

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

SEPTEMBER 21, 2016

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

REGULAR MEETING - 6:00 P.M.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Patton, Bragg, Bilbray (arrived at 6:05 p.m.)
Councilmembers absent: None
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald,
Administrative Services Director Bradley, Public Works Director
Levien

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Aracely Ruiz Herrera, Shaliyah Morris, Ariel McQuarie, Izabella Tam and Anaeya Baez of Girl Scout Troop 6116.

AGENDA CHANGES

None.

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

Councilmember Patton announced the following upcoming events: Super Frog Triathlon, Community Open Air Open House and Military Appreciation Day. He also spoke about the progress being made at the community park located at Date Avenue and Seacoast Drive.

Councilmember Bragg reported on her attendance at the MTS Board meeting and the Accessibility Committee meeting. She urged the public to visit the MTS website and participate in a survey regarding public transportation. She congratulated Wildcoast on the success of the Dempsey Holder Surf contest where her grandson placed 5th in his age category. She announced the following upcoming events: the South County Economic Development Council's Elected Officials Reception, the Kiwanis Club Sock Hop fundraiser and Symphony by the Sea.

Mayor Pro Tem Spriggs encouraged the public to attend the Open Air Open House. He announced his absence from the previous City Council meeting was due to his attendance at the California Adaptation Forum which focused on how cities are adapting to climate change.

Mayor Dedina reported he and more than 150 volunteers recently worked on the People's Park project; he visited Boy Scout Troop 53 who is working on a sidewalk paving project by the Public Works Yard; he spoke about the recent rainfall, its impact on the Tijuana River and the need to communicate with representatives from Mexico to keep the diverter pipe open; he reported on a recent meeting with County of San Diego representatives to discuss water quality testing; and he spoke about a discussion he had with a representative from the Governor of Baja California about committing to a 5-year plan to fix the sewage problem.

COMMUNICATIONS FROM CITY STAFF

City Manager Hall invited the public to the Open Air Open House.

City Clerk Hald announced the League of Women Voters will conduct a Candidates Forum on September 27th at the Boys and Girls Club.

PUBLIC COMMENT

Mayor Dedina announced due to the number of public speakers, speaking time is limited to two minutes so the business of City Council can be completed.

Stephen Heverly, with the Equinox Project, provided copies of and reported on the 7th Annual Quality of Life Dashboard.

Steven Wright of 4 Walls, gave a PowerPoint presentation on the People's Park Project and thanked City Staff, the Mayor, City Council, community, local organizations and businesses for their support.

The following persons spoke regarding the Welcoming Cities Proclamation that was presented at the August 17, 2016 City Council meeting.

OPPOSED:

Michelle Huffman
Carol Hamilton
Kyle Edwards
Marcus Guerra
Ernest Griffes
Dannie Carroll
Roger Ogden (indicted opposition - did not speak)
Kevin B. Huffman
John Lally
Earle Harris
Bea Blinn
Ed Delos Reyes
Richard Garcia
Dave Wilkins
D. Pierce
Jerry Quinn
Dalton Edge
Bob Gonzalez
Dan Hargreaves

IN SUPPORT:

Michel Dedina
Ruth Cole
Stephen Heverly

NEUTRAL:

Ramon Chairez

City Attorney Lyon clarified that the Welcoming Cities Proclamation was not voted on by the City Council, it is not an official action of the City Council, it is not a resolution, it is not an ordinance, and it is not binding on the City. The effect of the Proclamation did not create any new laws and it did not create any obligations on behalf of the City.

Mayor Dedina clarified that the Welcoming Cities Proclamation was placed on a City Council meeting agenda; that proclamations do not have policy implications and do not impose requirements on the City; the City does not have an immigration policy, does not work with immigrant groups and does not provide housing.

PRESENTATIONS (1.1-1.2)

1.1 PRESENTATION OF PROCLAMATION FOR TIJUANA RIVER ACTION MONTH FOR OCTOBER. (0230-70 & 0410-30)

Chris Helmer, Assistant Public Works Director, spoke about the upcoming events associated with Tijuana River Action Month.

Mayor Dedina presented a proclamation designating the month of October as Tijuana River Action Month to Chris Helmer.

1.2 PRESENTATION OF PROCLAMATION IN RECOGNITION OF NATIONAL BREAST CANCER AWARENESS MONTH. (0410-30)

Councilmember Bragg read the proclamation recognizing October as National Breast Cancer Awareness month and she encouraged women to have breast cancer screening tests.

Mayor Pro Tem Spriggs spoke about the need to assess the implications associated with proclamations that may call for action such as the proclamations for City of Rosarito Beach and Welcoming Cities. He expressed concern about staff time and committing the City to activity that would not have been in place in the absence of the proclamation(s). He spoke in support for a review process for proclamations that may involve City responsibility, further action, behavior change, and staff involvement.

Councilmember Bilbray agreed with the comments made by Mayor Pro Tem Spriggs. He stated that he was opposed to the Welcoming Cities proclamation and that partisan politics should not be brought into the Council Chambers. He was not able to attend the City Council meeting when the Welcoming Cities proclamation was presented due to a work conflict.

Mayor Dedina called a recess at 7:07 p.m. and he called the meeting back to order at 7:19 p.m.

ROLL CALL

Councilmembers present: Patton, Bragg, Bilbray
Councilmembers absent: None
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs

CONSENT CALENDAR (2.1-2.8)

MOTION BY BRAGG, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.8. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

City Council approved the Regular Meeting Minutes of September 7, 2016.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Council ratified the warrant register.

2.3 RECEIVE JULY 2016 TREASURER'S REPORT. (0300-90)

City Council received the monthly Treasurer's report.

2.4 AUTHORIZE THE CITY MANAGER TO SIGN COPIER LEASE AGREEMENT WITH AIS. (1110-05)

City Council reviewed and authorized the City Manager to sign the copier lease agreement with AIS.

2.5 RESOLUTION NO. 2016-7736 AUTHORIZING THE SALE OF SURPLUS CITY EQUIPMENT. (0380-45)

City Council adopted the resolution.

2.6 RESOLUTION NO. 2016-7735 – CONFLICT OF INTEREST CODE UPDATE. (0410-95)

City Council adopted the resolution.

2.7 ADOPTION OF RESOLUTION NUMBER 2016-7734 ACCEPTING THE 2015 STATE HOMELAND SECURITY GRANT (SHSG) ALLOCATION OF \$19,682.00 IN THE FORM OF REIMBURSEMENT TOWARD THE PURCHASE OF ONE MICROSOFT SURFACE BOOK, ONE SELF-CONTAINED BREATHING APPARATUS (SCBA), AND SEVEN SCBA BOTTLES FOR EMERGENCY RESPONSE AND PREPARATION. (0390-88)

City Council adopted the resolution.

2.8 ADOPT RESOLUTION NO. 2016-7737 APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE IMPERIAL BEACH FIREFIGHTERS' ASSOCIATION LOCAL 4692. (0540-50)

City Council adopted the resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4)

None.

REPORTS (5.1-5.3)

5.1 BI-ANNUAL INVESTMENT REPORT PRESENTED BY CHANDLER ASSET MANAGEMENT. (0350-90)

Jayson Schmitt, Senior Vice President and Portfolio Manager with Chandler Asset Management, showed a PowerPoint presentation on the item. In response to Mayor Pro Tem Spriggs' request for information focusing on California and Southern California, he stated that in the future he can provide a snapshot of major indicators for California and Southern California and also provide information from USD regarding economic indicators for San Diego.

Administrative Services Director Bradley stated longer term forecasting and strategies will be incorporated into the budgeting process.

In response to Councilmember Patton, Mr. Schmitt stated the City's returns are better today than a year ago and commented positively on how the City has an investment strategy and follows that strategy over time. In response to Mayor Pro Tem Spriggs, he stated that the City's portfolio would perform well in an adverse environment.

5.2 FY 2016 AND FY 2017 CIP 2-YEAR IMPLEMENTATION PLAN REPORT. (0330-35)

Public Works Director Levien reported on the item, showed a video of the completed CIP projects and gave an update on the Elm Avenue project.

Councilmember Patton suggested City staff provide project updates to the residents located near the Elm Street project.

Mayor Pro Tem Spriggs complimented Public Works Director Levien and staff for a job well done.

Councilmember Bragg asked staff to include project completion dates on future reports, she agreed with Councilmember Patton's suggestion to notify those who are directly affected by projects and she recognized Public Works Director Levien for his accomplishments.

In response to Mayor Dedina, Public Works Director Levien stated the alley located by the 7-11 on Imperial Beach Blvd. is on the alley project list.

Mayor Dedina recognized Public Works Director Levien and staff for their efforts in making the City better.

5.3 CITY COUNCIL DISCUSSION OF POLICY RELATED ISSUES AUTHORIZED TO BE PLACED ON THE AGENDA AT THE SEPTEMBER 7, 2016 CITY COUNCIL MEETING. (0410-95)

City Manager Hall reported the following on items 1 through 5:

1. Council assignments selection and procedures;

City Manager Hall stated Councilmember Bilbray's recommendation is to have the Mayor and a Councilmember ranked by seniority (if two Councilmembers were elected at the same time, the member who obtained the highest vote total) shall meet and jointly prepare a recommendation considered by the full City Council and have assignments for a two year period.

Councilmember Bilbray clarified that assignments would be for a 2 year minimum so that assignments are not changed every year.

Councilmember Bragg commented on the minimum number of years required to serve on the MTS Board before being able to serve on the MTS Executive Board and she supported the recommendation for a 2-year minimum assignment and for having a senior Councilmember confer with the Mayor on the assignments.

Mayor Pro Tem Spriggs spoke in support of the changes.

City Attorney Lyon stated final action will not take place tonight. There are at least four Councilmembers directing staff to draft an ordinance change.

City Manager Hall stated staff will return with an ordinance for City Council's consideration.

2. Councilmember travel policies and procedures;

City Manager Hall stated Councilmember Bilbray's recommendation is to have City Council travel placed on the Consent Calendar portion of the agenda.

Councilmember Bragg spoke in support of staff's recommendation.

Mayor Pro Tem Spriggs spoke in support for placing City Council travel on the Consent Calendar with existing criteria staying the same.

3. Creation of a Planning Commission;

City Manager Hall stated Councilmember Bilbray would like to reinstate the Planning Commission and restore the roles and responsibilities of the Planning Commission in an appointed body separate of the City Council. He noted that on May 6, 2015 the option of reinstating the Planning Commission or creating a new Board of Adjustment failed to obtain approval by a majority of the City Council.

Councilmember Bilbray stated this is a way of slowing down development in the City and he is not in support of having the same members acting as the City Council and Planning Commission. There is an option of combining the Design Review Board and Planning Commission.

Mayor Pro Tem Spriggs stated that last year four members of the current City Council voiced opposition to this issue and it failed by a vote of 2 to 3. He was opposed to revisiting the issue.

Councilmember Bragg stated she was one of the two members who previously voted to have a Planning Commission. However, at this time she was opposed to the making a change

because of the upcoming election and the potential for two new Councilmembers. She suggested deferment of the matter to a later date to have the new Councilmember(s) participate in the decision.

In response to Councilmember Patton's questions, City Manager Hall explained how the Design Review Board could function as both the Design Review Board and the Planning Commission. He noted that the biggest change would be that Conditional Use Permits would then be transferred to the Design Review Board/Planning Commission as per state statutes. He also explained that a separate Planning Commission would be an impact on staff. He stated the last motion on record is to not create a Planning Commission so barring a majority vote to go the other way, the City will continue with that.

4. Stipulations on the Design Review Board and potentially a Planning Commission;

City Manager Hall stated Councilmember Bilbray would like to reinstate criteria for the selection of Design Review Board members that was included in Ordinance No. 1991-841 where at least one of the members has education and experience in construction and construction financing and one member should have education or experience in architecture or landscape architecture. Mayor Pro Tem Spriggs spoke in support for encouraging people with particular qualifications to apply.

Councilmember Bilbray spoke about using the criteria as guidance for selecting members.

Mayor Dedina spoke about the transparent process conducted by City Council in selecting members for the boards.

Councilmember Bragg spoke in support for using the information as guidelines for selecting members of the boards and giving applicants higher ranking if they possess certain desired skill sets.

Mayor Pro Tem Spriggs commended the Mayor for having an open selection process for board members and for having the Councilmembers participate in interviews. He spoke in support for a similar process for future board vacancies.

Mayor Dedina suggested having a discussion about the selection of members for all boards/committees during a strategic planning session.

Consensus of City Council to continue with a collaborative process for selection of board/committee members.

5. Procedures to reconsider a motion.

City Manager Hall stated Councilmember Bilbray would like City Council to consider the procedures for reconsidering a motion by eliminating the time requirement associated with Section 2.12.120 by eliminating the first sentence. Additionally, Councilmember Bilbray would like to clarify that at no point in time, even future meetings, may a Councilmember not on the prevailing side move to reconsider a motion. He explained the difficulties associated with reconsidering issues especially those related to land use items and suggested that this item be taken under advisement to consider legal concerns.

Mayor Pro Tem Spriggs expressed concern about potential impacts associated with reconsidering items on a later date. He understood the provision for allowing the ability to revisit an item at the same City Council meeting but consideration of items weeks/months later could be problematic.

Councilmember Bilbray suggested that the City Council revisit the matter on a later date.

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the regular meeting 8:32 p.m.

¹
Signature on file

Serge Dedina,
Mayor

Signature on file

Jacqueline M. Hald, MMC
City Clerk