogs off leash and owners not picking up after their dogs on the beach near Descanso Ave.; he spoke of occasions when dogs entered residents' yards; and he expressed concern that with more users there would be more impacts on residents.

JESSICA DYKES, President of IB Yappy, stated they do not want a dog beach south of Imperial Beach Blvd.; their preferred location is between Carnation Ave. and Palm Ave.; she also spoke in support for a leash free area at Veterans Park; she suggested a 3-compartment fenced area to separate large and small dogs with a third compartment for doggie parties; and she spoke about potential funding from Ocean Blue.

MAYOR JANNEY spoke in support for a leash free dog beach on a trial basis; he was uncertain about locating a dog park at Veterans Park as it is the only large park in Imperial Beach; to designate an area for animals would take area away from other users of the park.

MAYOR PRO TEM BILBRAY spoke in support for a trial period at this time; he suggested dog owners be informed of their responsibilities and that violators could ruin it for others; his area of preference was Palm Ave. to Carnation Ave.; and he suggested looking into the plot of land by Oneonta Ave. and Ream Field as another option.

In response to Councilmember Bragg's concern about liability, CITY ATTORNEY LYON stated she was not aware of cases where City's were held liable for dog bites, typically dog owners take on that responsibility.

COUNCILMEMBER KING spoke in support for a trial period of 6 months at Palm Ave. and Carnation Ave.; and he encouraged IB Yappy to inform owners to comply with the rules.

**MOTION BY JANNEY, SECOND BY BRAGG, TO SUPPORT A TRIAL LEASH-FREE DOG BEACH, TO PROCEED WHEN THE CITY STAFF CAN GET THE SIGNAGE CHANGED IN THE AREA BETWEEN PALM AVE. AND CARNATION AVE. FOR A TIME PERIOD NOT TO EXCEED 6 MONTHS.**

City Council discussion:

CITY MANAGER BROWN stated staff will work as fast as possible to have the trial up and running.

COUNCILMEMBER BRAGG expressed concern about a trial period during the summer months and questioned the time period for the trial; she also questioned the status of the location in the river valley area that was presented by Dr. McCoy at a recent City Council meeting; she stated that she was not against a trial period but will vote in support with trepidation.

MAYOR JANNEY clarified that his motion was not to wait for the summer season to end, but rather move forward as soon as staff is able; and he responded that the County of San Diego does not have funding to pursue the site in the river valley area.

COUNCILMEMBER BRAGG withdrew her second.

MAYOR PRO TEM BILBRAY seconded the motion.

COUNCILMEMBER KING spoke in support for the location at Palm Ave. to Carnation Ave.

CITY MANAGER BROWN stated staff will proceed with a trial run from Palm Ave. to Carnation Ave. for a period of 6 months; and staff will report back to City Council if problems arise.

**VOTES WERE NOW CAST ON MOTION BY JANNEY, SECOND BY BILBRAY, TO SUPPORT A TRIAL LEASH-FREE DOG BEACH AND TO PROCEED WHEN THE CITY STAFF CAN GET THE SIGNAGE CHANGED IN THE AREA BETWEEN PALM AVE. AND CARNATION AVE. FOR A TIME PERIOD NOT TO EXCEED 6 MONTHS. MOTION CARRIED BY THE FOLLOWING VOTES:**

**AYES: COUNCILMEMBERS: KING, BILBRAY, JANNEY**  
**NOES: COUNCILMEMBERS: BRAGG**  
**DISQUALIFIED: COUNCILMEMBERS: SPRIGGS (DUE TO A POTENTIAL CONFLICT OF INTEREST)**

COUNCILMEMBER SPRIGGS returned to the dais at 7:27 p.m.

## **6.2 GOALS FOR 2011-2015. (0100-10)**

CITY MANAGER BROWN reported on the item and added the following items based on discussion at the recent City Council workshop:

- Explore next steps to capitalize on opportunities presented by the new Seacoast Inn. Take these steps once they're identified
- Work with Council on ways to build the City's revenues
- Present ideas to improve marketing of the city

MAYOR JANNEY stated staff will return to City Council with studies that have been done on the Seacoast Area.

COUNCILMEMBER SPRIGGS noted that since the new hotel is becoming a reality, he supported another review of priorities in the Seacoast area.

**MOTION BY KING, SECOND BY BILBRAY, TO ADOPT THE GOALS FOR THE 2011-2015 PERIOD AS AN AMENDMENT TO THE 2010-2014 GOALS. MOTION CARRIED UNANIMOUSLY.**

**6.3 RESOLUTION NO. 2011-7027 AWARDED CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO CITY ENGINEER – BDS ENGINEERING – TO WIT RTIP STREET IMPROVEMENTS FY 10/11 CIP PROJECT S11-101. (0720-25)**

CITY MANAGER BROWN introduced the item.

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

**MOTION BY BILBRAY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2011-7027 AWARDED CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO CITY ENGINEER – BDS ENGINEERING – TO WIT RTIP STREET IMPROVEMENTS FY 10/11 CIP PROJECT S11-101. MOTION CARRIED UNANIMOUSLY.**

**6.4 RESOLUTION NO. 2011-7029 SUPPORTING THE EXPEDITED DEMOLITION OF THE SOUTH BAY POWER PLANT. (0150-10)**

A letter of support from City of Chula Vista Councilmember Steve Castaneda was submitted as last minute agenda information.

MAYOR JANNEY reported on the item and spoke in support for the resolution.

**MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2011-7029 SUPPORTING THE EXPEDITED DEMOLITION OF THE SOUTH BAY POWER PLANT. MOTION CARRIED UNANIMOUSLY.**

**6.5 UPDATE ON NAVY HELICOPTER DRAFT EA. (0620-80)**

CITY MANAGER BROWN reported on the item.

MAYOR JANNEY reported on a meeting he had with Captain Lindsey; he noted that the Captain is willing to meet with residents of Seaside Point; and the Navy is looking into doing noise studies at Seaside Point, Oneonta School, and the Tijuana Estuary Reserve Center.

COUNCILMEMBER SPRIGGS commended staff for drafting the letters; he stressed the need to mention in the letters that the impact to Imperial Beach is already high and that a 30% increase to an already established high level of impact should require further review as well as mitigation by the Navy.

COUNCILMEMBER KING stressed that the impacts have not been addressed; the Navy has an obligation to the citizens of this country to evaluate their impacts and come up with mitigation measures; and he spoke in support for the Navy to move their flight pattern a half mile north so that flights do not go over homes.

ROBERT TAYLOR stated the noise from the helicopters is a major problem; he expressed concern about the impacts of noise on health; and he suggested the City contact CalTrans to conduct sound studies.

MAYOR JANNEY supported adding the comments made by Councilmember Spriggs to the first and last paragraphs of the letters; he noted that he is not willing to sign the letter addressed to the California Coastal Commission; however, he supported the letter addressed to the Navy.

In response to Mayor Janney, CITY COUNCIL spoke in support for providing the California Coastal Commission with information on Imperial Beach's concerns; it was also noted that the Commission has a jurisdictional obligation to respond to those concerns; and they supported the submittal of the letters.

MAYOR PRO TEM BILBRAY suggested staff contact SANDAG and other cities to support Imperial Beach.

MAYOR JANNEY suggested that the two letters be submitted; however he was opposed to signing the letter addressed to the California Coastal Commission.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:15 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, MMC  
City Clerk

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

**MAY 4, 2011**

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

***CLOSED SESSION MEETING – 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.***

**CALL TO ORDER**

MAYOR PRO TEM BILBRAY called the Closed Session Meeting to order at 5:00 p.m.

**ROLL CALL**

Councilmembers present: Spriggs (arrived at 5:14 p.m.), Bragg, King  
Councilmembers absent: None  
Mayor absent: Janney  
Mayor Pro Tem Present: Bilbray  
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**CLOSED SESSION**

**MOTION BY KING, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:**

- 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**  
Pursuant to Government Code Section 54956.9(b)(3)(E)  
Significant Exposure to Litigation (1 case)
  
- 2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**  
Pursuant to Government Code Section 54956.9(b)(3)(A)  
Significant Exposure to Litigation (2 cases)

**MOTION CARRIED BY THE FOLLOWING VOTE:**

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

MAYOR PRO TEM BILBRAY adjourned the meeting to Closed Session at 5:01 p.m. and he reconvened the meeting to Open Session at 6:01 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council discussed Item Nos. 1 and 2, direction was given and no reportable action was taken.

**REGULAR MEETING CALL TO ORDER**

MAYOR PRO TEM BILBRAY called the Regular Meeting to order at 6:02 p.m.

**ROLL CALL**

Councilmembers present: Spriggs, Bragg, King  
Councilmembers absent: None  
Mayor absent: Janney  
Mayor Pro Tem Present: Bilbray  
Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**PLEDGE OF ALLEGIANCE**

MAYOR PRO TEM BILBRAY led everyone in the Pledge of Allegiance.

**AGENDA CHANGES**

None.

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

COUNCILMEMBER KING reported on the SANDAG Bayshore Bikeway Committee meeting.

COUNCILMEMBER SPRIGGS reported on the "Keeping our heads above water - Adapting to climate change in Southern California" conference he attended in Redondo Beach; he suggested that some of the issues raised at the conference be discussed at a future City Council Workshop meeting.

**COMMUNICATIONS FROM CITY STAFF**

CITY MANAGER BROWN reported on a meeting the Mayor and staff had with a representative of the IBWC.

**PUBLIC COMMENT**

LAUREN AND JEANETTE, Representatives of the Del Mar Fairgrounds, spoke about the upcoming events at the 2011 San Diego County Fair.

ROBERT BRIANS spoke about the difficulty in opening a pet store in Imperial Beach.

**PRESENTATIONS (1)**

None.

**CONSENT CALENDAR (2.1 - 2.4)**

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

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

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

Ratified the following registers: Accounts Payable Numbers 78112 through 78186 with the subtotal amount of \$768,295.05 and Payroll Checks 43742 through 43779 for the pay period ending 04/07/11 with the subtotal amount of \$152,819.83 for a total amount of \$921,114.88.

- 2.2 RESOLUTION NOS. 2011-7033 AND R-11-256 AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH MCDUGAL, LOVE, ECKIS, BOEHMER & FOLEY TO EXTEND THE TERM FOR TWO YEARS FOR LEGAL SERVICES. (0440-30)**  
Adopted Resolutions.
- 2.3 RESOLUTION NO. 2011-7030 AUTHORIZING THE SALE OF SURPLUS PROPERTY. (0380-45)**  
Adopted Resolution.
- 2.4 RESOLUTION NO. R-11-258 DECLARING THE IMPERIAL BEACH REDEVELOPMENT AGENCY'S PLANNING AND ADMINISTRATIVE EXPENSES USING LOW AND MODERATE INCOME HOUSING FUND ARE NECESSARY FOR THE PRODUCTION, IMPROVEMENT, OR PRESERVATION OF LOW AND MODERATE INCOME HOUSING. (0650-33 & 0720-10)**  
Adopted Resolution.

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

- 3.1 PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2011-1116 TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2012. (0830-95)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item and reviewed the history of improvements made to the sewer system.

FINANCE DIRECTOR MCGRANE gave a PowerPoint presentation on sewer service costs and historical information on the sewer cash balance; he noted that sewer treatment accounts for 64% of the operating costs for sewer service.

ROSE HARRIS, submitted a speaker slip indicating opposition to the fee increase (she did not wish to speak).

MAYOR PRO TEM BILBRAY called for the first reading of the title of Ordinance No. 2011-1116.

CITY CLERK HALD read the title of Ordinance no. 2011-1116 "An Ordinance of the City Council of the City of Imperial Beach, California, adopting the revised sewer service rates for sanitary sewer service and amending Section 13.06.140.B of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges – designated."

**MOTION BY KING, SECOND BY BRAGG, TO DISPENSE FIRST READING OF ORDINANCE NO. 2011-1116 BY TITLE ONLY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**ORDINANCES – SECOND READING & ADOPTION (4)**

None.

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. 2011-7035 CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M). (0345-10)**

MAYOR PRO TEM BILBRAY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR PRO TEM BILBRAY closed the public hearing.

**MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2011-7035 CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M). MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**REPORTS (6.1-6.6)**

**6.1 RESOLUTION NOS. 2011-7037 AND R-11-259 AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH NASLAND ENGINEERING FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS FOR THE DATE AVENUE STREET END. (0720-25)**

COUNCILMEMBER BRAGG announced she had a conflict of interest on the item due to the location of a previous place of employment and left Council Chambers at 7:00 p.m.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE reported on the item and responded to questions of City Council regarding the cause for contract cost increases, he reviewed the safeguards that are in place to ensure that the project and seawall are built as designed; and he spoke about the elements for shoreline protection.

**MOTION BY KING, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NOS. 2011-7037 AND R-11-259 AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO TRANSFER THE NECESSARY FUNDS OF \$15,000.00 TO COMPLETE CONSTRUCTION DRAWINGS FOR THE DATE AVENUE STREET END AND AUTHORIZING THE TRANSFER AND EXPENDITURE OF AGENCY FUNDS FOR THE NASLAND AGREEMENT. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, SPRIGGS, BILBRAY  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: JANNEY  
DISQUALIFIED: COUNCILMEMBERS: BRAGG (DUE TO A POTENTIAL CONFLICT OF INTEREST)**

COUNCILMEMBER BRAGG returned to Council Chambers at 7:13 p.m.

**6.2 RESOLUTION NO. 2011-7031 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- FY 09/10 ANNUAL MAIN LINE REPAIR- NEW [SEWER] PIPE INSTALLATION (W10-101). (0830-10)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on Item Nos. 6.2 and 6.3 and explained why separating them out as two separate projects was necessary and a cost saving measure.

**MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2011-7031 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- FY 09/10 ANNUAL MAIN LINE REPAIR- NEW [SEWER] PIPE INSTALLATION (W10-101) AND AUTHORIZING THE CITY MANAGER TO APPROVE A PURCHASE ORDER FOR THE AMOUNT OF THE BID PRICE. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, BILBRAY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: JANNEY**

**6.3 RESOLUTION NO. 2011-7032 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- FY 09/10 ANNUAL MAIN LINE REPAIR- GROUTING AND LINING (W10-201). (0830-10)**

**MOTION BY SPRIGGS, SECOND BY KING, TO ADOPT RESOLUTION NO. 2011-7032 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- FY 09/10 ANNUAL MAIN LINE REPAIR- GROUTING AND LINING (W10-201) AND AUTHORIZING THE CITY MANAGER TO APPROVE A PURCHASE ORDER FOR THE AMOUNT OF THE BID PRICE. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, BILBRAY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: JANNEY**

**6.4 RESOLUTION NO. 2011-7036 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- IMPERIAL BEACH BOULEVARD CROSSWALK AT LOUDEN LANE (CIP S11-102). (0720-10)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

**MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2011-7036 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT- IMPERIAL BEACH BOULEVARD CROSSWALK AT LOUDEN LANE (CIP S11-102) AND AUTHORIZING THE CITY MANAGER TO APPROVE A PURCHASE ORDER FOR THE AMOUNT OF THE LOWEST QUALIFIED BIDDER. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, BILBRAY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: JANNEY**

CITY MANAGER BROWN stated with regard to the crosswalk in front of City Hall, the installation of the pedestal lights and embedded lights will follow after the installation of the crosswalk.

**6.5 RESOLUTION NOS. 2011-7034 AND R-11-257 AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE AS-NEEDED AGREEMENTS WITH VARIOUS CONSULTANTS FOR WORK RELATED TO THE CITY/REDEVELOPMENT AGENCY COOPERATION AGREEMENT. (0640-05)**

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY reported on the item.

CITY ATTORNEY LYON reported the listed projects are tied to the Cooperation Agreement recently approved by City Council/RDA.

**MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NOS. 2011-7034 AND R-11-257 AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE AS-NEEDED AGREEMENTS WITH VARIOUS CONSULTANTS FOR WORK RELATED TO THE CITY/REDEVELOPMENT AGENCY COOPERATION AGREEMENT. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, BILBRAY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: JANNEY**

**6.6 CHANGE OF PUBLIC HEARING DATE FOR PROPOSED ORDINANCES RELATED TO MEDICAL MARIJUANA DISTRIBUTION FACILITIES. (0610-95)**

CITY MANAGER BROWN introduced the item.

COUNCILMEMBER SPRIGGS requested City Council's support in moving the discussion of the proposed ordinance from June 1 to June 15 due to a scheduling conflict.

COUNCILMEMBER BRAGG questioned if June 15 conflicts with a conference.

Consensus of City Council to change the public hearing date from June 1, 2011 to June 15, 2011 upon confirmation of the conference date.

CONGRESSMAN BRIAN BILBRAY alerted the City of an underground spring at Imperial Beach Blvd. and 9<sup>th</sup> Street; and with regard to secondary sewage treatment at the Point Loma Sewage Treatment Plant, he recommended reading information written by Roger Reville, Oceanographer at Scripps Institute of Oceanography.

**ADJOURNMENT**

MAYOR PRO TEM BILBRAY adjourned the meeting at 7:59 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, MMC  
City Clerk



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** June 1, 2011  
**ORIGINATING DEPT.:** Michael McGrane *mm*  
 Finance Director  
**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.

Vendor	Check	Amount	Description
Moran Foods	78317	\$447,253.00	Termination of Lease Agreement

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
78293-78339	05/13/11	\$ 636,143.00
78340-78379	05/19/11	153,629.93
	<b>Sub-Total</b>	<b>\$ <u>789,772.93</u></b>

**PAYROLL CHECKS:**

43814-43850	P.P.E. 05/05/11	\$ 157,266.28
		\$ <u>157,266.28</u>
	<b>TOTAL</b>	<b>\$ <u>947,039.21</u></b>

**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.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Warrant Registers

PREPARED 05/23/2011, 8:17:42  
 PROGRAM: GM350L  
 CITY OF IMPERIAL BEACH

A/P CHECKS BY PERIOD AND YEAR  
 FROM 05/13/2011 TO 05/19/2011

PAGE 1  
 BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
05/13/2011	78293	AECOM TECHNICAL SERVICES, INC.	2109			28,282.83
402-5000-532.20-06	04/15/2011	THRU 04/01/11-EIR/ZONING/	1210003	111149	10/2011	28,282.83
05/13/2011	78294	AIRGAS WEST	129			20.85
501-1921-419.30-02	04/19/2011	ALCOHOL WIPES	103063172	110021	10/2011	8.70
501-1921-419.30-02	04/22/2011	ALCOHOL PREP PADS	103073864	110021	10/2011	12.15
05/13/2011	78295	ALL TEAM STAFFING, INC	1801			767.48
601-5060-436.21-01	05/02/2011	BATTLES,B W/E 05/01/11	11-2005767	110667	11/2011	767.48
05/13/2011	78296	ARROWHEAD MOUNTAIN SPRING WATE	1340			215.71
101-5020-432.30-02	04/22/2011	APRIL 2011	01D0026726646	110219	10/2011	74.40
101-1010-411.30-02	04/22/2011	20-5 GALLON WATER BOTTLES	01D0025324922	110198	10/2011	100.00
101-1010-411.30-02	04/22/2011	APRIL 2011 COOLER RENTAL	01D0031149578	110198	10/2011	41.31
05/13/2011	78297	AT&T	291			43.45
101-3030-423.27-04	04/13/2011	030 290 2293001 APR 2011	05-08-2011		11/2011	.11
101-1920-419.27-04	05/01/2011	030 480 7925001 APR 2011	05-27-2011		11/2011	28.28
101-5020-432.27-04	05/01/2011	030 480 7925001 APR 2011	05-27-2011		11/2011	8.34
101-3020-422.27-04	05/01/2011	030 480 7925001 APR 2011	05-27-2011		11/2011	6.72
05/13/2011	78298	AT&T	2052			3,291.27
503-1923-419.27-04	04/20/2011	3372571583448	2306441		10/2011	355.52
503-1923-419.27-04	04/20/2011	3393431504727	2304831		10/2011	177.77
503-1923-419.27-04	04/20/2011	3393439371447	2307531		10/2011	177.77
503-1923-419.27-04	04/20/2011	3393442323406	2307840		10/2011	177.77
101-1110-412.27-04	04/15/2011	6194230314983	2293474		10/2011	114.35
101-5040-434.27-04	04/15/2011	6194231074813	2293475		10/2011	15.71
101-5040-434.27-04	04/15/2011	6194231675716	2293476		10/2011	15.71
601-5060-436.27-04	04/15/2011	6194232231359	2293477		10/2011	15.24
101-1210-413.27-04	04/17/2011	6194235034	2297374		10/2011	16.39
101-3020-422.27-04	04/17/2011	6194237246664	2296589		10/2011	72.58
101-3020-422.27-04	04/15/2011	6194238222636	2293478		10/2011	23.13
101-3020-422.27-04	04/15/2011	6194238225966	2293479		10/2011	182.92
101-1920-419.27-04	04/15/2011	6194238300966	2293480		10/2011	251.41
101-5020-432.27-04	04/15/2011	6194238311966	2293481		10/2011	341.06
101-3030-423.27-04	04/15/2011	6194238322966	2293482		10/2011	176.97
101-1130-412.27-04	04/15/2011	6194238617297	2293483		10/2011	70.72
503-1923-419.27-04	04/11/2011	6194243481712	2276787		10/2011	35.18
101-6030-453.27-04	04/11/2011	6194247077654	2276788		10/2011	77.40
101-3020-422.27-04	04/17/2011	6194247359125	2296590		10/2011	75.23
101-6010-451.27-04	04/22/2011	6195750336814	2308973		10/2011	16.13
101-3020-422.27-04	04/22/2011	6195750361567	2308974		10/2011	16.06
601-5060-436.27-04	04/17/2011	6195751351887	2297135		10/2011	14.49
101-1010-411.27-04	04/17/2011	6196281352138	2296591		10/2011	59.63
101-1230-413.27-04	04/17/2011	6196281356950	2296592		10/2011	150.57
101-3040-424.27-04	04/17/2011	6196281357370	2296593		10/2011	77.18
101-3070-427.27-04	04/17/2011	6196281359503	2296594		10/2011	42.77
101-1210-413.27-04	04/17/2011	6196281361675	2296595		10/2011	212.63

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-6010-451.27-04	04/17/2011	6196281385578	2296596		10/2011	56.05
101-3010-421.27-04	04/13/2011	6196281485966	2286268		10/2011	38.19
101-1920-419.27-04	04/17/2011	6196282018442	2296598		10/2011	22.05
601-5060-436.27-04	04/15/2011	C602221236777	2293473		10/2011	212.69
05/13/2011	78299	ART AYALA	1567			104.00
101-3030-423.28-04	04/14/2011	CSLSA MEETING REIMBURSENT	028011		11/2011	50.00
101-3030-423.28-04	04/13/2011	EMT RE-CERT FEES	003166		11/2011	54.00
05/13/2011	78300	CALIFORNIA AMERICAN WATER	612			1,293.89
101-3030-423.27-02	04/08/2011	05-0155019-8 03/03-04/04	04-27-2011		10/2011	20.43
601-5060-436.27-02	04/08/2011	05-0505362-9 03/04-04/05	04-27-2011		10/2011	217.64
101-6040-454.27-02	05/05/2011	05-0092998-9 03/01-05/02	05-24-2011		10/2011	248.97
101-3030-423.27-02	05/05/2011	05-0093917-8 03/01-05/02	05-24-2011		10/2011	115.62
101-5010-431.27-02	05/05/2011	05-0094000-2 03/01-05/02	05-24-2011		10/2011	34.24
101-5010-431.27-02	05/05/2011	05-0094041-6 03/01-05/02	05-24-2011		10/2011	27.50
101-5010-431.27-02	05/05/2011	05-0094076-2 03/01-05/02	05-24-2011		10/2011	24.14
101-5010-431.27-02	05/05/2011	05-0094163-8 03/01-05/02	05-24-2011		10/2011	27.50
101-5010-431.27-02	05/05/2011	05-0094234-7 03/01-05/02	05-24-2011		10/2011	24.14
101-5010-431.27-02	05/05/2011	05-0094268-5 03/01-05/02	05-24-2011		10/2011	27.50
101-5010-431.27-02	05/05/2011	05-0094293-3 03/01-05/02	05-24-2011		10/2011	27.50
101-5010-431.27-02	05/05/2011	05-0094304-8 03/01-05/02	05-24-2011		10/2011	279.26
101-5010-431.27-02	05/05/2011	05-0094973-0 03/01-05/02	05-24-2011		10/2011	219.45
05/13/2011	78301	CLEAN HARBORS	913			1,067.94
101-5040-434.21-04	05/04/2011	APRIL 2011	6Y1118732	110046	11/2011	1,067.94
05/13/2011	78302	COUNTY OF SAN DIEGO RCS	1065			10,096.40
101-3010-421.21-25	05/01/2011	APRIL 2011	11CTOFIBN10	110628	11/2011	2,325.50
101-3020-422.21-25	05/01/2011	APRIL 2011	11CTOFIBN10	110628	11/2011	344.50
101-3030-423.20-06	05/01/2011	APRIL 2011	11CTOFIBN10	110628	11/2011	761.40
101-3010-421.21-25	04/01/2011	MARCH 2011	11CTOFIBN09	110628	10/2011	2,325.50
101-3020-422.21-25	04/01/2011	MARCH 2011	11CTOFIBN09	110628	10/2011	344.50
101-3030-423.20-06	04/01/2011	MARCH 2011	11CTOFIBN09	110628	10/2011	1,616.50
101-3010-421.21-25	03/01/2011	FEBRUARY 2011	11CTOFIBN08	110628	09/2011	2,378.50
05/13/2011	78303	CTE INC, CLARK TELECOM & ELECT	2316			2,650.00
101-6020-452.28-01	04/13/2011	CORRODED POST RPLCMNT	823	111082	10/2011	1,150.00
101-6020-452.21-04	04/19/2011	FAA LIGHTS REPLACEMENT	822	111083	10/2011	1,500.00
05/13/2011	78304	DKC ASSOCIATES, INC.	2187			3,320.00
101-1110-412.20-06	05/05/2011	04/25/11-05/05/11	223	110088	11/2011	1,106.88
405-1260-413.20-06	05/05/2011	04/25/11-05/05/11	223	110088	11/2011	1,106.56
502-1922-419.20-06	05/05/2011	04/25/11-05/05/11	223	110088	11/2011	1,106.56
05/13/2011	78305	EAGLE NEWSPAPER	1204			2,660.25
101-5000-532.20-06	04/21/2011	BID NOTICES	64623	110041	10/2011	101.00
210-1235-513.20-06	04/21/2011	BID NOTICES	64623	110041	10/2011	150.00
101-5040-434.28-07	03/24/2011	CIP BIDS/GARAGE SALE AD	64008	110041	09/2011	75.00
601-5060-536.20-06	03/24/2011	CIP BIDS/GARAGE SALE AD	64008	110041	09/2011	100.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
601-5060-536.20-06	03/24/2011	CIP BIDS/GARAGE SALE AD	64008	110041	09/2011	95.00
101-5040-434.28-07	03/31/2011	CIP BIDS/GARAGE SALE AD	64153	110041	09/2011	75.00
601-5060-536.20-06	03/31/2011	CIP BIDS/GARAGE SALE AD	64153	110041	09/2011	100.00
601-5060-536.20-06	03/31/2011	CIP BIDS/GARAGE SALE AD	64153	110041	09/2011	95.00
101-1020-411.28-07	03/17/2011	PUBLIC HEARING NOTICE	63864	110233	09/2011	178.75
101-5000-532.20-06	04/07/2011	CIP BID ADVERTISING	64313	110041	10/2011	101.00
210-1235-513.20-06	04/07/2011	CIP BID ADVERTISING	64313	110041	10/2011	97.00
601-5060-536.20-06	04/07/2011	CIP BID ADVERTISING	64313	110041	10/2011	100.00
601-5060-536.20-06	04/07/2011	CIP BID ADVERTISING	64313	110041	10/2011	95.00
101-1230-413.20-06	04/14/2011	HEARING NOTICES	64375	110041	10/2011	227.00
101-5000-532.20-06	04/14/2011	CIP BID ADVERTISING	64375	110041	10/2011	101.00
210-1235-513.20-06	04/14/2011	CIP BID ADVERTISING	64375	110041	10/2011	150.00
402-5000-532.20-06	04/14/2011	HEARING NOTICES	64375		10/2011	395.00
101-5040-434.28-07	04/28/2011	DISPLAY AD-GARAGE SALE	64783	110041	10/2011	227.00
101-1020-411.28-07	04/14/2011	RESOLUTION NOTICE	64375	110233	10/2011	155.00
101-1020-411.28-07	04/28/2011	PUBLIC HEARING NOTICE	64783	110233	10/2011	42.50
05/13/2011	78306	EDCO DISPOSAL CORPORATION	1205			141.05
408-1920-519.20-06	04/30/2011	APRIL 2011	04-30-2011	110215	10/2011	141.05
05/13/2011	78307	EDWARD SPRIGGS	2354			135.31
101-1010-411.28-04	05/10/2011	MILEAGE REIMBURSEMENT	05-10-2011		11/2011	135.31
05/13/2011	78308	GO-STAFF, INC.	2031			540.00
101-3020-422.21-01	04/19/2011	ROCHER, J W/E 04/17/11	81582	110149	10/2011	180.00
101-3020-422.21-01	04/26/2011	ROCHER, J W/E 04/24/11	81811	110149	10/2011	180.00
101-3020-422.21-01	05/03/2011	ROCHER, J W/E 05/01/11	82047	110149	11/2011	180.00
05/13/2011	78309	HEARTLAND FIRE TRAINING AUTHOR	2292			504.24
101-3020-422.28-04	08/01/2010	2010-2011 ZONE TRAINING	100801B		11/2011	504.24
05/13/2011	78310	IDEAL DOOR & WINDOW, INC.	2320			1,857.20
248-1920-519.20-06	02/15/2011	C&G-550 THORN AVENUE	149A	110951	09/2011	1,857.20
05/13/2011	78311	J. SIMMS AGENCY	1883			1,250.00
101-1920-419.20-06	04/30/2011	MAY 2011	2950	110069	10/2011	1,250.00
05/13/2011	78312	JULIANNE CHARLAND	1963			161.56
101-3030-423.28-04	04/14/2011	CSLSA MEETING REIMBURSENT	028010		11/2011	50.00
101-3030-423.25-03	04/19/2011	SWIMSUIT REIMBURSEMENT	504221		11/2011	111.56
05/13/2011	78313	APEX ROOFING	2013			2,800.00
248-1920-519.20-06	02/10/2011	C&G-148 CITRUS AVENUE	02-10-2011	111159	09/2011	2,800.00
05/13/2011	78314	LLOYD PEST CONTROL	814			286.00
101-1910-419.20-22	04/08/2011	APRIL 2011-SENIOR CENTER	2976569	110049	10/2011	47.00
101-1910-419.20-22	04/13/2011	APRIL 2011-SPORTS PARK	2960808	110049	10/2011	45.00
101-1910-419.20-22	04/13/2011	APRIL 2011-PUBLIC WORKS	2962972	110049	10/2011	47.00
101-1910-419.20-22	04/13/2011	APRIL 2011-DEMPSEY CTR	2963305	110049	10/2011	54.00
101-1910-419.20-22	04/14/2011	APRIL 2011-CITY HALL	2976259	110049	10/2011	31.00

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101-1910-419.20-22	04/14/2011	APRIL 2011-FIRE DEPT	2976260	110049	10/2011	31.00
101-1910-419.20-22	04/14/2011	APRIL 2011-SHERIFF DEPT	2976474	110049	10/2011	31.00
05/13/2011	78315	MANNY URIBE WEB AND GRAPHIC DE	2256			1,450.00
503-1923-419.20-06	05/04/2011	WEBSITE CONSTR/CONST/RSHR	MU110006	111168	11/2011	1,450.00
05/13/2011	78316	MCDUGAL LOVE ECKIS &	962			42,601.67
405-1260-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	4,058.56
101-1920-532.20-06	03/31/2011	MARCH 2011	03-31-2011		09/2011	4,455.85
101-0000-221.01-02	03/31/2011	MARCH 2011	03-31-2011		09/2011	1,611.19
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	3,748.71
101-1220-413.21-04	03/31/2011	MARCH 2011	03-31-2011		09/2011	5,059.35
101-1220-413.21-04	03/31/2011	MARCH 2011	03-31-2011		09/2011	736.96
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	9,623.46
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	873.40
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	2,320.08
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	1,162.11
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	392.64
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	43.35
101-1220-413.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	36.13
502-1922-419.20-01	03/31/2011	MARCH 2011	03-31-2011		09/2011	252.88
101-1220-413.20-02	04/30/2011	APRIL 2011 RETAINER	04-30-2011	110079	10/2011	8,227.00
05/13/2011	78317	MORAN FOODS	1			447,253.00
101-5000-532.20-06	05/04/2011	TERMINATION LEASE AGRMNT	05-03-2011		11/2011	447,253.00
05/13/2011	78318	NASLAND ENGINEERING	1656			2,462.50
405-1260-513.20-06	04/30/2011	APRIL 2011-DATE ST END	90514	090544	10/2011	2,462.50
05/13/2011	78319	NEXTEL OF CALIFORNIA	1465			191.41
101-1230-413.27-05	04/29/2011	03/26/2011-04/25/2011	896132755-045		10/2011	37.61
101-3070-427.27-05	04/29/2011	03/26/2011-04/25/2011	896132755-045		10/2011	37.81
101-5020-432.21-25	04/29/2011	03/26/2011-04/25/2011	896132755-045		10/2011	115.99
05/13/2011	78320	OFFICE DEPOT, INC	1262			920.57
101-5020-432.30-01	04/13/2011	MARKERS/ENVELOPES/STAPLES	560938677001	110047	10/2011	11.55
101-5020-432.30-01	04/19/2011	BATTERIES/KLEENEX/STAPLER	561575630001	110047	10/2011	25.26
101-1020-411.30-01	04/20/2011	HALD,J-BUSINESS CARDS	561920319001	110047	10/2011	37.16
101-5020-432.30-01	04/29/2011	POST-ITS/MARKERS	562821773001	110047	10/2011	19.27
101-3020-422.30-02	04/21/2011	FIRST AID KIT/MISC OFC SU	561920236001	110047	10/2011	58.81
101-3020-422.30-01	04/28/2011	BATTERIES	562679471001	110047	10/2011	89.66
502-1922-419.30-02	05/02/2011	ERGO CHAIR/LG CAPTAIN	558768887001	110047	11/2011	325.14
101-1110-412.30-01	05/03/2011	MISC OFFICE SUPPLIES	563047565001	110047	11/2011	69.23
101-1210-413.30-01	05/04/2011	MANILA FILE FOLDERS	563161945001	110047	11/2011	10.68
101-1210-413.28-11	05/06/2011	REPLY ENVELOPES	563161908001	110047	11/2011	135.18
101-5020-432.30-01	05/05/2011	PENCILS	563403795001	110047	11/2011	4.06
101-5020-432.30-01	04/30/2011	TONER	562434563001	110047	10/2011	134.57
05/13/2011	78321	PACIFIC COAST CONCRETE, INC.	2338			6,019.00
248-1920-519.20-06	05/06/2011	C&G-550 THORN AVENUE	05-06-2011	111088	11/2011	6,019.00

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
05/13/2011	78322	PRAXAIR DISTRIBUTION INC	1652			341.54
501-1921-419.30-02	04/18/2011	CONTACT TIP	39401431	110209	10/2011	8.65
501-1921-419.30-02	05/03/2011	FLEET WELDING SUPPLIES	39600951	110209	11/2011	82.36
101-6040-454.30-02	05/09/2011	COMPRESSED GAS	39628217	110209	11/2011	130.61
101-3020-422.30-02	02/28/2011	BREATHING AIR	39041529	110408	09/2011	119.92
05/13/2011	78323	PROTECTION ONE	69			273.30
601-5060-436.20-23	04/20/2011	MAY 2011	82546464	110003	10/2011	273.30
05/13/2011	78324	SAN DIEGO GAS & ELECTRIC	1399			15,651.72
101-3020-422.27-01	04/08/2011	10087869371 03/02-03/31	04-26-2011		10/2011	46.63
101-1910-419.27-01	04/08/2011	10087869371 03/02-03/31	04-26-2011		10/2011	199.58
101-5010-431.27-01	04/08/2011	10088604389 02/28-03/29	04-26-2011		10/2011	429.02
101-3020-422.27-01	04/08/2011	19807697764 03/02-03/31	04-26-2011		10/2011	1,915.79
601-5060-436.27-01	04/08/2011	52635219238 02/28-03/29	04-26-2011		10/2011	10.00
101-6020-452.27-01	04/08/2011	56497714749 03/03-04/01	04-26-2011		10/2011	10.03
101-5010-431.27-01	04/08/2011	56497714749 03/03-03/31	04-26-2011		10/2011	7,488.98
101-5010-431.27-01	04/08/2011	85075178464 02/28-03/28	04-26-2011		10/2011	85.50
601-5060-436.27-01	04/08/2011	85075178464 03/03-04/01	04-26-2011		10/2011	72.98
101-6020-452.27-01	04/08/2011	85075178464 03/03-04/01	04-26-2011		10/2011	803.48
601-5060-436.27-01	04/08/2011	85417701270 03/03-04/01	04-26-2011		10/2011	3,625.22
101-5020-432.27-01	04/08/2011	91692992261 02/28-03/29	04-26-2011		10/2011	964.51
05/13/2011	78325	SDGE	289			5,749.46
405-1260-413.27-01	05/03/2011	0440 533 7641 03/31-04/29	05-18-2011		11/2011	182.70
101-5010-431.27-01	05/03/2011	0646 753 1938 03/31-04/29	05-18-2011		11/2011	10.03
101-5010-431.27-01	05/03/2011	1694 231 2432 03/31-04/29	05-18-2011		11/2011	24.10
101-5010-431.27-01	04/29/2011	1912 409 2723 03/29-04/27	05-14-2011		11/2011	10.02
101-6010-451.27-01	05/04/2011	2081 689 7619 04/01-05/02	05-19-2011		11/2011	503.25
101-5010-431.27-01	05/03/2011	2741 969 9359 03/31-04/30	05-18-2011		11/2011	144.10
215-6026-452.27-01	05/03/2011	2819 871 6315 03/31-04/30	05-18-2011		11/2011	1,885.62
101-5010-431.27-01	05/03/2011	3062 843 3719 03/31-04/29	05-18-2011		11/2011	12.02
101-5010-431.27-01	04/29/2011	5280 340 6641 03/29-04/27	05-14-2011		11/2011	99.11
101-5010-431.27-01	04/29/2011	5576 188 0541 03/29-04/27	05-14-2011		11/2011	9.87
601-5060-436.27-01	05/06/2011	8773 823 6424 03/31-04/29	05-21-2011		11/2011	908.00
405-1260-413.27-01	05/03/2011	8774 937 7894 03/31-04/29	05-18-2011		11/2011	54.73
101-6020-452.27-01	05/04/2011	0175 275 3776 04/01-05/02	05-19-2011		10/2011	291.64
101-5010-431.27-01	05/04/2011	0824 329 2041 04/01-05/02	05-19-2011		10/2011	293.04
101-6020-452.27-01	05/04/2011	2081 689 1273 04/01-05/02	05-19-2011		10/2011	252.94
101-6010-451.27-01	05/04/2011	2081 692 3399 04/01-05/02	05-19-2011		10/2011	26.11
101-6020-452.27-01	05/04/2011	2083 847 9032 04/01-05/02	05-19-2011		10/2011	38.64
101-6010-451.27-01	05/04/2011	3206 700 9265 04/01-05/02	05-19-2011		10/2011	66.00
101-5010-431.27-01	05/03/2011	3448 930 9646 03/31-04/29	05-18-2011		10/2011	9.87
101-6020-452.27-01	05/04/2011	5456 692 8951 04/01-05/02	05-19-2011		10/2011	33.93
101-6020-452.27-01	05/04/2011	6921 003 2109 04/01-05/02	05-19-2011		10/2011	420.10
101-5010-431.27-01	05/04/2011	7706 795 7872 04/01-05/02	05-19-2011		10/2011	11.60
101-6020-452.27-01	05/04/2011	9327 898 1346 04/01-05/02	05-19-2011		10/2011	245.89
101-6010-451.27-01	05/04/2011	9956 693 6272 04/01-05/02	05-19-2011		10/2011	191.32
405-1260-413.27-01	05/03/2011	9424 632 2704 03/31-04/29	05-18-2011		10/2011	24.83

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
05/13/2011	78326	SKS INC.	412			9,481.45	
501-1921-419.28-15	04/28/2011	1000 G REG FUEL	1240084-IN	110104	10/2011	4,097.81	
501-1921-419.28-15	05/05/2011	1316.4 G REG FUEL	1240218-IN	110104	11/2011	5,383.64	
05/13/2011	78327	SPARKLETTTS	2341			8.88	
101-1210-413.30-01	05/07/2011	04/28/11 WATER DELIVERY	10552239 050711	111075	11/2011	8.88	
05/13/2011	78328	SPRINT	2040			229.69	
101-3020-422.27-05	04/29/2011	03/26/2011-04/25/2011	594768811-041		10/2011	149.97	
101-3040-424.27-05	04/29/2011	03/26/2011-04/25/2011	527638813-041		10/2011	39.73	
503-1923-419.30-02	04/29/2011	03/26/2011-04/25/2011	527638813-041		10/2011	39.99	
05/13/2011	78329	THOMAS SANTOS	2209			125.00	
101-3020-422.28-04	05/05/2011	REIMBURSE TRAINING FEES	05-05-2011		11/2011	125.00	
05/13/2011	78330	TOM DODSWORTH	1897			161.00	
101-3020-422.28-04	05/05/2011	REIMBURSE TRAINING FEES	05-05-2011		11/2011	161.00	
05/13/2011	78331	TOWN & COUNTRY FENCE BUILDERS	2097			2,400.00	
248-1920-519.20-06	05/03/2011	C&G-508 ELM AVENUE	5897	111157	11/2011	2,400.00	
05/13/2011	78332	TRAFFIC CONTROL SERVICE INC.	684			2,362.54	
101-5010-431.21-23	04/15/2011	POSTS AND ANCHORS	1020679	110039	10/2011	720.62	
101-5010-431.21-23	04/15/2011	STENCIL LETTER KIT	1020700	110039	10/2011	293.63	
101-5010-431.21-23	04/18/2011	RIVETS/VANDLGARD NUTS	1020914	110039	10/2011	265.60	
101-5010-431.21-23	04/19/2011	WING BRACKETS/WRENCH	1021108	110039	10/2011	53.78	
101-5010-431.21-23	04/25/2011	CANTILEVER ARM SUPPORTS	1021763	110039	10/2011	229.53	
101-5010-431.21-23	04/25/2011	BANDING AND CLIPS	1021768	110039	10/2011	159.43	
101-5010-431.21-23	04/29/2011	CANTILEVER ARM SUPPORT	1022549	110039	10/2011	639.95	
05/13/2011	78333	VILLA FORD INC	1663			21,210.38	
501-1921-419.50-04	05/05/2011	2011 FORD RANGER 4X4	J11504	110982	11/2011	21,210.38	
05/13/2011	78334	WAXIE SANITARY SUPPLY	802			2,009.61	
101-6040-454.30-02	04/21/2011	JANITORIAL SUPPLIES	72585269	110031	10/2011	510.35	
601-5060-436.30-02	05/10/2011	TRIFOLD PAPER TOWELS	72619753	110031	11/2011	222.94	
101-6040-454.30-02	04/05/2011	JANITORIAL SUPPLIES	72610835	110031	10/2011	1,276.32	
05/13/2011	78335	WHITE CAP CONSTRUCTION SUPPLY	1434			161.50	
101-5010-431.30-02	04/29/2011	CONCRETE TOOLS	15051928	110033	10/2011	63.88	
601-5060-436.30-02	03/22/2011	LIMESTONE SIKI SEALANT	36092829-02	110033	09/2011	97.62	
05/13/2011	78336	ZUMAR INDUSTRIED INC.	875			6,471.63	
101-5010-431.21-23	04/18/2011	STREET NAME SIGNS	0129737	110032	10/2011	2,434.87	
101-5010-431.21-23	04/18/2011	STREET NAME SIGNS	0129738	110032	10/2011	3,908.61	
101-5010-431.21-23	05/05/2011	STREET NAME SIGNS	0130157	110032	11/2011	128.15	
05/13/2011	78337	I B FIREFIGHTERS ASSOCIATION	214			216.50	
101-0000-209.01-08	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	216.50	

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05/13/2011	78338	ICMA RETIREMENT TRUST 457	242			5,471.36
101-0000-209.01-10	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	5,471.36
05/13/2011	78339	SEIU LOCAL 221	1821			1,429.86
101-0000-209.01-08	08/06/2009	VOID PR CK#41462 NARANJO	20090806		11/2011	24.05-
101-0000-209.01-08	05/03/2011	MANUAL PR CK#43814NARANJO	20110503		11/2011	24.05
101-0000-209.01-08	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	1,429.86
05/19/2011	78340	A.E. CHARLES CONSTRUCTION	2306			4,250.00
248-1920-519.20-06	05/04/2011	C&G-550 THORN AVENUE	D KOSEK	111160	11/2011	1,200.00
248-1920-519.20-06	05/05/2011	C&G-1124 HEMLOCK AVENUE	J PEEPLES	111173	11/2011	3,050.00
05/19/2011	78341	ALLIANT INSURANCE SERVICES	1193			2,435.31
101-0000-209.01-13	04/28/2011	PR AP PPE 04/21/2011	20110428		10/2011	415.65
101-0000-209.01-14	04/28/2011	PR AP PPE 04/21/2011	20110428		10/2011	494.14
101-0000-209.01-13	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	415.65
101-0000-209.01-14	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	481.99
101-1010-411.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	19.36
101-1020-411.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	21.33
101-1110-412.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	64.46
101-1130-412.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	33.81
101-1210-413.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	48.66
101-1230-413.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	23.70
101-3070-427.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	.63
101-3080-428.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	.63
101-1910-419.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	6.32
101-3010-421.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	11.00
101-3020-422.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	44.68
101-3030-423.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	38.49
101-3040-424.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	22.12
101-5020-432.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	47.40
101-5010-431.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	15.80
101-5040-434.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	4.11
101-6020-452.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	6.32
101-6010-451.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	3.16
101-6040-454.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	12.64
245-1240-413.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	6.32
405-1260-413.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	122.21
405-5030-433.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	6.32
601-5060-436.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	15.80
601-5050-436.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	18.01
501-1921-419.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	6.32
502-1922-419.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	7.43
503-1923-419.11-04	05/01/2011	MAY 11 DISABILTY/LIFE/	05-01-2011		11/2011	20.85
05/19/2011	78342	SOUTHCOAST HEATING & A/C	1554			470.00
101-1910-419.21-04	04/22/2011	QRTLTY MAINT SVCS	C45916	110062	10/2011	470.00
05/19/2011	78343	BARROWS CONSTRUCTION	2062			3,200.00
248-1920-519.20-06	04/30/2011	C&G-556 DAHLIA AVE	40	111177	10/2011	3,200.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
05/19/2011 101-0000-221.01-02	78344 04/28/2011	BDS ENGINEERING INC	372				491.50
		APRIL 2011-PLAN CHECK	11-02C		10/2011	491.50	
05/19/2011 101-6020-452.30-02	78345 05/03/2011	BJ'S RENTALS, INC.	1591				66.41
		RENTAL OF CORE DRILL	345391	F11146	11/2011	66.41	
05/19/2011 101-3030-423.27-02 601-5060-436.27-02	78346 05/10/2011 05/10/2011	CALIFORNIA AMERICAN WATER	612				190.34
		05-0155019-8 04/04-05/04	05-30-2011		11/2011	20.43	
		05-0505362-9 04/05-05/05	05-30-2011		11/2011	169.91	
05/19/2011 101-5000-532.20-06 503-1923-419.50-04	78347 04/15/2011 04/27/2011	CDW GOVERNMENT INC	725				3,506.08
		COUNCIL CHAMBERS PC'S	XCJ8204	111048	10/2011	1,648.65	
		TAPE DRIVE BACKUPS	XFT0652	110768	10/2011	1,857.43	
05/19/2011 248-1920-519.20-06 248-1920-519.20-06 248-1920-519.20-06 248-1920-519.20-06 248-1920-519.20-06	78348 04/22/2011 05/04/2011 05/13/2011 05/13/2011 05/13/2011	CHICAGO TITLE INSUR CO	779				2,500.00
		839 CAROLINA ST-TITLE RPT	737113414 P14	111148	10/2011	500.00	
		898 5TH ST-TITLE REPORT	737114043 P14	111161	11/2011	500.00	
		526 9TH STREET-TITLE RPT	737114652 P14	111188	11/2011	500.00	
		1401 9TH STREET-TITLE RPT	737114684 P14	111188	11/2011	500.00	
		735 IRIS AVE-TITLE RPT	737114688 P14	111188	11/2011	500.00	
05/19/2011 101-3050-425.21-04	78349 05/05/2011	CITY OF CHULA VISTA	823				12,661.56
		MARCH 2011 A/C	AR130262		11/2011	12,661.56	
05/19/2011 501-1921-419.50-04	78350 04/29/2011	CLARK EQUIPMENT COMPANY	2332				28,145.56
		BOBCAT SKID-STEER LOADER	911363	110979	10/2011	28,145.56	
05/19/2011 101-6020-452.30-02	78351 04/21/2011	COMMERCIAL LANDSCAPE SUPPLY	944				253.21
		AUTOMATIC HEAD-NO BOLT	172072	110024	10/2011	253.21	
05/19/2011 601-5050-436.21-04 101-6010-451.29-04	78352 04/30/2011 05/09/2011	COX COMMUNICATIONS	1073				304.92
		05/04-06/03 3110091187001	05-25-2011	110130	10/2011	179.00	
		05/13-06/12 3110015531401	06-03-2011	110130	11/2011	125.92	
05/19/2011 101-1210-413.21-04 101-3020-422.21-04 101-3070-427.21-04	78353 05/02/2011 05/02/2011 05/02/2011	DATAQUICK	1134				110.25
		APRIL 2011	B1-1921747	110072	11/2011	10.00	
		APRIL 2011	B1-1921747	110072	11/2011	25.75	
		APRIL 2011	B1-1921747	110072	11/2011	74.50	
05/19/2011 101-1130-412.21-04	78354 05/04/2011	DEPARTMENT OF JUSTICE	1154				64.00
		APRIL 2011	847396	110317	11/2011	64.00	
05/19/2011 101-1110-412.28-09	78355 05/06/2011	FEDERAL EXPRESS CORP.	911				18.65
		04/27/11-ERGOMETRICS & AP	7-485-75332	110307	11/2011	18.65	
05/19/2011 248-1920-519.20-06	78356 05/10/2011	GUILLERMO NUNEZ	2291				1,343.68
		C&G-133 CITRUS AVE	842	111185	11/2011	1,343.68	
05/19/2011 101-5010-431.30-02	78357 04/29/2011	HANSON AGGREGATES INC.	48				813.18
		6YRDS CONCRETE	504057	110085	10/2011	813.18	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
05/19/2011	78358	HARBOR FREIGHT TOOLS	56			19.54	
101-6040-454.30-22	04/25/2011	33PC SECURITY BIT SET	02-00470428	110040	10/2011	19.54	
05/19/2011	78359	HDL COREN & CONE	88			975.00	
101-1210-413.20-06	05/04/2011	APR-JUNE 2011 SALES TAX	0017879-IN	110237	11/2011	975.00	
05/19/2011	78360	JOHN DEERE LANDSCAPES	1986			424.15	
101-6020-452.28-01	04/26/2011	ROTOR COVERS	57579757	110051	10/2011	424.15	
05/19/2011	78361	KENNEY ROOFING	2087			11,300.00	
248-1920-519.20-06	05/12/2011	C&G-1211 7TH STREET	05-12-2011	111155	11/2011	368.00	
248-1920-519.20-06	05/12/2011	C&G-1211 7TH STREET	05-12-2011	111155	11/2011	4,312.00	
248-1920-519.20-06	05/06/2011	C&G-1124 HEMLOCK AVE	05-06-2011	111174	11/2011	6,620.00	
05/19/2011	78362	MCDUGAL LOVE ECKIS &	962			29,882.43	
405-1260-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	4,841.59	
101-5000-532.20-06	04/30/2011	APRIL 2011	04-30-2011		10/2011	4,826.71	
101-0000-221.01-02	04/30/2011	APRIL 2011	04-30-2011		10/2011	202.30	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	1,554.44	
101-1220-413.21-04	04/30/2011	APRIL 2011	04-30-2011		10/2011	6.43	
101-1220-413.21-04	04/30/2011	APRIL 2011	04-30-2011		10/2011	28.90	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	4,181.11	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	944.06	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	12,350.64	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	262.90	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	640.00	
101-1220-413.20-01	04/30/2011	APRIL 2011	04-30-2011		10/2011	43.35	
05/19/2011	78363	MIRELES LANDSCAPING	2107			1,445.00	
101-5000-532.20-06	04/30/2011	APRIL 2011 9TH/PALM	0922		10/2011	1,000.00	
101-5000-532.20-06	04/30/2011	MAY 2011- PALM AVE "NICU"	0924		10/2011	325.00	
245-1240-413.20-06	04/30/2011	APRIL 2011-DONAX/10TH	0923	110469	10/2011	120.00	
05/19/2011	78364	MORGAN'S DEMO INC.	2344			10,200.00	
402-5000-532.20-06	05/11/2011	1079 SEACOAST DR/FACADE	1328	111178	11/2011	10,200.00	
05/19/2011	78365	PACIFIC COAST CONCRETE, INC.	2338			800.00	
248-1920-519.20-06	05/13/2011	C&G-550 THORN AVE	05-13-2011	111187	11/2011	800.00	
05/19/2011	78366	PARTNERSHIP WITH INDUSTRY	1302			1,859.54	
101-6040-454.21-04	04/18/2011	P/E 04/15/2011	GS03522	110020	10/2011	1,196.55	
101-6040-454.21-04	05/02/2011	P/E 04/30/2011	GS03551	110020	11/2011	662.99	
05/19/2011	78367	PREFERRED BENEFIT INS ADMIN IN	37			2,522.95	
101-0000-209.01-12	04/28/2011	PR AP PPE 04/21/2011	20110428		10/2011	1,188.59	
101-0000-209.01-12	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	1,207.39	
101-0000-209.01-12	05/01/2011	MAY 2011 DENTAL	EIA2974		11/2011	126.97	
05/19/2011	78368	PRUDENTIAL OVERALL SUPPLY	72			547.92	
101-5020-432.25-03	04/20/2011	04/20/11 PW UNIFORMS	30175745	110048	10/2011	141.03	

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101-5020-432.25-03	04/27/2011	04/27/11 PW UNIFORMS	30177278	110048 10/2011	132.93
101-5020-432.25-03	05/04/2011	05/04/11 PW UNIFORMS	30178812	110048 11/2011	141.03
101-5020-432.25-03	05/11/2011	05/11/11 PW UNIFORMS	30180342	110048 11/2011	132.93
05/19/2011	78369	QUICK CRETE PRODUCTS CORP	80		2,172.83
101-6020-452.30-02	04/27/2011	BENCH/WASTE CONTAINER	0089413-IN	110992 10/2011	952.65
101-6040-454.28-01	04/27/2011	BENCH/WASTE CONTAINER	0089413-IN	110992 10/2011	743.85
101-6040-454.30-02	04/27/2011	BENCH/WASTE CONTAINER	0089413-IN	110992 10/2011	476.33
05/19/2011	78370	RANCHO AUTO & TRUCK PARTS	1685		191.48
501-1921-419.28-16	05/05/2011	AD FUEL FILTER	7693-74908	110034 11/2011	16.70
501-1921-419.28-16	05/05/2011	OIL/AIR FILTER/DELO 400	7693-74909	110034 11/2011	61.66
501-1921-419.28-16	05/05/2011	RETURN RADIATOR #143	7693-74937	110034 11/2011	181.25
501-1921-419.30-02	05/05/2011	COTTER PINS	7693-75031	110034 11/2011	3.57
501-1921-419.28-16	04/20/2011	RADIATOR # 143	7693-72980	110034 10/2011	181.25
501-1921-419.28-16	05/09/2011	#606 BRAKE PARTS	7693-75388	110034 11/2011	103.04
501-1921-419.28-16	05/11/2011	OIL FILTER	7693-75633	110034 11/2011	6.51
05/19/2011	78371	RECLAIMED AGGREGATES, INC.	2137		50.00
101-5010-431.29-04	04/30/2011	DUMP TRUCK TO RECYCLE	12055	110084 10/2011	50.00
05/19/2011	78372	JUAN MARTINEZ	2060		6,410.76
248-1920-519.20-06	05/16/2011	C&G-941 HOLLY AVE	0012	110974 11/2011	2,930.00
248-1920-519.20-06	04/11/2011	C&G-611 DAHLIA AVE	04-11-2011	111086 10/2011	2,982.00
248-1920-519.20-06	03/10/2011	C&G-564 DAHLIA AVE	0013	110978 09/2011	498.76
05/19/2011	78373	SAN DIEGO GAS & ELECTRIC	1399		15,516.28
101-3020-422.27-01	05/09/2011	10087869371 03/31-04/29	05-25-2011	11/2011	47.03
101-1910-419.27-01	05/09/2011	10087869371 03/31-04/29	05-25-2011	11/2011	157.31
101-5010-431.27-01	05/09/2011	10088604389 03/29-04/27	05-25-2011	11/2011	331.47
101-3020-422.27-01	05/09/2011	19807697764 03/31-04/29	05-25-2011	11/2011	2,207.74
601-5060-436.27-01	05/09/2011	52635219238 03/29-04/27	05-25-2011	11/2011	10.07
101-6020-452.27-01	05/09/2011	56497714749 04/01-05/02	05-25-2011	11/2011	9.94
101-5010-431.27-01	05/09/2011	56497714749 03/31-05/02	05-25-2011	11/2011	7,531.59
101-5010-431.27-01	05/09/2011	85075178464 03/28-05/02	05-25-2011	11/2011	86.34
601-5060-436.27-01	05/09/2011	85075178464 04/01-05/02	05-25-2011	11/2011	74.53
101-6020-452.27-01	05/09/2011	85075178464 04/01-05/02	05-25-2011	11/2011	744.67
601-5060-436.27-01	05/09/2011	85417701270 04/01-05/01	05-25-2011	11/2011	3,486.39
101-5020-432.27-01	05/09/2011	91692992261 03/29-04/27	05-25-2011	11/2011	829.20
05/19/2011	78374	SDGE	289		509.80
101-5010-431.27-01	05/12/2011	9476 001 6989 04/01-05/02	05-27-2011	10/2011	509.80
05/19/2011	78375	SEA BREEZE ELECTRIC	1969		2,350.00
402-5000-532.20-06	05/12/2011	1293-1299 IMPERIAL BCH BL	694	111182 11/2011	2,350.00
05/19/2011	78376	SOUTH WEST SIGNAL	488		278.68
101-5010-431.21-04	04/30/2011	APRIL 2011 SIGNAL MAINT	50289	110083 10/2011	160.00
101-5010-431.21-23	04/30/2011	SVC TECH/TRUCK 04/11/11	50318	110083 10/2011	118.68
05/19/2011	78377	VERIZON WIRELESS	2317		4,057.80
101-5020-432.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220	10/2011	1,337.08

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-3020-422.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	11.47-
101-3030-423.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	217.25
101-1230-413.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	52.98
503-1923-419.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	250.91
503-1923-419.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	425.40
101-5020-432.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	524.18
101-3020-422.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	289.77
101-3030-423.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	322.02
101-1230-413.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	198.59
503-1923-419.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	242.25
503-1923-419.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	2.60
101-3040-424.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	323.67
101-3070-427.27-05	05/08/2011	04/09/2011-05/08/2011	0975233627		11/2011	39.01
101-3040-424.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	144.78-
101-3070-427.27-05	04/08/2011	03/09/2011-04/08/2011	0966334220		10/2011	11.66-
05/19/2011	78378	VISION PLAN OF AMERICA	785			163.82
101-0000-209.01-18	04/28/2011	PR AP PPE 04/21/2011	20110428		10/2011	76.96
101-0000-209.01-18	05/12/2011	PR AP PPE 05/05/11	20110512		11/2011	76.96
101-1920-419.29-04	05/01/2011	JUNE 2011 VISION	05-01-2011		11/2011	9.90
05/19/2011	78379	XEROX CORPORATION	861			1,127.30
101-1920-419.20-17	05/01/2011	APRIL 2011	054771016	110203	11/2011	1,127.30
DATE RANGE TOTAL *						789,772.93 *



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** JUNE 1, 2011  
**ORIGINATING DEPT.:** FINANCE DEPARTMENT *MB*  
**SUBJECT:** SALE OF SURPLUS PROPERTY

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**BACKGROUND:**

From time to time, Staff determines the need to dispose of obsolete and surplus property. I.B.M.C. Chapter 3.04.050 states:

“The purchasing officer shall have the following powers and duties:

...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;”

City of Imperial Beach Resolution 90-3828 authorized the Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting.

**DISCUSSION:**

At this time, the City of Imperial Beach has accumulated a number of equipment items that are recommended for transfer to a surplus or unused supplies and equipment category. The following supplies and equipment are recommended for this designation:

1. The items listed in Exhibit “A”.

**FISCAL ANALYSIS:**

Salvage Value

**DEPARTMENT RECOMMENDATION:**

Staff recommends approval of the attached Resolution authorizing the sale / transfer of surplus property as follows:

1. Items listed in Exhibit A, Equipment Inventory List for County Auction

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



Gary Brown, City Manager

**Attachments:**

1. Resolution 2011-7049
2. Exhibit A – Equipment Inventory List for County Auction

**RESOLUTION NO. 2011-7049**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, I.B.M.C. Chapter 3.04.050 states: "The purchasing officer shall have the following powers and duties:

...J. To recommend to the city manager the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;" and

**WHEREAS**, the City Council of the City of Imperial Beach on October 3, 1990, adopted Resolution No. 90-3828 authorizing its Finance Director to participate in periodic sales of surplus property by the San Diego County Division of Purchasing and Contracting; and

**WHEREAS**, the City Council of the City of Imperial Beach now desires to declare the items of equipment shown on Exhibit "A" attached hereto as surplus or unsuitable for City use.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Imperial Beach that:

1. The above recitals are true and correct.
2. The City Council of the City of Imperial Beach declares the items of equipment shown on Exhibit "A" (attached hereto), surplus and/or unused and hereby directs the Finance Director to dispose of same as follows:
  - Items in Exhibit "A" through the San Diego County Division of Purchasing and Contracting or as otherwise authorized by the City Manager.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June 2011, by the following roll call vote:

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

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Resolution No. 2011-7049– A Resolution of the City Council of the City of Imperial Beach, California, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY EQUIPMENT.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE

**IMPERIAL BEACH  
EQUIPMENT INVENTORY LIST  
FOR COUNTY AUCTION**

<b>ITEM</b>	<b>QTY</b>	<b>DESCRIPTION</b>	<b>PROPERTY TAG #</b>
1.	1ea	Ford Ranger 4X4 1FTCR11X6PUC48292	E-351959
2.	1ea	Bobcat 512218245	N/A
3.	1ea	Carpet (11'x20')	N/A
4.	100ea	Lights, Street	N/A
5.	1ea	Trailer, speed 1K9BS0815K118043	E-1135628
6.	1ea	BUNN Pour-omatic Coffee Maker	N/A
7.	1ea	CANON SD300 Digital Camera	N/A
8.	1ea	Rapid 20EX Electric Stapler	N/A
9.	1ea	NIKON CoolPix L18 Digital Camera	N/A
10.	4ea	HP C9722A Printer Cartridges	N/A



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** JUNE 1, 2011  
**ORIGINATING DEPT.:** PUBLIC WORKS *HAL*  
**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING ADOPTION THE 2009 EDITION OF THE SAN DIEGO AREA REGIONAL STANDARD DRAWINGS

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**BACKGROUND:** On the April 18, 2007, City Council, City of Imperial Beach adopted Resolution 2007-6471 establishing the 2006 Edition of the San Diego Area Regional Standard Drawings as the operative design document for public works projects. On April 7, 2004, City Council adopted Resolution 2004-5913 approving a replacement design for narrow trench construction in the public right-of-way. These have remained the operative design documents for public works construction project and private and public projects that impact the public right-of-way within the City of Imperial Beach

**DISCUSSION:** Regional Standards Committee for the greater San Diego County adopted and submitted for general use 2009 San Diego Area Regional Standard Drawings, dated August 2009. This latest edition replaces the 2006 Edition, San Diego Area Regional Standard Drawings and is to be used in conjunction with the Public Works Standards, Inc. "Greenbook" Standard Specifications for Public Works Construction, 2009 Edition and the "2011 Regional Supplements to the Greenbook 2009."

Staff has reviewed the 2009 San Diego Area Regional Standard Drawings. The following findings are submitted:

1. The 2009 San Diego Area Regional Standard Drawings meet the needs of the City of Imperial Beach, except as listed below.
2. The Imperial Beach Trench Repair design as adopted in Resolution 2004-5913 remains valid and preferred for trench work projects within the City of Imperial Beach (see Attachment 2), and
3. Drawing G-4, Curb and Gutter – Rolled - is not suitable within the City of Imperial Beach for new or replacement curb and gutter projects due to public safety and poor drainage generally within the city limits (see Attachment 3), and
4. Drawing G-14D, Concrete Driveway (for Confined Right-of-Way) – is not suitable within the City of Imperial Beach for new or replacement driveways due to pedestrian safety and poor drainage generally within the city limits (see Attachment 4).

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

None

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Approve San Diego Area Regional Standard Drawings – August 2009 as the City of Imperial Beach as the operative design document for public works projects with the modifications as noted in the discussion section above.
3. Adopt Resolution 2011-7050

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. Resolution 2011-7050
2. Trench Repair Design as adopted by Resolution 2004-5913
3. Regional Standard Drawing G-4 "Curb and Gutter – Rolled"
4. Regional Standard Drawing G-14D "Concrete Driveway (confined Right-of-Way)"

**RESOLUTION NO. 2011-7050**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING ADOPTION THE 2009 EDITION OF THE SAN DIEGO AREA REGIONAL STANDARD DRAWINGS**

**WHEREAS**, on the April 18, 2007, City Council, City of Imperial Beach adopted Resolution 2007-6471 establishing the 2006 Edition of the San Diego Area Regional Standard Drawings as the operative design document for public works projects; and

**WHEREAS**, Regional Standards Committee for the greater San Diego County adopted and submitted for general use 2009 San Diego Area Regional Standard Drawings, dated August 2009; and

**WHEREAS**, this latest edition replaces the 2006 Edition, San Diego Area Regional Standard Drawings and is to be used in conjunction with the Public Works Standards, Inc. "Greenbook" Standard Specifications for Public Works Construction, 2009 Edition and the "2011 Regional Supplements to the Greenbook 2009"; and

**WHEREAS**, staff has reviewed the 2009 San Diego Area Regional Standard Drawings and recommends the following:

1. The 2009 San Diego Area Regional Standard Drawings be adopted as the City of Imperial Beach standards, except as listed below.
2. The Imperial Beach Trench Repair design as adopted in Resolution 2004-5913 remains valid and preferred for trench work projects within the City of Imperial Beach, and
3. Drawing G-4, Curb and Gutter – Rolled - is not suitable within the City of Imperial Beach for new or replacement curb and gutter projects due to public safety and poor drainage generally within the city limits, and
4. Drawing G-14D, Concrete Driveway (for Confined Right-of-Way) – is not suitable within the City of Imperial Beach for new or replacement driveways due to pedestrian safety and poor drainage generally within the city limits.

**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. City Council hereby adopts the 2009 San Diego Area Regional Standard Drawings less drawings G-4, Curb and Gutter – Rolled, and G-14D, Concrete Driveway (for Confined Right-of-Way).
3. City Council hereby retains the Trench Design as adopted in Resolution 2004-5913.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June 2011, by the following vote:

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

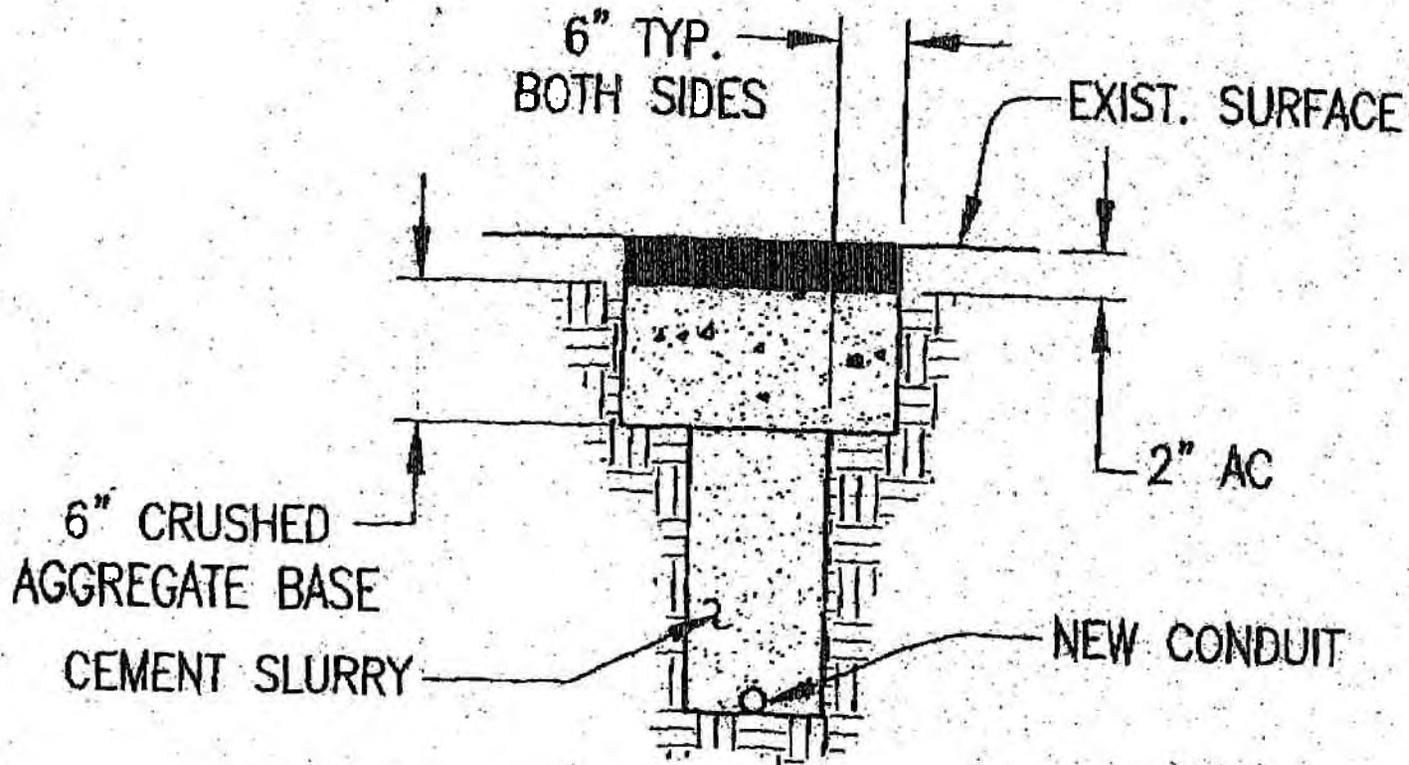
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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

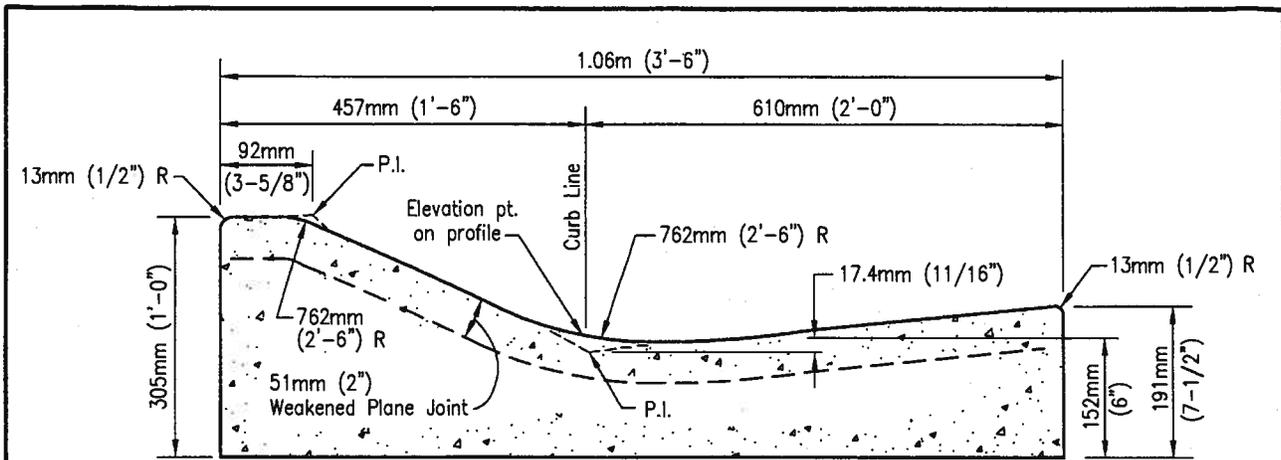
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**JACQUELINE M. HALD, CMC  
CITY CLERK**

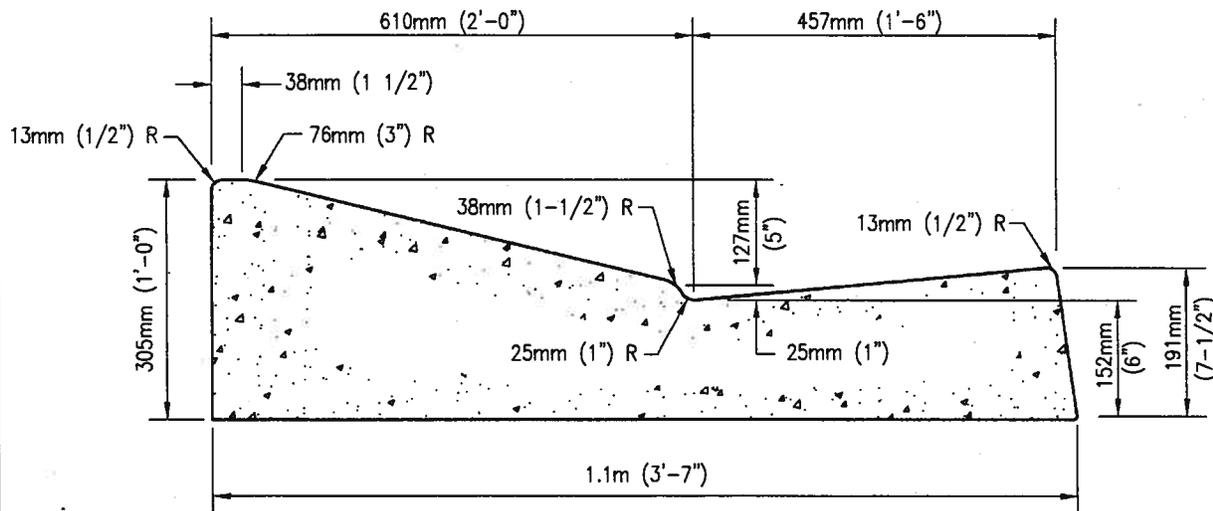


# TRENCH REPAIR

NO SCALE



**TYPE A  
CURB AREA**  
(0.21 sq. m (2.23 sq. ft.))

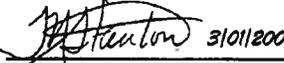


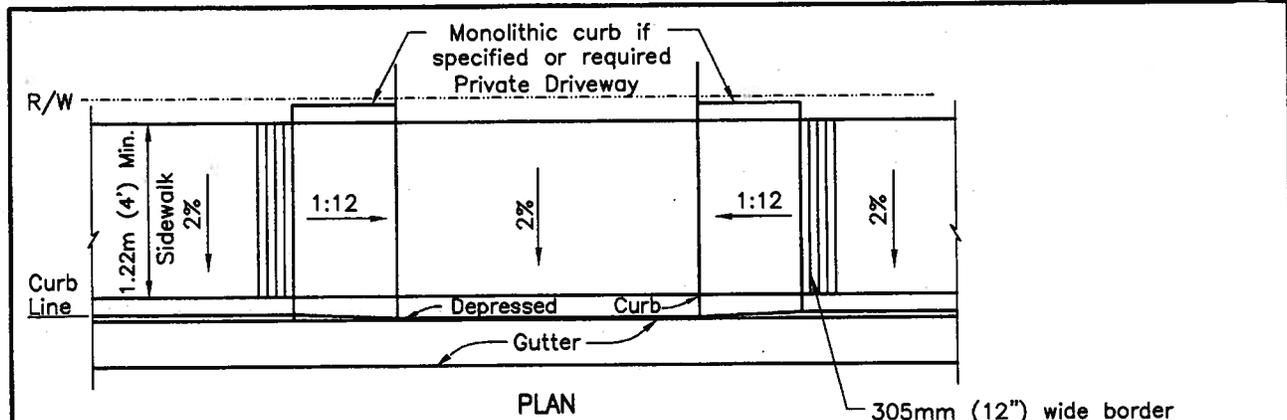
**TYPE B  
CURB AREA**  
(0.23 sq. m (2.48 sq. ft.))

**NOTES:**

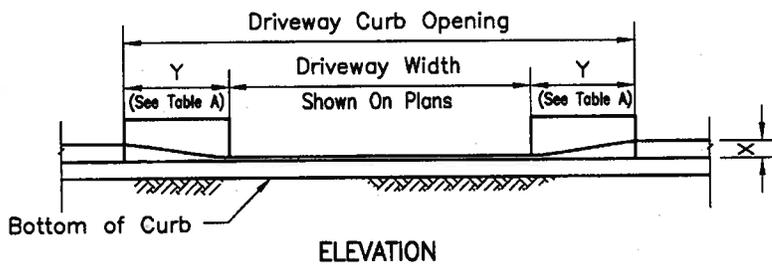
1. Transition to type G curb at all curb returns, except where sidewalk ramps are provided, and at all cul-de-sacs with drainage structures.
2. Concrete shall be 308kg/M<sup>3</sup>-C-17-MPa (520-C-2500).
3. See Standard Drawings G-9 and G-10 for joint details.

LEGEND ON PLANS

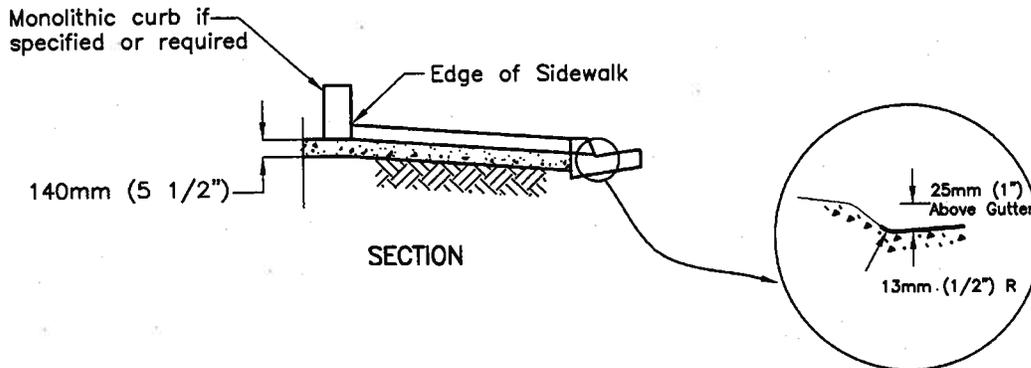
Revision	By	Approved	Date	SAN DIEGO REGIONAL STANDARD DRAWING	RECOMMENDED BY THE SAN DIEGO REGIONAL STANDARDS COMMITTEE
ORIGINAL		Kercheval	12/75		
Add Metric		T. Stanton	03/03	<b>CURB AND GUTTER - ROLLED</b>	 Chairperson R.C.E. 19246 Date 310112003
Reformatted		T. Stanton	04/06		
				DRAWING NUMBER <b>G-4</b>	



305mm (12") wide border with 6mm (1/4") grooves approx. 19mm (3/4") O.C.



X	Y
CURB HEIGHT	RAMP LENGTH
25mm (1")	152mm (0'-6")
51mm (2")	457mm (1'-6")
76mm (3")	762mm (2'-6")
102mm (4")	1.10m (3'-6")
127mm (5")	1.40m (4'-6")
152mm (6")	1.70m (5'-6")
178mm (7")	2.0m (6'-6")
203mm (8")	23m (7'-6")



NOTES:

1. No concrete shall be placed until forms and subgrade are inspected by the Agency.
2. Concrete shall be 308 kg/M<sup>3</sup> C 17 Mpa (520-C-2500).
3. See Standard Drawings G-15 and G-16 for width and location requirements.
4. See Standard Drawings G-2 and G-10 for curb and joint details.

Revision	By	Approved	Date	SAN DIEGO REGIONAL STANDARD DRAWING	RECOMMENDED BY THE SAN DIEGO REGIONAL STANDARDS COMMITTEE
ORIGINAL	HH	T. Stanton	02/03		<i>T. Stanton</i> 3/11/2003
Add Metric		T. Stanton	03/03	CONCRETE DRIVEWAY (FOR CONFINED RIGHT-OF-WAY)	Chairperson R.C.E. 19246 Date
Reviewed		T. Stanton	04/06		DRAWING NUMBER G-14D



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** JUNE 1, 2011  
**ORIGINATING DEPT.:** PUBLIC WORKS *Hor*  
**SUBJECT:** AUTHORIZING THE CITY OF IMPERIAL BEACH TO RECEIVE CLEANUP AND ABATEMENT ACCOUNT FUNDS FOR THE LOS LAURELES CANYON TRANS-BORDER TRASH TRACKING STUDY

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**BACKGROUND:**

The City was approached in November 2010 by the Tijuana River National Estuarine Research Reserve to partner on a trans-border trash tracking study for Los Laureles (Goat) canyon. The City was asked to be the administrative agency to receive and process State Water Resource Control Board (SWRCB) Cleanup and Abatement Account funds for the project. In November 2010 the City submitted an application for \$15,000 to the SWRCB. On May 15, 2011 the City was notified that funding in the amount of \$15,000 was approved for the Los Laureles Canyon Trash study.

**DISCUSSION:**

The Trash Study will provide important information on the trans-border flow of trash into the Tijuana River Valley. This study is important to the San Diego Regional Water Quality Control Board as a step towards developing bi-national policy to address sources of trash originating in Mexico and ending up in the Tijuana River Valley. The project is a joint effort by UCSD, City of Imperial Beach, and Tijuana River National Estuarine Research Reserve. The City will be fulfilling the role as grant administrator for the \$15,000 grant from the SWRCB, which entails submitting invoices, reports, and processing payments. Public Works has experience on a number of previous SWRCB grants and the increased workload anticipated with this \$15,000 grant is expected to be minimal.

Attachment 2 discusses the purpose of the study, Attachment 3 provides the scope of work, and Attachment 4 outlines the proposed budget. Attachment 5 is the SWRCB letter notifying the City as the grant recipient.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

No new direct cost to the City. This report proposes to use annual Environmental Programs and other general fund O&M budgets for the staff time required to administer this project.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Approve the use of City of Imperial Beach Department O&M budgets to manage this grant.
3. Adopt the attached resolution.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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Gary Brown, City Manager

Attachments:

1. Resolution 2011-7047
2. Purpose of Study
3. Scope of Work
4. Proposed Budget
5. SWRCB Letter

**RESOLUTION NO. 2011-7047**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY OF IMPERIAL BEACH TO RECEIVE CLEANUP AND ABATEMENT ACCOUNT FUNDS FOR THE LOS LAURELES CANYON TRANS-BORDER TRASH TRACKING STUDY**

**WHEREAS**, the City was approached by the Tijuana River National Estuarine Research Reserve to partner on an application for Cleanup and Abatement Account funds from the State Water Resource Control Board for a research project to study the trans-border movement of trash through Los Laureles Canyon; and

**WHEREAS**, in November 2010 the City submitted an application for \$15,000 for Cleanup and Abatement funding from the State Water Resource Control Board; and

**WHEREAS**, the City was notified on May 15, 2011 that the State Water Resource Control Board approved \$15,000 for the study; and

**WHEREAS**, UCSD and the Tijuana River National Estuarine Research Reserve intend to complete the Los Laureles Trans-Border Trash tracking Study if the City agrees to administer the \$15,000 grant;

**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. This legislative body authorizes the Public Works Director to partner with UCSD and the Tijuana River National Estuarine Research Reserve to administer the \$15,000 grant for the Los Laureles Trans-Border Trash tracking Study
3. Authorizes the City to accept \$15,000 from the State Water Resource Control Board for the purpose of the Los Laureles Trans-Border Trash tracking Study

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June 2011, by the following vote:

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

---

**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

**Los Laureles Canyon Trans-border Trash Tracking  
Tijuana River Valley Waste Management  
Case Study Research Design**

Although previous studies have touched upon the issue of solid-waste pollution in the Tijuana River Valley, the lack of published scientific documentation on canyon conditions creates a need for case studies like Los Laureles. This study is a necessary precursor to preventative measures that seek to reduce waste flows in the San Diego/Tijuana border region and will have a positive affect on San Diego County's natural resources. Lessons learned from this research will be used to create an international model for waste management in the Tijuana River Valley. Creating a mechanism for the local enforcement of environmental protection ordinances in Mexico is the first step toward the reduction of unmanaged open dump sites and is a sustainable solution to the challenge of trans-border waste flows.

- Case study research of the Los Laureles Canyon will be conducted under the direction of UCSD Professor Oscar Romo who serves as NOAA's Watershed Coordinator for the Tijuana River Watershed.
- Through direct observation in the field, this study will document unmanaged open dumps and track trans-border waste-flows through the Los Laureles Canyon.
- The study is designed specifically to create a scientific/evidentiary record of the solid waste flows that impact the Tijuana River Valley.
- There are several reasons that this particular sub-basin of the Tijuana River Watershed was chosen for study:
  - a. The geography and hydrology of the sub-basin; it drains directly into the estuary at the Tijuana National Estuarine Research Reserve (TRNERR) in Imperial Beach, California and impacts the entire Tijuana River Valley
  - b. The number of open dump sites that surround the basin; at least 100
  - c. Lessons learned from the Los Laureles Case Study will be applicable to multiple canyon sub-basins in the Tijuana River Valley
  - d. The existence of strong international relationships established in this geographic area will aid researchers in accessing canyon dump sites

## Scope of Work

➤ There are two major goals for the Los Laureles Canyon Trash-Tracking Project and specific objectives/methods within each of the goals:

**Goal #1 – To Produce a Scientific Record of unmanaged Open Dump Sites in Los Laureles Canyon**

Objective #1 – Geo-locate and map all significant open dump sites using GPS and ArcGIS software

Objective #2 – Record spatial attributes, land-use, and soil conditions of dump sites (in an effort to qualify conditions that stimulate waste flows)

Objective #3 – Create database of sites attributes and geography including descriptive attributes of waste found at dump sites

**Goal #2 – Track the Flow of Trash from Los Laureles Canyon to TRNERR during Coastal Storms**

Objective #1 – Deploy 2,000 Trash-Tracker Probes housing RFID tags at significant dump sites in canyon (approx. 100 sites)

Objective #2 – Map the course of trash-flows using ArcGIS software

Objective #3 – Geo-locate Trash-Tracker Probes on the U.S. side of the border (post-storms) using RFID technology and map resting places

**Goal #3 – Share Scientific Record with Stakeholders: Community Members/Policy Makers/Government Officials**

Objective #1 – Provide database of baseline data

Objective #2 – Provide map of canyon dump site locations

Objective #3 – Provide map of trash-flow (initial site, progress, resting place)

Objective #4 – Provide stakeholders with final analysis of case study

**Los Laureles Canyon  
Trans-border Trash Tracking Budget**

<b>RFID Tags:</b>	
2,100 Alien Short RFID Tag Avery Dennison AD-233 900MHz -Global Solutions .15 per tag (+ tax & freight)	365.00
2,500 Alien Short RFID Tag Avery Dennison AD-833 900MHz - Global Solutions .24 per tag (+ tax & freight)	675.00
<b>Plastic Deployment Containers w/lids:</b>	
2,000 HDPE 1 gallon round Jugs <i>Manufactured in Mexico (we pick up)</i> Estimate .90 per container + tax	1,950.00
<b>Handheld RFID tag Reader:</b>	
Assembled by Javier Rodriquez	1,500.00
<b>RFID Software:</b>	
Developed by Javier Rodriquez	450.00
<b>RFID Antenna:</b>	
Alien 915 MHz Circular Antenna (ALR-9611-CR)	40.00
<b>Binoculars</b>	400.00
<b>Rain Gear</b>	800.00
<b>Plastic Tags</b>	20.00
<b>Portable Printer</b>	900.00
<b>Two-way Radios</b>	200.00
<b>GPS Devices</b>	500.00
<b>Digital Camera</b>	200.00
<b>Safety Gear</b>	800.00
<b>Aerial Imagery</b>	3,500.00
<b>Consulting Costs:</b>	1,200.00
Calit2 RFID Consulting \$70.00 per hour/Javier Rodriquez	
\$25.00 per hour/Calit2 Interns	
<b>Assistants:</b>	1,500.00
Data Collection/Field Work Data Entry	
<b><u>Total Estimated Cost:</u></b>	<b><u>\$15,000.00</u></b>



Linda S. Adams  
Acting Secretary for  
Environmental Protection

# State Water Resources Control Board

Attachment 5



## Division of Financial Assistance

1001 I Street • Sacramento, California 95814 • (916) 341-5700  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
FAX (916) 341-5707 <http://www.waterboards.ca.gov>

Edmund G. Brown.  
Governor

**TO:** City of Imperial Beach  
Attn: Hank Levien, Public Works Director  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

**FROM:** Esteban Almanza, Deputy Director  
**DIVISION OF FINANCIAL ASSISTANCE**

**DATE:** **MAY 15 2011**

**SUBJECT:** APPROVAL OF FUNDING FROM THE CLEANUP AND ABATEMENT  
ACCOUNT (CAA) FOR THE LOS LAURELES CANYON TRANS-BORDER  
TRASH TRACKING STUDY; C/A 328

Your request for CAA funds to provide a study of the transport characteristics of trash from illegal stock piles in Los Laureles Canyon has been approved in the amount of \$15,000. The term of the project is from December 1, 2010 through December 1, 2011. The Program Cost Allocation (PCA) code 27896 has been established for this project. The following documents are attached for your use:

- The *CAA Funding Approval* form. A copy of this form will be sent to the Accounting Office.
- The *Request for Payment* form. This completed form must be submitted with each invoice. The Project Manager must sign the original invoice. The original invoice and three (3) copies should be attached and forwarded to Lola Barba for review and payment.
- The *Payee Data Record* form. This form accompanies the "Request for Payment" form and must be completed for each vendor used on this project. In addition, if the funds are used for contract or grant services, a copy of the signed contract/grant and the Contract/Grant Request Form must be forwarded to Lola Barba for inclusion in the project file.

Upon completion of the Project, please submit a Final Report describing the work accomplished. If you have any questions, please contact Lola Barba at (916) 341-5638 or Toru Okamoto at (916) 341-5649.

Enclosures (3)

cc: David Gibson, Region 9  
DiAnne Broussard, Region 9  
Debra Latour, DAS – Accounting  
Ai Morisawa, DAS – Accounting  
David Azevedo, DAS – Accounting  
Inambao Lifanu, DAS – Accounting  
Asha Sharma, DAS – Accounting  
Kelley List, DFA  
Pete Mizera, DFA

*California Environmental Protection Agency*



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE: JUNE 1, 2011**  
**ORIGINATING DEPT: COMMUNITY DEVELOPMENT DEPARTMENT**  
**GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR**  
**JIM NAKAGAWA, AICP, CITY PLANNER**

**SUBJECT: CONSENT CALENDAR: GREG NEIL [OWNER/APPLICANT]:  
TIME EXTENSION APPROVAL FOR CONDITIONAL USE  
PERMIT (CUP 05-285) AND SITE PLAN REVIEW (SPR 05-286)  
FOR A MIXED-USE PROJECT LOCATED AT 198-200 PALM  
AVENUE, IN THE SEACOAST COMMERCIAL (C-2) ZONE. MF  
807**

**PROJECT DESCRIPTION/BACKGROUND:**

This is a third time extension request for an application (MF 807) originally approved on June 20, 2007 that was submitted on October 10, 2005 for a mixed-use project (Administrative Coastal Permit ACP 05-283/ Design Review Case DRC 05-284/Conditional Use Permit CUP 05-285/Site Plan Review SPR 05-286/Tentative Map TM 05-287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Ave (APN 625-023-01-00 and 625-023-02-00). The property is designated C-2 (Seacoast Commercial) on the Zoning Map. The first time extension was approved on April 23, 2008 (Resolution No. 2008-6617). The next time extension was approved on June 2, 2010 (Resolution No. 2010-6892).



**PROJECT EVALUATION/  
DISCUSSION:**

The original expiration date for the tentative map, which was approved in 2007, was June 20, 2010. Since that approval date, two separate Government Code sections were passed. In 2008, SB 1185 enacted GC 66452.21, which provided for an automatic one year extension for

tentative maps. In 2009, AB 333 enacted Government Code section 66452.22, which provides an automatic two year extension for certain tentative maps. It reads in pertinent part:

The expiration date of any tentative or vesting tentative subdivision map or parcel map for which a tentative or vesting tentative map, as the case may be, has been approved that has not expired on July 15, 2009, and that will expire before January 1, 2012, shall be extended by 24 months.

Since the tentative map for the Project had not expired on July 15, 2009, but was set to expire prior to January 1, 2012, it qualifies for the automatic two year extension. Accordingly, the tentative map for the Project does not expire until June 20, 2012.

The California legislature enacted SB 1185 and AB 333 to automatically extend the life of subdivisions due to the economic downturn. The Subdivision Map Act and local zoning regulations provide that the companion and concurrent permits are extended along with the map with the exception of the conditional use permit (CUP) and site plan approvals. SB 1185 and AB 333 automatically extended TM 05-287, ACP 05-283, and DRC 05-284 to June 20, 2012. The CUP (05-285) and site plan (SPR 05-286) approvals were to expire on June 20, 2011 since the wording of our previous resolution did not specify that the CUP and site plan would expire coterminously with the map.

The proposed resolution would clarify these expiration dates consistent with the intent of Government Code Section 65863.9 which provided that any permit issued in conjunction with a tentative map shall expire no sooner than the map. No new zoning requirements have been enacted that would negatively affect the time extension request. The public improvements installed for the Old Palm Avenue project will need to be modified for this project when it is constructed.



**ENVIRONMENTAL DETERMINATION:** The project may be categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (as a Class 3(c) New Construction of Small Structures) and Section 15332 (In-Fill Development Projects) as

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

**COASTAL JURISDICTION:** The project is located in the Non-Appealable area of the California Coastal Zone, as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map, and, as such, is not appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

**FISCAL ANALYSIS:**

The applicant has deposited \$7695 in Project Account Number 050283 to fund the processing of this application.

**DEPARTMENT RECOMMENDATION:**

Consider adoption of Resolution No. 2011-7046, approving a time extension for Conditional Use Permit CUP 05-285 and Site Plan Review SPR 05-286 to run coterminously with the tentative map for MF 807, Greg Neil's mixed-use project (Administrative Coastal Permit ACP 05-283/ Design Review Case DRC 05-284/Conditional Use Permit CUP 05-285/Site Plan Review SPR 05-286/Tentative Map TM 05-287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Ave (APN 625-023-01-00 and 625-023-02-00), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
 \_\_\_\_\_  
 Gary Brown, City Manager

**Attachments:**

- 1. Resolution 2011-7046
- c: file MF 807  
 Greg Neil, 458 Donax Ave, Imperial Beach, CA 91932  
 Don Hall, Architect, 1227 Granger Street, Imperial Beach, CA 91932  
 Algert Engineering, 428 Broadway, Chula Vista, CA 91910

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A THIRD TIME EXTENSION FOR CONDITIONAL USE PERMIT (CUP 050285) AND SITE PLAN REVIEW (SPR 050286) FOR A MIXED-USE PROJECT LOCATED AT 198-200 PALM AVENUE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 807**

**APPLICANT: GREG NEIL**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, on June 1, 2011, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider the merits of approving or denying a third time extension for a previously-approved application for a mixed-use project (Administrative Coastal Permit ACP 050283/Design Review Case DRC 050284/Conditional Use Permit CUP 050285/Site Plan Review SPR 050286/Tentative Map TM 050287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Avenue; and

**WHEREAS**, on June 2, 2010, the City Council of the City of Imperial Beach approved a second time extension for a previously-approved application for a mixed-use project (Administrative Coastal Permit ACP 050283/Design Review Case DRC 050284/Conditional Use Permit CUP 050285/Site Plan Review SPR 050286/Tentative Map TM 050287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Avenue; and

**WHEREAS**, the City Council finds that the lives of the conditional use permit (CUP 050285) and site plan review (SPR 050286) approvals relied on the time extension approvals of the companion/concurrent permits (Administrative Coastal Permit ACP 050283/Design Review Case DRC 050284/Tentative Map TM 050287) for the same project since the intent of Government Code Section 65863.9 provided that any permit issued in conjunction with a tentative map shall expire no sooner than the map; and

**WHEREAS**, on April 23, 2008, the City Council of the City of Imperial Beach held a duly noticed public meeting and approved a time extension for a previously-approved application for a mixed-use project (Administrative Coastal Permit ACP 050283/Design Review Case DRC 050284/Conditional Use Permit CUP 050285/Site Plan Review SPR 050286/Tentative Map TM 050287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Avenue; and

**WHEREAS**, on June 20, 2007, the City Council of the City of Imperial Beach held a duly noticed public hearing and approved an application for a mixed-use project (Administrative Coastal Permit ACP 050283/Design Review Case DRC 050284/Conditional Use Permit CUP 050285/Site Plan Review SPR 050286/Tentative Map TM 050287) consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet)

with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Ave (APN 625-023-01-00 and 625-023-02-00), a site legally described as follows:

Lots 17 and 18 in Block 8 of Silver Strand Beach Gardens Addition to Imperial Beach, in the City of Imperial Beach, County of San Diego, in the State of California, according to Map thereof No. 1902, filed in the Office of County Recorder of San Diego County, March 25, 1926; and,

**WHEREAS**, the project design of the 3-story mixed-use project consisting of 6 residential condominiums and 2 commercial units remains compatible in use with other developments in the vicinity which consist of one-to three story commercial developments to the east, south and west, and one-story homes to the north consistent with Policy D-8 of the Design Element of the General Plan; and

**WHEREAS**, on May 17, 2007, the Design Review Board adopted DRB Resolution No. 2007-06 recommending approval of the project design; and

**WHEREAS**, the City Council finds that the project remains in substantial compliance with Policy L-8e of the Land Use Element of the General Plan, which promotes Seacoast Commercial Area (C-2) for pedestrian-oriented commercial uses that serve the neighborhood; and

**WHEREAS**, the City Council finds that the project remains consistent with the C-2 (Seacoast Commercial) Zone of the Zoning Ordinance, which promotes the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area; and

**WHEREAS**, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the CEQA Guidelines Section 15303 as a Class 3(c) project (New Construction of Small Structures) and Section 15332 (In-Fill Development Projects) as

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services; and

**WHEREAS**, the City Council considered the information contained in the staff report on this case and public testimony received on this case; and

**WHEREAS**, the City Council reaffirms the following additional findings in support of its decision to approve the project:

**CONDITIONAL USE PERMIT FINDINGS:**

- 1. The proposed use at the particular location is necessary or desirable to provide a service or facility, which will contribute to the general well being of the neighborhood or community.**

In the C-2 (Seacoast Commercial) Zone, which promotes the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area (IBMC 19.27.010), this project will provide additional retail commercial space in this area of Palm Avenue to meet the demands for goods in the beach community for both tourists and local neighborhood. This project will also provide additional housing, six units with off street parking, to meet the current housing demand. Also, the development of this project may encourage revitalization of the existing area, development of nearby vacant lots and increase patronage to the surrounding businesses.

- 2. The proposed use will not, under any circumstances, of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.**

The proposed development, a mixed use development consisting of retail commercial space on the first floor and six residential units above the first floor at 198-200 Palm Avenue, in the C-2 (Seacoast Commercial) Zone, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because in the Conditions of Approval, specific conditions have been set forth by the Community Development Department, Public Works Department and Building Department to mitigate public safety and welfare concerns such a development project may raise.

- 3. The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in the same zone.**

The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in C-2 (Seacoast Commercial) zone because the conceptual plans for the discretionary entitlements have been reviewed for compliance with zoning regulations.

- 4. The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The granting of the conditional use permit for a mixed use development consisting of retail commercial space on the first floor and six residential units above the first floor at 198-200 Palm Avenue in the C-2 (Seacoast Commercial) Zone will be in harmony with the purpose and intent of the zoning code (IBMC 19.82.040.D), the adopted general plan because local and regional policies encourage mixed use development as a form of smart growth. The site is within the coastal zone and an Administrative Coastal Permit has been approved by the City Council along with the Conditional Use Permit.

**SITE PLAN REVIEW FINDINGS:**

5. **The proposed use does not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the neighborhood, and is not detrimental or injurious to the value of property and improvements in the neighborhood.**

The applicant proposes a mixed use development consisting of retail commercial space on the first floor and six residential units above the first floor at 198-200 Palm Avenue, in the C-2 (Seacoast Commercial) Zone, that would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. Parking for the commercial and residential units will be located in the rear of the property accessible from a driveway off of Palm Avenue. The project proposes four parking spaces, including a handicapped parking space, for the retail unit. The CUP for this project will allow for the reduction in the number of parking spaces at an interim parking ratio of one space for every five hundred square feet of net floor area in the C-2 zone (IBMC19.48.050.M). For the residential units, the project will provide the required nine parking spaces. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create.

6. **The proposed use will not adversely affect the General Plan/Local Coastal Plan.**

The proposed mixed use development consisting of retail commercial space on the first floor and six residential units above the first floor at 198-200 Palm Avenue is consistent with the C-2 (Seacoast Commercial) zone, which promotes the local neighborhood demand for commercial goods and services.

7. **The proposed use is compatible with other existing and proposed uses in the neighborhood.**

The subject site is in the "Seacoast Commercial" zone, which encompasses Palm Avenue from Seacoast Drive to the west and 3<sup>rd</sup> Street to the east. "Seacoast Commercial" also encompasses Seacoast Drive from Palm Avenue on the north to Imperial Beach Boulevard on the south. Within this area, commercial and residential uses vary in character, bulk, and scale. The proposed project is compatible with the established commercial and residential uses. It will also be compatible with other mixed-use projects approved in the vicinity.

8. **The location, site layout and design of the proposed use properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.**

This site fronts along Palm Avenue near 2<sup>nd</sup> Street. The surrounding uses consist of commercial use to the south, west, and east, and a residential neighborhood to the north. The project proposes varied rooflines and architectural detailing and relief through the incorporation of building recesses. This project also includes landscaping on the second and third floors, which will provide more than the required percentage of landscaping and additional architectural interest. Palm trees will also be required, as part of the landscaping plan, consistent with the Old Palm Avenue streetscape plan.

**9. The combination and relationship of one proposed use to another on the site is properly integrated.**

The project is a mixed use development with a retail commercial space on the first floor and six residential units above the first floor at 198-200 Palm Avenue, in the C-2 (Seacoast Commercial) Zone. The combination and relationship of the commercial retail space in relation to the residential units on the site is properly integrated as the residential uses are situated above the commercial uses on the first floor.

**10. Access to and parking for the proposed use will not create any undue traffic problems.**

Parking access is from Palm Avenue. Parking for the commercial and residential units will be located in the rear of the lot. The project proposes four parking spaces, including a handicapped parking space, for the retail unit. The CUP for this project will allow for the reduction in the number of parking spaces at an interim parking ratio of one space for every five hundred square feet of net floor area in the C-2 zone (IBMC19.48.050.M). For the residential units, the project will provide the required nine parking spaces. The parking design will not create any undue traffic problems as vehicles will not need to back into traffic on the street.

**11. The project complies with all applicable provisions of Title 19.**

The project is subject to compliance with the zoning requirements per Chapter 19.28 of the City of Imperial Beach Municipal Code, titled "Seacoast Commercial (C-2) Zone." A Conditional Use Permit is required for residential development above the first floor at a maximum density of one unit per every one thousand five hundred square feet of lot area and interim parking pursuant to Section 19.28.020.A.3. The parking for the project will be provided in a parking structure on the first floor for the retail commercial unit and residential units. The CUP for the interim parking ratio is allowed per Section IBMC19.48.050.M and upon approval of the City Council. Site Plan approval by the City Council is required per Section 19.28.020.D. Design Review is required per Section 19.83.020.A.3.

<b>Standards</b>	<b>Provided/Proposed</b>
One dwelling per 1,500 square feet of lot area above the first floor	One dwelling unit per 1,717 square feet
There are no front, side and rear yard setbacks in the C-2 zone (Section 19.27.040)	The project maintains a 5-foot setback from the north, east, and west property lines; there is a 5-foot city landscape easement along Palm Ave.
Minimum lot size of 3,000 square feet (Section 19.27.050)	10,300 square feet
Minimum street frontage of 30 feet (Section 19.27.060)	Palm Ave frontage of 103 feet
Maximum building height of three stories or 30 feet (Section 19.27.070)	30 feet 37 feet including elevator housing
Open space: 300 square feet per dwelling unit	6,120 square feet = 1020 square feet per dwelling unit

<p>Commercial landscaping: not less than 15% of total site shall be landscaped and maintained (Section 19.50.030); 10,300 square feet total = 1545 square feet of landscaping (15%)</p>	<p>First floor landscaping = 670 square feet; Second floor landscaping = 157 square feet; Third floor landscaping = 157 square feet; roof deck: 560 sq ft; Total = 1,544 sq ft</p>
<p>Required parking spaces for commercial, retail: one space for each 250 square feet of net floor area or one per 300 sq ft for offices, plus one space per two employees (Section 19.48.050.I); Required parking spaces for residential dwelling units in the C-2 zone: 1.5 per dwelling unit (Section 19.48.030.C)</p>	<p>4 commercial spaces including one van accessible space; 9 residential spaces = 1.5 spaces per residential unit; total 13 spaces; consider approval of two parking spaces from parking bank.</p>

**DESIGN REVIEW FINDINGS:**

**12. The project is consistent with the City's Design Review Guidelines.**

The design of the project is consistent with the City's Design Policy D-8 (Project Design) of the General Plan as per Design Review Compliance checklist adopted by the Design Review Board hereto and findings contained herein.

Per SB 1185, AB 333, and Government Code Section 65863.9, design review approval has been extended to run coterminously with the tentative map.

**COASTAL PERMIT FINDINGS:**

**13. The proposed development conforms to the Certified Local Coastal Plan including Coastal Land Use Policies.**

Shore Processes and Shore Protection. The proposed project does not front along the beach and this finding is not applicable.

Public Access. The subject site is located east of the first public road that parallels the shoreline, which, in most cases, is Seacoast Drive. This project does not propose to obstruct public access to the beach.

Coastal View Access. The project is 3 stories high with each floor stepped back to avert obstructing views.

Refer to Site Plan Review Finding No. 7 for land use consistency, incorporated here by reference.

Scenic Views: The seawall and the proposed dwellings will not be significantly out of scale with the height of nearby structures. Refer to photo simulation study in the Mitigated Negative Declaration.

**14. For all development seaward of the nearest public highway to the shoreline, the proposed development meets standards for public access and recreation of Chapter Three of the 1976 Coastal Act and regulations promulgated thereunder.**

The subject site is not located between the ocean and the first public road, which, in this case, is Seacoast Drive and this finding, therefore, would not be applicable.

**15. The proposed development meets the minimum relevant criteria set forth in Title 19, Zoning.**

Refer to Site Plan Review finding No.11. Per SB 1185 and Government Code Section 65863.9, coastal development permit approval has been extended to June 20, 2011.

**16. For all development involving the construction of a shoreline protective device, a mitigation fee shall be collected which shall be used for beach sand replenishment purposes. The mitigation fee shall be deposited in an interest bearing account designated by the Executive Director of the California Coastal Commission and the City Manager of Imperial Beach in lieu of providing sand to replace the sand and beach area that would be lost due to the impacts of any protective structures.**

The project does not front along the beach and, therefore, it does not include the construction of a vertical seawall.

**TENTATIVE MAP FINDINGS:**

**17. The proposed tentative tract map is consistent with the General Plan/Local Coastal Plan.**

The proposed one-lot subdivision for six residential dwelling units and 2 commercial units is consistent with the General Plan (C-2 Seacoast Commercial Zone) pursuant to Subdivision Map Act Section 66473.5. The number of units proposed (8) is consistent with the zoning designation of the property (C-2) and the lot size (10,300 square foot lot). Per SB 1185 and AB 333, this tentative map approval has been extended to June 20, 2012.

**18. The design or improvement of the proposed major subdivision is consistent with the General Plan/Local Coastal Plan.**

Refer to Site Plan Review Finding 11.

**19. The site is physically suitable for the type of development.**

The subject site is a rectangular 10,300 square foot parcel and is relatively flat. The proposed grading and drainage for the development of the mixed use project were reviewed so that no downstream impacts would be realized.

**20. The design of the major subdivision will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife, or their habitat.**

The project does involve new construction in a developed urban area. The proposed project however will not affect fish or wildlife habitat.

**21. The design of the major subdivision will not cause serious public health problems.**

The development will be served by municipal water and sewer service and would not result in public health problems.

**22. The design of the major subdivision will not conflict with any easement of record.**

A Title Report submitted by the applicant, dated August 5, 2005, indicates that there is a 5-foot landscape easement on the site, which was considered during the design of the subdivision.

**23. All requirements of the California Environmental Quality Act (CEQA) have been fulfilled.**

The project is exempt from the requirements of the CEQA pursuant to the CEQA Guidelines Section 15303 as a Class 3(c) project (New Construction of Small Structures) and Section 15332 (In-Fill Development Projects) as

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

**NOW, THEREFORE, BE IT RESOLVED** that a third **time extension** for an application for Conditional Use Permit CUP 050285 and Site Plan Review SPR 050286 consisting of two commercial (totaling 2490 square feet) and six residential condominium units (totaling 11,595 square feet) with 13 parking spaces on two parcels with a combined square footage of 10,300 square feet at 198-200 Palm Ave (APN 625-023-01-00 and 625-023-02-00), is hereby **approved** by the City Council of the City of Imperial Beach subject to the following:

**CONDITIONS OF APPROVAL:**

**A. PLANNING:**

1. Pursuant to SB 1185, AB 333, and Government Code Section 65863.9, approval of Administrative Coastal Permit ACP 050283/ Design Review Case DRC 050284/Conditional Use Permit CUP 050285/Site Plan Review SPR 050286/Tentative Map TM 050287 for a mixed use development consisting of retail commercial space on the first floor and 6 residential units above the first floor at 198-200 Palm Avenue with 2 parking spaces per interim parking account, in the C-2 (Seacoast Commercial) Zone is valid for ~~one three four~~ five years from the date of final action by the City Council to expire on ~~June 20, 2008 2010 2011 2012~~ except that TM 050287 shall expire on June 20, 2010 and, per SB 1185, AB 333, and Government Code Section 65863.9, approvals of Conditional Use Permit CUP 050285 and Site Plan Review SPR 050286 have been extended to run coterminous with the tentative map. Conditions of approval must be satisfied, building permits issued, and substantial construction in reliance must have commenced prior to expiration or further time extensions are granted by the City Council or by state statute.
2. The site shall be developed and the final building plans shall be in substantial compliance with the approved plans dated Received December 19, 2006 on file in the Community Development Department and with the conditions adopted by the City

Council herein including a requirement for the north perimeter screening wall to be 7 feet high as mitigation and that development be compatible with the Old Palm Avenue streetscape plan.

3. Final landscaping plans and **drainage/storm water management plans** are subject to approval by the Community Development Department. If storm water management plans should cause the final building plans to deviate significantly from the City Council approved conceptual plans, such final plans shall be subject to City Council approval.
4. The hours of operation for the commercial spaces shall be restricted to conclude no later than 11pm so as to not impact the residential uses.
5. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement accepting said conditions.
6. All negative balances in the project account 050283 shall be paid prior to building permit issuance and final inspection.
7. Queen Palms shall be located in the public right-of-way along Palm Avenue per City Council Policy 606. This condition is subject to change pending Old Palm Avenue Streetscape Design Plan.
8. The projections above the height limit allowed for mechanical equipment and stairwells shall not be used for storage (except for small garden tools) or converted to any habitable use. This condition shall be added as a restriction to the covenants, conditions and restrictions for the development.

**B. PUBLIC SAFETY:**

9. **Provide a note on the plans stating:** "Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property and from any alley that fronts the property. Lettering shall be a minimum of four (4) inches high, with a minimum ¼ inch stroke, on a contrasting background." CFC Section 901.4.4.
10. **Provide a note on the plans stating:** "Knox key box shall be installed 6 to 6 1/2 feet above the walking surface and as close to the main entry door as possible. In multi-tenant buildings, the box should be located near the center point of the building". CFC Section 902.4. Contact IBFD for exact location.
11. **Provide a note on the plans stating:** "Provide key to Fire Department for emergency access, to be placed in Knox-Box (rapid entry system)." CFC Section 902.4.
12. **Show location(s) of all fire extinguishers on the floor plan and provide a note on the plans stating:** "On each floor provide one (1) 2A-10BC minimum rated fire extinguisher per 6,000 square feet. Travel distance (defined as the actual walking distance) not to exceed 75 feet. Fire extinguishers should be installed in plain view, in an accessible spot, near room exits that provide an escape route. Install extinguishers so that the top is no more than five feet above the floor." UFC Standard 10-1.
13. **Provide a note on the plans stating:** "Fire-extinguishing systems shall be installed in accordance with the Building Code and Section 1003." This is a requirement for an automatic sprinkler system in this building.

14. **Provide a note on the plans stating:** "Standpipe systems shall be installed in accordance with CFC 1004." This is a requirement for a standpipe system in this building.
15. **Provide a note on the plans stating:** "Installation and maintenance of fire alarm systems shall be in accordance with CFC 1006." This is a requirement for a fire alarm system in this building.
16. **Provide a note on the plans stating:** "Fire alarm annunciator panel shall be clearly marked "FIRE ALARM PANEL." The letters shall be not less than 1 inch high on a contrasting background." CFC 1001.7.4.
17. **Provide a note on the plans stating:** "Doors leading into electrical control panel rooms shall be clearly marked "ELECTRICAL ROOM." The letters shall be not less than 1 inch high on a contrasting background." CFC 8509.3.
18. **Provide a note on the plans stating:** "All electric, gas, and water meters shall be clearly marked to indicate the unit or portion of the building they serve."

**C. PUBLIC WORKS:**

19. The plans submitted for project review do not provide for an ADA compliant driveway from Palm Avenue into the enclosed parking garage. The landscape design interferes with the driveway's compliance. Redesign the entryway.
20. The project storm water and urban runoff must comply with IBMC Chapter 8.31 with compliance demonstrated on plans.
21. Since the property has been used for the storage of vehicles under repair, the soil must be tested for hydrocarbon, heavy metals, organic compounds and other vehicle waste contamination before approval of a construction project. If contaminated, the soil contamination must be remedied before granting approval to proceed.
22. The depth of the right-of-way between the face of curb and property line is 8 feet.
23. Ensure that the hot water tank P.T. discharge pipe is piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
24. No building roof or landscape water drains may be piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
25. Before approval of these plans, the sewer lateral (existing and new) locations will be drawn on the plans and submitted to the City for review and approval.
26. Install one new driveway approach on Palm Avenue in accordance with San Diego, Regional Standard Drawing G-14C. Asphalt cut for this installation is to be cut back enough to tie in the new lip of gutter with a maximum of 2% cross fall. To install the ADA compliant driveway, there will need to be approximately a 2-foot grant of easement provided to the City. New driveway approach is to be color embedded to match the existing curb, gutter and sidewalk.

27. Replace the curb and gutter along the entire frontage in accordance with Regional Standard Drawing G-2. Curb and gutter is to be color embedded to match the existing curb, gutter and sidewalk.
28. Replace the abandoned driveway approaches with new sidewalk in accordance with Regional Standard Drawing G-7. Sidewalk is to be color embedded to match the existing sidewalk color and texture.
29. Restripe the new curb and gutter "red or green" per the direction of the Public Works Director.
30. Restripe the street parking stalls per the direction of the Public Works Director.
31. For alley, sidewalk or curb and gutter replacement, ensure compliance with San Diego Regional Standard Drawing G-11 in that the "Area to be removed [must be] 5 feet or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5 feet. Where the distance from "Area to be removed," to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.
32. Require the building foundation elevation be at least 1 foot above the adjacent ground level to minimize flooding during storm conditions.
33. Install survey monuments on southwest and southeast property lines in or adjacent to the sidewalk. Record same with County Recorder's Office.
34. Ensure constructed refuse storage enclosure is constructed in accordance with IBMC 19.74.090. Ensure trash enclosure is sized to include recycling containers as well as refuse containers. Every residential complex of 4 or more units and commercial or industrial building shall be provided with adequate space for storage of refuse and recycling containers. The minimum size of refuse container space shall be six feet by nine feet. The minimum size of a recycling container space shall be four feet by eight feet. Refuse and recycling container spaces shall be enclosed by a six-foot high masonry wall and gate. Refuse and recycling container slabs shall be made of four inches of Portland cement concrete, and shall include a minimum five-inch-wide concrete runway to the level of the street or alley (IBMC 19.74.090).
35. Require applicant to provide verification of post construction Best Management Practice (BMP) maintenance provisions through a legal agreement, covenant, CEQA mitigation requirement, and/or Conditional Use Permit.
36. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or Caltrans Traffic Control Manual.
37. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in street trench. Asphalt shall be AR4000 ½ mix (hot).
38. In accordance with IBMC 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.

39. Applicant shall agree to underground all utilities in accordance with IBMC 13.08.060.
40. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach before project may begin work:
- A checklist of selected BMPs and location of the BMPs on project plans for review by the City (Form 7-B and Table 7-3).
  - Certification of intent to maintain selected BMPs (Form 7-B).
  - A Storm Water Management Plan (Form 7-B).
41. Additionally these BMP practices shall include but are not limited to:
- Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - Water used on site must be prevented from entering the storm drain conveyance system (i.e., streets, gutters, alley, storm drain ditches, storm drain pipes).
  - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with Visqueen (or equivalent product) to prevent sediment removal into the storm drain system
42. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste/construction waste in roll-off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

**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.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its regular meeting held on the 1<sup>st</sup> day of June 2011, by the following roll call vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>

*James C. Janney*

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

*Jacqueline M. Hald*

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**JACQUELINE M. HALD, CMC  
CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Resolution No. 2011-7046 – A Resolution of the City Council of the City of Imperial Beach, California, APPROVING A THIRD TIME EXTENSION FOR CONDITIONAL USE PERMIT (CUP 050285) AND SITE PLAN REVIEW (SPR 050286) FOR A MIXED-USE PROJECT LOCATED AT 198-200 PALM AVENUE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 807

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CITY CLERK

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DATE



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** JUNE 1, 2011

**ORIGINATING DEPT.:** PUBLIC WORKS *HB*

**SUBJECT:** AUTHORIZATION TO RENEW THE PARTNERSHIPS WITH INDUSTRY (PWI) GROUP SERVICES AGREEMENT

**BACKGROUND:**

In July 1999, City Council, City of Imperial Beach, authorized an agreement with "Partnerships with Industry" (PWI) to provide limited maintenance services in the Tidelands area. This agreement has been renewed annually since that date. The current agreement expires June 30, 2011.

**DISCUSSION:**

Partnerships With Industry desires to continue the agreement with the City of Imperial Beach. Attachment (2) is the proposed agreement for FY 2011-2012. The services provided by PWI have proven to be very beneficial to the City. Staff recommends the program be continued for the next fiscal year. The program will be funded within the approved FY 2011/2012 budget.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

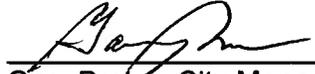
The cost of the Agreement for FY 2011/2012 is not to exceed \$31,500. The proposed two year FY 2011/2012 and 2012/2013 budget included the cost for this agreement. PWI agreement is submitted with a prevailing wage for the work as detailed in the contract at \$8.53 per employee.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Authorize the Public Works Director to execute the agreement with PWI.
3. Authorize the City Manager to approve a purchase order for the cost of the annual agreement with Partnerships With Industry.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. Resolution 2011-7051
2. Partnerships With Industry Group Services Agreement

**RESOLUTION NO. 2011-7051**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING RENEWAL OF THE AGREEMENT WITH PARTNERSHIPS WITH INDUSTRY FOR TIDELANDS MAINTENANCE SERVICES**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, in July 1999, City Council, City of Imperial Beach, authorized an agreement with "Partnerships With Industry" to provide limited maintenance services in Tidelands area; and

**WHEREAS**, annually the Agreement must be renewed to continue the service; and

**WHEREAS**, the service agreement expires June 30, 2011; and

**WHEREAS**, Partnerships With Industry desires to continue the agreement with the City of Imperial Beach for FY 2011-2012; and

**WHEREAS**, the services provided by Partnerships With Industry have proved to be very beneficial to the City; and

**WHEREAS**, the cost of the Agreement for FY 2011-2011 is not to exceed \$31,500.

**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. City Council, City of Imperial Beach, desires to continue the Agreement with Partnerships with Industry.
3. The Public Works Director is authorized to execute an agreement with Partnerships With Industry for the Services not to exceed \$31,500.
4. The City Manager is authorized to approve the purchase order for the payment of the services provided in the Agreement.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June, 2011, by the following roll call vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

*Creating Jobs. Enhancing Lives.*



*PWI - South Bay Office*

*Group Services "GS"*

*Partnership Service Agreement With:*  
**IMPERIAL BEACH PUBLIC WORKS**

---

July 1, 2011

Manager: Araceli Ituarte / Director: Dalinda Zurita



# Partnerships With Industry

An important and valuable labor source to our employment community,  
Bringing together employers and workers with developmental disabilities since 1985

## Group Services Agreement # 1

PWI Office:	South Bay	Ph:	(619) 424-2250
Nonprofit Tax ID:	33-0169950	Fax:	(619) 424-2258
Busn:	Imperial Beach Public Works		
Addr:	825 Imperial Beach Blvd.		
C/S/Z:	Imperial Beach, CA 91932		
Contact:	Hank Levlen		
Projected Start Date:	Friday, July 1, 2011		

### Provisions of PWI Agreement/Understanding

The services will be performed by "PWI workers", also known as PWI clients. The work shall be completed under the supervision of a PWI staff member, referred to as the Employment Training Specialist (ETS) or Job Coach. The ETS will monitor production and quality. The work performed by the PWI workers will be:

Trash abatement throughout the beach and parks. Cleaning of park restrooms. Re lining of trash cans with plastic liners throughout the beach. Sweeping and raking of park grounds and street ends.

This agreement reflects fiscal year 2011-2012. All invoices will be summarized total by Lot/Project codes provided by City of Imperial Beach.

Days of Work -	Monday thru Friday	Lunch -	30 minutes
Work Schedule -	7:00am to 12:30pm		
# of Workers -	3		

### Partnerships With Industry:

- Will be responsible for the assessment and placement of all PWI workers in the group.
- Will maintain accurate time and attendance records on each PWI worker.
- Carries Workers' Compensation and General Liability Insurance on workers and PWI staff.
- PWI workers and staff members will follow rules provided by Imperial Beach Public Works.
- Will provide final compensation (i.e., payroll services) for the PWI workers and PWI staff.
- Is an independent contractor and not an employee or agent of Imperial Beach Public Works.

### Imperial Beach Public Works:

- Will provide PWI with the necessary tools and equipment to perform the tasks required.
- Will proactively inform PWI management and ETS of changes which affect the group's employment.
- Will address any performance concerns with the ETS and PWI management.
- Will work proactively w/PWI to ensure that all safety-related issues are addressed immediately.
- Will hold in confidence information regarding individuals who are PWI workers.
- Will offer the same break times and uniforms to the PWI workers as with all other employees.

## Compensation

Semi-monthly invoices will be based on the actual hours worked, with the annual compensation not to exceed \$31,500. The hours of operation are: Monday through Friday, 7:00am to 12:30pm, with a 30 minute lunch break. Please see attached holiday schedule. We will not be scheduled on these days unless otherwise requested.

Each worker's productivity will be time studied per U.S. Dept. of Labor (DOL) standards. This rate determines the 'norm' for individual pay. Norms are established by conducting time studies on experienced workers (i.e., received at least one pay increase and has worked at least six months). Individual pay is determined by assessing individual productivity and multiplying that by the 'prevailing wage' (i.e., wage earned by an 'experienced worker'. The following is an example of one worker's pay... [75% (productivity) X \$7.00 (prevailing wage) = \$5.25]. Time studies are completed at least semi-annually. Changes in individual productivity will be reflected in subsequent invoices.

Annually, and when there is an increase in the minimum wage, the DOL requires that a new survey of 'prevailing wage' be conducted. PWI will conduct the prevailing wage survey (average pay of experience workers at similar businesses). If the prevailing wage changes, or the minimum wage increases, PWI will notify you. Any changes in minimum/prevailing wage will be reflected in subsequent invoices. The prevailing wage for the work as detailed in this contract is: \$6.53.

## Payment for Services / PWI Contact Information

PWI prepares invoices for service periods: 1st - 15th, and 16th through month's end. The invoice will also include actual and direct overhead expenses such as workers compensation and reasonable and necessary administrative support. Payment must be received within 30 days of the invoice date. If any questions, please contact Araceli Iruarte, PWI Group Services Manager - (619) 424-2250.

## Employment Training Specialist (Job Coaching) Support

The focus of the ETS is to work with each employee to develop work skills, encourage productivity, and ensure quality. The ETS should not be expected to perform work for the employer/contractor. The ETS's ongoing support and expertise is paid for by PWI. Due to PWI's funding by the State of California's Department of Rehabilitation, PWI must recognize certain holidays throughout the year. On these holidays, the group cannot work. A schedule of the holidays will be supplied by Partnerships With Industry.

## PWI's Goal and Mission

It is the goal of PWI for each PWI client/worker to attain the employment independence to the extent each person aspires. In addition to the PWI workers completing the work as stated in this agreement, the PWI Group is considered production and training opportunity. Workers who evidence the necessary work skills to advance their careers are encouraged to do so.

PWI's mission is to bring together businesses and workers with developmental disabilities. PWI is successful because of supportive employers, competent and dedicated PWI workers/clients, and because it's good business. This work opportunity will enable persons with developmental disabilities to earn an income, prove their worth as valued employees, and most importantly, satisfy your labor needs. We look forward to a long and mutually beneficial working partnership with Imperial Beach Public Works.

## Termination of Agreement

This agreement is ongoing and may be terminated upon twenty (20) calendar days prior written notice. PWI needs advance notice in order to most effectively and positively coordinate future services, funding, and support for the PWI workers impacted by an agreement ending.

Hank Levien

Employer Representative

MARK BERGER, CEO

PWI - Associate Executive Director

cc: original to PWI Accounting, copy to contractor, South Bay - PWI Director: Dalinda Zurita

Signature

Date

Signature

Date





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** June 1, 2011

**ORIGINATING DEPT.:** PUBLIC SAFETY *JB*

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE EXPENDITURE PLAN FOR THE FY 2010-2011 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT ALSO KNOWN AS THE COPS GRANT

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**BACKGROUND:**

The City of Imperial Beach has been receiving grant funds for the purposes of supplemental law enforcement activities for the past several years. This grant, known as the Supplemental Law Enforcement State Funding (SLESF), is often referred to as the COPS Grant. This grant's purpose is specifically targeted at adding additional law enforcement personnel within the jurisdictions that receive the funding. Since April 18, 2001, the City Council has authorized the expenditure of these grant funds for the purpose of partially funding the City's motorcycle traffic safety unit. Prior to the Council's action on April 18, 2001, the City had not had the services of a motorcycle traffic safety unit for many years. The City experiences many significant traffic related incidents. Motorcycle units are highly effective traffic safety resources that can be a very useful tool in attempting to curtail the traffic safety issues identified in the report.

**DISCUSSION:**

Staff has been notified that the City will receive \$100,000 SLESF funding for FY 2010-2011. Staff recommends that the entire \$100,000 be used to partially fund the cost of the motorcycle unit for FY 2010-2011. The annual cost for the motorcycle unit is approximately \$207,652.

**FISCAL IMPACT:**

This \$100,000 grant increases special revenue expenditures by \$100,000 for FY 2010-2011.

**DEPARTMENT RECOMMENDATION:**

Adopt Resolution No. 2011-7044 approving the proposed expenditure plan of SLESF (COPS) grant funds for FY 2010-2011

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Resolution No. 2011-7044

**RESOLUTION NO. 2011-7044****A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE EXPENDITURE PLAN FOR THE FY 2010-2011 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT ALSO KNOWN AS THE COPS GRANT**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, the City received notice of grant award for \$100,000 from the Supplemental Law Enforcement State Funding (SLESF) Grant, with zero City matching funds required; and

**WHEREAS**, the City will use these funds to partially fund a motorcycle unit; and

**WHEREAS**, there is a need to adjust the two-year budget adopted by City Council to amend fiscal year 2010-2011 with an increase of said funds, and;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council authorizes the following expenditure budget amendment in the amount of **\$100,000**:

Budget Account #	Description of BA	Adjustment Amount
Revenue - 212-0000-336-40-02	SLESF Grant	+\$100,000
Expenditure - 212-3036-421-20-06	SLESF Grant	+\$100,000

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> of June 2011, by the following roll call vote:

**AYES:** COUNCILMEMBERS: NONE  
**NOES:** COUNCILMEMBERS: NONE  
**ABSENT:** COUNCILMEMBERS: NONE

*JIM JANNEY*

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**JIM JANNEY, MAYOR**

**ATTEST:**

*Jacqueline M. Hald*

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**JACQUELINE M. HALD, CMC  
CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2011-7044 A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE EXPENDITURE PLAN FOR THE FY 2009-2010 SUPPLEMENTAL LAW ENFORCEMENT STATE FUNDING (SLESF) GRANT ALSO KNOWN AS THE COPS GRANT

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CITY CLERK

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DATE



AGENDA ITEM NO. 2.9

**STAFF REPORT  
IMPERIAL BEACH REDEVELOPMENT AGENCY**

**TO:** CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

**FROM:** GARY BROWN, EXECUTIVE DIRECTOR

**MEETING DATE:** JUNE 1, 2011

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*  
GERARD SELBY, REDEVELOPMENT COORDINATOR *GS*

**SUBJECT:** PROPOSED AMENDMENT OF EXCLUSIVE NEGOTIATION AGREEMENT WITH SUDBERRY PROPERTIES, INC.

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**BACKGROUND**

In December 2008, the Imperial Beach Redevelopment Agency ("Agency") authorized staff to negotiate Purchase and Sale Agreements for the North Island Credit Union and Miracle Shopping Center properties ("Site"). The Agency completed the purchase of the North Island Credit Union property in December 2008 and Miracle Shopping Center in February 2009. In February 2009, the Agency issued a Request for Qualifications/Proposals for a Real Estate Development Opportunity for the site and in July 2009, staff was directed by the Agency to negotiate a draft Exclusive Negotiation Agreement ("ENA") with Sudberry Development Inc. ("Sudberry") for the Agency's review and approval.

In September 2009, the Agency entered into an ENA with Sudberry. Under the terms of the ENA, the Agency's Executive Director is authorized to extend the negotiation period. The Negotiation Period has been extended four times. On December 15, 2010, the Agency approved an extension of the Negotiation Period and the Amendment to Exclusive Negotiation Agreement by and between Imperial Beach Redevelopment Agency and Sudberry Properties.

The ENA with Sudberry terminates on June 21, 2011. Sudberry is requesting an extension of the ENA.

**DISCUSSION**

Staff, the Agency's Special Counsel, and the City Attorney are in the final stages of drafting a Disposition and Development Agreement for Sudberry's review. Staff believes that 132 day extension of the Negotiation Period will be sufficient to complete and execute a DDA.

**ENVIRONMENTAL DETERMINATION**

Sudberry has engaged various consultants to prepare the necessary environmental documentation for the 9<sup>th</sup> & Palm Redevelopment Project.

**FISCAL IMPACTS**

There is no direct fiscal impact with the requested action.

**DEPARTMENT RECOMMENDATION**

Staff recommends that the Redevelopment Agency approve an extension to the Negotiation Period for 132 days for the purpose of entering into a Disposition and Development Agreement with Sudberry Properties Inc.

**EXECUTIVE DIRECTOR RECOMMENDATION**

Approve Department recommendation.

 FOR  
\_\_\_\_\_  
Gary Brown, Executive Director

**ATTACHMENTS**

- Attachments: Attachment 1 - R-11-260
- Attachment 2 – Amendment to Exclusive Negotiation Agreement

**RESOLUTION NO. R-11-260**

**A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND THE EXCLUSIVE NEGOTIATION AGREEMENT WITH SUDBERRY PROPERTIES INC.**

The Imperial Beach Redevelopment Agency ("Agency") does hereby resolve as follows:

**WHEREAS**, the Agency has engaged in activities necessary to carry out and implement the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area [the "Project"]; and has adopted an Implementation Plan for the Project in accordance with California Health and Safety Code Section 33490 [the Implementation Plan]; and

**WHEREAS**, the redevelopment of the North Island Credit Union and Miracle Shopping Center properties are specifically identified as a priority project in the Implementation Plan; and

**WHEREAS**, in December 2008 the Agency authorized staff to negotiate Purchase and Sale Agreements for the North Island Credit Union and Miracle Shopping Center properties ("Site"); and

**WHEREAS**, the Agency completed the purchase of the North Island Credit Union property in December 2008 and Miracle Shopping Center in February 2009; and

**WHEREAS**, the Agency issued a Request for Qualifications/Proposals for a Real Estate Development Opportunity; and

**WHEREAS**, in July 2009 the Agency directed Executive Director to negotiate a draft Exclusive Negotiation Agreement ("ENA") with Sudberry Development Inc. for Agency review and approval; and

**WHEREAS**, in September 2009, the Agency entered into an Exclusive Negotiation Agreement with Sudberry Properties Inc. for the purpose of entering into a Disposition and Development Agreement for the development of the 9<sup>th</sup> & Palm Redevelopment Project;

**WHEREAS**, on May 24, 2010, the Agency and the Developer agreed to an extension of the Negotiation Period as provided for in the Agreement; and

**WHEREAS**, on December 15, 2010, the Agency approved Resolution No. R-10-239 whereby the Agency approved an extension of the Negotiation Period and the Amendment to Exclusive Negotiation Agreement By and Between Imperial Beach Redevelopment Agency and Sudberry Properties, Inc., dated January 4, 2011 (the "1<sup>st</sup> Amendment"); and

**WHEREAS**, Sudberry Properties Inc. has requested that the Agency extend the negotiation period;

**WHEREAS**, in order to implement the Redevelopment Plan, the Agency wishes to amend the Exclusive Negotiation Agreement with Sudberry Properties Inc. by extending the negotiation period for 132 days.



**SECOND AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT**  
**By and Between**  
**IMPERIAL BEACH REDEVELOPMENT AGENCY**  
**And**  
**SADBERRY PROPERTIES, INC.**

THIS SECOND AMENDMENT TO THE AGREEMENT (the "2<sup>nd</sup> Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_ 2011 ("Effective Date"), by and between the IMPERIAL BEACH REDEVELOPMENT AGENCY, a public body, corporate and politic (the "Agency"), and SADBERRY PROPERTIES, INC., a California corporation (the "Developer"), on the terms and provisions set forth below. The Agency and Developer may sometimes be referred to herein individually as "Party" and collectively as "Parties."

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

**WHEREAS**, Agency and the Developer entered into the Exclusive Negotiation Agreement By and Between Imperial Beach Redevelopment Agency and Sudberry Properties, Inc., dated September 23, 2009 (the "Agreement"); and

**WHEREAS**, on May 24, 2010, the Agency and the Developer agreed to an extension of the Negotiation Period as provided for in the Agreement; and

**WHEREAS**, on December 15, 2010, the Agency approved Resolution No. R-10-239 whereby the Agency approved an extension of the Negotiation Period and the Amendment to Exclusive Negotiation Agreement By and Between Imperial Beach Redevelopment Agency and Sudberry Properties, Inc., dated January 4, 2011 (the "1<sup>st</sup> Amendment"); and

**WHEREAS**, Agency desires to amend the Agreement between the Agency and the Developer by extending the Negotiation Period as provided for in the 1<sup>st</sup> Amendment.

**WITNESSETH**: That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other as follows:

A. Amendment of Section 102. The first paragraph of Section 102 of the Agreement is amended to read as follows:

"The extended Negotiation Period ("Negotiation Period") shall continue from the date the Agency approves and executes this 2<sup>nd</sup> Amendment (the "Effective Date") and continue for 132 days ("Extended Negotiation Period"). If a DDA has not yet been executed, upon the termination of the Extended Negotiation Period, then this Agreement shall automatically terminate, unless the Agency, in its sole discretion, agrees in writing to an extension."

B. Capitalized Terms. Capitalized terms used but not otherwise defined in this 2<sup>nd</sup> Amendment shall have the meanings assigned to them in the Agreement and 1<sup>st</sup> Amendment. In the case of a conflict in meaning between the Agreement and 1<sup>st</sup> Amendment, the Agreement shall prevail.

C. Continuing Effect. Except as expressly modified or amended by this 2<sup>nd</sup> Amendment, all terms and provisions of the Agreement and the 1<sup>st</sup> Amendment shall remain in full force and effect.

D. Execution in Counterparts. This 2<sup>nd</sup> Amendment may be executed in any number of counterparts, each of which shall be deemed an original.

IN WITNESS WHEREOF, the Agency and the Developer have signed this 2<sup>nd</sup> Amendment on the respective dates set forth below.

Agency:

Developer:

IMPERIAL BEACH REDEVELOPMENT  
AGENCY

SADBERRY PROPERTIES, INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

\_\_\_\_\_  
Agency Counsel

Dated: \_\_\_\_\_



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** JENNIFER LYON, CITY ATTORNEY  
**MEETING DATE:** JUNE 1, 2011  
**ORIGINATING DEPT.:** CITY ATTORNEY  
**SUBJECT:** ORDINANCE NO. 2011-1117 – AFFIRMATIVE ACTION

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**BACKGROUND:**

The City complies with all State and Federal outreach and affirmative action requirements but current law and compliance practices supersede the City's ordinance adopted in 1971, Chapter 2.44 (Ordinance 293). Therefore, as a result of the City Attorney's routine analysis and review of the Municipal Code, it is appropriate to delete this outdated section of the code.

**DISCUSSION:**

The City must and does comply with State and Federal law regarding public contracting. Since affirmative action laws are constantly evolving, and thus it's necessary to frequently amend the Municipal Code in order for it to be extant, it is better to simply eliminate Chapter 2.44 pertaining to public contracting and base policies on the most current law.

**ENVIRONMENTAL IMPACT:**

None

**FISCAL IMPACT:**

None

**CITY MANAGER'S RECOMMENDATION:**

1. Receive report;
2. Mayor calls for the first reading of the title of Ordinance No. 2011-1117;
3. City Clerk to read title of Ordinance 2011-1117 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REPEALING CHAPTER 2.44 OF THE IMPERIAL BEACH MUNICIPAL CODE REGARDING AFFIRMATIVE ACTION IN PUBLIC CONTRACTING;" and
4. Motion to waive further reading and dispense introduction by title only and set the matter for adoption at the next regularly scheduled City Council meeting.

Gary R. Brown, City Manager

**Attachment:**

1. Ordinance No. 2011-1117
2. Chapter 2.44 of the I.B. Municipal Code

**ORDINANCE NO. 2011-1117**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH  
REPEALING CHAPTER 2.44 OF THE IMPERIAL BEACH MUNICIPAL CODE  
REGARDING AFFIRMATIVE ACTION IN PUBLIC CONTRACTING**

**THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES HEREBY  
ORDAIN AS FOLLOWS:**

**SECTION 1:** Chapter 2.44 of Title 2 of the Imperial Beach Municipal Code is hereby repealed in its entirety.

**SECTION 2:** This ordinance shall become effective thirty (30) days following its passage and adoption.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, held the 1<sup>st</sup> day of June, 2011; and **THEREAFTER PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 15th of June, 2011 by the following roll call vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, CMC  
CITY CLERK**

**APPROVED AS TO FORM:**

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**JENNIFER M. LYON  
CITY ATTORNEY**

**Imperial Beach Municipal Code**

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[Title 2. ADMINISTRATION AND PERSONNEL](#)

**Chapter 2.44. AFFIRMATIVE ACTION PROGRAM**

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**2.44.010. Purpose of provisions.**

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A. This chapter establishes an affirmative action program to require contractors awarded city contracts for construction, alteration, maintenance or demolition, when state law mandates advertising for bids, and their subcontractors and suppliers to take affirmative action to improve employment of racial and ethnic minorities in the construction industry.

B. The goal of this affirmative action program shall be the attainment of the condition on city construction and city-assisted construction contracts such that the employment of Black, Mexican-Americans, American Indians and Filipino/Asian/Orientals in each construction and related craft at the beginning of the fifth year of the program is approximately equal to the proportion of each such racial or ethnic group in the workforce of the city. (Ord. 293 § 1 (part), 1971: prior code § 1781)

**2.44.020. Minimum levels of minorities in workforce.**

---

The city shall establish a minimum level for each of the first three years of this program, with each level being a percentage of the racial and ethnic minority proportion of the population for that year. The percentage shall be twenty percent for the first year, forty percent for the second year, and sixty percent for the third year. Between the second and third anniversary dates of this program, the city shall hold hearings, for the purpose of establishing the minimum levels of this program for the fourth, fifth, and subsequent years in light of its findings regarding the following factors:

- A. The racial and ethnic composition of the workforce;
- B. The racial and ethnic composition of unemployed persons in the workforce;
- C. The proportion of racial and ethnic minorities in the population;
- D. The anticipated expansion, contraction and turnover of and in the workforce comprising the building trades;
- E. The cooperation of the construction industry and building trades in programs to improve racial and ethnic minority employment in such industry and trades. (Ord. 293 § 1 (part), 1971: prior code § 1782)

**2.44.030. Compliance required by city contractors—Incorporation in contracts.**

---

A. Each contractor awarded a construction contract by the city under this affirmative action program, his subcontractors and suppliers, shall be required to comply with the program.

B. This program shall be incorporated by reference in all construction contracts let by the city for which bidding is required by state law. Any bidder who does not comply with the provisions of this chapter shall be a nonresponsive bidder. (Ord. 293 § 1 (part), 1971: prior code § 1783)

**2.44.040. Adoption of implementing rules and regulations.**

---

In order to implement this program, the city council may from time to time adopt such rules and regulations by resolution as it deems necessary. (Ord. 293 § 1 (part), 1971: prior code § 1784)

**2.44.050. Compliance by contractors with small workforces.**

---

Contractors, subcontractors and suppliers who do not have a workforce sufficiently large to be divided into all of the percentages provided under this chapter may be excepted by employing that portion which is possible, subject to approval by the compliance officer. (Ord. 293 § 1 (part), 1971: prior code § 1785)

**2.44.060. Compliance with state and federal laws.**

---

Each bidder shall submit, with his/her bid, certification that he/she is in compliance with the Civil Rights Act of 1964, Executive Order 11246, the California Fair Employment Practice Act, and any other applicable federal and state laws and regulations relating to equal opportunity employment, including laws and regulations hereafter enacted. Such certification shall be on forms provided by the city. (Ord. 293 § 1 (part), 1971: prior code § 1786).

**2.44.070. Procedure for compliance with program—Contractors.**

---

A. Each bidder shall submit, with his/her bid, certification that he/she will comply with the provisions of this affirmative action program. This certification shall include the bidder's plan for reaching, in each draft, and for each of his/her subcontractors and suppliers, the minimum level set for each year for which performance may be due under the proposed contract.

B. If a bidder desires prior approval of his/her plan, he/she may submit his/her plan for review by the city no less than ten days in advance of submitting his/her bid. Once a bidder's plan, submitted in accordance with this chapter, has been determined to be in compliance with this chapter, his/her plan shall not otherwise affect the award of the contract.

C. The city will maintain a current list of contractors, subcontractors, and suppliers who have been found by the city council to be in noncompliance with this program. Upon request, city will supply this list to prospective contractors.

D. Any bidder who does not meet the current minimum levels of this program may be determined to be in noncompliance with this program if his/her employment records show that his/her hiring practices subsequent to the effective date of the ordinance codified in this chapter have not tended to meet the minimum levels established for this program. No employer will be required to discharge members of his workforce.

E. At such time as the city council determines that a hometown plan for the city has been implemented and meets or exceeds the current and future requirements of this affirmative action program and is an effective alternative thereto, the city council may accept compliance with such hometown plan as compliance with this affirmative action program.

F. Any requirements placed on bidders will be required of the contractor who is awarded the contract, when applicable. (Ord. 293 § 1 (part), 1971: prior code § 1787)

**2.44.080. Procedure for compliance with program—Subcontractors and suppliers.**

---

A. Each subcontractor of and supplier to the bidder shall be required to comply with this chapter as though he/she were the bidder or contractor, unless he/she is part of a group exempted by a resolution implementing this program. Each such subcontractor and supplier shall submit to the bidder a plan for reaching the minimum level under the proposed contract and a certificate that he/she will fulfill his/her obligations under this chapter. The certification shall be on forms provided by the city. The apparent successful bidder shall provide to the city these required plans and certificates for all listed subcontractors and suppliers prior to award of the contract. The

apparent successful bidder shall provide to the city these required plans and certificates for all nonlisted subcontractors and suppliers ten days prior to their participation in the work.

B. Any subcontractor or supplier, not within the group excluded by a resolution implementing this program, of the prime contractor awarded the bid will be required to meet the same requirements placed on the prime contractor as though such subcontractor or supplier were the prime contractor on the city construction contract.

C. When a subcontractor is not recognized as such by the city construction contract, all workmen providing services on the construction project will be considered employees of the prime contractor for the purpose of this chapter. (Ord. 293 § 1 (part), 1971: prior code § 1788)

#### **2.44.090. Contents of bidder's plan.**

---

In order to be acceptable, the bidder's plan for compliance with the affirmative action program must satisfy the city that the bidder has taken and will take all reasonable steps available to improve racial and ethnic minority employment. The plan must demonstrate, but is not limited to, the following:

A. That the bidder has made, and will make, every effort to solicit racial and ethnic minority subcontractors to make bids on appropriate portions of the job;

B. That the bidder has taken and, if awarded the contract, will take affirmative action to ensure that applicants are employed and that employees are treated without regard to race, color, sex, religious ancestry or national origin, including employment in all crafts, of foremen, journeymen, apprentices, or trainees; upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training, including trainees and apprentices where applicable;

C. That, in all advertisements for subcontractors, suppliers, labor or other personnel, or requests for employment of any nature relating to the city construction contract, the bidder has stated in writing, and will state in writing if awarded the contract, that he/she is seeking persons of all racial and ethnic groups to apply and that it is his/her intention to hire employees in all crafts from all ethnic and racial minority groups. (Ord. 293 § 1 (part), 1971: prior code § 1789)

#### **2.44.100. Contractor's duties.**

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A. If the contractor's ethnic and racial minority workforce, and the distribution of such workforce by crafts, is equal to or exceeds the minimum level established for each year of the program, he/she will not be required to demonstrate the efforts he/she had made under this program for any period during which he/she reaches or exceeds the minimum level.

B. The contractor shall maintain and permit access to updated employment records and information with respect to all employees directly or indirectly performing work under the city construction contract, in accordance with the direction of the city, setting forth the distribution of personnel and members of all racial and ethnic groups by craft or trade classification, including information relating to apprentices and trainees, and shall maintain records indicating the monthly average man-days worked by employees of each such minority group.

C. Contractors, subcontractors or suppliers shall demonstrate compliance on the project by submitting evidence of racial and ethnic employment by crafts either on the specific project or in his total organization.

D. The contractor shall send to each labor union or worker representative with which he/she has a collective bargaining agreement, or other contract or understanding, a notice, to be provided by the city, advising said union or representative of the contractor's commitments under this chapter, and shall post copies of the notice in conspicuous places accessible to employees and applicants for employment.

E. The inability of the contractor to recruit and hire competent foremen, journeymen, apprentices or trainees of racial and ethnic minority groups from labor unions shall not exempt the contractor from complying with this

affirmative action program.

F. The contractor shall maintain records detailing his/her compliance with the requirements of this chapter and with his/her plan, and shall submit to the city a report detailing such compliance at least monthly between the award of the contract and the completion of the work thereunder. The contractor shall require similar information from his/her subcontractors and suppliers. (Ord. 293 § 1 (part), 1971: prior code § 1790)

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**2.44.110. Failure of contractor to comply with program.**

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In the event that the contractor has failed to meet the minimum levels, or otherwise fulfill his/her plan for complying with the affirmative action program, and desires to present evidence that failure to comply or meet such levels was through no fault of his/her own, but was due to an inability to obtain competent minority employees, after making all reasonable efforts to do so from standard sources such as public advertisements, unions, employment or other agencies capable of providing such employees, he/she shall submit written evidence as required by the city that he/she has made such efforts and that minority employees have not been available by such means. (Ord. 293 § 1 (part), 1971: prior code § 1791)

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**2.44.120. Correcting violations.**

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A. After a determination by the city that a contractor, subcontractor or supplier has failed to comply with the terms of this chapter while operating under a city construction contract or has committed a violation of any applicable state or federal law concerning equal employment practices, the city shall serve written notice of such violation on the contractor or his representative. The contractor shall be responsible for notifying any subcontractor or supplier involved in the violation of such violation.

B. Upon request by the city, the contractor determined to be in violation shall meet with city representatives in order to determine a method of correcting the violation and the time period within which such remedy shall be effected. If the remedy is not agreed upon within ten days of the above notice, the city shall prescribe the method by which the violation shall be corrected, and shall notify the responsible contractor that his subcontractors or suppliers correct their violations.

C. If the contractor has not corrected the violation in the manner prescribed by such second notice within seven days after receipt of such notice, unless an extended period is permit in writing by the city, the city may impose one or more of the sanctions provided in Section 2.44.130. (Ord. 293 § 1 (part), 1971: prior code § 1792)

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**2.44.130. Sanctions.**

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Upon a determination by the city that a contractor, subcontractor or supplier has violated any portion of this chapter, the city shall impose one or more of the following sanctions:

A. Find that the contractor is not a responsible bidder for any future contracts until he/she has demonstrated to the satisfaction of the city that he/she has made a good-faith effort to improve minority employment, and will comply with the affirmative action program in effect at the time of any future bids; in no event shall he/she be a responsible bidder on contracts advertised within one year from such finding, unless earlier approved by the city council;

B. Terminate the entire contract effective at a time specified by the city;

C. Terminate any portion of the contract or work thereunder;

D. Direct the prime contractor to terminate all or part of the contract with any subcontractor or supplier determined to be in violation of this chapter;

E. Find that any subcontractor or supplier in violation of this program is not a responsible party to a city

contract and refuse to accept bids from prime contractors who intend to use such subcontractors or suppliers in performing city contracts, until the subcontractor or supplier has demonstrated to the satisfaction of the city that he/she has made a good-faith effort to improve minority employment and will comply with the affirmative action program in effect at the time of any future bids; in no event shall he/she be a responsible party to any city contract advertised within one year from such finding unless earlier approved by the city council;

F. Since it is one purpose of this program to improve employment of racial and ethnic minorities which make up a substantial portion of the welfare cost to the city and since it is estimated that greater minority employment will reduce such cost in an amount not capable of accurate measurement, there may be assessed the sum of one-quarter of one percent of the contract price as liquidated damages for each day under the contract for which the contractor has failed to comply with this program and his/her plan submitted with his/her bid. Such liquidated damages shall be a minimum of twenty-five dollars per day and a maximum of one hundred dollars per day. (Ord. 293 § 1 (part), 1971: prior code § 1793)



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MAY 18, 2011

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR *GW*  
JIM NAKAGAWA, AICP, CITY PLANNER  
TYLER FOLTZ, ASSOCIATE PLANNER *TF*

**SUBJECT:** PUBLIC HEARING: SUE ELENBAAS AND MICHAEL HENTSCH (APPLICANT/OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 110001) AND CONDITIONAL USE PERMIT (CUP 110002) TO PROVIDE A SENIOR HOUSING DEVELOPMENT ("BY THE SEA") LOCATED AT 829 EMORY STREET (APN 626-322-04-00) IN THE R-3000 (TWO FAMILY RESIDENTIAL) ZONE. MF 1064.

**PROJECT DESCRIPTION/BACKGROUND:**

This is an application (MF 1064) originally submitted on January 4, 2011, for an Administrative Coastal Permit (ACP 110001) and Conditional Use Permit (CUP 110002) to provide a senior housing development ("By the Sea") in an existing single-family residence located at 829 Emory Street in the R-3000 (Two Family Residential) Zone on an approximately 7,000 square foot parcel (APN 626-322-04-00).



The property owners received a license from the State of California in 2008, and from the City of Imperial Beach in 2009, to operate a residential care facility serving six (6) non-ambulatory elderly residents (age 60 and above), one (1) of whom may be bedridden, in the existing single-family residence located at 829 Emory Street. At that time, the building was improved to meet safety requirements for such a facility. Zoning clearance was not required because California Health and Safety Code

Section 1569.85 states that "no conditional use permit, zoning variance, or other zoning clearance shall be required of a residential care facility for the elderly which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone." In January 2011 the applicant decided to utilize an existing vacant bedroom to accommodate two (2) additional residents, and submitted a conditional use permit application to the City that proposed to increase the amount of elderly residents in the facility from six (6) non-ambulatory elderly residents to eight (8) non-ambulatory elderly residents, one of whom may be bedridden.

The existing single-family residence provides four bedrooms, two bathrooms, a den, a living room, a dining room, and a kitchen. Also located on the property are two garages (a two-car garage off of Emory Street and a single-car garage off of the alley), an open deck in the front yard with an accessible ramp, an outdoor spa, and a gardening area. The care facility is in operation all hours of the day, each day of the week, and has ten employees that rotate shifts throughout the week, many of whom walk or take public transportation to the site. The facility provides for visiting hours from 10 AM to 7 PM. The services the facility provides include basic assisted living, vacation care, dementia care, and hospice and respite care. The facility has been using three bedrooms for six elderly residents, and would utilize all four bedrooms if the proposed expansion to eight residents were approved; no new construction is proposed.

## **PROJECT EVALUATION/DISCUSSION:**

### **VISUAL QUALITY ISSUES**

The senior housing development would locate within an existing single-family residence that is consistent with the character of the neighborhood. Landscaping is provided throughout the site, and has been maintained in good condition. The only aesthetic element that differs from the other residences in the neighborhood is in the form of a 13 square foot wooden wall sign with blue lettering that is located above the garage door that reads "By the Sea." The sign provides a subdued, aesthetically pleasing, design.

### **GENERAL PLAN/ZONING CONSISTENCY**

The General Plan designation for the proposed location is Two-Family Residential (R-3000 Zone). The R-3000 Zone allows for senior housing developments as permitted in Imperial Beach Municipal Code (IBMC) 19.67 – Senior Housing. A senior housing development is defined as a "residential project which may exceed the maximum density permitted for families in the zone in which it is located and which is established and maintained for the exclusive use of low-income or moderate-income senior residents." The residential care facility would be considered a senior housing development because it is a residential project that would be established and maintained for the exclusive use of low to moderate income senior residents. The existing residents in the care facility already meet the low to moderate income levels, and the applicant would be required to enter into an agreement with the City stating that the care facility would be exclusive to low to moderate income senior residents. The proposed project is consistent with the General Plan and zoning designations.

Though no new construction is proposed to take place, an impact to the parking/traffic to the existing area has been reviewed. IBMC 19.48 – Off-Street Parking - requires residential uses in the R-3000 Zone to provide two spaces per dwelling unit, one hundred percent enclosed. The property currently exceeds the residential parking requirements by providing three one hundred percent enclosed parking spaces (one two-car garage, and one single-car garage). However IBMC 19.48 also states that "boarding houses, retirement homes and clubs having sleeping rooms" require two parking spaces plus one space for each three beds. This would require that

the project provide five off-street parking spaces since the project proposes eight beds (1 space per 3 beds = 3 required spaces + 2 additional spaces = 5 required parking spaces).

In addition to the three one-hundred percent enclosed parking spaces, the property provides an approximately 24-foot wide driveway off of Emory Street that leads to the two-car garage. If the driveway were included as off-street parking spaces the site would provide six parking spaces in total (three one hundred percent enclosed parking spaces in the garages, and three open parking spaces in the driveway), which would exceed the five required spaces. Typically driveways cannot be considered as off-street parking because open parking spaces are prohibited to locate within the front yard. However, IBMC 19.67.060 – Senior Housing Development Standards – states that ‘the city council may make exceptions to the density, off-street parking, minimum unit size, open space and such other requirements as may be appropriate’ for senior housing developments.

The parking spaces would typically only be used by employees and visitors of the facility since the residents do not have vehicles. The facility employs ten employees with alternating work shifts (Morning, Afternoon, Evening/Night), many of whom walk or take public transportation to the facility. During the day the property typically only has one car parked at the project site for two employees that carpool to the facility, which allows for visitors to utilize the remaining parking spaces. Three parking spaces are used by employees during the night shift (10 PM – 6 AM), though this would not impact visitor parking since visitors are not allowed during this shift.

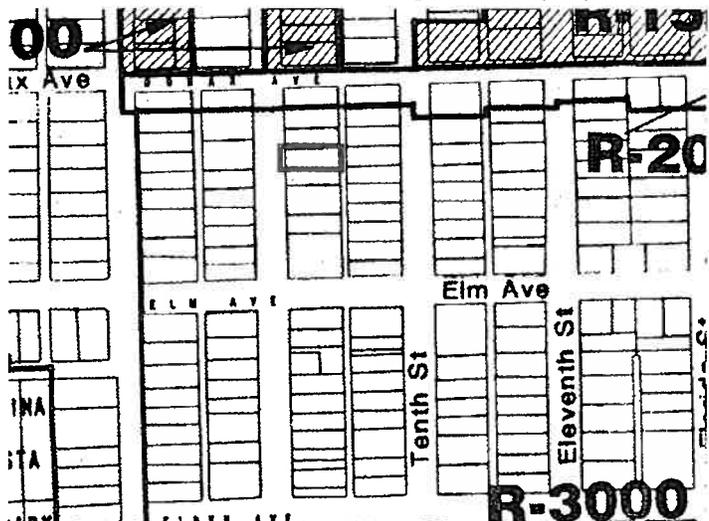
The facility should not have a negative impact to the neighborhood because the property provides three enclosed spaces and three open spaces. In addition, the facility has been operating with six residents since 2008 without negatively impacting the neighborhood, and expanding to eight residents should not have an additional impact.

**SIGNAGE**

One wall sign is proposed for the business. The sign already exists, though it was not permitted. The wall sign would locate on the west elevation facing Emory Street, with a dimension of 3' x 4.3', totaling approximately 13 square feet of signage. The sign is wood with a dark brown background and blue letters that read "By the Sea." Wall signs are not typically permitted in the R-3000 Zone; however, IBMC 19.67.060 states that the City Council may make exceptions to some development standards, which could include signage. The proposed 13 square foot wall sign is of good design and should not negatively impact the neighborhood. It should be noted that the Municipal Code does allow for monument signs to locate in the R-3000 Zone, which would likely alter the residential character of the neighborhood more than the proposed wall sign.

**SURROUNDING ZONING AND LAND USE**

North:	R-3000	Residential
South:	R-3000	Residential
East:	R-3000	Residential
West:	R-3000	Residential



**ENVIRONMENTAL STATUS:**

This project is categorically exempted from the requirements of the California Environmental Quality Act (CEQA) as a Class 1 project pursuant to CEQA Guidelines Section 15301 (Existing Facilities) because the project would involve negligible or no expansion of use beyond what is existing.

**COASTAL JURISDICTION:**

This project is located in the coastal zone as defined by the California Coastal Act of 1976. The City Council public hearing will serve as the required coastal permit hearing and the City Council will consider the findings under the California Coastal Act. Pursuant to the City of Imperial Beach Zoning Ordinance Section 19.87.050, review of the proposal will consider whether the proposed development satisfies the required findings prior to the approval and issuance of a Coastal Development Permit. The project is not located in the Appeal Jurisdiction of the California Coastal Commission, as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map, and, as such, is not appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

**FISCAL ANALYSIS:**

The applicant has deposited \$3,500 in Project Account Number 110001 to fund the processing of this application.

**DEPARTMENT RECOMMENDATION:**

1. Open the public hearing and entertain testimony.
2. Close the public hearing.
3. Adopt Resolution No. 2011-7048, approving the Administrative Coastal Permit (ACP 110001) and Conditional Use Permit (CUP 110002), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown  
City Manager

**Attachments:**

1. Resolution No. 2011-7048
  2. Project Information
  3. Plans
  4. Site Photos
  5. Imperial Beach Municipal Code Section 19.67 – Senior Housing Development
- c: file MF 1064  
Sue Elenbaas and Michael Hentsch, By the Sea RCFE Inc., 829 Emory St., Imperial Beach, CA 91932

**Return to Agenda**

**RESOLUTION NO. 2011-7048**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 110001) AND CONDITIONAL USE PERMIT (CUP 110002) TO PROVIDE A SENIOR HOUSING DEVELOPMENT ("BY THE SEA") IN AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 829 EMORY STREET (APN 626-322-04-00) IN THE R-3000 (TWO FAMILY RESIDENTIAL) ZONE. MF 1064.**

**APPLICANT: SUE ELENBAAS AND MICHAEL HENTSCH**

**WHEREAS**, on June 1, 2011, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider the merits of approving or denying an application for Administrative Coastal Permit (ACP 110001) and Conditional Use Permit (CUP 110002) to provide a senior housing development ("By the Sea") in an existing single-family residence located at 829 Emory Street in the R-3000 (Two Family Residential) Zone on an approximately 7,000 square foot parcel (APN 626-322-04-00), a site legally described as follows:

Lot 7 and 8, Block 111, South San Diego Company's Addition of South San Diego, City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 497, filed in the Office of the County Recorder of San Diego County, October 4, 1887; and

**WHEREAS**, the City Council finds that the project is consistent with the General Plan/Local Coastal Plan and is in substantial compliance with Section 19.82.040 of the Municipal Code; and

**WHEREAS**, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and

**WHEREAS**, the City Council considered the information contained in the staff reports on this case and public testimony received on this case; and

**WHEREAS**, the City Council further offers the following findings in support of its decision to conditionally approve the project:

**CONDITIONAL USE PERMIT FINDINGS:**

- 1. The proposed use at the particular location is necessary or desirable to provide a service or facility, which will contribute to the general well being of the neighborhood or community.**

The proposed residential care facility for the elderly would provide a senior care facility for elderly members of the community to maintain or increase their functional level. This would contribute to the general well being of the community.

2. **The proposed use will not, under any circumstances, of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.**

The use would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because none of the participants would reside on the premises. The residential care facility focuses on assisting the elderly within a single family residence. No new construction is proposed.

3. **The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in the same zone.**

The project site is subject to R-3000 (Two-Family Residential) zoning regulations. The R-3000 Zones allows for a variety of uses including senior housing developments. The proposed use is required to comply with existing development standards in the R-3000 Zone as well as applicable Building Code and other safety requirements.

4. **The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The project site is subject to R-3000 (Two-Family Residential) zoning regulations. The R-3000 Zones allows for a variety of uses including senior housing developments. The proposed senior care facility is permitted in the R-3000 Zone subject to approval of a Conditional Use Permit. A Conditional Use Permit and an Administrative Coastal Permit have been applied for an processed in harmony with the purpose and intent of the zoning code, the adopted General Plan and the adopted Coastal Program.

#### **ADMINISTRATIVE COASTAL PERMIT:**

5. **The proposed development conforms to the certified local coastal plan including coastal land use policies.**

The General Plan/Local Coastal Plan designates the site as Two-Family Residential (R-3000), which provides for senior housing developments with approval of a conditional use permit. The project site is located in a non-appealable coastal zone and complies with the land use designation of the General Plan/Local Coastal Plan.

6. **The proposed development meets the minimum criteria set forth in the City of Imperial Beach Zoning Ordinance, the City's Minimum Landscape Planting and Irrigation Standards, and the City's Design Guidelines, as applicable.**

The project does not include construction of new structures or alterations to existing structures. The project complies with the setback requirements, landscaping requirements and building height limitation specified in the Zoning Ordinance.

7. **This project complies with the California Environmental Quality Act.**

This project may be categorically exempted from the requirements of the California Environmental Quality Act (CEQA) as a Class 1 project pursuant to CEQA Guidelines Section 15301 (Existing Facilities) because the project would involve negligible or no expansion of use beyond what is existing. The City has prepared a Categorical

Exemption per the CEQA requirements for this project and the Notice of Exemption will be filed with the County Clerk in compliance with CEQA.

**8. Public Notice requirements, pursuant to Zoning Ordinance Section 19.87.100, of the Coastal Development Project have been satisfied.**

The project description and the date of the City Council public hearing were sent to property owners within 300 feet and occupants within 100 feet of the subject site on May 19, 2011, and a public hearing notice was published in the Imperial Beach and South County Eagle & Times newspaper on May 19, 2011.

**NOW, THEREFORE, BE IT RESOLVED** that Administrative Coastal Permit (ACP 110001) and Conditional Use Permit (CUP 110002) to provide a senior housing development in an existing single family residence located at 829 Emory Street in the R-3000 Zone (Two-Family Residential) Zone (APN 626-322-04-00) is hereby **approved** by the City Council of the City of Imperial Beach subject to the following:

**CONDITIONS OF APPROVAL**

**PLANNING**

1. The senior housing development/residential care facility shall provide a facility that serves a maximum of eight (8) non-ambulatory elderly residents (age 60 and above; one (1) of whom may be bedridden), shall be operated in accordance to the information provided in the project application form under "project information," conform to plans dated January 4, 2011 on file at the Community Development Department, or as otherwise amended, and the conditions contained herein. Any changes to the operational characteristics, or other elements of the application, are subject to review and approval of the Community Development Department.
2. Carpooling and public transportation should be encouraged whenever possible to reduce parking demand.
3. Aesthetics of the single-family residence shall conform to the residential character of the neighborhood.
4. One 13 square foot wall sign is approved on the west elevation of the building, located above the garage door.
5. Landscaping shall be maintained in a healthy condition. Landscaping in adjacent right-of-way also shall be maintained by the applicant.
6. Imperial Beach Municipal Code Chapter 19.67 – Senior Housing Development - defines senior housing development as a "residential project which is established and maintained for the exclusive use of low-income or moderate-income senior residents." As such, the project shall be exclusive to low to moderate income senior residents. The applicant and/or property owner must enter into an agreement with the City stating that the use will always be exclusive for low to moderate income senior residents. The agreement will be made available by the Community Development Department.

7. **Approval is valid for one year** from the date of final action by the City Council to **expire June 1, 2012**, except where construction or use of the property in reliance with this approval has commenced prior to the expiration. If construction or use of the property has not commenced within the one-year period, such period may be extended by the planning commission or city council for a period not exceeding six months for each application, up to a maximum of two years from the date of original approval.
8. Prior to operation, all improvements for the proposed use must conform to the Building Code and must obtain building permits for all work. All building permits needed for the construction of the project must be obtained from the Imperial Beach Building Department.
9. Applicant and/or property owner shall obtain all applicable County of San Diego and State of California licenses and permits. Such licenses and permits shall be kept current.
10. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement to the Community Development Department accepting said conditions.
11. The applicant shall pay off any deficits in his project account (110001) prior to building permit issuance and prior to final inspection.

#### **PUBLIC WORKS**

12. Ensure that the hot water tank P.T. discharge pipe is piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
13. No building roof or landscape water drains may be piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
14. Reconstruct driveway approach at Emory Street as necessary to comply with San Diego Regional Standard Drawing G-14A – Concrete Driveway (contiguous sidewalk). Sidewalk cuts must coincide with the existing sidewalk 5-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise the Curb & Gutter cut for the driveway, must not leave an existing curb and gutter section less than 9 feet in length. Remove sufficient fence at the edges of the driveway approach to create an ADA compliant driveway.
15. If it is necessary to cut into the alley pavement as part of this project, all concrete cuts in the alley must be replaced with #4 rebar dowels positioned every 1 foot on center. Concrete specification must be 560-C-3250. Concrete cuts must also comply with item 8 above and cuts parallel to the alley drainage must be at least 1-foot from the alley drain line.

16. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that, the "Area to be removed [must be] 5' or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5-feet. Where the distance from "Area to be removed", to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.
17. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or CALTRANS Traffic Control Manual.
18. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
19. For any project that proposes work within the public right-of-way (i.e., driveway removal/construction, sidewalk removal/construction, street or alley demolition/reconstruction, landscaping and irrigation, fences, walls within the public right-of-way, etc.), a Temporary Encroachment Permit (TEP) shall be applied for and approved either prior to or concurrent with issuance of the building permit required for the project. Application for a Temporary Encroachment Permit shall be made on forms available at the Community Development Department Counter
20. All street work construction requires a Class A contractor to perform the work. All pavement transitions shall be free of tripping hazards.
21. Ensure construction design includes adequate storage (out of the front yard setback) for 3 trash barrels for each unit (regular trash, recycled waste, green waste).
22. Any disposal/transportation of solid waste / construction waste in roll off containers must be contracted through the City's waste management provider unless the hauling capability exists integral to the prime contractor performing the work.
23. Existing parcel impervious surfaces shall not increase beyond the current impervious services as a post-conversion condition in order to maximize the water runoff infiltration area on the parcel in compliance with Municipal Storm Water Permit – Order 2001-01.
24. All landscape areas, including grass and mulch areas, must be improved to consist of at least 12-inches of loamy soil in order to maximize the water absorption during wet weather condition and minimize irrigation runoff.
25. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.

26. Require applicant to provide verification of post construction Best Management Practice (BMP) maintenance provisions through a legal agreement, covenant, CEQA mitigation requirement, and / or Conditional Use Permit. Agreement is provided through the Community Development Department
27. Property owner must institute “Best Management Practices” to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant BMP practices shall include but are not limited to:
  - Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - Water used on site must be prevented from entering the storm drain conveyance system (i.e. streets, gutters, alley, storm drain ditches, storm drain pipes).
  - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system.
28. Applicant must underground all utilities or sign a deferral agreement in accordance with I.B.M.C. 13.08.060. **Please note that if this parcel is subsequently subdivided, “the subdivider shall make the necessary arrangements with each of the public utility companies for the installation of underground facilities and the relocation of existing facilities. The subdivider shall provide the City with letters signed by said public utilities indicating that such arrangement have been made with the public utility companies stipulating that the undergrounding of utility facilities will be accomplished concurrent with the filing of the final map of any subdivision as required by this code (13.08) and the state Subdivision Map Act, and subject to approval of the City [I.B.M.C. 13.08.040].”**

#### **PUBLIC SAFETY**

29. Project to be in compliance with the California Fire Code (CFC) 2010 edition or CFC in effect at time of permit issuance and the most current National Fire Protection Association (NFPA) Standards

**BUILDING**

30. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach. Any building permits needed for the construction of the project, or implementation of use, will need to be obtained from the Imperial Beach Building Department.

**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.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its regular meeting held on the 1<sup>st</sup> day of June 2011, by the following roll call vote:

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

*James C. Janney*  
\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

*Jacqueline M. Hald*  
\_\_\_\_\_  
**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2011-7048 - A Resolution of the City Council of the City of Imperial Beach, California, APPROVING AN ADMINISTRATIVE COASTAL PERMIT (ACP 110001) AND CONDITIONAL USE PERMIT (CUP 110002) TO PROVIDE A SENIOR HOUSING DEVELOPMENT ("BY THE SEA") IN AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 829 EMORY STREET IN THE R-3000 (TWO FAMILY RESIDENTIAL) ZONE ON AN APPROXIMATELY 7,000 SQUARE FOOT PARCEL (APN 626-322-04-00). MF 1064.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE



assisted senior living

ATTACHMENT 2

License #374602777

829 Emory Street  
Imperial Beach, CA 91932  
Phone (619) 628-4548  
[www.bythesealiving.com](http://www.bythesealiving.com)

December 16, 2010

To Whom It may Concern,

By The Sea Residential Care Facility Inc is a residential care facility licensed for 6 nonambulatory and 1 bedridden we would like to increase to an eight bed facility ,8 nonambulatory and 1 bedridden. The house has four bedrooms and at the time of the original licensure By The Sea only licensed three of the bedrooms. We have requested to license the fourth bedroom , there is no construction that needs to be done, the bedroom already existed. By The Sea is requesting a Conditional Use Permit if required. I have attached the original floor plans from the original licensing.

Sue Ostrowski  
Administrator  
By The Sea Inc



assisted senior living

License #374602777

829 Emory Street  
Imperial Beach, CA 91932  
Phone (619) 628-4548  
[www.bythesealiving.com](http://www.bythesealiving.com)

January 4, 2011

#### By The Sea RCFE Inc Work Shifts

6am-2pm Monday – Sunday  
7am – 1pm Monday- Sunday  
2pm-10 pm Monday – Sunday  
3 pm – 7 pm Monday – Sunday  
10pm – 6 am Monday – Sunday

10 Employees - am shift 2 walk, 1 take bus, 2 drive car and park in driveway  
pm shift 1 dropped off, 1 parks car driveway  
Night Shift 3 employees , all have cars and park in drive way

Am shift - 2 on , 1 car in driveway  
Pm shift - 2 on 1 car in driveway  
Night shift 1 on 1 car in driveway

Visitors-

Hours 10 am- 7 pm

Usually - 2 family members there during day. 90 % of family members live within walking distance and do walk or there children drop them off to visit. Sundays people visit times vary and everyone parks in driveway.



assisted senior living

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Phone (619) 628-4548  
[www.bythesealiving.com](http://www.bythesealiving.com)

Statement of Evidence Supporting Section 19.82.040 Findings:

- A. Proposed Use at 829 Emory Street , Imperial Beach, Ca 91932 would like to increase the capacity from six beds to eight beds at the residential care facility. The increase would benefit the community by allowing more residents who live in Imperial Beach but unable to care for themselves stay in Imperial Beach under the care of By the Sea Inc. By The Sea Inc has belonged to the Chamber of Commerce in Imperial Beach for over twp years and patronages business when able to help with the economy in Imperial Beach.
- B. The use of the property at 829 Emory St ,Imperial Beach Ca will not be detrimental to the health and safety or general welfare of persons residing or working in the vicinity because By The Sea does not have to do any construction to the facility to increase the bed capacity, By The Sea Inc already had a fourth room we just want to license the room. Parking at By The Sea can accommodate 4 vehicles in the driveway so not to disrupt the neighborhood. There are 2 caregivers on at one time so only 2 vehicles at residents. By The Sea does continual upkeep on the outside and inside of the property so the value of the residence in the neighborhood will continue to help increase the property value of the other homes.
- C. By The Sea Inc will comply with the regulations and conditions specified in this title for such use and for other permitted uses in the same zone.
- D. By granting By The Sea Inc such conditional use will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.



*By the Sea*  
assisted senior living

License #374602777

829 Emory Street  
Imperial Beach, CA 91932  
Phone (619) 628-4548  
[www.bythesealiving.com](http://www.bythesealiving.com)

April 5, 2011

Community Development Department  
Imperial Beach Blvd  
Imperial Beach, California 91932

RE: Acknowledgement of letter received regarding MF 1064/ACP 110001/CUP  
110002

Dear Mr. Foltz,

By The Sea RCFE Inc in accordance with Chapter 19.67 of the Imperial Beach Municipal Code and R- 3000 Zone is a senior housing development which meets the guidelines of providing senior residents of low to moderate income with housing. All of our current residents meet the income limits from the state CDBG's and HOME's Table of 2010 Income Limits. By The Sea RCFE Inc would be willing to enter into an agreement with the City stating that the use will always be exclusive for low to moderate income seniors residents.

Sincerely,

Sue Elenbaas and Michael Hentsch

# BUSINESS LICENSE CERTIFICATE

## CITY OF IMPERIAL BEACH

This business license certificate is issued to the holder for the lawful business of providing residential care for the elderly in those municipalities where such a business is permitted. It is not valid for use in those municipalities where such a business is prohibited. It is not valid for use in those municipalities where such a business is permitted but requires a permit from any board, commission, department or agency of the City of Imperial Beach.

LOC: 829 EMORY ST.  
IMPERIAL BEACH, CA 92242

LICENSE NO.  
14-00007905

BUSINESS NAME/DESCRIPTION

BY THE SEA RESIDENTIAL CARE  
HCP DAY CARE / CHILD CARE

ISSUED

APR 01 2010

EXPIRES

March 31, 2011

RESIDENTIAL ELDERLY CARE, NO EMPLOYEES

LICENSEE:

BY THE SEA RESIDENTIAL CARE  
829 EMORY ST  
IMPERIAL BEACH, CA 92242

CONTROL NO. 11007700

**STATE OF CALIFORNIA  
DEPARTMENT OF SOCIAL SERVICES  
COMMUNITY CARE LICENSING**

*This is to certify that pursuant to the provisions of  
the Health and Safety Code, Section 1569.23 and 1569.616*

**Susan L Ostrowski**

*has successfully completed the  
Residential Elderly Administrator Certification Program.*

**Standard Certificate**

*June 23, 2010*

*Sacramento, California*

**Expires: 6/22/2012 Certificate #: 5579377740**

  
**Administrator Certification Program**

**Criminal record checks are still required per section 87564 of licensing regulations.**



State of California  
Department of Social Services

Facility Number: 374602777  
Effective Date: 11/13/08  
Total Capacity: 6

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations; the Department of Social Services hereby issues

**this License to**

BY THE SEA RCFE INC.

to operate and maintain a RESIDENTIAL-ELDERLY

**Name of Facility**

BY THE SEA INC  
829 EMORY STREET  
IMPERIAL BEACH CA 91932

This License is not transferable and is granted solely upon the following:

FACILITY SERVES SIX (6) NON-AMBULATORY ELDERLY RESIDENTS; AGE 60 AND ABOVE. ONE (1) OF WHOM MAY BE BEDRIDDEN.

Client Groups Served: RCFE/HOSPICE

Complaints regarding services provided in this facility should be directed to:

SO. CAL SC/RES DISTRICT OFFICE

(619) 767-2300

Jo Frederick

Deputy Director,  
Community Care Licensing Division

Authorized Representative  
of Licensing Agency

**Imperial Beach Municipal Code**

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[Title 19. ZONING](#)

**Chapter 19.67. SENIOR HOUSING DEVELOPMENT**

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**19.67.010. Definition.**

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“Senior housing development” means a residential project which may exceed the maximum density permitted for families in the zone in which it is located and which is established and maintained for the exclusive use of low-income or moderate-income senior residents. (Ord. 601 § 1 (part), 1983; Ord. 94-884, 1994)

**19.67.020. Location of senior housing developments.**

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Housing developments for seniors may be allowed in any zone. (Ord. 94-884, 1994)

**19.67.030. Conditional use permit required.**

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Senior housing development projects shall require the approval of a conditional use permit. ( Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

**19.67.040. Occupancy.**

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These residential development projects will be available exclusively for low-income and moderate-income senior residents. (Ord. 94-884, 1994; Ord. 601 § 1, (part), 1983)

**19.67.050. Application.**

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Application for a senior housing development shall be made to the planning commission in writing and shall be accompanied by plans and data for the project. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

**19.67.060. Development standards.**

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Because the residents of such developments have dwelling characteristics which differ from those of families and younger persons, it is not appropriate to apply all of the normal zoning standards thereto. Accordingly, pursuant to the processing of a conditional use permit for such develop-ments, the planning commission and the city council may make exceptions to the density, off-street parking, minimum unit size, open space and such other requirements as may be appropriate. The planning commission and city council may also adjust required setbacks, building height and yard areas as appropriate to provide an adequate living environment, both within the development and on nearby properties. The planning commission may impose such conditions on a senior housing development. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: JUNE 1, 2011**

**ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR  
RAFAEL ADAME, BUILDING OFFICIAL  
DAVID GARCIAS, CODE COMPLIANCE OFFICER**

**SUBJECT: SYSTEMATIC CODE COMPLIANCE PROGRAM - UPDATE**

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Please review and consider the attached staff report from the May 18, 2011 City Council Meeting.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Staff report from May 18, 2011 City Council Meeting



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MAY 18, 2011

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
 GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR *GW*  
 RAFAEL ADAME, BUILDING OFFICIAL *RA*  
 DAVID GARCIAS, CODE COMPLIANCE OFFICER *DG*

**SUBJECT:** SYSTEMATIC CODE COMPLIANCE PROGRAM - UPDATE

**BACKGROUND:**

On August 18, 2010, in an effort to support Neighborhood Revitalization, the City Council authorized staff to the implement a Systematic Code Compliance Program to begin systematic inspections, neighborhood by neighborhood, evaluating properties for particular code violations.

**DISCUSSION:**

On December 10, 2010, staff initiated inspections in the "Oneonta 5" neighborhood as shown in Attachment 1, and began issuing courtesy notices. The steps involved in the Systematic Code Compliance Program are:

1. Inspect the property and identify visually apparent exterior Imperial Beach Municipal Code violations
2. Issue a door hanger notice to the occupants, with 14 days to correct the violations
3. If the violations were substantial enough to require the property owners involvement, a courtesy warning notice was also issued to the property owner, with 14 days to correct the violations
4. If the violations were not corrected after the first notice, a Notice of Violation was issued to the occupants and the property owner, with 14 days to correct the violations
5. If the violations were still not corrected, an Administrative Citation was issued with a fine

To date, inspections of properties in the Oneonta 5 and 6 neighborhoods have resulted in one hundred and seventy one (171) code compliance cases with three hundred and sixty-three (363) violations identified (see attachment #2).

Having implemented the Systematic Code Compliance Program, staff has noted the following:

- There has been a 70% increase in Code Compliance cases (from 7-10 new

cases per week prior to the initiation of the Systematic Code Compliance Program to 17-18 new cases per week)

- 30-day back log in initiating site inspections on routine complaints (Complaints deemed "serious" are responded to immediately). Prior to the initiation of the Systematic Code Compliance Program staff typically were able to conduct site inspections on routine complaints within 2 days
- Back log in inter-departmental referrals/complaints
- Back log in follow-up / re-inspections on active cases
- Additional staff time for processing of new and existing Administrative Citations and Appeal Hearings
- Increased referrals to other internal departments such as Building and Planning
- Depletion of staff hours for the part-time officer. In June 2011, the part-time officer will have exhausted his allowable work hours and Code Enforcement staff will be limited to one full-time officer for the remainder of the fiscal year
- Lack of staff hours to respond to re-violations of Systematic Code Compliance Program cases

In the Oneonta 5 and 6 neighborhoods, staff has observed re-violations in the areas and properties already inspected and cleared. Due to the staffing demands, however, re-inspection of these re-violations has not been undertaken.

Staff has estimated the time required to handle an average Code Compliance case is approximately 5 hours per case (which includes inspections, re-inspections, noticing, data entry, travel time, talk time, meetings, hearings, reports, staff reports, resolutions, declarations, presentations, etc.). This equates to approximately 565 cases per year for current staffing levels (one full-time, one part-time employee). At the current case load rate, cases for 2011 are estimated to reach 850.

Given the back-log of cases that is occurring, staff is concerned about the ability to respond to routine citizen complaints which the City Council has deemed to be a high priority. As suggested by staff during evaluation of the Systematic Code Compliance Program, one option to address the back-log of cases would be to add additional staff. This could be accomplished by adding a second part-time/temporary Code Compliance Officer (999 hour per year). The approximate annual cost of another part-time employee would be \$30,918 per fiscal year (50% of which would be reimbursed by the AVA Program). This would provide the Code Compliance Division the needed assistance for data entry, notice preparation, lien notices, field investigations, and staff report preparation and could also assist property owners through the Building and Planning permit process.

Another option would be to discontinue or temporarily suspend the Systematic Code Compliance Program, and resume complaint-based enforcement with proactive enforcement limited to blatant or egregious violations observed by City Staff or the general public. This approach would allow complaints of code violations to remain a priority. This would also allow staff to address the back-log of cases currently being experienced while allowing staff the flexibility to address blatant or egregious violations identified in the field.

#### **ENVIRONMENTAL DETERMINATION:**

This new program itself is not subject to CEQA review. However, specific projects generated from such a program could be subject to planning review for planning or building permit activity and would be reviewed for compliance with CEQA during such review.

**FISCAL IMPACT:**

The City Council previously authorized the purchase of hand-held data entry computers, field printers, and equipment. Those costs are as follows:

• Two Laptop computers	\$5,800.00	2-Panasonic Tough Books
• Two Portable Printers	800.00	2-HP Office Jet H470wbt
• Two Converters	400.00	2-600 watt inverters
• Two Vehicle Mounts	740.00	2-RAM tough tray laptop mounts
• <u>Two Wireless card services</u>	<u>1,199.76</u>	<u>2-Sprint Wireless Devices, Internet Service per/year</u>
Total \$8,939.76		

The equipment purchases are to be reimbursed up to fifty (50%) percent by the Abandoned Vehicle Abatement program and the remaining fifty (50%) percent covered by the Redevelopment funds. The annual service charges for the Sprint Wireless Devices (Internet Service per/year) shall be reimbursed up to fifty percent (50%) by the Abandoned Vehicle Abatement program.

To date, during implementation of the Systematic Code Compliance Program fines in the amount of four thousand three hundred fifty dollars (\$4,350.00) have been assessed through Administrative Citations to non-compliant properties in accordance with Imperial Beach Municipal Code.

**PROPOSED COST:** The option to add a part-time Code Compliance Officer would be \$30,918 per fiscal year. This position could be reimbursed up to fifty percent (50%) by the Abandoned Vehicle Abatement program.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council receive this update report and consider:

1. Continue the systematic Code Compliance Program “as-is” with anticipated and on-going case loads and impacts.
2. Adding an additional part-time Code Compliance Officer to handle the additional work load impacts due to the implementation of the Systematic Code Compliance Program.
3. Discontinue or temporarily suspend the Systematic Code Compliance Program, and resume complaint based enforcement with proactive enforcement limited to blatant or egregious violations observed by City Staff or the general public. This option could also be combined with an increase in staff as proposed in Option 2.

**CITY MANAGER’S RECOMMENDATION:**

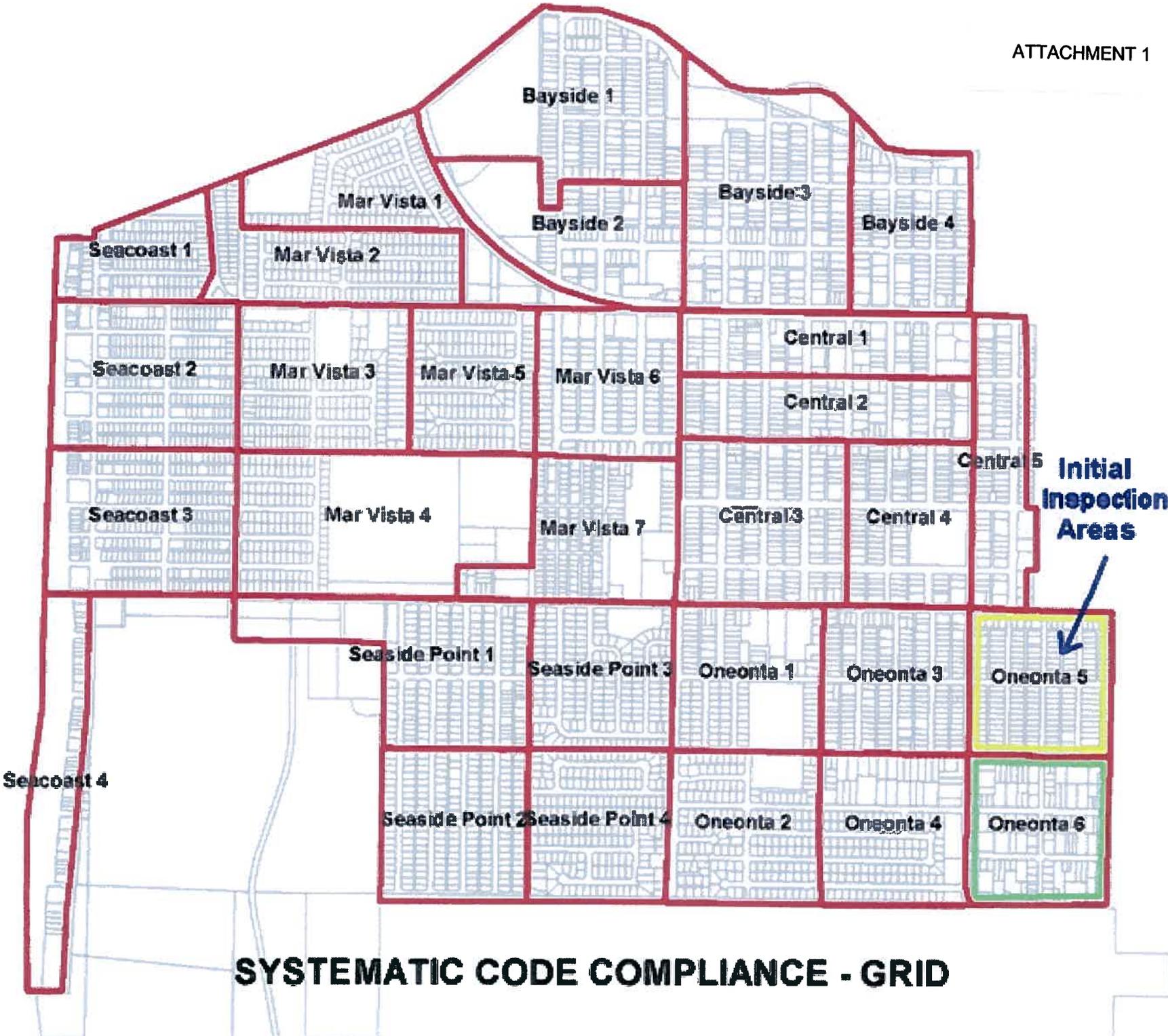
Approve Department recommendation.



\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Arial Map of City wide overview
2. Proactive: Number and Type of Violations



**SYSTEMATIC CODE COMPLIANCE - GRID**

<b>Proactive Code Compliance Program Cases  November 2010 - May 9, 2011  Number and Type of Violations</b>		
<b>IBMC Code</b>	<b>Description</b>	<b>Number</b>
6.04.030.A	Livestock/Poultry	1
8.44.020	Abandoned vehicle	12
15.06	Work without permits	2
4.04.040	Business license required	1
8.36.040	Trash and waste on property	25
8.36.160	Trash on sidewalk	4
8.50.030.1.3	Dangerous building	2
8.50.050.H	Trash containers in front/side yards	80
8.50.050.I	Fence violation	25
8.50.050.J	Trailer, camper, boat, etc. in front yard	1
8.50.050.K	Trailer, camper, boat, etc. on unpaved surface	18
8.50.050.L	Building material or equipment stored in yard	1
8.50.050.N	Maintenance out of harmony with adjacent properties	1
15.24.010	Uniform Housing Code	2
12.72.070	Graffiti	5
10.36.110.C	RV parking	20
1.16.010.C	Buildings, walls, etc. damaged by fire, decay, etc.	3
1.16.010.E	Buildings unpainted, infested with dry rot or termites	6
1.16.010.F	Broken windows	3
1.16.010.G	Overgrown vegetation	41
1.16.010.H	Dead or hazardous trees, weeds, etc., unsightly/dangerous	7
1.16.010.I	Attractive nuisances dangerous to children	1
1.16.010.N	Trash containers in front/side yards	37
1.16.010.O	Trash containers left at curb > 24 hours	4
1.16.010.R	Property maintenance detrimental to public health/safety, dangerous/substandard	2
1.16.010.U	"Visual blight"	38
12.48.120	Maintenance of vegetation by adjacent property owners	10
8.30.050.A	Illegal discharges: stormwater	1
19.54.030.C	Temporary awnings/structures in front yard	2
19.48.120	Parking spaces/driveways must be paved	3
19.48.100	Parking access	1
19.54.030.A	Prohibited structure in yard	2
19.52.230	Prohibited signs	1
19.52.070	Sign maintenance	1
<b>Total</b>		<b>363</b>



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** JUNE 1, 2011

**ORIGINATING DEPT.:** CITY MANAGER

**SUBJECT:** REVIEW AND DIRECTION REGARDING PROCESSING AND FISCAL ALTERNATIVES FOR AN OFF-LEASH TEST SITE ON THE BEACH BETWEEN PALM AVE. AND CARNATION AVE. (NORTH CITY LIMITS)

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**BACKGROUND:**

The local organization IB Yappy presented a petition and background materials supporting their request for an off-leash area on the beach north of Palm Ave. to Carnation Ave. at the January 26, 2011 City Council Meeting. (IB Yappy Petition and Staff report attached). The City Council directed staff to return with recommendations on where an off-leash area could be established on the beach.

Staff returned to the Council on April 20, 2011 with a report outlining options for the off-leash areas (Staff Report attached). The Council identified the beach between Palm and Carnation Avenues as a trial area.

**DISCUSSION:**

Staff has reviewed the process for approving the test site for the off-leash area between Palm and Carnation Avenues. This review included input from various City Departments related to land use and environmental issues.

This report will outline the suggested steps in considering the trial option so the Council and community will be fully informed of the process and how public input will be obtained. One goal in any process would be to fully air the positives and negatives from stakeholders, including property owners and residents near the proposed test area.

Processing Options - Staff suggests processing a Coastal Development Permit for the proposal by IB Yappy. By definition "development" includes any "change in the density or intensity of use of land." This would trigger the need for a Coastal Development Permit. The off-leash area is a permitted use in the Public Facilities Zone (PF); however, uses in the PF zone require a site plan review. Whether the use is processed as a Coastal Development Permit or a site plan review in the PF zone, a noticed public hearing is required. A Coastal Development Permit can be issued by the City, but would be appealable to the Coastal Commission. Local notifications to residents and property owners would ensure an opportunity for people to comment on a Coastal Development Permit.

Municipal Code Changes - The current Municipal Code requires dogs to be on-leash between Palm and the north city limits. Rather than processing an amendment to the Code, the City Council can consider an ordinance suspending enforcement of the on-leash requirements in the specific location until the trial is terminated (Maximum of 6 months). An Ordinance suspending enforcement would allow another opportunity for public comment.

Operation and Maintenance Option - Staff also suggests that the City enter into a Memorandum of Understanding (MOU) with IB Yappy to provide assistance regarding the operation and maintenance of the trial off-leash area as a condition of moving forward.

**ENVIRONMENTAL IMPACT:**

Staff is reviewing the appropriate level of environmental review for the project and will make the determination when the application for the Coastal Development Permit or site plan is submitted.

**FISCAL IMPACT:**

1. Costs associated with processing the Coastal Development Permit or Site Plan review unknown. An alternative is to require a deposit to be submitted by IB Yappy for processing their request. This is the same requirement for other applicants.
2. Cost of environmental review unknown but could easily exceed \$20,000. An alternative is to require IB Yappy to submit a deposit for the environmental work to process their request.
3. Cost of operation and maintenance unknown. An alternative is to require IB Yappy to assist with operation and maintenance through an MOU.
4. Cost of maintenance, signs, and enforcement are unknown. Even if there is an MOU with IB Yappy, there will be operational/maintenance/enforcement costs for the City.

The costs and staff time for processing this request could be substantial especially for the environmental review. There are other City costs associated with the trial as well as on-going costs if the area becomes permanent. Considering the uncertain fiscal future for cities, the Council may want to table this request for 6 months to a year until there is more certainty and the impacts of the State budget are known.

Community groups have approached the City for fiscal commitments to their projects in the past and other requests are pending. It may be useful to schedule a Workshop on this topic and to establish a process for considering these requests. Some cities require submittal of these requests in time to become part of the Budget Process so they can be evaluated along with other programs, requests from other community groups, and overall City needs.

**CITY MANAGER'S RECOMMENDATION AND ALTERNATIVES:**

1. Enter into an MOU with IB Yappy regarding operation and maintenance of the trial off-leash area. Without this, the City should not proceed with any additional processing for an off-leash beach area.

2. If the MOU is completed, process a Coastal Development Permit and necessary environmental review.
3. Give policy direction on whether IB Yappy should be required to pay for the processing of the Coastal Development Permit and environmental review.
4. Prepare an Ordinance suspending enforcement of the on-leash provision of the Municipal Code until the trial is terminated (Maximum of 6 months).
5. If during the public hearing or during the review process there is a significant opposition or potential litigation, the City should abandon the leash free idea.
6. Consider a Workshop to discuss a City Council policy on community group requests that require considerable City staff and financial resources..
7. Consider tabling this request until there is more fiscal certainty and State budget actions are known.



---

Gary R. Brown, City Manager

1. Staff report of January 26, 2011
2. Staff report of April 20, 2011



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** JANUARY 26, 2011

**ORIGINATING DEPT.:** CITY MANAGER

**SUBJECT:** PUBLIC PRESENTATION BY IB YAPPY ON THEIR PROPOSAL FOR AN OFF-LEASH AREA ON THE BEACH NORTH OF PALM AVENUE

**BACKGROUND:**

The local organization IB Yappy has presented a petition and background materials supporting their request for an off-leash area on the beach north of Palm Ave. They will make a public presentation of this request at the January 26, 2011 Council Meeting. The City currently allows dogs to be on-leash year round between Palm and the north city limits and from Imperial Beach Blvd. to the south end of Sea Coast.

**DISCUSSION:**

Staff has not investigated the IB Yappy proposal in depth. We will pursue the issues in more detail if directed by Council. Initial information has been obtained and staff has discussed the general issues that should be reviewed if direction is given from the City Council.

Cities in southern California with off-leash areas on a beach were contacted. Seven locations were identified in the following cities: Coronado, San Diego (2 sites), Del Mar, Huntington Beach, Long Beach, and Santa Barbara.

Staff has identified some of the following issues for further investigation:

1. **Proximity to residential** – The seven sites listed above are in more isolated areas. Residential uses do not directly front on the off-leash areas as is the case in Imperial Beach.
2. **Parking Demand Increase** – Other cities cite an increase in parking demand near an off-leash area. Because of the parking problems, Del Mar installed parking meters which needed approval by the Coastal Commission. This was granted based on an argument that the meters also caused more vehicle turnover giving more access to the beach to more people. Installing parking meters involves costs and requires more enforcement.
3. **Maintenance Issues** – Staff will need to investigate maintenance issues. The City of San Diego now requires a volunteer group for any new off-leash area in the City. If the group does not provide agreed upon maintenance and public education on the rules, the off-leash area is removed.
4. **Enforcement Issues** – Other cities report an increase in the need for

enforcement from Lifeguards and/or police. This varied significantly between cities. For example, the beach area in Santa Barbara is isolated and does not have lifeguard services. Using the beach is strictly at the users own risk. Most cities have many rules for the off-leash area but these rules are not actively enforced unless a complaint is made. The IB Animal Control Officer in IB works four days per week – Tuesday through Friday.

5. **Environmental Issues** – Although other cities reported that they did not go through a CEQA review, this will need to be investigated further due to possible conflicts with previous agreements regarding the Palm Ave street-end project. The City of Long Beach independently conducted a study of beach and water quality and found no appreciable differences with the beach areas where dogs were not allowed either on or off-leash.
6. **Recreational Use Conflicts** - IB staff reports that the Junior Lifeguard Program uses the beach area between Palm and Carnation during the summer Monday to Friday between 9am and 2:30pm. This is the safest ocean area for this program. Runners use the beach especially in the morning.
7. **Boundaries** – Although the City could restrict the off-leash area to Palm Ave to the north City limits, it would be difficult to prevent off-leash dogs from going north into the City of Coronado/Navy property.
8. **Seasonal and Hours Limitations** – Some cities restrict off-leash areas to early morning or late afternoon. In some instances, the off-leash areas are restricted to the off-season – e.g. November 1 to March 30. These restrictions could be pursued if desired by the Council. The off- season restrictions could help with the parking demand problem. Other issues would remain.

#### **ENVIRONMENTAL IMPACT**

Environmental review will be required if the Council gives direction to staff to study the proposal.

#### **FISCAL IMPACT:**

Unknown at this time.

#### **DEPARTMENT RECOMMENDATION:**

Alternatives:

1. Give direction to staff to study the proposal and bring it back at a future Council Meeting with recommendations on whether to allow an off-leash dog area on the beach and on topics such as, but not limited to, location, time, seasonal use, parking, enforcement of rules, and maintenance. Staff may also include alternatives such as allowing dogs on-leash between Palm and Imperial Beach Blvd. during the off-season.
2. Receive the information and take no action at this time.

#### **CITY MANAGER'S RECOMMENDATION:**

None.



Gary R. Brown, City Manager

Attachment:

1. IB Yappy materials.

# IB Yappy

Jessica Dykes 619-  
Debbie Goelz 619-



RECEIVED

2010 DEC 20 A 11:15

CITY CLERK OFFICES

City of Imperial Beach  
City Council  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

Re: Request for January Council Agenda

Imperial Beach City Council:

This letter is to request our group IB Yappy be allowed to speak and bring before the committee our request for an off leash dog area. We have put together a plan for a location and a plan of action that we are confident will be agreeable to the City of Imperial Beach.

IB Yappy is a group of local residents raising awareness for the need of a leash free dog park/beach in our town. We have met with Mayor Jim Janney twice since November of 2010, and have discussed a few location ideas. Also, we are teamed up with Ocean Blue, the organization that provides dog waste bags for our town. We feel we have sufficient support to move ahead toward our goal.

We are interested in the beach area located between Palm Avenue and Carnation Street for a leash free dog beach. I have attached an article from Patch.com as well as comments from our Facebook group and a Q&A posted on Patch.com. Included are our ongoing petitions of residents that feel strongly about having a dog park right here in Imperial Beach. We have strong support from both the residents and local businesses here in Imperial Beach.

We are asking that we be placed on the agenda for the next City Council meeting in January of 2011. Please feel free to contact us any time. We look forward to hearing from your office. Have a wonderful holiday break.

Happy New Year from all of us at IB Yappy!

Sincerely,



Jessica L. Dykes, President  
Debbie Goelz, Vice President  
IB Yappy

I have created a group called IB Yappy on Facebook. As of December 15, 2010 we have 84 members. We grow each week as our members tell their friends and those friends tell their friends, and so on. We now have an "on going event" in the Eagle and Times paper that mentions our monthly committee meetings. We have petitions in various businesses throughout Imperial Beach. IB Yappy has much support in the way of wanting a leash free area for our four legged friends. Below are a few comments from Facebook as well as Patch.com. (I have also attached our article from Patch...which includes a couple of comments from readers).

I'm sick and tired of trying to play w/friends and getting our leashes all tangled... So is my mom....  
~Comment from Dog on Facebook

Other Facebook Comments:

\*Great news and I can't wait to hear the details .. we soooooo need a dog park here!!

\*We definitely need a substantial dog park in the Southbay west of the 5. Driving to Monteville Park, Grape Street, and balboa park wastes so much gas!

\*This would be so great to have a dog park here in IB. My fiancée and I have to drive all the way up to Hillcrest to assure our dogs will have a good time. One close to home will save us hassle, gas money and making local friends would be great! Much easier to arrange doggy play-dates!

Patch.com:

**I posted this question on Patch.com; "Do you think we need a leash free dog park in Imperial Beach?"**

Why or why not? I would like to see one, and my partner and I are trying to get that movement moving!!

(Posted 4:08pm on Thursday, November 18, 2010 by Jessica Dykes)

- A.

Yes, I certainly do think we need a leash free dog park! Our poor doggies have nowhere to run free!!

(Posted 6:45pm on Friday, November 19, 2010 by P.D.)

- A.

The question is not if, But where? I would like to see one with beach access short of going down off the end of seacoast and into the reserve, But where would we put it, there is one of sorts I think up by camp surf, or there use to be don't know if it is still allowed !

(Posted 12:14pm on Tuesday, December 14, 2010 by E. S.)

# imperialBeach

THE NEIGHBORHOOD FILES GOVERNMENT

## Local Residents Strive for Dog Beach in IB

IB Yappy is currently speaking with the city of Imperial Beach about establishing a dog beach and possibly a dog park.

By Khari Johnson December 4, 2010

"IB Yappy if I had a dog park" is the motto of IB Yappy, a group of local residents in favor of creating designated space for dogs and, more specifically, a dog beach.

Yappy and the nonprofit organization Ocean Blue met with Mayor Jim Janney to discuss possible sites earlier this week which, according to the group, may include:

- an empty lot on 10th Street and Donax Avenue.
- leash-free on the beach from Palm Avenue to Carnation.
- on leash from Palm Avenue to Imperial Beach Boulevard during fall and winter.



Map data © OpenStreetMap contributors, CC-BY-SA

"These are just options, they aren't set in stone." said Jessica Dykes of IB Yappy, who attended the meeting along with Debbie Goelz.

IB Yappy held its monthly meeting Saturday morning. Meetings are held at 11:30 a.m. the first Saturday of each month at the West Coast Cafe (<http://imperialbeach.patch.com/listings/international-blends>). Since New Year's falls on a Saturday this year, the next meeting will be Jan. 8.

**What do you think about the idea of establishing a dog park in Imperial Beach? Is it a good or bad idea? Tell us in the comments.**



SEE NEXT IN THE NEIGHBORHOOD FILES

**Festivus for the Rest of Us**

### COMMENTS (9)

Paul Dykes

6:45am on Monday, December 6, 2010

Hurray for the ladies! Thank you for your hard work! The dogs appreciate it, too.

Jessi Lyn Dykes

9:43am on Monday, December 6, 2010

Thanks to all of you that have continued to support us. I hope to see more of you at our future meetings. Everyone's input counts. No matter what~ we except negative as well. This city deserves a leash free dog park/beach. We want to know how EVERYONE feels about it.

Kelly Tracy

11:06am on Monday, December 6, 2010

Thank you IB Yappy

Almost every Southern Cal coastal community has at least one Dog Park and or Beach aria.

It can really be a very positive experience for Dogs and there caretakers.

To some of us Dogs are a very important part of our lives and we enjoy sharing that with others.

Proud Caretaker of Buddy Puppy (Happy Dog in Photo)

Former Committee member of Dogs at Play

IB Resident, Property Tax Paying, Voter

Kelly Tracy

Tracy McPherson

12:01pm on Monday, December 6, 2010

a dog aria would be novel, gonna teach them all a Christmas carol they can howl in unison?? I think a dog beach area or a dog park would be great. as long as people pick up the poop rather than leaving it on the sidewalk or in the parking lot..

12/15/2010

Local Residents Strive for Dog Beach in I...

Paul Dykes

8:19pm on Wednesday, December 8, 2010

@Kelly. My wife would love to get in touch with you and any other committee members from Dogs @ Play. email IB Yappy: ibyappy@hotmail.com with your contact information, if you can. Thank you!



Chris Morrow

12:24pm on Monday, December 6, 2010

Dog beach all the way!

Chris Morrow - Imperial Beach resident

Tracy McPherson

1:22pm on Monday, December 6, 2010

The only problem I see with a Dog Beach is the refuse from the Tijuana River runoff that dogs and their owners would be exposed to... I am sure that someone from the city of IB would try to find a way to blame dogs for all the contamination and need for hepatitis shots..(do they offer them to dogs?) Create a park for them they deserve play area too

dee darrow

5:26pm on Wednesday, December 8, 2010

I think it's a great idea to get a dog park here in Imperial Beach as long as the people pick up the poop rather than leaving it behind for someone else to pick up. dee

Paul Dykes

8:16pm on Wednesday, December 8, 2010

For those of you that don't know, there is a group page on Facebook: IB Yappy! Join up if you haven't already. Also, there are petitions to sign @ IB Grooming, IB Pet & @ Dr. Bill's office in the same plaza. You can also find a petition to sign at IB Printing. The Facebook group keeps you updated about upcoming meetings & any other information you need to know. Join today!

**DOG PARK AND DOG BEACH PETITION FOR I.B.**

\*As stated in Overview, added are I.B. Skate Park/Rec Center, farthest field, Also So. beach  
 Suggested areas: Park area next to boys & girls club, above Veterans' Park, "Bocario" - usually empty, even 1/2 of the area, i.e. the lower area already has a wall and fence, so minimal enclosing needed (1 1/2 sides). The upper area would be great and already has a bag dispenser, but would require enclosing 3 sides. A fine for those who don't pick up after their dogs is desirable. Beach area at north end of I.B., next to closed tower 1, is always empty, except for dog walkers, no one else ever there - possibly north past breakwater to Federal Reserve area. These beaches are deserted and perfect for water dogs who love to swim. Both the beach and the off-leash park areas would give especially larger breed dogs the opportunity to run and swim. Lack of real exercise leads to aggressive behavior, digging, fence barking, etc. Only walking them is like an appetizer, not nearly enough. So very many people in I.B. have dogs. PLEASE, consider these requests seriously. Thank you. Paula Banks S.D. 92154 619/ cell:

	NAME	ADDRESS	PHONE	REGISTERED VOTER
1	Paula A. Banks			✓
2	D. Johnson			✓
3	Bob Higgins			✓
4	Roberta Taylor			✓
5	TONY USOLIANO			✓
6	MAC DIMAYUSA			✓
7	PAULA BANKS			✓
8	MICHAEL ELLIOTT			✓
9	KANNIKA ELLIOTT			✓
10	Jonathan Yepiz			✓
11	Carolina Ch. Yepiz			✓
12	Miriam Jimenez			✓
13	Allinne Jimenez			✓
14	Nicente Vazquez			✓
15	Jack Thompson			✓
16	Jesse Murray			✓
17	Raquel Murray			✓
18	Rita Lane			✓
	<del>Antonia Lewis</del>			
	<del>Juan Jose Aventura</del>			

	NAME	ADDRESS	PHONE	REGISTERED VOTER
	Dalton Martin			✓
20	<del>Cynthia Rodriguez</del>			
21	Beth Agbunag			✓
22	Megan Agbunag			
23	Taylor Kincaid			✓
24	Crystal Kincaid			
* 25	<del>Rebecca Velazquez</del>			
26	Rebecca Velazquez			
27	Emily Agbunag			✓
28	Abraham Velazquez			✓
29	Juan M. Rodriguez			✓
30	Angel Rodriguez			
31	Livier Lopez			
32	ANTHONY LINDAN			✓
33	STEVIE BROWN			✓
34	FREDRICK GARDNER			
35	Antonia Liras			✓
* 36	DAVID moeller			✓
* 37	Lori Smith-Blauer			✓
→ 38	Haley Wolf			
39	Luis Hernandez			✓
40	Keisha Clark			✓
41	Suzie Birdsong			
42	Delores Swana			
43	Kristina Osgood			✓
44	Lynn Smith			✓
45	Edgar Puentes			✓
46	Chaz Leyba			✓
47	Juan Jose Huerfano			✓
48	Regrette Ortiz			✓
→ 49	Susan Colvin			✓
* 50	Forrest Dedrick			✓
* 51	Debbie Goetz			✓

	NAME	ADDRESS	PHONE	REGISTERED VOTER
53	Kelly Williams			✓
54	Becki Grom			yes
55	Sarah Shultz			yes
56	Adrian R. Shultz			yes
57	Amber Roehm			yes
58	Brent Roehm			yes
59	Cynthia Rodriguez			yes
60	TERRY GRETZ			yes
61	ALAN GRETZ			yes
62	Elizabeth Osgovic			yes
63	Jacqueline Mahala			yes
64	Mahela Kramer			yes
65	Key Jasthan			yes
66	Phillip Lenex			yes
67	Joe CABALLERO			yes
68	Amy Williamson			yes
69	NAT STEUBENS			yes
70	Michael Crotts			yes
71	Donna L.			yes
72	George Jurkewicz			yes
73	Justin MARTIN			yes
74	Melody Boring			yes
75	CARLOS ROSAS			yes
76	Marta Rosas			yes
77	PATRICK COLON			no
78	ELISEO TRILLO			yes
79	ALIA TRILLO			yes
80	MARIA MENDEZ			yes
81	SHAUN HUDSON			yes
82	JAMES HUETT			yes
83	Heather Cozart			yes
84	Amber Fielding			yes
	J. Lam			yes

DOG PARK AND DOG BEACH PETITION FOR I.B.

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	NAME	ADDRESS	#	PHONE	REGISTERED VOTER
85	JINDA ROSE		7		
86	Gabrielle Miller				Yes
87	Azza Michael McCay				Yes
88	Jrszula Anderson				Yes
89	KEN SCHERTZER				No
90	Dianne Schertzer				✓
91	Catherine Slatsky				Yes
92	JOE MARTINICIS				YES
93	TOM ARMSTRONG				YES
94	RONA SCHECHTEL				Yes
95	MURNEY GERLACH				Yes
96	YETSY JACK				YES
97	MICHAEL FUOTO				YES
98	MICHAEL HICKS				YES
99	CHARLES WOLNODK				YES
100	Blair R. Bell				✓
101	GRACE SIMENZA				Yes
102	EVE FITZGERALD				Yes
103	Paul McGrath				YES
104	CAY MADISEN				Yes
105	Annita Paland				YES
106	WANDA A. FLUENT				YES
107	Ernie McLaughlin				Yes
108	PHILLIP BROUSSARD				YES
109	PERRY PEDERSON				YES
110	KERRY BLACKBURN				YES!
111	Jessica Long				Yes
112	Sarah McIntosh				Yes
113	Pam McIntosh				✓
114	Erica D. Hurt				NO
115	Marcella Buzen				NO
116	Ahren Hangle				Yes
117	Theryl Diamond				Yes

DOG PARK AND DOG BEACH PETITION FOR I.B.

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	NAME	ADDRESS	PHONE	REGISTERED VOTER
118	Joe Eberlein			yes
119	Catherine Hockmat			yes
120	Alexandra Mares			yes
121	Katt Eaton			yes
122	Damian Cowley			✓
123	Andrea Nuñez			✓
124	Farel Allen			yes
125	Cynthia Mahut			yes
126	DAVID SANTOS			yes
127	SANDY BAKER			yes
128	David Liberio			yes walk
129	Mike Matyjas			yes in
130	Githia Ojeda			yes
131	Christian Chavoya			NO
132	Sandi Signorino			yes
133	Dame Crosby			✓
134	Anne Cordon			yes use dog beach
135	Kim Pendergraft			yes
136	Julie Pendergraft			yes
137	Francisca Melendez			yes
138	Susana Melendez			yes
139	Chris Quader			yes
140	Nick Broomis			yes
141	Suzanna York			yes
142	<del>John York</del>			yes
143	Laura Williams			yes
144	Mark Vemey			yes
145	Joe Smith			yes
146	Kurtis Taylor			yes
147	Olga PHEWES			yes
148	<del>John</del>			NO
149	John			YES
150	Angelina Bonilla			yes

**DOG PARK AND DOG BEACH PETITION FOR I.B.**

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	NAME	ADDRESS	PHONE	REGISTERED VOTER
51	Richard Pavela			NO
52	Anthony Gordon			yes
53	Andrew Banadyga			<del>yes</del>
54	Cheryl Banadyga			<del>yes</del>
55	Carlos Samilla			NO
56	Brannon Ballard			NO
57	Misty WMA			NO
58	Gen. Samuel Ramos			NO
59	Jannette M. Fiedler			yes
60	Ronald Crawford			NO
61	Jane Evans			NO
62	Rumina Murr			yes
63	STEPHANIE MADRINA			YES
164	ILDO LOPES			Yes
165	Tom Ballard			NO
6	Steve Koepovick			YES
167	BRANDON HINKEL			NO
168	Leanna Vander Stet			NO
169	Match soto/carol			NO
170	Julio Morales			YES
171	David Pedersen			NO
172	James W. Brown			yes
173	Liona Holden			NO
174	JESSIE COLON			NO
175	Thomas Stuart			YES
176	Nick Bjoring			YES
177	Melwyl Bjoring			yes
178	ANET CLELAND			YES
179	Cathy Kueger			yes
180	<del>Stephanie</del> MARTINE			yes
181	Lindy Matthews			yes
182	Ronald Ramirez			yes
2	Shelley Baber			yes

↳ from #205







DOG PARK AND DOG BEACH PETITION FOR I.B.

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NAME	ADDRESS	PHONE	REGISTERED VOTER
215) Angela Frank			yes
216) Chela Sosa			YES
217 LINDA MORGAN			YES
218 CHAD MORGAN			YES
219 MYRNA SALAS			NO -
220 Rick Gonzalez			yes
221 Lilly Jones			yes
222 Gene Jones			yes
223 Darlene Hendrickson			Yes
224 Barbara De los Reyes			NO
225 George Garcia			NO
226 Mary Penner			YES
227 Becky Deis			no
228 Sharon Walter			Yes
229 Joel Walter			yes
o Peggy Frank			YES
231 Jamie Villalobos			Yes
232 Gynanne Parish			yes
233 Russ Tofflemire			yes
234 MICHELLE CRUZ			YES
235 ANDY ARCEGA			↓
236 JOHN CRUZ			↓
237 Angelina Villa			YES
238 Tray Dedrick			NO
239 George Fleming			NO
240 Bert Frank			yes
241 Mitch McCay			Yes
242 Lee Truitt			
243 James Truitt			
244 Sherril Carro			NO
245 Larry Carro			NO
246 Jessica Gomez			No
7 Bobby Gomez			↓







GOT FACEBOOK? Please join our group ~ IB Yappy!!!

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Please Print Clearly

TKP

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Jiz Langley					
2) Shaun Adams				X	
3) Suzanne Adams					
4) Catalina Marie					
5) JESSICA FINCH				X	X
6) Fern Camacho				X	
7) Heather Loveland				X	
8) <del>Mana</del> Mana Tovei				X	
9)					
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GOT FACEBOOK? Please join our group ~ IB Yappy!!!

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Susan Uick				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2) KESSIE SINTY					
3) ROSEMARIE GIBSON					
4) REBECCA EVANS					
5) HEATH & NICOLE MOORE					<input checked="" type="checkbox"/>
6) Linda Weaver					<input checked="" type="checkbox"/>
7)					
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Facebook?  
IB YAPPY



CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

PLEASE PRINT CLEARLY  
 TY

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) <del>Tabitha Lilli</del>					
2) Tabitha Lilli				X	
3) Josh Everett				X	
4) Missy Anderson				X	
5)					
6)					
7)					
8)					
9)					
10) Chelsea Kelvey					
11) James Lampman				X	
12)				X	
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## CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) PATRICK T. MCYERZIN				X	X
2) STARLA PLUMB				X	X
3) <del>LEA</del>				X	X
4) <del>Stacy</del> <del>POWERS</del>				X	X
5) CLINTON GORE					
6) KAREN DINEEN					
7) Genevieve Malenhau				X	X
8) Janet Spivey					X
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GOT FACEBOOK? Please join our group~ IB Yappy!!!

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Please print clearly

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1)					
2)	<i>Blayne Carr</i>				
3)					
4)					
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23)					

## CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Jeeli Wenino				✓	
2) Ron Rogers					
3) Scott Braugh				✓	
4) Fred Hewitt					
5) WRT HESON				✓	✓
6) Stephanie Lambarena					✓
7) Doug Brown Jr.					
8) RAN DY HARRIS				✓	
9) Miffany Penthasi					✓
10) FEE DARRON					
11) Debbie Elder				✓	
12) Cynthia Orfopa				✓	
13) Angelina Villa				✓	
14) Paul Volkman				✓	
15) Amy Wright				✓	
16) Rick Calway					
17) Flo Graham					
18) Nigel Hatheway				✓	
19) Angelica Brander				✓	
20) Rebecca Sosa				✓	
21) Lacie Neenan				✓	
22) Crystal Lamo				✓	✓
23) Steven Twilley				✓	

## CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Coco Miller				✓	✗
2) Uremovic, Lili				✓	✗
3) Dan Ostro				✓	?
4) Renakeller				✓	
5) Roman Mantiel					
6) Brooke Armita				✓	?
7) RICHARD Ames				✓	
8) Kinnie Mastinkis				✓	?
9) Joseph Mastinkis				✓	?
10) VALTER ANSWER				✓	
11) Martha Poland				✓	
12) TINA Graham				✓	✓
13) Joelle Worthington					✓
14) Marcie Williams				✓	
15) MIKE MARTIN				✓	
16) M. Cunningham					
17) KARYN BARR				✗	
18) STEVE BARR				✗	
19) JESSE TEJMINEL					✗
20) CYNTHIA TEJMINEL					✗
21) Sean Cahill				✗	
22) ANNIFSCHEITMAN					✗
23) MIKE JUNGKURTA					✗

Petition pick-up call Jess.C at 619

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) NINI GHAFARI					✓
2) JESSICA FINCH				✓	✓
3) Michael Breazale					✓
4) Chananya Dalton				✓	✓
5) BRIB MEDIN				✓	✓
6) AARON PARDI					
7) Kerry Emery					
8) Mike Emery					
9) Jason Delady				✓	
10) Ashlie Bevan				✓	✓
11) Catherine Ferris				✓	
12) Sam Weir				✓	
13) DEBORAH CHASE-KELEY				✓	✓
14) Samantha Thornton				✓	✓
15) GENE HILGER					✓
16)					
17)					
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19)					
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21)					
22)					
23)					

# CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Craig DeMass				✓	✓
2) MICHAEL ORTIZ					
3) Kaitlin Frank					✓
4) Beth & Emmas				✓	✓
5) Chasity Kohn				✓	
6) HILINA HILBERG				✓	✓
7) Lynne Beck				✓	✓
8) KAREN JOHANSEN				✓	✓
9) KYLE RAYNO				✓	✓
10) Doreen Hansen				✓	
11) MARIE GARZA				✓	
12) MARSHA YOUNG				✓	✓
13) EVA HENTGES				✓	✓
14) STACEY MCKAY				✓	✓
15) JOLINA VILANDOVA				✓	✓
16) JOHANNA LALLERSTEDT					✓
17) AMY SPRUELL				✓	✓
18) SUSAN HURTON				✓	✓
19) JAMES BENNET					✓
20) MONTYNE Connolly					
21) John Hall				✓	
22) LEO LOPEZ					
23) AVARY ELWIN					

I. B. Yappy if I had a dog park ☺☺☺

# CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg Vote	Will Help
1) Mindy Porter				Y	Y
2) Elaine Contreras				Y	X
3) Jacob Pate				Y	NO
4) MARIA RIVERA					NO
5) Linda Mowry				Y	
6) NICK WILLIAMS				Y	Y
7) David Crampton				N	Y
8) Daniel Schmitt				X	Y
9) Jane Kene				✓	
10) Jon Jamieson					
11) Billy Kinding				✓	Y
12) Bob Baker					
13) Tom McCarty				✓	
14) Layton Walker					
15) Felix Maggi Curiale					✓
16) Greg Falke Fos				✓	✓
17) Diana Dech					
18)					
19)					
20)					
21)					
22)					
23)					



### CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Robert Bickel					X
2) Barbara Monroe				X	
3) Elizabeth Cummings				X	
4) Patricia Mitchell				X	
5) DANNIE BERRY				X	
6) Edward Deguzman					X
7) Randy Sanders					X
8) Anita Apodaca				X	
9) RALPH FRANCHI				X	
10) Ray Ogden					
11) Mark Mesker					
12) Jocelyn Rose					
13) Daniel Holman					
14)					
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23)					



# CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Sherry Thompson				✓	✓
2) LAY ADAMS				✓	
3) MONICA MARTINEZ				✓	✓
4) Tim Blinsman				✓	✓
5) Elizabeth Blinsman				✓	
6) Amanda Brown				✓	
7) DON ANSMAN				✓	✓
8) ANTOINETTE BENDER				✓	
9) PAUL DEAN					
10) Paul Stepler					
11) YIPER Hatfield					
12) Jennifer [unclear]					
13) Kim Spencer				✓	✓
14) Margaret Blogg				✓	
15) Jessica Tinker				✓	
16) Sylvia Marquez				✓	
17) KENAN GOLTIERIS					✓
18) VAUGHN, RYAN					
19) Nicole DeMaio				✓	
20) GILBERT HUNT					
21)					
22)					
23)					

FILE: FOLDER: FILE NO. 1-1 JAN 11

### CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Alan & Catalina M... M...					
2) Olga MENDOZA					
3) E. Betty Knapp					
4) Cindy Thompson				yes	yes
5) C. Thompson				yes	
6) Circe Brazler				yes	
7) Rebecca Garcia				yes	yes
8) Mark West				yes	yes
9) Jeff Moore				yes	
10) Amber King...				yes	yes
11) Heather Burris				yes	yes
12) Robert Burris				yes	yes
13) Annie Bidina				yes	
14) Alexandra Terzano					
15) Grissel Hernandez					
16) Lori Neva					
17)					
18)					
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23)					

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) INA (Paquito)					
2) GIC JUAREZ				✓	✓
3) Spanning Robinson				✓	✓
4) Lily Alvarez				✓	
5) <del>Thomas</del>				✓	
6) Marianne Comer				✓	
7) Shannon Dison				✓	
8) Lucia Alamo				✓	
9) Kimberly Cole					✓
10) Angelina Mitchell				✓	✓
11) <del>Ellen</del> Fric				✓	
12) Kelly Kerston				✓	
13) Kasea Palmer				✓	✓
14) Tania Dressel				✓	
15) <del>old</del>				✓	
16) <del>Wendy</del>				✓	
17) <del>Hand</del>				✓	
18) <del>Hand</del>					
19) Suzie Bredson				✓	
20) Francisco Sandoval				✓	
21) Jacquelin Sandoval				✓	
22) Viridiana Sandoval				✓	
23) Francisco Sandoval II				✓	

24) ~~Heidi Quiroz~~  
 Heidi Quiroz  
 SERENIAH MONTELL

INVA ✓  
 ✓

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WINN EW



## CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) M. Clare Buckley					
2) J. Brown					
3) S. D. ...					
4) A. Kinsler					
5) K. Kinsler					
6) S. Gomez					
7) M. Gibbons					
8) G. Teleschman					
9) A. Matzman				✓	
10) Arthur Robinson					
11) ...				✓	
12) LAETIA NARUS				✓	✓
13) ...				✓	
14) Edward ...				✓	
15) Heidi Selke				✓	
16) ...				✓	
17) ...					
18) ...					
19) JOHN WATSON				✓	
20) ...					
21) Gloria Lasoff				✓	
22) ...				✓	
23) Valeria Puzatec					
24) Tony ...				✓	✓
25) ...				✓	✓
26) Berenice Cisneros					
27) ...					

DONE

9/1

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Elizabeth Pearson				✓	✓
2) Lou Hernandez					✓
3) Jane E. Horvitz				✓	✓
4) Lepta Wilson				✓	✓
5) JIMMIE LITTLE				✓	
6) YELAO				✓	✓
7) MARK SAOSS				✓	✓
8) TILSON Chanwell				✓	
9) Leisha Clark				✓	✓
10) KIRT YOUNGSMAN				✓	✓
11) Gail Petner				✓	
12) Elaine Allen				m	✓
13) Tracy Peterson					
14) LORETTA SEIBERT				✓	✓
15) ELIZABETH SMITH				✓	✓
16) DAVID LABARIO				✓	✓
17) Laura Delgado				✓	✓
18) Michalene G. I				✓	✓
19) Rolando G. I				✓	✓
20) Rolando Gil				✓	✓
21) Denise Rodriquez				✓	✓
22) TILSON Chanwell				✓	
23) Jennifer Brelet				✓	

?

?

New  
Cats  
D.T.  
L.A.

0

Added *done*

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Russell Blawie				/	
2) Catalina Marie				X	
3) Tawny Wiedmann				X	
4) Lori Smith				X	X
5) Diana Pickett				X	
6) Julian Galvan				✓	
7) Mario Cowley				✓	
8) Ashly Rivera				✓	X
9) Wade McLean				✓	
10) Stephanie Lvc.				✓	
11) Tucker Brelet				X	
12) TAD SOTO				✓	✓
13) Heather Livengood					
14) Ashley Smith				X	
15) Cody Humphrey					
16)					
17)					
18)					
19)					
20)					
21)					
22)					
23)					

✓

✓

Done

Email

- ✓ Pete Belury ✓
- ✓ Paul Dykes ✓
- ✓ Jessica Dykes ✓
- NO LUISA GORRAZ ✓
- ✓ Davo Bosch ✓
- ✓ Wenda Agbunag ✓
- ✓ Mike Tena ✓
- ~~Angelina Villa~~
- ✓ DANI LOPEZ ✓
- ✓ JACK CROSS ✓
- ✓ Anne Provence
- NAT STEVENS
- NO Corinna West

DONE

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
✓ 1) <del>ibndalantfer</del>				X	
✓ 2) CONTRERAS, RICHARD					
✓ 3) GLO MUCCI				X	X
✓ 4) EDUARDO FRANCO				✓	✓
<del>5) MARIA HORLAND</del>				✓	
? 6) JOSEPH MUTIL STRAUB				✓	✓
✓ 7) ERIC R WERA				✓	
<del>8) CHRIS REIDT</del>				✓	
✓ 9) Kelle Worthington					
10) JESSE E				✓	✓
✓ 11) EMMETT LASHINGS					
12) NICOLE PROPNIC					
13) CARLIE AGTE				✓	
<del>14) JACQUELYN</del>					
15)					
16)					
17)					
18)					
19)					
20)					
21)					
22)					
23)					

✓

Done

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
✓ 1) Roland Hayam					
✓ 2) Kathleen Stagsdell				✓	
✓ 3) Jill Johnson Linder				✓	✓
4) Judith Muller				✓	✓
5) Solene Smith				✓	✓
6) Sierra Kelley					✓
7)					
8)					
9)					
10)					
11)					
12)					
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20)					
21)					
22)					
23)					

Done

Looking @ Veterans Park  
CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1)					
2) Edna Tibe				✓	
3) JEFFREY				✓	
4) J. DALONG				✓	
5) Doug MacARTY				✓	
6) JERRY Arbunag				✓	✓
7) Marissa Wilson				✓	✓
8) <del>Delbert Dale</del>				✓	
9) VILDA ESPINOZA				✓	
10) Mary Vasquez				✓	
11) Sarah Osborne				✓	
12) Audra Hossfeld				✓	
13) Cassie Enslin					
14) AMBER WARD POVS				✓	
15) Jay Best					
16) Sarah Sarich					
17)					
18)					
19)					
20)					
21)					
22)					
23)					

DONE

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Susan Bookout				✓	
2) Wm Stroik				✓	
3) NANU THORN				✓	
4) MICHAEL GIBSON					✓
5) <del>Lanie Heltan</del>				✓	✓
6) Jana Swanson				✓	✓
7) Sharie Jensen				✓	✓
8) Audrey Schaffer				✓	✓
9) Paula Brennan				✓	-
10)					
11)					
12)					
13)					
14)					
15)					
16)					
17)					
18)					
19)					
20)					
21)					
22)					
23)					

# DONE

## CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) DIANNA DUNAWAY					
2) Julian Granich					
3) JOLITA LARDIN				✓	
4) David Lardin				✓	
5) MICHELLE JAVIER				✓	
6) Paula Mideiros					
7) Adam MacAuliffe				✓	
8) Linda Garcia				✓	
9) Rachel Garcia				✓	
10) Abraham Villarreal				✓	
11) Ashley Perwich				✓	
12) Shawn Perez					
13) Catalina Marie				✓	
14) Holly Collins					
15) Kim Drolet				✓	
16) Kristine L. Mideish				✓	
17) Robert Bolding				✓	✓
18) Jason Haro				✓	
19) A. Roman				✓	
20) Darlynn Davis				✓	✓
21) Jeff Hagrie				✓	✓
22) ANN PRICE				✓	
23) STEPHANIE MURPHY				✓	

EVA HAUZEL

ANNA Cowley

Handwritten marks and signatures at the bottom right of the page, including checkmarks and scribbles.

GOT FACEBOOK? Please join our group ~ IB Yappy!!!

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) MARLA J HUNKER	[REDACTED]	[REDACTED]	[REDACTED]	X	X
2) RACHEL RAGOSA				X	X
3)					
4)					
5)					
6)					
7)					
8)					
9)					
10)					
11)					
12)					
13)					
14)					
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20)					
21)					
22)					
23)					

GOT FACEBOOK? Please join our group~ IB Yappy!!!

CITY OF IMPERIAL BEACH CA - PETITION FOR OFF-LEASH DOG PARK

Name	Address	Phone	E-mail	Reg. Vote	Will Help
1) Edith Simpson					
2) Angela Rodriguez					
3) Maria Elena Perez					
4) Eleanor Teagle					
5) Jo Ann Barrows					
6) Dean Barrows					
7) Jill Gibson					
8)					
9)					
10)					
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**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** APRIL 20, 2011

**ORIGINATING DEPT.:** CITY MANAGER

**SUBJECT:** CITY COUNCIL SELECTION OF OPTIONAL SITES FOR FURTHER STUDY FOR AN OFF-LEASH AREA FOR DOGS ON THE BEACH

**BACKGROUND:**

The local organization IB Yappy presented a petition and background materials supporting their request for an off-leash area on the beach north of Palm Ave. to Carnation Ave. at the January 26, 2011 City Council Meeting. The City Council directed staff to return with recommendations on where an off-leash area could be established on the beach.

Cities in southern California with off-leash areas on a beach were contacted. Seven locations were identified in the following cities: Coronado, San Diego (2 sites), Del Mar, Huntington Beach, Long Beach, and Santa Barbara.

Staff presented a list of issues for further study in the January 26, 2011 staff report as follows:

1. **Proximity to residential** – The sites investigated in the cities listed above are in more isolated areas. Residential uses do not directly front on the off-leash areas.
2. **Parking Demand Increase** – Other cities cite an increase in parking demand near an off-leash area. Because of the parking problems, Del Mar installed parking meters which needed approval by the Coastal Commission. This was granted based on an argument that the meters also caused more vehicle turnover giving more access to the beach to more people. Installing parking meters involves costs and requires more enforcement.
3. **Maintenance Issues** – Staff will need to investigate maintenance issues. The City of San Diego now requires a volunteer group for any new off-leash area in the City. If the group does not provide agreed upon maintenance and public education on the rules, the off-leash area is removed.
4. **Enforcement Issues** – Other cities report an increase in the need for enforcement from Lifeguards and/or police. This varied significantly between cities. For example, the beach area in Santa Barbara is isolated and does not have lifeguard services. Using the beach is strictly at the users own risk. Most cities have many rules for the off-leash area but these rules are not actively enforced unless a complaint is made. The IB Animal Control Officer in IB works four days per week – Tuesday through Friday.

5. **Environmental Issues** – Although other cities reported that they did not go through a CEQA review, this will need to be investigated further due to possible conflicts with previous agreements regarding the Palm Ave street-end project. The City of Long Beach independently conducted a study of beach and water quality and found no appreciable differences with the beach areas where dogs were not allowed either on or off-leash.
6. **Recreational Use Conflicts** - IB staff reports that the Junior Lifeguard Program uses the beach area between Palm and Carnation during the summer Monday to Friday between 9am and 2:30pm. This is the safest ocean area for this program. Runners use the beach especially in the morning.
7. **Boundaries** – Although the City could restrict the off-leash area to Palm Ave to the north City limits, it would be difficult to prevent off-leash dogs from going north into the City of Coronado/Navy property.
8. **Seasonal and Hours Limitations** – Some cities restrict off-leash areas to early morning or late afternoon. In some instances, the off-leash areas are restricted to the off-season – e.g. November 1 to March 30. The off- season restrictions could help with the parking demand problem. Other issues would remain.

Staff met to identify potential sites for an off-leash and/or on-leash area on the beach. The areas identified for study are:

1. **IB Blvd to the south end of Seacoast** - ending where residential development ends
2. **Descanso to the south end of Seacoast** - ending where residential development ends
3. **South of Seacoast to the River mouth** (beach area from the mean high tide line to the top of the berm)
4. **Palm Ave to Carnation** - ending at the north city limits - seasonal - (e.g. November to March)
5. **North of the city limits on Navy property** - from the north city limits to the rock jetty
6. **Expanded on-leash area** - The final option is for an expansion of the current on-leash areas to include the beach between Palm and IB Blvd on a seasonal - (e.g. November to March) - Dogs are now allowed on-leash year round from Palm to Carnation and south of IB Blvd.

### **DISCUSSION:**

Staff has discussed the options with:

1. Port of San Diego – leases land from City in Options 1, 2, 4, and 6
2. Tijuana Estuary Reserve – manages property in Option 3
3. U.S. Fish and Wildlife Service – owns land in Option 3
4. U.S. Navy – owns land in Option 5

The following are summaries of the discussions:

#### **Port of San Diego**

The Port does not object to the City studying the various alternatives for an off-leash dog area. The Port suggests that based on the findings in the Environmental Impact Report (EIR) for the Palm & Carnation Ave. Street End Improvement Project that Option 6 would likely be the best area to limit dog activities. The EIR discusses impacts from

both dogs and humans to endangered species including the California Least Tern and Western Snowy Plover, nesting in or within close proximity to Optional Areas 2, 3, 4, and 5.

Additionally, the Port suggests that the City should include in the review potential water quality impacts of increased bacteria from increased dog activities.

The Port has no comments on potential off-leash areas on Federal property, but would support the comments of the USFWS.

### Tijuana Reserve

The Manager of the Estuary indicated that the Reserve would “aggressively oppose” Options 1 to 5. Option 6 is acceptable to the Reserve – this option would allow dogs “on-leash” between IB Blvd. and Palm Ave on a seasonal basis (e.g. – November to March.) The Reserve would oppose all off-leash areas being considered. This opposition is based on the proposed areas being in or directly adjacent to sensitive habitat areas. Although the Reserve would oppose all of the off-leash areas, they consider Option 3 as the most problematic (south of the end of Seacoast from the mean high tide line to the top of the berm).

Option 5 (north of the city limits on Navy property) has similar problems to the area south of the end of Seacoast (Option 3). The Reserve representative also pointed out that Imperial Beach has recognized eco-tourism as important to the City. The Reserve Manager believes these off-leash areas are contrary to the support for eco-tourism.

Reserve staff also observed that the City is next to and includes one of the most environmentally significant resources in San Diego County. The Estuary is one of the few remaining coastal wetlands in the County and is a significant State resource.

### U.S. Fish and Wildlife Service (USFWS)

USFWS staff at the Estuary indicated that their “mission is, working with others, to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people.” They also pointed out that there are four federally protected species found on/near the beach within the refuge. Any interaction of dogs either on- or off-leash is problematic. The federally protected bird species can become frightened and leave - often not coming back. USFWS observed that much of their patrol time is spent dealing with the public illegally walking dogs off-leash in the refuge. As the underlying property owner of land in Option 3, they would oppose this option. Other options that bring off-leash dogs to the edge of protected areas are not supported.

USFWS staff from the Environmental Division in Carlsbad agreed with the assessment of Option 3 as an option that would be opposed. Options 2, 4, 5, and 6 would require further discussion with the Refuge and Navy to determine which options they would recommend eliminating from further study. These Options may also have issues due to the proximity of nesting, foraging, or roosting bird species. Based on the existing human activities in the area, Options 1, 2, and 4 would be less likely than others to support nesting; however, containment and enforcement would be the major considerations.

The Carlsbad Office of USFWS also commented that if a dog beach can help keep people away from the sensitive areas, it could be positive. However, if it simply acts as

a "draw" and results in more people and dogs in sensitive areas, it would not be recommended.

### U.S. Navy

The Navy is reviewing the options and hopes to provide input prior to the meeting. Staff will provide this information under separate cover if it is available in time.

### **Additional Considerations – Including New Options**

After reviewing the comments of other agencies, staff suggests adding:

#### Option 7 - Imperial Beach Blvd. to Descanso – seasonal off-leash

This option would be seasonal from November to March. Ending the off-leash area at Descanso would provide a greater buffer from the Estuary Preserve.

Option 8 – Option 7 plus year round off-leash from Descanso to Encanto or the southern end of Seacoast Drive.

#### Trial/Test Period

The City Council could also consider approving trial/study areas to determine actual impacts. For example, the trial period could be from November 2011 to March 2012 in Optional Area 7. The trial could be designed to terminate at any time by Council or administrative action.

#### Costs

The trial study will have cost/budget considerations. There will be impacts on staff resources at a time when those resources are decreasing.

#### **Alternatives:**

Direct staff to:

1. Conduct no further study of Optional Areas.
2. Study all Optional Areas
3. Study Optional Areas selected by the City Council
4. Direct staff to return with a plan for a Trial/Study Area – Option 7 and/or other areas

#### **ENVIRONMENTAL IMPACT:**

At this time, staff is uncertain whether environmental analysis is needed.

#### **FISCAL IMPACT:**

Unknown at this time.

#### **CITY MANAGER'S RECOMMENDATION:**

1. Receive testimony.
2. Eliminate Option 3 from further study due to objections of the property owner USFWS.
3. Eliminate Option 5 from further study due to the area being outside the City Limits on Navy property.

4. Return with a more specific plan to proceed with Option 7 on a trial basis from November 2011 to March 2012.



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Gary R. Brown, City Manager

Attachment:

1. Map of Optional Areas



**CITY OF IMPERIAL BEACH, CA  
POSSIBLE OFF-LEASH DOG AREAS**

- 1. IB Blvd to end of South Seacoast Dr
- 2. Descanso to south end of Seacoast
- 3. South end Seacoast to River Mouth
- 4. Palm Avenue to Carnation
- 5. North of City limits on Navy land
- 6. Palm to IB Blvd (Seasonal)
- 7. IB Blvd to Descanso (Seasonal)
- 8. Descanso to Encanto (Seasonal)
- \* Option 8, plus to south end Seacoast



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** June 1, 2011  
**ORIGINATING DEPT.:** PUBLIC SAFETY *JB*  
**SUBJECT:** PRESENTATION- IMPERIAL BEACH SHERIFF STATION  
2010 YEAR END REVIEW

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**BACKGROUND:**

Since 1983, the Imperial Beach Station has provided contract law enforcement services to the City of Imperial Beach and the unincorporated communities of Bonita, Chula Vista, Lincoln Acres, and Otay Mesa. The mission of this Station, as with all Sheriff's stations, is to serve and protect our assigned communities with uncompromising safety, integrity, respect, and cost effectiveness.

**DISCUSSION:**

Deputies and professional staff at the Imperial Beach station work hard to achieve the Station mission, and the result of the 2009-2010 year show that they've made a big difference in the quality of life for residents in the areas they serve. In 2010, the Imperial Beach Sheriff's Station saw dramatic decreases in crime rates with the City of Imperial Beach for robbery, aggravated assault, burglary, theft, and auto theft.

**FISCAL IMPACT:**

No fiscal impact.

**CITY MANAGER RECOMMENDATION:**

Receive presentation by Sheriff.

*Gary Brown*  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. Imperial Beach Sheriff Station 2010 Year End Review



## IMPERIAL BEACH SHERIFF'S STATION

# 2010 Year-End Review

### OVERVIEW

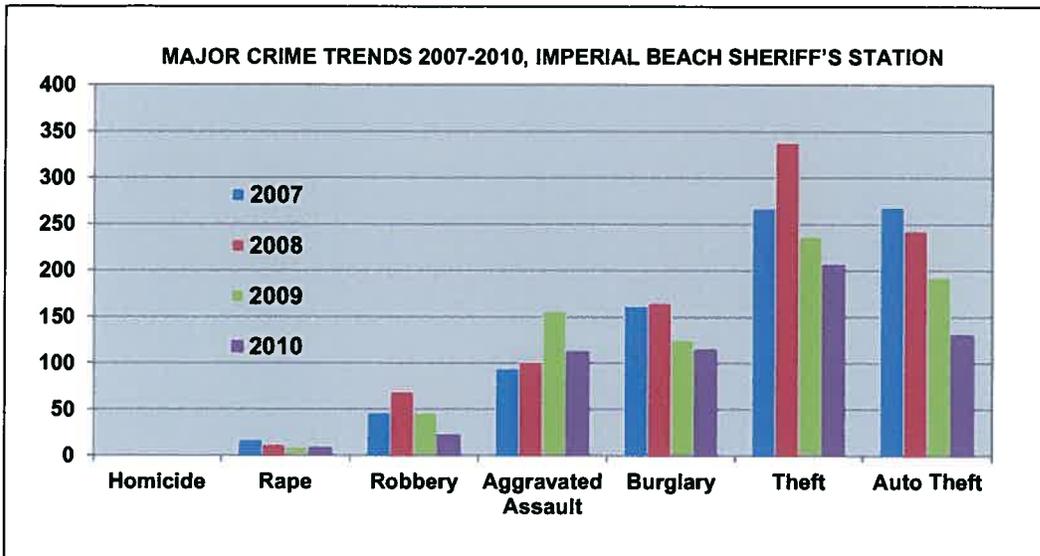
Since 1983, the Imperial Beach Station has provided contract law enforcement services to the City of Imperial Beach and the unincorporated communities of Bonita, Chula Vista, Lincoln Acres, and Otay Mesa. The mission of this Station, as with all other Sheriff's stations, is to serve and protect our assigned communities with uncompromising safety, integrity, respect, and cost-effectiveness. Deputies and professional staff at the Imperial Beach Station work hard to achieve this mission, and the results for the 2009-2010 year show that they've made a big difference in the quality of life for residents in the areas they serve. Just recently, San Diego Magazine ranked Imperial Beach as the "best beach town in San Diego to call home." Safety and security of the community were two of the most significant factors in the achievement of this recognition.

### SAFER, MORE SECURE COMMUNITIES

In 2010, the Imperial Beach Sheriff's Station saw dramatic decreases in crime rates within the City of Imperial Beach for robbery, aggravated assault, burglary, theft, and auto theft. Automated Regional Justice Information System (ARJIS) data indicate that for 2010, reported robberies dropped 50% and auto thefts decreased by 32% from 2009 to 2010. Just as encouraging, reports of aggravated assaults, thefts, and burglaries also dropped by 28%, 13%, and 8%, respectively. These numbers are consistent with a positive trend toward a safer environment within the City of Imperial Beach. ARJIS data show that the total number of reported criminal activities has dropped year after year since 2007, and 2010 marks a new level in crime control and reduction.

While there has been a reduction in the total number of reported crimes within the City of Imperial Beach in 2010, the arrests for some types of crimes did increase in 2010. The most significant increase in criminal activity arrests was for narcotics-related offenses (possession of, transporting/selling & paraphernalia related), which increased by 29% from 452 in 2009 to 583 in 2010 within the boundaries of the City of Imperial Beach. In tandem with this increase was a 14% increase in arrests for driving under the influence (DUI) from 278 in 2009 to 318 in 2010.





The uptick in DUI and narcotics-related arrests also occurred in the unincorporated areas of San Diego County covered by the Imperial Beach Sheriff's station. There was an 8% increase in DUI arrests (from 35 in 2009 to 38 in 2010). More significant, narcotic-related arrests jumped 63% from 68 in 2009 to 111 in 2010 for the unincorporated areas of the Imperial Beach Sheriff's station area.



Crime data indicate that the increases in arrests for DUI and narcotics-related crimes in the areas covered by the San Diego Sheriff's Imperial Beach Station are not the result of increased crime in the area, but are probably the result of increased law enforcement activities. In 2010, the San Diego Sheriff's Department greatly increased specialized law enforcement operations in the Imperial Beach and adjoining unincorporated areas by the Border Crime Suppression Team (BCST) and multi-agency operations funded by the US Department of Homeland Security program called "Operation Stonegarden". BCST, which targets drug traffickers, gang

members, and others affiliated with illegal US-Mexico activities, had Deputies on the patrol in the Imperial Beach and adjoining areas for border-related drug, weapons and human trafficking violations. BCST also provided increased crime intelligence that resulted in the identification and apprehension of narcotics-related criminals.

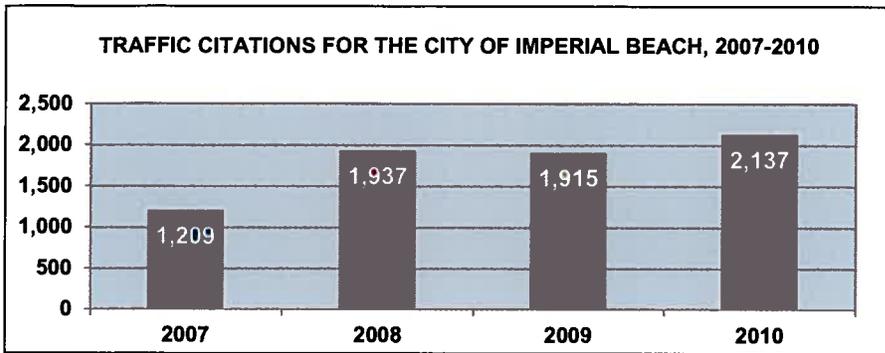
## Patrol Operations

Deputies assigned to perform patrol operations at the Imperial Beach Sheriff's Station have as their primary responsibility the task of responding to crimes or emergencies in progress and calls for service. They also conduct routine patrols, conduct preliminary investigations, and apprehend law violators. Much of the reductions in robberies, aggravated assaults, burglaries, thefts, and auto thefts for 2010 can be attributed to the law enforcement activities performed by the Deputies assigned to patrol operations.

During 2010, Deputies at the Imperial Beach Sheriff's Station made 272 arrests for persons being under the influence of a controlled substance. During the same period, Deputies made a total of 166 arrests for drug related felonies. Patrol Deputies made the majority of these arrests.



Another one of the primary tasks for Deputies assigned to patrol operations is to obtain intelligence through field interviews that can then be compiled and analyzed to develop crime fighting strategies for gang suppression, residential and vehicle burglaries, drug-related offenses, etc. Information gathered from the field interviews provides insights into "prime time" hours for certain crimes, crime profiles, and other cues that can greatly assist law enforcement. In 2010, officers conducted 1,405 field interviews in the City of Imperial Beach, many of which led to arrests and provided leads to other crimes committed in the area.



## Traffic Operations

Imperial Beach Sheriff's Station Traffic Deputies focus on vehicle code enforcement, traffic collision investigations and traffic control. For 2010, Traffic Deputies made the majority of the 258 DUI arrests within the City of Imperial Beach and 19 DUI arrests in the adjoining unincorporated areas. They were also responsible for the majority of the 3,665 traffic citations and 3,665 parking citations issues in 2010 for the entire area covered by the Imperial Beach Sheriff's Station (Imperial Beach and adjoining unincorporated areas).

## Investigations Operations

Throughout 2010, the Imperial Beach Sheriff's Station conducted 36 proactive operations and investigations designed to improve the quality of life for residents and businesses through early detection and prevention of crime. These activities resulted in 25 felony arrests, 31 misdemeanor arrests, 15 probation violations, 2 parole violations, and one citation. Additionally, illegal drugs, counterfeit currency, and weapons were seized.

It is important to note that statewide budget cuts coupled with court orders to decrease prison and jail populations have caused dramatic increases in the numbers of convicted felons living within the communities throughout the County, including those areas covered by the Imperial Beach Sheriff's Station. Area parole and probation units will continue to have additional parolees and probationers added to their existing case loads, leaving these officers with less time to monitor and supervise their assignees. The Imperial Beach Investigations Unit will increase proactive investigations to mitigate the situation.

## COPPS ("Community Oriented Policing and Problem Solving")

COPPS Deputies are special purpose law enforcement officers tasked with targeting issues that can negatively impact the quality of life for our citizens. Deputies tailor their enforcement to address problems they are specifically working on, allowing them to develop multifaceted responses to complex issues. In

2010, the COPPS unit made 221 arrests related to alcohol violations. The COPPS unit also targeted graffiti cases, conducted ABC (Alcohol and Beverage Commission) operations through use of the ABC grant., and increased monitoring of skateboard citations around the Pier Plaza and city parks. The COPPS unit was also involved in the 470 arrests made in 2010 for disturbances of the peace. In 2010, COPPS position was eliminated by the City of Imperial due to budget considerations, even though the City recognized the importance that this position brought to the quality of life for its residents. The Sheriff's Department and the City of Imperial Beach are working together to identify cost-effective ways to ensure that the quality of life issues formerly targeted by the COPPS unit continue to be fully addressed.

## **Community Service Officers (CSOs)**

CSOs are non-sworn employees authorized to complete certain crime investigations and assist with traffic control. The Imperial Beach Sheriff's Station has 4 CSOs dedicated to the performing these critical law enforcement functions. In 2010, the CSOs completed 450 case reports and 27 accident reports. In order to maximize the productivity of the CSOs and assist the City of Imperial Beach, the CSOs often respond to traffic enforcement issues involving minor collisions on weekends, even though the City of Imperial Beach does not pay traffic law enforcement coverage during the weekends. Additionally, the CSOs provide the only traffic coverage in the City of Imperial Beach when the assigned traffic Deputies are on vacation or out on compensatory time/sick leave. There have been times when they cover for the night shift when the City has declined to pay overtime for a replacement.

## **Special Events Operations**

### **Sandcastle Competition**

The City of Imperial Beach's 30th U.S. Open Sandcastle Competition, which took place on August 7-8, 2010, attracted an estimated crowd of 350,000.



A contingent of San Diego Sheriff's Deputies provided the security for the event, including uniformed and undercover officers to patrol the areas, crowd control, direct traffic, and surveillance of competing gang members who were expected to be attending the event.

**Operation Allied Shield II**

In April 2010, The City of Imperial Beach and adjoining unincorporated communities were part of a county-wide, multi-agency gang suppression operation called "Operation Allied Shield II" that resulted in the identification and arrests of hundreds of individuals with gang and Mexican drug cartel ties. Over a two day period, federal, state and local law enforcement officials patrolled the County looking not only for gang members and known drug traffickers, but also arrested individuals violating any laws including DUIs, drug possession, probation violations, etc.

OPERATION ALLIED SHIELD II RESULTS				
Vehicle Stops	Citations Issued	Arrests	Narcotics Seizures	Non-Drug Seizures
919	221	282	45	5



**Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) Program**

The IMPACT Program is a prevention and education program targeted at reducing alcohol-related crime in and around licensed premises. It uses the community oriented policing approach (COPPS) of involving local merchants in deterring crime. The IMPACT Program teams an investigator from the California Department of Alcoholic Beverage Control (ABC) with a Sheriff's Deputy to: (a) Conduct visits and inspections of

licensed premises; (b) Identify noncompliance issues; (c) Take appropriate enforcement action on any major violations observed; and (d) Conduct follow up visits as needed to check for compliance.

Deputies and ABC investigators also conduct minor decoy operations that use persons under 20 years of age as decoys to purchase alcoholic beverages from licensed premises. Additionally, in what is called a "Shoulder Tap" operation, Deputies and ABC investigators use minor decoys to solicit adults outside ABC-licensed stores to buy the minor decoy alcohol.

IMPACT ACTIONS 2010	
Establishment Inspections	46
Violations Observed	86
Minor Decoy Operations	3
Establishments Visited	34
Citations Issued	8
Establishments Visited	21
Adults Solicited to Buy Alcohol for Minor	122
Violations	12
DUI Saturation Patrols	4
DUI Arrests	5
Other Traffic-Related Violations	3

### Operation Tip The Scale

In August 2010, Deputies from the Sheriff's Department teamed up with law enforcement officers from more than a dozen agencies (e.g., San Diego Police Department, Probation Department, DEA, FBI, ICE) to implement the 6th Tip The Scale Operation. This operation targeted illegal drug use and drug-related crimes in the southern parts of San Diego County (Imperial Beach and the unincorporated areas of Bonita, Lincoln Hills, Otay Mesa, and Chula Vista). In addition to law enforcement actions, Deputies obtained agreement from 34 of the 40 individuals arrested during the operation to agree to counseling by the San Diego County Department of Alcohol and Drug Services and Mental Health Systems.

OPERATION TIP THE SCALE 2010	
Arrests (Total)	40
Felony Arrests	19
Misdemeanor Arrests	21
Drug-related Arrests	22
Drug-related Warrant Arrests	12
Field Interviews	45
Vehicle Stops	49
Citations	9

## SERVICE AND RESPONSE METRICS

Law enforcement activities are typically initiated by one of two ways: (1) computer aided dispatch (911 calls and other calls for law enforcement assistance) or (2) Deputy-initiated. For the Imperial Beach Sheriff's Station, calls for computer aided dispatch and Deputy-initiated activities have fallen by .8% and 17.4%, respectively, from 2009 to 2010. This is consistent with the overall drop in crime rates for the City of Imperial Beach and adjoining unincorporated areas as reported by ARJIS for 2009 to 2010.

CAD AND DEPUTY-INITIATED ACTIONS		
Year	Call for Service	Deputy-Initiated Action
2009	11,808	15,771
2010	11,712	13,022

Overall, response times by the Imperial Beach Sheriff's Station to calls for requests for assistance have remained stable year after year. For Priority 1 calls, the response time has crept up slightly by 6 seconds from 2009 to 2010, and for Priority 2 calls, the response time has increased by 90 seconds from 2009 to 2010. Priority 3 and 4 calls have dropped in terms of response time by 60 and 114 seconds from 2009 to 2010. The increases in response times for Priority 1 and 2 calls is being examined by the Sheriff's Department to determine why there has been these decreases and what changes can be made to improve response times.

RESPONSE TIMES FOR SERVICE CALLS/REQUESTS				
Year	Priority 1	Priority 2	Priority 3	Priority 4
2009	2.8	8.5	14.0	36.6
2010	2.9	10.0	13.0	34.7
Change	+6 Seconds	+90 Seconds	-60 Seconds	-114 Seconds

## STATION STAFFING

The Imperial Beach Sheriff's Station has a total of 34 Deputies and professional/administrative staff assigned to it operations. There are 11 Deputies assigned to patrol operations, 3 to traffic operations, and 3 to Investigations. As previously noted, the 1 COPPS position at the Imperial Beach Sheriff's Station was eliminated in mid-2010 due to budget reasons identified by City of Imperial Beach. Current law enforcement levels at the Imperial Beach Sheriff's Station,

while not optimal, are adequate for continued protection and law enforcement for residents of the City of Imperial Beach and the adjoining unincorporated communities of Bonita, Sunnyside, Chula Vista, Lincoln Acres, Proctor Valley, San Miguel Mountain, Otay Valley and Otay Mesa.



Across the board, budgetary concerns have affected state and local municipalities in terms of the types and amount of service that they can afford to provide. However, cutbacks in staffing levels for law enforcement services that already have been pared down may result in a reversal of the downward crime trends experienced by the communities covered by the Imperial Beach Sheriff's Station. Deputy safety also becomes an issue when staff reductions are so severe that backup might not always be available when a Deputy needs it. This is a major concern that must be addressed in a constructive and fact-based manner in the upcoming budget process with the City of Imperial Beach.



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** JUNE 1, 2011  
**ORIGINATING DEPT.:** PUBLIC WORKS *HCB*  
**SUBJECT:** ADA COMPLIANCE IMPROVEMENTS AT 9<sup>TH</sup> STREET AND IMPERIAL BEACH BOULEVARD

---

**BACKGROUND:** Street Improvements RDA Phase 4/5 construction plans and specifications are to include street improvements on 9<sup>th</sup> Street from S.R. 75 south to Fern Avenue. Each of the intersections are to be designed to be compliant with the current ADA standards. Imperial Beach Boulevard intersection at 9<sup>th</sup> Street is a particularly difficult intersection to be brought into compliance. Staff has been working with the City Traffic Engineer, KOA Corporation, Inc. on developing possible options for making the Imperial Beach Blvd. and 9<sup>th</sup> Street intersection ADA compliant. This staff report is prepared to engage City Council in a discussion of the options being considered and to seek City Council feedback.

**DISCUSSION:** Some of the issues include:

- There is insufficient room at each of the four corners to construct ADA compliant ramps and stay within the current foot print and not encroach on private property;
- To create sufficient room, the ADA ramps will need to pop out into the streets;
- If the pop outs are placed into Imperial Beach Blvd. there are several possible street modifications impacts including:
  - Remove the left turn medians curb & gutter and replaced with centerline paint strip; or
  - Remove the left turn medians and re-signalize the intersection light to provide green west bound signal light separate from east bound in order to facilitate left turns off Imperial Beach Blvd.
  - Change the four lane traffic at that intersection to a two lane traffic intersection.
- Place pop outs into 9<sup>th</sup> Street only, which does not improve the north south crossings;
- The private driveway on the southeast corner is so close to the curb return that only popping out into 9<sup>th</sup> Street will not provide enough room to place an ADA compliant ramp.

The above issues will be described in more detail at the Council meeting. Attached is an aerial view of the Imperial Beach Blvd and 9<sup>th</sup> Street intersection to assist in visualizing the intersection and possible options from improvements.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

The project design options are included with the Street Improvements RDA Phase 4/5 CIP project budget. Once we have a vision of what direction to take on the improvement plan, staff will seek Council approval for the design work.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Receive an oral and visual presentation by staff on project details.
3. Provide direction to staff on what design concepts are acceptable to Council and the Community.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. Aerial Photo of intersection at Imperial Beach Blvd. and 9<sup>th</sup> Street.





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** June 1, 2011

**ORIGINATING DEPT.:** PUBLIC SAFETY *GB*

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF IMPERIAL BEACH REGARDING FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES

**BACKGROUND:**

At the March 16<sup>th</sup> City Council meeting the Public Safety Department requested authorization to proceed with negotiating with the City of San Diego for the purpose of entering into an agreement for emergency dispatch services. Staff provided a detailed report of the potential cost savings that could come from moving dispatch services from our current provider, Heartland Communications Facility Authority (HCFA). The report, Attachment 4, also included some of the benefits of moving to San Diego Communications due to the county Zone changes in the previous year. The report provided the following information:

- Pre 2011 San Diego Fire Zone Map – Imperial Beach in Zone 4
- 2011 San Diego Fire Zone Map – Imperial Beach in the Metro Fire Zone
- Outside Unit Response Routes into Imperial Beach
- Cost Comparison Chart for Contract Dispatch Services
- Heartland Communications Facility Authority Capital Buy Out Letter

The City Council authorized the negotiations with San Diego Communications.

**DISCUSSION:**

Once authorized to enter into formal negotiations, the City of Imperial Beach provided San Diego Communications with a letter of intent that provided assurances to the City of San Diego that the City of Imperial Beach was committed to negotiating a contract for emergency medical and fire dispatch services. After submitting the letter of intent, staff from both agencies became actively involved in finalizing a formal "2 Party Agreement" and "Scope of Work" document that now needs formal approval.

As presented at the March 16<sup>th</sup> City Council meeting, the contract for dispatch services agreement with San Diego Fire Communications provides Imperial Beach with a contract that reduces costs immediately. The total cost of services per year shall be estimated at \$67,500. This includes the reoccurring costs for the AT&T dedicated data line and the Verizon Wireless cards for the Mobile Data Computers. The cost for Dispatch Services per year may be increased should Imperial Beach's call volume on the emergency dispatch system exceed the amount originally contemplated by 5% or more.

By moving to San Diego Fire Communications, Imperial Beach's combined initial start-up costs and HCFA's capital buy-out is estimated to be \$28,147 and would be recaptured in little more than a year's time. After start up expenses, annual savings are estimated to be \$27,296. The 5 year cumulative savings for dispatch services received from San Diego Fire Communications are estimated to be \$136,480. (This future cost savings assumption is based on an annual 1% per year increase contract from San Diego Fire Communications and the projected annual cost increases of 5% for HCFA.)

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

San Diego Fire Communications will provide a 5 year contract for dispatch services to the City of Imperial Beach for \$62,318\* per year. Imperial Beach will incur the following one-time costs:

Heartland Capital Lease Buy-out of Computer Aided Dispatch Hardware	\$16,697
San Diego Fire Communications Geographic Data Base File	\$ 3,000
Zoll Records Management & Incident Reporting System License	\$ 2,800
Station Alerting Hardware	<u>\$ 5,650**</u>
<b>Total Estimate</b>	<b>\$ 28,147</b>

\*Annual Dispatch Costs have been reduced from the original quote of \$66,500 due Imperial Beach paying for the AT&T Data Line and Verizon Wireless Cards for the Mobile Data Computers.

\*\*Station Alerting Hardware estimate of \$4,000 did not include sales tax and the setting up the Imperial Beach subcontract account from San Diego Data Processing Corporation.

**DEPARTMENT RECOMMENDATION:**

Review and adopt Resolution No. 2011-7043 which authorizes the City Manager to enter into an agreement with the City of San Diego for fire and emergency medical dispatch services, to expend funds associated with the transition startup costs and to buy-out the Heartland Computer Lease.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Resolution No. 2011-7043
2. Agreement
3. Letter of Intent
4. City Council Staff Report - March 16, 2011 with attachments

## RESOLUTION NO. 2011-7043

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF IMPERIAL BEACH REGARDING FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, staff was authorized at the March 16<sup>th</sup> City Council meeting to proceed with negotiating with the City of San Diego for dispatch services; and

**WHEREAS**, the agreement presented by the City of San Diego presents immediate cost savings; and

**WHEREAS**, staff has researched the services that will be provided by the City of San Diego Communications and is confident that there will be an increase in interoperability; and

**WHEREAS**, the City of San Diego will provide these services, as outlined in the agreement between the City of Imperial Beach and the City of San Diego for Fire and Emergency Medical Dispatch Services; and

**WHEREAS**, transferring to the City of San Diego dispatch services will require transition start up costs and a one-time buy-out of the Heartland Computer Lease.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Imperial Beach authorizes the City Manager to execute the Agreement between the City of San Diego and the City of Imperial Beach for the purpose of providing fire and emergency medical dispatch services, to expend funds associated with the transition startup costs, and to buy-out the Heartland Computer Lease.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June 2011, by the following roll call vote:

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

*Jim Janney*

**JIM JANNEY, MAYOR**

**ATTEST:**

*Jacqueline M. Hald*

**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2011-7043 A Resolution of the City Council of the City of Imperial Beach, California, APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF IMPERIAL BEACH REGARDING FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES

CITY CLERK

DATE

**AGREEMENT  
BETWEEN  
THE CITY OF SAN DIEGO  
AND  
THE CITY OF IMPERIAL BEACH  
REGARDING FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES**

THIS AGREEMENT is entered by and between the City of San Diego, a municipal corporation, [San Diego] and the City of Imperial Beach, a municipal corporation, [Imperial Beach], sometimes referred to jointly herein as the Parties.

**R E C I T A L S**

WHEREAS, San Diego and Imperial Beach have organized and equipped fire departments charged with the duty of fire protection and rescue within the limits of said Cities; and

WHEREAS, Imperial Beach, by way of Resolution Number 20011-7043 approved by its Council and Mayor, resolved that Imperial Beach's interests would be best served by entering into an agreement with San Diego to outsource Imperial Beach's fire, emergency medical and lifeguard dispatch services to San Diego; and

WHEREAS, San Diego, by way of Ordinance Number X resolved that San Diego's interests would be best served by entering into an agreement with Imperial Beach to provide Imperial Beach with fire, emergency medical and lifeguard dispatch services under the terms described in said ordinance and in accordance with the April 28, 2011 letter agreement signed by the Parties; and

WHEREAS, it would be to the benefit of each party and in the best interests of the citizens of the respective jurisdictions for San Diego to provide fire and emergency medical dispatch services to Imperial Beach in order to increase the health and safety of all affected residents; and

WHEREAS, Imperial Beach desires and intends per the terms of this contract to pay San Diego for services; and

## Fire and Emergency Medical Dispatch Services

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants and conditions contained in this Agreement, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Imperial Beach and San Diego agree as follows:

### A. Term of Agreement

1. This Agreement shall become effective as of July 1, 2011 or upon its final execution by the Parties which ever comes first and shall be effective until the last day of June 2016.
2. This Agreement may be extended for four (4) additional one (1) year periods by written agreement of the parties, and subject to the authorization of the City of San Diego's Mayor of a contract extension relative to each one year extension. The initial contract extension for the period beginning July 1, 2016 shall be agreed upon by the parties no later than December 31, 2015, and thereafter, no later than December 31 of each calendar year.

### B. Obligations of the Parties

1. The service descriptions herein outline specific aspects of service relevant to the performance of the emergency dispatch services by San Diego. To the extent that safety or technological changes warrant an amendment of the specific service or method employed to provide the Fire and Emergency Medical Dispatch Services contemplated herein, neither Party may unreasonably refuse to implement safety or technological changes.

The dispatch services that will be provided include:

- a. Processing all fire, medical and lifeguard related emergency calls via the 911 Secondary Public Safety Answering Point (PSAP).
- b. Triaging medical calls using the Emergency Medical Dispatch process which includes:
  - i. Automated Pro QA Emergency Medical Dispatching (EMD) with call downgrading features.
  - ii. Coordinated dispatch efforts with American Medical Response (AMR) for ambulances within Imperial Beach with the use of an automated TriTech Computer Aided Dispatch (CAD) to GEAC CAD interface.

## Fire and Emergency Medical Dispatch Services

- c. 800 Mhz Radio Communications System (RCS) Radio dispatch services to coordinate with Imperial Beach's 800 Mhz RCS existing equipment and RCS member rights.
- d. Dynamic Automatic Vehicle Location (AVL) driven dispatch of closest available resource(s) to given emergency, incident type(s), and location(s).
- e. VisiNet Mobile Data Computer services.
- f. Mobile Data Computer (MDC) driven mapping and live-routing services.
- g. TriTech CAD View services.

CAD Data Collection and Reporting services that will provide pre-established data collection points and generated reports including yearly, quarterly, monthly reports; call for service statistics and/or other incident specific data and reports as available.

- h. Records Management System (RMS) services that will permit a TriTech to Firehouse interface; a download of CAD data as needed; Fire Station Alerting Services; TriTech to Westnet interface.
  - i. Paging Services between TriTech and American Messaging interface.
2. All dispatchers providing services to Imperial Beach under this Agreement shall comply with all applicable training and certification requirements.

### C. Payment

- 1. Imperial Beach will pay San Diego quarterly for services rendered under this contract. Included in this contract price is the cost of yearly software maintenance fees, MDC modem fees and monthly pager fees. The total cost of services per year shall be \$62,318.
- 2. On average, the Imperial Beach call volume is 1950 incidents per year. The total cost of services per year may be increased should Imperial Beach's call volume on the emergency dispatch system exceed the amount originally contemplated by this agreement by 5% or more. Any increase in service cost based on increased call volume shall be agreed upon by the parties in writing, and shall be

## Fire and Emergency Medical Dispatch Services

proportional to the percentage of increase in yearly call volume for the prior year as compared to the baseline of 1950 incidents per year.

3. San Diego shall provide to Imperial Beach, on a quarterly basis, a statement for services rendered under this contract and payment by Imperial Beach shall be remitted 30 days thereafter.
4. Imperial Beach shall not be responsible for any costs not expressly described in this Agreement, such as costs for capital improvements to San Diego's systems or equipment, unless such additional costs are agreed upon in writing by the Parties.
5. The Parties shall maintain books, records, logs, documents, and other evidence sufficient to record all actions taken with respect to rendering services under this Agreement throughout the performance of services and for ten (10) years following completion of services under this Agreement. The parties further agree to allow for mutual inspection, copying and auditing of such books, records, documents and other evidence at all reasonable times. In the event that San Diego receives a request for documents under the California Public Records Act or a subpoena for dispatch records, and the requested records are related to Imperial Beach fire protection, lifeguard, or emergency medical services, San Diego shall provide the Imperial Beach Fire Chief with notice of the request for records or subpoena and an opportunity to review the requested records prior to their release. In the event that Imperial Beach receives a request for documents under the Public Records Act or a subpoena for records related to its fire protection, lifeguard or emergency medical services that are in the possession of San Diego, San Diego agrees to promptly provide the requested records to Imperial Beach to facilitate compliance with the Public Records Act or subpoena deadline.

### D. Indemnification

It is agreed that Imperial Beach shall defend, hold harmless, and indemnify San Diego and its officers, employees and agents, from any and all claims for injuries or damages to persons or property, which arise out of the terms and conditions of this Agreement and results from the negligent act or omissions of Imperial Beach, its officers, employees or agents.

It is agreed that San Diego shall defend, hold harmless, and indemnify Imperial Beach and its officers, employees and agents, from any and all claims for injuries or damages to persons or property, which arise out of the terms and conditions of this Agreement and results from the negligent act or omissions of San Diego, its officers, employees or agents.

In the event of concurrent negligence of Imperial Beach, its officers, employees or agents, and San Diego, its officers, employees or agents, the liability for any and all claims for injuries or damages to persons or property, which arise out of the

## Fire and Emergency Medical Dispatch Services

terms and conditions of this Agreement shall be apportioned according to the principle of comparative negligence under California law.

### E. Right to Terminate for Convenience

Either party may terminate the services agreed to pursuant to this contract by giving written notice of such termination to the other party. Such notice shall be delivered by certified mail with return receipt for delivery to the noticing party. The termination of the services shall be effective one hundred and twenty (120) days after the receipt of the notice by the noticed party. In the event of early termination of this Agreement, payment owed by Imperial Beach will be for services rendered through the effective date of the termination.

### F. Right to Terminate for Default

If either of the parties fails to perform or adequately perform any obligation required by this Agreement, that party's failure constitutes a Default. If the defaulting party fails to satisfactorily cure a Default within ten (10) calendar days of receiving written notice from the other party specifying the nature of the Default, the other party may immediately cancel and/or terminate this Agreement, and terminate each and every right of the defaulting party and any person claiming any rights by or through the defaulting party under this Agreement. The rights and remedies of the parties enumerated in this paragraph are cumulative and shall not limit the parties' rights under any other provision of this Agreement, or otherwise waive or deny any right or remedy, at law or in equity, existing as of the date of this Agreement or enacted or established at a later date, that may be available. In the event of early termination of this Agreement, payment owed by Imperial Beach will be for services rendered through the effective date of the termination.

### H. Mandatory Assistance

If a third party dispute or litigation, or both, arises out of, or relates in any way to the services provided under this Agreement, upon request of one of the parties, the other party, its agents, officers, and employees agree to assist in resolving the dispute or litigation. The assistance contemplated by this section includes, but is not limited to, providing professional consultations, attending mediations, arbitrations, depositions, trials or any event related to the dispute resolution and/or litigation.

1. **Compensation for Mandatory Assistance.** A party providing mandatory assistance pursuant to this Section H shall be reimbursed for any fees and expenses incurred for required Mandatory Assistance. Reimbursement for mandatory assistance shall not include any fees, expenses or services necessary due to the negligent conduct or failure to act on the part of the party providing the assistance, its agents, officers or employees.
2. **Attorney Fees related to Mandatory Assistance.** The parties agree that any attorney incurred as a result of assistance provided under this Section H are not reimbursable.

## Fire and Emergency Medical Dispatch Services

### I. Jurisdiction, Venue, and Attorney's Fees

The venue for any suit or proceeding concerning this Agreement, the interpretation or application of any of its terms, or any related disputes shall be in the County of San Diego, State of California. The prevailing Party in any such suit or proceeding shall be entitled to a reasonable award of attorney's fees in addition to any other award made in such suit or proceeding.

### J. Severability

The unenforceability, invalidity, or illegality of any provision of this Agreement shall not render any other provision of this Agreement unenforceable, invalid, or illegal.

Fire and Emergency Medical Dispatch Services

IN WITNESS WHEREOF, this agreement is executed by the City of San Diego, acting by and through its Mayor or his designee, pursuant to San Diego City Charter section 265 and San Diego Municipal Code section 22.3222, and by the City of Imperial Beach.

I HEREBY CERTIFY that I can legally bind the City of Imperial Beach, a municipal corporation, and that I have read all of this Agreement and have executed it on behalf of the City of Imperial Beach, a municipal corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date Signed \_\_\_\_\_

City of San Diego, A Municipal Corporation

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date Signed \_\_\_\_\_

I HEREBY APPROVE the form and legality of the foregoing Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Jan Goldsmith  
City Attorney

By \_\_\_\_\_

Noah J. Brazier, Deputy City Attorney

Attachments to Agreement:

- Attachment A – Insurance Certificates
- Attachment B –
- Attachment C –
- Attachment D –



## LETTER OF INTENT

### For Contracted Emergency Medical and Fire Dispatch Services Between the City of San Diego and the City of Imperial Beach

This document shall serve to notify and provide assurances to the City of San Diego that the City of Imperial Beach is committed to negotiating a contract with the City of San Diego for emergency medical and fire dispatch services. City Staff from both agencies are actively working on finalizing a formal "2-Party Agreement" and "Scope of Work" document that will be approved by both agencies, which specifically details all of the components, services, finances and obligations.

The City of Imperial Beach's commitment for contracted emergency medical and fire dispatch services with the City of San Diego is evidenced by the recent City of Imperial Beach Council action on March 16, 2011 that gives the City Manager the authority to enter into final negotiations with the City of San Diego to secure sole source emergency medical and fire dispatch services.

A basic description of the services to be provided and finalized in the contract includes the following:

- 911 Secondary Public Safety Answering Point (PSAP) services
  - Emergency Medical Dispatch services
  - Automated Pro QA Emergency Medical Dispatching (EMD) with call downgrading features
- Coordinated dispatch efforts with American Medical Response (AMR) for ambulances within the City of Imperial Beach with the use of an automated TriTech CAD to GEAC CAD interface
- Fire & Rescue dispatch services
- 800 Mhz RCS Radio dispatch services
  - With the use of the City of Imperial Beach's 800 Mhz Radio Communications System (RCS) existing equipment and RCS member rights
- Dynamic AVL / CAD driven dispatch of closest available resource(s) to given emergency incident type(s) and location(s)
- VisiNet Mobile Data Computer services
- MDC / CAD driven mapping and live-routing services
- TriTech CAD View services
- CAD Data Collection and Reporting services
  - Pre-established data collection points and generated reports
    - Yearly, quarterly, monthly and/or other
    - Growth Management Oversight Commission (GMOC)
    - Call for service statistics and/or other
  - Incident specific data and reports as available

- Records Management System (RMS) services
  - TriTech to Firehouse interface
  - Availability and download of CAD data as needed
- Fire Station Alerting Services
  - TriTech to Westnet interface
- Paging Services
  - TriTech to American Messaging interface

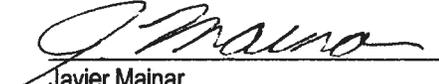
The basic service descriptions referenced above may not be inclusive of every aspect of the service delivery that will be part of the final contract, but should serve as a starting point for both agencies to begin working on the implementation of the overall project.

If the transition of fire and emergency medical dispatch services to the City of San Diego fails for any reason and/or a final agreement is never finalized, each party shall bear its own costs that were incurred during this negotiation process.

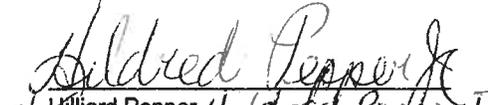
The interfaces that are involved in the final implementation already exist; however the transition of dispatch services will require sufficient time to implement and therefore must begin immediately to facilitate the transition of services. Both parties agree that all of the necessary work projects and final transition of dispatch services must be completed no later than July 1, 2011 in order for the transition to occur. Both parties will diligently work and negotiate an agreement on that timeline. The work processes and implementation of this project will require the coordinated efforts of different staff from both Cities. The lead staff person from San Diego Fire & Rescue Department will be Fire Communications Manager, Susan Infantino. The lead staff person from Imperial Beach Fire Department will be Fire Chief, Tom Clark.

  
 Gary Brown  
 City Manager, City of Imperial Beach

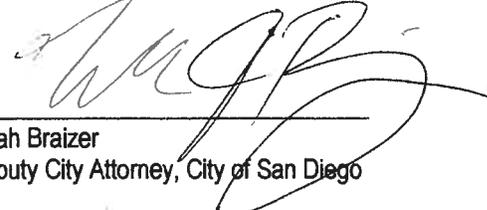
4/28/11  
 Date

  
 Javier Mainar  
 Fire Chief, City of San Diego

4/21/2011  
 Date

  
~~Hillard Pepper~~ Hildred Pepper, JR  
 Purchasing & Contracting Director,  
 City of San Diego

4/22/11  
 Date

  
 Noah Braizer  
 Deputy City Attorney, City of San Diego

25 Apr 2011  
 Date

GENDA ITEM NO. 6.3

**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: March 16, 2011**

**ORIGINATING DEPT.: PUBLIC SAFETY**

**SUBJECT: AUTHORIZATION FOR THE CITY OF IMPERIAL BEACH TO PROCEED WITH NEGOTIATING WITH THE CITY OF SAN DIEGO FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT FOR PROVIDING CONTRACT EMERGENCY DISPATCH SERVICES TO THE CITY OF IMPERIAL BEACH FIRE AND LIFEGUARD DEPARTMENTS THROUGH THE SAN DIEGO FIRE AND LIFE SAFETY DEPARTMENT'S FIRE COMMUNICATIONS CENTER**

**BACKGROUND:**

Because the City of Imperial Beach Public Safety Department does not have the necessary resources, equipment, or staff to provide emergency dispatch services, the City of Chula Vista provided this essential service to the City's Fire and Lifeguard Departments between 1992 and 2001. During the last year of the contract Chula Vista charged \$26.70 per incident dispatched. In May of 2001, Imperial Beach received a letter from the Chula Vista Police Chief that they would no longer be able to provide Dispatch Services effective October 2001. From October 2001 through June 2003, the City of Imperial Beach contracted Emergency Dispatch Services that included Communications and Records Management from the Heartland Communications Facility Authority (HCFA) a Joint Powers Authority (JPA). After contracting with HCFA for two years, the City of Imperial Beach became a full member of the JPA for the purpose of stabilizing costs for dispatch services.

Imperial Beach's JPA membership with HCFA continues to this day, but our status as a Fire Zone 4 partner changed last year. The San Diego County Fire Area Coordinator (Cal Fire), with recommendations from the Fire Chiefs of this County, reorganized the Fire Zones and also changed the previous name designations. Imperial Beach was moved from the newly named Central Zone (Attachment 1), formerly Zone 4, into the Metro Zone, while continuing to be dispatched by HCFA. Along with Imperial Beach, the Metro Zone (Attachment 2) members are; San Diego, Poway, Coronado, National City, Chula Vista, Miramar and Federal Fire Departments. San Diego Fire Department

is the Metro Zone Coordinator and currently contract dispatches for the cities of Poway and Chula Vista. As the Metro Zone Coordinator, the San Diego Fire Communications Center manages and coordinates emergency mutual aid resources for the City of Imperial Beach. This zone change along with cost containment opportunities initiated a review of the day-to-day services provided by HCFA compared to what is being offered through a Dispatch Services Contract by the City of San Diego.

## **DISCUSSION:**

Imperial Beach is now part of the Metro Zone and is in automatic aid agreements with the surrounding Cities of San Diego, Coronado and the adjacent Cities of Chula Vista and National City. Imperial Beach also responds into these Cities as part of the auto aid/boundary drop agreements. The majority of resources that respond into Imperial Beach are dispatched by the San Diego Fire Communications Center and can be viewed on Attachment 3. Heartland Communications, who is the Central Zone Area coordinator, currently dispatches for Alpine, Bonita FPD, Barona, Coronado, El Cajon, Lakeside, Lemon Grove, National City, Imperial Beach, Santee, San Miguel Consolidated, and Viejas Fire Departments. Both dispatch centers, San Diego Fire Communications and HCFA, are able to provide Imperial Beach with the following:

- All dispatch personnel are trained in specialized fire, rescue, and emergency medical dispatch skills and protocols
- All emergency medical emergency callers requesting assistance receive emergency medical pre-arrival instructions. The Emergency Medical Dispatch (EMD) Program is designed to initiate medical care instructions prior to the arrival of public safety personnel
- A dedicated interface exists, for instantaneous notification, to American Medical Response (AMR) who is the City's contract paramedic ambulance service provider
- National Accreditation for Dispatch Center Operations
- Utilizing the same Computer Aided Dispatch (CAD) hardware and software
- Be able to provide a Records Management and Incident Reporting System (RMIRS) for submitting the required annual reports to the State and Federal governments
- Emergency response personnel will be alerted to emergency calls via a redundant notification system that utilizes existing CAD paging, station alerting, mobile data computers and the current 800 MHz Regional Communications System.

The move to San Diego Fire Communications will offer the following:

- Dispatch reflex time will no longer be a factor in calculating the total response time for Imperial Beach emergency incidents. This is the time it takes for HCFA to identify and request resources that would come from the San Diego and Chula Vista Fire Departments
- Interoperability will improve between the City of San Diego and Imperial Beach Fire and Lifeguard Departments
- Emergency fire resource move-ups to cover the City of Imperial Beach will be more effectively managed by the San Diego Fire Communications Center

- San Diego Fire Communications has the capacity to provide Dispatch Services for the Imperial Beach Fire and Lifeguard Departments without causing any degradation to their existing dispatch operations
- San Diego Fire Communications has a 24/7 uniformed Fire Captain supervising the activities of dispatch operations
- Transition to San Diego Fire Communications will have negligible training requirements for Imperial Beach's emergency response personnel.
- A rate stable 5-year contract for Dispatch Services is being offered to City of Imperial Beach

As a HCFA contract City in 2001 – 2003, Imperial Beach was charged \$33.10 per emergency dispatch for a total of \$59,282 for the 1,791 calls dispatched. For 2004, HCFA changed the contract dispatch rate from \$33.10 to \$49.00 per response. This was a 33% increase and Imperial Beach would have been charged \$87,759. As a result, Imperial Beach opted to become a JPA member of HCFA. HCFA's initial annual cost for fire dispatch and communications services was based on the combination of weighted factors; 50% calls for service, 25% uniform fire personnel and 25% number of 800 MHz radios. The JPA membership resulted in a reduction in the cost per call for dispatch services from \$24.55 to \$28.33. This lowered the annual dispatch costs between \$43,969 - \$50,739.

In 2009, HCFA JPA changed the weighted member cost formula for dispatch services from three factors to two – 50% for incidents and 50% for fire personnel. This resulted in a 21% increase in dispatch service to \$88,885. Based on 2,076 incidents, the cost per call is \$42.82. If Imperial Beach had remained strictly a contract agency with HCFA, rather than a JPA member, the cost per call today would have been \$49.98 and the total cost for dispatch services would have been \$103,758. For 2009, utilizing the most recent HCFA incident call volume for Imperial Beach, San Diego Fire Communications dispatch services cost proposal is for \$67,000 or \$32.27 per call.

In order to retain the relationship developed over the past decade with HCFA, the HCFA Board of Fire Chiefs' President and the HCFA Communications Director met with the City Manager to review the current costs. Chief Scott advised that he would see if there would be a possibility of reducing costs as a JPA member or move Imperial Beach back to being a contract agency. After the HCFA Finance Committee meeting, Imperial Beach was advised that there was not a way for HCFA to reduce the costs for Imperial Beach's dispatch services to meet the contract proposed by San Diego Fire Communications. As identified in previous staff reports, membership in the HCFA JPA granted members an active role in how dispatch services are delivered, developed a more balanced approach to the pricing structure, and assisted with the possible reduction in future annual fee increases. HCFA delivered on most of these commitments.

As presented, the contract of dispatch services agreement with San Diego Fire Communications provides Imperial Beach with a contract that reduces costs immediately and may have a slight inflation factor over the 5 year contract cost for dispatch services. Based on either remaining with HCFA or moving to San Diego Fire Communications, Imperial Beach's combined initial start-up costs and HCFA's capital buy-out is estimated to be \$26,497 and would be recaptured in little more than a year's

time. After start up expenses, annual savings are estimated to be \$26,114. The 5 year cumulative savings for dispatch services received from San Diego Fire Communications are estimated to be \$130,570. This future cost savings assumption is based on an annual 1% per year increase contract from San Diego Fire Communications and the projected annual cost increases of 5% for HCFA.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

San Diego Fire Communications has offered to provide a 5 year contract for dispatch services to the City of Imperial Beach for \$67,000 per year. Imperial Beach will incur the following one-time costs:

Heartland Capital Lease Buy-out of Computer Aided Dispatch Hardware	\$16,697
San Fire Communications Geographic Data Base File	\$ 3,000
Zoll Records Management & Incident Reporting System License	\$ 2,800
Station Alerting Hardware	<u>\$ 4,000</u>
<b>Total Estimate</b>	<b>\$26,497</b>

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council authorize the City Manager to begin negotiating a 5-year agreement, that has a series of annual extensions after expiration of the 5 year, with the City of San Diego for the purpose of providing consistent, reliable and cost effective emergency dispatch services to the City of Imperial Beach's Public Safety Department

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



Gary Brown, City Manager

**Attachments:**

1. Pre 2011 San Diego Fire Zone Map – Imperial Beach in Zone 4
2. 2011 San Diego Fire Zone Map – Imperial Beach in the Metro Fire Zone
3. Outside Unit Response Routes into Imperial Beach
4. Cost Comparison Chart for Contract Dispatch Services
5. Heartland Communications Facility Authority Capital Buy Out Letter

# SD COUNTY FD ZONE BOUNDARIES (2011)



RIVERSIDE COUNTY

PAUMA AND YUIMA RESERVATION

WARNER SPRINGS

NORTH COUNTY FPD

76

PALA RESERVATION

PALOMAR MOUNTAIN

SUNSHINE SUMMIT

CAMP PENDLETON

76

VALLEY CENTER FPD

DEER SPRINGS FPD

RANCHITA

76 OCEANSIDE

76

VISTA

78 SAN MARCOS

VISTA FPD

ESCONDIDO

SAN PASQUAL

CARLSBAD

ELFIN FOREST FD

ENCINITAS

RANCHO SANTA FE FPD

S.D. COUNTY

INTERMOUNTAIN

JULIAN FPD

SOLANA BEACH

POWAY

DEL MAR

56

BARONA

67

EL CAPITAN GRANDE RESERVATION

SAN DIEGO

LAKESIDE

VIEJAS

52

SANTEE

67

ALPINE

PINE VALLEY

5

15

125

8

EL CAJON

SYCUAN

RURAL FPD

LA MESA

SAN MIGUEL FPD

94

125

94

CORONADO

NATIONAL CITY

LEMON GROVE

54 BONITA FPD

CHULA VISTA

IMPERIAL BEACH

805

905

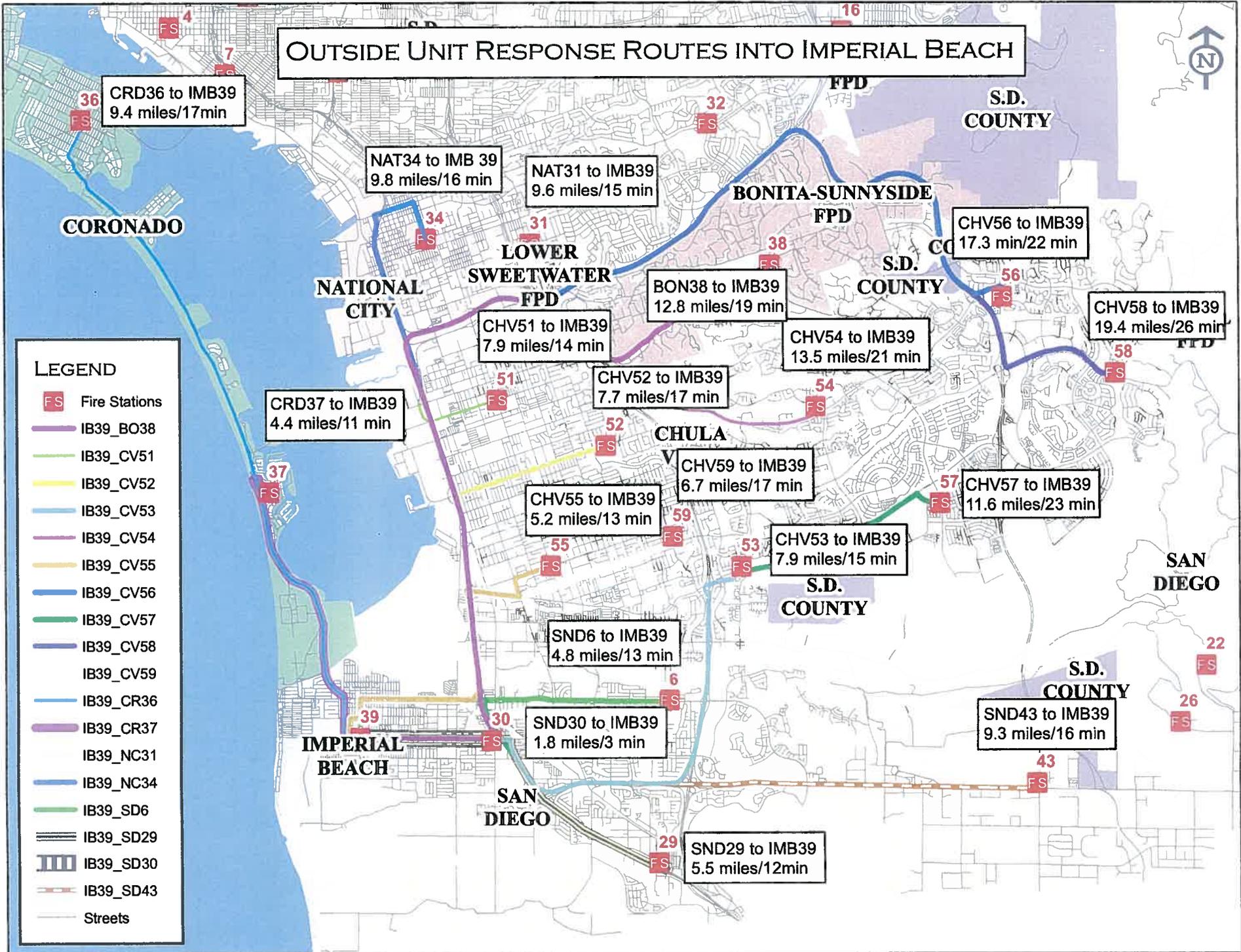
MEXICO

## Legend

- Freeways
- Water Bodies
- Riverside County
- Mexico
- Zone Boundaries**
  - CENTRAL
  - EAST
  - METRO
  - NORTH



# OUTSIDE UNIT RESPONSE ROUTES INTO IMPERIAL BEACH

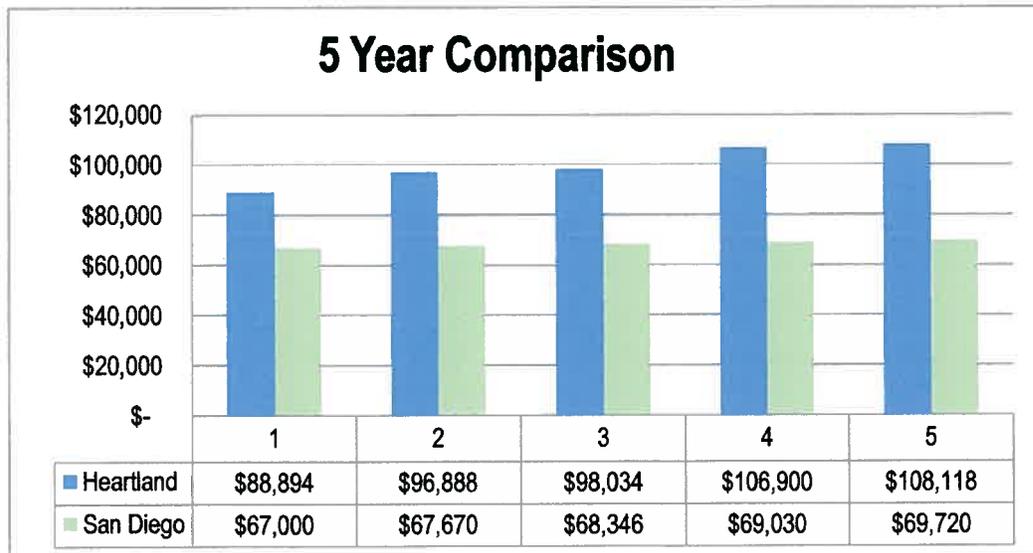


**COMMUNICATIONS COST COMPARISON**

Year	Incidents	Call Increase	HCFA JPA	HCFA Call Cost	SDFD Contract	Cost Increase	SDFD Call Cost
2005	1,885	n/a	\$ 54,128	\$ 28.71			
2006	1,914	1.55%	\$ 46,419	\$ 24.25			
2007	2,018	5.45%	\$ 69,643	\$ 34.51			
2008	1,987	<1.6%>	\$ 74,293	\$ 37.38			
2009	2,076	4.50%	\$ 88,885	\$ 42.82			
2010	1,965	<5.65%>	\$ 84,141	\$ 42.82			
2011	2,040	3.83% est.	\$ 87,352	\$ 42.82			
2012	2,076	1.80%	\$ 88,894	\$ 42.82	\$ 67,000	n/a	\$ 32.27
2013	2,155	3.83% est.	\$ 96,888	\$ 44.96	\$ 67,670	1.00%	\$ 31.40
2014	2,077	<3.62% est.>	\$ 98,034	\$ 47.20	\$ 68,346	1.00%	\$ 32.90
2015	2,157	3.83% est.	\$ 106,900	\$ 49.56	\$ 69,030	1.00%	\$ 32.00
2016	2,078	<3.62% est.>	\$ 108,118	\$ 52.03	\$ 69,720	1.00%	\$ 33.55

- Based on estimates
- Calculated per past trends
- Calculated on proposal from San Diego and largest possible increase

	Heartland	SDFD	Savings		
<b>5-Year Dispatch Totals</b>	<b>\$ 498,834.00</b>	<b>\$ 341,766.00</b>	<b>5 Year</b>	<b>\$</b>	<b>157,068</b>
	<i>Start-up Cost</i>	<i>\$26,497</i>	<b>Annual</b>	<b>\$</b>	<b>26,114</b>

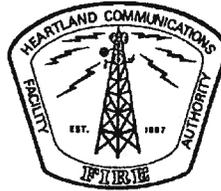


**HEARTLAND COMMUNICATIONS FACILITY AUTHORITY**

100 EAST LEXINGTON AVENUE • EL CAJON, CALIFORNIA 92020-4517  
 PHONE: (619) 441-1623 • SECURE FAX: (619) 444-5982

**JPA MEMBERS BEING:**

ALPINE FIRE PROTECTION DISTRICT  
 BONITA FIRE PROTECTION DISTRICT  
 CORONADO FIRE DEPARTMENT  
 EL CAJON FIRE DEPARTMENT  
 IMPERIAL BEACH FIRE DEPARTMENT  
 LA MESA FIRE DEPARTMENT  
 LAKESIDE FIRE PROTECTION DISTRICT  
 LEMON GROVE FIRE DEPARTMENT



NATIONAL CITY FIRE DEPARTMENT  
 SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT  
 SANTEE FIRE DEPARTMENT  
ALSO SERVING:  
 BARONA FIRE PROTECTION DISTRICT  
 VIEJAS FIRE DEPARTMENT

March 9, 2011

Gary Brown  
 City Manager  
 City of Imperial Beach  
 825 Imperial Beach Blvd.  
 Imperial Beach, CA. 91932

Re: Capital Improvement Project Contribution Buy Out for City of Imperial Beach

Dear Mr. Brown,

Per the request of Chief Clark on March 8, 2011 HCFA is further explaining the buyout cost of the City of Imperial Beach should they choose to withdraw from Heartland Communications Facility JPA (HCFA). Currently the City of Imperial Beach is a member of HCFA, with this membership/ownership is the responsibility to pay their percentage of ownership in the operating expenses for the Authority.

When a member chooses to withdraw from HCFA there is a contractual obligation to pay their portion of any capital improvement projects/purchases that have been authorized during their membership and still have outstanding debt. Refer to Section 8 of the Joint Powers Agreement between HCFA and Member Agencies:

**SECTION 8: WITHDRAWAL; TERMINATION: (Paragraph 5)**

*Notwithstanding the above, any Member Agency which withdraws shall be obligated to pay to the Authority a sum equal to the percentage of said Member's assessment for the fiscal year ending on the date of withdrawal, applied to the total amount of existing long-term debt of the Authority existing on the date of withdrawal. Said payment can be a cash payment of the full amount or periodic payments as long-term debt becomes due and payable. Should the withdrawing Agency choose to pay such amount as the debt becomes due and payable, said Agency shall be responsible for, in addition to the principal payments due, all interest and finance costs;*

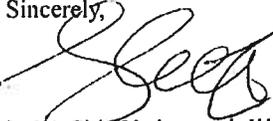
On January 7, 2011 HCFA sent a letter to City Manager, Gary Brown stating the amount of \$16,697.89 which represented the "buyout" cost to the City of Imperial Beach for the investment approved by the HCFA Commission (the governing body for the Authority) for the Computer Aided Dispatch System. The investment was a seven year term of annual payments of \$71,176 for a total of \$498,232. Heartland paid the first payment this fiscal year with 6 payments remaining, a balance of \$427,056. The City of Imperial Beach has an ownership of 3.91%. The amount \$16,697.89 is their ownership value of the remaining CIP investment of the CAD System. (Percentage of ownership is derived using the current JPA formula; last calendar year incident count at 75% and average daily staffing of the specific fire agency at 25%.)

March 9, 2011

CAD Investment	\$498,232
Payment Made	-\$71,176
Outstanding Balance	\$427,056
City of Imperial Beach Ownership 3.91% Dollar Value of Balance	\$16,697.89

If you have any questions, please contact me.

Sincerely,



L. W. Chip Yarborough III, ENP  
HCFA Director

LWY; VN

- C: Tom Clark, Fire Chief – Imperial Beach
- Mike Scott, Fire Chief – Chair HCFA Board of Chief's
- Augie Ghio, Fire Chief – Vice Chair Board of Chief's



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** June 1, 2011

**ORIGINATING DEPT.:** PUBLIC SAFETY *GB*

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE (SHELTER) AND ANIMAL CONTROL SERVICES

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**BACKGROUND:**

The City of Imperial Beach had contracted with the City of Chula Vista for full Animal Control Officer (ACO) and shelter services, from October 1, 1999 to October 21, 2009. In 2009 City Council approved the Imperial Beach Animal Control Program which replaced the Chula Vista contracted animal control officer services with its own full-time ACO while maintaining the animal care (shelter) services. The contract included call out services from Chula Vista when the Imperial Beach ACO was unavailable. In August 2010, the Imperial Beach's ACO position became vacant and the City relied on Chula Vista for priority one emergency call out services. Based on the satisfactory performance provided by the City of Chula Vista animal control shelter services from 1999 to the present, staff recommended the continued use of their services. In November of 2010, the City of Imperial Beach entered into 8 month agreement (November-June) with the City of Chula Vista for Animal Care and Animal Control Services. The agreement provided for an option to extend the agreement for two (2) additional one (1) year terms.

**DISCUSSION:**

At this time, the City of Imperial Beach and the City of Chula Vista would like to amend the agreement to begin on July 1, 2011 and end June 30, 2012. This Agreement may be extended for two (2) additional one (1) year periods by written agreement of the parties. A new contract will need to be negotiated for Fiscal Year 2014-2015.

In 2009 the City of Chula Vista instituted a new cost formula for shelter and control services. The cost for services is divided amongst the participating agencies based on the percentage of animals taken in to the shelter per year. The intake count for Imperial Beach in fiscal year 2009-2010 totals 660 animals of which 346 are cats, 290 are dogs, and 24 are other animals. The overall percentage of animal intake numbers has been reduced from the previous years and therefore we will not have to pay over \$217,000 as initially anticipated.

The total cost for this next fiscal year for complete care (shelter) and control services will be \$212,655. The cost for animal care (shelter) services is \$144,276 and 4-day animal control service is \$68,379. The Public Safety Department will schedule quarterly cat clinics and dog licensing events to ensure that we continue to reduce our intake numbers and therefore keep costs down.

**ENVIRONMENTAL IMPACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

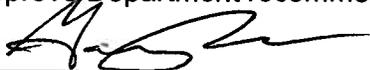
The Fiscal Budget for 2011-2012, lists the annual cost for Animal Control Services at \$209,700 per fiscal year. For Fiscal Year 2011-2012, the City of Chula Vista has proposed a contract to provide animal control, shelter and call out services to the City of Imperial Beach for \$212,655. The difference in cost of \$ 2,955 will need to be taken from the general fund reserves.

**DEPARTMENT RECOMMENDATION:**

Review and adopt Resolution No. 2011-7045, which authorizes the City Manager to enter into an agreement for animal care (shelter) and animal control services between the City of Imperial Beach and the City of Chula Vista for FY's 2011-2012.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



\_\_\_\_\_  
Gary Brown, City Manager

Attachments:

1. Resolution 2011-7045
2. Agreement

## RESOLUTION NO. 2011-7045

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE (SHELTER) AND ANIMAL CONTROL SERVICES**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, The Parties entered into an Agreement on November 23, 2010 (the "Agreement"), wherein the City of Chula Vista agreed to provide animal shelter and on call control services for the impounding, adoption, redemption, and the care and disposition of dogs, cats, and other small animals; and

**WHEREAS**, The Parties now desire to amend the Agreement dated November 23, 2010, to provide the City of Imperial Beach the option to extend the term of the Agreement for two (2) additional fiscal years; and

**WHEREAS**, The Parties now desire to extend the term of the Agreement through Fiscal Year 2011-2012, beginning July 1, 2011 and ending June 30, 2012, for a total of \$212,655

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Imperial Beach authorizes the City Manager to execute the Agreement between the City of Chula Vista and the City of Imperial Beach for the purpose of providing animal control and care services.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> day of June 2011, by the following roll call vote:

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

*Jim Janney*

**JIM JANNEY, MAYOR**

**ATTEST:**

*Jacqueline M. Hald*

**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2011-7045 A Resolution of the City Council of the City of Imperial Beach, California, APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE (SHELTER) AND ANIMAL CONTROL SERVICES

CITY CLERK

DATE

**FIRST AMENDMENT TO AGREEMENT  
BY AND BETWEEN  
THE CITY OF IMPERIAL BEACH AND  
THE CITY OF CHULA VISTA  
TO PROVIDE ANIMAL CARE AND ANIMAL CONTROL SERVICES  
TO THE CITY OF IMPERIAL BEACH**

This First Amendment to the Agreement is entered into this 1<sup>st</sup> day of June 2011, by and between the City of Chula Vista, a chartered municipal corporation of the State of California, and the City of Imperial Beach, a municipal corporation of the State of California. The City of Chula Vista and the City of Imperial Beach may be referred to collectively as "Parties."

**RECITALS**

- A. The Parties entered into an Agreement on November 23, 2010 (the "Agreement"), wherein the City of Chula Vista agreed to provide animal shelter and on call control services for the impounding, adoption, redemption, and the care and disposition of dogs, cats, and other small animals for the amount of \$174,078.40 for the remainder of Fiscal Year 2010-11.
- B. The Agreement provides the City of Imperial Beach an option to extend the Agreement for two (2) additional one (1) year terms.
- C. The Parties now desire to amend the Agreement dated November 23, 2010, to provide the City of Imperial Beach the option to extend the term of the Agreement for two (2) additional fiscal years instead of calendar years.
- D. The Parties now desire to extend the term of the Agreement through Fiscal Year 2011-2012, beginning July 1, 2011 and ending June 30, 2012, for a total of \$212,655.
- E. The City of Imperial Beach desires to amend the Agreement such that the City of Chula Vista will provide animal control services to Imperial Beach four (4) days per week.

NOW, THEREFORE, the Parties agree that the Agreement entered into on the 23<sup>rd</sup> day of November, 2010, shall be amended to provide the City of Imperial Beach the option to extend the Agreement for two (2) additional fiscal years.

The Parties further agree to extend the term through Fiscal Year 2011-2012, beginning July 1, 2011 and ending June 30, 2012, for a total amount of \$212,655 and to add animal control services four (4) days per week.

The parties further agree that with the foregoing exceptions, each and every term and provision of the Agreement dated November 23, 2010, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

CITY OF IMPERIAL BEACH

CITY OF CHULA VISTA

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Attorney

ATTEST:

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City Clerk

ATTEST:

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City Clerk