



A G E N D A



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

IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

MARCH 4, 2015

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

REGULAR AND CLOSED SESSION MEETINGS – 6:00 P.M.

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

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

REGULAR MEETING CALL TO ORDER

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

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

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT- *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.6)-*All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

2.1 MINUTES.

Recommendation: Approve the Special City Council Meeting Minutes of December 10, 2014 (2 sets) and February 18, 2015 and the Regular City Council Meeting Minutes of January 21, 2015 and February 18, 2015.

Any writings or documents provided to a majority of the City Council/Planning Commission/Public Financing Authority/Housing Authority/I.B. Redevelopment Agency Successor Agency regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

CONSENT CALENDAR (Continued)

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Recommendation: Ratify the following registers: Accounts Payable Numbers 86049 through 86214 with a subtotal amount of \$693,259.02 and Payroll Checks/Direct Deposits 46418 through 46447 for a subtotal amount of \$285,352.02 for a total amount of \$978,611.04.

2.3 RESOLUTION NO. 2015-7552 FOR THE SALE OF CERTAIN SURPLUS CITY PROPERTY. (0380-45)

Recommendation: Adopt resolution.

2.4 MELLON (APPLICANT); REQUESTING AUTHORIZATION TO EXECUTE A LIEN CONTRACT AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS FOR A CONDOMINIUM CONVERSION PROJECT LOCATED AT 901 GEORGIA STREET AND 1357 ELM AVENUE (APN 627-120-06-00). MF 954. (0600-20)

Recommendation: Adopt Resolution No. 2015-7547 authorizing the execution of the Lien Contract and Covenant Not to Convey Condominium Units.

2.5 CONSIDERATION AND RECOMMENDED ADOPTION OF RESOLUTION NO. 2015-7546 APPROVING PERSONNEL CHANGES AND AMENDING THE FISCAL YEARS (FY) 2013 - 2015 SALARY & COMPENSATION PLAN TO ADD THE POSITION AND SALARY RANGE OF LEAD MAINTENANCE WORKER. (0520-75)

Recommendation: Adopt resolution.

2.6 RESOLUTION NO. 2015-7551 PROCLAIMING SUPPORT FOR A PORT OF SAN DIEGO TIDELANDS ACTIVATION PROGRAM COMMUNITY EVENT SPONSORSHIP APPLICATION BY THE I.B./SOUTH BAY KIWANIS CLUB FOR THE KIDS FISHING DERBY. (0150-70)

Recommendation: Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4.1-4.2)

4.1 CITYMARK DEVELOPMENT (APPLICANT); CONSIDERATION OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN FILL DEVELOPMENT), REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051), DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING RESIDENTIAL RENTAL UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF 1169. (0600-20)

Recommendation:

1. Declare the public hearing open;
2. Receive report and entertain public testimony;
3. Close the public hearing and consider the project; and
4. That the City Council adopt Resolution 2015-7548, approving Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

PUBLIC HEARINGS (Continued)

4.2 CITYMARK DEVELOPMENT (APPLICANT); CONSIDERATION OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN-FILL DEVELOPMENT PROJECTS), ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170. (0600-20)

Recommendation:

1. Declare the public hearing open;
2. Receive report and entertain public testimony;
3. Close the public hearing and consider the project; and
4. That the City Council adopt Resolution 2015-7549, approving Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TM 140059) which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

REPORTS (5.1-5.5)

5.1 PROPOSED BSA EAGLE PROJECT PRESENTATION. (0940-10)

Recommendation:

1. Receive report;
2. Receive a presentation from Mr. Gaytan regarding the proposed improvements;
3. Comment and direct staff and Mr. Gaytan regarding the design of the proposed project; and
4. Authorize the City Manager to sign the Eagle Project plan for Mr. Gaytan to continue the project development and construction as approved by City Council and City staff.

5.2 RESOLUTION NO. 2015-7550 TO CONFIRM THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN ADOPTED IN MARCH 2008. (0680-95)

Recommendation:

1. Receive report.
2. Adopt Resolution No. 2015-7550 authorizing City staff to sign and forward a letter to ITOC confirming the RTCIP project plan approved in March 2008.

5.3 CONSIDERATION OF RESOLUTIONS AUTHORIZING THE FILING OF THREE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) GRANT APPLICATIONS:

1. RESOLUTION NO. 2015-7553 AUTHORIZING THE FILING OF A SMART GROWTH INCENTIVE PROGRAM (SGIP) PLANNING GRANT APPLICATION FOR THE PREPARATION OF CONSTRUCTION DRAWINGS FOR THE WEST END SECTOR OF THE PALM AVENUE MIXED-USE & COMMERCIAL CORRIDOR MASTER PLAN;
2. RESOLUTION NO. 2015-7554 AUTHORIZING THE FILING OF AN ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) CAPITAL GRANT APPLICATION FOR THE BERNARDO SHORES BAYSHORE BIKEWAY TO RAINBOW DRIVE BIKEWAY LINK; AND
3. RESOLUTION NO. 2015-7555 AUTHORIZING THE FILING OF AN ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) APPLICATION FOR THE FERN AVENUE PEDESTRIAN AND MOBILITY IMPROVEMENT PROJECT. (0390-84)

Recommendation: Adopt resolutions.

REPORTS (Continued)

5.4 UPDATE ON ADMINISTRATION OF THE IMPERIAL BEACH SPORTS PARK AND RECREATION CENTER. (0920-40)

Recommendation: That the City Council accept and file the information about the current status of the parks and recreation programs and operations.

5.5 DISCUSSION ABOUT THE PROCEDURE TO APPOINT MEMBERS OF COMMUNITY BOARDS, COMMITTEES AND COMMISSIONS. (0120-95)

Recommendation: Accept the suggestion of Mayor Dedina for the City Council to hold open interviews with candidates for community boards, committees and commissions.

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

ADJOURN REGULAR MEETING

CLOSED SESSION MEETING CALL TO ORDER

ROLL CALL BY CITY CLERK

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code section 54956.9(d)(1)
Case No. 37-2013-00081555-CU-EI-CTL

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(d)(2) with existing facts and circumstances per Govt. Code Section 54956.9(e)(3): 2 claims

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

ADJOURN CLOSED SESSION

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.ImperialBeachCA.gov

/s/
Jacqueline M. Hald, MMC
City Clerk

MINUTES

CITY OF IMPERIAL BEACH
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DECEMBER 10, 2014

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

SPECIAL MEETING – 6:30 P.M.

SPECIAL MEETING CALL TO ORDER

Mayor Pro Tem Patton called the Special Meeting to order at 5:34 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bilbray, Spriggs, Bragg
Councilmembers absent:	None
Mayor Absent:	Janney
Mayor Pro Tem Present:	Patton
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald

PRESENTATION OF COLORS

Boy Scout Troop 866 presented the colors.

PLEDGE OF ALLEGIANCE

Boy Scout Troop 866 led everyone in the Pledge of Allegiance.

REPORTS (1)

1. **RESOLUTION NO. 2014-7534 – RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2014, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. (0430-40)**

Mayor Pro Tem Patton recognized guests and dignitaries in attendance.

City Manager Hall introduced the item.

City Clerk Hald gave a PowerPoint presentation on the item and recited the following statement of the result for the November 4, 2014 General Municipal Election:

- a. The whole number of votes cast in the City was 4,499.
- b. The names of the persons voted for at the election for the office of Mayor are as follows:
 - Jim Janney
 - Serge Dedina
- c. The names of the persons voted for at the election for the office of Member of the City Council are as follows:
 - Ed Spriggs
 - Elizabeth Sandaña
 - Erika Lowery
 - Lorie Bragg
 - Valerie K. Acevez
 - Jim King

- d. The number of votes given at each precinct to each person is on file in the Office of the City Clerk (Exhibit A to Resolution No. 2014-7534).
- e. The number of votes given in the city to each person is as follows:

Mayor	# of Votes
• Serge Dedina	2200
• Jim Janney	2157

Member of City Council	# of Votes
• Ed Spriggs	2174
• Lorie Bragg	1542
• Elizabeth Saldaña	1431
• Jim King	981
• Erika Lowery	602
• Valerie K. Acevez	553

Serge Dedina was elected as Mayor for the full term of four years.

Ed Spriggs was elected as Member of the City Council for the full term of four years.

Lorie Bragg was elected as Member of the City Council for the full term of four years.

MOTION BY BILBRAY, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2014-7534 RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2014, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. MOTION CARRIED BY THE FOLLOWING VOTE:

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

OATH OF OFFICE CEREMONY (0430-65)

Mayor Pro Tem Patton announced that City Clerk Hald presented Certificates of Election to the newly elected officials. He also stated that following the Oath of Office Ceremony, the Special meeting will be adjourned and everyone is invited to the Community Room for a reception to honor the newly elected officials.

City Clerk Hald administered the Oath of Office to Councilmember Spriggs.

Councilmember Spriggs thanked those who supported him in his election and provided brief remarks.

Christopher Bragg, Jr. administered the Oath of Office to Councilmember Bragg.

Councilmember Bragg thanked those who supported her in her election and provided brief remarks.

Daniel Dedina administered the Oath of Office to Mayor-Elect Dedina.

Mayor Dedina thanked those who supported him in his election and provided brief remarks.

PUBLIC COMMENTS

No speaker slips were submitted.

ADJOURNMENT

Mayor Pro Tem Patton adjourned the Special Meeting at 6:04 p.m.

Robert Patton
Mayor Pro Tem

Jacqueline M. Hald, MMC
City Clerk

DRAFT

MINUTES

Item No. 2.1

**CITY OF IMPERIAL BEACH
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DECEMBER 10, 2014

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

SPECIAL MEETING – 6:30 P.M.

SPECIAL MEETING CALL TO ORDER

Mayor Dedina called the Special Meeting to order at 6:45 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bilbray, Spriggs, Bragg
Councilmembers absent:	None
Mayor Present:	Dedina
Mayor Pro Tem Present:	Patton
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Wade, Public Safety Director Clark

PLEDGE OF ALLEGIANCE

Members from the Boys and Girls Club led everyone in the Pledge of Allegiance.

Mayor Dedina, along with the Members of the City Council, presented Certificates of Appreciation to the members of the Boys and Girls Club.

AGENDA CHANGES

None.

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

Councilmember Bragg alerted the community that Santa Claus and his elves have come to Imperial Beach and Christmas wreathes have been hung along Seacoast Drive.

Councilmember Spriggs reported on his attendance at a City of San Diego pure water program workshop. He commented at the workshop that Imperial Beach stands by its resolution in support of pure water; that Imperial Beach is in support of no additional discharge out of the south bay ocean outfall; and that Imperial Beach should be treated as an equal to San Diego, Coronado and the other ocean-front communities. He stressed that Imperial Beach is not a dumping ground for additional wastewater.

Mayor Pro Tem Patton reported on his attendance at the Christmas Comes to I.B. event. He noted that many people walked and biked to the event, showing how Imperial Beach is a walkable and bikeable community.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1.1)

1.1 PRESENTATION ON PORT DISTRICT ACTIVITIES BY PORT COMMISSIONER MALCOLM. (0150-70)

Port Commissioner Malcolm announced that he will be sworn in as the Chair of the Port Commission on January 13, 2015. He gave a PowerPoint presentation on Port District activities.

Councilmember Bragg expressed appreciation for the opportunity to collaborate on the street end improvements and thanked Port Commissioner Malcolm for his efforts.

Councilmember Spriggs spoke in support for coordination on capital improvement projects. He recognized the collaborative efforts of the City of Imperial Beach, the Port and the community to make both the Sun and Sea Festival and 4th of July Fireworks a success.

Mayor Pro Tem Patton spoke about how important the Port is to the City of Imperial Beach and noted that he always gives credit to the Port for what they do for Imperial Beach.

With regard to Mayor Pro Tem Patton's question about public involvement and collaboration on the plans for the street ends, Port Commissioner Malcolm responded that they can do what the City feels is best and he spoke about the importance of a process check to link up what the City is doing with what the Port is planning.

City Manager Hall spoke about the positive relationship between City staff and Port staff.

Port Commissioner Malcolm spoke about the excellent relationship City staff has with Port staff.

Mayor Dedina expressed appreciation for bringing back Symphony by the Sea, the improvements that will be made to the Pond 20 fence, and the plans to improve the street ends.

Clare Buckley questioned the amount of funding Imperial Beach received for projects compared to other cities. She spoke about the need to focus on things that go away from Seacoast. She also spoke about the importance of I.B. being a gateway for those biking, walking, rollerblading and skateboarding on the bike path. She encouraged City Council to give it their best shot and push for more.

In response to concerns raised by Ms. Buckley, Port Commissioner Malcolm explained that the funding Chula Vista received for their H Street Extension to the Chula Vista Bayfront Master Plan came from the original CIP settlement money from the second Convention Center, noting that each city had received \$10 million. The City of Imperial Beach chose to spend their money on converting a parking lot into Pier Plaza and the Dempsey Holder Safety Center. He also spoke about the contract the Port has with the City of Imperial Beach for public safety and maintenance.

City Manager Hall added that the Port of San Diego provides for all of the Lifeguard service, all of tidelands maintenance and the tidelands maintenance workers, and a large percentage of the Sheriff's contract. He noted that this far exceeds what any other community receives for these

types of services and that the City receives funding from the Port in a different way than some of the other communities.

CONSENT CALENDAR (2.1-2.4)

MOTION BY BRAGG, SECOND BY SPRIGGS, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 - 2.4. MOTION CARRIED UNANIMOUSLY.

2.1 ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)

City Council appointed Councilmember Brian P. Bilbray as Mayor Pro Tempore for a one-year period pursuant to City Council Policy 112 effective at the first Council meeting in January.

2.2 RECEIPT AND FILING OF THE ANNUAL AUDIT OF HOUSING AUTHORITY FUNDS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34327.6 AND THE AUDIT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND AND THE REPORT OF THE HOUSING AUTHORITY SERVING AS THE SUCCESSOR HOUSING ENTITY OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f). (0412-50)

The Housing Authority:

1. Received and filed the audit of Housing Authority funds as included in the City's audited Financial Statements for fiscal year ended June 30, 2014 (beginning on Page 18) pursuant to HSC 34327.6 of the Housing Authorities Law;
2. Received and filed the audit of the Low and Moderate Income Housing Asset Funds of the Housing Authority as included in the City's audited Financial Statements for fiscal year ended June 30, 2014 (beginning on Page 18) pursuant to HSC 34176.1(f) of the Dissolution Act; and
3. Received and filed the Report providing the information required by HSC Section 34176.1(f) of the Dissolution Act.

2.3 RESOLUTION NO. 2014-7536 APPROVING AMENDMENT NO. 1 TO THE LANDSCAPE MAINTENANCE SERVICES CONTRACT WITH ACACIA LANDSCAPE COMPANY. (0940-05)

1. Received report;
2. Adopted resolution; and
3. Authorized the City Manager to sign Amendment No. 1 to the "Landscape Maintenance Services" contract with Acacia Landscape Company.

2.4 EXTENSION OF TERMS OF OFFICE FOR MEMBERS ON THE TIDELANDS ADVISORY COMMITTEE AND THE DESIGN REVIEW BOARD WITH TERMS EXPIRING ON DECEMBER 31, 2014. (0120-30 & 0120-80).

The City Council extended the terms of office for Design Review Board Members Daniel Lopez and Thomas Schaff and Tidelands Advisory Committee Members Michel Dedina, Mary Doyle and David L. Van de Water until new appointees have been selected.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4.1-4.2)

4.1 ADOPTION OF RESOLUTION NO. 2014-7538 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2013-2014 AND AUTHORIZING THE LEVYING OF THE FISCAL YEAR 2014-015 ANNUAL ASSESSMENT FOR THE BID PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989. (0465-20)

Mayor Dedina declared the public hearing open.

City Manager Hall introduced the item.

Jim Michaelson, Member of the Board of Directors for the Chamber of Commerce, along with Christine Lapausky, Chair for the Business Improvement District, gave a PowerPoint presentation on the completed and proposed BID projects.

Councilmember Spriggs questioned why the BID is putting up bicycle racks and doing street stenciling. He considered these items as a City responsibility. He noted that the BID should focus on enhancing businesses, he spoke about the need for a visitors center that serves the business community, and he spoke about the importance of a website. He also supported the use of modern communications rather than the use of brochures to promote Imperial Beach.

Jim Michaelson responded funds have been set aside to turn the current location into a visitor's center and there are plans to redesign the website that is user-friendly and incorporates modern technology.

Councilmember Bragg reported for the record that she was at a meeting with members of the BID, members of the Chamber of Commerce and City Manager Hall to impart historical information on the formation of the BID.

Mayor Pro Tem Patton spoke in support for the Taste of I.B. event, and he encouraged the use of brochures and suggested the development of an I.B. app.

Jim Michaelson stated that they are looking into creating an IB app and he supported the use of multiple channels for promotion.

Mayor Pro Tem Patton asked for a follow-up presentation in 6 months showing their accomplishments.

Christine Lapausky stated that the wreaths and flags are new this year and that the Taste of IB event will be bigger and better.

Without dissent of the City Council, Mayor Dedina closed the public hearing.

MOTION BY PATTON, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2014-7538 APPROVING THE FINAL REPORT FROM THE BID FOR FISCAL YEAR 2013-2014 AND THE BUDGET AND PROPOSED ACTIVITIES FOR FISCAL YEAR 2014-2015 AND LEVYING THE ASSESSMENT FOR PROPERTIES WITHIN THE BID FOR FISCAL YEAR 2014-2015. MOTION CARRIED UNANIMOUSLY.

4.2 ADOPT RESOLUTION NO. 2014-7537 RATIFYING THE CITY MANAGER'S SIGNATURE ON THE APPLICATION FOR THE FISCAL YEAR 2015/16 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADDITIONAL ESTIMATED FUNDING OF \$12,083 TO BE USED TO PARTIALLY REIMBURSE THE CITY OF IMPERIAL BEACH FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS FOR THE FIRE-RESCUE DEPARTMENT. (0650-34)

Mayor Dedina declared the public hearing open.

Public Safety Director Clark reported on the item, noting that the residual estimate is \$3,509.00 and that the amount may still fluctuate.

City Manager Hall added that due to the difficulty in administering CDBG grants and the small amount of \$3,500, he recommended reducing the cost of an item already in the budget which is what staff is proposed tonight.

Mayor Pro Tem Patton left Council Chambers at 7:43 p.m. and returned at 7:45 p.m.

City Clerk Hald announced no speaker slips were submitted.

Without dissent of the City Council, Mayor Dedina closed the public hearing.

MOTION BY SPRIGGS, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7537 RATIFYING THE CITY MANAGER'S SIGNATURE ON THE APPLICATION ON THE 2015/16 CDBG APPLICATION FOR PARTIAL REIMBURSEMENT OF SELF-CONTAINED BREATHING APPARATUS FOR THE FIRE-RESCUE DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPROPRIATE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR THE USE OF CDBG FUNDS FOR PARTIAL REIMBURSEMENT OF SELF-CONTAINED BREATHING APPARATUS FOR THE FIRE-RESCUE DEPARTMENT. MOTION CARRIED UNANIMOUSLY.

REPORTS (5.1-5.4)

5.1 CITY COUNCIL BRIEFING NO. 4 – PALM AVENUE MIXED USE & COMMERCIAL CORRIDOR MASTER PLAN UPDATE AND ANNOUNCEMENT OF SECOND COMMUNITY WORKSHOP. (0150-30, 0480-80 & 0600-20)

City Manager Hall introduced the item.

Assistant City Manager Wade gave a PowerPoint presentation on the item.

Councilmember Bragg left Council Chambers at 8:21 p.m. and returned at 8:26 p.m.

Councilmember Bilbray spoke in opposition to the stop signs in the local access road and he asked for consideration of alternatives such as chokers.

Councilmember Spriggs left Council Chambers at 8:26 p.m. and returned at 8:28 p.m.

In response to Mayor Pro Tem Patton's question about the F rating, Arnold Torma, Traffic Engineering Consultant, stated that the F rating could happen if all assumptions out to year 2040 were to simultaneously happen successfully at full economic vitality and all of the projects

occurred. He stressed that the forecasts are speculative. If around the region those kind of volumes start to happen, the behaviors of drivers would change such as changes to start and leave times and there could be use of alternative modes.

In response to Councilmember Spriggs' about getting an extension from SANDAG, Assistant City Manager Wade stated that SANDAG staff is aware of the situation and delays and they advocated for moving forward with the project. He believed SANDAG would allow for more time. With regard to other options, he responded that there is no funding for a Plan B. As the City moves forward he can discuss it with the consultants. He stressed that SANDAG's advocacy was to proceed as per the approved grant project.

Mayor Dedina commented that the public workshop was one of the best managed workshops that he has been to in Imperial Beach. He stated that he spoke to City of San Diego Councilmember Alvarez about this project. He supported an advocacy strategy with Caltrans and with Assembly member Toni Atikins.

Lou Ann Nourse commented that some of the project looks futuristic. She spoke in support for placing a bus stop at the intersection of Rainbow and SR 75 which would be closer to where people live. She spoke about the need to get people to pay attention to using crosswalks. She expressed concern about bus times slowing down and some cars getting trapped in the local access road.

Assistant City Manager Wade responded that City staff can talk to MTS about future needs and report back to City Council.

Clare Buckley questioned the funding for Plan A and Plan B.

Councilmember Spriggs explained the process and what could happen with and without relinquishment.

City Manager Hall further explained that approximately one year ago City Council authorized City staff to meet with Caltrans and determine if it makes sense for the City to have ownership of the road so that the City can determine what the road will look like and how it is designed or whether it should remain as a State facility. He noted that some of the items proposed tonight would only be allowed under the City's jurisdiction compared to ownership by Caltrans.

Assistant City Manager Wade stated there is a webpage dedicated to this project. Ms. Buckley can submit her comments by e-mail or give him a call.

Councilmember Bilbray left Council Chambers at 8:56 p.m. and returned at 8:57 p.m.

5.2 RESOLUTION NO. 2014-7535 APPROVING THE CALENDAR AND SETTING THE TIME FOR CITY COUNCIL MEETINGS FOR THE YEAR 2015. (0410-05)

City Manager Hall reported on the item.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2014-7535 APPROVING THE CALENDAR AND SETTING THE TIME FOR CITY COUNCIL MEETINGS FOR THE YEAR 2015 WITH 6:00 P.M. AS THE START OF THE MEETINGS. MOTION CARRIED UNANIMOUSLY.

5.3 ANNUAL CITY COUNCIL REPRESENTATION ASSIGNMENTS FOR 2015. (0410-50)

City Manager Hall reported on the item.

City Attorney Lyon announced that as per CA Code of Regulations 18705.5, public officials are allowed to vote for themselves on appointments if the City goes through the process of posting a Form 806 on the City's website which lists each position and each potential stipend. The City did post the form in accordance with State law on December 5, 2014 and the list will be updated after City Council takes a vote. For that reason, no Councilmember has any conflict with respect to voting for themselves.

Mayor Pro Tem Patton stated that he has a conflict with being a representative on the South County Economic Development Council which meets on Tuesday mornings. He recommended Councilmember Spriggs for that assignment.

Councilmember Bragg commented that the assignments are not going to define the legacy of Councilmembers. She stated that she reviewed the assignments while removing emotion from it. She looked at each person individually, each person's strengths, prior positions held, relationships that have been built, positions that have not been held before. She also encouraged the City Council to work their relationships and connections with the other agencies. She recommended the following:

League of California Cities: Spriggs – Primary
Bayshore Bikeway Working Group: Patton – Primary
Chamber of Commerce Liaison: Mayor Dedina – 1st Alternate
South County EDC: Spriggs – Primary and Dedina – 1st Alternate
SANDAG: Bilbray – Primary, Patton – 1st Alternate and Dedina – 2nd Alternate

Mayor Pro Tem Patton stated that he is okay with the Bayshore Bikeway position and that he is in support for being the primary representative on SANDAG. He recommended Bilbray as 1st Alternate on SANDAG and Spriggs or Dedina as 2nd Alternate.

Councilmember Bragg suggested consideration of another process for determining representation assignments, she supported all Councilmembers holding various assignments in four years and to avoid getting pigeon holed.

Mayor Pro Tem Patton suggested that in the future a workshop be held prior to City Council's vote.

Councilmember Bragg suggested having this item and the selection of community appointments on a retreat agenda.

Councilmember Spriggs stated that he was opposed to Imperial Beach's seat vacant at SANDAG's upcoming meetings.

Councilmember Bragg was not in support for waiting until January for a decision.

Councilmember Spriggs stated that he was puzzled about the two different approaches on how to move forward with appointments. He spoke in support of appointments as suggested by Mayor Pro Tem Patton rather than the major changes proposed by Councilmember Bragg. He was opposed to major changes without further discussion.

City Manager Hall stated that it is unclear when the current SANDAG assignments expire and he read aloud the SANDAG appointment policy.

City Council discussion ensued. City Manager Hall was directed to find out more information on SANDAG's appointment policy.

Mayor Dedina called a recess at 9:33 p.m. and called the meeting back to order at 9:39 p.m.

ROLL CALL BY CITY CLERK

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

City Manager Hall stated that he put a call out to the Executive Director of SANDAG and he did not answer. When he had a previous discussion with the Executive Director, he stated SANDAG gives preference to the governing body of the City of Imperial Beach and this body chooses the representatives for SANDAG. The Executive Director may not dictate to the City Council how the City Council selects representatives to SANDAG.

Mayor Pro Tem Patton spoke in support for moving forward with the process tonight.

Councilmember Bragg spoke in support for moving forward with a decision tonight.

MOTION BY SPRIGGS TO APPROVE THE 2015 CITY COUNCIL REPRESENTATION LIST AS NOTICED TO THE PUBLIC WITH THE EXCEPTION MADE BY MAYOR PRO TEM PATTON ON THE BASIS OF HIS CONFLICT ON THE SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL WITH THE SUBSTITUTION OF SPRIGGS FOR PATTON.

Motion failed due to a lack of a second.

Mayor Dedina spoke in support for a workshop discussion on the item.

MOTION BY BILBRAY TO APPROVE THE 2015 CITY COUNCIL REPRESENTATION ASSIGNMENTS AS RECOMMENDED BY COUNCILMEMBER BRAGG WITH THE AMENDMENT MADE BY MAYOR PRO TEM PATTON.

City Manager Hall reviewed the following:

Councilmember Bragg's recommendation:

- League of California Cities: Spriggs – Primary
- Bayshore Bikeway Working Group: Patton – Primary
- Chamber of Commerce Liaison: Mayor Dedina – 1st Alternate
- South County EDC: Spriggs – Primary and Dedina – 1st Alternate
- SANDAG: Dedina – 2nd Alternate

Mayor Pro Tem Patton's SANDAG recommendation:

- Patton – Primary and Bilbray as 1st Alternate

MOTION SECONDED BY BRAGG.

City Council discussion:

Councilmember Spriggs spoke in support for a more thorough discussion on this matter and not rushing to a vote.

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, BILBRAY, PATTON
NOES: COUNCILMEMBERS: SPRIGGS, DEDINA
ABSENT: COUNCILMEMBERS: NONE

For clarification, City Manager Hall read into the record the 2015 City Council representation assignments as follows:

SOUTH BAY MAYORS AND CITY MANAGERS COMMITTEE:

Primary - Mayor Dedina
1st Alternate – Mayor Pro Tem Bilbray

SD DIVISION, LEAGUE OF CALIFORNIA CITIES:

Primary – Mayor-Dedina Councilmember Spriggs
1st Alternate – Councilmember-Spriggs Mayor Dedina

SD DIVISION, LEAGUE OF CALIFORNIA CITIES – LEGISLATIVE SUB-COMMITTEE:

Primary – Mayor Pro Tem Bilbray
1st Alternate – Councilmember Spriggs

LEAGUE OF CALIFORNIA CITIES - COASTAL CITIES INTEREST GROUP

Primary – Councilmember Spriggs
1st Alternate – Mayor Dedina

METROPOLITAN TRANSIT SYSTEMS BOARD:

Primary – Councilmember Bragg
1st Alternate – Mayor Pro Tem Bilbray

SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) BOARD:

Primary – Councilmember Patton
1st Alternate – Mayor Pro Tem Bilbray
2nd Alternate – Mayor Dedina

SANDAG – SHORELINE PRESERVATION WORKING GROUP:

Primary – Mayor Pro Tem Bilbray
1st Alternate – Councilmember Patton

SANDAG – BAYSHORE BIKEWAY WORKING GROUP:

Primary – Councilmember Patton
Alternate – Councilmember Spriggs

CHAMBER OF COMMERCE LIAISON:

Primary – Councilmember Bragg
1st Alternate – Mayor Dedina

METRO WASTEWATER COMMISSION/JPA:

Primary – Councilmember Spriggs
Alternate – Councilmember Bragg

JOB CORPS LIAISON:

Primary – Mayor Dedina
Alternate – Mayor Pro Tem Bilbray

SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL (SCEDC):

Primary – Councilmember Spriggs
1st Alternate – Mayor Dedina

Mayor Pro Tem Patton asked for clarification on the SD Division League of California Cities assignments.

Councilmember Bragg clarified that her recommendation is to have Spriggs as the primary and Dedina is the 1st alternate for the SD Division League of California Cities assignments.

City Attorney Lyon recommended to City Council to make a motion to approve the representation assignments as read by City Manager Hall and clarified by Councilmember Bragg.

MOTION BY BILBRAY, SECOND BY BRAGG, TO APPROVE THE CITY COUNCIL REPRESENTATION ASSIGNMENTS AS READ BY CITY MANAGER HALL AND CLARIFIED BY COUNCILMEMBER BRAGG. MOTION CARRIED BY THE FOLLOWING VOTES:

AYES: COUNCILMEMBERS: BRAGG, BILBRAY, PATTON, DEDINA

NOES: COUNCILMEMBERS: SPRIGGS

ABSENT: COUNCILMEMBERS: NONE

Mayor Dedina supported a discussion at the retreat on the strategic objectives for the City, to make sure there are goals and objectives for each committee, and for City Councilmembers to report back on what is being done and achieved on those committees.

Mayor Pro Tem Patton stressed that Councilmembers are representing the City as a whole, not personal objectives.

Mayor Spriggs supported a discussion on what position City Council wants its representative(s) to take on issues.

Mayor Pro Tem Patton stated that if issues affect Imperial Beach, he agrees that there should be a discussion.

5.4 RESOLUTION NO. 2014-7539 AWARDED A PUBLIC WORKS CONTRACT, TO WIT: CITY HALL PUBLIC AREA FLOORING PROJECT AND APPROPRIATION OF AN AMOUNT NOT TO EXCEED \$25,000 FROM THE FACILITY MAINTENANCE FUND TO PROJECT. (0910-20)

CITY MANAGER HALL reported on the item.

MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7539 AWARDED A PUBLIC WORKS CONTRACT, TO WIT: CITY HALL PUBLIC AREA FLOORING PROJECT AND APPROPRIATION OF AN AMOUNT NOT TO EXCEED \$25,000 FROM THE FACILITY MAINTENANCE FUND TO PROJECT. MOTION CARRIED UNANIMOUSLY.

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR

None.

ADJOURN SPECIAL MEETING

MAYOR DEDINA adjourned the Special Meeting at 10:08 p.m.

Serge Dedina
Mayor

Jacqueline M. Hald, MMC
City Clerk

MINUTES

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

FEBRUARY 18, 2015

**Dempsey Holder Safety Center – 2nd Floor
950 Ocean Lane
Imperial Beach, CA 91932**

SPECIAL MEETING – 5:00 P.M.

CALL TO ORDER

MAYOR DEDINA called the Special Meeting to order at 5:08 p.m.

ROLL CALL

Councilmembers present:	Spriggs, Bragg, Patton
Councilmembers absent:	None
Mayor Present:	Dedina
Mayor Pro Tem Present:	Bilbray
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Public Works Director Levien

PUBLIC COMMENT

None.

REPORTS

- 1. RESOLUTION NO. 2015-7545 AUTHORIZING CHANGE ORDER NO. 2, ANNUAL MAIN LINE REPAIRS BY MICROTUNNELING (W12-202) AND APPROPRIATION OF AN ADDITIONAL \$150,000 FROM THE SEWER ENTERPRISE FUND CIP RESERVE TO PROJECT W12-202. (0830-10)**

Public Works Director Levien reported on the item noting that an emergency situation exists. The cast iron main line that was installed in 1950 underneath State Route 75 to Bernardo shores needs to be replaced.

Councilmember Spriggs was concerned that if the \$150,000 was appropriated prior to the project then the bids would come in at that amount.

City Manager Hall stated that due to the emergency situation it was a matter of timing and staff would take caution to scrutinize the bids.

Councilmember Bragg asked if the construction would cause traffic delays. She also asked if other projects would be pushed back so funds could be used on this project.

Public Works Director Levien stated that the funds would not be coming from the emergency fund, but rather the CIP reserve.

Councilmember Patton asked how far the main would be installed in the Bernardo Shores property and if they should pay for a portion of it.

Public Works Director Levien stated they have agreed to install the main up to the boundary of the property. The City will be given an easement and a manhole placed at the El Camino property.

MOTION BY BRAGG, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2015-7545 APPROVING CHANGE ORDER NO. 2 FOR THE CONSTRUCTION OF THE REDESIGNED MICROTUNNELING PROJECT; AUTHORIZE THE CITY MANAGER TO SIGN CHANGE ORDER NO. 2 FOR CONSTRUCTION OF THE REDESIGNED PROJECT; AND APPROPRIATE \$150,000 FROM THE SEWER ENTERPRISE FUND CIP RESERVE TO THE ANNUAL MAIN LINE REPAIRS BY MICROTUNNELING W12-202 PROJECT. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MAYOR DEDINA adjourned the Special Meeting at 9:36 p.m.

Serge Dedina
Mayor

Jacqueline M. Hald, MMC
City Clerk

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

JANUARY 21, 2015

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

REGULAR & CLOSED SESSION MEETINGS– 6:00 P.M.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the meeting to order at 6:02 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Spriggs (arrived at 6:04 p.m.), Bragg, Patton
Councilmembers absent:	None
Mayor present:	Dedina
Mayor Pro Tem absent:	Bilbray
Staff present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Wade, Senior Planner Foltz, Public Works Director Levien, Administrative Services Director Bradley, Public Safety Director Clark

PLEDGE OF ALLEGIANCE

Members of the Imperial Beach Little League and Imperial Beach Girls Softball led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY PATTON, TO PULL ITEM NOS. 2.6 AND 2.7 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES:	COUNCILMEMBERS: NONE
ABSENT:	COUNCILMEMBERS: BILBRAY

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

Councilmember Patton announced MTS is putting Internet service on some of their buses.

Councilmember Bragg reported she and Mayor Dedina attended a newly elected official's conference in Sacramento. She also stated that the swearing in ceremony for Port Chairman Dan Malcom was held at Sea 180 on January 13, 2015. She announced that Supervisor Greg Cox will be the speaker at the Chamber Breakfast on Thursday, January 22, 2015. She also stated that MTS will launch the Blue Line low floor trolley cars on January 27, 2015.

Councilmember Spriggs commented on his new assignment on the League of California Cities Executive Committee. The first meeting was Monday January 12, 2015 and he was elected to serve on the League's Human Resources Policy Committee. Last week he attended the public

workshop on the Palm Ave Master Plan and congratulated Assistant City Manager Wade on a job well done. The meeting was very informative, well attended and there was a lot of input from the community. He had nothing to report on the Metropolitan Wastewater Commission because a meeting was not held this month.

Mayor Dedina announced the Kiwanis Club is celebrating its 100th Birthday. He thanked local members for all they do for the community. He also stated that Chris Helmer has done a great job on the Tijuana River Valley Project.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

Mayor Dedina stated that City Council welcomes public comment but because of the Brown Act, City Council cannot respond to items not listed on the agenda. Issues requiring a response will be referred to the City Manager.

Gwendolyn Albert expressed concern about a lack of homeless shelters in Imperial Beach. She suggested that the City obtain homelessness information from the national conference that will be held in San Diego on February 18th through the 20th. She encouraged City Council to be proactive on the issue.

June Engel, Branch Manager, Imperial Beach Library, stated that in February they will be fully staffed for the first time in 3 years. She announced that ESL Café will be launched soon, the final designs for the new library will be available next week, she thanked Tim O'Neal and Candy Unger for their roles as Santa and Mrs. Clause, she announced 2015 is the I.B. Branch's centennial year and a commemorative event will be held in October and she showed a proclamation from their 7th Anniversary.

Ed Kravitz spoke in support for the Coronado Beltline. He expressed concern about gridlock on SR 75 with the planned development at Bernardo Shores and spoke of the need for other transportation options. He asked Councilmember Bragg to get involved since she is the representative on MTS and he asked City Council to take another look at it.

Sybil Rogert expressed concern about drainage problems at the Palm and 9th development site.

Felicia House expressed concern about the safety of our community and asked City Council to consider installing cameras in different areas in order to catch perpetrators.

Agustin Rojas expressed concerns about safety and the removal of street parking as a result of the roundabout on 9th Street. He asked City Council to consider taking another look at the roundabout.

City Manager Hall stated that questions about the 9th and Palm project can be addressed by the Community Development Department. They have plans and documents regarding drainage.

Councilmember Spriggs questioned if data regarding the roundabout is being collected systematically.

City Manager Hall responded that the City is compiling accident data prior to and following the installation of the roundabout. The City has also been accepting comments at the City Manager/City Clerk's office. An update on the roundabout will be given in March.

PRESENTATIONS (1.1)

1.1 DONATION OF PROCEEDS FROM THE ENDLESS SUMMER CLASSIC CAR SHOW BY SOUTH BAY CRUISERS CAR CLUB TO IMPERIAL BEACH BOYS AND GIRLS CLUB. (0130-08)

Vince Jacket, President of the South Bay Cruisers, presented checks totaling \$2,795.00 to the Imperial Beach Boys and Girls Club.

CONSENT CALENDAR (2.1-2.5)

Cheryl Quinones expressed opposition to the removal of trees by the City and she spoke in support for an ordinance to plant trees at each home and in the public right of way.

City Manager Hall stated the City was approached by the neighbors of Sports Park because their property has been damaged due to falling trees and branches. They have agreed to remove the trees and the City will replace them, making the area safer for everyone.

Councilmember Spriggs stated that the trees should be preserved as much as possible and replaced if necessary. He also noted that public safety needs come first and foremost.

MOTION BY BRAGG, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.5.

Discussion:

With regard to Item No. 2.4, Councilmember Spriggs stated that while it is appropriate to have it as a Consent item, the subject of what's going on with the Tijuana River Valley Recovery Strategy is immense and directly relevant to the City, eco-tourism and jobs in the community. He asked the City Manager to have a more detailed report so everyone can see how important the City's role is with the different agencies in the Tijuana River Valley Project.

A VOTE WAS NOW TAKEN ON THE ORIGINAL MOTION BY BRAGG, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.5. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

2.1 MINUTES.

Approved the Regular City Council Meeting Minutes of December 3, 2014.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 85715 through 85948 with a subtotal amount of \$1,330,961.76 and Payroll Checks/Direct Deposits 46317 through 46398 for a subtotal amount of \$510,933.00 for a total amount of \$1,841,894.76.

- 2.3 APPROVAL OF PURCHASE OF TELECOMMUNICATIONS SERVICE, PHONES AND INSTALLATION OF CABLING FROM VERIZON. (1100-05)**
Approved the purchase of telecommunications service, phones and installation of cabling from Verizon using funds from the adopted FY 2015 budget.
- 2.4 RESOLUTION NO. 2015-7540 AUTHORIZING THE CITY MANAGER TO SIGN A SECOND COMMITMENT LETTER TO THE 2012 RECOVERY STRATEGY FOR THE TIJUANA RIVER VALLEY. (0770-87)**
Received report and adopted resolution.
- 2.5 APPROVAL OF RECOMMENDATION TO REMOVE UP TO 15 MATURE TREES FROM SPORTS PARK.(0920-40)**
1. Received report;
 2. Directed staff to permit Mariner's Point to remove the seven trees shown in attachment 1 of the staff report following the signing of a hold harmless agreement between the parties;
 3. Directed staff to revisit the Sports Park plan for removal and replacement of the park trees in the next budget cycle; and
 4. Present the revisited plan to City Council as part of the FY 2015/16 and FY 2016/2017 budget cycle.

ORDINANCES – INTRODUCTION/FIRST READING(3.1)

- 3.1 ORDINANCE 2015-1149 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 10.36.025 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE PROHIBITION OF USE OF STREETS FOR HABITATION. (0920-95)**

City Manager Hall reported on the item and he clarified what is considered living in a vehicle.

City Clerk Hald read the title of Ordinance 2014-1149 “An Ordinance of the City Council of the City of Imperial Beach, California amending Section 10.36.025 of the Imperial Beach Municipal Code related to the Prohibition of use of Streets for Habitation.”

MOTION BY PATTON , SECOND BY BRAGG, TO INTRODUCE ORDINANCE NO. 2014-1148 BY TITLE ONLY, WAIVE FULL READING OF THE ORDINANCE WHICH AMENDS VARIOUS SECTIONS OF TITLE 2 OF THE IBMC AND SCHEDULE THE SECOND READING AND ADOPTION OF THE ORDINANCE ON FEBRUARY 4, 2015. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

PUBLIC HEARINGS (4.1)

- 4.1 IMPERIAL BEACH RESORT, LLC (OWNER); REGULAR COASTAL PERMIT (CP 140044) TO DEMOLISH 29 EXISTING RESIDENTIAL DWELLING UNITS (2 UNITS TO REMAIN) AND OTHER EXISTING IMPROVEMENTS AT 1046 SEACOAST DRIVE (APN 625-380-27-00) IN THE C/MU-2 (SEACOAST COMMERCIAL & MIXED-USE) AND SEACOAST COMMERCIAL MIXED-USE/RESIDENTIAL OVERLAY ZONES. MF 1166; RESOLUTION 2015-7544. (0600-20)**

Mayor Dedina declared the public hearing open.

Senior Planner Foltz gave a PowerPoint presentation on the item.

In response to Councilmember Spriggs' question about the project timeline, Kenneth C. Knudson, with Imperial Beach Resort LLC, stated that the project will take a few years. The challenge is the interactive design process then having to get City and Coastal Commission approval. He stated that there is a daily need to have an on-site presence as well as a secured site. He noted that demolition can be under contract within 30 days of conditions issued and demolition can take 60 to 90 days.

City Council discussion ensued. Staff was commended for preparing a thorough report. Concern was raised regarding the ability to remove graffiti on the ivy fencing and there was support for completing the demolition before the summer months.

Mayor Dedina thanked everyone for their efforts and he noted that the Pier South project turned out well. Without dissention from the City Council, he closed the public hearing.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2015-7544 APPROVING REGULAR COASTAL PERMIT (CP 140044) WHICH MAKES THE NECESSARY FINDINGS FOR DEMOLITION OF 29 RESIDENTIAL UNITS (5 BUILDINGS) AND OTHER IMPROVEMENTS AT 1046 SEACOAST DRIVE AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

REPORTS (5.1-5.4)

5.1 DISCUSSION RE: 1300 BLOCK ELM AVENUE AS UTILITY UNDERGROUND DISTRICT. (0810-90)

Public Works Director Levien gave a report on the item. He stated that if City Council had a motion to proceed, he will return to City Council with a public hearing showing the district area at a future date.

No speaker slips were submitted.

Discussion regarding funding and SDG&E's undergrounding process ensued.

CONSENSUS OF CITY COUNCIL TO SUPPORT STAFF'S RECOMMENDATION TO FORM A DISTRICT COINCIDENT WITH THE CITY OF SAN DIEGO PROJECT ON ELM AVENUE.

5.2 RESOLUTION NO. 2015-7541 TO CONSIDER AN ACTIVE TRANSPORTATION PROGRAM (ATP): SAFE ROUTES TO SCHOOL PROJECT ON 900 TO 1100 BLOCKS OF FERN AVENUE AND TO APPROPRIATE \$15,000 FROM GAS TAX RESERVE FUND TO DEVELOP THE PROJECT SCOPE OF WORK AND GRANT APPLICATION. (0390-84 & 0810-90)

Public Works Director Levien gave a PowerPoint presentation on the item. In response to City Council's questions, he stated that installation of the G curb reduces the opportunity for people to drive up on the sidewalk, gives better drainage, and provides a more defined walkable area for a sidewalk. He also reviewed the funding for the project.

City Council expressed support for the project.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7541 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH TO CONSIDER AN ACTIVE TRANSPORTATION PROGRAM (ATP): SAFE ROUTES TO SCHOOL PROJECT ON 900 TO 1100 BLOCKS OF FERN AVENUE AND TO APPROPRIATE \$15,000 FROM GAS TAX RESERVE FUND TO DEVELOP THE PROJECT SCOPE OF WORK AND GRANT APPLICATION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

5.3 FISCAL YEAR 2014 AUDIT UPDATE. (0720-50)

Administrative Services Director Bradley presented a PowerPoint presentation. In response to questions by City Council, he explained what was meant by "material weakness" and talked about the corrective actions taken. He also discussed the City's history with the auditor, the rotation of the team of auditors and the associated cost for the contract.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO RECEIVE THE FISCAL YEAR 2014 FINANCIAL AUDIT AND RELATED DOCUMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

5.4 STATUS UPDATE ON PROJECTS CONTAINED IN THE TWO YEAR IMPLEMENTATION STRATEGY PORTION OF THE IMPERIAL BEACH CAPITAL IMPROVEMENTS PROGRAM.(0330-35)

City Manager Hall presented a PowerPoint presentation on the item.

Councilmember Bragg had positive comments about the report. She expressed concern about the non-use of crosswalks and the need to encourage people to use them. With regard to the Old Palm Avenue improvements, she asked staff to trim the vines growing on the surfboards. She was in support for the installation of street lights and for a park in partnership with the schools.

Councilmember Spriggs had positive comments about the report.

In response to Councilmember Patton's concern about some of the surfboards along Palm Ave., Public Works Director Levien explained that one of the vine varieties is not growing as well as the other and the intent is to continuously train and trim the vines.

Mayor Dedina thanked City Council for their leadership on City issues. He spoke of the need to invest in parks on the north side of the City as well as the southeast side of the City. He also supported crosswalk improvements on 13th Street.

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

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.6-2.7)

2.6 ADOPTION OF RESOLUTION 2015-7542 AUTHORIZING THE CITY MANAGER TO ENTER IN TO AN AGREEMENT WITH PYRO SPECTACULAR, INC. FOR PRODUCTION OF A 4TH OF JULY FIREWORKS DISPLAY. (1040-40)

Public Safety Director Clark reported on the item and stated that Tim O'Neal and Candy Unger raised more than \$25,000 for last year's 4th of July Fireworks show. The biggest question is whether the City wants to be part of the Big Bay Boom event or not. Some concerns are the cost, obtaining permits, and new management at the Tin Fish. He provided a PowerPoint presentation on the item.

Tim O'Neal, along with Candy Unger, stated it was a community effort and they could not have done it without the support from staff. He announced the upcoming I Love Wine and Chocolate fundraising event is on February 8, 2015.

Councilmember Spriggs spoke about the cooperative efforts it took to bring this event back and he supported approval of the item. He suggested starting fundraising efforts earlier this year and commented that it is a lot of pressure to put the City's iconic events on the shoulders of citizen volunteers. He proposed more support by the City and others. He expressed appreciation to Chief Clark for doing a great job on this event.

Public Safety Director Clark commented on his plans for fundraising for this year's event including the use of a donation form.

Councilmember Bragg thanked Chief Clark for his report and suggested that the donation form be distributed all over town and placed on the City's website with the ability to pay by PayPal.

Councilmember Patton spoke of Ms. Unger's dedicated efforts to raise money for last year's event.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7542 AUTHORIZING THE CITY MANAGER TO ENTER IN TO AN AGREEMENT WITH PYRO SPECTACULAR, INC. FOR PRODUCTION OF A 4TH OF JULY FIREWORKS DISPLAY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

2.7 RESOLUTION NO. 2015-7543 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR FINANCIAL ASSISTANCE AND OTHER MATTERS ASSOCIATED WITH THE SYMPHONY BY THE SEA EVENT. (1040-40)

Jim Mickelson, Boardmember with the I.B. Chamber of Commerce, spoke in support for finding funds for the firework show. He also spoke in support of the Symphony by the Sea event and he announced that the Taste of IB event will be held on the same day. He spoke in favor of adopting the resolution.

Councilmember Bragg congratulated the Chamber of Commerce for collaborating with the City on this event. She stated the City is experiencing a renaissance and it can be seen by the projects they've put together. She announced that for the first time a symphony from SDSU will be performing in I.B. and congratulated City Clerk Hald for putting the event together.

Mayor Dedina suggested the Marine Jazz Band for future events.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7543 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR FINANCIAL ASSISTANCE AND OTHER MATTERS ASSOCIATED WITH THE SYMPHONY BY THE SEA EVENT. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular meeting at 9:00 p.m.

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 9:01p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Spriggs, Bragg, Patton
Councilmembers absent:	None
Mayor Present:	Dedina
Mayor Pro Tem absent:	Bilbray
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald

CLOSED SESSION

MOTION BY PATTON, SECOND BY BRAGG, TO ADJOURN CLOSED SESSION UNDER:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation pursuant to Govt. Code section 54956.9 (d)(4)

2. CONFERENCE WITH LABOR NEGOTIATORS

City Representatives: City Manager, City Attorney, Assistant City Manager, Human Resources Manager

Employee Organization: Service Employees International Union, Local 221

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

Mayor Dedina adjourned the meeting into Closed Session at 9:02 p.m. and he reconvened the meeting to Open Session at 9:42 p.m.

Reporting out of Closed Session, City Attorney Lyon announced City Council discussed Closed Session Item Nos. 1 and 2, City Council gave direction and no reportable action was taken.

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 9:43 p.m.

Serge Dedina
Mayor

Jacqueline M. Hald, MMC
City Clerk

MINUTES

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

FEBRUARY 18, 2015

**Dempsey Holder Safety Center – 2nd Floor
950 Ocean Lane
Imperial Beach, CA 91932**

REGULAR MEETING – 5:00 P.M.

CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 5:08 p.m.

ROLL CALL

Councilmembers present:	Spriggs, Bragg, Patton
Councilmembers absent:	None
Mayor Present:	Dedina
Mayor Pro Tem Present:	Bilbray
Staff Present:	City Manager Hall, City Attorney Lyon

PLEDGE OF ALLEGIANCE

Mayor Dedina led everyone in the Pledge of Allegiance.

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

Councilmember Patton spoke about his attendance at the I Love Wine & Chocolate Fundraiser to support 4th of July Fireworks and he reported on his attendance at a South Bay Union School District Board meeting.

Councilmembers Bragg and Spriggs also spoke about attending the I Love Wine & Chocolate Fundraiser to support 4th of July Fireworks.

COMMUNICATIONS FROM CITY STAFF

City Manager Hall explained that there are two meetings tonight, a special meeting to address a sewer issue and a regular meeting.

PUBLIC COMMENTS

Mayor Dedina stated that a person was in attendance tonight to speak about the Relay for Life event. He encouraged her to attend the next meeting where there will be a broader audience to hear her message.

REPORTS

1. CITY COUNCIL RETREAT AND DISCUSSION. (0410-05)

The Mayor and Members of the City Council, along with City Manager Hall and City Attorney Lyon, participated in City Council retreat discussions.

ADJOURNMENT

Mayor Dedina adjourned the Regular Meeting at 9:08 p.m.

Serge Dedina
Mayor

Jacqueline M. Hald, MMC
City Clerk

DRAFT



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: ADMINISTRATIVE SERVICES *DSB*
SUBJECT: RATIFICATION OF WARRANT REGISTER

EXECUTIVE SUMMARY:

Approval of the warrant register in the amount of \$ 693,259.02 and the payroll checks in the amount of \$ 285,352.02.

BACKGROUND:

None

ANALYSIS:

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

<u>Vendor:</u>	<u>Check:</u>	<u>Amount:</u>	<u>Description:</u>
Blue Pacific Engineering	86108	\$ 100,937.50	Annual Main Line Repairs

The following registers are submitted for Council ratification:

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
86049-86098	01/30/2015	\$ 193,867.99
86099-86140	02/05/2015	\$ 236,003.62
86141-86185	02/13/2015	\$ 167,912.60
86186-86214	02/19/2015	\$ 106,093.41
86051 void		\$ -244.60
86079 void		\$ -9474.00
86121 void		\$ -900.00
	Sub-Total	\$ 693,259.02

Payroll Checks/Direct Deposit

46418-46432	P.P.E. 1/22/15	\$	142,666.39
46433-46447	P.P.E. 2/05/15	\$	142,685.63

Sub-Total \$ 285,352.02

TOTAL \$ 978,611.04

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Warrants are issued from budgeted funds and there is no additional impact on reserves.

RECOMMENDATION:

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

Attachments:

1. Warrant Register as Budgeted
2. Warrant Register

City of Imperial Beach
Warrant Register as Budgeted (FY2015)
Current as of 02/23/2015

	Budget	Previous Warrant				Remaining Budget	
		Registers	2015-01-30	2015-02-05	2015-02-13		2015-02-19
GAS & ELECTRIC (SDG&E)	\$ 28,000	\$ 12,307			\$ 2,105	\$ 13,588	
PROFESSIONAL SERVICES	\$ 2,000					\$ 2,000	
216 HOUSING AUTHORITY						\$ -	
PROFESSIONAL SERVICES	\$ 5,000	\$ 5,300				\$ (300)	
MGT MEDICAL REIMBURSEMENT		\$ 37				\$ (37)	
217 HOUSING AUTHORITY-BOND						\$ -	
PROFESSIONAL SERVICES		\$ -				\$ -	
ATTORNEY SERVICES		\$ 648	\$ 468			\$ (1,115)	
245 RDA PA#1 LOW/MOD HSG-S/A						\$ -	
PROFESSIONAL SERVICES		\$ -				\$ -	
301 SA DEBT SERVICE FUND						\$ -	
BOND INTEREST (2010 TAB)	\$ 1,058,910	\$ 538,259				\$ 520,651	
INTEREST BOND (2013 TAB)	\$ 762,957	\$ 367,725				\$ 395,232	
BOND PRINCIPAL (2010 TAB)	\$ 235,000					\$ 235,000	
303 REDEV OBLIG RETIRE FUND						\$ -	
PROFESSIONAL SERVICES	\$ 167,106	\$ 52,522	\$ 2,491	\$ 18,854	\$ 8,870	\$ 6,689	\$ 77,680
ATTORNEY SERVICES	\$ 140,000	\$ 105,909	\$ 15,181				\$ 18,910
OTHER SERVICES & CHARGES	\$ 9,000	\$ 6,652	\$ 17				\$ 2,331
MGT MEDICAL REIMBURSEMENT		\$ 105					\$ (105)
TRAVEL, TRAINING, MEETING		\$ 6					\$ (6)
SA ADMIN-OTHER REIMB		\$ -					\$ -
401 CAPITAL IMPROVEMENT FUND							\$ -
PROFESSIONAL SERVICES	\$ 1,231,011	\$ 319,742	\$ 1,710	\$ 300	\$ 13,925	\$ 7,500	\$ 887,835
402 C.I.P. 2010 BOND							\$ -
PROFESSIONAL SERVICES	\$ 614,877	\$ 497,168	\$ 6,260				\$ 111,449
ATTORNEY SERVICES		\$ 12,753					\$ (12,753)
405 RDA PA#1 CIP-OP S/A							\$ -
PROFESSIONAL SERVICES		\$ -					\$ -
501 VEHICLE REPLACEMENT/MAINT							\$ -
VEHICLE OPERATE-FUEL/OIL	\$ 255,000	\$ 125,513		\$ 6,481		\$ 2,743	\$ 120,262
EQUIPMENT	\$ 180,000	\$ 55,258			\$ 26,308		\$ 98,434
VEHICLE OPERATE-PARTS M&O	\$ 25,000	\$ 12,023	\$ 444	\$ 1,388	\$ 764	\$ 61	\$ 10,320
MAINTENANCE & REPAIR	\$ 23,100	\$ 15,189		\$ 1,072			\$ 6,839
SMALL TOOLS/NON-CAPITAL	\$ 6,000	\$ 305					\$ 5,695
OPERATING SUPPLIES	\$ 4,100	\$ 1,272					\$ 2,828
FEES & LICENSES	\$ 4,000	\$ 1,784		\$ 100			\$ 2,116
OTHER SERVICES & CHARGES	\$ 2,100	\$ 596					\$ 1,504
FIRE EXTINGUISHER SERVICE	\$ 400						\$ 400
502 RISK MANAGEMENT FUND							\$ -
INSURANCE PREMIUM/DEPOSIT	\$ 166,242	\$ 166,242					\$ (0)
PYMT OF WORK COMP CLAIMS	\$ 141,250	\$ 110,742					\$ 30,508
ATTORNEY SERVICES	\$ 90,352	\$ 46,444	\$ 10,377				\$ 33,530
INSURANCE PREMIUM/WK COMP	\$ 55,000	\$ 54,410					\$ 590
THIRD PARTY ADMIN (W/C)	\$ 28,406	\$ 28,406					\$ (0)
PAYMENT OF CLAIMS	\$ 10,000	\$ 1,276			\$ 3,500		\$ 5,224
PROFESSIONAL SERVICES	\$ 2,250	\$ 2,250					\$ -
TECHNICAL SERVICES	\$ 1,000	\$ 1,578					\$ (578)
OPERATING SUPPLIES	\$ 1,000						\$ 1,000
OFFICE SUPPLIES	\$ 250						\$ 250
SUBSCRIBE & PUBLICATIONS	\$ 250						\$ 250
MGT MEDICAL REIMBURSEMENT		\$ -					\$ -
OTHER SERVICES & CHARGES		\$ 9,474					\$ (9,474) To be reimbursed
503 TECHNOLOGY/COMMUNICATIONS							\$ -
H.T.E. MAINTENANCE	\$ 67,000	\$ 62,873					\$ 4,127
EQUIPMENT	\$ 52,250	\$ 160		\$ 526			\$ 51,564
PROFESSIONAL SERVICES	\$ 37,600	\$ 625		\$ 11,633			\$ 25,342

City of Imperial Beach
Warrant Register as Budgeted (FY2015)
Current as of 02/23/2015

	Budget	Previous Warrant				Remaining Budget
		Registers	2015-01-30	2015-02-05	2015-02-13	
TEMPORARY STAFFING	\$ 28,000	\$ 13,874	\$ 1,407		\$ 896	\$ 11,823
TECHNICAL SERVICES	\$ 20,000	\$ 10,750		\$ 1,510		\$ 7,740
UTILITIES-TELEPHONE	\$ 12,000	\$ 5,725			\$ 927	\$ 5,349
SMALL TOOLS/NON-CAPITAL	\$ 10,000	\$ 2,930				\$ 7,070
QUESYST	\$ 8,000	\$ 6,000				\$ 2,000
OPERATING SUPPLIES	\$ 7,000	\$ 52				\$ 6,948
TRAVEL, TRAINING, MEETING	\$ 4,000	\$ 477		\$ 132		\$ 3,392
UTILITIES-CELL PHONES	\$ 4,000	\$ 1,984				\$ 443
FEES & LICENSES	\$ 4,000	\$ 1,777				\$ 2,223
MEMBERSHIP DUES	\$ 1,000	\$ 240				\$ 760
MAINTENANCE & REPAIR	\$ 1,000	\$ 105				\$ 895
SUBSCRIBE & PUBLICATIONS	\$ 500					\$ 500
OTHER SERVICES & CHARGES	\$ 500	\$ 263			\$ 38	\$ 199
OFFICE SUPPLIES	\$ 500	\$ 113				\$ 387
POSTAGE & FREIGHT	\$ 200					\$ 200
MGT MEDICAL REIMBURSEMENT		\$ -				\$ -
504 FACILITY MAINT/REPLACEMNT						\$ -
TECHNICAL SERVICES	\$ 76,000	\$ 44,602		\$ 890	\$ 5,328	\$ 120
EQUIPMENT	\$ 50,000					\$ 50,000
601 SEWER ENTERPRISE FUND						\$ -
TECHNICAL SERVICES	\$ 2,574,100	\$ 1,872,647	\$ 2,272	\$ 660	\$ 9,474	\$ 689,047
PROFESSIONAL SERVICES	\$ 1,720,000	\$ 180,883	\$ 37,123	\$ 113,821		\$ 1,388,173
PRINCIPAL PMT-CITY LOAN	\$ 124,811					\$ 124,811
GAS & ELECTRIC (SDG&E)	\$ 68,000	\$ 40,584			\$ 1,041	\$ 4,255
MAINTENANCE & REPAIR	\$ 45,020	\$ 19,080		\$ 1,358		\$ 24,582
TEMPORARY STAFFING	\$ 25,000	\$ 5,279	\$ 1,505		\$ 1,722	\$ 16,494
STAND-BY PAY	\$ 19,000	\$ 10,377				\$ 8,623
OPERATING SUPPLIES	\$ 15,045	\$ 3,517		\$ 589		\$ 239
OTHER SERVICES & CHARGES	\$ 8,400					\$ 8,400
EQUIPMENT	\$ 5,600					\$ 5,600
UTILITIES-TELEPHONE	\$ 4,000	\$ 741			\$ 19	\$ 3,240
SECURITY & ALARM	\$ 4,000	\$ 2,130		\$ 294		\$ 1,576
UTILITIES-WATER	\$ 3,500	\$ 1,410	\$ 274			\$ 243
FEES & LICENSES	\$ 2,375	\$ 536		\$ 1,001		\$ 838
TRAVEL, TRAINING, MEETING	\$ 1,980					\$ 1,980
SMALL TOOLS/NON-CAPITAL	\$ 1,400	\$ 116				\$ 1,284
RENT-EQUIPMENT	\$ 1,000					\$ 1,000
MEMBERSHIP DUES	\$ 800	\$ 539				\$ 261
INTEREST PMT-CITY LOAN	\$ 635					\$ 635
Revenue					\$ 105	\$ 121
Asset			\$ 12,060	\$ 83	\$ 103	\$ 7,289
Liability			\$ 20,817	\$ 15,484	\$ 16,429	\$ 15,694
Fund Balance						
Grand Total			\$ 183,794	\$ 235,104	\$ 168,412	\$ 105,382
Payroll related checks not listed above			\$ 356	\$ (0)	\$ (500)	\$ 712
Voided Checks			\$ 9,719	\$ 900		
			\$ 193,868	\$ 236,004	\$ 167,913	\$ 106,093

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
01/30/2015	86049	AFLAC	120				673.68
101-0000-209.01-13	01/15/2015	PAYROLL AP PPE 1/08/15	20150115		07/2015		336.84
101-0000-209.01-13	01/29/2015	PAYROLL AP PPE 1/22/15	530518		07/2015		336.84
01/30/2015	86050	AMALIA H MILLAN	4				3,532.00
101-0000-221.01-05	01/14/2015	REFUND BOND 1128 GEORGIA	TEP 14-58		07/2015		3,532.00
01/30/2015	86051	BARBARA J. WHITE	2				.00
601-0000-121.00-00	01/21/2015	REFUND SEWER FEE	4153		07/2015		244.60
601-0000-121.00-00	02/18/2015	REFUND SEWER FEE	4153		08/2015		244.60
01/30/2015	86052	BAY CITY ELECTRIC WORKS	369				560.00
101-1910-419.21-04	05/06/2014	LOAD BANK TEST/FUEL POLIS	W125544	150097	01/2015		560.00
01/30/2015	86053	CALIF ELECTRIC SUPPLY	609				513.71
101-5010-431.30-02	01/12/2015	CONNECTORS/TERMINAL KIT	1069-685867	150022	07/2015		49.36
101-6040-454.30-02	12/08/2014	BALLASTS, LIGHTS	1069-684378	150022	06/2015		329.70
101-6040-454.30-02	12/18/2014	METAL HAL BALLASTS	1069-684669	150022	06/2015		134.65
01/30/2015	86055	CALIFORNIA AMERICAN WATER	612				4,824.39
101-5010-431.27-02	01/13/2015	1015-210019482014 DEC 14	02-04-2015		06/2015		52.55
101-5010-431.27-02	01/13/2015	1015-210019278895 DEC 14	02-04-2015		06/2015		22.00
101-5010-431.27-02	01/13/2015	1015-210019279782 DEC 14	02-04-2015		06/2015		22.00
101-6020-452.27-02	01/13/2015	1015-210019748080 DEC 14	02-04-2015		06/2015		6.59
101-5010-431.27-02	01/13/2015	1015-210019179080 DEC 14	02-04-2015		06/2015		22.05
101-6020-452.27-02	01/13/2015	1015-210019748332 DEC 14	02-04-2015		06/2015		6.59
101-6020-452.27-02	01/13/2015	1015-210019749625 DEC 14	02-04-2015		06/2015		6.59
101-5010-431.27-02	01/13/2015	1015-210019357057 DEC 14	02-04-2015		06/2015		22.00
101-6020-452.27-02	01/13/2015	1015-210019749687 DEC 14	02-04-2015		06/2015		12.18
101-5010-431.27-02	01/13/2015	1015-210019481684 DEC 14	02-04-2015		06/2015		22.00
101-6040-454.27-02	01/13/2015	1015-210019027905 DEC 14	02-04-2015		06/2015		52.55
101-6010-451.27-02	01/13/2015	1015-210021068367 DEC 14	02-04-2015		06/2015		1,149.60
101-5010-431.27-02	01/13/2015	1015-210021068541 DEC 14	02-04-2015		06/2015		337.53
101-6010-451.27-02	01/13/2015	1015-210021068268 DEC 14	02-04-2015		06/2015		58.40
101-5020-432.27-02	01/13/2015	1015-210019058534 DEC 14	02-04-2015		06/2015		144.51
101-5010-431.27-02	01/13/2015	1015-210018811916 DEC 14	02-04-2015		06/2015		32.90
101-6020-452.27-02	01/13/2015	1015-210019176128 DEC 14	02-04-2015		06/2015		6.58
101-6020-452.27-02	01/13/2015	1015-210019176067 DEC 14	02-04-2015		06/2015		52.69
101-6020-452.27-02	01/13/2015	1015-210021067159 DEC 14	02-04-2015		06/2015		17.78
101-6020-452.27-02	01/13/2015	1015-210020440898 DEC 14	02-04-2015		06/2015		147.63
601-5060-436.27-02	01/13/2015	1015-210018820255 DEC 14	02-04-2015		06/2015		6.58
101-1910-419.27-02	01/13/2015	1015-210020154739 DEC 14	02-04-2015		06/2015		22.03
101-5010-431.27-02	01/13/2015	1015-210019359015 DEC 14	02-04-2015		06/2015		22.00
101-5010-431.27-02	01/13/2015	1015-210019360534 DEC 14	02-04-2015		06/2015		22.00
101-5010-431.27-02	01/13/2015	1015-210019278093 DEC 14	02-04-2015		06/2015		33.15
101-3030-423.27-02	01/13/2015	1015-210019276868 DEC 14	02-04-2015		06/2015		83.01
101-5010-431.27-02	01/14/2015	1015-210020731235 DEC 14	02-05-2015		06/2015		6.60
101-5020-432.27-02	01/14/2015	1015-210020277854 DEC 14	02-05-2015		06/2015		66.76
101-1910-419.27-02	01/14/2015	1015-210019335347 DEC 14	02-05-2015		06/2015		890.37

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
502-1922-419.20-01	12/31/2014	DEC 2014	87352		06/2015	2,680.05	
101-1220-413.20-01	12/31/2014	DEC 2014	87363		06/2015	43.35	
502-1922-419.20-01	12/31/2014	DEC 2014	87353		06/2015	1,778.47	
502-1922-419.20-01	12/31/2014	DEC 2014	87355		06/2015	2,242.60	
101-1220-413.20-01	12/31/2014	DEC 2014	87356		06/2015	329.66	
303-1250-413.20-01	12/31/2014	DEC 2014	87357		06/2015	36.13	
502-1922-419.20-01	12/31/2014	DEC 2014	87364		06/2015	3,676.20	
202-5016-431.20-01	12/31/2014	DEC 2014	87365		06/2015	1,423.34	
01/30/2015	86076	NEX TECH SYSTEMS, INC	2623			6,872.00	
101-5010-431.21-04	01/20/2015	RRFB REPLACEMENT SYSTEM	NEX15-02	150406	07/2015	6,872.00	
01/30/2015	86077	NOLTE ASSOCIATES, INC.	2600			8,838.50	
202-5016-531.20-06	12/24/2014	OCT/NOV 2014 RTIP 11/12	14120362A	150497	05/2015	1,097.50	
202-5016-531.20-06	12/24/2014	OCT/NOV 2014 ELM AVE ATP	14120362C	150497	05/2015	616.00	
202-5016-531.20-06	12/24/2014	NOV 2014 ELM AVE CIP	15010168	150497	06/2015	5,415.00	
401-5020-432.20-06	12/24/2014	NOV 2014 ALLEY IMPRVMENTS	15010169	150204	05/2015	1,710.00	
01/30/2015	86078	OFFICE DEPOT, INC	1262			336.39	
101-1230-413.30-01	01/08/2015	MISC OFFICE SUPPLIES	750069105001	150000	07/2015	74.73	
101-1230-413.30-02	01/08/2015	MISC OFFICE SUPPLIES	750069105001	150000	07/2015	37.34	
101-3040-424.30-01	01/08/2015	MISC OFFICE SUPPLIES	750069105001	150000	07/2015	24.47	
101-3070-427.30-02	01/08/2015	MISC OFFICE SUPPLIES	750069105001	150000	07/2015	21.79	
101-3070-427.30-02	01/09/2015	BATTERIES	750069544001	150000	07/2015	22.02	
101-1230-413.30-01	01/13/2015	PRE-INKED NOTARY STAMP	750069545001	150000	07/2015	43.83	
101-1210-413.30-01	01/15/2015	TISSUE/BINDER CLIPS	749868431001	150000	07/2015	46.90	
101-1210-413.30-01	01/15/2015	2015 CALENDAR	749869352001	150000	07/2015	9.14	
101-1010-411.30-01	01/16/2015	DEDINA BUSINESS CARDS	749278194001	150000	07/2015	44.09	
101-1020-411.30-01	01/07/2015	BOX LETTER	749053656001	150000	07/2015	6.04	
101-1020-411.30-01	01/07/2015	BOX LETTER	749054250001	150000	07/2015	6.04	
01/30/2015	86079	PADRE DAM MWD	1284			.00	
601-5060-436.21-04	01/12/2015	METRO JPA 14-15	186	F15124	07/2015	9,474.00	
601-5060-436.21-04	01/31/2015	METRO JPA 14-15	186		07/2015	9,474.00-	
01/30/2015	86080	PADRE JANITORIAL SUPPLIES	1430			168.10	
101-3030-423.30-02	01/05/2015	JANITORIAL SUPPLIES	365877	150020	07/2015	168.10	
01/30/2015	86081	PRINCIPAL FINANCIAL GROUP	2414			4,187.49	
101-0000-209.01-14	01/15/2015	PAYROLL AP PPE 1/08/15	20150115		07/2015	649.40	
101-0000-209.01-16	01/15/2015	PAYROLL AP PPE 1/08/15	20150115		07/2015	638.17	
101-0000-209.01-21	01/15/2015	PAYROLL AP PPE 1/08/15	20150115		07/2015	805.81	
101-0000-209.01-14	01/29/2015	PR AP PPE 1/22/15	20150129		07/2015	649.72	
101-0000-209.01-16	01/29/2015	PR AP PPE 1/22/15	20150129		07/2015	638.17	
101-0000-209.01-21	01/29/2015	PR AP PPE 1/22/15	20150129		07/2015	806.22	
01/30/2015	86082	PRINCIPAL FINANCIAL GROUP	2428			1,304.80	
101-0000-209.01-13	01/15/2015	PAYROLL AP PPE 1/08/15	20150115		07/2015	652.41	
101-0000-209.01-13	01/21/2015	JAN 2015 VOLUNTARY LIFE	JAN 2015		07/2015	652.41	
101-0000-209.01-13	01/21/2015	JAN 2015 VOLUNTARY LIFE	JAN 2015		07/2015	.02-	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
101-6020-452.27-02	01/14/2015	1015-210019335484 DEC 14	02-05-2015		06/2015	91.92	
101-6020-452.27-02	01/15/2015	1015-210019335248 DEC 14	02-06-2015		06/2015	105.69	
101-6020-452.27-02	01/15/2015	1015-210019335682 DEC 14	02-06-2015		06/2015	16.52	
101-6020-452.27-02	01/14/2015	1015-210019335774 DEC 14	02-05-2015		06/2015	158.94	
101-5010-431.27-02	01/15/2015	1015-210019334948 DEC 14	02-06-2015		06/2015	6.60	
101-3030-423.27-02	01/13/2015	1015-210020153385 DEC 14	02-04-2015		06/2015	25.71	
101-5010-431.27-02	01/13/2015	1015-210019600799 DEC 14	02-04-2015		06/2015	261.68	
601-5060-436.27-02	01/13/2015	1015-210019512885 DEC 14	02-04-2015		06/2015	244.52	
101-5010-431.27-02	01/16/2015	1015-210019531626 DEC 14	02-09-2015		06/2015	6.61	
101-6020-452.27-02	01/15/2015	1015-210019176333 DEC 14	02-06-2015		06/2015	12.20	
601-5060-436.27-02	01/15/2015	1015-210019401916 DEC 14	02-06-2015		06/2015	6.60	
101-5010-431.27-02	01/16/2015	1015-210019535857 DEC 14	02-09-2015		06/2015	6.61	
101-5010-431.27-02	01/15/2015	1015-210019178568 DEC 14	02-06-2015		06/2015	6.60	
303-1250-413.29-04	01/21/2015	1015-210021114451 DEC 14	02-12-2015		06/2015	16.55	
101-6020-452.27-02	01/21/2015	1015-210021082448 DEC 14	02-12-2015		06/2015	474.14	
101-5010-431.27-02	01/15/2015	1015-210019335835 DEC 14	02-06-2015		06/2015	6.60	
101-6020-452.27-02	01/16/2015	1015-210019746893 DEC 14	02-09-2015		06/2015	6.61	
101-5010-431.27-02	01/16/2015	1015-210019531534 DEC 14	02-09-2015		06/2015	6.61	
601-5060-436.27-02	01/13/2015	1015-210020125977 DEC 14	02-04-2015		06/2015	16.46	
01/30/2015	86056	CALIFORNIA STATE DISBURSEMENT	2650			355.84	
101-0000-209.01-07	01/29/2015	PR AP PPE 1/22/15		20150129	07/2015	355.84	
01/30/2015	86057	CHULA VISTA ANIMAL CARE FACILI	2599			1,489.97	
101-3050-425.20-06	12/08/2014	OCT/NOV 2014 A/C CALLBACK		12-08-2014	150214 05/2015	1,489.97	
01/30/2015	86058	CITY OF CHULA VISTA	823			18,787.50	
101-3050-425.20-06	11/30/2014	NOV 2014		AR135871	150215 05/2015	18,787.50	
01/30/2015	86059	CITY OF SAN DIEGO	896			2,272.00	
601-5060-436.21-04	06/27/2014	PRETREAT PERMIT ADMIN FEE		1000108900	F15123 01/2015	2,272.00	
01/30/2015	86060	COLONIAL LIFE & ACCIDENT	941			100.18	
101-0000-209.01-13	01/15/2015	PAYROLL AP PPE 1/08/15		20150115	07/2015	50.09	
101-0000-209.01-13	01/29/2015	PAYROLL AP PPE 1/22/15		0102612	07/2015	50.09	
01/30/2015	86061	COUNTY OF SAN DIEGO RCS	1065			7,556.34	
101-3010-421.21-25	12/01/2014	NOV 2014		15CTOFIBN05	150411 06/2015	2,272.50	
101-3020-422.21-25	12/01/2014	NOV 2014		15CTOFIBN05	150411 06/2015	583.00	
101-3030-423.21-25	12/01/2014	NOV 2014		15CTOFIBN05	150411 06/2015	1,050.34	
101-3010-421.21-25	01/01/2015	DEC 2014		15CTOFIBN06	150411 06/2015	2,272.50	
101-3020-422.21-25	01/01/2015	DEC 2014		15CTOFIBN06	150411 06/2015	583.00	
101-3030-423.21-25	01/01/2015	DEC 2014		15CTOFIBN06	150411 06/2015	795.00	
01/30/2015	86062	D.A.R. CONTRACTORS	1122			347.00	
101-3050-425.20-06	01/02/2015	DEC 2014		121401229	150195 07/2015	347.00	
01/30/2015	86063	FIDELITY SECURITY LIFE INSURAN	2476			260.56	
101-0000-209.01-18	01/15/2015	PAYROLL AP PPE 1/08/15		20150115	07/2015	130.36	
101-0000-209.01-18	01/21/2015	JAN 2015 VISION INSURANCE		JAN 2015	07/2015	.16-	

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01/30/2015	86064	FIRSTWATCH	2647							4,300.00	
	101-3020-422.20-06	12/11/2014	TRIGGER CONSULTATION/TRNG				FW102023		06/2015	4,300.00	
01/30/2015	86065	GEOCON INC.	2206							275.00	
	202-5016-531.20-06	01/12/2015	DEC 2014 RTIP FY 11/12				1413090	150206	07/2015	275.00	
01/30/2015	86066	GO-STAFF, INC.	2031							5,649.36	
	101-1210-413.21-01	01/13/2015	W/E 01/12/15 FERGUSON,N				136989	150072	07/2015	811.41	
	503-1923-419.21-01	01/13/2015	W/E 01/11/15 PIEDRA,M				136990	150108	07/2015	735.00	
	601-5060-436.21-01	01/13/2015	W/E 01/11/15 RIVERA,J				136991	150279	07/2015	433.92	
	101-1210-413.21-01	01/20/2015	W/E 01/18/15 FERGUSON,N				137341	150072	07/2015	989.25	
	503-1923-419.21-01	01/20/2015	W/E 01/18/15 PIEDRA, M				137342	150108	07/2015	672.00	
	101-1230-413.21-01	01/13/2015	W/E 01/11/15 LOPEZ,L				136988	150113	07/2015	936.00	
	601-5060-436.21-01	01/20/2015	W/E 01/18/15 RIVERA,J				137343	150279	07/2015	1,071.24	
	101-1210-413.21-01	12/09/2014	W/E 12/07/2014 FERGUSON,N				135222	150072	06/2015	.54	
01/30/2015	86067	HUDSON SAFE-T LITE RENTALS	2382							1,497.66	
	101-5010-431.21-23	01/06/2015	STREET SIGN				00028090	150062	07/2015	31.61	
	101-5010-431.21-23	01/16/2015	TRAFFIC PAINT				00028352	150062	07/2015	1,466.05	
01/30/2015	86068	I B FIREFIGHTERS ASSOCIATION	214							450.00	
	101-0000-209.01-08	01/29/2015	PAYROLL AP PPE 1/22/15				20150129		07/2015	450.00	
01/30/2015	86069	ICMA RETIREMENT TRUST 457	242							6,146.21	
	101-0000-209.01-10	01/29/2015	PAYROLL AP PPE 1/22/15'				101916517		07/2015	6,146.21	
01/30/2015	86070	IPMA/ SAN DIEGO CHAPTER	402							50.00	
	101-1130-412.28-04	01/27/2015	TRANINIG FOR N. MORENO &				02-19-2015	F15128	07/2015	50.00	
01/30/2015	86071	KANE, BALLMER & BERKMAN	1828							22,233.52	
	402-5000-532.20-06	01/12/2015					20866		06/2015	4,130.00	
	303-1250-413.20-01	01/12/2015					20869		06/2015	97.56	
	303-1250-413.20-01	01/12/2015					20865		06/2015	600.00	
	303-1250-413.20-01	01/12/2015					20864		06/2015	14,290.00	
	303-1250-413.20-06	01/12/2015					20868		06/2015	2,312.50	
	217-5000-532.20-01	01/12/2015					20867		06/2015	467.50	
	303-1250-413.20-01	01/12/2015					20861		06/2015	157.50	
	303-1250-413.20-06	01/06/2015					20860		06/2015	178.46	
01/30/2015	86072	KEYSER MARSTON ASSOC INC	620							2,130.00	
	402-5000-532.20-06	01/08/2015	DEC 2014 BIKEWAY VILLAGE				0027963		06/2015	2,130.00	
01/30/2015	86073	LIBERTY TRUST	2							244.60	
	601-0000-121.00-00	01/21/2015	REFUND SEWER FEE				4213		07/2015	244.60	
01/30/2015	86074	MANAGED HEALTH NETWORK	2432							397.60	
	101-1130-412.20-06	01/17/2015	FEB 2015				3200065257	150174	08/2015	397.60	
01/30/2015	86075	MCDUGAL LOVE ECKIS &	962							20,436.80	
	101-1220-413.20-02	12/31/2014					87354	150116	06/2015	8,227.00	

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101-0000-209.01-12	01/21/2015	JAN 2015 DENTAL PPO INSUR	JAN 2015		07/2015	42.80		
101-0000-209.01-12	01/21/2015	JAN 2015 DENTAL PPO INSUR	JAN 2015		07/2015	889.51		
01/30/2015	86084	RANCHO AUTO & TRUCK PARTS	1685					444.02
501-1921-419.28-16	01/05/2015	#630 WATER PUMP ASSY	7693-216980	150014	07/2015	84.90		
501-1921-419.28-16	12/23/2014	OIL/AIR FILTERS	7693-216023	150014	06/2015	44.82		
501-1921-419.28-16	01/07/2015	MICRO V BELTS	7693-217289	150014	07/2015	38.96		
501-1921-419.28-16	01/08/2015	A-8 STOP PAD SET	7693-217353	150014	07/2015	34.62		
501-1921-419.28-16	01/14/2015	OIL FILTERS/SPRK PLUGS	7693-218078	150014	07/2015	68.96		
501-1921-419.28-16	01/15/2015	#603 GAS CAP	7693-218126	150014	07/2015	8.07		
501-1921-419.28-16	01/16/2015	5401 OIL FILTER	7693-218236	150014	07/2015	9.98		
501-1921-419.28-16	01/21/2015	#147 TAILGATE LATCH/HANDL	7693-218752	150014	07/2015	82.53		
501-1921-419.28-16	01/21/2015	OIL/AIR FILTERS	7693-218868	150014	07/2015	71.18		
01/30/2015	86085	RELIABLE TIRES COMPANY	136					15.00
101-5040-434.21-04	01/26/2015	DELIVER USED TIRES	90501	F15127	07/2015	15.00		
01/30/2015	86086	SAFeway SIGN COMPANY	2309					1,109.05
101-6040-454.30-02	01/09/2015	STREET END SIGNS	101715	150061	07/2015	1,109.05		
01/30/2015	86087	SEIU LOCAL 221	1821					1,266.62
101-0000-209.01-08	01/29/2015	PAYROLL AP PPE 1/22/15	20150129		07/2015	1,266.62		
01/30/2015	86088	SPARKLETTS	2341					94.19
101-3020-422.30-02	01/16/2015	DEC/JAN 2015	12529930 011615	150213	07/2015	94.19		
01/30/2015	86089	SPRINT	2040					149.97
101-3020-422.27-05	12/29/2014	11/26/14-12/25/14	594768811-085	150194	06/2015	149.97		
01/30/2015	86090	TERRA BELLA NURSERY, INC.	1946					64.78
101-6020-452.30-02	01/14/2015	LOPHOSTEMON CONFERTUS	135915	150028	07/2015	64.78		
01/30/2015	86091	TRAN CONSULTING ENGINEERS	2033					37,122.67
601-5060-536.20-06	01/02/2015	CCTV INSPECITON SEWER LIN	7331	150338	07/2015	37,122.67		
01/30/2015	86092	T-MAN TRAFFIC SUPPLY	2469					699.34
201-5000-532.20-06	01/02/2015	PAVEMENT MARKERS	2425	150066	07/2015	699.34		
01/30/2015	86093	TRISTAR RISK MANAGEMENT	2617					11,815.54
502-0000-106.03-00	01/06/2015	DEC 2014 LOSS REPLENSHMNT	95240		07/2015	11,815.54		
01/30/2015	86094	US BANK	2458					1,078.70
101-0000-209.01-20	01/29/2015	PAYROLL AP PPE 1/22/15	20150129		07/2015	1,078.70		
01/30/2015	86095	WAGE WORKS INC.	2210					128.75
101-1920-419.29-04	01/27/2015	JAN 2015	125AI0372851	150104	07/2015	128.75		
01/30/2015	86096	WAXIE SANITARY SUPPLY	802					783.28
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01/30/2015	86098	ZUMAR INDUSTRIES INC.	875				637.80
101-6040-454.30-02	01/07/2015	BEACH SIGNS	0156534	150012	07/2015		637.80
02/05/2015	86103	U.S. BANK	1873				20,518.33
101-1130-412.28-04	09/30/2014	2014 HEALTH FAIR REFRESHM	10307	150467	06/2015		163.30
101-1010-411.29-04	12/01/2014	MAYOR'S FRAME/DECOR,EMPL	012037	150467	06/2015		24.94
101-1130-412.29-02	12/01/2014	MAYOR'S FRAME/DECOR,EMPL	012037	150467	06/2015		14.33
101-1130-412.28-04	12/01/2014	HR LUNCH MTG/TRNG	034473	150467	06/2015		29.70
101-1130-412.29-02	12/01/2014	EMPLOYEE APPRECIATION GC	075596	150467	06/2015		290.00
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	051292	150467	06/2015		25.00
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	053890	150467	06/2015		50.00
101-1130-412.28-04	12/02/2014	HR LUNCH MTG/TRNG	059422	150467	06/2015		52.24
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	070026	150467	06/2015		25.00
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	084189	150467	06/2015		100.00
101-1010-411.29-04	12/04/2014	EMPLOYEE APPRECIATION GC	081485	150467	06/2015		50.00
101-1130-412.29-02	12/09/2014	EMPLOYEE APPR CATERING	E30680	150467	06/2015		2,196.69
101-1130-412.20-06	12/15/2014	FINGERPRINTING, MOSHIRIAN	12-15-2014	150467	06/2015		25.00
101-1130-412.29-02	12/19/2014	FOOD CONTAINERS-EMPLY APP	00054662	150467	06/2015		15.63
101-0000-209.01-03	12/11/2014	EMPL COMPUTER LOAN	BBY01-696363035		06/2015		1,511.92
503-1923-419.50-04	11/24/2014	LAPTOP CHARGER	107-9256980-913	150477	06/2015		31.87
101-6020-452.30-02	11/25/2014	PLUMBING SUPPLIES/VETS PK	011885/0012027	150494	06/2015		16.85
503-1923-419.28-04	12/10/2014	FUEL CITY VEHICLE	013903	150477	06/2015		16.81
503-1923-419.28-04	12/10/2014	WASHINGTON,E-MEAL TRAVEL	033510	150477	06/2015		25.17
503-1923-419.28-04	12/10/2014	WASHINGTON,E-TRNG MEAL	045437	150477	06/2015		3.23
503-1923-419.28-04	12/10/2014	WASHINGTON,E-REFUEL CITY	096152	150477	06/2015		10.00
503-1923-419.28-04	12/10/2014	WASHINGTON,E-MEAL TRAVEL	240	150477	06/2015		4.79
503-1923-419.28-04	12/15/2014	WINDOWS STUDY GUIDE	107-7252537-720	150477	06/2015		71.60
503-1923-419.50-04	12/17/2014	PROJECTOR LAMP	107-7347720-410	150477	06/2015		53.50
503-1923-419.50-04	12/17/2014	PC MONITOR	107-7990364-546	150477	06/2015		201.74
503-1923-419.50-04	12/17/2014	ADOBE ACROBAT XPRO	107-9235001-882	150477	06/2015		238.66
101-5010-431.30-02	12/03/2014	PAINT HANDLES/KNIFE	061718/2573590	150482	06/2015		24.99
601-5060-436.30-02	12/03/2014	PAINT HANDLES/KNIFE	061718/2573590	150482	06/2015		12.77
101-6020-452.30-22	12/10/2014	SMAILL TOOLS	009199/5014168	150494	06/2015		22.67
101-5010-431.30-02	11/24/2014	CHAMOIS	0270601	150480	06/2015		617.41
101-1910-419.30-02	11/26/2014	PLUMBING MURIATIC ACID	091984/9192862	150480	06/2015		11.86
601-5060-436.30-02	11/25/2014	PS #8 SQUEEGEE	050309/0596484	150487	06/2015		37.65
101-6040-454.30-02	12/01/2014	SOLID TALL GROMMETS	66374	150480	06/2015		172.37
101-6020-452.28-01	12/03/2014	FLOOR EPOXY-PAINTING	055937/2590462	150480	06/2015		299.60
101-1910-419.30-02	12/05/2014	ANT/ROACH KILLER	031112/0193504	150480	06/2015		16.65
101-6040-454.30-02	12/09/2014	DRAPE BANNERS	0404221-IN	150480	06/2015		296.69
101-6020-452.30-02	12/11/2014	PLAYGROUND PAINT	9547-8	150480	06/2015		66.96
601-5060-436.28-01	12/03/2014	SEWER DIVISION KEYS	035861/2573582	150487	06/2015		18.18
101-5050-435.30-02	12/01/2014	RAIN BOOTS/RAIN SUIT	9607468098	150495	06/2015		62.85
101-5050-435.30-02	12/02/2014	RAIN SUIT	4916148-000	150495	06/2015		41.41
101-5050-435.30-02	12/02/2014	CREDIT RTND RAIN SUIT	9608196417	150495	06/2015		39.70
101-5010-431.30-02	11/25/2014	GLOBALSAT RECEIVER	2799	150480	05/2015		113.00

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101-1230-413.28-11	11/20/2014	MICROFICHE SCANNED IMAGES	21758	150463 06/2015 59.78
101-1230-413.28-04	12/04/2014	WADE, SANDAG PRKNG FEES	631809	150463 06/2015 8.00
101-1230-413.30-02	12/11/2014	BLUEPRINT PENS	13667830	150463 06/2015 11.28
101-3030-423.28-01	12/01/2014	EPOXY/SEALANT/TOOLS	053859/4590249	150475 06/2015 61.18
101-3030-423.30-02	12/02/2014	LG TRUCK FLOOR MATS	498521125	150475 06/2015 127.95
101-3030-423.30-02	12/10/2014	BATTERIES/POWER CHRGR	106-6930998-824	150475 06/2015 121.33
101-3030-423.28-01	12/11/2014	PWC TRAILER UBO LTS	CASA918356	150475 06/2015 31.99
101-3030-423.30-02	12/11/2014	BINOCULARS MEMORY CARD	12-11-2014	150475 06/2015 43.10
101-3030-423.28-01	12/11/2014	TRAILER WELD REPAIR	164-14	150475 06/2015 299.94
101-3030-423.30-02	12/18/2014	BATTERIES/DETERGENT	015207/7200573	150475 06/2015 70.06
101-3030-423.30-02	12/18/2014	OFFICE SUPPLIES	236	150475 06/2015 143.53
101-5010-431.30-02	12/03/2014	REDWOOD	083207/2013719	150490 06/2015 49.28
101-5010-431.30-02	12/09/2014	CONDUIT/STRAPS	051869/5690916	150490 06/2015 9.91
501-1921-419.28-01	11/24/2014	#108 STREET DUMP CLEAN DP	SW14164	150491 06/2015 716.78
101-5020-432.25-03	12/11/2014	PW SWEATSHIRTS	68369	150481 06/2015 584.55
101-6040-454.30-02	12/03/2014	LENS COLORED COVER PLAZA	SLS-142965-1	150485 06/2015 116.51
101-1910-419.30-02	12/03/2014	SEMI GLOSS PAINT	081107/2573594	150485 06/2015 32.10
101-6040-454.30-02	12/04/2014	PLAZA LIGHT HEX BITS	040156/1585131	150485 06/2015 7.53
101-1910-419.30-02	12/06/2014	LIGHT OUTLET	065075/9573849	150485 06/2015 .73
101-1910-419.30-02	12/07/2014	SHEET METAL SCREWS	087992/8564537	150485 06/2015 4.23
101-6040-454.30-02	12/14/2014	PIER GATE WHEELS	04156787	150485 06/2015 43.16
101-6040-454.30-02	12/17/2014	PIER NUTS & BOLTS	20735	150485 06/2015 54.38
101-6020-452.30-02	12/18/2014	PAINT & SUPPLIES PARK RR	015352/7021930	150485 06/2015 245.49
501-1921-419.28-16	12/03/2014	REPLACEMENT COOLANT TANK	335401	150491 06/2015 154.17
601-5060-436.28-01	12/05/2014	#117 HOSE	1685	150492 06/2015 416.08
501-1921-419.28-01	11/26/2014	#107 FRONT END REPAIRS	25873	150492 05/2015 355.10
101-3040-424.28-04	11/26/2014	NOWAK,D TRNG REGISTRATION	379068089	150464 06/2015 75.00
504-1924-419.21-04	11/29/2014	SCREWS/BLADES/DRYWALL	033592/6012441	150464 06/2015 39.12
101-6040-454.30-02	11/23/2014	PIER RAIL/POST WOOD	055389/2011727	150484 06/2015 212.96
101-1910-419.30-02	11/29/2014	SIGN LINKS	056932/6200324	150484 06/2015 38.23
101-1020-411.28-09	12/04/2014	AGENDA POSTAGE	046334	150462 06/2015 9.52
101-1020-411.30-01	12/04/2014	CREDIT S&H FEES	326588	150462 06/2015 15.00
101-1020-411.28-11	12/17/2014	COPY FEES	3165	150462 06/2015 4.67
101-1020-411.28-11	12/19/2014	RECORDING FEES	5033	150462 06/2015 25.50
101-6040-454.30-02	12/09/2014	BEDROCK DUNES PARK	100469	150484 06/2015 267.06
101-6040-454.30-02	12/24/2014	GATE HINGES	66458	150484 06/2015 23.76
101-1020-411.30-01	11/25/2014	ENGRAVING GAVEL/AWARDS	326588	150462 05/2015 147.68
101-1020-411.21-06	11/24/2014	OATH OF OFFICE INVITATION	6926680	150461 06/2015 52.00
101-1020-411.21-06	11/25/2014	OATH OF OFFICE INVITATION	6928584	150461 06/2015 49.31
101-3030-423.30-02	11/25/2014	DIVE COMPUTER CABLE	112-6445615-790	150474 06/2015 95.53
101-3030-423.30-02	11/26/2014	EXTENSION CORDS	045788/9596581	150474 06/2015 82.50
101-5010-431.30-02	11/25/2014	STREETS TOOLS	021542/0024475	150493 06/2015 33.40
101-1020-411.21-06	12/05/2014	OATH OF OFFICE REFRESHMNT	065599	150461 06/2015 34.99
101-1020-411.30-01	12/07/2014	NAME PLATE VELCRO	07469	150461 06/2015 18.33
101-1020-411.21-06	12/07/2014	TABLE CLOTHS OATH OF OFC	091963	150461 06/2015 12.90
101-1020-411.21-06	12/09/2014	OATH OF OFFICE REFRESHMNT	016843	150461 06/2015 34.99
101-1020-411.21-06	12/10/2014	OATH OF OFFICE PROGRAM	6957551	150461 06/2015 37.80
101-5010-431.30-02	12/02/2014	FILTER FABRIC/HOSE	074234/3193280	150493 06/2015 48.57
303-1250-413.20-06	12/02/2014	FILTER FABRIC/HOSE	074234/3193280	150493 06/2015 86.37
101-5020-432.30-01	12/04/2014	PW GREEN BOOK	N-00196651	150493 06/2015 103.01

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101-5010-431.30-02	12/09/2014	BATTERIES	2104	150493	06/2015	37.78
101-3020-422.30-02	07/05/2014	2014 SD PROTOCOL HANDBOOK	07-05-2014	150470	06/2015	213.84
101-3020-422.28-09	11/26/2014	RETURN POSTAGE	045468	150470	06/2015	5.95
101-3020-422.30-02	12/11/2014	MEDICAL COMBICARRIER	201412407008	150470	06/2015	925.12
101-3020-422.30-02	12/11/2014	MORPHINE	587246	150470	06/2015	36.39
101-3020-422.30-02	12/13/2014	WATERPROOF DRYBOX	39712	150470	06/2015	14.24
101-3030-423.28-04	12/05/2014	HUBBARD, A TRNG FEES	92452861	150472	06/2015	111.00
101-3030-423.28-01	12/08/2014	DIVE TRAILER WEATHER PROF	14376	150473	06/2015	90.14
101-1910-419.30-02	12/01/2014	DOOR LATCH SPRING SET	004815/4590264	150486	06/2015	4.02
101-6040-454.30-02	12/05/2014	IRRIGATION PARTS/PVC COND	084333/0590630	150486	06/2015	29.07
101-6040-454.30-02	12/08/2014	TURN LATCH & COVER	23304	150486	06/2015	35.64
101-6040-454.30-02	12/09/2014	GALV LINERS	070174857	150486	06/2015	260.04
101-6040-454.30-02	12/09/2014	PLAZA UMBRELLAS	70536	150486	06/2015	330.85
101-6040-454.30-02	12/18/2014	ELECTIRCAL TAPE/BOLTS/NUT	004149/7022009	150486	06/2015	34.44
101-1110-412.28-04	12/04/2014	HALL, A SANDAG PRKNG FEES	12-04-2014	150465	06/2015	8.00
101-3020-422.30-02	12/09/2014	SHOP RAGS	016762	150471	06/2015	28.06
101-3020-422.30-02	12/09/2014	STATION SUPPLIES	020990	150471	06/2015	114.08
101-3020-422.30-02	12/09/2014	WHITE CLEANING TOWELS	033816	150471	06/2015	21.28
101-3020-422.30-02	12/15/2014	KEY LOCK BOX	022903	150471	06/2015	31.31
101-1210-413.30-02	12/10/2014	A/P JABRA HEADSET	223565583	150476	06/2015	214.95
101-1210-413.28-04	12/17/2014	COGNOS TRNG- BRADLEY, D	INV-227728-L5L4	150476	06/2015	1,047.00
101-1210-413.28-04	12/09/2014	SHOUSE, P-FUEL FOR TRNG	00-27454	150478	06/2015	30.06
101-1210-413.28-04	12/10/2014	SHOUSE, P TOLL RD TO TRNG	1603111325	150478	06/2015	14.70
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	0029	150468	06/2015	25.00
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	025702	150468	06/2015	25.00
101-1010-411.29-04	12/02/2014	EMPLOYEE APPRECIATION GC	066677	150468	06/2015	25.00
101-1010-411.28-04	12/03/2014	REFRESHMENT FAREWEL MAYOR	10521	150468	06/2015	134.89
101-1010-411.29-04	12/04/2014	EMPLOYEE APPRECIATION GC	12-04-2014	150468	06/2015	25.00
101-0000-209.01-03	11/24/2014	EMP COMPUTER LOAN	W421743118		06/2015	723.36
101-0000-209.01-03	11/25/2014	EMP COMPUTER LOAN	W243351976		06/2015	466.92
101-0000-209.01-03	12/08/2014	EMP COMPUTER LOAN	BBY01-696363035		06/2015	435.99
101-0000-209.01-03	12/08/2014	EMP COMPUTER LOAN	W217245772		06/2015	649.92
101-0000-209.01-03	12/08/2014	EMP COMPUTER LOAN	W262886019		06/2015	323.95
101-0000-209.01-03	12/09/2014	EMP COMPUTER LOAN	W282083859		06/2015	349.92
101-3020-422.30-02	11/26/2014	RTN FIRE ROPES	293105	150469	06/2015	1,308.00
101-3020-422.30-02	11/28/2014	SANDBAGS	63480383	150469	06/2015	230.40
101-3020-422.30-02	12/02/2014	ENGINE WEIGHT CERT	347	150469	06/2015	13.00
504-1924-419.21-04	12/04/2014	CITY HALL REMODEL PAINT/S	029127/1020074	150483	06/2015	101.49
101-1910-419.30-02	12/06/2014	BASEBOARDS-SHERIFF	078232/2590461	150483	06/2015	91.56
504-1924-419.21-04	12/10/2014	CITY HALL REMODEL/DRYWALL	035574/5014212	150483	06/2015	99.74
101-1910-419.30-02	12/10/2014	MVC ELECTRICAL SUPPLIES	090130/5590978	150483	06/2015	33.87
101-1910-419.30-22	12/18/2014	TEXTURE GUN	016171/7014994	150483	06/2015	71.26
601-5060-436.30-02	12/17/2014	LEATHER GLOVES	043682/8565237	150488	06/2015	37.70
101-1910-419.30-02	11/24/2014	BATHROOM TILES	073003/1024346	150483	05/2015	19.38
101-1110-412.30-01	12/02/2014	SHARPIE PENS	2345	150466	06/2015	7.11
101-1010-411.30-01	12/02/2014	CUSTOME SUBLIMATED PLATE	6070	150466	06/2015	90.72
101-1010-411.28-04	12/03/2014	FAREWELL ARRANGEMENT	1846	150466	06/2015	55.08
101-1110-412.30-01	12/14/2014	SEASONAL CARDS	12-17-2014	150466	06/2015	42.09
101-1010-411.28-04	12/15/2014	COUNCIL MTG REFRESHMENTS	00097604	150466	06/2015	31.06
101-1110-412.30-01	12/15/2014	WIRELESS HEADSET SYSTEM	002-2749220-902	150466	06/2015	205.50

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
101-1010-411.30-01	12/17/2014	MAYOR DEDINA PICTURE FRAM	6106	150466	06/2015	10.80	
601-5060-436.28-01	12/03/2014	PS #8 BREAKER PANEL	027740	150479	06/2015	923.40	
601-5060-436.28-13	12/03/2014	CASAS, M CWEA RENEWAL	103729	150479	06/2015	89.00	
601-5060-436.30-02	12/16/2014	50LB BAGS LIME	043558/9021640	150479	06/2015	47.14	
601-5060-436.30-02	12/16/2014	VACTOR TUBE CLAMPS	62918	150479	06/2015	309.30	
101-5010-431.30-02	12/05/2014	TAPE/TIE DOWNS/STAPLES	015816/0242602	150489	06/2015	164.13	
303-1250-413.20-06	12/06/2014	WOODEN STAKES	075985/2042701	150489	06/2015	20.02	
02/05/2015	86104	APCD COUNTY OF SAN DIEGO	248			1,012.00	
501-1921-419.28-13	12/19/2014	EMISSION/PROCESSING/REG F	20141219-01373	150500	06/2015	100.00	
601-5060-436.28-13	12/19/2014	EMISSION/PROCESSING/REG F	20141219-01373	150500	06/2015	603.00	
601-5060-436.28-13	12/19/2014	EMISSION/REGISTRATION FEE	20141219-04890	150500	06/2015	309.00	
02/05/2015	86105	ARROWHEAD MOUNTAIN SPRING WATE	1340			69.94	
101-5020-432.30-02	01/22/2015	JAN 2015	05A0026726646	150183	07/2015	25.67	
101-1010-411.30-02	01/22/2015	JAN 2015	05A0031149578	150175	07/2015	44.27	
02/05/2015	86106	ATKINS NORTH AMERICA, INC.	2455			1,636.89	
202-5016-531.20-06	01/15/2015	DEC 2014 RTIP ST IMPRVMT	1805474	130820	06/2015	801.70	
101-0000-221.01-02	12/22/2014	NOV 2014 PLAN CHECKS	1803997		05/2015	797.69	
101-0000-221.01-02	12/22/2014	NOV 2014 PLAN CHECKS	1803997		05/2015	37.50	
02/05/2015	86107	BDS ENGINEERING INC	372			25,390.00	
201-5000-532.20-06	12/22/2014	DEC 2014 DELAWARE ST IMPR	08-41F	150278	06/2015	17,920.00	
201-5000-532.20-06	01/29/2015	JAN 2015 DELAWARE ST IMPR	08-41G	150278	07/2015	7,470.00	
02/05/2015	86108	BLUE PACIFIC ENGINEERING & CON	2604			100,937.50	
601-5060-536.20-06	01/23/2015	ANNUAL MAIN LINE REPAIRS	1	150496	07/2015	100,937.50	
02/05/2015	86109	CALIFORNIA DENTAL	2480			784.32	
101-0000-209.01-12	12/04/2014	PAYROLL AP PPE 11/27/14	20141204		06/2015	394.38	
101-0000-209.01-12	12/18/2014	PAYROLL AP PPE 12/11/14	20141218		06/2015	394.38	
101-0000-209.01-12	02/02/2015	FEB 2015 DENTAL INSURANCE	FEB 2015		08/2015	2.22-	
101-0000-209.01-12	02/02/2015	FEB 2015 DENTAL INSURANCE	FEB 2015		08/2015	2.22-	
02/05/2015	86110	CESAR VILLAREAL	2			23.00	
101-0000-121.00-00	12/11/2014	OVERPYMT PT #62806	PT #62806		06/2015	23.00	
02/05/2015	86111	CVA SECURITY	797			185.00	
101-1910-419.20-23	02/01/2015	FEB 2015 -2089 EOC	31811	150076	08/2015	30.00	
101-1910-419.20-23	02/01/2015	FEB 2015 -2466 PW REAR	31841	150076	08/2015	55.00	
101-1910-419.20-23	02/01/2015	FEB 2015 -2698 CITY HALL	31888	150076	08/2015	30.00	
101-1910-419.20-23	02/01/2015	FEB 2015 -314 MV CENTER	31904	150076	08/2015	30.00	
101-1910-419.20-23	02/01/2015	FEB 2015 -314 PW	31922	150076	08/2015	40.00	
02/05/2015	86112	COUNTY OF SAN DIEGO	1055			1,485.10	
101-3010-421.21-04	12/31/2014	DEC 2014 PARKING PENALTY	12/14		06/2015	1,485.10	
02/05/2015	86113	COUNTY RECORDER	1818			50.00	
101-3010-421.21-04	12/31/2014	DEC 2014 PARKING PENALTY	12/14		06/2015	1,485.10	

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101-3010-421.21-04	12/31/2014	DEC 2014 PARKING PENALTY		12/14		06/2015	1,485.10-
02/05/2015	86114	COX COMMUNICATIONS	1073				600.00
503-1923-419.21-04	01/25/2015	01/25-02/24 3110039780701		02-15-2015	150087	08/2015	600.00
02/05/2015	86115	CPACINC.COM	2148				7,419.90
503-1923-419.20-06	01/16/2015	UNITRENDS TECH SUPPORT		SI-1274907	150504	07/2015	7,419.90
02/05/2015	86116	DOWNSTREAM SERVICES, INC.	1593				5,779.60
601-5060-536.20-06	11/20/2014	CCTV INSPECTION W/CREW		17954	150554	05/2015	5,779.60
02/05/2015	86117	DRUG TESTING NETWORK INC	1195				255.95
101-1130-412.20-06	01/30/2015	RANDOM DRUG TESTING		75015	150177	07/2015	255.95
02/05/2015	86118	EL TAPATIO INC	1407				300.19
401-1230-413.20-06	01/13/2015	PALM AVE WRKSHP REFRESHMT		10613		07/2015	300.19
02/05/2015	86119	GCR TIRE CENTERS	1702				1,087.61
501-1921-419.28-16	01/08/2015	D-1 TIRES		832-33724	150042	07/2015	602.21
501-1921-419.28-16	01/26/2015	#612 TIRES		832-33982	150042	07/2015	485.40
02/05/2015	86120	GRAINGER	1051				326.58
101-1910-419.30-02	01/13/2015	FLOOR DRAIN GRATE		9638006602	150007	07/2015	41.67
101-1910-419.30-02	01/13/2015	DISPOSABLE GLOVES		9638846965	150007	07/2015	105.73
101-6020-452.30-02	01/21/2015	PADLOCK		9645890303	150007	07/2015	19.95
101-1910-419.30-02	01/27/2015	HIGH PRESSURE SODIUM LAMP		9650568877	150007	07/2015	159.23
02/05/2015	86121	HELEN SYLVIA	1977				.00
101-3030-423.28-04	01/25/2015	REIMBURSE EMT FEES		01-25-2015		07/2015	900.00
101-3030-423.28-04	02/19/2015	REIMBURSE EMT FEES		01-25-2015		08/2015	900.00-
02/05/2015	86122	ICMA MEMBERSHIP	239				860.00
101-1230-413.28-12	02/02/2015	2015 MEMBERSHIP RENEWAL		2015 WADE		08/2015	860.00
02/05/2015	86123	JOHN DEERE LANDSCAPES	1986				498.54
101-6040-454.30-02	01/23/2015	FERTLZR 15-15-15		70639745	150025	07/2015	51.80
101-6020-452.30-02	01/08/2015	FLAGS/TAPE/GLUE		70558085	150025	07/2015	39.64
101-6020-452.30-02	01/13/2015	IRRIGATION PARTS		70579257	150025	07/2015	46.57
101-6020-452.30-02	01/14/2015	IRRIGATION PARTS		70583718	150025	07/2015	93.29
101-6020-452.30-02	01/20/2015	FERTILIZER		70616248	150025	07/2015	200.43
101-6020-452.30-02	01/16/2015	POLYPLUS		70598401	150025	07/2015	66.81
02/05/2015	86124	JUST CONSTRUCTION, INC.	2609				7,103.82
601-5060-536.20-06	01/21/2015	DEC 2014 RTIP FY 11/12		04 REV	150276	07/2015	7,103.82
02/05/2015	86125	NBS GOVERNMENT FINANCE GROUP	2299				3,800.00
303-1250-413.20-06	01/12/2015	2010 TAX ALLOCATION BONDS		115000026	F15130	07/2015	1,525.00
303-1250-413.20-06	01/12/2015	2013 TAX ALLOCATION REFUN		115000026	F15130	07/2015	2,275.00
02/05/2015	86126	NOLTE ASSOCIATES, INC.	2600				24,300.50
101-0000-221.01-02	12/24/2014	OCT/NOV 2014 MAP PLAN CHK		14120366		05/2015	580.00

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101-0000-221.01-02	12/24/2014	OCT/NOV 2014 MAP PLAN CHK	14120366		05/2015	652.50
101-0000-221.01-02	12/24/2014	OCT/NOV 2014 CIVIL PLN CH	14120365		05/2015	2,755.00
101-0000-221.01-02	12/24/2014	OCT/NOV 2014 CIVIL PLN CH	14120365		05/2015	3,697.50
303-1250-413.20-06	12/24/2014	OCT/NOV 2014 CIVIL PLN CH	14120365		05/2015	12,660.00
303-1250-413.20-06	12/24/2014	OCT/NOV 2014 ENGINEER SVC	14120362B		05/2015	2,288.00
02/05/2015	86127	NOVAK SURF DESIGNS	2648			650.00
504-1924-419.21-04	01/16/2015	CITY MANAGERS OFC COUNTER	2596	150555	07/2015	650.00
02/05/2015	86128	EDWARD JOE OCHOA	1774			616.50
601-5060-436.21-04	01/24/2015	PS #10 SWITCH REPAIR	1978	150211	07/2015	616.50
02/05/2015	86129	PARTNERSHIP WITH INDUSTRY	1302			1,141.01
101-6040-454.21-04	01/15/2015	P/E 01/15/2015	GS05952	150119	07/2015	342.30
101-6040-454.21-04	01/15/2015	P/E 01/15/2015	GS05952	150119	07/2015	342.30
101-6040-454.21-04	01/15/2015	P/E 01/15/2015	GS05952	150119	07/2015	456.41
02/05/2015	86130	PRO LINE PAINT COMPANY	52			144.72
101-6020-452.30-02	12/11/2014	MARINE ENML PAINT	9547-8	150016	06/2015	66.96
601-5060-436.30-02	01/15/2015	PAINT & RUST CONVERSION	5442-1	150016	07/2015	144.72
101-6020-452.30-02	12/11/2014	MARINE ENML PAINT	9547-8		06/2015	66.96-
02/05/2015	86131	PROTECTION ONE ALARM MONITORIN	69			293.50
601-5060-436.20-23	01/20/2015	FEB 2015	101628881	150090	07/2015	293.50
02/05/2015	86132	QUALITY CODE PUBLISHING, LLC	1955			1,625.05
101-1020-411.21-04	01/07/2015	IB MUNI CODE PRINTED COPY	2015-3	150556	07/2015	1,625.05
02/05/2015	86133	RANCHO AUTO & TRUCK PARTS	1685			146.41
501-1921-419.28-16	01/29/2014	OIL/FUEL FILTERS	7693-219711	150014	07/2015	27.45
501-1921-419.28-16	01/28/2015	IGN POINTS/CONDENSER	7693-219583	150014	07/2015	22.92
501-1921-419.28-16	01/29/2015	#152 DENSO	7693-219771	150014	07/2015	25.40
501-1921-419.28-16	02/02/2015	#152 FUEL INJECTION	7693-220092	150014	08/2015	70.64
02/05/2015	86134	RAPID SCALE, INC	2591			910.35
503-1923-419.21-04	01/31/2015	JAN 2015 CLOUDMAIL HOST	4111	150191	07/2015	910.35
02/05/2015	86135	SKS INC.	412			6,481.38
501-1921-419.28-15	01/22/2015	1,101 GALLONS REG FUEL	1267637-IN	150041	07/2015	2,398.26
501-1921-419.28-15	01/29/2015	700.1 GAL DIESEL FUEL	1267803-IN	150041	07/2015	1,605.05
501-1921-419.28-15	01/29/2015	1097.2 GAL REGULAR FUEL	1267804-IN	150041	07/2015	2,478.07
02/05/2015	86136	TRANSITIONAL LIVING	2			60.00
101-0000-121.00-00	01/27/2015	134 PALM AVE OVERPAYMENT	CR 597		07/2015	60.00
02/05/2015	86137	UNDERGROUND SERVICE ALERT	OF 731			43.50
601-5060-436.21-04	02/01/2015	JAN 2015	120150320	150089	08/2015	43.50
02/05/2015	86138	URS CORPORATION	2550			13,553.22
101-5050-540.20-06	01/22/2015	P/E 01/09/2015 WQIP TJ RI	6145088	150277	07/2015	13,553.22

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503-1923-419.20-06	02/02/2015	FORTINET FIREWALLS/FORTIC	691	150551	08/2015	4,213.21		
02/05/2015	86140	WEST COAST ARBORISTS	820					800.00
101-6020-452.21-04	01/31/2015	ARBORIST SVCS, PALM/3RD	103042	150075	07/2015	800.00		
02/13/2015	86141	ACE UNIFORMS & ACCESSORIES INC	1571					448.14
101-3020-422.25-03	10/21/2014	BARR,R UNIFORMS	233522	150196	04/2015	653.29		
101-3020-422.25-03	10/27/2014	CREDIT BARR,R UNIFORMS	5947		04/2015	205.15		
02/13/2015	86142	AGRICULTURAL PEST CONTROL	123					95.00
101-6020-452.21-04	01/27/2015	JAN 2015	351708	150096	07/2015	95.00		
02/13/2015	86143	ALLSTAR FIRE EQUIPMENT INC	1352					34,717.46
101-3020-422.30-02	01/21/2015	STRETCH SUSPENDERS	178971	140939	07/2015	450.36		
101-3020-422.30-02	12/18/2014	TURNOUTS	178362	140939	06/2015	34,267.10		
02/13/2015	86144	AMERICAN MESSAGING	1759					258.29
101-3020-422.27-05	02/01/2015	FEB 2015	L1074045PB	150100	08/2015	64.44		
101-3030-423.30-02	02/01/2015	FEB 2015	L1074045PB	150100	08/2015	21.67		
101-3030-423.30-02	01/01/2015	JAN 2015	L1074045PA	150100	07/2015	86.11		
101-3020-422.27-05	12/01/2014	DEC 2014	L1074045OL	150100	06/2015	32.21		
101-3030-423.30-02	12/01/2014	DEC 2014	L1074045OL	150100	06/2015	53.86		
02/13/2015	86145	SOUTHCOAST HEATING & A/C	1554					1,077.00
101-1910-419.21-04	01/31/2015	JAN 2015 MAINT	C55348	150110	07/2015	440.00		
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02/13/2015	86146	AT&T	2430					2,785.00
503-1923-419.27-04	01/20/2015	3372571583448	6173861		07/2015	363.90		
503-1923-419.27-04	01/20/2015	3393431504727	6172284		07/2015	181.96		
503-1923-419.27-04	01/20/2015	3393439371447	6174932		07/2015	181.96		
503-1923-419.27-04	01/20/2015	3393442323406	6175239		07/2015	181.96		
101-1210-413.27-04	01/17/2015	6194235034	6157798		07/2015	17.77		
101-3020-422.27-04	01/17/2015	6194237246664	6157034		07/2015	.81		
101-5020-432.27-04	01/15/2015	6194238311966	6153081		07/2015	6.01		
101-3030-423.27-04	01/15/2015	6194238322966	6153082		07/2015	3.92		
503-1923-419.27-04	01/11/2015	6194243481712	6128545		07/2015	17.08		
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101-1920-419.27-04	01/17/2015	6196282018442	6157043		07/2015	.10		
601-5060-436.27-04	01/15/2015	C602221236777	6153073		07/2015	18.84		
101-1920-419.27-04	01/15/2015	C602224829777	6154131		07/2015	107.30		
101-1110-412.27-04	01/15/2015	C602224831777	6154133		07/2015	134.19		
101-1020-411.27-04	01/15/2015	C602224832777	6154134		07/2015	62.21		
101-1230-413.27-04	01/15/2015	C602224833777	6154135		07/2015	348.31		
101-1130-412.27-04	01/15/2015	C602224834777	6154136		07/2015	46.65		
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101-6030-453.27-04	01/15/2015	C602224836777	6154138		07/2015	79.39		
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02/13/2015	86147	ATEL COMMUNICATIONS, INC.	2355			300.00	
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02/13/2015	86148	ATKINS NORTH AMERICA, INC.	2455			780.00	
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02/13/2015	86149	AZTEC LANDSCAPING INC	310			1,499.00	
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02/13/2015	86150	BOYS & GIRLS CLUBS OF SOUTH CO	489			4,285.00	
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02/13/2015	86151	CALIF ELECTRIC SUPPLY	609			1,164.41	
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101-5010-431.21-23	01/28/2015	WIRE	1069-686680	150022	07/2015	460.46	
101-6040-454.30-02	02/05/2015	LIGHT FIXTURES	1069-687174	150022	08/2015	336.96	
101-6040-454.30-02	02/09/2015	LIGHT FIXTURES	1069-687226	150022	08/2015	379.08	
101-6040-454.30-02	01/05/2015	CREDIT BALLASTS RTN	1069-300225	150022	07/2015	170.64-	
02/13/2015	86152	CALIFORNIA COMMERCIAL ASPHALT	590			142.56	
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101-5010-431.30-02	01/26/2015	ASPHALT/BUARDTOP/	147494	150031	07/2015	97.20	
02/13/2015	86153	COX COMMUNICATIONS	1073			216.62	
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02/13/2015	86154	DOWNTOWN FORD SALES	1191			25,807.79	
501-1921-419.50-04	02/05/2015	2015 FORD F250 PICKUP	229930	150188	08/2015	25,807.79	
02/13/2015	86155	EAGLE NEWSPAPER	1204			150.00	
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101-3020-422.30-02	01/09/2015	HELMETS/GOGGLES	70015	150218	07/2015	486.00	
101-3020-422.30-02	12/12/2014	HOSES/VALVE SHUTOFF/REFLE	69283	150218	06/2015	1,951.67	
101-3020-422.30-02	01/16/2015	CAIRNS HELMET	70246	150218	07/2015	243.00	
101-3020-422.30-02	01/23/2015	RESCUE TOOLS/HOOK	70464	150218	07/2015	1,656.85	
101-3020-422.30-02	12/09/2014	NIEDNER SUPPLYLINE/HOSE	69149	150218	06/2015	3,645.00	
02/13/2015	86157	GCR TIRE CENTERS	1702			763.71	
501-1921-419.28-16	01/30/2015	#152 TIRES	832-34099	150042	07/2015	763.71	
02/13/2015	86158	GO-STAFF, INC.	2031			7,249.59	
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02/13/2015	86162	KOA CORPORATION	611			8,034.26	
401-1230-413.20-06	12/31/2014	DEC 2014 IB AS-NEEDED	JB14106X20-2		06/2015	6,329.72	
101-5010-431.20-06	12/31/2014	DEC 2014 IB AS NEEDED TRA	JB14106X20-1	150207	06/2015	218.52	
101-5010-431.20-06	12/31/2014	DEC 2014 IB AS NEEDED TRA	JB14106X20-1	150207	06/2015	682.50	
101-0000-221.01-02	12/31/2014	DEC 2014 BERNARDO SHORES	JB32088X7		06/2015	803.52	
02/13/2015	86163	L. N. CURTIS & SONS	687			394.31	
101-3020-422.30-02	11/12/2014	CURVED SQUEEGEE/WIDE BROO	1334598-00	F15131	05/2015	257.83	
101-3020-422.30-02	12/22/2014	BROOM HEAD AND HANDLE	1334598-01	F15132	06/2015	136.48	
02/13/2015	86164	MASON'S SAW & LAWNMOWER	923			52.42	
101-5010-431.30-02	01/29/2015	CHAIN LOOP	366208	150024	07/2015	52.42	
02/13/2015	86165	MELINDA COGLE, TREASURER	2658			45.00	
101-1020-411.28-12	01/26/2015	CARBALLO, S -2015 DUES	01-26-2015		07/2015	45.00	
02/13/2015	86166	METRO WASTEWATER JPA	1002			9,474.00	
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02/13/2015	86167	MICHEL, SONIA	2			105.30	
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101-0000-321.72-10	02/09/2015	REFUND OVERPAYMENT	4669		08/2015	50.70	
02/13/2015	86168	MIKE ALLEN	4			8,539.00	
101-0000-221.01-05	02/09/2015	BOND REFUND -1111/1115	TEP 14-69		08/2015	8,539.00	
02/13/2015	86169	NOLTE ASSOCIATES, INC.	2600			8,189.78	
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02/13/2015	86170	OFFICE DEPOT, INC	1262			1,041.95	
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101-3020-422.30-01	01/12/2015	BATTERIES/LABELS	748300834001	150000	07/2015	71.93	
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101-1210-413.30-01	01/28/2015	TONER/POCKET FILES	752689562001	150000	07/2015	229.50	
101-3020-422.30-01	12/11/2014	ENVELOPES	744182690001	150000	06/2015	75.59	
101-3020-422.30-01	12/19/2014	BATTERIES/NOTES	746591110001	150000	06/2015	66.09	
101-3020-422.30-01	12/20/2014	ROBERTS, D BUSINESS CARDS	746018602001	150000	06/2015	44.09	
101-3020-422.30-01	11/05/2014	BATTERIES/MISC OFC SUPPLY	738736596001	150000	05/2015	161.27	
101-3020-422.30-01	11/06/2014	CABLE TIES	738739164001	150000	05/2015	5.85	
101-3020-422.30-01	10/27/2014	PAPER / PENS	736794990001	150000	04/2015	41.75	
101-1230-413.30-01	01/26/2015	MISC OFFICE SUPPLIES	751605473001	150000	07/2015	98.83	
101-3070-427.30-01	01/28/2015	ENVELOPES	751605473002	150000	07/2015	8.51	
101-1210-413.28-11	01/29/2015	WINDOW ENVELOPES	752303686001	150000	07/2015	148.88	
101-1020-411.30-01	01/27/2015	HEADPHONE/BATTERIES	752327352001	150000	07/2015	56.91	
02/13/2015	86171	PROJECT DESIGN CONSULTANT	65			11,401.00	
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02/13/2015	86172	PRUDENTIAL OVERALL SUPPLY	72			519.90	
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101-5020-432.25-03	01/21/2015	01/21/2015 PW UNIFORMS	30473397	150077	07/2015	134.74	
101-5020-432.25-03	01/28/2015	01/28/2015 PW UNIFORMS	30474895	150077	07/2015	125.40	
101-5020-432.25-03	02/04/2015	02/04/15 PW UNIFORMS	30476394	150077	08/2015	134.74	
02/13/2015	86173	RICOH USA, INC.	2392			1,935.40	
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02/13/2015	86174	SANDRA GUEVARA	2631			48.50	
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101-5010-431.27-01	01/29/2015	5576 188 0541 12/26-01/27	02-13-2015		07/2015	7.60	
601-5060-436.27-01	01/30/2015	8773 823 6424 12/29-01/28	02-14-2015		07/2015	1,041.12	
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02/13/2015	86176	SPRINT	2040			149.97	
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02/13/2015	86178	USAA A/S/O JOHNNY ORTIZ	2656			3,500.00	
502-1922-419.28-17	02/05/2015	FILE 1136069-40 CLAIM RLS	02-05-2015		08/2015	3,500.00	
02/13/2015	86179	VORTEX INDUSTRIES, INC.	786			5,703.25	
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504-1924-419.21-04	12/17/2014	MAGLOCK/SUPPORT BRACKET	11-876354-1		06/2015	5,328.30	
02/13/2015	86180	VULCAN MATERIALS, CO	2570			96.34	
101-5010-431.30-02	01/31/2015	AGG & ASPHALT	120106-311349	150552	07/2015	96.34	
02/13/2015	86181	WAXIE SANITARY SUPPLY	802			925.51	
101-6040-454.30-02	02/04/2015	JANITORIAL SUPPLIES	75079905	150011	08/2015	862.65	
101-6040-454.30-02	01/26/2015	REPLACEMENT CUPS	75059481	150011	07/2015	62.86	
02/13/2015	86182	WELLS FARGO CORPORATE TRUST SE	2384			867.50	
735-0000-221.03-04	01/21/2015	INTEREST PYMT DUE DIST 71	1156393		07/2015	867.50	
02/13/2015	86183	WEST COAST ARBORISTS	820			2,000.00	
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02/13/2015	86184	WHITE CAP CONSTRUCTION SUPPLY	1434			307.31	
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02/13/2015	86185	YEAGER, JAMES	2			102.50	
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601-0000-121.00-00	02/18/2015	REFUND SEWER FEE	4153		07/2015		244.60
02/19/2015	86189	CALIFORNIA AMERICAN WATER	612				7,373.79
101-5010-431.27-02	02/03/2015	1015-210019482014	JAN 15	02-25-2015	07/2015		131.79
101-5010-431.27-02	02/03/2015	1015-210019278895	JAN 15	02-25-2015	07/2015		22.28
101-5010-431.27-02	02/03/2015	1015-210019279785	JAN 15	02-25-2015	07/2015		22.28
101-5010-431.27-02	02/04/2015	1015-210019357057	JAN 15	02-26-2015	07/2015		16.68
101-5010-431.27-02	02/03/2015	1015-210019481684	JAN 15	02-25-2015	07/2015		22.28
101-6040-454.27-02	02/03/2015	1015-210019027905	JAN 15	02-25-2015	07/2015		238.18
101-5010-431.27-02	02/05/2015	1015-210018811916	JAN 15	02-27-2015	07/2015		33.37
101-5010-431.27-02	02/04/2015	1015-210019359015	JAN 15	02-26-2015	07/2015		16.68
101-5010-431.27-02	02/03/2015	1015-210019360534	JAN 15	02-25-2015	07/2015		27.89
101-5010-431.27-02	02/03/2015	1015-210019278093	JAN 15	02-25-2015	07/2015		44.69
101-3030-423.27-02	02/03/2015	1015-210019276868	JAN 15	02-25-2015	07/2015		89.37
101-5010-431.27-02	02/03/2015	1015-210019600799	JAN 15	02-25-2015	07/2015		106.29
101-5010-431.27-02	02/06/2015	1015-210019179080	JAN 15	03-02-2015	07/2015		856.74
101-5020-432.27-02	02/06/2015	1015-210019058534	JAN 15	03-02-2015	07/2015		150.98
101-6020-452.27-02	02/06/2015	1015-210019176067	JAN 15	03-02-2015	07/2015		137.38
101-3030-423.27-02	02/06/2015	1015-210020153385	JAN 15	03-02-2015	07/2015		25.71
601-5060-436.27-02	02/06/2015	1015-210019512885	JAN 15	03-02-2015	07/2015		224.48
101-1910-419.27-02	02/12/2015	1015-210019335347	JAN 15	03-06-2015	07/2015		1,302.27
101-1910-419.27-02	02/09/2015	1015-210020154739	JAN 15	03-03-2015	07/2015		16.68
101-6020-452.27-02	02/12/2015	1015-210019335484	JAN 15	03-06-2015	07/2015		120.58
101-6020-452.27-02	02/13/2015	1015-210019335248	JAN 15	03-09-2015	07/2015		106.75
101-6020-452.27-02	02/13/2015	1015-210021082448	JAN 15	03-09-2015	07/2015		593.42
101-6020-452.27-02	02/12/2015	1015-210019335682	JAN 15	03-06-2015	07/2015		22.28
101-6020-452.27-02	02/12/2015	1015-210019335774	JAN 15	03-06-2015	07/2015		154.18
101-5010-431.27-02	02/13/2015	1015-210019334948	JAN 15	03-09-2015	07/2015		6.68
101-5010-431.27-02	02/13/2015	1015-210019335835	JAN 15	03-09-2015	07/2015		6.68
101-6020-452.27-02	02/13/2015	1015-210019176333	JAN 15	03-09-2015	07/2015		23.47
601-5060-436.27-02	02/12/2015	1015-210019401916	JAN 15	03-06-2015	07/2015		12.28
101-6020-452.27-02	02/09/2015	1015-210019748332	JAN 15	03-03-2015	07/2015		23.47
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101-6010-451.27-02	02/11/2015	1015-210021068367	JAN 15	03-05-2015	07/2015		1,820.48
101-5010-431.27-02	02/11/2015	1015-210021068541	JAN 15	03-05-2015	07/2015		434.20
101-6010-451.27-02	02/11/2015	1015-210021068268	JAN 15	03-05-2015	07/2015		70.17
101-6020-452.27-02	02/09/2015	1015-210019176128	JAN 15	03-03-2015	07/2015		6.68
101-6020-452.27-02	02/11/2015	1015-210021067159	JAN 15	03-05-2015	07/2015		17.88
101-5010-431.27-02	02/13/2015	1015-210019178568	JAN 15	03-09-2015	07/2015		6.68
101-5010-431.27-02	02/12/2015	1015-210020731235	JAN 15	03-06-2015	07/2015		6.68
101-5020-432.27-02	02/12/2015	1015-210020277854	JAN 15	03-06-2015	07/2015		67.09
601-5060-436.27-02	02/09/2015	1015-210018820255	JAN 15	03-03-2015	07/2015		6.68
101-6020-452.27-02	02/10/2015	1015-210019748080	JAN 15	03-04-2015	07/2015		6.68
101-6020-452.27-02	02/10/2015	1015-210019749625	JAN 15	03-04-2015	07/2015		6.68
101-6020-452.27-02	02/10/2015	1015-210020440898	JAN 15	03-04-2015	07/2015		350.20
02/19/2015	86190	CALIFORNIA DENTAL	2480				784.32
101-0000-209.01-12	08/14/2014	PAYROLL AP PPE 8/07/14	20140814		02/2015		379.38

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
101-0000-209.01-12	08/28/2014	PAYROLL AP PPE 8/21/14	20140828		02/2015	379.38	
101-0000-209.01-12	02/18/2015	MAR 2015 DENTAL INSURANCE	MAR 2015		09/2015	25.56	
02/19/2015	86191	CALIFORNIA STATE DISBURSEMENT	2650			355.84	
101-0000-209.01-07	01/15/2015	GARNISHMENT PPE 01/08/15	46417		07/2015	355.84	
02/19/2015	86192	CALIFORNIA STATE DISBURSEMENT	2650			355.84	
101-0000-209.01-07	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015	355.84	
02/19/2015	86193	CITY OF CHULA VISTA	823			18,382.50	
101-3050-425.20-06	12/31/2014	DEC 2014 A/C SERVICES	AR135877	150215	06/2015	18,382.50	
02/19/2015	86194	CITY OF SAN DIEGO	896			16,737.00	
101-3020-422.21-04	01/08/2015	OCT-DEC 2014 FIRE DISPATC	1000124206	150502	06/2015	16,737.00	
02/19/2015	86195	HELEN SYLVIA	1977			900.00	
101-3030-423.28-04	02/19/2015	REIMBURSE EMT FEES	01-25-2015		08/2015	900.00	
02/19/2015	86196	I B FIREFIGHTERS ASSOCIATION	214			450.00	
101-0000-209.01-08	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015	450.00	
02/19/2015	86197	ICMA RETIREMENT TRUST 457	242			6,920.71	
101-0000-209.01-10	02/12/2015	PR AP PPE 2/05/15	101924075		08/2015	6,920.71	
02/19/2015	86198	JOHN FRENCH	534			600.00	
101-1920-419.29-01	02/12/2015	TUITION REIMBURSEMENT	2015 FRENCH	150361	08/2015	600.00	
02/19/2015	86199	LIGHTHOUSE, INC	787			61.08	
501-1921-419.28-16	01/30/2015	LED LAMPS/GROMMETS	0117563	150036	07/2015	61.08	
02/19/2015	86200	NOLTE ASSOCIATES, INC.	2600			14,189.00	
401-1230-413.20-06	01/29/2015	DEC 2014 CIVIL PLAN CHECK	15010282		06/2015	7,500.00	
303-1250-413.20-06	01/29/2015	DEC 2015 ENGINEER SVCS	15010267		07/2015	6,689.00	
02/19/2015	86201	NOVAK SURF DESIGNS	2648			120.00	
504-1924-419.21-04	02/03/2015	FIBERGLASS SEAL/SURFBOARD	2597		08/2015	120.00	
02/19/2015	86202	PRINCIPAL FINANCIAL GROUP	2525			1,816.90	
101-0000-209.01-12	12/04/2014	PAYROLL AP PPE 11/27/14	20141204		06/2015	837.73	
101-0000-209.01-12	12/18/2014	PAYROLL AP PPE 12/11/14	20141218		06/2015	837.73	
101-0000-209.01-12	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015	49.32	
101-0000-209.01-12	02/12/2015	PR AP PPE 2/19/15	20150219		08/2015	49.32	
101-0000-209.01-12	02/12/2015	#1025381-10001 FEB 2015	FEB 2015		08/2015	42.80	
02/19/2015	86203	PRINCIPAL FINANCIAL GROUP	2428			1,304.80	
101-0000-209.01-13	12/04/2014	PAYROLL AP PPE 11/27/14	20141204		06/2015	608.03	
101-0000-209.01-13	12/18/2014	PAYROLL AP PPE 12/11/14	20141218		06/2015	608.03	
101-0000-209.01-13	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015	44.37	
101-0000-209.01-13	02/12/2015	PR AP PPE 2/19/15	20150219		08/2015	44.37	
02/19/2015	86204	ROTO ROOTER	4			2,140.95	
101-0000-221.01-05	02/11/2015	REFUND BOND 1173 GROVE AV	TEP 14-07		08/2015	2,140.95	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	
02/19/2015	86205	SAN DIEGO GAS & ELECTRIC	1399					18,484.49
101-3020-422.27-01	02/06/2015	1008 786 9371 12/30-01/29	02-24-2015		07/2015			86.90
101-1910-419.27-01	02/06/2015	1008 786 9371 12/30-01/29	02-24-2015		07/2015			257.20
101-5010-431.27-01	02/06/2015	1008 860 4389 12/26-01/27	02-24-2015		07/2015			178.79
101-3020-422.27-01	02/06/2015	1980 769 7764 12/29-01/28	02-24-2015		07/2015			2,725.26
601-5060-436.27-01	02/06/2015	5263 521 9238 12/26-01/27	02-24-2015		07/2015			10.00
101-6020-452.27-01	02/06/2015	5649 771 4749 12/31-01/30	02-24-2015		07/2015			7.20
101-5010-431.27-01	02/06/2015	5649 771 4749 12/31-01/30	02-24-2015		07/2015			8,351.26
101-5010-431.27-01	02/06/2015	8507 517 8464 12/31-01/30	02-24-2015		07/2015			145.54
601-5060-436.27-01	02/06/2015	8507 517 8464 12/31-01/30	02-24-2015		07/2015			74.19
101-6020-452.27-01	02/06/2015	8507 517 8464 12/31-01/31	02-24-2015		07/2015			1,194.31
601-5060-436.27-01	02/06/2015	8541 770 1270 12/31-01/31	02-24-2015		07/2015			4,170.84
101-5020-432.27-01	02/06/2015	9169 299 2261 12/25-01/26	02-24-2015		07/2015			1,283.00
02/19/2015	86206	SAN DIEGO COUNTY CITY CLERKS A	1994					60.00
101-1020-411.28-04	02/10/2015	CARBALLO, S REGISTRATION	03-30-2015		09/2015			60.00
02/19/2015	86207	SEIU LOCAL 221	1821					1,254.90
101-0000-209.01-08	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015			1,254.90
02/19/2015	86208	SKS INC.	412					2,743.41
501-1921-419.28-15	02/05/2015	1100 GAL REGULAR FUEL	1267954-IN	150041	08/2015			2,743.41
02/19/2015	86209	SOUTHWEST SIGNAL SERVICE	488					288.17
101-5010-431.21-04	01/30/2015	JAN 2015 MAINTENANCE	51798	150032	07/2015			160.00
101-5010-431.21-23	01/30/2015	JAN 2015 SVC TECH/TRUCK	51816	150032	07/2015			128.17
02/19/2015	86210	STATE INDUSTRIAL PRODUCTS	513					238.87
601-5060-436.30-02	02/02/2015	AEROSOL TIER PROG	97157121	150118	08/2015			238.87
02/19/2015	86211	TRISTAR RISK MANAGEMENT	2617					7,044.55
502-0000-106.03-00	02/04/2015	JAN 2015 LOSS REPLENSHMNT	95443		07/2015			7,044.55
02/19/2015	86212	US BANK	2458					1,021.22
101-0000-209.01-20	02/12/2015	PR AP PPE 2/05/15	20150212		08/2015			1,021.22
02/19/2015	86213	VERIZON WIRELESS	2317					1,967.89
101-5020-432.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			655.32
101-3040-424.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			49.00
101-3020-422.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			136.88
101-3030-423.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			426.48
101-3070-427.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			49.51
101-1230-413.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			38.01
503-1923-419.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			431.97
503-1923-419.27-05	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			10.64
101-5010-431.30-02	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			122.15
101-6020-452.30-02	02/08/2015	01/09/2015-02/08/2015	9740214323		07/2015			47.93
02/19/2015	86214	WEST GROUP CTR	826					131.58
101-1020-411.28-14	02/01/2015	JAN 2015	831168367	150217	08/2015			131.58

PREPARED 02/23/2015, 9:52:08
PROGRAM: GM350L
CITY OF IMPERIAL BEACH

A/P CHECKS BY PERIOD AND YEAR
FROM 01/23/2015 TO 02/23/2015

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	

DATE RANGE TOTAL * 693,259.02 *



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: PUBLIC WORKS DEPARTMENT *AH*
SUBJECT: RESOLUTION NO. 2015-7552 FOR THE SALE OF CERTAIN SURPLUS CITY PROPERTY

EXECUTIVE SUMMARY:

The City of Imperial Beach has accumulated a number of equipment items and supplies that are recommended for transfer to a surplus or unused supplies and equipment category. These designated items would be sold at a San Diego County Auction.

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;"

ANALYSIS:

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

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Salvage Value of Auctioned Equipment

RECOMMENDATION:

Staff recommends approval of the attached Resolution authorizing the sale / transfer of surplus property as listed in Resolution No. 2015-7552, Equipment Inventory List for County Auction

Attachments:

1. Resolution No. 2015-7552

RESOLUTION NO. 2015-7552**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY PROPERTY**

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 desire to declare the items of equipment as surplus or unsuitable for City use:

EQUIPMENT INVENTORY LIST FOR COUNTY AUCTION

ITEM	QTY	DESCRIPTION	PROPERTY TAG #
1.	1ea	Kubota bucket model LB400A	SER#11472
2.	1ea	2000 Ford Ranger Vin#52976	E-037601
3.	1ea	1999 Dodge Ram Vin#542941	E-037610
4.	1ea	Pallet misc. lawn equip.	n/a
5.	1ea	Radio GPX model D509	n/a
6.	9ea	Cabinets 25"X30"X80"	n/a
7.	1ea	Cabinet 24"X40"X103"	n/a
8.	1ea	Cabinet 24"X78"X103"	n/a
9.	1ea	Blower confined space	Ser#1883
10.	1ea	Pump 3" wacker sewer	1059
11.	3ea	Partition	n/a
12.	3ea	Shelf	n/a
13.	1ea	Microfiche EyeCam 6000	#1029
14.	1ea	Microfiche EyeCam RP9000	#1026

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 above as, surplus and/or unused and hereby directs the Finance Director to dispose of these items 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 4th day of March 2015, by the following roll call vote:

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

SERGE DEDINA, 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. 2015-7552 – A Resolution of the City Council of the City of Imperial Beach, California, AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY PROPERTY.

CITY CLERK

DATE



AGENDA ITEM NO. 2.4

**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: MARCH 4, 2015

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

SUBJECT: CONSENT AGENDA: MELLON (APPLICANT); REQUESTING AUTHORIZATION TO EXECUTE A LIEN CONTRACT AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS FOR A CONDOMINIUM CONVERSION PROJECT LOCATED AT 901 GEORGIA STREET AND 1357 ELM AVENUE (APN 627-120-06-00). MF 954.

EXECUTIVE SUMMARY:

Staff is recommending that the City Council authorize the City Manager to execute a Lien Contract and Covenant Not to Convey Condominium Units for a condominium conversion project that was originally approved on July 24, 2008 for a property located at 901 Georgia Street and 1357 Elm Avenue (APN 627-120-06-00). The applicant is in the process of complying with the conditions of approval for the tentative parcel map (TPM 070072), which required improvements to the existing buildings and public right-of-way. However, the applicant is requesting to record the Final Map prior to completion of the improvements. A Final Map may be approved if there is a lien contract prohibiting the sale of units until the improvements are completed.

BACKGROUND:

The tentative parcel map (TPM 070072) for a project converting two existing residential units into condominiums on a property located at 901 Georgia Street and 1357 Elm Avenue (APN 627-120-06-00) was approved by City staff on July 24, 2008. The Decision Letter for the project provided conditions of approval that required improvements to the existing buildings and public right-of-way. The applicant is in the process of complying with the conditions. However, the applicant is requesting to record the Final Map prior to completion of the improvements. A Final Map may be approved with execution of a lien contract that prohibits the sale of units until the improvements are completed. As part of the contract, the applicant is requesting to allow for release of the lien on a unit-by-unit basis in order to use the proceeds from the sale of the first unit to complete the improvements for the second unit. This would allow the owner to complete the improvements on one unit, have the lien released for the completed unit by the City

following inspection, and convey the completed unit. The lien would remain for the second unit until all improvements are completed.

ANALYSIS:

The Final Map will substantially conform to the approved Tentative Parcel Map and, pursuant to Map Act Section 66474.1, must be approved when all Tentative Parcel Map conditions have been met. The applicant is in the process of complying with the conditions of the Tentative Map as stipulated in the Decision Letter dated July 24, 2008. A Final Map may be approved if there is a lien contract or a bond for the value of the required improvements that is recorded with the map and/or if there is a recorded contract prohibiting the sale of any units until the improvements are completed. The applicant is requesting to execute such a contract with the City, though the applicant is also requesting to allow for the release of the lien on a unit-by-unit basis. Execution and recordation of the Lien Contract and Covenant Not to Convey Condominium Units and Final Map would allow for the applicant to record the Final Map and allow for the City to ensure the required improvements are provided and inspected prior to conveyance of units. The amount of the lien is \$30,000, which is the estimated value of the improvements to be completed. The estimated value of property is approximately \$440,000 and there are no other liens or encumbrances on the property that would affect the City's ability to recover the value of the lien if the owner does not complete the improvements.

ENVIRONMENTAL IMPACT:

This project may be statutorily exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15268 project (Ministerial Projects).

FISCAL ANALYSIS:

The Applicant has deposited \$8,600.00 to fund processing of the application.

DEPARTMENT RECOMMENDATION:

1. That the City Council adopt Resolution 2015-7547, authorizing the execution of the Lien Contract and Covenant Not to Convey Condominium Units; OR
Other Options:
 - a) Disapprove the execution of the Lien Contract and Covenant Not to Convey Condominium Units; or
 - b) Continue the item to a specific future meeting to allow staff to provide additional information upon which a decision can be rendered.

Attachments:

1. Resolution 2015-7547
2. Lien Contract and Covenant Not to Convey Condominium Units
3. Decision Letter, July 24, 2008

c: file MF 954

RESOLUTION NO. 2015-7547

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING EXECUTION OF A LIEN CONTRACT AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS AGREEMENT FOR A CONDOMINIUM CONVERSION PROJECT LOCATED AT 901 GEORGIA STREET AND 1357 ELM AVENUE (APN 627-120-06-00) IN THE R-3000 (TWO-FAMILY RESIDENTIAL) ZONE. MF 954.

WHEREAS, on March 4, 2015, the City Council of the City of Imperial Beach held a duly advertised public meeting to consider the acceptance of a Lien Contract and Covenant Not to Convey Condominium Units agreement for a property located at 901 Georgia Street and 1357 Elm Avenue (APN 627-120-06-00) in the R-3000 (Two-Family Residential) Zone. The project site is legally described as follows:

Lots 1 and 2 in fractional Block 43 of South San Diego Company's addition to South San Diego, in the 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, on July 24, 2008, City staff approved a Tentative Parcel Map (TPM 070072) that allowed for the conversion of two existing residential units into condominiums with conditions of approval requiring improvements to the existing buildings and public right-of-way on a property located at 901 Georgia Street and 1357 Elm Avenue (APN 627-120-06-00); and

WHEREAS, the applicant is requesting to record the Final Map prior to completion of the improvements; and

WHEREAS, a Final Map may be approved with execution of a Lien Contract and Covenant Not to Convey Condominium Units that prohibits the sale of units until the improvements are completed; and

WHEREAS, the applicant is requesting to execute a Lien Contract and Covenant Not to Convey Condominium Units that would allow for release of the lien on a unit-by-unit basis; and

WHEREAS, the City Council finds that execution of the Lien Contract and Covenant Not to Convey Condominium Units would allow for the City to ensure the required improvements are provided and inspected prior to release of the lien or conveyance of units on a unit-by-unit basis.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Imperial Beach authorizes the execution of the Lien Contract and Covenant Not to Convey Condominium Units to guarantee public and private improvements in the amount of \$30,000.00 and authorizes the release of the lien contract by the City Manager on a unit-by-unit basis subject to inspection and approval by the City.

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 meeting held on the 4th day of March, 2015, by the following vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

RECORDING REQUESTED BY:

City of Imperial Beach

WHEN RECORDED, MAIL TO:

*City of Imperial Beach
Office of the City Clerk
825 Imperial Beach Blvd
Imperial Beach, CA 91932*



**LIEN CONTRACT AND COVENANT NOT TO CONVEY
CONDOMINIUM UNITS**

THIS LIEN CONTRACT AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS ("Agreement") is made by and between **George T. Mellon, an individual** ("Developer"), and the CITY OF IMPERIAL BEACH ("City") on its own behalf and on behalf of future purchasers of condominium units in the Project described below. Developer and the City agree as follows:

1. FACT RECITALS.

This Agreement is made with reference to the following facts:

(a) The Property.

As of the date of this Agreement, Developer is the fee owner of that certain real property containing a total of **two (2) residential units**, and various other improvements, located at **901 Georgia Street and 1357 Elm Avenue** in the City of Imperial Beach, County of San Diego, State of California (hereinafter referred to as the "Property"). Said Property is more particularly described as follows:

APN: 627-120-06-00

Lots 1 and 2 in fractional Block 43, of South San Diego Company's addition to South San Diego, in the City of Imperial Beach, County of San Diego, State of California, according to the Map thereof No. 497, filed in the Office of the County Recorder of San Diego County, October 4, 1887.

(b) Conditions of Approval of Tentative Parcel Map 070072 (Master File 954).

Developer is converting **two (2) residential units into condominiums at Property** ("Project"). As part of this conversion, Developer must process a Subdivision Map with the City of Imperial Beach.

As a condition of approval of the Subdivision Map, the City has required Developer to make those certain improvements to Property described in the numbered paragraph of this Agreement entitled "RESTRICTION AGAINST CONVEYING UNITS" or to provide other security or make other arrangements satisfactory to the City to ensure that such improvements will be made prior to the sale of the condominium units at the Property.

(c) Obligation to Improve.

Generally, the City requires developers to make improvements in order to obtain final map approval and prior to the sale of units as condominiums. The City is concerned that the condominium units located at Property may be sold prior to the installation of the required improvements that are necessary for the health, safety, and welfare of the buyers, occupants, and the public. This Agreement is intended to assure that Developer's obligations to make the improvements listed in the paragraph of this Agreement entitled "RESTRICTION AGAINST CONVEYING UNITS" run with the land until the construction of said improvements is satisfied, in the sole discretion of the City. Approval by the City shall not be unreasonably withheld.

(d) Obligation to Improve Generally Bonded.

Generally, the City requires developers to post a bond to secure the developer's obligation to make improvements prior to the sale of units as condominiums. Bonding Developer's obligation to make improvements would be expensive due to periodic bond premiums and would be difficult to value due to uncertainties in the work to be performed. This expense would ultimately be borne by the purchaser of a condominium unit. This Agreement is intended to obviate the need for substantial front-end expenditures or the posting of bonds for the Project, while still guaranteeing that required improvements will be made.

(e) Intention of Parties.

It is the express intention of the parties hereto that this Agreement shall prohibit Developer, and Developer's successors and assigns, and all parties having or acquiring any right, title, or interest in or to any part of the Property, from conveying through a sale (whether voluntary or involuntary), gift, bequest, devise, or by any other means, title to any condominium unit at the Property until all required improvements listed in the paragraph of this Agreement entitled "RESTRICTION AGAINST CONVEYING UNITS" have been made for that unit. All of the limitations, covenants, conditions, and restrictions contained in this Agreement shall constitute covenants which shall run with the land and shall be binding on Developer, and Developer's successors and assigns, and all parties having or acquiring any right, title, or interest in or to any part of the Property. The restrictions set forth in the numbered paragraph of this Agreement entitled "RESTRICTION AGAINST CONVEYING UNITS" are made for the benefit of the purchasers of condominium units in the Property, the City, and Developer.

2. RESTRICTION AGAINST CONVEYING UNITS.

No escrow shall close, funds shall not be released from escrow, and title shall not be conveyed to any purchaser of any condominium units located at Property, until all of the following conditions have been met:

- (a) The City of Imperial Beach requires the following improvements to be completed to the units, and throughout the property:

901 Georgia St.

- Repair/replace damaged wood under the floor and damaged pier posts straps. Replace/repair damaged exterior concrete areas. Repair drainage work including trench drain in front garage.

- Patch and color coat the exterior stucco. Paint the wood. Include adding anchor bolts for the garage walls. Replace part of the fencing. Include new rain gutters.
- Replace the roof. Include a new fascia at part of the perimeter. Include new flashings for the roof penetration and roof edges. Approximately 13.5 squares.
- Provide a new electrical service. Smoke alarm and GFCI upgrades, including all of the two prong receptacles. Grounding in bonding upgrades. Add a receptacle at the bathroom and at the outside. Properly support wiring under the floor.
- Replace the water heater. Provide dryer vent. Clean the bathtub drain. Videotape the cast iron drains. Replace the lavatory. Install new protective paneling above the bathtub.
- Replace the gas valve and flexible gas line under the wall heater.
- Repaint the interior. Patch plaster as needed. Replace the floor coverings. Repair minor damaged interior electrical and plumbing issues.
- Enlarge the size of the bedroom windows so that they are not more than 44 inches off the floor. This will require stucco and framing work. Replace the bathroom window with tempered glass. Provide security upgrades.
- Upgrade attic insulation. Add bracing for the framing. Upgrade the attic ventilation.
- Provide anchor bolts for the slab at the garage. Patch the wall between the house and garage. Provide physical protection for the wire in the garage.

1357 Elm Avenue

- Foundation repairs are needed. The extent and nature of the repairs is dependent on the review of foundation engineers. Repair/replace damaged concrete. Provide some grading, including in the neighbor's yard to the west.
- Provide new color coat/exterior painting. Provide extensive repair of the fascia. Provide repair of stucco on the soffit. Repair/replace fencing. Replace part of the siding on the garage.
- Replace the roof and all metal flashing. The roof vents and rain caps must be replaced. The penetrations need caulking. Repair stucco due to fascia damage. Gutters and downspouts must be installed to drain to landscaping.
- Provide new electrical service. Repair/replace smoke detector in the hallway and install a detector in every sleeping room. Install Ground Fault Circuit Interrupter Outlets (GFCI) in the kitchen. Install GFCI outlets inside the bathroom, and an outlet on the outside. The receptacles in the bedrooms and living room must be grounded or be GFCI protected.

- Install new water heater, thermostat, vent, gas valve and flexible connector.
 - After foundation repair, patch and repaint all interior cracks. Install new flooring in the bathroom and kitchen. Install new carpeting. Increase the size of the water heater cabinet.
 - Replace the back door from garage. All windows in bedroom must be accessible for fire egress and rescue. The current windows are too high for access for egress. Enlarge the bedroom windows so they are no more than 44 inches from the floor. This will require framing and stucco work.
 - Recommend replacing range and refrigerator.
 - Insulate the attic to a minimum of 7 inches in depth. Insulation should be evenly installed. Baffles are needed in the attic where ventilation openings occur. Provide miscellaneous framing upgrades where necessary.
 - Repair/replace the garage door.
- (b) The owner shall complete **ALL** improvements to the Property, as stated in subsection (a) above, prior to the selling of the units.
- (c) Should ownership of the Property change, the new owner shall complete all improvement, as stated in subsection (a) above, to Property prior to the selling of the units.
- (d) All improvements in subsection (a) above have been completed and a Notice of Completion as defined in Civil Code Section 3093 covering all the units, all common facilities, and all public improvements has been recorded.
- (e) The statutory period for recordation of all mechanics lien claims on that building and on non-residential building matters has expired, OR, the purchaser is provided a Policy of Title Insurance with an endorsement insuring the purchaser against unrecorded mechanics liens.
- (f) In addition to the above conditions, the RESTRICTION AGAINST CONVEYING UNITS shall not be released by the City on the final condominium unit of the Property until all the stipulations, conditions and requirements in the **Decision Letter dated July 24, 2008, on file in the Community Development Department** are met.

3. ESCROW CONDITION

Developer agrees that any escrow instructions used by Developer in the sale of condominium units at the Property shall require as a condition to close of escrow that the conditions described in Sections 2(a), (b), (c), (d), (e) and (f) of this Agreement have been satisfied and the Lien of this Agreement be released.

4. LIEN.

The Parties agree that the purpose of this Agreement is to make the provisions of the numbered paragraphs of this Agreement a matter of public record, and to assure that the improvements listed in those paragraphs are completed before the sale of any condominium

units within the Property; that for the faithful performance of the promises and covenants herein contained, Developer hereby grants to City a lien upon the Property in such amount as is necessary to complete said improvements. Said lien shall be increased or decreased so as to equal the actual amount necessary to complete said improvements as it is the specific intent of the parties that this lien is for the actual cost of completing the improvements set forth in the numbered paragraphs of this Agreement. As of the date of this Agreement, the estimated cost of completion of the improvements is **thirty thousand dollars and no cents (\$30,000.00)**. In the event Developer, his/her/its successors, heirs, assigns, or transferees fail to install and construct said improvements in the manner specified herein, Developer agrees that the City may pursue any remedy, legal or equitable (including those specifically referred to herein), for the foreclosure of said lien.

5. DEVELOPER'S RIGHT TO ENCUMBER THE PROPERTY.

City understands that Developer may desire to encumber further, to transfer or to alienate all or part of the Property. In such event, City agrees to sign any and all documents requested by Developer, to effectuate any alienation, assignment, or further encumbrance of Property provided that any and all liens given for the repayment of monetary obligations are made subordinate to this instrument.

6. PARTIAL RELEASE AND RECONVEYANCE.

Developer and City agree that upon completion of the required improvements on any of the two residential units and completion of all offsite improvements specified in paragraph 2, and when all other conditions concerning said unit listed in paragraph 2 are met, Developer shall be entitled to a reconveyance and release by City of its lien on that particular residential unit. Developer is entitled to said reconveyance and release on a unit-by-unit basis and may select the sequence of the residential units upon which it will complete the improvements.

7. TERMINATION OF AGREEMENT.

Upon completion, in the sole discretion of the City, which shall not be unreasonably withheld, of the conditions listed in Section 2 of this Agreement entitled "RESTRICTION AGAINST CONVEYING OF UNITS," City will reconvey to Developer and release any and all liens upon the Property created by this Agreement, and this Agreement will terminate. In such event, City agrees to execute any and all documentation requested by Developer or any title insurer necessary to release the cloud of this instrument from title to the Property.

8. VIOLATION OF AGREEMENT.

Developer acknowledges and agrees that under existing circumstances, any sale of condominium units within the Project without first complying with the conditions listed in Section 2 of this Agreement entitled "RESTRICTION AGAINST CONVEYING OF UNITS," or in violation of any other provision of this Agreement would be considered by City to be illegal and violative of the Subdivision Map Act (Government Code Section 66499.30) and the ordinances of the City of Imperial Beach (IBMC Title 18).

9. CONSIDERATION FOR THIS AGREEMENT.

The consideration for this Agreement is the mutual covenants contained herein.

10. AMENDMENT.

This Agreement may be amended only in writing signed by both parties.

11. NOTICES.

Any notice from one party to the other shall be delivered either personally or via United States Mail, postage fully prepaid, addressed to the parties as follows:

To Developer:

George T. Mellon
1780 La Jolla Rancho Rd.
La Jolla, CA 92037

To City:

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

Any notice shall be deemed delivered at the time of personal service or forty-eight (48) hours after the time of deposit in the United States Mail, as the case may be. In the event either party changes its address, the change of address shall be communicated to the other party in the manner set forth in this paragraph.

12. NO ASSUMPTION OF LIABILITY BY CITY.

By reason of this Agreement, the City shall not, nor shall any of its officers or employees be, liable or responsible for any accident, loss or damage happening or occurring to the work or improvements referred to herein.

13. ATTORNEYS' FEES.

In the event either party shall be required to commence any action or proceeding against the other party by reason of any breach or claimed breach of any provision of this Agreement, or to commence any action or proceeding in any way connected with this Agreement, or to seek a judicial declaration of rights hereunder, the party prevailing in such action or proceeding shall be entitled to recover from the other party the prevailing party's reasonable attorneys' fees and costs, whether or not the proceeding or action proceeds to judgment.

14. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties and supersedes any prior or contemporaneous written or oral agreement between the parties. There are no representations, warranties, agreements, arrangements, or understandings, oral or written, between the parties related to the subject matter contained in this Agreement that are not fully expressed herein.

15. SUCCESSORS AND ASSIGNS.

All of the limitations, covenants, conditions and restrictions contained in this Agreement shall constitute covenants which shall run with the land and are expressly binding upon Developer, and Developer's successors in interest, whether by inheritance, gift, bequest, devise, sale, voluntary or involuntary conveyance, assignment, or any other method of obtaining title or acquiring any right, title or interest in or to any part of this Property. This Agreement shall also be binding upon the City, and the City's successors in interest, assigns, and transferees.

16. COUNTERPARTS.

This Agreement may be signed in two (2) or more counterparts, each of which shall constitute an original, but both of which together shall constitute one (1) and the same document.

(signatures on following page)

IN WITNESS WHEREOF, the parties have executed this Agreement on the _____ day of _____, 2015.

OWNER(S)

Signature

Signature

Printed

Printed

CITY OF IMPERIAL BEACH

Gary Andrew Hall
City Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness.

State of California)
County of San Diego)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness.

State of California)
County of San Diego)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the lien on the real property (APN **627-120-06-00**) conveyed by the Lien Contract and Covenant not to Convey Condominium Units dated _____, **2015** to the City of Imperial Beach, a municipal corporation, is hereby accepted by the undersigned officer or agent on behalf of the City Council of the City of Imperial Beach pursuant to the authority conferred by **Resolution 2015-7547** of the City Council of the City of Imperial Beach, adopted on **March 4, 2015**, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

By: _____

Gary Andrew Hall
City Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness.

State of California)
County of San Diego)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

*The City of
Imperial
Beach*

(619) 628-1356
FAX: (619) 429-9770



COMMUNITY DEVELOPMENT DEPARTMENT
825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932

**DECISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT
RE: TENTATIVE PARCEL MAP (PM 070072)
DATE OF DECISION: JULY 24, 2008**

APPLICANT/OWNER: Richard Speare, 4455 Lamont St., #H, San Diego, CA 92109

PROJECT DESCRIPTION: An application for a Tentative Parcel Map (PM 070072) for a conversion of two existing units to condominiums at 1357 Elm Avenue and 901 Georgia Street. MF 954.

PROJECT LOCATION: On an approximately 6,980 square foot parcel (APN 627-120-06-00) located at 1357 Elm Avenue and 901 Georgia Street, Imperial Beach, in the R-3000 (Two-Family Residential) Zone. Pursuant to the City of Imperial Beach Zoning Ordinance, administrative review of this development proposal will consider whether the proposed development satisfies the required findings prior to approval of a Tentative Parcel Map.

ENVIRONMENTAL STATUS: Pursuant to Section 15301, Class 1k of the Guidelines for the California Environmental Quality Act, division of existing multiple family or single-family residences into common-interest ownership are categorically exempt from the CEQA.

ADMINISTRATIVE DECISION: Approve with conditions.

FINDINGS:

- 1. **The proposed tentative parcel map is consistent with applicable General Plan/Local Coastal Plan.**

Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required. The City must either approve or deny a conversion within 120 days after the application has been deemed complete.

- 2. **The design or improvement of the proposed subdivision is consistent with the**

applicable General Plans and Specific Plans.

Map Act Section 66427.2 provides that, unless the general plan contains specific condominium conversion objectives and policies, condominium conversions do not need to comply with the general plan. The City of Imperial Beach does not have such applicable general plan policies and this finding, therefore, is not required. The City must either approve or deny a conversion within 120 days after the application has been deemed complete.

3. The site is physically suitable for the type of development.

The conversion of the two houses does not involve new construction, as these are existing structures undergoing no significant changes. The site is not subject to excessive noise or hazardous materials.

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

The project is proposed in a developed urban area and involves the conversion of two existing structures to condominiums without any significant physical alterations. The proposed tentative parcel map will not affect fish or wildlife habitats.

5. The design of the subdivision or the type of improvements will not cause serious health problems.

The development is already served by municipal water and sewer services. The proposed tentative parcel map, therefore, will not result in public health problems.

6. The design of the subdivision will not conflict with any easements of record.

A Title Report submitted by the applicant, dated June 25, 2007, indicates there are no easements on the site that would conflict with the subdivision.

7. That all requirements of CEQA have been fulfilled.

Pursuant to Section 15301, Class 1k of the Guidelines for the California Environmental Quality Act, division of existing multiple family or single-family residences into common-interest ownership are categorically exempt from the CEQA.

CONDITIONS OF APPROVAL:**PLANNING:**

1. Applicant shall provide all improvements and repairs discussed in the Physical Elements Report, dated May 7, 2007, which include the following (subject to Building Official approval, prior to final map recordation):

901 Georgia Street

- Repair/replace damaged wood under the floor and damaged pier posts straps. Replace/repair damaged exterior concrete areas. Repair drainage work including trench drain in front garage.

- Patch and color coat the exterior stucco. Paint the wood. Include adding anchor bolts for the garage walls. Replace part of the fencing. Include new rain gutters.
- Replace the roof. Include a new fascia at part of the perimeter. Include new flashings for the roof penetration and roof edges. Approximately 13.5 squares.
- Provide a new electrical service. Smoke alarm and GFCI upgrades, including all of the two prong receptacles. Grounding in bonding upgrades. Add a receptacle at the bathroom and at the outside. Properly support wiring under the floor.
- Replace the water heater. Provide dryer vent. Clean the bathtub drain. Videotape the cast iron drains. Replace the lavatory. Install new protective paneling above the bathtub.
- Replace the gas valve and flexible gas line under the wall heater. '
- Repaint the interior. Patch plaster as needed. Replace the floor coverings. Repair minor damaged interior electrical and plumbing issues.
- Enlarge the size of the bedroom windows so that they are not more than 44 inches off the floor. This will require stucco and framing work. Replace the bathroom window with tempered glass. Provide security upgrades.
- Upgrade attic insulation. Add bracing for the framing. Upgrade the attic ventilation.
- Provide anchor bolts for the slab at the garage. Patch the wall between the house and garage. Provide physical protection for the wire in the garage.

1357 Elm Avenue

- Foundation repairs are needed. The extent and nature of the repairs is dependant on the review of foundation engineers. Repair/replace damaged concrete. Provide some grading, including in the neighbors yard to the west.
- Provide new color coat/exterior painting. Provide extensive repair of the fascia. Provide repair of stucco on the soffit. Repair/replace fencing. Replace part of the siding on the garage.
- Replace the roof and all metal flashing. The roof vents and rain caps must be replaced. The penetrations need caulking. Repair stucco due to fascia damage. Gutters and downspouts must be installed to drain to landscaping.
- Provide new electrical service. Repair/replace smoke detector in the hallway and install a detector in every sleeping room. Install Ground Fault Circuit Interrupter Outlets (GFCI) in the kitchen. Install GFCI outlets inside the bathroom, and an outlet on the outside. The receptacles in the bedrooms and living room must be grounded or be GFCI protected.
- Install new water heater, thermostat, vent, gas valve and flexible connector.
- After foundation repair, patch and repaint all interior cracks. Install new flooring in the bathroom and kitchen. Install new carpeting. Increase the size of the water heater cabinet.
- Replace the back door from garage. All windows in bedroom must be accessible for fire egress and rescue. The current windows are too high for access for egress. Enlarge the bedroom windows so they are no more than 44 inches from the floor. This will require framing and stucco work.
- Recommend replacing range and refrigerator.
- Insulate the attic to a minimum of 7 inches in depth. Insulation should be evenly installed. Baffles are needed in the attic where ventilation openings occur. Provide miscellaneous framing upgrades where necessary.
- Repair/replace the garage door.

2. Applicant shall provide landscape and building improvement plans prior to final map recordation.
3. Approval of the Tentative Parcel Map (PM 070072) is valid for three years from the date of final action and would expire three years after this decision, July 24, 2011. The conditions of approval must be satisfied and the Parcel Map recorded on or before July 24, 2011, unless the City grants an extension of time.
4. Applicant shall pay any outstanding negative balances in the project account (070072) prior to approval and recordation of the Final Parcel Map.
5. Approval of this request shall not waive compliance with any portion of the Uniform Building Code and Municipal Code in effect at the time building permits were issued for the original development.
6. Applicant shall provide the required documentation pursuant to Subdivision Map Act Section 66427.1.
7. 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.
8. Applicant shall sign and return the Final Map Notification Agreement.
9. Applicant shall provide an updated title report within 60 days of the final map submittal.

BUILDING:

10. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach.

PUBLIC WORKS:

11. 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.
12. 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.
13. Install landscape-watering system to landscape strip in the right-of-way per I.B.M.C. 19.50.040.F.
14. Remove existing concrete such that there is a minimum 3-foot-wide landscape strip between property line and driveway at 901 Georgia Street per I.B.M.C. 19.50.040.D
15. Per I.B.M.C. 12.08.085, applicant must construct the unimproved alley adjacent to the east property line as follows: "In the event that an alley contiguous to a property upon

which it is contemplating erecting a structure or building ... the firm or corporation installing or erecting such structure or making such conversion within the city shall improve ... such alley to full width in accordance with the ordinances of the city ... according to the following:

- For any development for which the adjacent unimproved alley is immediately adjacent to an alley section which is improved to city standards, the developer shall install the alley improvements for the frontage of that development site with that development." (NOTE: Engineering drawings for this alley section must be approved by the City of San Diego.)
16. Reconstruct existing driveway on Georgia Street as necessary to comply with Regional Standard Drawing G-14B (Driveway approach with parkway). Existing driveway approach on Elm Avenue shall be reconstructed in compliance with Regional Standard Drawing G-14A (Driveway with contiguous sidewalk).
 17. Reconstruct pedestrian ramp on northwest corner of property as necessary to comply with Regional Standard Drawing G-27 (Curb Ramp Type A). 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.
 18. Construct an ADA compliant access ramp at the intersection of the alley and Elm Avenue in accordance with Regional Standard Drawing G-31 (Curb Ramp Type D). **Note:** the existing Palm Tree at this intersection must be removed or relocated out of the sidewalk area and out of the City right-of-way.
 19. Existing utility pole on northeast corner of property shall be relocated to be at least three-feet (3'-0") from the sidewalk **or** a five-foot wide sidewalk is to be constructed around the south side of the utility pole to match with the new Type D access ramp to be constructed at the alley intersection. Design for this sidewalk around the utility pole must be first approved by the Public Works Director or his designee.
 20. Replace approximately 140 lineal feet of sidewalk on Elm Avenue in conformance with Regional Standard Drawing G-7 leaving a 5' 6" parkway from the back of curb to nearest sidewalk edge per I.B.M.C 12.04.050
 21. Replace the damaged sidewalk sections along the property frontage on Georgia Street in accordance with Regional Standard Drawing G-7.
 22. For alley, sidewalk or curb & gutter replacement ensure compliance with 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. Concrete specification must be 560-C-3250.
 23. 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.

24. 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).
25. 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
26. All street work construction requires a Class A contractor to perform the work. All pavement transitions shall be free of tripping hazards.
27. 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).
28. 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.
29. Existing parcel impervious surfaces are required to 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. 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.
30. Install survey monuments on southwest and northeast property lines in or adjacent to the sidewalk. Record same with county office of records.
31. 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.
32. 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
33. 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 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.
34. Applicant shall underground all utilities in accordance with I.B.M.C. 13.08.030 - Subdivisions – Undergrounding Required (All privately owned public utility distribution systems and service facilities with the boundaries of any subdivision shall henceforth be placed underground.) and 13.08.040 Subdivision – Responsibility of subdivider to underground – Exempted facilities.
- The subdivider shall be responsible for the requirements of this chapter and 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 arrangements have been made with the public utilities companies stipulating that the undergrounding of utilities facilities will be accomplished concurrent with the filing of the final map of any subdivision as required by this code and the state Subdivision Map Act and subject to the approval of the City....”

APPEALS PROVISION: Administrative decisions on Tentative Parcel Maps are appealable to the City Council. Any such appeal, accompanied by a \$100.00 filing fee, must be filed in writing with the City Clerk's office, 825 Imperial Beach Boulevard, Imperial Beach no later than 5:00 p.m. on the tenth (10) calendar day following the Community Development Department's decision.

This public notice is filed consistent with, and subject to the California Government Code Section 65009(b)(2) - Exhaustion Doctrine. Any subsequent court challenge to the above items may be limited to those issues raised at the public hearing described in this notice, or issues raised in written correspondence delivered to the City at or prior to the public hearing.

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.

~~COMMUNITY DEVELOPMENT DEPARTMENT~~

Signature on file

Tyler Foltz
Associate Planner

cc. File MF 954
Richard Speare, 4455 Lamont St., #H, San Diego, CA 92109
George Mellon, 1780 La Jolla Rancho Rd., La Jolla, CA 92037
DGB Survey & Mapping, 23 ½ Naples St., Chula Vista, CA 91911
Frank Sotelo, Public Safety
Hank Levien, Public Works Director
Ed Wilczak, Building Official



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: MARCH 4, 2015

ORIGINATING DEPT.: GREGORY WADE, ASSISTANT CITY MANAGER *GW*
ERIKA N. CORTEZ, HUMAN RESOURCES MANAGER *EC*

SUBJECT: CONSIDERATION AND RECOMMENDED ADOPTION OF RESOLUTION NO. 2015-7546 APPROVING PERSONNEL CHANGES AND AMENDING THE FISCAL YEARS (FY) 2013 - 2015 SALARY & COMPENSATION PLAN TO ADD THE POSITION AND SALARY RANGE OF LEAD MAINTENANCE WORKER

EXECUTIVE SUMMARY:

Staff is recommending that the City Council adopt Resolution No. 2015-7546 that would approve various recommended personnel changes and would amend the FY 2013-2015 Salary & Compensation Plan to add the job classification, position and salary Range of "Lead Maintenance Worker" and incorporate recommended personnel adjustments to the FY 2013-2015 Salary & Compensation Plan. If approved by the City Council, the recommended personnel changes would increase Employee Costs for FY 2015 by approximately \$60,000, which it is, estimated that can be accommodated within the City's current and future budget.

Recommendation: Adopt Resolution No. 2015-7546 which will approve the recommended personnel, salary adjustments, and benefit changes, and amend the FY2013 - 2015 Salary & Compensation Plan to add the position and salary Range of *Lead Maintenance Worker*.

Rationale: These proposed changes are recommended as means of remaining competitive with other similarly-situated jurisdictions as well as to facilitate employee retention and to foster the highest possible level of customer and city service.

Options:

- Adopt Resolution No. 2015-7546 which will approve the recommendations.
- Provide alternate direction to staff.

BACKGROUND:

Under Ordinance No. 41 and current adopted City Personnel Rules, the City Manager maintains the authority to establish or revise wages, salaries and materials, etc., for appointive staff and City employees as a matter of business and operational necessity and as subsequently approved by the City Council. All classifications are subject to modification due to changes in departmental organization, professional expertise and knowledge, budgetary limitations or considerations, city size

and population growth of the community, and administrative direction. Specifications for job classifications are also periodically reviewed and updated to assure the validity of each class specification, to maintain compliance with all applicable federal or state labor laws, during the preparation of competitive examinations and , when necessary, during employee labor relations discussions.

ANALYSIS:

Periodically, the City assesses staffing levels within the organization to ensure that adequate resources are in place for desired service levels, to identify areas of enhancement of service and to accommodate staffing needs and requirements. Recently, management completed a thorough salary study of the Ocean/Beach Safety Division and the Public Works Department personnel. Management reviewed each position under both departments and has assessed and is recommending proposed changes to facilitate the efficiency and effectiveness of the organization in dealing with the public and responding to the many and varied requirements and projects expected of city staff. These proposed changes are also recommended as means of remaining competitive with other similarly-situated jurisdictions as well as to facilitate employee retention and to foster the highest possible level of customer and city service.

The following are Management staff's recommended personnel, job classification and benefit changes that are represented by Service Employees International Union (SEIU):

1. Change the Fleet Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
2. Change the Sewer Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month and eliminate the take-home City Emergency Vehicle.
3. Change the Grounds & Facilities Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
4. Change the Street Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
5. Change the Mechanic II salary "Range" to Range 48 at \$3,777 - \$4,822 month.
6. Reclassify the following Maintenance Worker positions:
 - a. Maintenance Workers in all divisions to Maintenance Worker I.
 - b. Maintenance Worker I in all divisions to Maintenance Worker II.
 - c. Create a new classification of Lead Maintenance Worker and establish Range 46 at \$3,588 - \$4,579 per month as the salary, and reclassify the Maintenance Worker II in all divisions to Lead Maintenance Worker.
7. Change the Environmental Program Specialist salary "Range" to Range 48 at \$3,777 - \$4,822 month.
8. Increase the part-time Customer Service Specialist to full-time and maintain at the Range 41 of \$3,249 - \$4,147 per month.
9. Reclassify the Capital Improvement Program (CIP) Manager from a represented position to a Mid-Management position and change the Range to a "Band" of \$5,424 - \$6,913 per month.
10. Change the Beach Lifeguard Sergeant salary "Range" to Range 50 at \$4,054 - \$5,173 month.
11. As designated by the Public Works Director and approved by the City Manager, when a supervisor receives an additional division under his/her direction, he/she shall be granted a \$100.00 per month Supplemental Stipend. This stipend will be effective retroactively to January 1, 2015. The stipend is subject to taxes and pension reporting. The stipend shall terminate when the supervisor's supervision of the additional division ends as recommended by the department head and approved by the City Manager.

The City's Labor Negotiation Team met and conferred with the SEIU regarding these proposed classification and salary changes. The SEIU ratified these recommendations as noted above on February 18, 2015.

The following are staff's recommended personnel and job classification changes that are Appointive Management:

1. Change the *GIS Administrator* salary "Band" to \$5,150 - \$7,003 a month.
2. Change the *Lifeguard Captain* salary "Band" to \$5,239 - \$7,246 a month and change the position title to Marine Safety Captain.

The job descriptions to these recommended personnel changes will be updated at a future Council meeting subject to SEIU's ratification. It is further recommended that these personnel changes be retroactive to January 1, 2015, following adoption of Resolution No. 2015-7546.

The impact of these recommended staffing changes to the FY2015 and FY2016 budgets will continue to be monitored and identified and, if necessary, additional amendments will be recommended.

ENVIRONMENTAL DETERMINATION:

The information presented and the actions recommended are not a project as defined by CEQA.

FISCAL IMPACT:

For budgeting purposes, all recommended salary adjustments have been calculated to include all applicable employee benefits. The increase to Employee Costs for FY2015 is approximately \$60,000. Even with these recommended changes, it is estimated that the City will be within budget.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 2015-7546 which will:

1. Approve recommended personnel, salary adjustments, and benefit changes; and
2. Amend the FY2013 - 2015 Salary & Compensation Plan to add the position and salary Range of *Lead Maintenance Worker*.

Attachments:

1. Resolution No. 2015-7546
2. FY 2013 - 2015 Salary & Compensation Plan

RESOLUTION NO. 2015-7546

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING AND APPROVING PERSONNEL CHANGES AND AMENDING THE FISCAL YEARS 2013-2015 SALARY & COMPENSATION PLAN TO ADD THE POSITION AND SALARY RANGE OF LEAD MAINTENANCE WORKER

WHEREAS, the provisions of Ordinance No. 41 of the City of Imperial Beach provides that the City Manager maintains the authority under Ordinance No. 41 and under current adopted City Personnel Rules to establish or revise wages, salaries and materials, etc., for appointive staff and City employees as business and operational necessity subsequently approved by the City Council; and

WHEREAS, job classifications and salary are periodically reviewed and updated to assure the validity of each class specification, to maintain compliance with all labor laws, to prepare competitive examinations, and to retain well-trained employees that possess important institutional knowledge; and

WHEREAS, management completed a thorough salary study of the Ocean/Beach Safety Division and Public Works Department personnel; and

WHEREAS, management reviewed each position under these departments and has assessed and is recommending proposed changes to facilitate the efficiency and effectiveness of the organization in dealing with the public, and to respond to the many and varied requirements and projects expected of city staff; and

WHEREAS, the Service Employees International Union, Local 221 ("SEIU") is the exclusive bargaining agent and representative of the City's Miscellaneous Classified Service; and

WHEREAS, the City and SEIU met and conferred in good faith and agreed to the personnel changes as outlined below; and

WHEREAS, Appointive Management employees are those employees designated by the City Manager and are salaried exempt positions: and

WHEREAS, Appointive Management personnel and job classification changes are also recommended and are outlined below.

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

1. The above recitals are true and correct.
2. The City Council hereby approves the following personnel, job classification, and benefit changes:
 - a) Change the Fleet Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
 - b) Change the Sewer Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month and eliminate the take-home City Emergency Vehicle.

- c) Change the Grounds & Facilities Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
 - d) Change the Street Supervisor salary "Range" to Range 57 at \$4,726 - \$6,030 a month.
 - e) Change the Mechanic II salary "Range" to Range 48 at \$3,777 - \$4,822 month.
 - f) Reclassify the following Maintenance Worker positions:
 - i. Maintenance Workers in all divisions to Maintenance Worker I.
 - ii. Maintenance Worker I in all divisions to Maintenance Worker II.
 - iii. Create a new classification of Lead Maintenance Worker and establish Range 46 at \$3,588 - \$4,579 per month as the salary, and reclassify the Maintenance Worker II in all divisions to Lead Maintenance Worker.
 - g) Change the Environmental Program Specialist salary "Range" to Range 48 at \$3,777 - \$4,822 month.
 - h) Increase the part-time Customer Service Specialist to full-time and maintain at the Range 41 of \$3,249 - \$4,147 per month.
 - i) Reclassify the Capital Improvement Program (CIP) Manager from a represented position to a Mid-Management position and change the Range to a "Band" of \$5,424 - \$6,913 per month.
 - j) Change the Beach Lifeguard Sergeant salary "Range" to Range 50 at \$4,054 - \$5,173 month.
 - k) Change the GIS Administrator salary "Band" to \$5,150 - \$7,003 a month.
 - l) Change the Lifeguard Captain salary "Band" to \$5,239 - \$7,246 a month and change the position title to Marine Safety Captain.
 - m) As designated by the Public Works Director and approved by the City Manager, when a supervisor receives an additional division under his/her direction, he/she shall be granted a \$100.00 per month Supplemental Stipend. This stipend will be effective retroactively to January 1, 2015. The stipend is subject to taxes and pension reporting. The stipend shall terminate when the supervisor's supervision of the additional division ends as recommended by the department head and approved by the City Manager.
3. The City Council hereby amends the Fiscal Years 2013-2015 Salary & Compensation Plan to add the position and salary range of Lead Maintenance Worker and incorporate recommended personnel changes.
4. The City Council hereby establishes the effective date of these changes to be retroactive to January 1, 2015 following adoption of Resolution No. 2015-7546.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

**CITY OF IMPERIAL BEACH
POSITION CLASSIFICATIONS AND MONTHLY COMPENSATION SCHEDULE
EFFECTIVE JULY 1, 2013 - JUNE 30, 2015**

Approved by Reso. No. 2013-7422; Amended by Reso. No. 2015-7546
(Includes 3% COLA for Fire Employees as of 1/1/15)

<u>Job No.</u>	<u>General Employees</u>	<u>Range</u>	<u>Monthly Salary</u>	
			<u>LOW</u>	<u>HIGH</u>
5010	ACCOUNT/CLERK TECHNICIAN	49	3,871	- 4,943
5014	ADMINISTRATIVE ASSISTANT	45	3,488	- 4,452
5015	ADMINISTRATIVE ASSISTANT (CIP)	41	3,249	- 4,147
5020	ADMINISTRATIVE INTERN	29	2,477	- 3,164
5025	ADMINISTRATIVE INTERN-GIS	29	2,477	- 3,164
5030	ADMINISTRATIVE SECRETARY I	39	3,129	- 3,993
5040	ADMINISTRATIVE SECRETARY II	43	3,379	- 4,312
5050	ASSISTANT PLANNER	46	3,588	- 4,579
5060	ASSOCIATE PLANNER	52	4,154	- 5,303
5065	ASSISTANT PROJECT MANAGER	52	4,154	- 5,303
8010	BEACH LIFEGUARD I	30	2,575	- 3,287
8020	BEACH LIFEGUARD II	37	2,980	- 3,803
8030	BEACH LIFEGUARD LIEUTENANT	50	4,054	- 5,173
8040	BEACH LIFEGUARD SERGEANT	50	4,054	- 5,173
9010	BEACH MAINTENANCE WORKER	18	1,854	- 2,367
5068	BUILDING/CODE COMPLIANCE SPECIALIST	32	2,725	- 3,478
5070	BUILDING & PLANNING TECHNICIAN	42	3,289	- 4,199
5080	BUILDING/HOUSING INSPECTOR I	51	4,093	- 5,224
5090	BUILDING/HOUSING INSPECTOR II	55	4,498	- 5,741
6010	CLERK TYPIST	29	2,477	- 3,164
6020	CODE COMPLIANCE OFFICER	48	3,777	- 4,822
9020	CUSTODIAN	29	2,477	- 3,164
6050	CUSTOMER SERVICE SPECIALIST	41	3,249	- 4,147
6060	DEPUTY BUILDING OFFICIAL	74	7,086	- 9,045
9000	ENVIRONMENTAL PROGRAM SPECIALIST	48	3,777	- 4,822
6065	FIRE SAFETY INSPECTOR II	64	5,533	- 7,062
9030	FLEET SUPERVISOR	57	4,726	- 6,030
6066	GIS FIRE MAPPING INTERN	27	2,345	- 2,993
9040	GRAFFITI PROGRAM COORDINATOR	44	3,456	- 4,412
9050	GROUNDS & FACILITIES SUPERVISOR	57	4,726	- 6,030
9060	HEAVY EQUIPMENT OPERATOR	41	3,249	- 4,147
6070	JUNIOR CLERK TYPIST	19	1,906	- 2,432
6072	LEAD MAINTENANCE WORKER	46	3,588	- 4,579
9070	MAINTENANCE WORKER	33	2,775	- 3,542
9080	MAINTENANCE WORKER I	36	2,945	- 3,760
9090	MAINTENANCE WORKER II	41	3,249	- 4,147
11110	MECHANIC HELPER	15	1,717	- 2,190
11120	MECHANIC I	40	3,165	- 4,040
11130	MECHANIC II	48	3,777	- 4,822
6073	NETWORK SYSTEMS TECHNICIAN (PT)	38	3,077	- 3,927
6075	OFFICE SPECIALIST	29	2,477	- 3,164
11140	PIER/BEACH MAINTENANCE WORKER	32	2,725	- 3,478
6080	PROGRAM AIDE	10	1,539	- 1,965
11153	PUBLIC WORKS INSPECTOR	50	4,054	- 5,173
6090	PROGRAM COORDINATOR	30	2,575	- 3,287
11150	PROJECT MANAGER TECHNICIAN	45	3,488	- 4,452
7000	RECREATION LEADER	17	1,803	- 2,302
7010	RECREATION PROGRAM AIDE	10	1,539	- 1,965
7020	RECREATION PROGRAM COORDINATOR	34	2,803	- 3,578
7025	RESIDENTIAL FIRE/SAFETY INSPECTOR	39	3,129	- 3,993

**CITY OF IMPERIAL BEACH
POSITION CLASSIFICATIONS AND MONTHLY COMPENSATION SCHEDULE
EFFECTIVE JULY 1, 2013 - JUNE 30, 2015**

Approved by Reso. No. 2013-7422; Amended by Reso. No. 2015-7546
(Includes 3% COLA for Fire Employees as of 1/1/15)

<u>Job No.</u>	<u>General Employees (cont.)</u>	<u>Range</u>	<u>Monthly Salary</u>	
			LOW	HIGH
7030	SENIOR ACCOUNT/CLERK TECHNICIAN	38	3,077	3,927
7040	SENIOR PLANNER	69	6,264	7,994
11155	SENIOR PUBLIC WORKS SUPERVISOR	64	5,533	7,062
11160	SEWER SUPERVISOR	57	4,726	6,030
11170	STREET SUPERVISOR	57	4,726	6,030
11180	TIDELANDS SUPERVISOR	50	4,054	5,173
<u>Job No.</u>	<u>Fire Department (sworn)</u>	<u>Range</u>	<u>Monthly Salary</u>	
			LOW	HIGH
8080	FIREFIGHTER	6	4,120	5,521
8085	FIREFIGHTER/PARAMEDIC RECRUIT	FP9	4,367	-
8090	FIREFIGHTER/PARAMEDIC	FP6	4,585	6,145
8060	FIRE ENGINEER	7	4,585	6,144
8070	FIRE ENGINEER/PARAMEDIC	FP7	4,929	6,605
8050	FIRE CAPTAIN	8	5,426	7,272
8055	FIRE CAPTAIN/PARAMEDIC	FP8	5,698	7,635
<u>Job No.</u>	<u>Confidential</u>	<u>Range</u>	<u>Monthly Salary</u>	
			LOW	HIGH
4005	ADMINISTRATIVE SECRETARY II (CM Office)	43	3,379	4,312
4020	FINANCIAL SERVICES ASSISTANT	48	3,777	4,822
6067	HUMAN RESOURCES TECHNICIAN	41	3,249	4,147
4050	OFFICE SPECIALIST (HR/CM)	29	2,477	3,164
4060	NETWORK SYSTEMS TECHNICIAN	38	3,077	3,927
4030	PERSONNEL SERVICES ASSISTANT	51	4,093	5,224
4040	SENIOR ACCOUNTANT	63	5,399	6,890
<u>Job No.</u>	<u>Management and Mid-management</u>	<u>Range</u>	<u>Monthly Salary</u>	
			LOW	HIGH
2010	ADMINISTRATIVE SERVICES/FINANCE DIRECTOR	BAND	6,161	11,090
2020	ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIR.	BAND	11,493	14,168
6000	BUILDING OFFICIAL	BAND	6,107	9,014
9015	CAPITAL IMPROVEMENT PROGRAM MANAGER	BAND	5,424	6,913
2030	CITY CLERK	BAND	6,161	11,090
3010	CITY PLANNER	BAND	6,580	8,399
2040	COMMUNITY DEVELOPMENT DIRECTOR	BAND	11,493	14,168
4010	DEPUTY CITY CLERK	BAND	4,225	5,142
3022	EMERGENCY SERVICES COORDINATOR	BAND	6,015	7,643
3025	ENVIRONMENTAL PROGRAM MANAGER	BAND	4,929	6,777
3040	FINANCE SUPERVISOR	BAND	4,929	6,777
9035	GIS ADMINISTRATOR	BAND	5,150	7,003
3042	HUMAN RESOURCES ANALYST	BAND	4,313	5,545
3045	HUMAN RESOURCES MANAGER	BAND	7,349	9,435
3047	INFORMATION SYSTEMS MANAGER	BAND	4,929	6,777
3060	MANAGEMENT ANALYST (CM)	BAND	4,882	6,395
3060	MANAGEMENT ANALYST (FIRE)	BAND	4,313	5,545
3050	MARINE SAFETY CAPTAIN	BAND	5,239	7,246
2050	PUBLIC SAFETY DIRECTOR/FIRE CHIEF	BAND	6,161	11,090
2060	PUBLIC WORKS DIRECTOR	BAND	6,161	11,090
3070	PUBLIC WORKS SUPERINTENDENT	BAND	4,929	6,777
3075	PUBLIC WORKS OPERATIONS & CONSTRUCTION MANAGER	BAND	6,386	8,781
11165	SPECIAL PROJECTS MANAGER	BAND	5,981	10,766

**CITY OF IMPERIAL BEACH
POSITION CLASSIFICATIONS AND MONTHLY COMPENSATION SCHEDULE
EFFECTIVE JULY 1, 2013 - JUNE 30, 2015**

Approved by Reso. No. 2013-7422; Amended by Reso. No. 2015-7546
(Includes 3% COLA for Fire Employees as of 1/1/15)

<u>Job No.</u>	<u>Elected and City Manager</u>	<u>Range</u>	<u>Monthly Salary</u>
1010	CITY COUNCILMEMBER	N/A	300
1020	CITY MANAGER	N/A	15,000
1030	MAYOR	N/A	1,100



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: CITY ADMINISTRATION
SUBJECT: RESOLUTION NO. 2015-7551 PROCLAIMING SUPPORT FOR A PORT OF SAN DIEGO TIDELANDS ACTIVATION PROGRAM COMMUNITY EVENT SPONSORSHIP APPLICATION BY THE I.B./SOUTH BAY KIWANIS CLUB FOR THE KIDS FISHING DERBY

EXECUTIVE SUMMARY:

Adoption of Resolution No. 2015-7551 proclaims support for a Port of San Diego Tidelands Activation Program Community Event Sponsorship application submitted by I.B./South Bay Kiwanis Club for the Kids Fishing Derby.

BACKGROUND:

The South Bay Kiwanis Club will submit an application to the Port of San Diego for community event sponsorship for the Kids Fishing Derby event. The Kids Fishing Derby event is an opportunity to provide free recreational activity plus lunch for children of all ages and their parents on the Imperial Beach Pier. The children participating in the event will also benefit by being educated on sea life and its preservation. For participating in the event, all children will receive a prize, medallion, and certificate.

DISCUSSION:

In past years the Kiwanis Club expended \$300 and the general public including businesses spent approximately \$1,500 to \$2,000 in in-kind contributions. Additionally, over 200 person-hours of volunteer work will support the event. The Kiwanis Club is seeking a Port contribution of \$1,000 in order to serve more children and provide better prizes. Last year a new high of 75 children and 75 adults were served. This year they anticipate at least doubling those numbers.

On February 24, 2015, representatives from the I.B./South Bay Kiwanis Club requested a resolution of support from the City of Imperial Beach for their community event sponsorship application.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL ANALYSIS:

None associated with this report.

RECOMMENDATION:

Adopt resolution.

Attachments:

1. Resolution No. 2015-7551

RESOLUTION NO. 2015-7551

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, PROCLAIMING SUPPORT FOR A PORT OF SAN DIEGO TIDELANDS ACTIVATION PROGRAM COMMUNITY EVENT SPONSORSHIP APPLICATION BY THE I.B./SOUTH BAY KIWANIS CLUB FOR THE KIDS FISHING DERBY

WHEREAS, the South Bay Kiwanis Club will submit an application to the Port of San Diego for community event sponsorship for their Kids Fishing Derby event;

WHEREAS, on February 24, 2015, representatives from the I.B./South Bay Kiwanis Club requested a resolution of support from the City of Imperial Beach for their community event sponsorship application;

WHEREAS, the Kids Fishing Derby is an opportunity to provide free recreational activity plus lunch for children of all ages and their parents on the Imperial Beach Pier;

WHEREAS, the children participating in the Kids Fishing Derby will be educated about sea life and its preservation;

WHEREAS, all children will receive a prize, medallion, and certificate for participating in the event.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Imperial Beach proclaims support for the Port of San Diego Tidelands Activation Program Community Event Sponsorship application submitted by I.B./South Bay Kiwanis Club for the Kids Fishing Derby.

BE IT FURTHER RESOLVED that the City Council of the City of Imperial Beach applaud the efforts of the I.B./South Bay Kiwanis Club for providing needed recreational and educational activities for the children of Imperial Beach.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following roll call vote:

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

SERGE DEDINA, MAYOR

ATTEST:

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



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: MARCH 4, 2015

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

SUBJECT: *JHW* PUBLIC HEARING: CITYMARK DEVELOPMENT (APPLICANT); CONSIDERATION OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN FILL DEVELOPMENT), REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051), DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING RESIDENTIAL RENTAL UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF 1169.

EXECUTIVE SUMMARY:

Staff is recommending that the City Council hold a public hearing to review and consider approval of a project proposing to construct a new three-story, mixed-use building with 3,326 square feet of commercial/retail space on the ground floor and 11 residential condominium units above the first floor. The project would provide three (3) off-street parking spaces for the ground floor commercial space and 17 secured, off-street residential parking spaces, six (6) of which would be tandem spaces. The project applicant is requesting approval of a conditional use permit to allow a building height of 35 feet and has requested approval of an administrative adjustment of 10% to reduce the commercial floor-to-ceiling vertical dimension from 15 feet to 13.5 feet. The project site is located on the east side of Seacoast Drive in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone and is comprised of two parcels consisting of a vacant lot and nine residential rental units at 110 Evergreen Avenue (APNs 625-351-25-00 & 625-351-26-00).

BACKGROUND:

An application has been submitted to the City of Imperial Beach for a Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site

Plan Review (SPR 140053), and Tentative Map (TM 140054) for the proposed demolition of nine existing apartment units and the construction of a new, mixed-use development with 11 residential condominium units above 3,326 square feet of commercial/retail space at 110 Evergreen Avenue (APNs 625-351-25-00 & 625-351-26-00), which is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone.

ANALYSIS:

The project site includes two parcels that would be combined into one lot measuring 14,288 square feet fronting Seacoast Drive at the northeast corner of Seacoast Drive and Evergreen Avenue in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone. The property to the north of the site is commercial and residential, the property to the south is mixed-use, the property to the west is Pier Plaza, and the property to the east is residential.



The three-story project proposes 3,326 square feet of commercial/retail space on the ground floor and 11 residential dwelling units located above the first floor. The building would provide pedestrian access to the commercial space from Seacoast Drive. Pedestrian access to the residential units would be provided from Evergreen Avenue and also from the enclosed parking area on the ground floor. Three parking spaces, one of which would meet Americans with Disability Act (ADA) standards, would be provided for the commercial space and 17 parking spaces would be provided for the residential units. Six additional tandem parking spaces would be provided for the residences, though these would not count toward meeting the required parking standards (IBMC Section 19.48.110(B)). The commercial parking spaces would be accessed off of the alley to the north of the site and access to the at-grade, secured residential parking spaces would also be provided from the alley. The applicant is proposing to relocate an existing bus stop that is presently located on private property near the center of the project site's frontage on Seacoast Drive. One possible location is near the northwest corner of the property, though the applicant is working with the City and San Diego Metropolitan Transit System (MTS) to determine an appropriate location.

The maximum allowable building height in the C/MU-2 Zone is typically 30 feet; however, Imperial Beach Municipal Code (IBMC) Section 19.27.070 states that properties east of Seacoast Drive shall have a height limit not to exceed three stories and 35 feet with approval of a conditional use permit that demonstrates compliance with side yard setbacks and/or setbacks that protect street-end public views towards the ocean, and provided that two or more of the development incentives listed in IBMC Section 19.27.020(A)(5) are provided. As such, the project applicant is requesting a conditional use permit for a building height of 35 feet. The project would not impact street-end public views toward the ocean by incorporating the required setbacks and setbacks, and the applicant is proposing to meet the following two development incentives listed in IBMC Section 19.27.020(A)(5): 1) At least 25% of the proposed residential units would be three-bedroom units (72.7% proposed); and 2) The entire project would achieve

Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification. Further, the City does not have a view protection ordinance and the property is not burdened by a covenant or restriction that would prohibit the development or height of this project in any way.

In addition, the applicant is requesting approval of an administrative adjustment of 10% to reduce the commercial vertical floor-to-ceiling dimension from 15 feet to 13.5 feet, as provided for in IBMC Section 19.84.150, which allows for an adjustment of up to 10% for certain development standards listed in the Municipal Code. The applicant is requesting the administrative adjustment to allow for more desirable/livable vertical floor-to-ceiling dimensions above the first floor. A vertical floor-to-ceiling dimension of 13.5 feet at the first level allows for a vertical floor-to-ceiling dimension of 9.7 feet on the second floor and 9 feet for the third floor.

The proposed project design would contribute positively in making an architectural statement along this commercial corridor and it is staff's opinion that the proposed design conforms to the intent and purpose of the design standards outlined in IBMC Section 19.83.010 and the City's Design Guidelines for Commercial/Mixed-Use Zones (Attachment 5). The applicant's design provides varied rooflines and architectural relief through the incorporation of building pop-outs and vertical articulation and façade variation. In addition, the project would provide architectural interest on all elevations with varied building materials such as hardy board siding, stucco, perforated metal, roll-up glass doors, steel tube hand rails, masonry, and wood elements.

Landscaping would be provided along the east and south property lines and would also be provided within the courtyard areas. Street trees are proposed on the Seacoast Drive and Evergreen Avenue public rights-of-way, though the final design would depend on the eventual Seacoast Drive Aesthetic Improvement plan approved by the City Council. The proposed landscaping would be drought tolerant and would include shrubs, trees, and groundcover. Various trees would be provided in the courtyard and public right-of-way on Seacoast Drive and Evergreen Avenue.



General Plan Consistency:

C/MU-2 (Seacoast Commercial and Mixed-use) Zone: The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed mixed-use project meets the purpose and intent of the C/MU-2 land use designation.

C/MU-2 STANDARDS	PROVIDED/PROPOSED
<p>Maximum density of one dwelling unit for every one thousand five square feet of lot area, or if located on the east side of Seacoast Drive or Palm Avenue, east of Seacoast Drive, one dwelling unit for each one thousand two hundred and ten gross square feet of lot area with approval of a conditional use permit by the City Council that demonstrates compliance with two or more development incentives (Section 19.27.020(A)(5)).</p>	<p>The property measures 14,288 square feet and proposes 11 units at a density of one unit for each 1,210 sq. ft. of lot area, which will require approval of a conditional use permit by the City Council. The two development incentives proposed by the applicant are as follows: 1) At least 25% of the proposed residential units will be three-bedroom units (72.7% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification.</p>
<p>Yard requirements for the C/MU-2 zone are as follows (Section 19.27.040):</p> <ul style="list-style-type: none"> A. On property fronting on Seacoast Drive, the front of each building shall be set on the front property line. For purposes of this requirement an arcade is considered a part of the building. B. A five-foot rear and/or side yard setback is required for properties abutting and property zoned R-2000. 	<ul style="list-style-type: none"> A. The project fronts Seacoast Drive with the building and arcade/patio. B. A five-foot side/rear yard setback is provided adjacent to the zoned property to the east which is zoned R-2000.
<p>Stepback requirements for the C/MU-2 Zone are as follows (Section 19.27.041):</p> <ul style="list-style-type: none"> A. On property with a side or rear yard abutting a residential zone, the second-floor stepback shall be a minimum of five feet from the abutting residential property line and the third-floor stepback shall be a minimum of ten feet from the abutting residential property line. 	<ul style="list-style-type: none"> A. The second and third floors are stepped back ten feet from the abutting residential property to the east.

<p>B. Stepbacks are not required where the ten-foot setback is required or observed for at least fifty percent of the property line abutting residential property.</p> <p>C. On properties fronting Seacoast Drive, an upper-story setback of five to ten feet is required for a minimum of fifty percent of street-facing facades along Seacoast Drive.</p>	<p>B. The project provides the required stepbacks as required for the second and third floors.</p> <p>C. The property fronts Seacoast Drive and provides an upper-story setback of five to ten feet for at least fifty percent of street-facing facades.</p>
<p>Minimum lot size of 3,000 square-feet (Section 19.27.050).</p>	<p>The lot size measures 14,288 square feet.</p>
<p>Minimum street frontage of 30 feet (Section 19.27.060).</p>	<p>The Seacoast Drive frontage is approximately 95 feet and the Evergreen Avenue frontage is approximately 150 feet.</p>
<p>Maximum height of three stories or thirty feet, whichever is less, except as follows (Section 19.27.070(A)):</p> <p>Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with the following:</p> <p>a. Side yard setbacks and/or stepbacks have been incorporated into the project to protect street-end public views towards the ocean;</p> <p>b. Two or more of the development incentives listed in Section 19.27.020(A)(5).</p>	<p>The project proposes a building height of 35 feet and is requesting a conditional use permit.</p> <p>a. The project incorporates the required setbacks and stepbacks and would not impact street-end public views.</p> <p>b. The project is proposing the following development incentives: 1) At least 25% of the proposed residential units will be three-bedroom units (72.7% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification.</p>
<p>All commercial spaces on the ground floor shall have a minimum fifteen-foot vertical floor-to-ceiling dimension; and single-story commercial buildings shall have a minimum building height of twenty feet (Section 19.27.070(B)).</p>	<p>The project is requesting an administrative adjustment of 10% to deviate from the typical 15 foot ground floor vertical floor-to-ceiling dimension (Section 19.84.150). As such, the project is proposing a vertical floor-to-ceiling dimension of 13.5 feet for the ground floor commercial space.</p>

<p>No buildings shall be located less than five feet from any other building on the same lot. (Section 19.27.080)</p>	<p>Only one building is located on the lot.</p>
<p>Commercial landscaping: not less than 15% of total site shall be landscaped and maintained (Section 19.50.030(A)).</p>	<p>The 14,288 square foot lot requires a minimum of 2,143 square feet of landscaping (14,288 x .15 = 2,143). 2,181 square feet of landscaping is proposed.</p>
<p>Required parking spaces for multiple-family residential in the C/MU-2 Zone: 1.5 spaces per dwelling unit. A 25% reduction may be allowed for vertical mixed-use (Section 19.48.035).</p> <p>The C/MU-2 Zone requires 1 space per 1,000 gross square feet of commercial space. A 25% reduction may be allowed for vertical mixed-use (Section 19.48.035).</p>	<p>11 residential units are proposed for the project in total, which would require 16.5 parking spaces. A 25% reduction would allow for a minimum of 12 parking spaces (16.5 x .25 = 4.125; 16.5 – 4.125 = 12.375 required spaces). However, 17 parking spaces are proposed for the residential units. Six additional tandem parking spaces would be provided for the residences, though these would not count toward meeting the required parking standards.</p> <p>The project proposes 3,326 square feet of commercial space, which would require 3 parking spaces. A 25% reduction would allow for 2 commercial parking spaces (3 x .25 = .75; 3 – .75 = 2.25 required spaces). However, 3 commercial parking spaces are proposed.</p>

Surrounding Land Use and Zoning:

Surrounding Areas	Surrounding Zoning	Surrounding Land Use
North	C/MU-2 (Seacoast Comm. & Mixed-Use)	Commercial
South	C/MU-2 (Seacoast Comm. & Mixed-Use)	Mixed-Use
East	R-2000 (Medium Density Res.)	Residential
West	PF (Public Facility)	Pier Plaza

Design Review Board: At the Design Review Board meeting of February 5, 2015 (Attachment 4), the Board recommended approval of the project with a vote of 3-0 with the following recommendation:

1. The project should enhance the wall where the bus stop may locate so that it is visually appealing (northern ground floor wall on Seacoast Drive).

The applicant is now proposing trellis and landscape elements on the wall where the bus stop may locate to provide a greater aesthetic appeal.

COUNCIL ACTION:

The Council is being asked to approve a Coastal Development Permit, Conditional Use Permit, Design Review/Site Plan Review, and Tentative Map with conditions. Staff's recommendations and proposed findings are incorporated into the attached resolution.

ENVIRONMENTAL IMPACT:

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects).

COASTAL JURISDICTION:

The project is 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 appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code and IBMC Section 19.87.160.

FISCAL ANALYSIS:

The Applicant has deposited \$11,500.00 to fund processing of the application.

DEPARTMENT RECOMMENDATION:

1. Declare the public hearing open;
2. Receive report and entertain public testimony;
3. Close the public hearing and consider the project; and
4. That the City Council adopt Resolution 2015-7548, approving Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) which makes the necessary findings and provides conditions of approval in compliance with local and state requirements; OR

Other Options:

1. Disapprove the project and deny the requested permits by making specific findings for denial; or
2. Continue the Public Hearing to a specific future meeting to allow staff to provide additional information upon which a decision can be rendered.

Attachments:

1. Resolution 2015-7548
2. Plans
3. Conceptual Renderings
4. Design Review Board Minutes (Draft)
5. Design Guidelines for Commercial/Mixed-Use Zones
6. Public Comment

c: file MF 1169

RESOLUTION NO. 2015-7548

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN-FILL DEVELOPMENT PROJECTS), REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051), DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING RESIDENTIAL RENTAL UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNS 625-351-25-00 & 625-351-26-00). MF 1169.

DEVELOPER: CITYMARK DEVELOPMENT

WHEREAS, on March 4, 2015, the City Council of the City of Imperial Beach held a duly advertised and noticed public hearing to consider the merits of approving or denying an application for a Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) proposing to demolish nine existing apartment units and construct a mixed-use development with 11 residential condominium units above commercial space at 110 Evergreen Avenue (APNs 625-351-25-00 & 625-351-26-00), which is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone. The project site is legally described as follows:

APN 625-351-25-00 & 625-351-26-00

Lots 1, 2, and 3, Block 21, Imperial Beach, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 1139, filed in the Office of the County Recorder of San Diego County, June 16, 1908.

WHEREAS, on February 5, 2015, the Design Review Board recommended approval of the project with a vote of 3-0 (1 abstention); and

WHEREAS, the project design of three residential condominium units is compatible with the community and would be consistent with Policy D-8 (Project Design) of the Design Element of the General Plan; and,

WHEREAS, the City Council finds that the project is in compliance with the Land Use Element of the General Plan; and,

WHEREAS, the City Council finds that the project complies with the requirements of the California Environmental Quality (CEQA) as the project is categorically exempt pursuant to CEQA Guidelines 15332 (In-Fill Development Projects); and

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

REGULAR COASTAL PERMIT (IBMC § 19.87.050):

- 1. 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 Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well

as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed mixed-use project meets the purpose and intent of the land use designation because mixed-use buildings are permitted in the C/MU-2 Zone and the project would encourage pedestrian activity through the design and location of the building frontage and would provide commercial goods and services required by the tourist population and local residents.

2. **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 complies with the City's design guidelines, landscape and irrigation standards, and minimum requirements set forth in the Zoning Ordinance because it is consistent with the General Plan and the Zoning development standards for the site. The project shall receive an administrative adjustment of 10% to deviate from the typical 15 foot vertical floor-to-ceiling dimension (Section 19.84.150) and shall provide a vertical floor-to-ceiling dimension of 13.5 feet for the ground floor commercial space, and this is authorized because it would allow for more desirable/livable vertical floor-to-ceiling dimensions above the first floor.

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

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article 19 Sections 15332 (In-Fill Development Projects). 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.

4. **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 February 19, 2015, and a public hearing notice was published in the South County Eagle & Times newspaper on February 19, 2015.

CONDITIONAL USE PERMIT (IBMC § 19.82.040):

5. **That the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;**

The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed mixed-use project meets the purpose and intent of the land

use designation. The use with a building height of thirty-five feet is necessary and desirable as it will develop a vacant lot, provide residential units to assist in meeting housing demand, provide visitor-serving retail commercial space, and provide an economic benefit for the neighborhood and community.

6. **That the use will not, under the 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 use will not be detrimental to the public, as there will be no hazardous materials, fumes, or operations at the facility, nor will there be any noxious odors, loud noises, or excessive traffic generated at the site. The proposed use is compatible with other uses in the neighborhood and would function in a similar manner as other nearby uses.

7. **That the proposed use will comply with the regulations and conditions specified in this title for the use and for other permitted uses in the same zone; and**

Mixed-use developments are permitted in the C/MU-2 Zone. The proposed project is consistent with the zoning for this area and will comply with all of the regulations and conditions for these uses. Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with setbacks, stepbacks, and two or more development incentives. The project complies with the setback and stepback requirements and the two development incentives proposed by the applicant are as follows: 1) At least 25% of the proposed residential units will be three-bedroom units (72.7% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification.

8. **That the granting of the conditional use permit will be in harmony with the purpose and intent of the zoning code, the adopted General Plan and the adopted Local Coastal Program.**

The C/MU-2 Zone allows for properties east of Seacoast Drive to have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with setbacks, stepbacks, and two or more development incentives. The project complies with the setback and stepback requirements and the two development incentives proposed by the applicant are as follows: 1) At least 25% of the proposed residential units will be three-bedroom units (72.7% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification. The proposed project and conditional use permit is in compliance with the General Plan and Local Coastal program and is in harmony with the purpose and intent of the zoning code because the project is east of Seacoast Drive and demonstrates compliance with setbacks, stepbacks, and two development incentives, which allows for the height limit not to exceed three stories and thirty-five feet.

DESIGN REVIEW/SITE PLAN REVIEW (IBMC § 19.81.060):

9. **The proposed use does not have any detrimental effect upon the general health, safety and convenience of persons residing or working in the neighborhood, or is**

not detrimental or injurious to the value of the property and improvements in the neighborhood.

The project proposes the construction of a mixed-use building with commercial and residential uses. The project would not have a detrimental effect on the general health, welfare, safety and convenience of persons residing or working in the neighborhood because it is consistent with the development standards and zoning designations. The development would not be injurious to the value of the property and improvements in the neighborhood because the project represents an improvement of the existing conditions and the project could improve property values and stimulate growth in the area.

10. The proposed use does not adversely affect the General Plan or the Local Coastal Plan.

The General Plan/Local Coastal Plan designates the site as Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). Therefore, the proposed mixed-use project meets the purpose and intent of the General Plan and Local Coastal Plan.

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

The property to the north of the site is commercial, the property to the south is mixed-use, the property to the west is Pier Plaza, and the property to the east is residential. The proposed mixed-use project is compatible with other uses in the neighborhood because it is a mixed-use commercial/residential project and nearby properties are comprised of mixed-use and multiple-story buildings.

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

The proposed building is oriented to Seacoast Drive and complies with all height, setback, and stepback requirements. The proposed building is harmonious with other uses and structures, which include multiple-story buildings located to the south and east of the project site.

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

The project proposes commercial and residential uses within a building that is properly integrated.

14. Access to and parking for the proposed use does not create any undue traffic problem.

Vehicular ingress and egress to and from the site would be provided from the alley and pedestrian access would be provided from Seacoast Drive and Evergreen Avenue. Access and ingress and egress for the project should not create undue traffic problems.

15. All other applicable provisions of the Zoning Code are complied with.

The project is consistent with the General Plan and the Zoning development standards for the site.

16. Any other considerations as the Community Development Department deem necessary to preserve the health, safety and convenience of the City in general.

Standard and applicable conditions of approval have been included with the Resolution to further ensure that the health, safety, welfare, and convenience of the City in general is preserved.

17. Public Notice requirements, pursuant to Zoning Ordinance Section 19.87.100, 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 300 feet of the subject site on February 19, 2015, and a public hearing notice was published in the Imperial Beach Eagle & Times newspaper on February 19, 2015.

TENTATIVE PARCEL MAP FINDINGS (IBMC § 18.12.070):

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

The proposed subdivision is consistent with the General Plan and zoning designations because the lots will meet the lot area and frontage requirements.

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

The General Plan/Local Coastal Plan designates the site as Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). Therefore, the proposed mixed-use project meets the purpose and intent of the land use designation of the General Plan/Local Coastal Plan.

20. The site is physically suitable for the type of development.

The subject site is relatively flat and the proposed grading and drainage for the development of the mixed-use project has been reviewed so that no adverse impacts would occur.

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

The project involves new construction in a developed urban area that will not affect fish or wildlife habitat.

22. The design of the subdivision will not cause serious public health problems.

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

23. The design of the subdivision will not conflict with any easement of record.

A design of the subdivision will not conflict with any easement of record.

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

The project is exempt from the requirements of the CEQA under CEQA Guidelines Section 15332 (In-Fill Development Projects).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach that the above-listed findings and recitals are true and correct and are incorporated by reference; and

BE IT FURTHER RESOLVED by the City Council of the City of Imperial Beach that Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) for the demolition of nine existing apartment units and construction of a mixed-use development with 11 residential condominium units above commercial space at 110 Evergreen Avenue are hereby approved subject to the following:

CONDITIONS OF APPROVAL:

1. **Approval** of Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) is valid for three years from the date of final action by the City Council **to expire March 4, 2018**, unless vested with substantial construction pursuant to an approved building permit. Approvals of the Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), and Site Plan Review (SPR 140053) shall run coterminous with the tentative map.
2. The site shall be developed in substantial compliance with the plans dated February 12, 2015, on file at the Community Development Department, or as otherwise amended and approved, and the conditions contained herein.
3. Relocation of the bus stop is subject to the review and approval of the City of Imperial Beach and San Diego Metropolitan Transit System (MTS).
4. Drought tolerant landscaping shall be provided throughout the site.
5. All landscaping and bio-filtration areas shall be maintained by the Developer. All landscaped areas shall be permanently maintained in a healthy condition, free from weeds, trash, and debris.
6. Landscaping in public right-of-way shall comply with Seacoast Drive Aesthetic Improvement plan.
7. A permanent irrigation system shall be installed and permanently maintained to serve all landscaped areas.
8. All building permits required for the project shall be obtained from the Imperial Beach Building Department.

9. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach.
10. A licensed surveyor/engineer shall verify pad elevations and all building corners and setbacks.
11. Hours of Construction: No work for which a building permit is required shall be performed within the hours of 7:00 P.M. - 7:00 A.M. Monday - Friday, nor prior to 8:00 A.M. or after 5:00 P.M. on Saturday. Construction work on Sundays, or alteration of the approved hours of construction, is subject to City approval.
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 R9-2013-0001.
13. Install a garage floor drain oil water separator before discharge to the sewer system.
14. Abandon the existing sewer lateral(s) per the Greenbook standards or other approved building standards. Include the abandonment procedures on the building plans for City approval.
15. 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 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 R9-2013-0001. Proposed discharge of site drainage system into the City's storm-water system (alleyway) must meet the criteria directed by the City Engineer.
16. Ensure that construction drawings provide for the building foundation elevations be at least 1 foot above gutter line to minimize flooding during storm conditions.
17. The building elevation profiles sheet shows several façade items as made of steel. Due to the very close proximity to the ocean front, it is recommended these steel materials be non-corrosive steel such as stainless steel.
18. A minimum 4-foot wide landing shall be maintained behind the pedestrian access ramp at the southwestern corner of property. The existing ADA compliant ramp must remain as existing without modification or building intrusion into the ramp.
19. A section of sidewalk on Evergreen Avenue side near the Seacoast intersection shows a 6% grade. The maximum allowable sidewalk grade is 2%.
20. Building set of plans shall show the distance or walkable sidewalk with the tree planters installed as shown on the plans. To maintain a walkable community, the walkable space must be preserved to the maximum extent practicable.
21. 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.
22. 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, secured with epoxy adhesive. Concrete specification must be 560-C-3250 poured at

- thickness of at least 6-inches. 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.
23. 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.
 24. Seacoast Drive is under a street-cut moratorium, absolutely no cutting of the asphalt pavement is allowed unless approved with conditions by the Public Works Director.
 25. 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.
 26. All street work construction requires a Class A contractor to perform the work. All pavement transitions shall be free of tripping hazards.
 27. Construct trash/refuse enclosure and a recycling enclosure consistent with IBMC Section 19.74.090. Trash and recycling enclosures are to be enclosed by a 6'-0" high masonry wall and locking gate. The enclosure doors/gates must not be designed to swing into the adjacent alley.
 28. 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.
 29. Impervious surfaces should not increase beyond the impervious services provided on the approved plan 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 R9-2013-0001.
 30. 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.
 31. Install survey monuments on northwest, southwest, and southeast property lines in or adjacent to sidewalk, and install survey monuments on northeast property line in alley. Record same with County Office of Records.
 32. In accordance with IBMC Section 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.
 33. 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.

34. The Applicant shall 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.
35. Applicant must underground all utilities in accordance with IBMC Section 13.08.060(C) as noted below: "Applicability to new structures"
- A. For any development which requires a building permit but is of a valuation of fifty thousand dollars or less, the applicant will not be required either to underground the utilities or to sign a deferral agreement pertaining thereto.
 - B. For any development of single-family residence(s) or duplex(es) which exceeds a valuation of fifty thousand dollars, the applicant will be required to sign a deferral agreement with, and pay a recording fee to, the City.
 - C. Any development of property other than as described in subsection A or B of this section in excess of fifty thousand dollars valuation will be required to underground all utilities. This project is within the Seacoast Drive Utility Underground District. Thus the existing communications aerial services must be relocated underground.
36. Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees and costs incurred by the City and any claim for private attorney general fees and costs claimed by or awarded to any party against the City or its agents officers or employees against the City or its agents, officers, or employees, relating to the approval of the project (MF1169) including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision (including the Regular Coastal Permit (CP 140050), Conditional Use Permits (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054)), including any claims for violation of the Public Records Act or discovery law arising from and with respect to litigation involving these approvals (collectively "Development Approvals"). The City will promptly notify applicant of any claim, action or proceeding concerning the Development Approvals. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including

without limitation reasonable attorney's fees and costs. In the event of such election applicant shall pay all of the costs related thereto including without limitation attorney's fees and costs incurred by the City. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is first approved by applicant.

- 37. The Developer or Developer'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.
- 38. The Developer shall pay off any deficits in his project account (140050) prior to building permit issuance and prior to final inspection.

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.

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

- 1. That the foregoing recitals are true and correct.
- 2. That Regular Coastal Permit (CP 140050), Conditional Use Permit (CUP 140051), Design Review Case (DRC 140052), Site Plan Review (SPR 140053), and Tentative Map (TM 140054) is approved for the demolition of nine existing apartment units and construction of a mixed-use development with 11 residential condominium units above commercial space at 110 Evergreen Avenue ((APNs 625-351-25-00 & 625-351-26-00), subject to the conditions set forth in this Resolution.
- 3. The City Manager or his designee shall provide notice to the California Coastal Commission of the City Council's approval of the Coastal Permit pursuant to IBMC Section 19.87.160(A)(2).

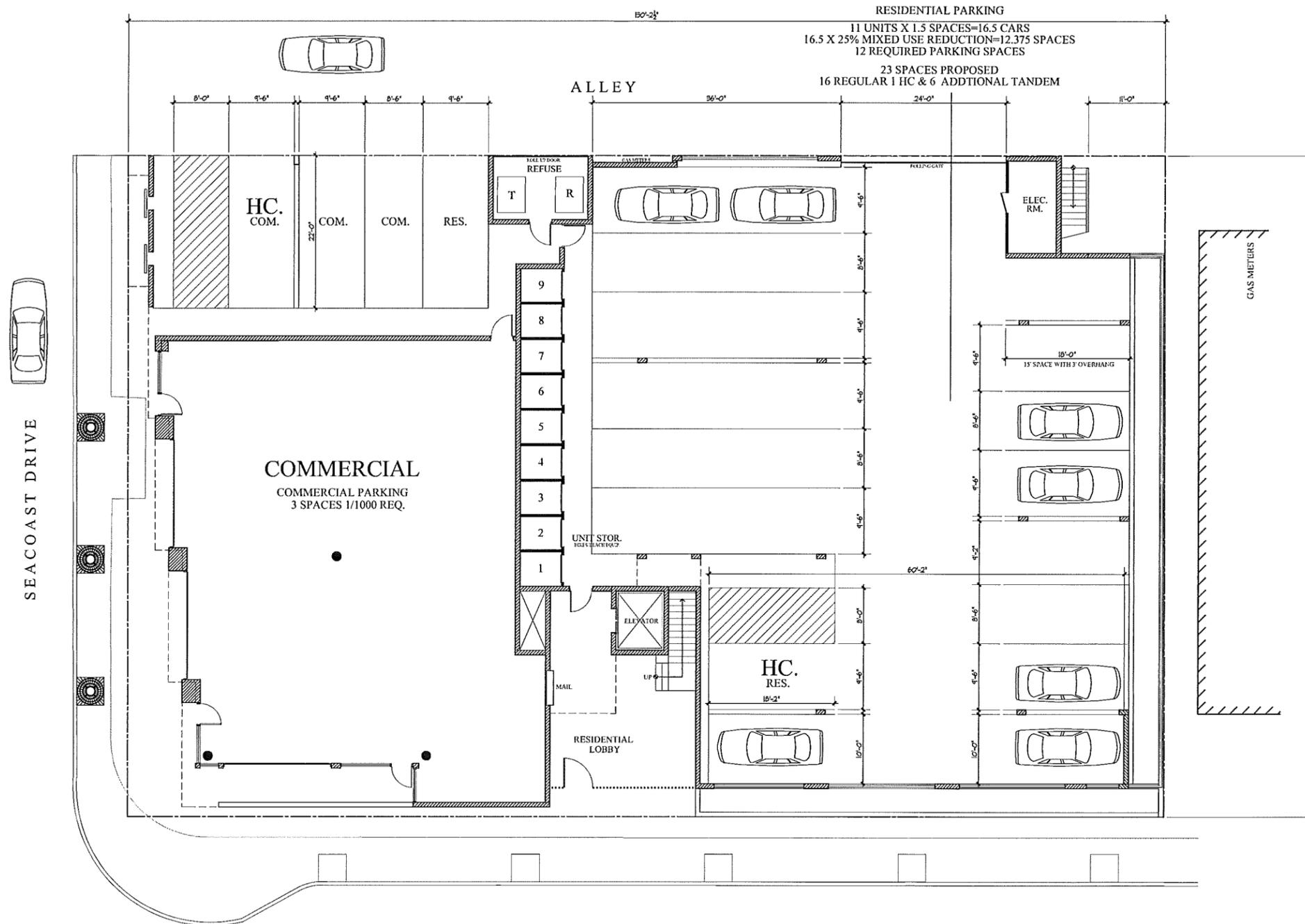
PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following vote:

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

SERGE DEDINA, MAYOR

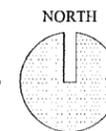
ATTEST:

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



SITE PLAN
SCALE: 1/8" = 1'-0"

EVERGREEN AVENUE



110 EVERGREEN

CITYMARK

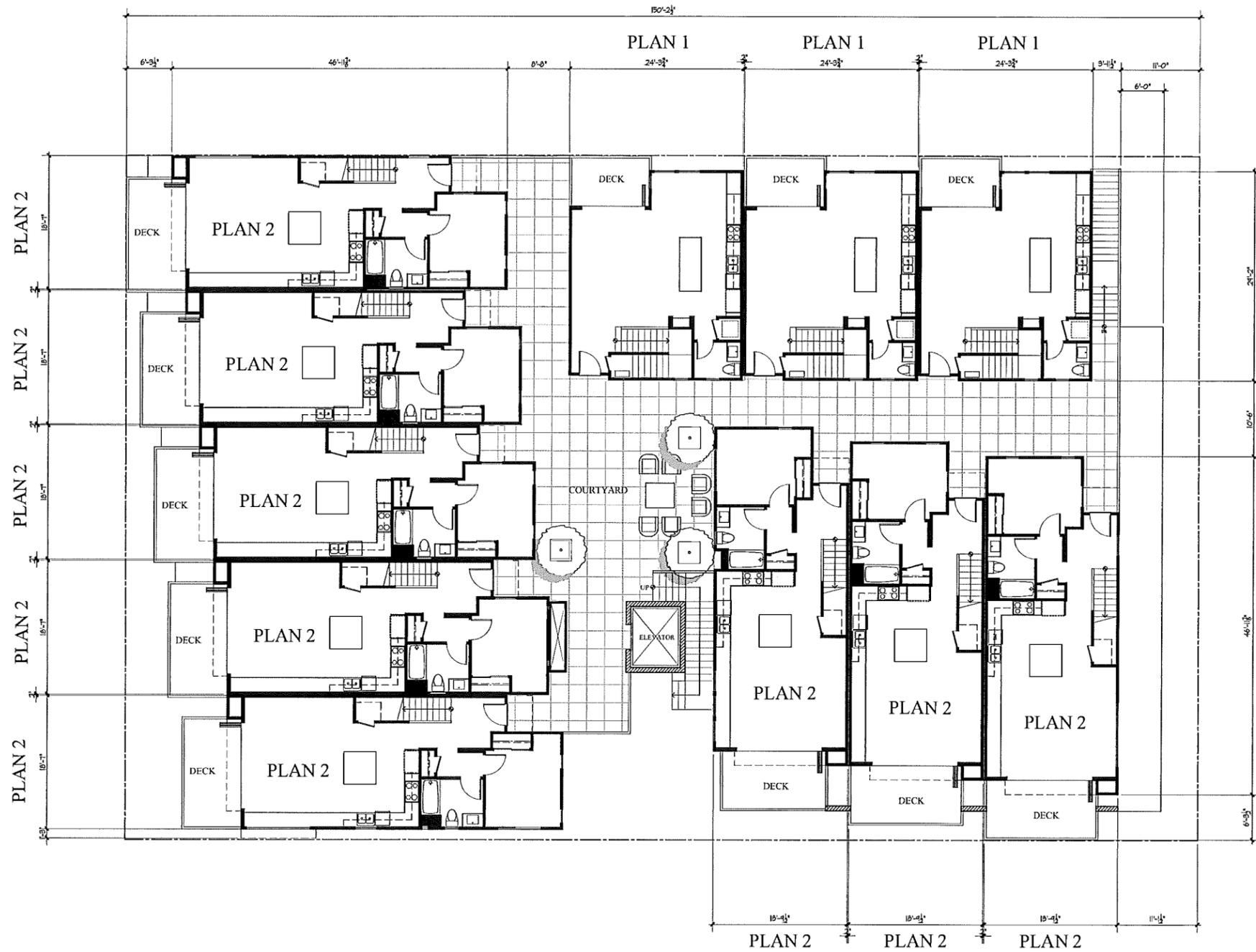
SCALE: 1/8" = 1'-0"



THE MCKINLEY ASSOC., INC.
2.12.15

TABULATIONS

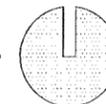
- SITE AREA**
14,288 S.F.
- DENSITY**
14,288 / 1210 S.F. PER UNIT = 11.8 UNITS
- LANDSCAPING**
14,288 X .15 = 2,143 S.F. 2,181 S.F. PROVIDED
- COMMERCIAL AREA**
3,326 S.F.
- COMMERCIAL PARKING**
1/1000 S.F. 3 REQUIRED 3 PROVIDED
- PLAN 1**
3 - 2 BR 2.5 BA. 1,268 S.F.
- PLAN 2**
8 - 3 BR 3 BA. 1,646 S.F. 72% 3 BDRM PLANS
- RESIDENTIAL PARKING**
11 X 1.5 = 16.5 X 25% REDUCTION FOR MIXED USE = 12.375 OR 12
16 REGULAR, 1 HC & 6 ADDITIONAL TANDEM SPACES
- CONDITIONAL USE PERMIT INCENTIVES**
Minimum of 25% of the units are three bedroom (8 of 11 unit are 3 bedroom)
The project will demonstrate the ability to achieve .
LEED Green Building Rating equivalency.



SECOND FLOOR BUILDING PLAN

SCALE: 1/8" = 1'-0"

NORTH



1 1 0 E V E R G R E E N

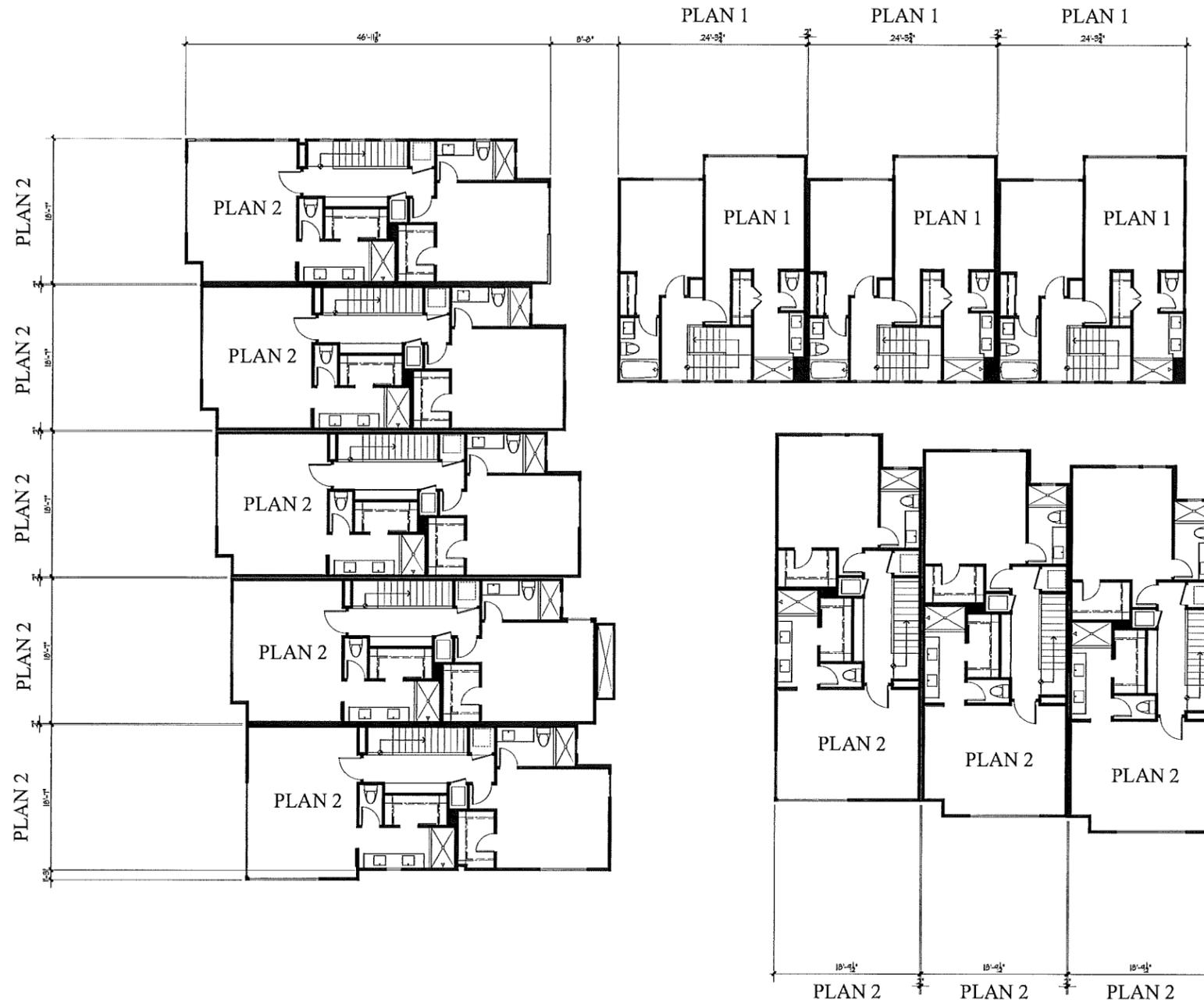
CITYMARK

SCALE: 1/8" = 1'-0"



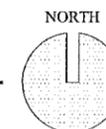
THE MCKINLEY ASSOC., INC.

2.12.15



THIRD FLOOR BUILDING PLAN

SCALE: 1/8" = 1'-0"



1 1 0 E V E R G R E E N

CITYMARK

SCALE: 1/8" = 1'-0"

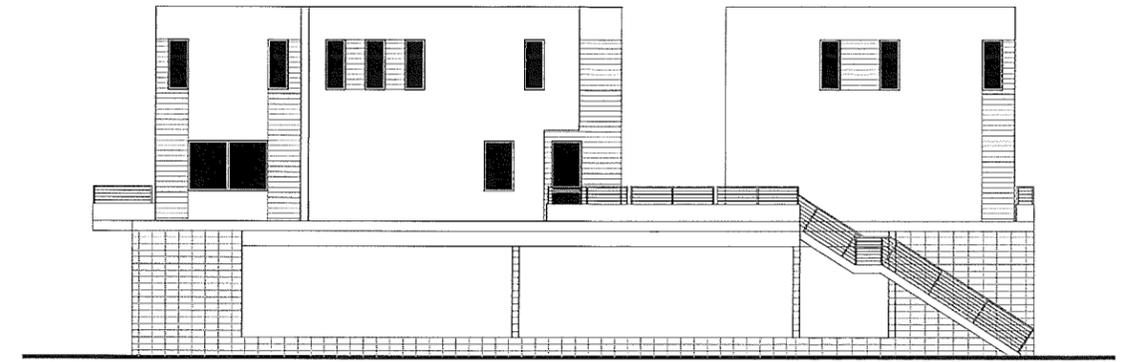


THE MCKINLEY ASSOC., INC.
2 . 1 2 . 1 5



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



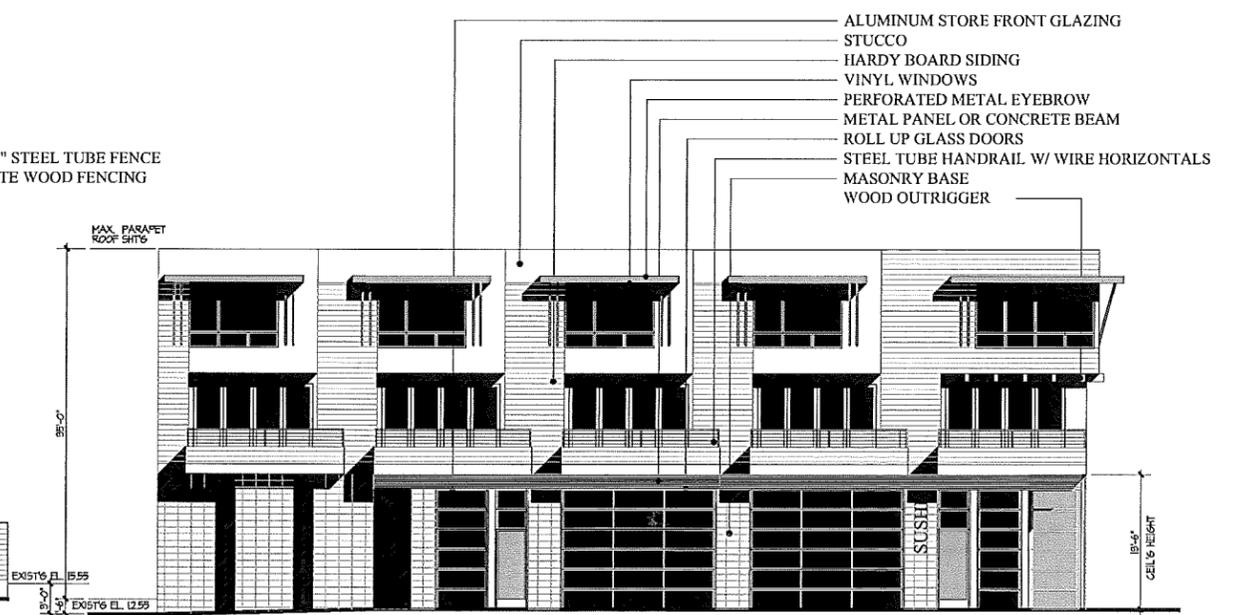
EAST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"

1 1 0 E V E R G R E E N

CITYMARK

SCALE: 1/8" = 1'-0"



THE SKIDLEY ASSOC., INC.
2.12.15

ALLEY

SEACOAST DRIVE

GAS METERS

EVERGREEN AVENUE

NORTH

SITE PLAN

SCALE: 1/8" = 1'-0"

LEGEND

-  PROPERTY LINE
-  1st FLOOR SETBACK
-  1st FLOOR PERIMETER
-  1st FLOOR MASSING
-  2nd FLOOR PERIMETER
-  2nd FLOOR MASSING



1 1 0 E V E R G R E E N

CITYMARK

SCALE: 1/8" = 1'-0"



THE MCKINLEY ASSOC., INC.
2 . 1 2 . 1 5

MF 1169/CP 140050/CUP 140051/DRC 140052/SPR 140053/TM 140054

110 EVERGREEN AVENUE

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE RECORDER OWNERS OF THE PROPERTY SHOWN ON THE ATTACHED TENTATIVE MAP AND THAT SAID MAP SHOWS THE ENTIRE CONTIGUOUS OWNERSHIP. I UNDERSTAND THAT PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS OF WAY.

OWNER: 
 GEORGE W. HOWARD III
 HOWARD LAND DEVELOPMENT LLC

APPLICANT

CITYMARK COMMUNITIES, LLC
 3819 PARK BLVD
 SAN DIEGO, CA 92103
 (619) 231-1161

LEGAL DESCRIPTION

LOTS 1, 2, AND 3, BLOCK 21, IMPERIAL BEACH, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1139, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 16, 1908.

BENCHMARK

2.25" BRASS DISC, CITY OF SAN DIEGO ROS 14492, POINT 184, NORTH SIDE OF BOULEVARD AVENUE ON CENTER OF 8TH STREET, SOUTH OF RAILROAD TRACKS. ELEVATION: 12.85 NAVD88

SITE ADDRESS

110 EVERGREEN AVE,
 IMPERIAL BEACH, CA 91932

TOPOGRAPHY AND MAP

PREPARED BY:
 PASCO, LARET, SUITER & ASSOCIATES, INC.
 SOLANA BEACH, CA 92075
 (858) 259-8212

ZONING INFORMATION

TOTAL PARCELS: 2 PARCELS
 GENERAL PLAN DESIGNATION: C/MU-2
 PRESENT ZONING REGULATIONS: C/MU-2
 PRESENT USE: SEACOAST COMMERCIAL AND MIXED USE ZONE
 PROPOSED USE: SEACOAST COMMERCIAL AND MIXED USE ZONE
 MINIMUM GROSS LOT AREA: 3,000 SF
 APN: 625-351-25 & 26

ACCESS

PUBLIC ALLEY AND EVERGREEN AVENUE

UTILITIES

WATER	CALIFORNIA AMERICAN WATER DISTRICT	(619) 522-6400
FIRE	IMPERIAL BEACH FIRE PROTECTION DISTRICT	(619) 423-8223
SEWER	CITY OF IMPERIAL BEACH	(619) 423-8311
GAS/ELECTRIC	SDG&E	(800) 411-7343
ELEMENTARY SCHOOL	SOUTH BAY UNION ELEMENTARY SCHOOL DISTRICT	(619) 628-1600
HIGH SCHOOL	SWEETWATER UNION HIGH SCHOOL DISTRICT	(619) 691-9500

EARTHWORK DATA:

90 CY- CUBIC YARDS EXCAVATION (CUT)
 90 CY- CUBIC YARDS EMBANKMENT (FILL)
 0- CUBIC YARDS EXPORT

* ESTIMATE DOES NOT INCLUDE STRIPPINGS, UTILITY TRENCH VOLUMES OR ANY OVEREXCAVATION, IF REQUIRED BY SITE CONDITIONS

CONTRACTOR SHALL SATISFY SELF THAT ESTIMATES ARE CORRECT PRIOR TO COMMENCEMENT OF WORK.

EARTHWORK QUANTITIES ARE ESTIMATED FOR PERMIT PURPOSES ONLY. (CALCULATED ON A THEORETICAL BASIS. ACTUAL QUANTITIES MAY VARY DUE TO SHRINKAGE OR SWELL FACTORS).

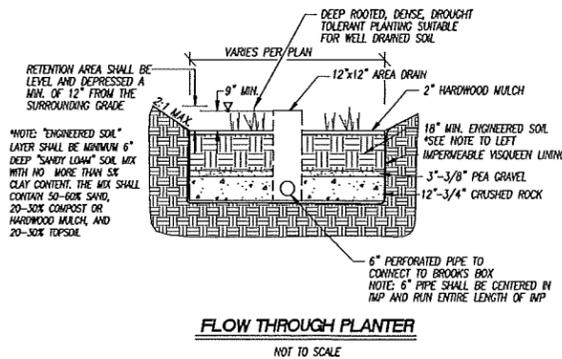
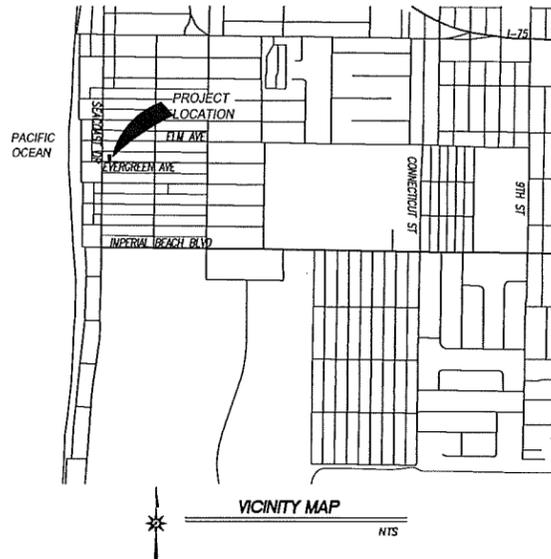
DEPTH & QUANTITY OF REMEDIAL GRADING IS SUBJECT TO FIELD VERIFICATION BY PROJECT SOILS ENGINEER IN FIELD DURING EXCAVATION

SHEET INDEX

SHEET 1 - NOTES
 SHEET 2 - PRELIMINARY GRADING PLAN

ENGINEER OF WORK


 TYLER G. LAWSON, RCE 80356
 1-16-15
 DATE



FLOW THROUGH PLANTER
 NOT TO SCALE

SITE AREA

GROSS: 14,288 SF (0.33 ACRES)

DESCRIPTION OF WORK TO BE DONE

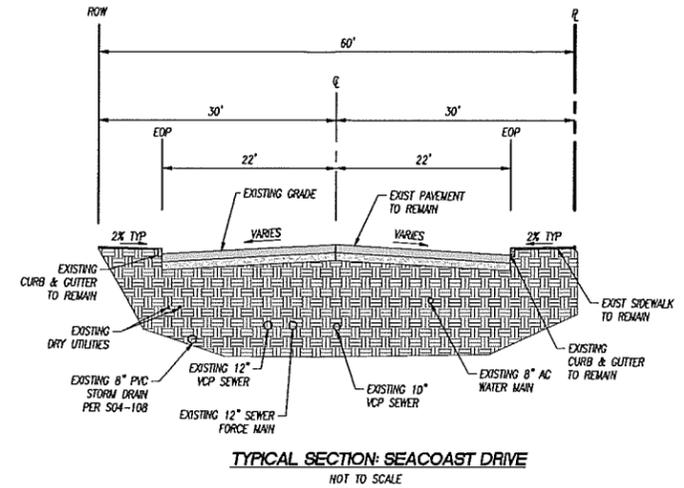
CONSTRUCTION OF 11 MULTI-FAMILY CONDOMINIUM UNITS, 3,712 SQUARE FEET OF RETAIL, PLUS REQUIRED COMMERCIAL AND RESIDENTIAL PARKING SPACES. SITE REDEVELOPMENT INCLUDES NEW STREET, UTILITY, AND DRAINAGE IMPROVEMENTS TYPICAL TO MIXED-USE DEVELOPMENT PROJECTS.

NOTE: ALL EXISTING ON-SITE STRUCTURES TO BE REMOVED

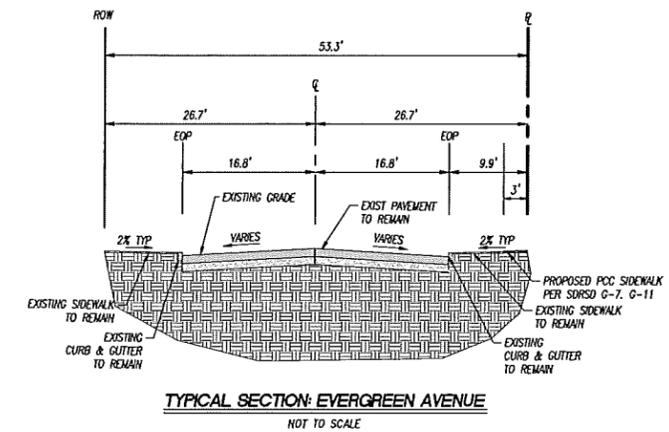
UTILITY NOTES

EXISTING ABANDONED SEWER LATERAL MUST BE PLUGGED AT THE PROPERTY LINE AND MAIN LINE PER BUILDING STANDARDS SPECIFICATIONS.

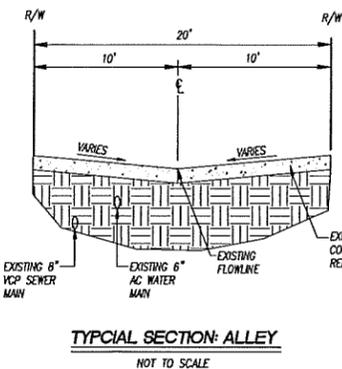
ALL ABOVE-GROUND ELECTRICAL FACILITIES SHALL BE UNDERGROUND WITHIN THE PROJECT LIMITS. EXISTING COMMUNICATION AERIAL SERVICES TO BE RELOCATED UNDERGROUND.



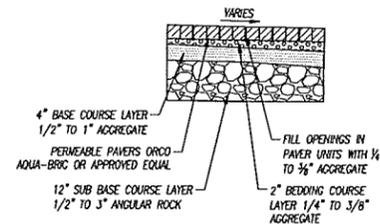
TYPICAL SECTION: SEACOAST DRIVE
 NOT TO SCALE



TYPICAL SECTION: EVERGREEN AVENUE
 NOT TO SCALE



TYPICAL SECTION: ALLEY
 NOT TO SCALE



POROUS PAVERS
 NOT TO SCALE

NOTE:
 PAVES INSTALLATION SHALL BE PER MANUFACTURER'S RECOMMENDATIONS. PAVES SECTION IS SHOWN FOR REFERENCE ONLY. PAVES SECTION IS REQUIRED TO MAINTAIN IMPOSED LOADS OF NOT LESS THAN 75,000 LBS

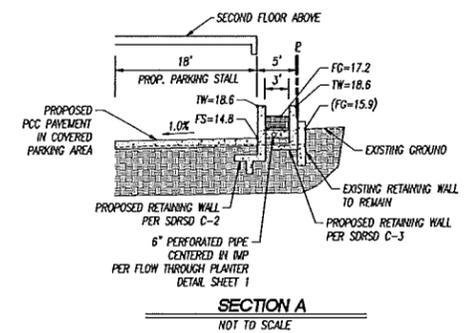
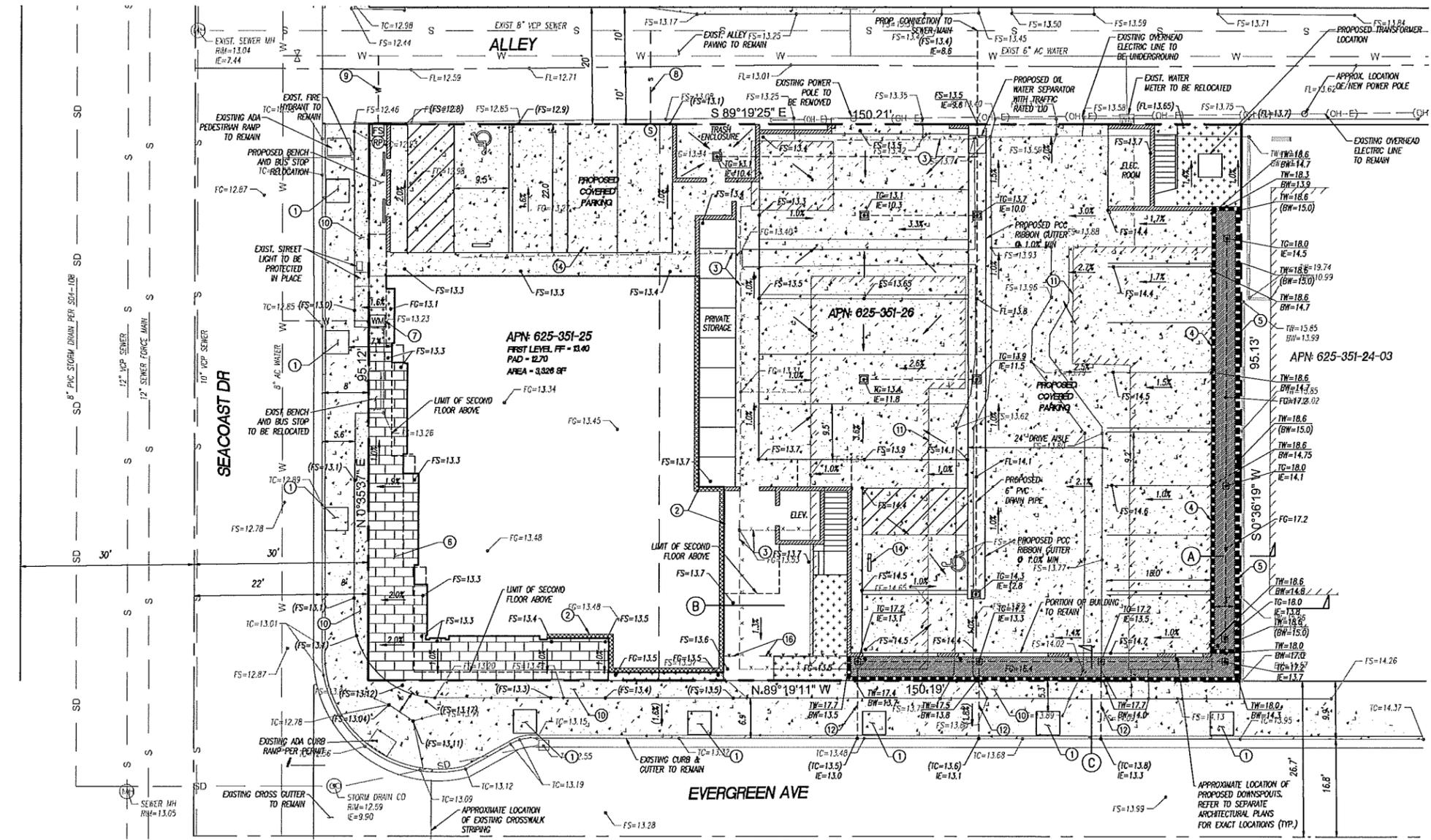
PREPARED DATE: 10-30-2014
 REVISED DATE: 1-16-2015
 REVISED DATE: 2-13-2015

PASCO LARET SUITER & ASSOCIATES
 CIVIL ENGINEERING + LAND PLANNING + LAND SURVEYING
 535 North Highway 101, Ste A, Solana Beach, CA 92075
 ph 858.259.8212 | fx 858.259.4812 | plsaengineering.com

MF 1169/CP 140050/CUP 140051/DRC 140052/SPR 140053/TM 140054

PRELIMINARY GRADING PLAN

110 EVERGREEN AVENUE

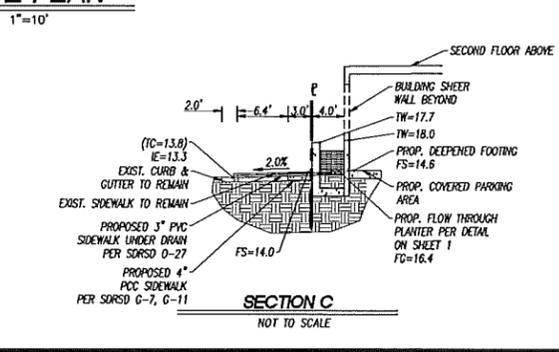
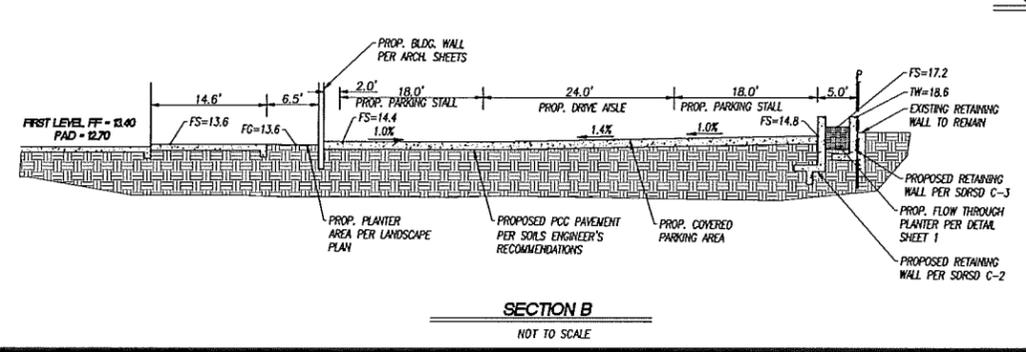


LEGEND

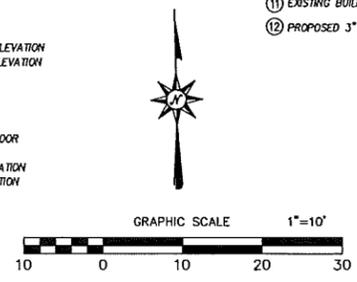
- PROJECT PROPERTY LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- PROPOSED PERMANENT BNP AREA (NOT TO BE MODIFIED WITHOUT A PERMIT FROM THE CITY)
- PROPOSED POROUS PAVERS
- PROPOSED PCC
- CENTERLINE OF ROAD
- PROPOSED RETAINING WALL
- PROPOSED BUILDING WALL PER ARCHITECTURAL PLAN
- PROPOSED SIEM WALL PER ARCHITECTURAL PLAN
- SD --- EXISTING PVC STORM DRAIN (SIZE PER PLAN)
- S --- EXISTING VCP SEWER MAIN (SIZE PER PLAN)
- W --- EXISTING ACP WATER MAIN (SIZE PER PLAN)
- PROPOSED DRAINAGE DIRECTION
- PROPOSED 6" PVC DRAIN PIPE
- PROPOSED 18"x18" BROOKS BOX
- PROPOSED 12"x12" INLET
- S --- PROPOSED 6" SEWER LATERAL PER WAS SS-01
- WM --- W --- PROPOSED 2" PVC DOMESTIC WATER SERVICE PER WAS WS-02
- (FS) --- W --- PROPOSED 6" FIRE SERVICE & BACKFLOW PER SORSO WF-05, SDW-118
- EXISTING BUILDING TO BE DEMOLISHED
- PROPOSED ROOF DOWN SPOUT

CONSTRUCTION LEGEND

- ① PROPOSED TREE WELL PER LANDSCAPE PLANS
- ② PROPOSED SIEM WALL PER ARCHITECTURAL PLANS
- ③ EXISTING FENCE TO BE REMOVED
- ④ PROPOSED RETAINING WALL PER SORSO C-2
- ⑤ PROPOSED RETAINING WALL PER SORSO C-3
- ⑥ PROPOSED POROUS PAVERS
- ⑦ PROPOSED 2" PVC WATER SERVICE PER WAS WS-02
- ⑧ PROPOSED 6" SEWER LATERAL PER WAS SS-01
- ⑨ PROPOSED 6" FIRE SERVICE LINE & BACKFLOW (RPDA) PER SORSO WF-05, SDW-118
- ⑩ PROPOSED 4" PCC SIDEWALK PER SORSO G-7, G-11. MATCH TO EXISTING
- ⑪ EXISTING BUILDING TO BE DEMOLISHED
- ⑫ PROPOSED 3" SIDEWALK UNDER DRAIN PER SORSO O-27

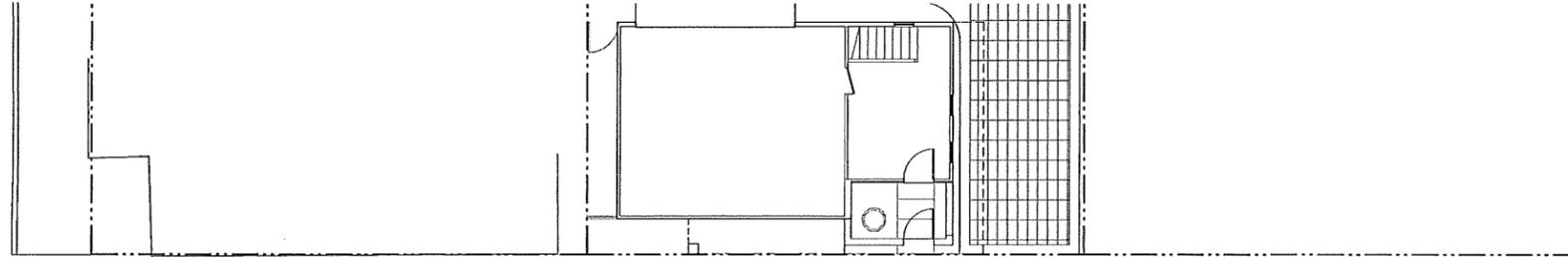


- ABBREVIATION LEGEND**
- BS = BOTTOM OF STAIR ELEVATION
 - BW = BOTTOM OF WALL ELEVATION
 - FS = FINISHED SURFACE
 - FG = FINISHED GRADE
 - FL = FLOW LINE
 - FF = FINISHED FLOOR
 - GF = GARAGE FINISHED FLOOR
 - IE = INVERT ELEVATION
 - TG = TOP OF GRATE ELEVATION
 - TW = TOP OF WALL ELEVATION

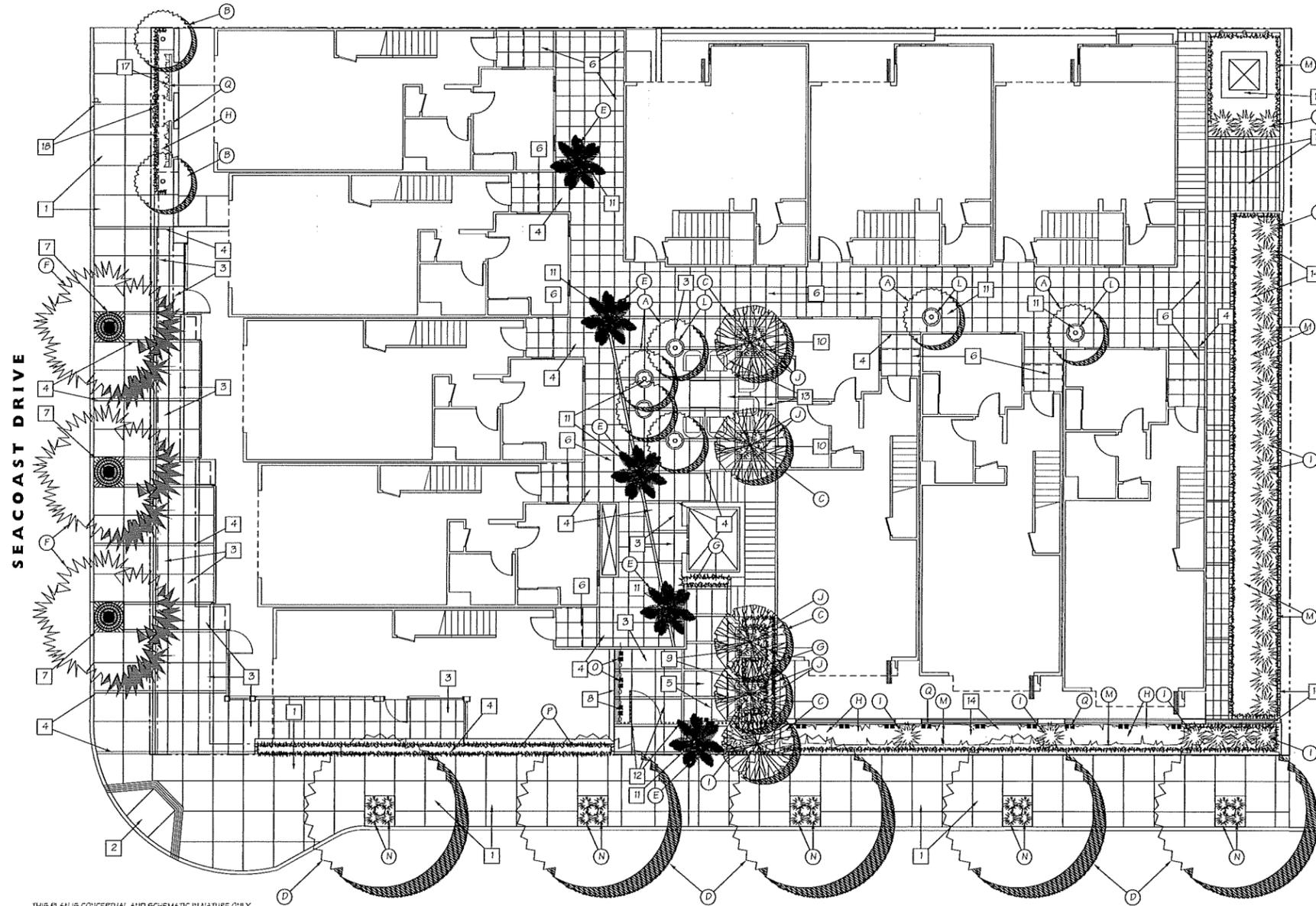


PREPARED DATE: 10-30-2014
 REVISION DATE: 1-16-2015
 REVISION DATE: 2-13-2015

PASCO LARET SUITER & ASSOCIATES
 CIVIL ENGINEERING + LAND PLANNING + LAND SURVEYING
 535 North Highway 101, Ste A, Solana Beach, CA 92075
 ph 858.259.8212 | fx 858.259.4812 | plsaengineering.com



ALLEY



HARDSCAPE LEGEND

- 1 CONCRETE WALK - NATURAL GREY, ACID WASH FINISH
- 2 ACCESSIBLE SIDEWALK RAMP
- 3 CUSTOM CONCRETE PAVERS- PERMEABLE W/ OPEN JOINTS AT GROUND LEVEL
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- 14 BIOSWALE
- 15 PERMEABLE DRIVE PAVERS
- 16 TRANSFORMER
- 17 ESPALLIER PANEL
- 18 POTENTIAL BENCH & BUS STOP RELOCATION

PLANT LEGEND

BOTANICAL NAME COMMON NAME SIZE SPACING

PROPOSED PLANTING

TREES			
A	ACCA BELLOWIANA	PINEAPPLE GUAVA	15 GAL. AS SHOWN
B	LEPTOSPERMUM S. BURGUNDY QUEEN	NEW ZEALAND TEA TREE	15 GAL. AS SHOWN
C	MAGNOLIA GRANDIFLORA TMGH	ALTA SOUTHERN MAGNOLIA	15 GAL. AS SHOWN
D	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE	24" BOX AS SHOWN
E	PHOENIX ROEBELINII	PYGMY DATE PALM	8' BTH AS SHOWN
F	BRAHEA EDULIS	GUADALUPE PALM	12' BTH AS SHOWN

SHRUBS & GROUND COVERS			
G	CHONDRPETALUM TECTORUM	CAFE RUSH	5 GAL. 2' O.C.
H	MUHLENBERGIA C. 'REGAL MIST'	PINK MUHLY	1 GAL. 3' O.C.
I	CHONDRPETALUM ELEPHANTINUM	LARGE CAFE RUSH	5 GAL. 3'-6" O.C.
J	PHORMIUM 'BLONDIE'	NEW ZEALAND FLAX	5 GAL. 2'-6" O.C.
K	ROSEMARINUS O. 'ROMAN BEAUTY'	ROMAN BEAUTY ROSEMARY	1 GAL. 2' O.C.
L	ROSEMARINUS O. 'IRENE'	TRAILING BLUE ROSEMARY	1 GAL. 2' O.C.
M	CAREX PRAEGRACILIS	CALIFORNIA FIELD SEDGE	LINERS 12" O.C.
N	WESTRINGIA WYNYABBIE HIGHLIGHT	VARIEGATED AUST. ROSEMARY	5 GAL. 2' O.C.
O	FICUS PUMILA	CREeping FIG VINE	5 GAL. AS SHOWN
P	BAMBUSA MULT. 'GOLDEN GODDESS'	GOLDEN GODDESS BAMBOO	5 GAL. AS SHOWN
Q	DISTICTIS BUCCINATORIA	RED TRUMPET VINE	5 GAL. AS SHOWN

IRRIGATION NOTES

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MAINTENANCE NOTE

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REVISIONS BY



2305 EL CAJON BLVD.

SAN DIEGO, CA 92104

TEL. 619.294.9042

FAX. 619.294.9028

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LANDSCAPE CONCEPT PLAN

CITYMARK EVERGREEN/ELM
IMPERIAL BEACH, CALIFORNIA

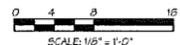
DATE 2.25.15

SCALE 1/8" = 1'-0"

DRAWN HGB

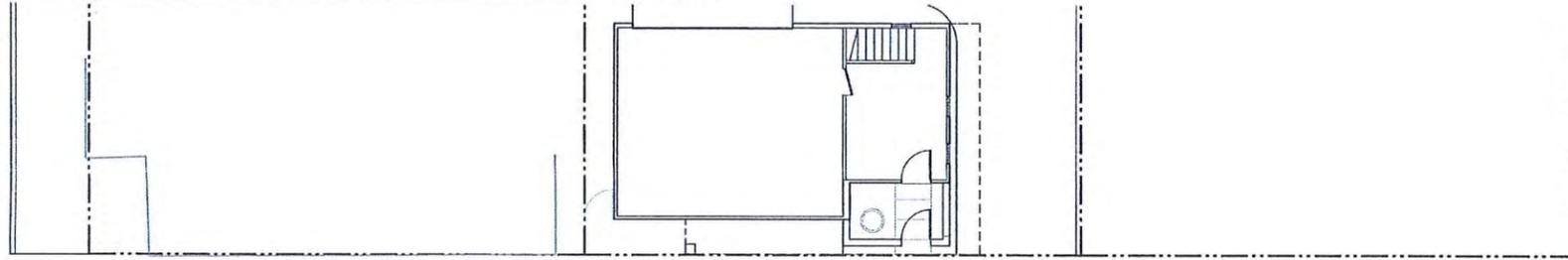
JOB NO. 14-028

SHEET L-2 OF 2 SHEETS



THIS PLAN IS CONCEPTUAL AND SCHEMATIC IN NATURE ONLY. IT IS NOT INTENDED TO BE A FINAL CONSTRUCTION PLAN. THIS PLAN DOES NOT SHOW FINAL CONSTRUCTION DETAILS, STRUCTURAL OR DRAINAGE REQUIREMENTS, FINAL PLANTING LOCATIONS, OR IRRIGATION DESIGN. ADDITIONAL DETAIL MUST BE DEVELOPED IN THESE AREAS PRIOR TO CONSTRUCTION. DPA INC. ASSUMES NO LIABILITY FOR CONSTRUCTION PURSUANT TO THIS PLAN.

EVERGREEN AVENUE



ALLEY



EVERGREEN AVENUE

HARDSCAPE LEGEND

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CITYMARK EVERGREEN/ELM
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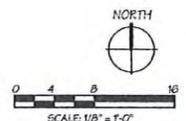
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DRAWN HGB

JOB NO. 14-026

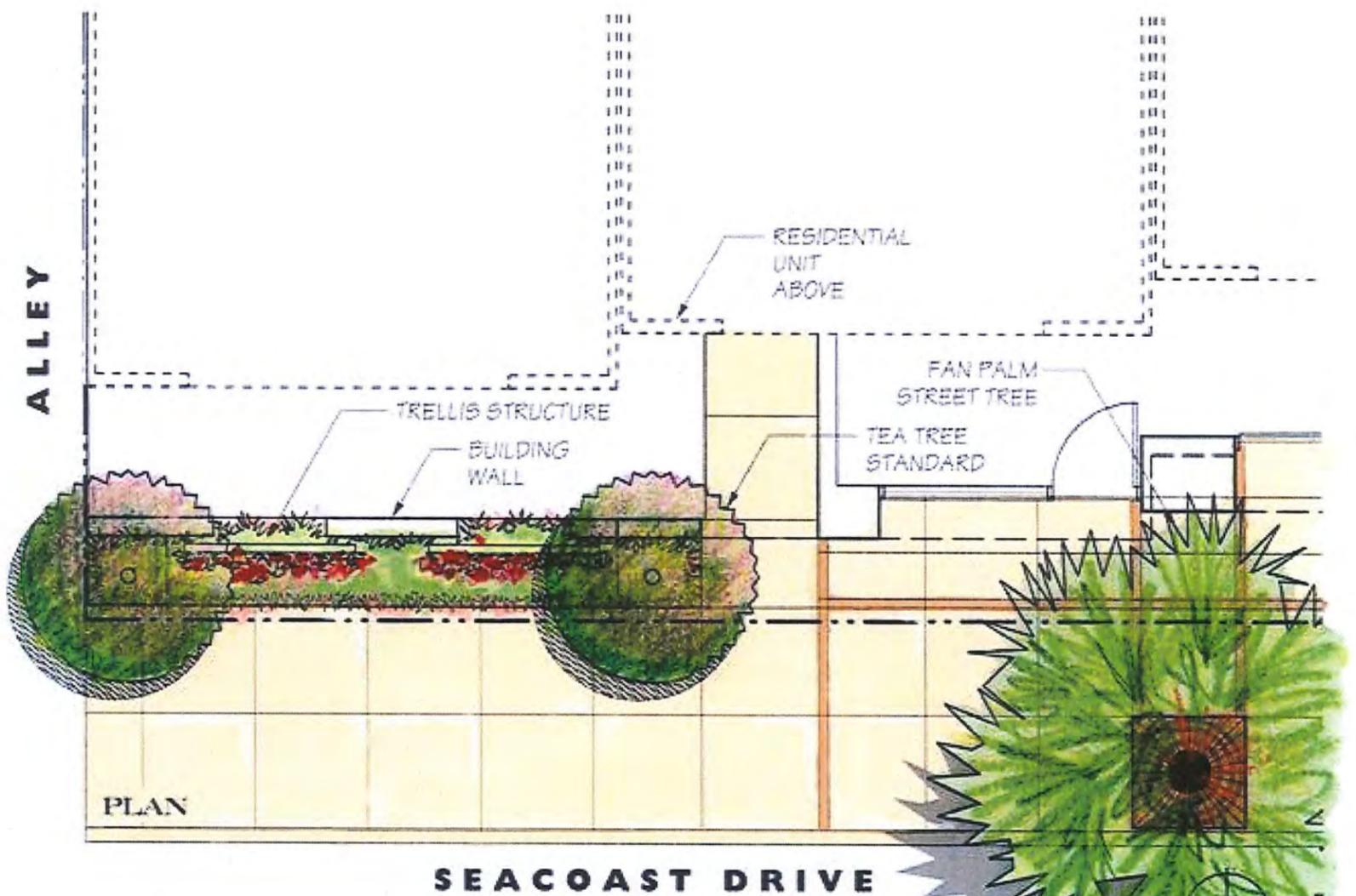
SHEET L-2 OF SHEETS





SIDE VIEW

ELEVATION



PLAN

SEACOAST DRIVE

110 EVERGREEN
 IMPERIAL BEACH, CA

CITYMARK

2.12.15

Doneen Powell Ateller, Inc.

TEL. 818.248.9442	3305 N. OAK ST.	
FAX. 818.248.9438	18182, CL 92104	
www.dpa.com		





DRAFT

MINUTES

**CITY OF IMPERIAL BEACH
DESIGN REVIEW BOARD COMMITTEE**

**SPECIAL MEETING OF THE DESIGN REVIEW BOARD OF
THE CITY OF IMPERIAL BEACH**

**City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, CA 91932**

THURSDAY, FEBRUARY 05, 2015

4:00 P.M.

In accordance with City policy, all Design Review Board meetings are recorded in their entirety and recordings are available for review. These minutes are a brief summary of action taken.

1.0 CALL TO ORDER

CHAIRPERSON NAKAWATASE called the Special meeting to order at 4:02 P.M.

ROLL CALL

BOARDMEMEBERS PRESENT: Bowman, Lopez, Schaaf, Nakawatase

BOARDMEMBERS ABSENT: None.

STAFF PRESENT: Senior Planner Foltz, Recording Secretary Lopez

2.0 PUBLIC COMMENTS

None.

3.0 CONSENT CALENDAR

**3.1 MOTION BY NAKAWATASE, SECOND BY LOPEZ, TO APPROVE THE
MINUTES FOR THE AUGUST 2, 2014 DRB MEETING.
MOTION CARRIED UNANIMOUSLY.**

**MOTION SCHAAF, SECOND BY BOWMAN, TO ELECT NAKAWATASE AS
CHAIRPERSON.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BOWMAN, SECOND BY LOPEZ, TO ELECT SCHAAF AS VICE
CHAIRPERSON.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that at 4:04 P.M. Chairperson Nakawatase chose to remove herself from the council chambers for the duration of the meeting. She stated that she does not have a conflict of interest. However, because her office building is adjacent to the proposed project, she does not want a perception of having a conflict of interest.

4.0 BUSINESS FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

4.1 CITYMARK COMMUNITIES (APPLICANT); REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051) DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING APARTMENT UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF1169

SENIOR PLANNER FOLTZ gave a PowerPoint presentation on the item. The project would be to demolish an existing apartment building and construction on a vacant lot with the construction of a new mixed use project at 110 Evergreen Avenue. He reviewed the site plan and the zoning. He also reviewed parking spaces for the units, the residential units themselves and the landscape for the proposed project. He stated that the project is proposing a relocation of the bus stop and they are in communication with MTS. He recommended consideration of the public comments and design of the project and recommended approval of the project to the City Council with the recommendations of the Design Review Board.

BOARD MEMBER LOPEZ asked if there are any concerns that are not being met that they should be explained as far as the proposed and provided items.

SENIOR PLANNER FOLTZ stated that the project is meeting the setback and requirements. The only notable concern would be the height limit.

BOARD MEMBER BOWMAN questioned if there would be three commercial spaces.

SENIOR PLANNER FOLTZ stated that is still to be determined. It could be one or it could be split into smaller commercial tenants.

VICE CHAIRPERSON SCHAAF asked if the trees on Seacoast Drive are new and if those trees are included in their percentage for landscaping. He was opposed to the design of the trees but wasn't sure if the city was changing their plans for Seacoast Drive.

SENIOR PLANNER FOLTZ responded the trees are being proposed by the applicant if they fit with public works and MTS. The trees are not calculated into their onsite landscaping. The trees are part of the design and still need to be reviewed.

In response to Board Member Lopez regarding the frontage on Seacoast Drive, SENIOR PLANNER FOLTZ stated there is a limited amount of right of way to fit ADA dimensions for wheel chair access and the bus stop. The bus stop is currently on their property and it is difficult to fit all these aspects onto their property as it is today.

VICE CHAIRPERSON SCHAAF supported the proposed colors for the project.

BOARD MEMBER BOWMAN said as a standalone she really likes it, but with the surrounding structures it seems like a drastic change in architecture. She would like to see a rendering that shows more of the surrounding area with the proposed project.

BOARD MEMBER LOPEZ likes the widening of the sidewalk on the corner of Seacoast Drive and Evergreen Avenue.

Vice Chairperson Schaaf opened up comments for the public at 4:18 P.M.

ED SPRIGGS spoke as a member of the Imperial Beach public and as a Cochairman of "The Seacoasters". The Seacoasters are a voluntary association of business owners on Seacoast and other citizens that are concerned about how Seacoast develops. The design is very attractive and he is delighted that it is being proposed at that location. He asked the board to consider that this is a prime location in South Bay being across from Pier Plaza. This is a landmark project and it sets an architectural standard for the "new Imperial beach/new Seacoast Drive". He is concerned with the open space across the street and the vertical design of the structure with the brick which is very unappealing. Also, the blank wall is completely inconsistent with the concept of having a pedestrian friendly design. He commented the tandem parking is very viable for the residents. He requested a non-twilight rendering to see what the transparency of the windows would look like in the daytime.

RUSS HAYLEY with CityMark Communities spoke that they noticed that the sidewalk area is narrow, so they wanted to set the retail back to give more openness to that corner. The solid wall to the north is mostly structural and there to shield the cars that will be parked behind it. They are also challenged with the 30' height limit so they tried to do a lot of horizontal movement as well as vertical. They tried to make sure the project was contemporary as well as beachy. They use a color consultant in all their projects as well that canvas' the entire neighborhood and takes photos of all the projects to see how they can be compatible as well as contrasting.

VICE CHAIRPERSON SCHAAF asked about the exterior lighting at night.

RUSS HAYLEY with regard to trees on Seacoast Drive, they assumed planting of trees would be acceptable. However, if it is not desired the trees do not have to be in the landscape design. As far as lighting they would like building lighting and wall washer lighting at the street level and more ambient lighting outside.

SENIOR PLANNER FOLTZ said the lighting was mentioned but they do not have a plan for it yet. The Design Review Board could make it a condition of approval.

RUSS HAYLEY stated the residential lobby would also be downstairs. It will be lit and have a contemporary feel for the residents before they go upstairs.

VICE CHAIRPERSON SCHAAF asked where the bus bench is in relation to the building.

RUSS HAYLEY stated that the bus bench is currently directly in the front of their property but they would like to have it moved closer to the alley so that it's more conducive to the restaurant space.

VICE CHAIRPERSON SCHAAF liked the variance in the block and the step back.

BOARD MEMBER BOWMAN wants to know what the roll up glass doors look like when they are down.

RUSS HAYLEY responded the doors would have a grid pattern.

SCHAAF CLOSED MEETING TO THE PUBLIC AT 4:33 P.M. so that the DRB could discuss the project.

There were no public comments.

BOARD MEMBER LOPEZ supported the widening of the sidewalks. The trees are not a big concern, as they are traffic calming, give good ambiance and they would complement the park across the street. The verticalness and flat roof would help the developer make the project work economically, giving each one of the units privacy with a few feet of step back on the patios. He also likes the colors and it sets a precedent for future projects along Seacoast. If there is a way to eliminate the parking spots on the north side up to the edge of the bench it would give less of a hard look and a nicer commercial look. As far as the benches, he proposed that the bus stops be alleviated and only have them at Seacoast and Imperial Beach and Seacoast and Palm Avenue and have people walk to each bus stop.

BOARD MEMBER BOWMAN stated that she disagreed with Lopez's idea of moving the bus stops. She was in support for discouraging use of vehicles and increasing use of public transportation. Also, do away with a few of their parking spaces since they go over their minimum parking space limit in order to accommodate the commercial and residential requirements. She asked if they a mosaic or mural could be placed on the brick wall so that it wouldn't look plain.

VICE CHAIRPERSON SCHAAF supports the idea of a mosaic or mural as well. He likes the idea more of a mosaic than art. He is, however, concerned with the exterior lighting of the building and signage. He stated the trees look beautiful but isn't sure if they will fit in with the narrowness of Seacoast Drive. He agreed with Bowman on the bus stops.

BOARD MEMBER LOPEZ wanted to add the idea of possibly moving the bus stop to the west side instead of dropping off on both sides.

BOARD MEMBER BOWMAN mentioned the possibility of rerouting the bus routes so that the one at Imperial Beach Blvd went the other way instead of going down Seacoast so that both routes could meet on the other side.

SCHAAF OPENED MEETING BACK UP AT 4:44 P.M.

VICE CHAIRPERSON SCHAAF questioned what is envisioned for the lighting since it is a focal point on Seacoast.

SENIOR PLANNER FOLTZ stated the only vision of lighting right now is what is shown on the rendering.

VICE CHAIRPERSON SCHAAF would like the committee to receive a copy of the lighting and if there is a concern then they could bring it back at another meeting.

SENIOR PLANNER FOLTZ stated that the Board could make it a condition of approval to review the lighting plan and the signage for the project before proceeding with building permits.

VICE CHAIRPERSON SCHAAF questioned where they are planning on putting signage

BOARD MEMBER LOPEZ commented with the clear space of 80" they could probably put signage under the set back of the awnings with some down lighting.

VICE CHAIRPERSON SCHAAF stated that the Board likes the colors and the design. When the signs return to the Board for consideration they would like to make sure they look professional. He also asked what can be done with the bus stops.

SENIOR PLANNER FOLTZ stated that right now they are working with MTS on this. They will be meeting with MTS to discuss where they may be able to move the bus stops. However, ultimately it is a discussion for City Council where the bus stops will be.

VICE CHAIRPERSON SCHAAF said he would rather have the wall where it is than a parking lot.

SENIOR PLANNER FOLTZ said there are other architectural features that could be presented so that it is not just a plain block wall.

BOARD MEMBER LOPEZ spoke in support of the project and did not want to lose the applicant.

VICE CHAIRPERSON SCHAAF spoke in support of the project but would like to note the Boards concerns.

RUSS HAYLEY (applicant) stated as far as the lighting is concerned they are willing to work with whatever the Board would like. He requested that the signage be deferred indefinitely because it depends on who would decide to occupy that space. He also stated that the wall could be made more transparent but it is structurally necessary. He also thought they were complying with the code having three parking spots and was not aware of the possibility of two parking spots. He stated that if two parking spots are allowed as a minimum, they might like to put in more landscaping instead of a third parking spot.

VICE CHAIRPERSON SCHAAF noted that the signage will come back. He stated the Board is okay with the exterior lighting if it goes with the design. They do not want the process to be put off contingent on another meeting.

BOARD MEMBER LOPEZ would like the Board to see the lighting prior to construction but the overall concept of what they provided is okay with the Board. He recommended

approval of the project as presented but requested the applicant look at providing more commercial frontage.

RUSS HAYLEY said they could lose only one parking spot. The biggest concern is the ADA parking that cannot go into the alley. There isn't enough space for more retail, but they can look into more art on Seacoast.

MOTION BY LOPEZ, SECOND BY BOWMAN, TO ACCEPT THE PLANS PRESENTED BY CITYMARK COMMUNITIES (APPLICANT); REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051) DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING APARTMENT UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF1169. WITH RECCOMENDATION TO FIND A WAY TO ENHANCE THE "BUS WALL" TO MAKE IT MORE VISUALLY APPEALING.

MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: SCHAAF, BOWMAN, LOPEZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: NAKAWATASE
ABSTAIN: BOARD MEMBERS: NONE**

4.2 REPORT: CITYMARK COMMUNITIES (APPLICANT); ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

SENIOR PLANNER FOLTZ gave a power point presentation on the item. The proposed project is for three residential condominium units, each with a two car garage.

All members of the board stated they like the project as presented.

MOTION BY SCHAAF, SECOND BY LOPEZ, TO ACCEPT THE PLANS PRESENTED BY CITYMARK COMMUNITIES (APPLICANT); ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: SCHAAF, BOWMAN, LOPEZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: NAKAWATASE
ABSTAIN: BOARD MEMBERS: NONE**

BOARD MEMBER BOWMAN stated for the record that the 193 Units presented by Bernardo Shores have not been discussed enough with the community. She also stated that it will increase traffic on Palm Avenue.

5.0 **ADJOURNMENT**

VICE CHAIRPERSON SCHAAF adjourned the meeting at 5:15 P.M.

Approved:

Tom Schaaf, DRB Vice Chairperson

Attest:

Larissa Lopez, Recording Secretary

DRAFT

DESIGN GUIDELINES

1.0 Relationship of Buildings to Site and Surrounding Area

- ❑ 1.1 View corridors to the oceanfront should be preserved, or created where possible. This can be accomplished through the use of upper story breezeways or courtyards that provide a view, or at the ground floor with mid-block pedestrian connections, plazas, or paseos that are oriented toward the view.

2.0 Circulation and Parking

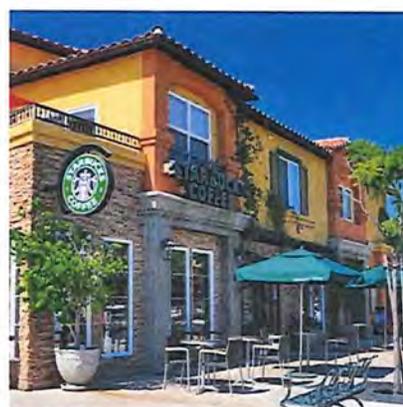
- ❑ 2.1 Curb cuts or access to parking lots should be limited along Seacoast Drive, Old Palm Avenue, Palm Avenue/State Route 75, and 13th Street.
- ❑ 2.2 Parking lots should be placed at the rear of the building where feasible.
- ❑ 2.3 Parking lots should include shade elements such as trees, vine-covered trellises, or overhead solar panels. The design of shade elements should consider safety and visibility.

3.0 Commercial and Mixed-Use Development

- ❑ 3.1 All buildings located along Palm Avenue, Seacoast Drive, or the intersection of 13th Street and Imperial Beach Boulevard should locate their primary entrances facing on or toward the street or another public space that intersects the sidewalk. Primary entrances oriented only to parking lots are discouraged.
- ❑ 3.2 Innovative and imaginative design and architecture is strongly encouraged.

4.0 Building Facades Should Be Well Articulated

- ❑ 4.1 Variation and expression of building details, form, line, colors, and materials should be used to create visual interest.
- ❑ 4.2 Variation in wall plane and roof line is strongly encouraged to reduce the scale and bulk of the buildings, and to add visual interest.
- ❑ 4.3 Individual units should be expressed where possible.
- ❑ 4.4 Street-facing building facades should incorporate pedestrian-scaled elements such as balconies, awnings, and windows, to enliven the street edge.
- ❑ 4.5 Blank walls, or walls without windows, doors, or other articulation, are strongly discouraged. The maximum length of any blank wall should be limited to twenty feet.



DESIGN GUIDELINES

5.0 Ground Floor Uses and Street Level Design

- ❑ 5.1 Ground floors should consist of primarily active uses, such as active commercial, retail, and restaurants, as well as active residential uses such as building amenities, common rooms, and building lobbies.
- ❑ 5.2 A minimum of sixty percent of the street-facing facades of ground floor non-residential uses should be composed of clear non-reflective glass that allows views of the indoor space. Interior blinds, drapes, posters, signage, and/or interior shelving for product displays may potentially obscure a maximum of twenty-five percent of the required transparent area.
- ❑ 5.3 The maximum height of the bottom sill of required display windows should not exceed thirty inches above the adjacent sidewalk. The minimum head height for storefronts and windows at the ground floor should be eighty inches above the adjacent sidewalk.
- ❑ 5.4 Architectural features such as canopies, awnings, lighting, and other design features should be incorporated into the ground floor to add human scale to the streetscape and add to the pedestrian experience.
- ❑ 5.5 Projects should strive to achieve three-sided or four-sided architecture to shield service and delivery areas, utility boxes, and associated infrastructure.



6.0 Landscape Improvements and Open Space

- ❑ 6.1 The public realm should be enhanced by creating an attractive pedestrian atmosphere. This may include the use of landscaping, seat walls, seating, plazas, fountains, public art, and other high-quality design features.
- ❑ 6.2 Common open space should be imaginatively landscaped, well designed, and well maintained.
- ❑ 6.3 Service areas, storage, trash collection areas, and equipment should be located at the rear of buildings if possible, and screened from view by the use of walls, high-quality fencing, planting, or a combination of these solutions.
- ❑ 6.4 Drought-tolerant, native plant materials should be used whenever possible.
- ❑ 6.5 Landscape plans should incorporate provisions for storm water runoff, including bioswales or other comparable methods.

Tyler Foltz

From: Dennis Robbins
Sent: Tuesday, December 30, 2014 11:42 AM
To: Tyler Foltz
Cc: lorarobbins
Subject: Building on Seacost and Evergreen

Hello Tyler,

I understand you are the person to whom one should voice concerns and complaints regarding IB community development. We own a townhouse at _____ which is one of the two units facing the beach. Prior to the building of the Autograph Hotel, we had a view of Point Loma which we lost with the advent of the hotel which was for the good of the greater community and willingly accepted. We still had a frontal view of the beach from two floors. When I purchased the property I was assured that the third floor would be immune from any future building that might impede our view (third floor) which adds significant material value to our ocean view property

I have learned from Jack, the IB building inspector, that a structure of 39 feet in altitude is being proposed requiring a variance granted from the city that would block our entire view from all floors and greatly impede light and ventilation as well, significantly diminishing the value of this property to us . . . I also understand that the last time someone attempted to block the views of these two units there was assurance that they would never be the case. I further understand that the architecture of this property is going to be staggered and could be done so to protect our view. I will exhaust any and all means available to me to protect my view and investment. I would appreciate your help, guidance, and stewardship in this matter regarding the building and proposed variance.

Best Regards,

Dennis Robbins Ph.D., M.P.H.

Tyler Foltz

From: Dennis Robbins
Sent: Monday, February 02, 2015 8:31 PM
To: Tyler Foltz
Cc: lorarobbins
Subject: Homeowners response

Thank you Tyler

Several weeks ago, I requested notice to be present for the meetings involving the proposed structure on Seacoast and Evergreen. Now two days in advance of the meeting I am being informed of said meeting. We will be out of town on the 5th but would like to be absolutely certain that our concerns and comments are both voiced and taken quite seriously. While you indicated to me that a "view is not protected" I learned that specifically "shutting off the plaintiffs' view" is clearly noted as nuisance in Prossers Law of Torts St Paul 1980 p 598 cited by several supporting cases Anglo American jurisprudence since the 18 century supports the ability to enjoy one's property. That is significantly undermined and ignored by this proposed construction which will block all floors of our unobstructed ocean views which was a material consideration which led us to purchase and enjoy this property. The ocean breezes we savor will be all but gone as well as the future use value of our ocean view property.

We are prepared to seek the counsel of a well trained and experienced attorney who works with such matters to explore what recourse, protections and remedies are available to us in respect to the city and developer who propose to increase commercial revenue at the expense of one of its established homeowner citizens. Ignoring the value to which my family and I attach to the use or enjoyment of these premises and the personal discomfort /inconvenience affecting our enjoyment of the premises depreciates our use value, is unacceptable and causes us substantial harm.

Again, we are willing to pursue any reasonable remedy to protect our interests, be made whole and to insulate ourselves from any unreasonable interference with the ability to enjoy our property

Dennis Robbins Ph.D., M.P.H.

1

Hello Mr. and Mrs. Robbins,

This e-mail is being sent due to your interest in the proposed mixed-use project at 110 Evergreen Avenue (northeast corner of Seacoast Drive and Evergreen Avenue). The project is scheduled to be reviewed by the Design Review Board this Thursday, February 5, at 4PM in the City Council Chambers. The Board will consider the design of the project and provide a recommendation to the City Council. I will forward you with the staff report when it is completed, no later than Wednesday. You are welcome to attend and comment or you can provide written comment for the Board's consideration. Note that there will be separate public notification and review when the project is ready for consideration by the City Council. You would be able to provide comment on the project at that time as well. Please let me know if you have any questions. Thank you.

February 12, 2015

Memorandum For Record

To: Tyler Foltz, Senior Planner, Community Development Department, City of Imperial Beach,
825 Imperial Beach Blvd, Imperial Beach, CA 91932

From: Perry S. Payne, , Imperial Beach, CA 91932

Subject: Development at 110 Evergreen

Dear Mr. Foltz,

Thank you for taking the time to send me the details of the new project at 110 Evergreen Ave, in the 02-5-2015 DRB Agenda Packet. I appreciate the hard work of the Imperial Beach City Council, and the Community Development Department, which have done much to improve IB in the past 11 years. I have reviewed the project proposition, and as we discussed, there is a 39 foot structure that will be constructed completely blocking 130 Evergreen Ave view to the ocean.

"Classic Southern California", that is from the front page of Imperial Beach Government's website. I love Imperial Beach because there are no "High-Rise" condominiums, expensive hotels, or extravagant structures monopolizing access and view to the ocean, and charging for exclusivity. In this case I disagree with the City's decision to move forward with this project, because I don't believe a mixed use commercial/residential structure 39 feet tall embodies "Classic Southern California" in any sense, regardless of my personal interests.

Mr. Foltz, I purchased my townhome for the express purpose of the view of the ocean, and the ocean breeze over a decade ago. This project will not only remove the view and the breeze, but I believe it will lower my property value. I am currently investigating with a real estate agency how much of an equity loss I will take in property value.

Regards,

Signature on file

Perry S. Payne

Imperial Beach, CA 91932

Tyler Foltz

From: Dennis Robbins
Sent: Wednesday, February 18, 2015 7:56 PM
To: Tyler Foltz
Cc: PERRY PAYNE; lorarobbins
Subject: Robbins' concern over proposed building on Seacost and Evergreen

Dear Tyler,

In anticipation of our meeting scheduled tomorrow, I have been thinking more carefully about the forthcoming meeting of March 5 and am concerned for a number of reasons associated with the depreciation of use value and enjoyment both my neighbor Perry Payne and my family will suffer from the erection of the project in question. The main reasons we (my wife and I) purchased this property were based on several considerations that will be undermined by your decision to promote and allow this proposed obstructive structure to be built. .

Our ability to enjoy ocean breezes, the pleasure of enjoying sound of the waves crashing, the abundance of sunlight on all floors, the ability to partake of spectacular sunsets and sunrises from my rooftop patio and loft window will be sacrificed. I will lose what I now enjoy, Our ventilation and lighting will be severely compromised and the view from multiple windows and our ocean facing outdoor patio will be lost.

I wish to remind you that you have an ethical duty to preserve the rights of the extant citizenry "The ownership of rightful possession of land necessarily involves the right no only to the unimpaired condition of the property itself but also to some reasonable comfort and convenience in its occupation, Your proposal and that of the developer as it stands will compromise my property right as well as creating clear nuisance which interfere with that right of undisturbed enjoyment of the premises which is inseparable from the ownership of the property (Prosser p. 591).

A direct consequence of your approving and supporting and defining the conditions for this project cause great harm to me. I might add that insofar as I now understand (without the forthcoming advice of an experienced real estate or commercial attorney) that the relative hardship to abate or correct is not a material factor (Prosser p 601 left column 1)

We are put at disadvantage without fair and agreed upon compensation or relief . I may be willing to consider a fair and amicable resolution to compensate me and make us whole for the value of personal comfort and inconvenience suffered as well as that of current as well as future harm. I hope we can reach an amicable resolution in lieu of a potentially long, arduous, costly and drawn out formal adversarial process

Finally, the "Coastal Act of 1976" prohibits structures taller than 30 feet from being constructed anywhere in San Diego, West of the I-5.

<<<http://voiceofsandiego.org/2013/01/03/the-coastal-height-limits-legacy/>>>

It is my understanding from this article that since its early-'70s inception, San Diego's coastal height limit has defined the look and feel of the city's beach neighborhoods. Excerpts follow:

Having celebrated its 40th anniversary in 2012, the coastal height limit has shaped San Diego's beach neighborhoods

The citizen initiative, approved by more than 60 percent of city voters in 1972, restricts the height of all buildings west of I-5 to 30 feet. It withstood a battery of legal challenges and was finally put into effect in 1976...The restriction has unmistakably succeeded in its explicit goal of maintaining ocean views.

Rep. Scott Peters, who represents San Diego's beach denizens, even wrote a column in a community newspaper five years ago crediting the height limit with preserving the city's picturesque beach scenes, and proclaiming his dedication to defending it from any future threats.

"The city of San Diego has some of the most regulated coastal vistas and public access points in the United States," he wrote. "Residents maintain a connection to the coast, even if they do not visit the beach, as it is clearly visible and a daily presence in the lives of many. It is not a walled-off and isolated place."

Widespread access to the beach is worth whatever other costs are associated with it, said LaCava,

Of course, the beach communities are naturally valuable for the same reason they must adhere to a height restriction: They're near the water.

Because the coastal height limit was passed by citizen initiative, the City Council or relevant planning groups in the coastal zone can't easily tweak the law.

Upping the limit to 35 feet, or exempting an area like the Sports Arena, can't be done without the approval of San Diego voters...That fundamental rigidity is one of the law's emerging legacies.

Moreover...See Under Section 1983, Title 42, of the United States Code stating:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State ... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured.

I will follow with a more detailed formal addendum letter regarding specifics of the California code as a more detailed legal opinion

Sincerely yours,

Dennis Robbins Ph.D., M.P.H.



AGENDA ITEM NO. 4.2

**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: MARCH 4, 2015

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

SUBJECT: PUBLIC HEARING: CITYMARK DEVELOPMENT (APPLICANT); CONSIDERATION OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN-FILL DEVELOPMENT PROJECTS), ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

EXECUTIVE SUMMARY:

Staff is recommending that the City Council hold a public hearing to review and consider approval of a project proposing to construct three new residential condominium units, each with a two-car garage, on a property located at 119 Elm Avenue (APN 625-351-02-00). The project applicant is also requesting a conditional use permit for a building height of 35 feet. The project site is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone, which allows for residential projects on properties that do not front Seacoast Drive or Palm Avenue.

BACKGROUND:

This is an application (MF 1170) for an Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Map (TM 140059) proposing to demolish an existing garage and construct three new residential condominium units at 119 Elm Avenue (APN 625-351-02-00), which is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone.



ANALYSIS:

The project site includes one lot measuring 4,765 square feet fronting Elm Avenue in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone. The properties to the north and west of the site are commercial, the property to the east is residential, and the property to the south is proposing a new mixed-use development project.



The three-story project proposes three residential dwelling units with no commercial component, as allowed for properties within the C/MU-2 Zone that do not front Seacoast Drive (IBMC Section 19.27.020.A). Pedestrian access to the residential units would locate off of Elm Avenue and vehicular ingress and egress would access off the alley. Each unit would be provided with a two-car garage for a total of six parking spaces for the three units.

The maximum allowable building height is typically 30 feet in the C/MU-2 Zone; however, IBMC Section 19.27.070 states that properties east of Seacoast Drive shall have a height limit not to exceed three stories and 35 feet with approval of a conditional use permit that demonstrates compliance with side yard setbacks and/or setbacks that protect street-end public views towards the ocean, and that two or more of the development incentives listed in IBMC Section 19.27.020(A)(5) are provided. As such, the project applicant is requesting a conditional use permit for a building height of 35 feet. The project would not impact street-end public views toward the ocean by incorporating the required setbacks and setbacks, and the applicant is proposing the following two development incentives: 1) At least 25% of the proposed residential units would be three-bedroom units (100% proposed), and 2) The entire project would achieve

Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification. Further, the City does not have a view protection ordinance and the property is not burdened by a covenant or restriction that would prohibit the development or height of this project in any way.

The proposed project design should contribute positively in making an architectural statement along the area of the commercial corridor that transitions into residential neighborhoods to the east, and it is staff's opinion that the proposed design conforms to the intent and purpose of the design standards outlined in IBMC Section 19.83.010 and in the City's General Plan. The applicant's design provides varied rooflines and architectural relief through the incorporation of building pop-outs. In addition, the project would provide architectural interest on all elevations with varied building materials such as composite siding, stucco, metal roof and railing, and stone veneer elements.

Landscaping would be provided along the north, south, and west property lines and would also be provided within the driveway courtyard. The proposed landscaping would be drought tolerant and would include shrubs, trees, and groundcover.

General Plan Consistency:

C/MU-2 (Seacoast Commercial and Mixed-use) Zone: The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed multiple family project meets the purpose and intent of the land use designation.

C/MU-2 STANDARDS	PROVIDED/PROPOSED
Maximum density of one dwelling unit for every one thousand five square feet of lot area, or if located on the east side of Seacoast Drive or Palm Avenue, east of Seacoast Drive, one dwelling unit for each one thousand two hundred and ten gross square feet of lot area with approval of a conditional use permit by the City Council that demonstrates compliance with two or more development incentives (Section 19.27.020(A)(5)).	The property measures 4,765 square feet. The project proposes three units at a density of one unit for each 1,500 square feet of lot area, which complies with density requirements in the C/MU-2 Zone.
Yard requirements for the C/MU-2 zone are as follows (Section 19.27.040): A. For lots not fronting on Seacoast Drive there are no front, side, or rear yard setbacks in the C/MU-2 zone except as follows: 1. A ten-foot rear and/or side yard setback is required for properties abutting any property zoned R-1-6000;	The project provides the minimum yard requirements for the C/MU-2 Zone. 1. The project does not abut a property zoned R-1-6000.

<p>2. A five-foot rear and/or side yard setback is required for properties abutting any property zoned R-2000.</p>	<p>2. The project provides a minimum five foot setback from the eastern side yard abutting the R-2000 Zone.</p>
<p>Stepback requirements for the C/MU-2 Zone are as follows (Section 19.27.041):</p> <p>A. On property with a side or rear yard abutting a residential zone, the second-floor stepback shall be a minimum of five feet from the abutting residential property line and the third-floor stepback shall be a minimum of ten feet from the abutting residential property line.</p> <p>B. Stepbacks are not required where the ten-foot setback is required or observed for at least fifty percent of the property line abutting residential property.</p>	<p>A. The second and third floors are stepped back five feet from the abutting residential property to the east. The third-floor is not stepped back ten feet as allowed by IBMC 19.27.041.B.</p> <p>B. The project only provides a third-floor stepback of five feet from the abutting residential property to the east because the project observes at least a ten-foot setback for at least fifty percent of the property line abutting the residential property.</p>
<p>Minimum lot size of 3,000 square-feet (Section 19.27.050).</p>	<p>The lot size measures 4,765 square feet.</p>
<p>Minimum street frontage of 30 feet (Section 19.27.060).</p>	<p>The Elm Avenue frontage is approximately 50 feet.</p>
<p>Maximum height of three stories or thirty feet, whichever is less, except as follows (Section 19.27.070(A)):</p> <p>Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with the following:</p> <p>a. Side yard setbacks and/or stepbacks have been incorporated into the project to protect street-end public views towards the ocean;</p> <p>b. Two or more of the development incentives listed in Section 19.27.020(A)(5).</p>	<p>The property is located east of Seacoast Drive and is requesting a conditional use permit for a building height of 35 feet.</p> <p>a. The project incorporates the required setbacks and stepbacks and would not impact street-end public views.</p> <p>b. The project is proposing the following development incentives: 1) At least 25% of the proposed residential units will be three-bedroom units (100% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification.</p>

No buildings shall be located less than five feet from any other building on the same lot. (Section 19.27.080)	Buildings are attached or provide a separation of 24 feet.
Commercial Zone landscape requirements: not less than 15% of total site shall be landscaped and maintained (Section 19.50.030).	The 4,675 square foot lot requires a minimum of 715 square feet of landscaping (4,675 x .15 = 715). 837 square feet of landscaping is proposed.
Required parking spaces for multiple-family residential in the C/MU-2 Zone: 1.5 spaces per dwelling unit. (Section 19.48.035).	Three residential units would require a minimum of five parking spaces (3 x 1.5 = 4.5). Six enclosed parking spaces are proposed.

Surrounding Land Use and Zoning:

Surrounding Areas	Surrounding Zoning	Surrounding Land Use
North	C/MU-2 (Seacoast Comm. & Mixed-Use)	Commercial
South	C/MU-2 (Seacoast Comm. & Mixed-Use)	Mixed-Use
East	R-2000 (Medium Density Res.)	Residential
West	C/MU-2 (Seacoast Comm. & Mixed-Use)	Commercial

Design Review Board: At the Design Review Board meeting of February 5, 2015 (Attachment 4), the Board recommended approval of the project with a vote of 3-0.

COUNCIL ACTION:

The Council is being asked to approve an Administrative Coastal Development Permit, a Conditional Use Permit, a Design Review/Site Plan Review, and a Tentative Map with conditions. Staff's recommendations and proposed findings are incorporated into the attached resolution.

ENVIRONMENTAL IMPACT:

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects).

COASTAL JURISDICTION:

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 and IBMC Section 19.87.150(A).

FISCAL ANALYSIS:

The Applicant has deposited \$10,500.00 to fund processing of the application.

DEPARTMENT RECOMMENDATION:

1. Declare the public hearing open;
2. Receive report and entertain public testimony;
3. Close the public hearing and consider the project; and

4. That the City Council adopt Resolution 2015-7549, approving Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TM 140059) which makes the necessary findings and provides conditions of approval in compliance with local and state requirements; OR

Other Options:

1. Disapprove the project and deny the requested permits by making specific findings for denial; or
2. Continue the public hearing to a specific future meeting to allow staff to provide additional information upon which a decision can be rendered.

Attachments:

1. Resolution 2015-7549
 2. Plans
 3. Conceptual Renderings
 4. Design Review Board Minutes (Draft)
- c: file MF 1170

RESOLUTION NO. 2015-7549

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES 15332 (IN-FILL DEVELOPMENT PROJECTS), ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

DEVELOPER: CITYMARK DEVELOPMENT

WHEREAS, on March 4, 2015, the City Council of the City of Imperial Beach held a duly advertised and noticed public hearing to consider the merits of approving or denying an application for an Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TPM 140059) proposing to demolish an existing garage and construct three new residential condominium units at 119 Elm Avenue (APN 625-351-02-00), which is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone. The project site is legally described as follows:

APN 625-351-02-00

Lot 14, Block 21, Imperial Beach, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 1139, filed in the Office of the County Recorder of San Diego County, June 16, 1908.

WHEREAS, on February 5, 2015, the Design Review Board recommended approval of the project with a vote of 3-0 (1 abstention); and

WHEREAS, the City Council finds that the project design of three residential condominium units is compatible with the community and would be consistent with Policy D-8 (Project Design) of the Design Element of the General Plan; and,

WHEREAS, the City Council finds that the project is in compliance with the Land Use Element of the General Plan; and,

WHEREAS, the City Council finds that the project complies with the requirements of the California Environmental Quality (CEQA) as the project is categorically exempt pursuant to CEQA Guidelines 15332 (In-Fill Development Projects); and

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

ADMINISTRATIVE COASTAL PERMIT (IBMC § 19.87.050):

- 1. 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 Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of

commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed-Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed multiple family project meets the purpose and intent of the land use designation because multiple family residences are permitted uses in the C/MU-2 Zone.

- 2. 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 complies with the City's design guidelines, landscape and irrigation standards, and minimum requirements set forth in the Zoning Ordinance because it is consistent with the General Plan and the Zoning development standards for the site.

- 3. This project complies with the California Environmental Quality Act.**

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article 19 Sections 15332 (In-Fill Development Projects). 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.

- 4. 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 February 19, 2015, and a public hearing notice was published in the South County Eagle & Times newspaper on February 19, 2015.

CONDITIONAL USE PERMIT (IBMC § 19.82.040):

- 5. That the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;**

The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed-Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed multiple family project meets the purpose and intent of the land use designation. The use with a building height of thirty-five feet is necessary and desirable as it will develop a lot that is mostly vacant, provide desirable housing, and provide an economic benefit for the neighborhood and community.

- 6. That the use will not, under the 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 use will not be detrimental to the public, as there will be no hazardous materials, fumes, or operations at the facility, nor will there be any noxious odors, loud

noises, or excessive traffic generated at the site. The proposed use is compatible with other uses in the neighborhood and would function in a similar manner as other nearby uses.

7. That the proposed use will comply with the regulations and conditions specified in this title for the use and for other permitted uses in the same zone; and

Multiple family residences are permitted in the C/MU-2 Zone. The proposed project is consistent with the zoning for this area and will comply with all of the regulations and conditions for these uses. Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with setbacks, stepbacks, and two or more development incentives. The project complies with the setback and stepback requirements and the two development incentives proposed by the applicant are as follows: 1) At least 25% of the proposed residential units will be three-bedroom units (100% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification.

8. That the granting of the conditional use permit will be in harmony with the purpose and intent of the zoning code, the adopted General Plan and the adopted Local Coastal Program

The C/MU-2 Zone allows for properties east of Seacoast Drive to have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with setbacks, stepbacks, and two or more development incentives. The project complies with the setback and stepback requirements and the two development incentives proposed by the applicant are as follows: 1) At least 25% of the proposed residential units will be three-bedroom units (100% proposed); 2) Entire project will achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or will demonstrate the ability to achieve certification. The proposed project and conditional use permit is in compliance with the General Plan and Local Coastal program and is in harmony with the purpose and intent of the zoning code because the project is east of Seacoast Drive and demonstrates compliance with setbacks, stepbacks, and two development incentives, which allows for a height limit not to exceed three stories and thirty-five feet.

DESIGN REVIEW/SITE PLAN REVIEW (IBMC § 19.81.060):

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

The project proposes the construction of three new residential condominium units with attached two-car garages. The project would not have a detrimental effect on the general health, welfare, safety and convenience of persons residing or working in the neighborhood because it is consistent with the development standards and zoning designations. The development would not be injurious to the value of the property and improvements in the neighborhood because the project represents an improvement of the existing conditions and the project could improve property values and stimulate growth in the area.

10. The proposed use does not adversely affect the General Plan or the Local Coastal Plan.

The General Plan/Local Coastal Plan designates the site as Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed-Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). Therefore, the proposed multiple family project meets the purpose and intent of the General Plan and Local Coastal Plan.

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

The site is bordered by commercial uses on the north and west and residential uses on the south and east. The proposed residential units are compatible with other uses in the neighborhood because nearby properties are comprised of residential uses and multiple-story buildings.

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

The proposed buildings would locate in a manner that would provide harmonious access throughout the site and be compatible with the surrounding structures and uses in the neighborhood.

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

The project proposes residential uses that are properly integrated. The design style and the choice of building materials properly integrate the buildings.

14. Access to and parking for the proposed use does not create any undue traffic problem.

Vehicular ingress and egress to and from the site would be provided from the alley and pedestrian access would be provided from Elm Avenue. Access and ingress and egress for the project should not create undue traffic problems.

15. All other applicable provisions of the Zoning Code are complied with.

The project is consistent with the General Plan and the Zoning development standards for the site.

16. Any other considerations as the Community Development Department deem necessary to preserve the health, safety and convenience of the City in general.

Standard and applicable conditions of approval have been included with the Resolution to further ensure that the health, safety, welfare, and convenience of the City in general is preserved.

17. Public Notice requirements, pursuant to Zoning Ordinance Section 19.87.100, 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 February 19, 2015, and a public hearing notice was published in the Imperial Beach Eagle & Times newspaper on February 19, 2015.

TENTATIVE PARCEL MAP FINDINGS (IBMC § 18.12.070):

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

The proposed subdivision is consistent with the General Plan and zoning designations because the lots will meet the lot area and frontage requirements.

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

The General Plan/Local Coastal Plan designates the site as Seacoast Commercial & Mixed-Use (C/MU-2 Zone). The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone and in the Seacoast Mixed-Use/Residential Overlay Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). Therefore, the proposed multiple family project meets the purpose and intent of the land use designation of the General Plan/Local Coastal Plan.

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

The subject site is relatively flat and the proposed grading and drainage for the development of the residential project has been reviewed so that no adverse impacts would occur.

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

The project involves new construction in a developed urban area that will not affect fish or wildlife habitat.

- 22. The design of the subdivision will not cause serious public health problems.**

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

- 23. The design of the subdivision will not conflict with any easement of record.**

A design of the subdivision will not conflict with any easement of record.

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

The project is exempt from the requirements of the CEQA under CEQA Guidelines Section 15332 (In-Fill Development Projects).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach that the above-listed findings and recitals are true and correct and are incorporated by reference; and

BE IT FURTHER RESOLVED by the City Council of the City of Imperial Beach that Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TPM 140059) for the demolition of an existing garage and construction of three new residential condominium units at 119 Elm Avenue are hereby approved subject to the following:

CONDITIONS OF APPROVAL:

1. **Approval** of Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TPM 140059) is valid for three years from the date of final action by the City Council **to expire March 4, 2018**, unless vested with substantial construction pursuant to an approved building permit. Approvals of the Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), and Site Plan Review (SPR 140058) shall run coterminous with the tentative parcel map.
2. The site shall be developed in substantial compliance with the plans dated February 12, 2015, on file at the Community Development Department, or as otherwise amended and approved, and the conditions contained herein.
3. Drought tolerant landscaping shall be provided throughout the site.
4. All landscaping and bio-filtration areas shall be maintained by the Developer. All landscaped areas shall be permanently maintained in a healthy condition, free from weeds, trash, and debris.
5. A permanent irrigation system shall be installed and permanently maintained to serve all landscaped areas.
6. All building permits required for the project shall be obtained from the Imperial Beach Building Department.
7. This project is subject to all Model Codes, State Codes and City Ordinances adopted by the City of Imperial Beach.
8. A licensed surveyor/engineer shall verify pad elevations and all building corners and setbacks.
9. Hours of Construction: No work for which a building permit is required shall be performed within the hours of 7:00 P.M. - 7:00 A.M. Monday - Friday, nor prior to 8:00 A.M. or after 5:00 P.M. on Saturday. Construction work on Sundays, or alteration of the approved hours of construction, is subject to City approval.
10. 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 R9-2013-0001.
11. Existing abandoned sewer lateral must be plugged at the property line and main line per building standards specifications.

12. 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 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 R9-2013-0001.
13. Ensure that construction drawings provide for the building foundation elevations be at least 1 foot above gutter line to minimize flooding during storm conditions.
14. Replace sidewalk along northern property line to be in compliance with San Diego Regional Standard Drawings G-7, G-9, G-10, and G-11. Side slope of existing sidewalk is beyond current allowable ADA standards (>2%). Replace sidewalk the full width of the right of way – 6.5 feet wide.
15. 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.
16. 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, secured with epoxy adhesive. Concrete specification must be 560-C-3250 poured at thickness of at least 6-inches. 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.
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. 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.
19. All street work construction requires a Class A contractor to perform the work. All pavement transitions shall be free of tripping hazards.
20. 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).
21. Ensure construction design include adequate access from the new rear unit to Elm Avenue to allow for trash cart transport from rear residence to street curb.
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 impervious services shown on the approved plans 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 R9-2013-0001.

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. Survey monuments on northeast and northwest property lines must be reestablished after sidewalk replacement. Monuments are to be recorded with County Office of Records.
26. In accordance with IBMC Section 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.
27. 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.
28. The Applicant shall 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.
29. Applicant must underground all utilities in accordance with IBMC Section 13.08.060(C) as noted below: "Applicability to new structures"
 - A. For any development which requires a building permit but is of a valuation of fifty thousand dollars or less, the applicant will not be required either to underground the utilities or to sign a deferral agreement pertaining thereto.
 - B. For any development of single-family residence(s) or duplex(es) which exceeds a valuation of fifty thousand dollars, the applicant will be required to sign a deferral agreement with, and pay a recording fee to, the City.
 - C. Any development of property other than as described in subsection A or B of this section in excess of fifty thousand dollars valuation will be required to underground all utilities. This project is within the Seacoast Drive Utility

Underground District. Thus the existing communications aerial services must be relocated underground.

30. Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees and costs incurred by the City and any claim for private attorney general fees and costs claimed by or awarded to any party against the City or its agents officers or employees against the City or its agents, officers, or employees, relating to the approval of the project (MF1170) including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision (including the Administrative Coastal Permit (ACP 140055), Conditional Use Permits (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TPM 140059)), including any claims for violation of the Public Records Act or discovery law arising from and with respect to litigation involving these approvals (collectively "Development Approvals"). The City will promptly notify applicant of any claim, action or proceeding concerning the Development Approvals. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of such election applicant shall pay all of the costs related thereto including without limitation attorney's fees and costs incurred by the City. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is first approved by applicant.
31. The Developer or Developer'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.
32. The Developer shall pay off any deficits in his project account (140055) prior to building permit issuance and prior to final inspection.

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.

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

1. That the foregoing recitals are true and correct.
2. That Administrative Coastal Permit (ACP 140055), Conditional Use Permit (CUP 140056), Design Review Case (DRC 140057), Site Plan Review (SPR 140058), and Tentative Parcel Map (TPM 140059) is approved for the demolition of an existing garage and construction of three new residential condominium units at

119 Elm Avenue (APN 625-351-02-00), subject to the conditions set forth in this Resolution.

3. The City Manager or his designee shall provide notice to the California Coastal Commission of the City Council's approval of the Administrative Coastal Permit pursuant to IBMC Section 19.87.150(B).

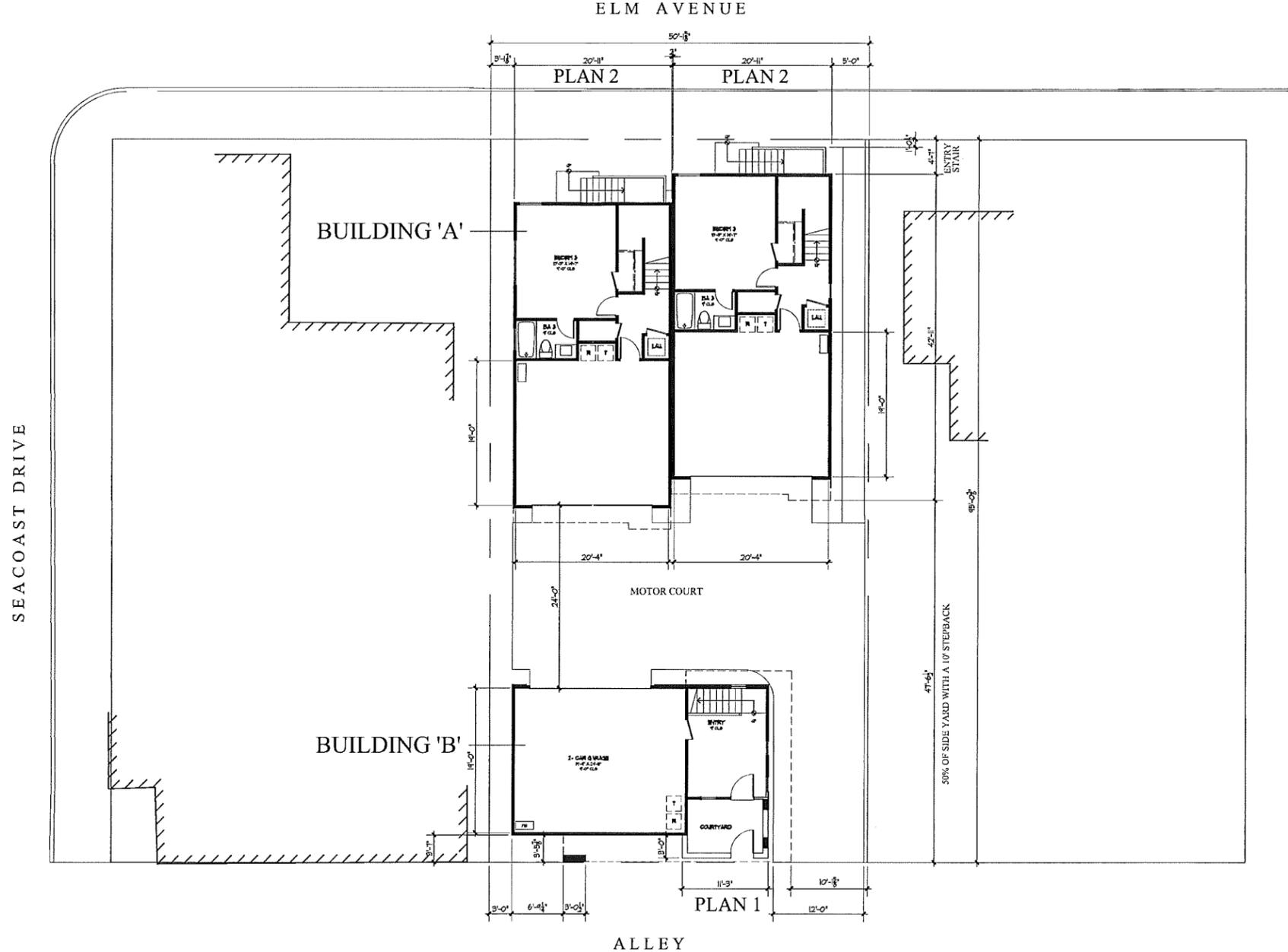
PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK



SITE PLAN
SCALE: 1/8" = 1'-0"

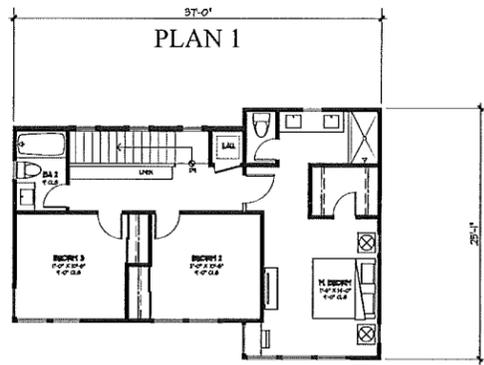


1 1 9 E L M
CITYMARK

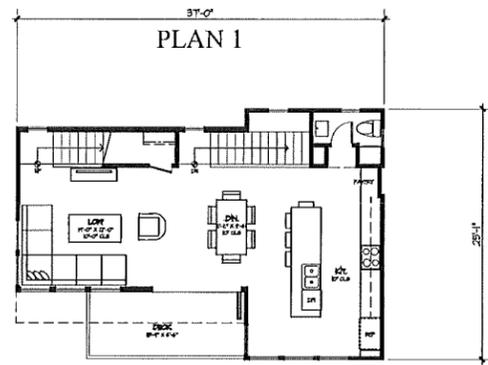
SCALE: 1/8" = 1'-0"
THE MCKINLEY ASSOC., INC.
2.12.15

TABULATIONS

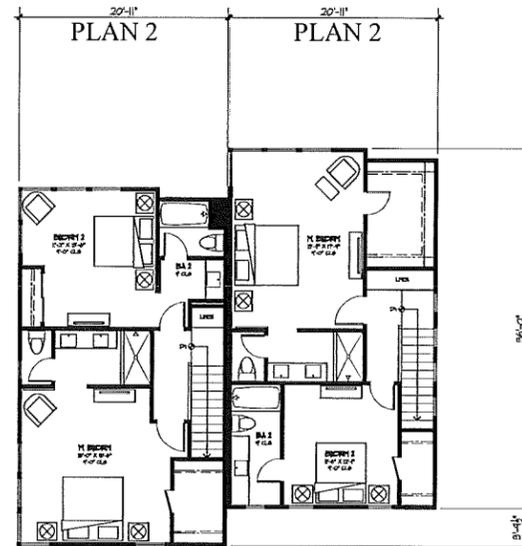
- SITE AREA**
4,765 S.F.
- DENSITY**
4,765 / 1210 S.F. PER UNIT = 3.94 UNITS
- LANDSCAPING**
4,765 X .15 = 715 S.F. 837 S.F. PROVIDED
- PLAN 1**
1 - 3 BR 3.5 BA. 1,650 S.F.
- PLAN 2**
2 - 3 BR 3.5 BA. 1,806 S.F.
- RESIDENTIAL PARKING**
3 X 1.5 = 4.5 OR 5 6 PROVIDED
- CONSTRUCTION TYPE**
TYPE VB NFPA 13 SPRINKLERS
The project will conform to all CBC applicable requirements.
- CONDITIONAL USE PERMIT INCENTIVES**
Minimum of 25% of the units are three bedroom (3 of 3 unit are 3 bedroom)
The project will demonstrate the ability to achieve .
LEED Green Building Rating equivalency.



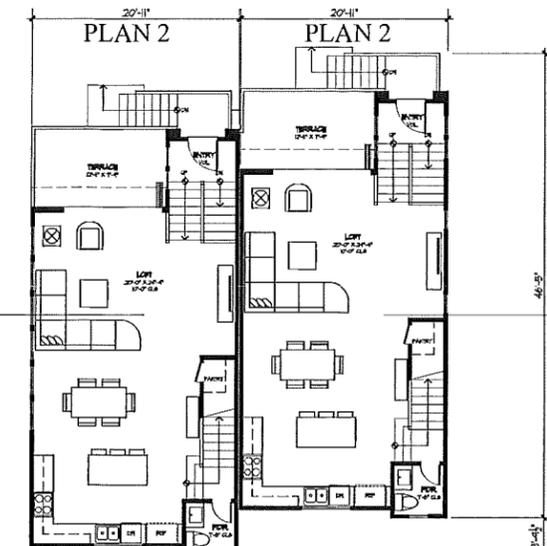
THIRD FLOOR BLDG. 'B' PLAN
SCALE: 1/8" = 1'-0"



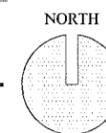
SECOND FLOOR BLDG. 'B' PLAN



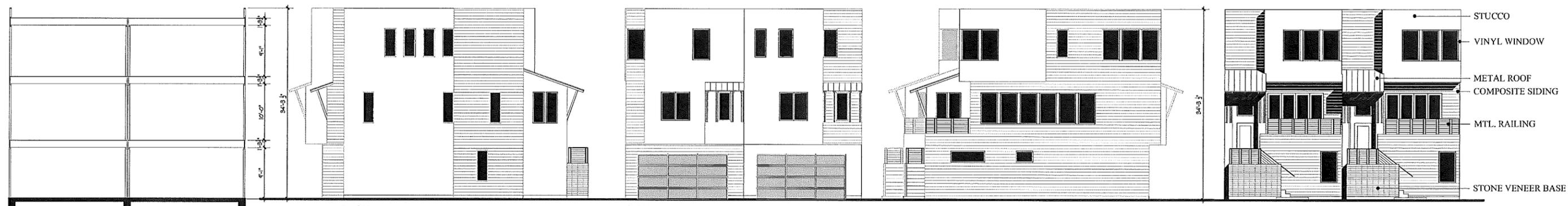
THIRD FLOOR BLDG. 'B' PLAN
SCALE: 1/8" = 1'-0"



SECOND FLOOR BLDG. 'B' PLAN



EAST SOUTH WEST NORTH
BUILDING 'B' ELEVATIONS ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING 'A' SECTION
SCALE: 1/8" = 1'-0" BUILDING 'B' SIMILAR

EAST SOUTH WEST NORTH
BUILDING 'A' ELEVATIONS ELEVATION
SCALE: 1/8" = 1'-0"

1 1 9 E L M

CITYMARK
SCALE: 1/8" = 1'-0"



THE MAINLEY ASSOC., INC.
2.12.15

MF 1170/ACP 140055/CUP 140056/DR 140057/SPR 140058/TPM 140059

119 ELM AVENUE

SHEET 1 OF 2

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE RECORDER OWNERS OF THE PROPERTY SHOWN ON THE ATTACHED TENTATIVE MAP AND THAT SAID MAP SHOWS THE ENTIRE CONTIGUOUS OWNERSHIP. I UNDERSTAND THAT PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS OF WAY.

OWNER: George W. Howard III
 GEORGE W. HOWARD III

APPLICANT

CITYMARK CONSULTANTS, LLC
 3818 PARK BLVD
 SAN DIEGO, CA 92103
 (619) 231-1161

LEGAL DESCRIPTION

LOT 14, BLOCK 21, IMPERIAL BEACH, IN THE CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1139, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 16, 1908.

BENCHMARK

2.25" BRASS DISC, CITY OF SAN DIEGO ROS 14492, POINT 184, NORTH SIDE OF BOULEVARD AVENUE ON CENTER OF 8TH STREET, SOUTH OF RAILROAD TRACKS. ELEVATION: 12.85 NAVD88

SITE ADDRESS

119 ELM AVE.
 IMPERIAL BEACH, CA 91932

TOPOGRAPHY AND MAP

PREPARED BY:
 PASCO, LARET, SUITER & ASSOCIATES, INC.
 SOLANA BEACH, CA 92075
 (858) 259-8212

ZONING INFORMATION

TOTAL PARCELS: 1 PARCEL
 GENERAL PLAN DESIGNATION: C/MU-2
 PRESENT ZONING REGULATIONS: C/MU-2
 PRESENT USE: SEACOAST COMMERCIAL AND MIXED USE ZONE
 PROPOSED USE: SEACOAST COMMERCIAL AND MIXED USE ZONE
 MINIMUM GROSS LOT AREA: 3,000 SF
 APN: 625-351-02

ACCESS

PUBLIC ALLEY BETWEEN EVERGREEN AVENUE AND ELM AVENUE

UTILITIES

WATER	CALIFORNIA AMERICAN WATER DISTRICT	(619) 522-6400
FIRE	IMPERIAL BEACH FIRE PROTECTION DISTRICT	(619) 423-8223
SEWER	CITY OF IMPERIAL BEACH	(619) 423-8311
GAS/ELECTRIC	SDG&E	(800) 411-7343
ELEMENTARY SCHOOL	SOUTH BAY UNION ELEMENTARY SCHOOL DISTRICT	(619) 628-1600
HIGH SCHOOL	SWEETWATER UNION HIGH SCHOOL DISTRICT	(619) 691-5500

EARTHWORK DATA:

50 CY - CUBIC YARDS EXCAVATION (CUT)
 50 CY - CUBIC YARDS EMBANKMENT (FILL)
 0 CY - CUBIC YARDS EXPORT

* ESTIMATE DOES NOT INCLUDE STRIPPINGS, UTILITY TRENCH VOLUMES OR ANY OVEREXCAVATION, IF REQUIRED BY SITE CONDITIONS

CONTRACTOR SHALL SATISFY SELF THAT ESTIMATES ARE CORRECT PRIOR TO COMMENCEMENT OF WORK.

EARTHWORK QUANTITIES ARE ESTIMATED FOR PERMIT PURPOSES ONLY. (CALCULATED ON A THEORETICAL BASIS. ACTUAL QUANTITIES MAY VARY DUE TO SHRINKAGE OR SWELL FACTORS).

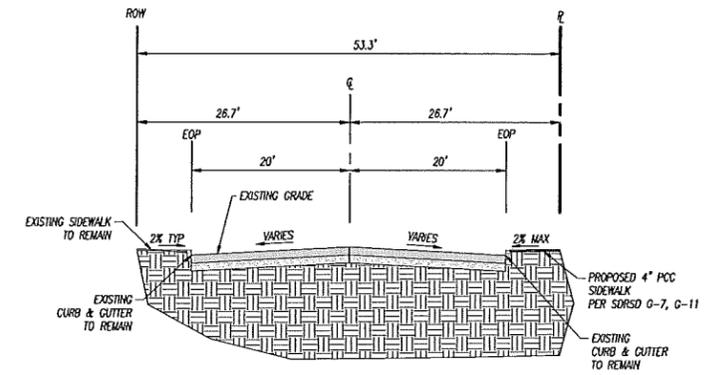
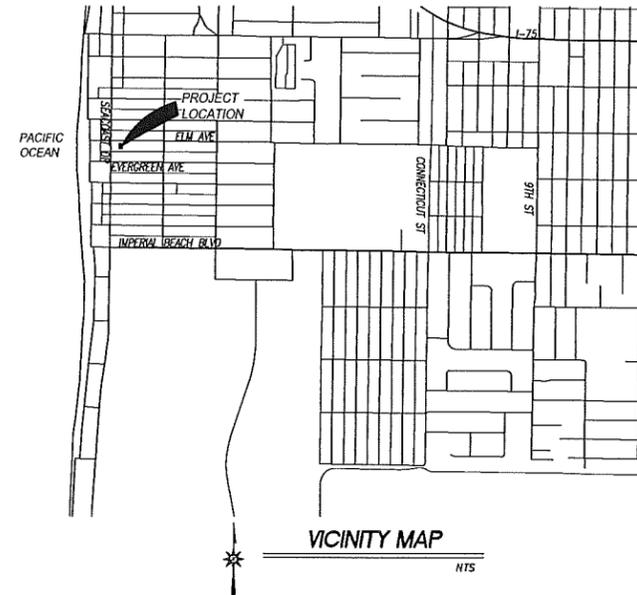
DEPTH & QUANTITY OF REMEDIAL GRADING IS SUBJECT TO FIELD VERIFICATION BY PROJECT SOILS ENGINEER IN FIELD DURING EXCAVATION

SHEET INDEX

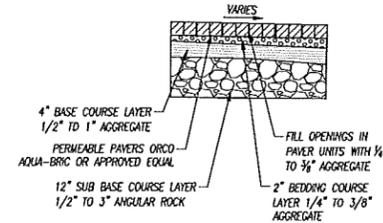
SHEET 1 - NOTES
 SHEET 2 - CDP PRELIMINARY GRADING PLAN

ENGINEER OF WORK

Tracy G. Lawson 1-16-15
 TRACY G. LAWSON, RCE 80356 DATE

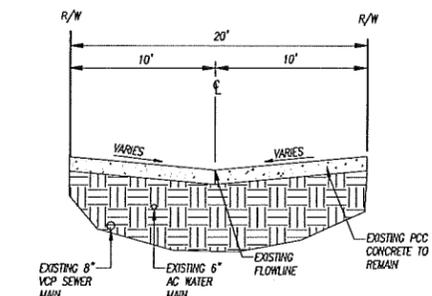


TYPICAL SECTION: ELM AVENUE



NOTE:
 PAVES INSTALLATION SHALL BE PER MANUFACTURER'S RECOMMENDATIONS. PAVES SECTION IS SHOWN FOR REFERENCE ONLY. PAVES SECTION IS REQUIRED TO MAINTAIN IMPOSED LOADS OF NOT LESS THAN 75,000 LBS

TYPICAL SECTION: PERMEABLE PAVERS



TYPICAL SECTION: ALLEY

SITE AREA

GROSS: 4,766 SF (0.11 ACRES)

DESCRIPTION OF WORK TO BE DONE

CONSTRUCTION OF 3 RESIDENTIAL UNITS. SITE REDEVELOPMENT INCLUDES NEW STREET, UTILITY, AND DRAINAGE IMPROVEMENTS TYPICAL TO MIXED-USE DEVELOPMENT PROJECTS.

NOTE: ALL EXISTING ON-SITE STRUCTURES TO BE REMOVED

UTILITY NOTES

EXISTING ABANDONED SEWER LATERAL MUST BE PLUGGED AT THE PROPERTY LINE AND MAIN LINE PER BUILDING STANDARDS SPECIFICATIONS.

ALL ABOVE-GROUND ELECTRICAL FACILITIES SHALL BE UNDERGROUNDED WITHIN THE PROJECT LIMITS.

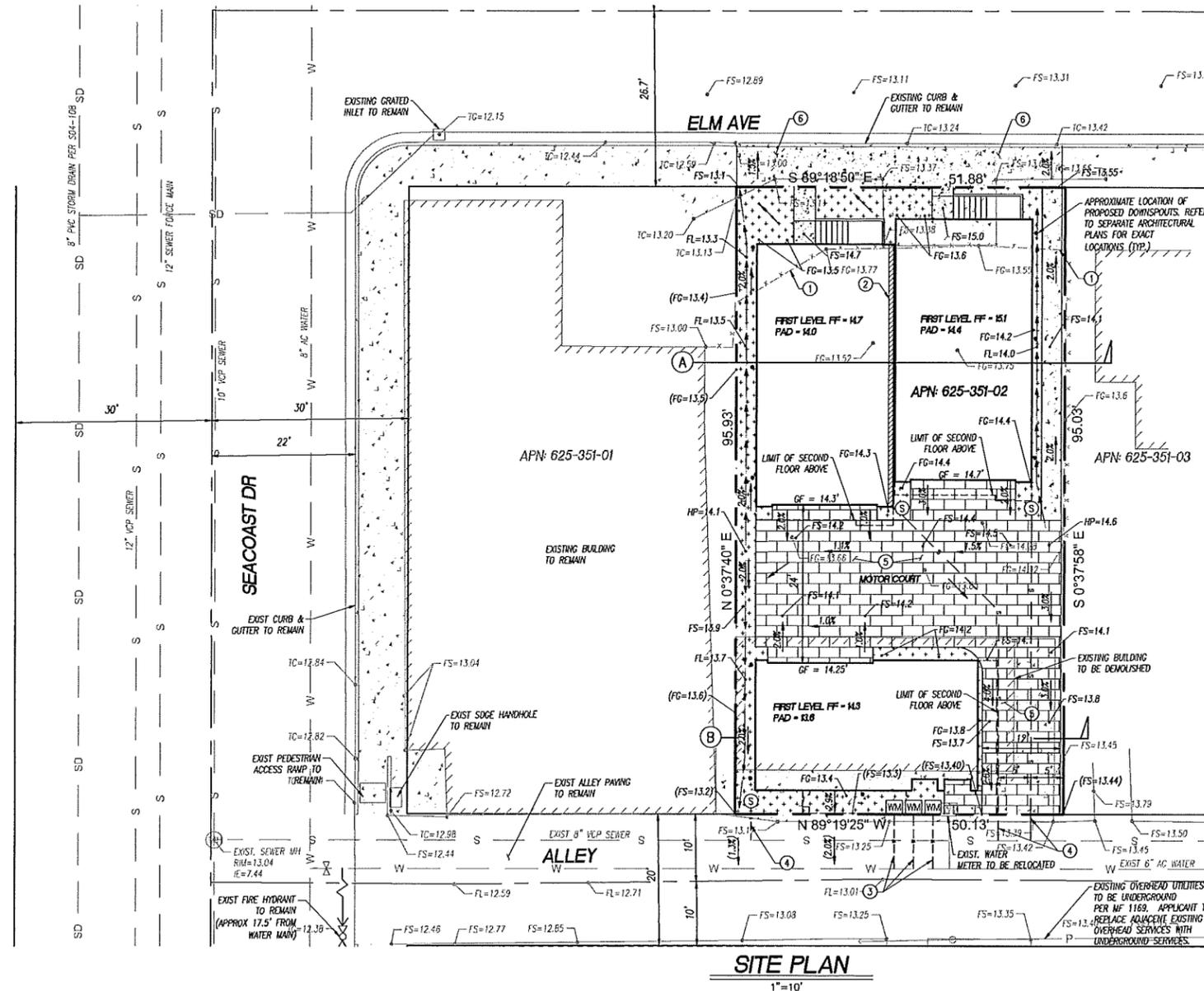
PREPARED DATE: 12-30-2014
 REVISED DATE: 1-18-2015
 REVISED DATE: 2-13-2015

PASCO LARET SUITER & ASSOCIATES
 CIVIL ENGINEERING + LAND PLANNING + LAND SURVEYING
 535 North Highway 101, Ste A, Solana Beach, CA 92075
 ph 858.259.8212 | fx 858.259.4812 | plsaeengineering.com

MF 1170/ACP 140055/CUP 140056/DR 140057/SPR 140058/TPM 140059

PRELIMINARY GRADING PLAN

119 ELM AVENUE

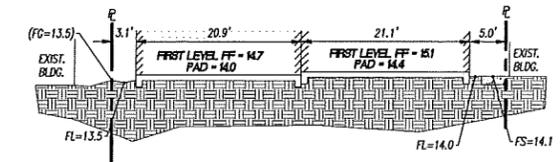


LEGEND

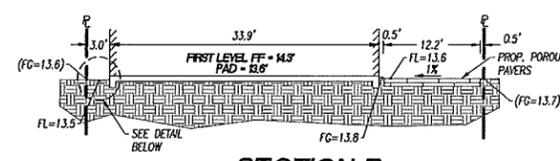
- PROJECT PROPERTY LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- PROPOSED LANDSCAPING
- PROPOSED PCC
- PROPOSED POROUS PAVERS
- CENTERLINE OF ROAD
- EXISTING PVC STORM DRAIN
- EXISTING VCP SEWER MAIN
- EXISTING ACP WATER MAIN
- PROPOSED DRAINAGE DIRECTION
- PROPOSED FLOWLINE
- PROPOSED SEWER LATERAL PER WAS SS-01
- PROPOSED 1" WATER SERVICE PER WAS WS-09
- PROPOSED ROOF DOWN SPOUT

ABBREVIATION LEGEND

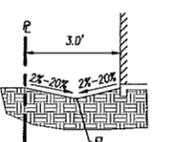
- BS = BOTTOM OF STAIR ELEVATION
- BW = BOTTOM OF WALL ELEVATION
- FS = FINISHED SURFACE
- FG = FINISHED GRADE
- FL = FLOW LINE
- FF = FINISHED FLOOR
- GF = GARAGE FINISHED FLOOR
- IE = INVERT ELEVATION
- TC = TOP OF GRATE ELEVATION
- TW = TOP OF WALL ELEVATION



SECTION A
NTS



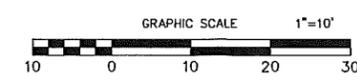
SECTION B
NTS



TYPICAL SIDE YARD DETAIL
NTS

CONSTRUCTION LEGEND

- ① EXISTING FENCE TO BE REMOVED
- ② PROPOSED STEM WALL PER ARCHITECTURAL PLAN
- ③ PROPOSED 1" WATER SERVICE PER WAS WS-09
- ④ PROPOSED 4" SEWER LATERAL PER WAS SS-01
- ⑤ PROPOSED PERMEABLE PAVERS PER DETAIL SHEET
- ⑥ PROPOSED 4" PCC SIDEWALK PER SDRSD 0-7, 0-11



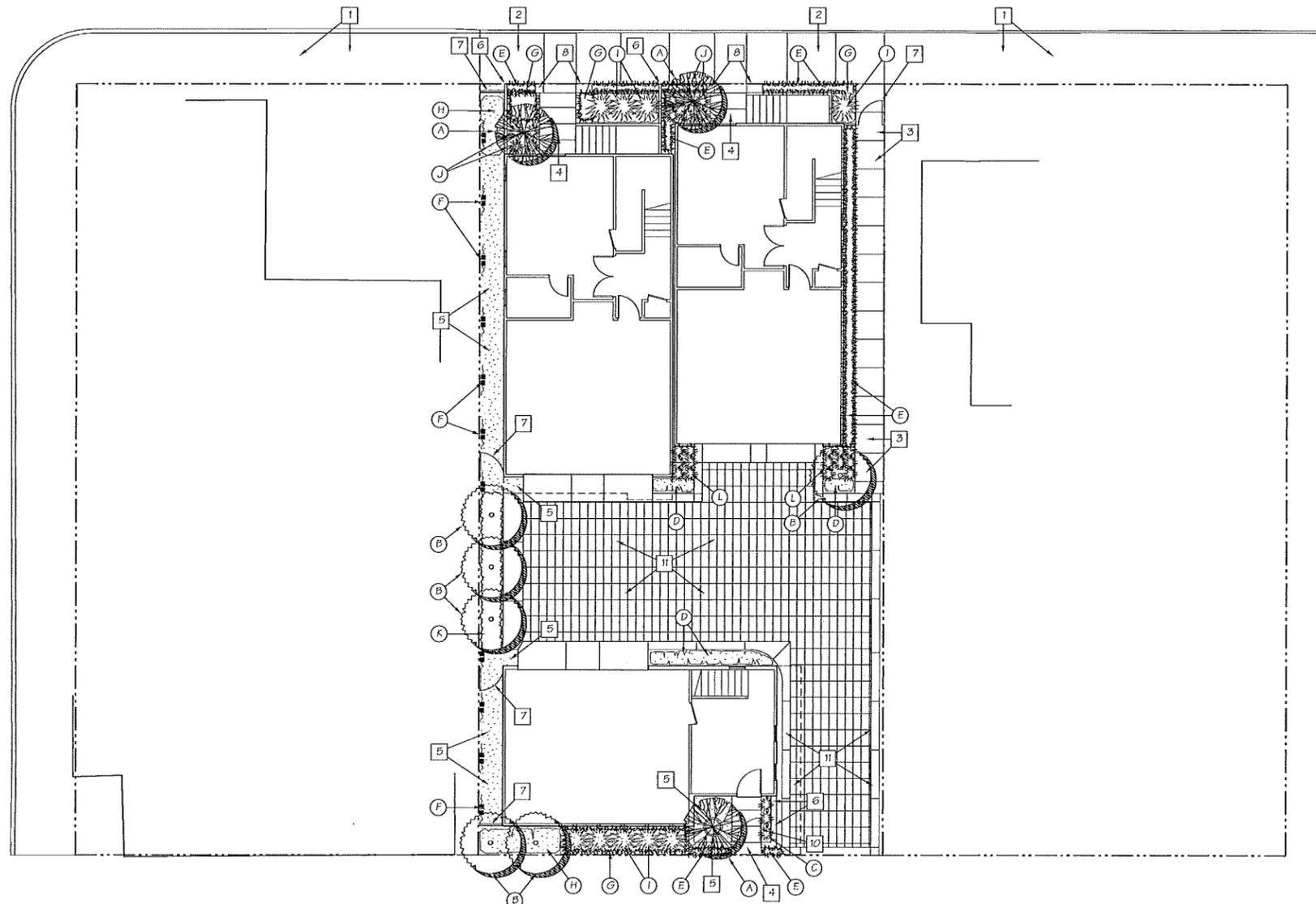
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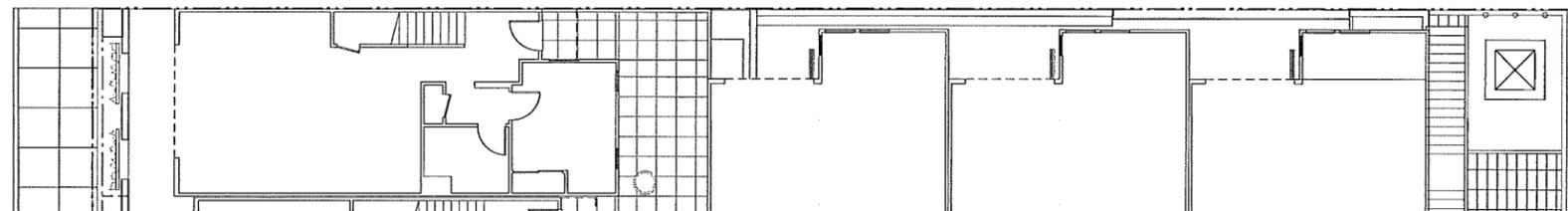


SEACOST DRIVE

ELM AVENUE



ALLEY



HARDSCAPE LEGEND

- 1 EXISTING CITY CONCRETE WALK TO REMAIN
- 2 CONCRETE WALK - COLOR & FINISH TO MATCH EXISTING
- 3 CONCRETE WALK - NATURAL GREY, ACID WASH FINISH
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- 5 DECOMPOSED GRANITE PAVING
- 6 PRIVATE PATIO WALL
- 7 PERIMETER GATE & FENCE
- 8 LOW PRIVATE PATIO FENCE & CURB
- 9 3' ROUND FIBERGLASS POT
- 10 PRIVATE PATIO GATE
- 11 PERMEABLE PAVERS WITH COLORED CONCRETE EDGE BAND

PLANT LEGEND

BOTANICAL NAME COMMON NAME SIZE SPACING

PROPOSED PLANTING

<u>TREES</u>			
A	LEPTOSPERMUM S. 'BURGUNDY QUEEN'	NEW ZEALAND TEA TREE	15 GAL. AS SHOWN
B	PODOCARPUS MACROPHYLLUS	YEW PINE	15 GAL. AS SHOWN
<u>SHRUBS & GROUND COVERS</u>			
C	ALOE AFRICANA	SPINY ALOE	5 GAL. 2' O.C.
D	AGAPANTHUS 'STORM CLOUD'	DARK BLUE AGAPANTHUS	5 GAL. 2' O.C.
E	CHONDROPETALUM TECTORUM	CAPE RUSH	5 GAL. 2' O.C.
F	LONICERA HILDEBRANDIANA	GIANT BURMESE HONEYSUCKLE	5 GAL. AS SHOWN
G	MYOPORUM PARVIFOLIUM 'PINK'	AUSTRALIAN PINK RACER	5 GAL. 2' O.C.
H	MUHLENBERGIA C. 'REGAL MIST'	PINK MUHLY	1 GAL. 3' O.C.
I	PHORMIUM 'MONROVIA RED'	NEW ZEALAND FLAX	15 GAL. 3' O.C.
J	PHORMIUM 'BLONDIE'	NEW ZEALAND FLAX	5 GAL. 2'-6" O.C.
K	WESTRINGIA FRUTICOSA 'SMOKEY'	COAST ROSEMARY	5 GAL. 3' O.C.
L	WESTRINGIA 'WYNYABBIE HIGHLIGHT'	VARIEGATED AUSTR. ROSEMARY	5 GAL. 2' O.C.

IRRIGATION NOTES

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- INDIVIDUAL HEADS AND ZONES WILL BE ADJUSTED TO MINIMIZE OVERSPRAY ONTO BUILDINGS, WALLS, WALKS AND PAVEMENTS. THE SYSTEM WILL ALSO BE PROGRAMMED TO BE RESPONSIVE TO SEASONAL PLANT NEEDS.

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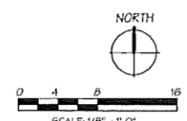
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LANDSCAPE CONCEPT PLAN

CITYMARK EVERGREEN/ELM
IMPERIAL BEACH, CALIFORNIA

DATE 2.11.15
SCALE 1/8" = 1'-0"
DRAWN HGB
JOB NO. 14-026
SHEET 11 OF 16



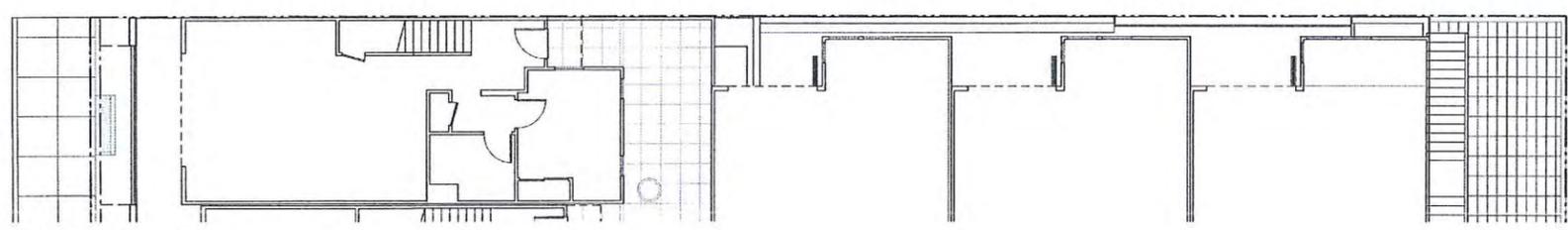
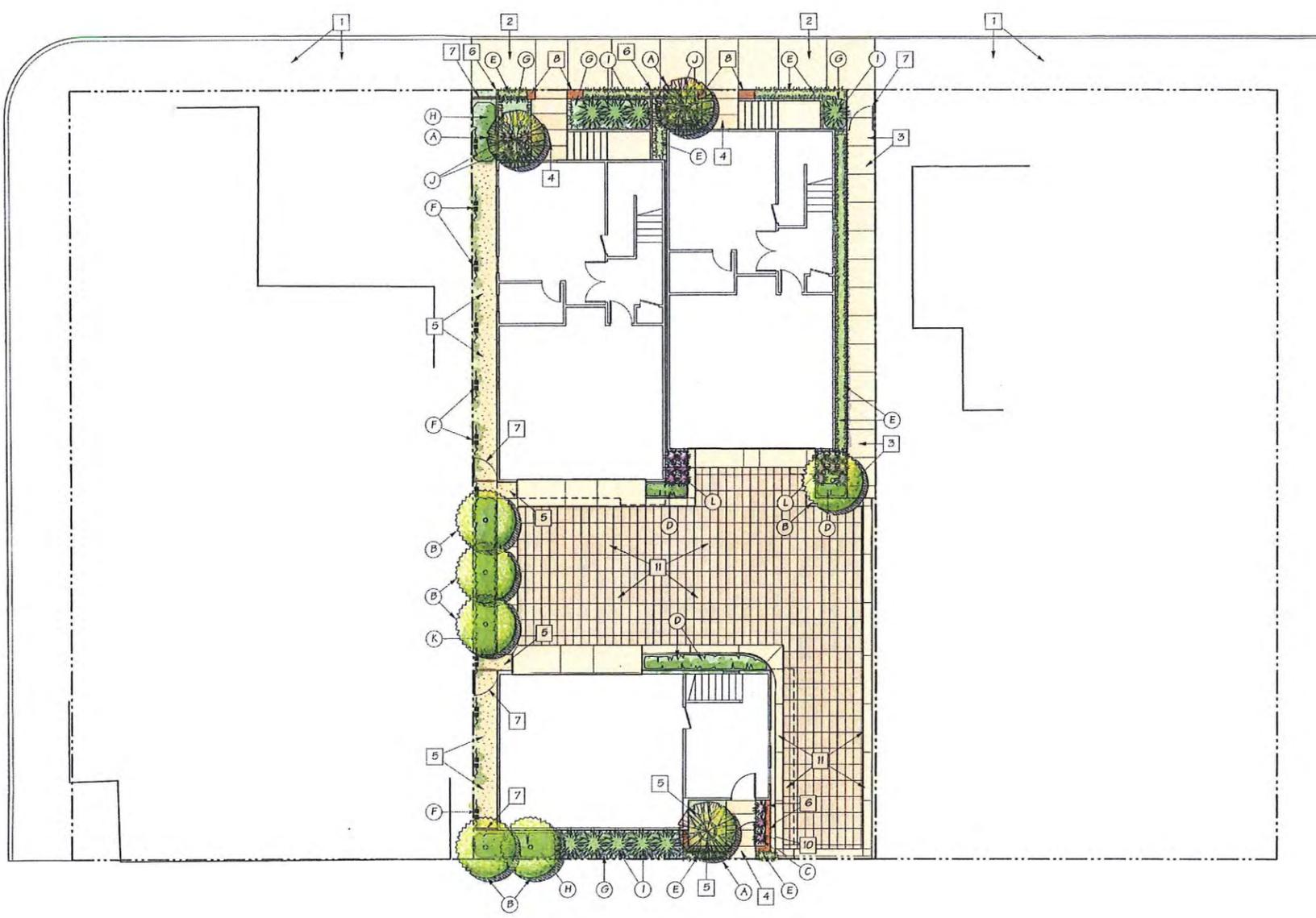
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SEACOAST DRIVE

ELM AVENUE

ALLEY



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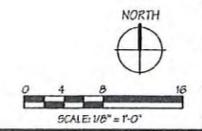
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DRAFT

MINUTES

**CITY OF IMPERIAL BEACH
DESIGN REVIEW BOARD COMMITTEE**

**SPECIAL MEETING OF THE DESIGN REVIEW BOARD OF
THE CITY OF IMPERIAL BEACH**

**City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, CA 91932**

THURSDAY, FEBRUARY 05, 2015

4:00 P.M.

In accordance with City policy, all Design Review Board meetings are recorded in their entirety and recordings are available for review. These minutes are a brief summary of action taken.

1.0 CALL TO ORDER

CHAIRPERSON NAKAWATASE called the Special meeting to order at 4:02 P.M.

ROLL CALL

BOARDMEMEBERS PRESENT: Bowman, Lopez, Schaaf, Nakawatase

BOARDMEMBERS ABSENT: None.

STAFF PRESENT: Senior Planner Foltz, Recording Secretary Lopez

2.0 PUBLIC COMMENTS

None.

3.0 CONSENT CALENDAR

**3.1 MOTION BY NAKAWATASE, SECOND BY LOPEZ, TO APPROVE THE
MINUTES FOR THE AUGUST 2, 2014 DRB MEETING.
MOTION CARRIED UNANIMOUSLY.**

**MOTION SCHAAF, SECOND BY BOWMAN, TO ELECT NAKAWATASE AS
CHAIRPERSON.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BOWMAN, SECOND BY LOPEZ, TO ELECT SCHAAF AS VICE
CHAIRPERSON.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that at 4:04 P.M. Chairperson Nakawatase chose to remove herself from the council chambers for the duration of the meeting. She stated that she does not have a conflict of interest. However, because her office building is adjacent to the proposed project, she does not want a perception of having a conflict of interest.

4.0 BUSINESS FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

4.1 CITYMARK COMMUNITIES (APPLICANT); REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051) DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING APARTMENT UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF1169

SENIOR PLANNER FOLTZ gave a PowerPoint presentation on the item. The project would be to demolish an existing apartment building and construction on a vacant lot with the construction of a new mixed use project at 110 Evergreen Avenue. He reviewed the site plan and the zoning. He also reviewed parking spaces for the units, the residential units themselves and the landscape for the proposed project. He stated that the project is proposing a relocation of the bus stop and they are in communication with MTS. He recommended consideration of the public comments and design of the project and recommended approval of the project to the City Council with the recommendations of the Design Review Board.

BOARD MEMBER LOPEZ asked if there are any concerns that are not being met that they should be explained as far as the proposed and provided items.

SENIOR PLANNER FOLTZ stated that the project is meeting the setback and requirements. The only notable concern would be the height limit.

BOARD MEMBER BOWMAN questioned if there would be three commercial spaces.

SENIOR PLANNER FOLTZ stated that is still to be determined. It could be one or it could be split into smaller commercial tenants.

VICE CHAIRPERSON SCHAAF asked if the trees on Seacoast Drive are new and if those trees are included in their percentage for landscaping. He was opposed to the design of the trees but wasn't sure if the city was changing their plans for Seacoast Drive.

SENIOR PLANNER FOLTZ responded the trees are being proposed by the applicant if they fit with public works and MTS. The trees are not calculated into their onsite landscaping. The trees are part of the design and still need to be reviewed.

In response to Board Member Lopez regarding the frontage on Seacoast Drive, SENIOR PLANNER FOLTZ stated there is a limited amount of right of way to fit ADA dimensions for wheel chair access and the bus stop. The bus stop is currently on their property and it is difficult to fit all these aspects onto their property as it is today.

VICE CHAIRPERSON SCHAAF supported the proposed colors for the project.

BOARD MEMBER BOWMAN said as a standalone she really likes it, but with the surrounding structures it seems like a drastic change in architecture. She would like to see a rendering that shows more of the surrounding area with the proposed project.

BOARD MEMBER LOPEZ likes the widening of the sidewalk on the corner of Seacoast Drive and Evergreen Avenue.

Vice Chairperson Schaaf opened up comments for the public at 4:18 P.M.

ED SPRIGGS spoke as a member of the Imperial Beach public and as a Cochairman of "The Seacoasters". The Seacoasters are a voluntary association of business owners on Seacoast and other citizens that are concerned about how Seacoast develops. The design is very attractive and he is delighted that it is being proposed at that location. He asked the board to consider that this is a prime location in South Bay being across from Pier Plaza. This is a landmark project and it sets an architectural standard for the "new Imperial beach/new Seacoast Drive". He is concerned with the open space across the street and the vertical design of the structure with the brick which is very unappealing. Also, the blank wall is completely inconsistent with the concept of having a pedestrian friendly design. He commented the tandem parking is very viable for the residents. He requested a non-twilight rendering to see what the transparency of the windows would look like in the daytime.

RUSS HAYLEY with CityMark Communities spoke that they noticed that the sidewalk area is narrow, so they wanted to set the retail back to give more openness to that corner. The solid wall to the north is mostly structural and there to shield the cars that will be parked behind it. They are also challenged with the 30' height limit so they tried to do a lot of horizontal movement as well as vertical. They tried to make sure the project was contemporary as well as beachy. They use a color consultant in all their projects as well that canvas' the entire neighborhood and takes photos of all the projects to see how they can be compatible as well as contrasting.

VICE CHAIRPERSON SCHAAF asked about the exterior lighting at night.

RUSS HAYLEY with regard to trees on Seacoast Drive, they assumed planting of trees would be acceptable. However, if it is not desired the trees do not have to be in the landscape design. As far as lighting they would like building lighting and wall washer lighting at the street level and more ambient lighting outside.

SENIOR PLANNER FOLTZ said the lighting was mentioned but they do not have a plan for it yet. The Design Review Board could make it a condition of approval.

RUSS HAYLEY stated the residential lobby would also be downstairs. It will be lit and have a contemporary feel for the residents before they go upstairs.

VICE CHAIRPERSON SCHAAF asked where the bus bench is in relation to the building.

RUSS HAYLEY stated that the bus bench is currently directly in the front of their property but they would like to have it moved closer to the alley so that it's more conducive to the restaurant space.

VICE CHAIRPERSON SCHAAF liked the variance in the block and the step back.

BOARD MEMBER BOWMAN wants to know what the roll up glass doors look like when they are down.

RUSS HAYLEY responded the doors would have a grid pattern.

SCHAAF CLOSED MEETING TO THE PUBLIC AT 4:33 P.M. so that the DRB could discuss the project.

There were no public comments.

BOARD MEMBER LOPEZ supported the widening of the sidewalks. The trees are not a big concern, as they are traffic calming, give good ambiance and they would complement the park across the street. The verticalness and flat roof would help the developer make the project work economically, giving each one of the units privacy with a few feet of step back on the patios. He also likes the colors and it sets a precedent for future projects along Seacoast. If there is a way to eliminate the parking spots on the north side up to the edge of the bench it would give less of a hard look and a nicer commercial look. As far as the benches, he proposed that the bus stops be alleviated and only have them at Seacoast and Imperial Beach and Seacoast and Palm Avenue and have people walk to each bus stop.

BOARD MEMBER BOWMAN stated that she disagreed with Lopez's idea of moving the bus stops. She was in support for discouraging use of vehicles and increasing use of public transportation. Also, do away with a few of their parking spaces since they go over their minimum parking space limit in order to accommodate the commercial and residential requirements. She asked if they a mosaic or mural could be placed on the brick wall so that it wouldn't look plain.

VICE CHAIRPERSON SCHAAF supports the idea of a mosaic or mural as well. He likes the idea more of a mosaic than art. He is, however, concerned with the exterior lighting of the building and signage. He stated the trees look beautiful but isn't sure if they will fit in with the narrowness of Seacoast Drive. He agreed with Bowman on the bus stops.

BOARD MEMBER LOPEZ wanted to add the idea of possibly moving the bus stop to the west side instead of dropping off on both sides.

BOARD MEMBER BOWMAN mentioned the possibility of rerouting the bus routes so that the one at Imperial Beach Blvd went the other way instead of going down Seacoast so that both routes could meet on the other side.

SCHAAF OPENED MEETING BACK UP AT 4:44 P.M.

VICE CHAIRPERSON SCHAAF questioned what is envisioned for the lighting since it is a focal point on Seacoast.

SENIOR PLANNER FOLTZ stated the only vision of lighting right now is what is shown on the rendering.

VICE CHAIRPERSON SCHAAF would like the committee to receive a copy of the lighting and if there is a concern then they could bring it back at another meeting.

SENIOR PLANNER FOLTZ stated that the Board could make it a condition of approval to review the lighting plan and the signage for the project before proceeding with building permits.

VICE CHAIRPERSON SCHAAF questioned where they are planning on putting signage

BOARD MEMBER LOPEZ commented with the clear space of 80" they could probably put signage under the set back of the awnings with some down lighting.

VICE CHAIRPERSON SCHAAF stated that the Board likes the colors and the design. When the signs return to the Board for consideration they would like to make sure they look professional. He also asked what can be done with the bus stops.

SENIOR PLANNER FOLTZ stated that right now they are working with MTS on this. They will be meeting with MTS to discuss where they may be able to move the bus stops. However, ultimately it is a discussion for City Council where the bus stops will be.

VICE CHAIRPERSON SCHAAF said he would rather have the wall where it is than a parking lot.

SENIOR PLANNER FOLTZ said there are other architectural features that could be presented so that it is not just a plain block wall.

BOARD MEMBER LOPEZ spoke in support of the project and did not want to lose the applicant.

VICE CHAIRPERSON SCHAAF spoke in support of the project but would like to note the Boards concerns.

RUSS HAYLEY (applicant) stated as far as the lighting is concerned they are willing to work with whatever the Board would like. He requested that the signage be deferred indefinitely because it depends on who would decide to occupy that space. He also stated that the wall could be made more transparent but it is structurally necessary. He also thought they were complying with the code having three parking spots and was not aware of the possibility of two parking spots. He stated that if two parking spots are allowed as a minimum, they might like to put in more landscaping instead of a third parking spot.

VICE CHAIRPERSON SCHAAF noted that the signage will come back. He stated the Board is okay with the exterior lighting if it goes with the design. They do not want the process to be put off contingent on another meeting.

BOARD MEMBER LOPEZ would like the Board to see the lighting prior to construction but the overall concept of what they provided is okay with the Board. He recommended

approval of the project as presented but requested the applicant look at providing more commercial frontage.

RUSS HAYLEY said they could lose only one parking spot. The biggest concern is the ADA parking that cannot go into the alley. There isn't enough space for more retail, but they can look into more art on Seacoast.

MOTION BY LOPEZ, SECOND BY BOWMAN, TO ACCEPT THE PLANS PRESENTED BY CITYMARK COMMUNITIES (APPLICANT); REGULAR COASTAL PERMIT (CP 140050), CONDITIONAL USE PERMIT (CUP 140051) DESIGN REVIEW CASE (DRC 140052), SITE PLAN REVIEW (SPR 140053), AND TENTATIVE MAP (TM 140054) FOR THE DEMOLITION OF NINE EXISTING APARTMENT UNITS AND CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH 11 RESIDENTIAL CONDOMINIUM UNITS ABOVE COMMERCIAL UNIT(S) AT 110 EVERGREEN AVENUE (APNs 625-351-25-00 & 625-351-26-00). MF1169. WITH RECCOMENDATION TO FIND A WAY TO ENHANCE THE "BUS WALL" TO MAKE IT MORE VISUALLY APPEALING.

MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: SCHAAF, BOWMAN, LOPEZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: NAKAWATASE
ABSTAIN: BOARD MEMBERS: NONE**

4.2 REPORT: CITYMARK COMMUNITIES (APPLICANT); ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

SENIOR PLANNER FOLTZ gave a power point presentation on the item. The proposed project is for three residential condominium units, each with a two car garage.

All members of the board stated they like the project as presented.

MOTION BY SCHAAF, SECOND BY LOPEZ, TO ACCEPT THE PLANS PRESENTED BY CITYMARK COMMUNITIES (APPLICANT); ADMINISTRATIVE COASTAL PERMIT (ACP 140055), CONDITIONAL USE PERMIT (CUP 140056), DESIGN REVIEW CASE (DRC 140057), SITE PLAN REVIEW (SPR 140058), AND TENTATIVE PARCEL MAP (TM 140059) FOR THE DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF THREE NEW RESIDENTIAL CONDOMINIUM UNITS AT 119 ELM AVENUE (APN 625-351-02-00). MF 1170.

MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: SCHAAF, BOWMAN, LOPEZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: NAKAWATASE
ABSTAIN: BOARD MEMBERS: NONE**

BOARD MEMBER BOWMAN stated for the record that the 193 Units presented by Bernardo Shores have not been discussed enough with the community. She also stated that it will increase traffic on Palm Avenue.

5.0 ADJOURNMENT

VICE CHAIRPERSON SCHAAF adjourned the meeting at 5:15 P.M.

Approved:

Tom Schaaf, DRB Vice Chairperson

Attest:

Larissa Lopez, Recording Secretary

DRAFT



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: PUBLIC WORKS *HOF*
SUBJECT: PROPOSED BSA EAGLE PROJECT PRESENTATION

EXECUTIVE SUMMARY:

Eagle Scout candidate, Daniel Gaytan, Boy Scout Troop 871, is seeking City Council approval to do a community service project in the City. The proposed project would aesthetically xeriscape one of the small parking lot islands on 4th Street adjacent to the Sports Park picnic and tot-lot area. The project would reduce the park maintenance and water costs. The completed project would meet one of his requirements for Eagle Rank.

BACKGROUND:

The Sports Park 4th Street Parking Lot adjacent to the Sports Park picnic and tot-lot area has small grass covered islands adjacent to the parking stalls. The grass islands require frequent maintenance and they require irrigation water that could be better used elsewhere. Little League President and City staff have designed a water saving, lower maintenance plan for these islands by removing the grass and irrigation and replacing these with "Desert Gold decomposed granite and a couple large boulders. We believe this would lower the maintenance and water usage while presenting a nice aesthetic appearance. It has been City staff's intent to install these improvements when resources became available.

Boy Scouts of America has an award program by which boys who complete certain advancement requirements, perform a significant community service project and meet identified character standards are awarded the rank of Eagle. It is the opinion of the City staff that the project identified above – installation of decomposed granite and large boulders in the Sports Park parking lot islands - qualifies as a "significant community service project."

ANALYSIS:

BSA Troop 871, Eagle Scout Candidate Daniel Gaytan, has indicated an interest in constructing the improvements to one of the Sports Park 4th Street parking lot islands. Staff is willing to work with Mr. Gaytan in designing and constructing the project. Mr. Gayton would design the improvements, plan, organize and supervise the construction of the project, should City Council approve his project

ENVIRONMENTAL DETERMINATION:

This project was evaluated for CEQA requirements and is determined to be Categorically

Exempt per section 15301 - Existing Facilities – Class 1.c.

FISCAL IMPACT:

The cost of the project would come from the Park Maintenance Division Operating and Maintenance (O&M) budget. The total project costs are estimated at approximately \$600.

RECOMMENDATION:

1. Receive this report.
2. Receive a presentation from Mr. Gaytan regarding the proposed improvements.
3. Comment and direct staff and Mr. Gaytan regarding the design of the proposed project
4. Authorize the City Manager to sign the Eagle Project plan for Mr. Gaytan to continue the project development and construction as approved by City Council and City staff.

Attachments:



AGENDA ITEM NO. 5.2

**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: PUBLIC WORKS *AH*
SUBJECT: RESOLUTION NO. 2015-7550 TO CONFIRM THE REGIONAL
TRANSPORTATION CONGESTION IMPROVEMENT
PROGRAM (RTCIP) PROJECT PLAN ADOPTED IN MARCH
2008

EXECUTIVE SUMMARY:

Resolution No. 2015-7550 confirms that the Regional Transportation Congestion Improvement Program (RTCIP) project plan approved in March 2008 remains in effect. Upon adoption of Resolution No. 2015-7550 staff will sign and forward a letter to ITOC confirming the "project plan." The RTCIP project approved in March 2008 stated "Design and construct vehicle, bicycle and public transit circulation and pedestrian access improvements along and across State Route 75 between 7th Street and 9th Street and 9th Street intersection."

BACKGROUND:

Resolution No. 2008-6601 adopted March 19, 2008 implemented the TRANSNET Extension ordinance and expenditure plan, Regional Transportation Congestion Improvement Program (RTCIP) project plan for State Route 75. Annually by April 1st, the City is required to forward a letter to the TransNet Independent Taxpayer Oversight Committee (ITOC) confirming that the City's program approved and submitted to the ITOC is still in effect and has not materially changed since adoption by City Council in 2008. The RTCIP project approved in March 2008 stated "Design and construct vehicle, bicycle and public transit circulation and pedestrian access improvements along and across State Route 75 between 7th Street and 9th Street and 9th Street intersection."

ANALYSIS:

The RTCIP project plan is to be funded in part, or all, through a Transportation Uniform Mitigation Fee program for the purpose of defraying actual or estimated costs of constructing planned regional transportation facilities. Imperial Beach Ordinance No. 1067 established a requirement and procedure for the imposition of development impact fees to share in the costs of the design and construction of local and regional transportation facilities. The development impact fee is levied on each new residential unit constructed within the City after July 1, 2008.

It is staff's belief that the project plan approved in March 2008 remains the best use of funds collected from the development impact fee. The Transportation Uniform Mitigation Fee collected as of February 12, 2015 is \$85,613.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is no direct cost incurred by confirming the RTCIP project plan. However there is a cost to the City for the failure to confirm the project plan in that the funds collected would be transferred to SANDAG to fund State Highway projects in other parts of San Diego County.

RECOMMENDATION:

1. Receive this report.
2. Adopt resolution no. 2015-7550 authorizing City staff to sign and forward a letter to ITOC confirming the RTCIP project plan approved in March 2008.

Attachments:

1. Resolution No. 2015-7550
2. Project Plan

RESOLUTION NO. 2015-7550**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, CONFIRMING THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN ADOPTED IN MARCH 2008**

WHEREAS, Resolution No. 2008-6601 adopted March 19, 2008 implemented the TRANSNET Extension ordinance and expenditure plan , Regional Transportation Congestion Improvement Program (RTCIP) project plan for State Route 75; and

WHEREAS, annually by April 1st, the City is required to forward a letter to the TransNet Independent Taxpayer Oversight Committee (ITOC) confirming that the City's program approved and submitted to the ITOC is still in effect and has not materially changed since adoption by City Council in 2008; and

WHEREAS, the RTCIP project approved in March 2008 stated "Design and construct vehicle, bicycle and public transit circulation and pedestrian access improvements along and across State Route 75 between 7th Street and 9th Street and 9th Street intersection"; and

WHEREAS, the RTCIP project plan is to be funded in part, or all, through a Transportation Uniform Mitigation Fee program for the purpose of defraying actual or estimated costs of constructing planned regional transportation facilities; and

WHEREAS, Imperial Beach Ordinance No. 1067 established a requirement and procedure for the imposition of development impact fees to share in the costs of the design and construction of local and regional transportation facilities; and

WHEREAS, the development impact fee is levied on each new residential unit constructed within the City after July 1, 2008; and

WHEREAS, staff believes that the project plan approved in March 2008 remains the best use of funds collected from the development impact fee; and

WHEREAS, there is no direct cost incurred by confirming the RTCIP project plan.

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 confirms the RTCIP project plan adopted in Resolution No. 2008-6601.
3. The Public Works Director is authorized to sign and forward the RTCIP project plan confirmation letter to ITOC.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

CITY OF IMPERIAL BEACH

REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP)
PROJECT PLAN

PROJECT DESCRIPTION – Design and construct vehicle, bicycle and public transit circulation and pedestrian access improvements along and across State Route 75 between 7th Street and 9th Street, including 7th Street and 9th Street intersections.

PROJECT FUNDING –

- Development Impact Fee - \$2,000 assessment for each newly constructed residential housing unit in the City of Imperial Beach. New residential housing units constructed for extremely low, very-low, low, and moderate income households, as defined in California Health and Safety Code Sections 50105, 50106, 50079.5 and 50093 will be exempt from the \$2,000 per unit assessment. Estimated annual revenue from the Development Impact Fee is \$20,000 - (based on an average of 10 new units per year).
- State or Federal matching funds – dependent upon SANDAG allocation
- Imperial Beach Redevelopment Agency funds – dependent upon Redevelopment Agency priorities

PROJECT ESTIMATED COST - \$1,000,000 (in 2008 dollars)

ESTIMATED CONSTRUCTION START DATE – 2018 to 2023; could start sooner if other funds such as redevelopment funding is allocated earlier and the impact fee is used to reimburse the funding source.



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: MARCH 4, 2015

ORIGINATING DEPT.: CITY MANAGER/COMMUNITY DEVELOPMENT *SW*

SUBJECT: CONSIDERATION OF RESOLUTIONS AUTHORIZING THE FILING OF THREE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) GRANT APPLICATIONS:

1. RESOLUTION NO. 2015-7553 AUTHORIZING THE FILING OF A SMART GROWTH INCENTIVE PROGRAM (SGIP) PLANNING GRANT APPLICATION FOR THE PREPARATION OF CONSTRUCTION DRAWINGS FOR THE WEST END SECTOR OF THE PALM AVENUE MIXED-USE & COMMERCIAL CORRIDOR MASTER PLAN;
2. RESOLUTION NO. 2015-7554 AUTHORIZING THE FILING OF AN ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) CAPITAL GRANT APPLICATION FOR THE BERNARDO SHORES BAYSHORE BIKEWAY TO RAINBOW DRIVE BIKEWAY LINK; AND
3. RESOLUTION NO. 2015-7555 AUTHORIZING THE FILING OF AN ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) APPLICATION FOR THE FERN AVENUE PEDESTRIAN AND MOBILITY IMPROVEMENT PROJECT

EXECUTIVE SUMMARY:

Staff is recommending City Council approval of three resolutions that would authorize the filing of one Smart Growth Incentive Program (SGIP) application and two Active Transportation Grant Program (ATGP) applications with the San Diego Association of Governments (SANDAG) for the following three projects:

1. The Palm Avenue Mixed Use and Commercial Corridor Master Plan West End Sector Construction Drawings (SGIP Grant) - \$400,000 Planning Grant
2. The Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link (ATGP Grant) - \$700,000 Capital Grant
3. The Fern Avenue Pedestrian and Mobility Improvement Project (ATGP Grant) - \$400,000 Capital Grant

Staff is further recommending that the City Council authorize the contribution of matching funds for these three applications totaling up to \$300,000, to come from City Transnet and/or Strategic Capital Reserves and up to \$20,000 if in-kind City services (staff time).

That the City Council adopts the following resolutions:

1. Resolution No. 2015-7553 authorizing the filing of a Smart Growth Incentive Program (SGIP) Planning Grant Application for the preparation of Construction Drawings for the West End Sector of the Palm Avenue Mixed-Use & Commercial Corridor Master Plan;
2. Resolution No. 2015-7554 authorizing the filing of an Active Transportation Grant Program (ATGP) Capital Grant Application for the Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link; and
3. Resolution No. 2015-7555 authorizing the filing of an Active Transportation Grant Program (ATGP) Application for the Fern Avenue Pedestrian and Mobility Improvement Project.

RATIONALE:

The adoption of these resolutions will allow staff to seek significant and much-needed grant funding with which to design and implement important infrastructure improvements within the City. The projects for which grant funding would be requested would improve pedestrian, bicycle and roadway safety, would promote coastal access and recreation, and would provide significant community benefits. The approval of matching funds for these grant applications would help to leverage limited city funds with grant funding well in excess of the amount of matching funds provided.

OPTIONS:

The City Council has several alternative options it could consider prior to and in taking action on these resolutions. These options include:

1. Elect not to authorize the filing of one or more of the recommended grant applications by disapproval of its corresponding resolution;
2. Modify the amount of matching funds recommended for any of the grant applications;
3. Change the recommended funding source of the matching funds for any of the grant applications; and/or
4. Modify the amount of grant funding requested for any of the recommended grant applications.

BACKGROUND:

On December 19, 2014, the SANDAG Board of Directors released a Call for Projects for the third cycle of the *TransNet* Smart Growth Incentive Program and the Active Transportation Grant Program. According to this Call for Projects, there will be \$12 million made available for the SGIP and \$3 million for the ATGP. Applications for both grant programs are due on March 20, 2015, by 4 p.m.

Smart Growth Incentive Program (SGIP) Grants and Active Transportation Grant Program (ATGP) funding will be awarded on a competitive basis. Only cities and the County of San Diego are

eligible recipients of the grant funds. Nonprofit and community-based organizations may collaborate with cities or the County, but cannot apply directly for the funds.

Of the approximately \$12 million in SGIP funds that are available to award this cycle, the funds will be allocated to Capital and Planning Projects as follows:

- **Capital Projects** – 80 percent of total funding available (approximately \$9.6 million)
- **Planning Projects** – 20 percent of total funding available (approximately \$2.4 million), plus any rollover from the Capital Grant allocation.

For SGIP Capital Project applications, individual grant requests cannot exceed \$2 million and there is no minimum grant request. Applicants requesting more than \$1 million are required to submit a phasing plan that prioritizes project elements. For SGIP Planning Grant applications, individual grant requests cannot exceed \$400,000.

The objectives of the SGIP are to fund and facilitate projects that:

- Implement a comprehensive approach to influence land development by improving the public realm and encouraging private smart growth projects that, in combination, create great places.
- Serve as model examples for smart growth in a variety of settings throughout the region.
- Contribute to the reduction in greenhouse gas emissions and vehicle miles travelled, and improve public health by encouraging travel by means other than single-occupant vehicle. In particular, proposed projects should support public transit usage by improving access to transit and be located in areas served by transit.
- Support future housing development.
- Fund proposed Capital Projects that are “ready to go” and serve as catalysts for further smart growth development.

Of the approximately \$3 million in ATGP funds available to award in this cycle, the funds will be allocated to Capital and Non-Capital Projects as follows:

- **Capital** – 75 percent of total funding available (approximately \$2.25 million). A maximum of \$1.35 million is available to fund projects over \$500,000.
- **Non-Capital** – 25 percent of total funding available (approximately \$750,000), plus any rollover from the **Capital** grant allocation.

For ATGP Capital Project applications, individual grant requests cannot exceed \$1.35 million and there is no minimum grant request. As with the SGIP, applicants requesting more than \$1 million are also required to submit a phasing plan that prioritizes project elements. For Non-Capital ATGP applications, the maximum amount varies by category, however, City staff is not recommending applying for any Non-Capital ATGP grant funds.

The objectives of the ATGP are to fund and facilitate projects that:

- Encourage the development of a cohesive network of complete streets that is well-connected to transit and everyday destinations such as schools, jobs, shopping, and recreation.
- Create safe environments for bicyclists and pedestrians through traffic calming, complete streets design principles, and smart growth place-making, and promote active transportation as a means of improving health outcomes.

- Serve as models for the region by featuring new and innovative active transportation solutions.
- Provide equitable access and transportation opportunities for all users, regardless of age, ability, race, ethnicity, or income.
- Increase community support for bicycling and walking as a viable transportation choice for all trip purposes.
- Support reductions in greenhouse gas emissions and increase levels of bicycling and walking in the region by providing supportive facilities, amenities, and programs for bicyclists and pedestrians.

Project applications for both the SGIP and ATGP will be ranked based on the point structure included in the Scoring Criteria Matrix for each grant program. The SANDAG Transportation Committee will make recommendations to the SANDAG Board of Directors (Board) on project awards for both the ATGP and SGIP grant applications based on the project rankings and available funding. The SANDAG Regional Planning Committee will also make a recommendation to the SANDAG Board of Directors on project awards for the SGIP grant applications. The SANDAG Board will approve the final list of projects that are awarded funding. It is anticipated that the SANDAG Board will approve the funding recommendations for both grant programs in August 2015. Grant applications must include a signed copy of a resolution by the City Council authorizing submission of the application, committing to provide matching funds, detailing the source(s) of matching funds, and authorizing staff to accept grant funds and execute the Grant Agreement, if awarded.

ANALYSIS:

City staff is engaged in three projects for which it is recommending that the City Council authorize the filing of applications for SGIP and ATGP funding. These projects and the proposed amount of requested funding are as follows:

<u>Project:</u>	<u>Grant Program:</u>	<u>Funding Amount Request:</u>
Palm Avenue Mixed Use & Commercial Corridor Master Plan West End Sector Construction Drawings	SGIP Planning Grant	\$400,000
Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link	ATGP Capital Grant	\$700,000
Fern Avenue Pedestrian & Mobility Improvement Project	ATGP Capital Grant	\$400,000

Although it is not a requirement of either grant program to provide a local funding “match” for each application, project applications will receive up to ten (10) points based upon the level of matching funds provided for the projects. As these grant programs are highly competitive, staff is also recommending that a match be provided for each grant application in order to maximize the potential for a grant award. These matching funds can either be an identified matching amount (i.e., cash contribution), an identified amount of “in-kind” services such as City staff time dedicated to the project or a combination of both. The matching amounts for each project are noted below:

<u>Project:</u>	<u>Grant Match Amount:</u>	<u>Matching Fund Source:</u>	<u>City Staff In-Kind Services Amount:</u>
Palm Avenue Mixed Use & Commercial Corridor Master Plan West End Sector Construction Drawings	\$100,000	Transnet or Strategic Capital Reserve	N/A
Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link	\$200,000	Bernardo Shores Developer Contribution	\$20,000
Fern Avenue Pedestrian & Mobility Improvement Project	\$200,000	Transnet	\$0

Palm Avenue Mixed Use & Commercial Corridor Master Plan West End Sector Construction Drawings

In January 2014, the City entered a Grant Agreement with SANDAG for a \$400,000 SGIP Grant which was awarded to the City in the prior SGIP cycle. To date, staff and its consultant team have completed the 30% Design Drawings and have prepared the environmental review document and are preparing to circulate it for public review. It is anticipated that work under this Grant Agreement will be completed by July 2014 when the term of the current Grant Agreement expires.

At this point, staff is recommending that the City Council authorize the filing of a SGIP application to take the "West End Sector" of the Master Plan area to 100% Construction Drawings. The application would fund survey, geotechnical, civil engineering and landscape services to prepare drawings for construction. The West End Sector has been selected as the first phase of the Master Plan implementation due to the impending adjacent development of Bernardo Shores as well as the feasibility of construction/implementation under State Highway (Caltrans) designs standards. The amount of grant funding requested will be \$400,000 (the maximum planning grant allowed) and staff is recommending a local match of \$100,000 to be funded from either the Strategic Capital Reserve or City Transnet Funds.

Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link

On December 3, 2014, the City Council approved a tentative map, MND and associated permits for the Bernardo Shores project, a 193-unit residential condominium project. The project also proposes a Class I Bikeway link along the eastern boundary of Pond 10A located north of the Site. The project also proposes a 100-foot setback from Pond 10A within which wetlands creation will be provided as mitigation for the propose Bikeway along with open space storm water treatment areas and a portion of the Bikeway link.

The grant application recommended by staff will seek \$700,000 of ATGP funding for the final design, permitting and construction of the Bikeway link proposed as part of this project. The Developer has agreed to contribute \$200,000 as the local match and staff is recommending \$20,000 of "in-kind" services to be provided by City staff.

Fern Avenue Pedestrian and Mobility Improvement Project

In August 2010, the City of Imperial Beach was awarded a \$100,000 Environmental Justice Transportation Planning for the project "Imperial Beach: Let's Move Together." This grant funded a two-study to identify pedestrian and bicycle hazards, recommended pedestrian improvements, increase public safety, enable schools and parents in Imperial Beach to encourage more children to safely walk and bicycle to school, and to reach out to and empower low-income minority residents thereby improving access to transit, jobs, housing, and commercial areas, reducing traffic congestion and enhancing the environment. This two-year study culminated in a written report in February 2013 recommending many action items, both educational and structural, that the City and school districts might take to achieve the objectives of the grant.

One of the concerns identified in the Environmental Justice Grant study was poor walkability, impaired ADA access and traffic congestion in the 900 and 1000 blocks of Fern Avenue adjacent to VIP Village Preschool. On January 21, 2015, City Council authorized City staff to proceed with efforts to seek grant funding to assist in making public safety improvements adjacent to VIP Village Preschool in the 900 and 1000 blocks of Fern Avenue. This proposed project had strong support from South Bay Union School District, the Principal and teachers at VIP Village Preschool, parents of students at the school and neighborhood residents.

The proposed project scope of work and infrastructure improvements for this project includes the following:

1. Undergrounding the utilities on Fern Avenue between 9th Street and 11th Street (via a separate utility underground district project);
2. Replacing the rolled curb with standard "G" curb (right angle curb) where applicable;
3. Widening the sidewalk on the south side of Fern Avenue, particularly immediately adjacent to the school property;
4. Repaving Fern Avenue in the 900 and 1000 blocks; and
5. Providing a better student drop off and pick up environment for buses and private vehicles.

It should be noted that the grant application would not include the utility underground portion of this larger project. The utility underground work would be funded through 20A funds.

ENVIRONMENTAL DETERMINATION:

Although the filling of grant applications does is not a project as defined by the California Environmental Quality Act (CEQA), each of these projects will require CEQA review and/or exemption as part of each grant application and implementation.

Palm Avenue Mixed Use and Commercial Corridor Master Plan West End Sector Construction Drawings

The required environmental review document is currently being prepared and is expected to be completed prior to the SANDAG Board approval of projects for grant funding in August 2015.

Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link

A Mitigated Negative Declaration (MND) was prepared pursuant to the provisions of CEQA for the Bernardo Shores project, inclusive of the proposed Bikeway Link, was routed for public review and was certified by the City Council on December 3, 2014. The MND (State Clearinghouse Number 2014091072) determined that, due to Mitigation Measures that will be implemented along with the project, the project will not have significant impacts on the environment.

The Fern Avenue Pedestrian and Mobility Improvement Project

This project is categorically exempt pursuant to CEQA Guidelines Section 15301(c) (Existing Facilities).

FISCAL IMPACT:

The development of the project scope of work and preparation of the ATPG application for the Fern Avenue Pedestrian and Mobility Improvement Project was funded through a \$15,000 budget appropriation approved by City Council Resolution No. 2015-7541 on January 21, 2015.

Staff assistance for the preparation of the SGIP application for the Palm Avenue Mixed Use and Commercial Corridor Master Plan West End Sector Construction Drawings and the ATGP application for the Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link would be provided through a \$5,500 contract with Project Design Consultants and would come from funds available in the Community Development Department budget.

If adopted by the City Council, the authorizing resolutions will provide for a total of up to \$300,000 in City matching funds. This would include up to \$200,000 for the Fern Avenue Project from available City Transnet funds and up to \$100,000 for the Palm Avenue Construction Drawings from either Transnet funds of the City's Strategic Capital Reserve. Additionally, up to \$20,000 of in-kind City services for the Bernardo Shores Bikeway Project would be provided.

RECOMMENDATION:

That the City Council receives City Council Briefing No. 4 on the Palm Avenue Mixed Use and Commercial Corridor Master Plan (Master Plan) and provide input and additional comments as necessary.

Attachments:

1. Resolution No. 2015-7553
2. Resolution No. 2015-7554
3. Resolution No. 2015-7555
4. Draft Grant Agreement – Smart Growth Incentive Grant Program or Active Transportation Grant Program

RESOLUTION NO. 2015-7553

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR A SMART GROWTH INCENTIVE PROGRAM GRANT FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE PALM AVENUE MIXED-USE & COMMERCIAL CORRIDOR MASTER PLAN WEST END SECTOR CONSTRUCTION DRAWINGS, AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

WHEREAS, \$12 million of *TransNet* funding for capital and planning Smart Growth Incentive Program projects is available to local jurisdictions and the County of San Diego from Fiscal Years 2014-2016; and

WHEREAS, the City of Imperial Beach wishes to receive \$400,000 in Smart Growth Incentive Program funds for the Palm Avenue Mixed Use & Commercial Corridor Master Plan West End Sector Construction Drawings (the "Project"); and

WHEREAS, the City of Imperial Beach understands that the Smart Growth Incentive Program funding is fixed at the programmed amount, and therefore Project cost increases that exceed the grant awarded will be the sole responsibility of the grantee; and

WHEREAS, the City of Imperial Beach agrees to complete the proposed Project within a timely matter and in compliance with SANDAG Board Policy No. 035.

NOW, THEREFORE, BE IT RESOLVED by City Council of the City of Imperial Beach that City of Imperial Beach staff is authorized to submit an application to SANDAG for the *TransNet* Smart Growth Incentive Program funding in the amount of \$400,000 for the Project; and

BE IT FURTHER RESOLVED that, if a grant award is made by SANDAG to fund the Palm Avenue Mixed Use & Commercial Corridor Master Plan West End Sector Construction Drawings, the City of Imperial Beach commits to providing \$100,000 in matching funds and authorizes City of Imperial Beach staff to accept the grant funds, execute the grant agreement with no exceptions in substantially the same form as provided by SANDAG, and complete the Project.

BE IT FURTHER RESOLVED that the City of Imperial Beach agrees to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to the City of Imperial Beach's *TransNet* funded projects.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following roll call vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

RESOLUTION NO. 2015-7554

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR AN ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE BERNARDO SHORES BAYSHORE BIKEWAY TO RAINBOW DRIVE BIKEWAY LINK, AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

WHEREAS, \$3 million of TransNet funding for capital and non-capital Active Transportation Grant Program projects is available to local jurisdictions and the County of San Diego from Fiscal Years 2014-2016; and

WHEREAS, the City of Imperial Beach wishes to receive \$700,000 in Active Transportation Grant Program funds for the Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link (the "Project"); and

WHEREAS, the City of Imperial Beach understands that the Active Transportation Grant Program funding is fixed at the programmed amount, and therefore Project cost increases that exceed the grant awarded will be the sole responsibility of the grantee; and

WHEREAS, the City of Imperial Beach agrees to complete the proposed Project within a timely matter and in compliance with SANDAG Board Policy No. 035.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach that City of Imperial Beach staff is authorized to submit an application to SANDAG for the TransNet Active Transportation Grant Program funding in the amount of \$700,000 for the Bernardo Shores Bayshore Bikeway to Rainbow Drive Bikeway Link Project; and

BE IT FURTHER RESOLVED that, if a grant award is made by SANDAG to fund the Project, the City of Imperial Beach commits to contributing \$200,000 of other funds towards the design and construction of the Project and up to \$20,000 of in-kind City services and authorizes City of Imperial Beach staff to accept the grant funds, execute the grant agreement with no exceptions in substantially the same form as provided by SANDAG, and complete the Project.

BE IT FURTHER RESOLVED that City of Imperial Beach agrees to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to City of Imperial Beach's TransNet funded projects.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following roll call vote:

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

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

RESOLUTION NO. 2015-7555

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR FERN AVENUE PEDESTRIAN AND MOBILITY IMPROVEMENT PROJECT, AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

WHEREAS, \$3 million of TransNet funding for capital and non-capital Active Transportation Grant Program projects is available to local jurisdictions and the County of San Diego from Fiscal Years 2014-2016; and

WHEREAS, the City of Imperial Beach wishes to receive \$400,000 in Active Transportation Grant Program funds for the Fern Avenue Pedestrian and Mobility Improvements (the "Project"); and

WHEREAS, the City of Imperial Beach understands that the Active Transportation Grant Program funding is fixed at the programmed amount, and therefore Project cost increases that exceed the grant awarded will be the sole responsibility of the grantee; and

WHEREAS, the City of Imperial Beach agrees to complete the proposed Project within a timely matter and in compliance with SANDAG Board Policy No. 035.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach is authorized to submit an application to SANDAG for the TransNet Active Transportation Grant Program funding in the amount of \$400,000 for the Fern Avenue Pedestrian and Mobility Improvements Project; and

BE IT FURTHER RESOLVED that, if a grant award is made by SANDAG to fund the Project, City of Imperial Beach commits to contributing \$200,000 of other funds towards the design and construction and authorizes City of Imperial Beach staff to accept the grant funds, execute the grant agreement with no exceptions in substantially the same form as provided by SANDAG, and complete the Project.

BE IT FURTHER RESOLVED that City of Imperial Beach agrees to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to City of Imperial Beach's TransNet funded projects.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 4th day of March 2015, by the following vote:

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

SERGE DEDINA, MAYOR

ATTEST:

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

GRANT AGREEMENT TEMPLATE – FOR INFORMATION ONLY

[SELECT APPLICABLE PROGRAM: *TransNet* SMART GROWTH INCENTIVE GRANT PROGRAM OR *TransNet* ACTIVE TRANSPORTATION GRANT PROGRAM]

THIRD FUNDING CYCLE

**GRANT AGREEMENT [AGREEMENT NUMBER] BETWEEN
THE SAN DIEGO ASSOCIATION OF GOVERNMENTS AND
[INSERT AGENCY/JURISDICTION NAME]
REGARDING [INSERT FULL PROJECT TITLE]**

THIS GRANT AGREEMENT [AGREEMENT NUMBER] (Agreement) is made this [Day] day of [Month], 2015, by and between the San Diego Association of Governments, 401 B Street, Suite 800, San Diego, California, hereinafter referred to as SANDAG, and the [Grant Recipient and Address], hereinafter referred to as Grantee. This agreement expires on [Month] [Day], [Year].

Note to Grant Recipient: This Agreement Template covers provisions for both the SGIP and ATGP. Prior to contract execution, the Grant Agreement will be tailored to reflect the applicable grant program.

Note to SANDAG Contracts Staff: Prior to internal routing, references to SGIP and ATGP should be updated as applicable.

The following recitals are a substantive part of this Agreement:

Note to SANDAG Contracts Staff: Select either SGIP Recitals or ATGP Recitals.

Smart Growth Incentive Program (SGIP) Recitals (A – J):

- A.** The SANDAG Board of Directors allocates funds under the *TransNet* local sales tax program to support local transportation-related infrastructure projects in the San Diego region through a competitive process.
- B.** The *TransNet* Extension Ordinance contains provisions to fund the Smart Growth Incentive Program (SGIP), which funding began on April 1, 2008. The SGIP encompasses projects that better integrate transportation and land use and recognizes the comprehensive effort to integrate smart growth place making, access to transit, and environmental justice.
- C.** In January 2010, the SANDAG Board of Directors approved Board Policy No. 035 – Competitive Grant Program Procedures (Board Policy No. 035), which is included as Attachment B. This Grant Award, Agreement and the Grantee's performance thereunder are subject to Board Policy No. 35, which includes multiple "use it or lose it" provisions.
- D.** The SANDAG Board of Directors approved programming of approximately \$12 million in *TransNet* funds on December 19, 2014, by Resolution Number [insert Resolution Number].
- E.** On December 19, 2014, SANDAG issued a Call for Projects from local jurisdictions in San Diego County wishing to apply for a portion of the *TransNet* SGIP funds for use on capital improvement and planning projects meeting certain criteria.

- F. Grantee successfully applied for *TransNet* SGIP funding for the [Insert Project Name], as described in Grantee's grant application. The Scope of Work, Project Schedule, and Approved Project Budget are included as Attachment A.

Note to SANDAG Contracts Staff: Before finalizing this agreement for internal SharePoint routing, obtain from SANDAG Finance and Planning staff the *TransNet* MPO ID required to complete Recital G, below.

- G. Grantee's Project is funded with [insert dollar amount] in *TransNet* SGIP funds and the *TransNet* MPO ID for the Project is [insert ID number].
- H. The purpose of this Agreement is to establish the terms and conditions for SANDAG to provide Grantee with funding to implement the Project.
- I. Although SANDAG will be providing financial assistance to Grantee to support the Project, SANDAG will not take an active role or retain substantial control of the Project. Therefore, this Agreement is characterized as a funding agreement rather than a cooperative agreement.
- J. Grantee understands that *TransNet* funds derive from retail transactions and use tax revenues which fluctuate. SANDAG's funding commitment to SGIP Projects, including this Project, is subject to these fluctuations, which may impact funding availability for this Project.

Active Transportation Grant Program (ATGP) Recitals (A – L):

- A. The SANDAG Board of Directors allocates funds under the *TransNet* local sales tax program and the Transportation Development Act (TDA) to support local bicycle and pedestrian transportation projects in the San Diego region through a competitive process.
- B. The *TransNet* Extension Ordinance contains provisions to fund the Bicycle, Pedestrian, and Neighborhood Safety Program (BPNSP), which funding began on July 1, 2008. The BPNSP encompasses bicycle and pedestrian travel projects and recognizes the comprehensive effort to integrate smart growth place making, access to transit and environmental justice.
- C. Article 3 of the TDA provides funding for Bicycle and Pedestrian Facilities and Programs.
- D. Together the *TransNet* BPNSP and TDA Article 3 funding are commonly referred to as the SANDAG Active Transportation Grant Program (ATGP).
- E. In January 2010, the SANDAG Board of Directors approved Board Policy No. 035 – Competitive Grant Program Procedures (Board Policy No. 035), which is included as Attachment B. This Grant Award, Agreement and the Grantee's performance thereunder are subject to Board Policy No. 035, which includes multiple "use it or lose it" provisions.
- F. The SANDAG Board of Directors approved programming of approximately \$3 million in both *TransNet* and TDA funds on December 19, 2014, by Resolution Number [insert Resolution Number].
- G. On [December 19, 2014], SANDAG issued a Call for Projects from local jurisdictions in San Diego County wishing to apply for SANDAG ATGP funds for use on capital improvement and planning projects meeting certain criteria.

- H. Grantee successfully applied for ATGP Funding for the [Insert Project Name] (Project), as described in Grantee's grant application. The Scope of Work, Project Schedule, and Approved Project Budget are included as Attachment A.

Note to SANDAG Contracts Staff: Before finalizing this agreement for internal routing, obtain from SANDAG Finance and Planning staff the TDA Claim Number or TransNet MPO ID required to complete Recital I, below.

- I. Grantee's Project is funded with [insert dollar amount] in ATGP funds, which includes [insert dollar amount] in *TransNet* BPNSP funds and [insert dollar amount] in TDA funds, and the *TransNet* MPO ID for the Project is [insert ID number] and the TDA Claim Number is [insert claim number].
- J. The purpose of this Agreement is to establish the terms and conditions for SANDAG to provide Grantee with funding to implement the Project.
- K. Although SANDAG will be providing financial assistance to Grantee to support the Project, SANDAG will not take an active role or retain substantial control of the Project. Therefore, this Agreement is characterized as a funding agreement rather than a cooperative agreement.
- L. Grantee understands that *TransNet* funds derive from retail transactions and use tax revenues which fluctuate. SANDAG's funding commitment to ATGP Projects, including this Project, is subject to these fluctuations, which may impact funding availability for this Project.

NOW, THEREFORE, it is agreed as follows:

I. DEFINITIONS

- A. **Application.** The signed and dated grant application, including any amendment thereto, with all explanatory, supporting, and supplementary documents filed with SANDAG by or on behalf of the Grantee and accepted or approved by SANDAG. All of Grantee's application materials, not in conflict with this Agreement, are hereby incorporated into this Agreement as though fully set forth herein.
- B. **Approval, Authorization, Concurrence, Waiver.** A written statement (transmitted in typewritten hard copy or electronically) of a SANDAG official authorized to permit the Grantee to take or omit an action required by this Agreement, which action may not be taken or omitted without such written permission. Except to the extent that SANDAG determines otherwise in writing, such approval, authorization, concurrence, or waiver permitting the performance or omission of a specific action does not constitute permission to perform or omit other similar actions. An oral permission or interpretation has no legal force or effect.
- C. **Approved Project Budget.** The most recent statement of the costs of the Project, the maximum amount of assistance from SANDAG for which the Grantee is currently eligible, the specific tasks (including specific contingencies) covered, and the estimated cost of each task, that has been approved by SANDAG. The Approved Project Budget is included in Attachment A.

Note to Grant Recipient: Only the applicable grant program will be referenced here.

Note to SANDAG Contracts Staff: Choose the appropriate program here.

- D.** [SGIP Funds and Funding. Funding from the *TransNet* Extension Ordinance for the SGIP.] OR [ATGP Funds and Funding. Funding from the *TransNet* BPNP and TDA Article 3 funds.]
- E.** **Grantee.** The local jurisdiction that is the recipient of [SGIP or ATGP] funding under this Agreement.
- F.** **Notice to Proceed** means a written notice from SANDAG issued to the Grantee authorizing the Grantee to proceed with all or a portion of the work described in the Scope of Work. Grantee shall not proceed with the work and shall not be eligible to receive payment for work performed prior to SANDAG's issuance of a Notice to Proceed.
- G.** **Subgrantee.** Any contractor or consultant, at any tier, paid directly or indirectly with funds flowing from this Agreement for the Project.

II. PROJECT IMPLEMENTATION

- A.** **General.** The Grantee agrees to carry out the Project as follows:
 - 1. **Project Description.** Grantee agrees to perform the work as described in the Scope of Work included as Attachment A.
 - 2. **Effective Date.** The effective date of this Agreement or any amendment hereto is the date on which this Agreement or an amendment is fully executed. The Grantee agrees to undertake Project work promptly after receiving a Notice to Proceed from SANDAG.
 - 3. **Grantee's Capacity.** The Grantee agrees to maintain or acquire sufficient legal, financial, technical, and managerial capacity to: (a) plan, manage, and complete the Project and provide for the use of any Project property; (b) carry out the safety and security aspects of the Project; and (c) comply with the terms of the Agreement and all applicable laws, regulations, and policies pertaining to the Project and the Grantee, including but not limited to the *TransNet* Extension Ordinance and Board Policy No. 035.
 - 4. **Project Schedule.** The Grantee agrees to complete the Project according to the Project Schedule included in Attachment A and in compliance with Board Policy No. 035, as amended, and included as Attachment B.
 - 5. **Project Implementation and Oversight.** Grantee agrees to comply with the Project Implementation and Oversight Requirements, included as Attachment C, and Board Policy No. 035, as amended.
 - 6. **Changes to Project's Scope of Work.** This Agreement was awarded to Grantee based on the application submitted by Grantee, which contained representations by Grantee regarding project parameters, project proximity to transit, and other criteria relevant to evaluating and ranking the Project based on SANDAG [SGIP or ATGP] scoring criteria. Any substantive deviation from Grantee's representations in the Application during project implementation may require reevaluation or result in loss of funding. If Grantee knows or should have known that substantive changes to the Project will occur or have occurred, Grantee will immediately notify SANDAG in writing.

SANDAG will then determine whether the Project is still consistent with the overall objectives of the [SGIP or ATGP] and whether the changes would have negatively affected the Project ranking during the competitive grant evaluation process. SANDAG reserves the right to have [SGIP or ATGP] Funding withheld from Grantee, or refunded to SANDAG, due to Grantee's failure to satisfactorily complete the Project or due to substantive changes to the Project.

7. **Media and Community Outreach Coordination.** The Grantee agrees notify SANDAG of any media and community outreach efforts, including presentations to community groups, other agencies, and elected officials. The Grantee agrees to assist SANDAG with media or community events related to the Project, such as ground breaking and ribbon cutting. Press materials shall be provided to SANDAG staff before they are distributed. SANDAG logo(s) should be included in press materials and other project collateral, but may never be included in such documents without advance approval from SANDAG.

As part of the quarterly reports submitted to SANDAG, the Grantee agrees to provide project milestone information to support media and communications efforts. SANDAG reserves the right to use the information provided by the Grantee for any combination of the following, including but not limited to: social media posts, online photo albums, videos, press releases, PowerPoint presentations, web updates, newsletters, and testimonials. In submitting photos to SANDAG, the Grantee agrees to release the rights of the photos to SANDAG for its use.

8. **Project Signage and Designation of *TransNet* Funded Facilities.** Each capital project in excess of \$250,000 funded in whole or in part by revenues from the *TransNet* Extension Ordinance shall be clearly designated during its construction or implementation as being provided by revenues from the *TransNet* Extension Ordinance.

Grantee agrees to follow the Project Signage Specifications. SANDAG will provide sign specifications. Grantee agrees to follow sign specifications and submit proof files to SANDAG for approval before printing.

9. **Baseline Data Collection.** For capital projects, Grantee is required to coordinate with SANDAG staff on the development of a baseline data collection plan in accordance with the Project Implementation and Oversight Requirements.

- B. **Application of Laws** Should a federal or state law pre-empt a local law, regulation, or the *TransNet* Extension Ordinance, the Grantee must comply with the federal or state law and implementing regulations. No provision of this Agreement requires the Grantee to observe or enforce compliance with any provision, perform any other act, or do any other task in contravention of federal, state, territorial, or local law, regulation, or ordinance. If compliance with any provision of this Agreement violates or would require the Grantee to violate any law, the Grantee agrees to notify SANDAG immediately in writing. Should this occur, SANDAG and the Grantee agree that they will make appropriate arrangements to proceed with or, if necessary, terminate the Project or affected portions thereof expeditiously.

C. Notice Regarding Prevailing Wages. SANDAG's [SGIP or ATGP] Grants are funded with *TransNet* revenues consistent with the *TransNet* Extension Ordinance adopted by the voters in November 2004 (SANDAG Ordinance 04-01). Although SANDAG Ordinance 04-01 does not require payment of prevailing wages, California law may require that Grantee's public works projects pay prevailing wages for workers. Grantee acknowledges that SANDAG has strongly encouraged Grantee to seek legal counsel regarding whether the Project will be subject to prevailing wage laws consistent with Labor Code Section 1720, *et seq.* This Agreement requires Grantee's compliance with all federal, state, and local laws and ordinances as applicable.

D. Significant Participation by a Subgrantee. Although the Grantee may delegate any or almost all Project responsibilities to one or more subgrantees, the Grantee agrees that it, rather than any subgrantee, is ultimately responsible for compliance with all applicable laws, regulations, and this Agreement.

E. Third Party Contracting. Grantee shall not award contracts over three thousand dollars (\$3,000) on the basis of a noncompetitive procurement for work to be performed under this Agreement without the prior written approval of SANDAG. Contracts awarded by Grantee, if intended as local match credit, must meet the requirements set forth in this Agreement regarding local match funds.

1. If Grantee hires a consultant to carry out professional services funded under this Agreement, Grantee shall: prepare an Independent Cost Estimate (ICE) prior to soliciting proposals; publicly advertise for competing proposals for the work; use cost as an evaluation factor in selecting the consultant; document a Record of Negotiation (RON) establishing that the amount paid by Grantee for the consultant services is fair and reasonable; and pass through the relevant obligations in this Agreement to the consultant.
2. If Grantee hires a contractor to carry out construction services funded under this Agreement, Grantee shall: prepare an ICE (e.g., a construction cost estimate) prior to soliciting bids; publicly advertise for competing bids for the work; award the work to the lowest responsive and responsible bidder; document a RON establishing that the amount paid by Grantee for the construction services is fair and reasonable; and pass through the relevant obligations in this Agreement to the contractor.

F. Grantee's Responsibility to Extend Agreement Requirements to Other Entities

1. **Entities Affected.** Grantee agrees to take appropriate measures necessary to ensure that all Project participants comply with all applicable federal laws, regulations, and policies affecting Project implementation. In addition, if an entity other than the Grantee is expected to fulfill any responsibilities typically performed by the Grantee, the Grantee agrees to assure that the entity carries out the Grantee's responsibilities as set forth in this Agreement.
2. **Documents Affected.** The applicability provisions of laws, regulations, and policies determine the extent to which those provisions affect an entity (such as a subgrantee) participating in the Project through the Grantee. Thus, the Grantee agrees to use a

written document to ensure that each entity participating in the Project complies with applicable laws, regulations, and policies.

3. **Flowdown.** The Grantee agrees to include in each document (subagreement, lease, third-party contract, or other) any necessary provisions requiring the Project participant (third-party contractor, subgrantee, or other) to impose applicable laws, Agreement requirements and directives on its subgrantees, lessees, third-party contractors, and other Project participants at the lowest tier necessary.

- G. **No SANDAG Obligations to Third-Parties.** In connection with the Project, the Grantee agrees that SANDAG shall not be subject to any obligations or liabilities to any subgrantee, lessee, third-party contractor, or other person or entity that is not a party to the Agreement for the Project. Notwithstanding that SANDAG may have concurred in or approved any solicitation, subagreement, lease, or third-party contract at any tier, SANDAG has no obligations or liabilities to any entity other than the Grantee, including any subgrantee, lessee, or third-party contractor at any tier.
- H. **Changes in Project Performance.** The Grantee agrees to notify SANDAG immediately, in writing, of any change in local law, conditions (including its legal, financial, or technical capacity), or any other event that may adversely affect the Grantee's ability to perform the Project in accordance with the terms of the Agreement and as required by Board Policy No. 035. The Grantee also agrees to notify SANDAG immediately, in writing, of any current or prospective major dispute, breach, default, or litigation that may adversely affect SANDAG's interests in the Project; and agrees to inform SANDAG, also in writing, before naming SANDAG as a party to litigation for any reason, in any forum. At a minimum, the Grantee agrees to send each notice to SANDAG required by this subsection to SANDAG's Office of General Counsel.
- I. **Standard of Care.** The Grantee expressly warrants that the work to be performed pursuant to this Agreement shall be performed in accordance with the applicable standard of care. Where approval by SANDAG, its Executive Director, or other representative of SANDAG is indicated in the Scope of Work, it is understood to be conceptual approval only and does not relieve the Grantee of responsibility for complying with all laws, codes, industry standards, and liability for damages caused by negligent acts, errors, omissions, noncompliance with industry standards, or the willful misconduct of the Grantee or its subgrantees.

III. ETHICS

- A. **Grantee Code of Conduct/Standards of Conduct.** The Grantee agrees to maintain a written code of conduct or standards of conduct that shall govern the actions of its officers, employees, council or board members, or agents engaged in the award or administration of subagreements, leases, or third-party contracts supported with [SGIP or ATGP] Funding. The Grantee agrees that its code of conduct or standards of conduct shall specify that its officers, employees, council or board members, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from any present or potential subgrantee, lessee, or third-party contractor at any tier or agent thereof. The Grantee may set *de minimis* rules where the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value. The Grantee agrees that its code of conduct or standards of conduct shall also prohibit its officers, employees, board members, or agents from using their respective

positions in a manner that presents a real or apparent personal or organizational conflict of interest or personal gain. As permitted by state or local law or regulations, the Grantee agrees that its code of conduct or standards of conduct shall include penalties, sanctions, or other disciplinary actions for violations by its officers, employees, council or board members, or their agents, or its third-party contractors or subgrantees or their agents.

1. **Personal Conflicts of Interest.** The Grantee agrees that its code of conduct or standards of conduct shall prohibit the Grantee's employees, officers, council or board members, or agents from participating in the selection, award, or administration of any third-party contract or subagreement supported by [SGIP or ATGP] Funding if a real or apparent conflict of interest would be involved. Such a conflict would arise when an employee, officer, board member, or agent, including any member of his or her immediate family, partner, or organization that employs, or intends to employ, any of the parties listed herein has a financial interest in a firm competing for award.
2. **Organizational Conflicts of Interest.** The Grantee agrees that its code of conduct or standards of conduct shall include procedures for identifying and preventing real and apparent organizational conflicts of interest. An organizational conflict of interest exists when the nature of the work to be performed under a proposed third-party contract or subagreement may, without some restrictions on future activities, result in an unfair competitive advantage to the third-party contractor or subgrantee or impair its objectivity in performing the contract work.

B. SANDAG Code of Conduct. SANDAG has established policies concerning potential conflicts of interest. These policies apply to Grantee. For all awards by SANDAG, any practices which might result in unlawful activity are prohibited including, but not limited to, rebates, kickbacks, or other unlawful considerations. SANDAG staff members are specifically prohibited from participating in the selection process when those staff have a close personal relationship, family relationship, or past (within the last 12 months), present, or potential business or employment relationship with a person or business entity seeking a contract with SANDAG. It is unlawful for any contract to be made by SANDAG if any individual Board member or staff has a prohibited financial interest in the contract. Staff are also prohibited from soliciting or accepting gratuities from any organization seeking funding from SANDAG. SANDAG's officers, employees, agents, and Board members shall not solicit or accept gifts, gratuities, favors, or anything of monetary value from consultants, potential consultants, or parties to subagreements. By signing this Agreement, Grantee affirms that it has no knowledge of an ethical violation by SANDAG staff or Grantee. If Grantee has any reason to believe a conflict of interest exists with regard to the Agreement or the Project, it should notify the SANDAG Office of General Counsel immediately.

C. Bonus or Commission. The Grantee affirms that it has not paid, and agrees not to pay, any bonus or commission to obtain approval of its [SGIP or ATGP] Funding application for the Project.

D. False or Fraudulent Statements or Claims. The Grantee acknowledges and agrees that by executing the Agreement for the Project, the Grantee certifies or affirms the truthfulness and accuracy of each statement it has made, it makes, or it may make in connection with the Project, including, but not limited to, the Grantee's grant application, progress reports and invoices.

IV. AMOUNT OF FUNDING ASSISTANCE

The Grantee agrees that SANDAG will provide [SGIP or ATGP] Funding for the Project equal to the smaller of the following amounts: (a) the Maximum SANDAG Amount Approved of \$ _____, or (b) the amount calculated in accordance with the Maximum Percentage(s) of SANDAG Participation, which is _____ percent (____%). SANDAG's responsibility to make payments under this Agreement is limited to the amounts listed in the Approved Project Budget for the Project. Grantee's estimate in its application for funding from SANDAG for the Project is the amount that forms the basis upon which SANDAG determines the Maximum SANDAG Amount Awarded and Maximum Percentage(s) of SANDAG Participation.

V. MATCHING FUNDS

Grantee has proposed to provide matching funds for the Project and therefore agrees as follows:

- A. Duty to Obtain Matching Funds.** The Grantee agrees to provide sufficient funds or approved in-kind resources, together with the [SGIP or ATGP] Funding awarded, that will assure payment of the actual cost of each Project activity covered by this Agreement. The amount of matching funds and percentage(s) of matching funds Grantee shall provide are set forth in the Approved Project Budget. The Grantee agrees to complete all proceedings necessary to provide its share of the Project costs at or before the time the matching funds are needed for Project costs.
- B. Prompt Payment of Matching Funds.** The Grantee agrees to provide the proportionate amount of the matching funds promptly as it incurs Project costs or Project costs become due. Each of Grantee's invoices must include its pro-rata matching fund contribution as reflected in the Approved Project Budget, along with supporting, descriptive and/or explanatory documentation for the matching funds provided.
- C. Reduction of Matching Funds.** The Grantee agrees that no refund or reduction of the amount of matching funds may be made unless, at the same time, a reduction of the proportional amount of the [SGIP or ATGP] Funding provided is made to SANDAG in order to maintain the Maximum Percentage(s) of SANDAG Participation.

VI. APPROVED PROJECT BUDGET

Except to the extent that SANDAG determines otherwise in writing, the Grantee agrees as follows: The Grantee and SANDAG have agreed to a Project budget that is designated the "Approved Project Budget." The Grantee will incur obligations and make disbursements of Project funds only as authorized by the Approved Project Budget. An amendment to the Approved Project Budget requires the issuance of a formal amendment to the Agreement, unless the re-allocation of funds among budget items or fiscal years that not increase the total amount of the [SGIP or ATGP] Funding awarded for the Project, does not negatively impact the benefits obtained from the Project, and is consistent with applicable laws, regulations, and policies. Prior written SANDAG Project Manager approval is required for transfers of funds between Approved Project Budget line items.

VII. PAYMENTS

- A. Grantee's Request for Payment When Matching Funds Are Required.** The Grantee will demonstrate or certify that it will provide adequate matching funds such that, when combined with payments from SANDAG, will cover all costs to be incurred for the Project. Except to the extent that SANDAG determines, in writing, that the Grantee may defer its provision of matching funds for the Project, a Grantee is required under the terms of this Agreement to provide matching funds for the Project and agrees that it will not:
1. Request or obtain matching funds exceeding the amount justified by the matching share previously provided, or
 2. Take any action that would cause the proportion of [SGIP or ATGP] Funding made available to the Project at any time to exceed the percentage authorized by the Agreement for the Project.
- B. Payment by SANDAG.** Upon receiving a request for payment and adequate supporting information, SANDAG will make payment, [or for projects with TDA funding, authorize the County of San Diego to make payment] for eligible amounts to Grantee within thirty (30) days if Grantee has complied with the requirements of the Agreement, including submission of a Quarterly Report which is included as Attachment D, has satisfied SANDAG that the [SGIP or ATGP] Funding requested is needed for Project purposes in that requisition period, and is making adequate progress toward Project completion consistent with Board Policy No. 035. After the Grantee has demonstrated satisfactory compliance with the preceding requirements, SANDAG may reimburse the Grantee's apparent allowable costs incurred consistent with the Approved Project Budget. SANDAG shall retain ten percent (10%) from the amounts invoiced until satisfactory completion of work. SANDAG shall promptly release retention amounts to Grantee following Grantee's satisfactory completion of work and receipt of Grantee's final invoice and all required documentation.
- C. Eligible Costs.** The Grantee agrees that Project costs eligible for [SGIP or ATGP] Funding must comply with the following requirements, unless SANDAG determines otherwise in writing. To be eligible for reimbursement, Project costs must be:
1. Consistent with the Project Scope of Work, the Approved Project Budget, and other provisions of the Agreement.
 2. Necessary in order to accomplish the Project.
 3. Reasonable for the goods or services purchased.
 4. Actual net costs to the Grantee (i.e., the price paid minus any refunds, rebates, or other items of value received by the Grantee that have the effect of reducing the cost actually incurred, excluding program income).
 5. Incurred for work performed, only on a reimbursement basis, after both the Effective Date of the Agreement and following Grantee's receipt of a Notice to Proceed from SANDAG.

6. Satisfactorily documented with supporting documentation which is to be submitted with each invoice.
7. Treated consistently in accordance with generally accepted accounting principles and procedures for the Grantee and any third-party contractors and subgrantees, (see Section 6 Accounting Records).
8. Eligible for [*TransNet* or *TransNet* and TDA] Funding as part of the [SGIP or ATGP].
9. Indirect Costs are only allowable with prior SANDAG approval. Grantee must submit the following documentation as part of the grant application materials: (1) an indirect cost allocation audit approved by a qualified independent auditor or (2) the applicant's proposed method for allocating indirect costs in accordance with OMB guidelines. Indirect cost allocation plans must be reviewed and renewed annually.
10. Project generated revenue realized by the Grantee shall be utilized in support of the Project. Project generated revenue and expenditures, if any, shall be reported at the end of the Agreement period.

D. Excluded Costs

1. In determining the amount of [SGIP or ATGP] Funding SANDAG will provide for the Project, SANDAG will exclude:
 - a. Any Project cost incurred by the Grantee before either the date SANDAG issues a Notice to Proceed to Grantee or the Effective Date of the Agreement or any Amendment thereto;
 - b. Any cost that is not included in the latest Approved Project Budget;
 - c. Any cost for Project property or services received in connection with a subagreement, lease, third-party contract, or other arrangement that is required to be, but has not been, concurred in or approved in writing by SANDAG; and
 - d. Any cost ineligible for SANDAG participation as provided by applicable laws, regulations, or policies.
2. Certain costs at times associated with bicycle and pedestrian projects are not eligible when the benefit provided is not the exclusive use of bicyclists or pedestrians. These instances are listed below.
 - a. Curb and gutter are part of the roadway drainage system. As such, newly installed curb and gutter cannot be considered an improvement exclusively for the benefit of the sidewalk or bike lane and are not an eligible expense.
 - b. Driveway ramps installed across sidewalks are not for the benefit of pedestrians, and in fact, degrade the pedestrian environment. Claimants may not include the cost of driveway ramps in applications for sidewalk projects. However, the distance across the driveway may be included when computing the per-square-foot cost of the sidewalk.

- c. Where roadway design standards require a roadway shoulder width at least as wide as would be required for a standard bike lane, the cost of the shoulder construction will not be eligible. Appropriate bikeway signage is eligible.
 - d. Under some circumstances, it may be necessary to remove and replace curb and gutter, driveway ramps, drainage facilities and other existing improvements in order to construct a bikeway or sidewalk. In such cases the cost of this work is most likely eligible, but claimants should carefully document why this is so in the claim submittal.
- E.** The Grantee understands and agrees that payment to the Grantee for any Project cost does not constitute SANDAG's final decision about whether that cost is allowable and eligible for payment under the Project and does not constitute a waiver of any violation by the Grantee of the terms of the Agreement for the Project or Board Policy No. 035. The Grantee acknowledges that SANDAG will not make a final determination about the allowability and eligibility of any cost until the final payment has been made on the Project or the results of an audit of the Project requested by SANDAG or its Independent Taxpayers' Oversight Committee (ITOC) has been completed, whichever occurs latest. If SANDAG determines that the Grantee is not entitled to receive any portion of the [SGIP or ATGP] Funding requested or paid, SANDAG will notify the Grantee in writing, stating its reasons. The Grantee agrees that Project closeout will not alter the Grantee's responsibility to return any funds due to SANDAG as a result of later refunds, corrections, performance deficiencies, or other similar actions; nor will Project closeout alter SANDAG's right to disallow costs and recover funds provided for the Project on the basis of a later audit or other review. Upon notification to the Grantee that specific amounts are owed to SANDAG, whether for excess payments of [SGIP or ATGP] Funding, disallowed costs, or funds recovered from third parties or elsewhere, the Grantee agrees to promptly remit to SANDAG the amounts owed, including applicable interest, penalties and administrative charges.

VIII. ACCOUNTING RECORDS

In compliance with applicable laws, regulations, and policies, the Grantee agrees as follows:

- A. Project Accounts.** The Grantee agrees to establish and maintain for the Project either a separate set of accounts or separate accounts within the framework of an established accounting system that can be identified with the Project. The Grantee also agrees to maintain documentation of all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents related in whole or in part to the Project so that they may be clearly identified, readily accessible, and available to SANDAG upon request and, to the extent feasible, kept separate from documents not related to the Project.
- B. Documentation of Project Costs and Program Income.** Except to the extent that SANDAG determines otherwise, in writing, the Grantee agrees to support all costs charged to the Project, including any approved services or property contributed by the Grantee or others, with properly executed payrolls, time records, invoices, contracts, or vouchers describing in detail the nature and propriety of the charges, including adequate records to support the costs the Grantee has incurred underlying any payment in which SANDAG has agreed to participate in based upon a payable milestone.

IX. REPORTING, RECORD RETENTION, AND ACCESS

- A. Types of Reports.** The Grantee agrees to submit to SANDAG all reports required by law and regulation, policy, this Agreement, and any other reports SANDAG may specify.
- B. Report Formats.** The Grantee agrees that all reports and other documents or information intended for public availability developed in the course of the Project and required to be submitted to SANDAG must be prepared and submitted in electronic and/or typewritten hard copy formats, as SANDAG may specify. SANDAG reserves the right to specify that records be submitted in particular formats.
- C. Record Retention.** During the course of the Project and for three years thereafter from the date of transmission of the final expenditure report, the Grantee agrees to maintain, intact and readily accessible, all data, documents, reports, records, contracts, and supporting materials relating to the Project, as SANDAG may require.
- D. Access to Records of Grantees and Subgrantees.** The Grantee agrees to permit, and require its subgrantees to permit, SANDAG or its authorized representatives, upon request, to inspect all Project work, materials, payrolls, and other data, and to audit the books, records, and accounts of the Grantee and its subgrantees pertaining to the Project.
- E. Project Closeout.** The Grantee agrees that Project closeout does not alter the reporting and record retention requirements of this Agreement.
- F. Quarterly Reports.** Grantee shall submit written quarterly reports to SANDAG detailing the progress of its work, expenditures incurred, and information regarding whether the Project is projected to be completed within the limits of the Approved Project Budget, Project Schedule, and consistent with Board Policy No. 035 and any policy amendments thereto. Grantee shall document the progress and results of work performed under this Agreement to the satisfaction of SANDAG. This includes progress and final reports, plans, specifications, estimates, and other evidence of attainment of the Agreement objectives, which are requested by SANDAG or ITOC. Grantee may be required to attend meetings of SANDAG staff and committees, including but not limited to ITOC, the Regional Planning Committee, the Transportation Committee, and the SANDAG Board of Directors, to report on its progress and respond to questions.
- G. Communities Served Data and Report.** If requested, Grantee shall provide SANDAG with data regarding how the Project's benefits and burdens were equitably distributed among socio and economic populations in the area affected by the Project, and associated smart growth data.
- X. Project Completion, Audit, Settlement, and Closeout**
- A. Project Completion.** Within ninety (90) calendar days following Project completion or termination by SANDAG, the Grantee agrees to submit a final certification of Project expenses and final reports, as applicable. All payments made to the Grantee shall be subject to review for compliance by SANDAG with the requirements of this Agreement and shall be subject to an audit upon completion of the Project.

B. Project Audit.

Note to Grant Recipient: Only the applicable sections will be included.

Note to SANDAG Contracts Staff: Please choose the appropriate:

For TransNet-funded projects:

The Grantee agrees to have financial and compliance audits performed as SANDAG may require consistent with the *TransNet* Extension Ordinance. The Grantee agrees that Project closeout will not alter the Grantee's audit responsibilities. Audit costs are allowable Project costs.

For TDA-funded projects:

The Grantee agrees to have financial and compliance audits performed as SANDAG may require consistent with Public Utilities Code Section 99245, for TDA funds; and consistent with the *TransNet* Extension Ordinance for *TransNet* funds. The Grantee agrees that Project closeout will not alter the Grantee's audit responsibilities. Audit costs are allowable Project costs.

- C. Performance Audit.** The Grantee agrees to cooperate with SANDAG or ITOC with regard to any performance audit that is performed on the Project pursuant to the *TransNet* Ordinance.
- D. Project Closeout.** Project closeout occurs when SANDAG notifies the Grantee that SANDAG has closed the Project, and, if applicable, either forwards the final [SGIP or ATGP] Funding payment and or acknowledges that the Grantee has remitted the proper refund. The Grantee agrees that Project closeout by SANDAG does not invalidate any continuing requirements imposed by the Agreement or any unmet requirements set forth in a written notification from SANDAG.
- E. Project Use.** Grantee was awarded this Agreement based on representations in its grant application regarding the Project's intended use. If the Project is a capital project, Grantee hereby commits to continued use of the Project for the purposes stated in its application for a period of at least five years after completion of construction. SANDAG may require Grantee to refund SGIP funding provided for the Project in the event Grantee fails to utilize the Project for its intended purposes as stated in the grant application or for any disallowed costs.

XI. TIMELY PROGRESS AND RIGHT OF SANDAG TO TERMINATE

- A.** Grantee shall make diligent and timely progress toward completion of the Project within the timelines set forth in the Project Schedule, and consistent with Board Policy No. 035 and any policy amendments thereto. If timely progress is not achieved, SANDAG may, in its sole discretion, review the status of the Project to determine if the remaining funding should be reallocated to another eligible project, as per Board Policy No. 035. Grantee understands and agrees that any failure to make reasonable progress on the Project or violation of this Agreement and/or Board Policy No. 035, that endangers substantial performance of the Project shall provide sufficient grounds for SANDAG, in its sole discretion, to terminate this Agreement.

- B.** In the event Grantee encounters difficulty in meeting the Project Schedule or anticipates difficulty in complying with the Project Schedule, the Grantee shall immediately notify the SANDAG Project Manager in writing, and shall provide pertinent details, including the reason(s) for the delay in performance and the date by which Grantee expects to complete performance or delivery. This notification shall be informational in character only and receipt of it shall not be construed as a waiver by SANDAG of a project delivery schedule or date, or any rights or remedies provided by this Agreement, including Board Policy No. 035 requirements.
- C.** Upon written notice, the Grantee agrees that SANDAG may suspend or terminate all or any part of the [SGIP or ATGP] Funding to be provided for the Project if the Grantee has violated the terms of the Agreement, or Board Policy No. 035, or if SANDAG determines that the purpose of the laws or policies authorizing the Project would not be adequately served by the continuation of [SGIP or ATGP] Funding for the Project.
- D.** In general, termination of [SGIP or ATGP] Funding for the Project will not invalidate obligations properly incurred by the Grantee before the termination date to the extent those obligations cannot be canceled. If, however, SANDAG determines that the Grantee has willfully misused [SGIP or ATGP] Funding by failing to make adequate progress, or failing to comply with the terms of the Agreement, SANDAG reserves the right to require the Grantee to refund to SANDAG the entire amount of [SGIP or ATGP] Funding provided for the Project or any lesser amount as SANDAG may determine.
- E.** Expiration of any Project time period established in the Project Schedule will not, by itself, automatically constitute an expiration or termination of the Agreement for the Project, however, Grantee must request and SANDAG may agree to amend the Agreement in writing if the Project Schedule will not be met. An amendment to the Project Schedule may be made at SANDAG's discretion if Grantee's request is consistent with the provisions of Board Policy No. 035.

XII. CIVIL RIGHTS

The Grantee agrees to comply with all applicable civil rights laws, regulations and policies and shall include the provisions of this Section 12 in each subagreement, lease, third party contract or other legally binding document to perform work funded by this Agreement. Applicable civil rights laws, regulations and policies include, but are not limited to, the following:

- A. Nondiscrimination.** SANDAG implements its programs without regard to income level, disability, race, color, and national origin in compliance with the Americans with Disabilities Act and Title VI of the Civil Rights Act. Grantee shall prohibit discrimination on these grounds, notify the public of their rights under these laws, and utilize a process for addressing complaints of discrimination. Furthermore, Grantee shall make the procedures for filing a complaint available to members of the public and will keep a log of all such complaints. Grantee must notify SANDAG immediately if a complaint is lodged that relates to the Project or program funded by this grant.
- B. Equal Employment Opportunity.** During the performance of this Agreement, Grantee and all of its subcontractors, if any, shall not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry,

religious creed, national origin, disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, denial of family and medical care leave, denial of pregnancy disability leave, veteran status, or sexual orientation. Grantee and its subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and its subcontractors shall comply with the provisions of the Fair Employment and Housing Act (California Government Code Section 12900, *et seq.*) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0, *et seq.*). The applicable regulations of the Fair Employment and Housing Commission implementing California Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by this reference and are made a part hereof as if set forth in full. Grantee and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

XIII. OWNERSHIP OF WORK PRODUCT

SANDAG shall own any deliverables created in whole or in part for SANDAG's benefit pursuant to the Scope of Work for the Project. The term "deliverables" includes, but is not limited to, all original drawings, reports, photos, and other documents, including detailed calculations and other work product developed for the Project or services performed on the Project.

XIV. DISPUTES AND VENUE

A. Choice of Law. This Agreement shall be interpreted in accordance with the laws of the State of California.

B. Dispute Resolution Process. In the event Grantee has a dispute with SANDAG during the performance of this Agreement, Grantee shall continue to perform unless SANDAG informs Grantee in writing to cease performance. The dispute resolution process for disputes arising under this Agreement shall be as follows:

1. Grantee shall submit a statement of the grounds for the dispute, including all pertinent dates, names of persons involved, and supporting documentation, to SANDAG's Project Manager. The Project Manager and other appropriate SANDAG staff will review the documentation in a timely manner and reply to Grantee within twenty (20) calendar days. Upon receipt of an adverse decision by SANDAG, Grantee may submit a request for reconsideration to SANDAG's Executive Director. The request for reconsideration must be received within ten (10) calendar days from the postmark date of SANDAG's reply. The Executive Director will respond to the request for reconsideration within ten (10) working days. The decision of the Executive Director will be in writing.
2. If Grantee is dissatisfied with the results following exhaustion of the above dispute resolution procedures, Grantee shall make a written request to SANDAG for appeal to the SANDAG Regional Planning Committee for SGIP projects or to the SANDAG Transportation Committee for ATGP projects. SANDAG shall respond to a request for mediation within thirty (30) calendar days. The decision of the Regional Planning Committee or Transportation Committee shall be final.

- C. **Venue.** If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of San Diego, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, litigation and collection expenses, witness fees, and court costs as determined by the court.

XV. ASSIGNMENT

Grantee shall not assign, sublet, or transfer (whether by assignment or novation) this Agreement or any rights under or interest in this Agreement.

XVI. INSURANCE

Grantee shall procure and maintain during the period of performance of this Agreement, and for twelve (12) months following completion, policies of insurance from insurance companies authorized to do business in the State of California or the equivalent types and amounts of self-insurance, as follows:

- A. **General Liability.** Combined single limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate for personal and bodily injury, including death, and broad form property damage. The policy must include an acceptable "Waiver of Transfer Rights of Recovery Against Others Endorsement." The policy must name SANDAG as an additional insured in the endorsement. A deductible or retention may be utilized, subject to approval by SANDAG.
- B. **Automobile Liability.** For personal and bodily injury, including death, and property damage in an amount not less than \$1,000,000.
- C. **Workers' Compensation and Employer's Liability.** Policy must comply with the laws of the State of California. The policy must include an acceptable "Waiver of Right to Recover From Others Endorsement" naming SANDAG as an additional insured.
- D. **Other Requirements.** Grantee shall furnish satisfactory proof by one or more certificates (original copies) that it has the foregoing insurance. The insurance shall be provided by an acceptable insurance provider, as determined by SANDAG, which satisfies the following minimum requirements:
1. An insurance carrier qualified to do business in California and maintaining an agent for service of process within the state. Such insurance carrier shall maintain a current A.M. Best rating classification of "A-" or better, and a financial size of "\$10 million to \$24 million (Class V) or better," or
 2. A Lloyds of London program provided by syndicates of Lloyds of London and other London insurance carriers, providing all participants are qualified to do business in California and the policy provides for an agent for service of process in California.
- E. Certificates of insurance shall be filed with SANDAG. These policies shall be primary insurance as to SANDAG so that any other coverage held by SANDAG shall not contribute to any loss under Grantee's insurance. Insurance policies shall not be canceled without first giving thirty

(30) days advance written notice to SANDAG. For purposes of this notice requirement, any material change in the policy prior to its expiration shall be considered a cancellation.

XVII. INDEMNIFICATION AND HOLD HARMLESS

- A. **Generally.** With regard to any claim, protest, or litigation arising from or related to the Grantee's performance in connection with or incidental to the Project or this Agreement, Grantee agrees to defend, indemnify, protect, and hold SANDAG and its agents, officers, Board members, and employees harmless from and against any and all claims, including, but not limited to prevailing wage claims against the Project, asserted or established liability for damages or injuries to any person or property, including injury to the Grantee's or its subgrantees' employees, agents, or officers, which arise from or are connected with or are caused or claimed to be caused by the negligent, reckless, or willful acts or omissions of the Grantee and its subgrantees and their agents, officers, or employees, in performing the work or services herein, and all expenses of investigating and defending against same, including attorney fees and costs; provided, however, that the Grantee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of SANDAG, its Board of Directors, agents, officers, or employees.
- B. **Intellectual Property.** Upon request by SANDAG, the Grantee agrees to indemnify, save, and hold harmless SANDAG and its Board of Directors, officers, agents, and employees acting within the scope of their official duties against any liability, including costs and expenses, resulting from any willful or intentional violation by the Grantee of proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the Project. The Grantee shall not be required to indemnify SANDAG for any such liability caused solely by the wrongful acts of SANDAG employees or agents.

XVIII. INDEPENDENT CONTRACTOR

- A. **Status of Grantee.** Grantee shall perform the services provided for within this Agreement as an independent contractor, and not as an employee of SANDAG. Grantee shall be under the control of SANDAG as to the result to be accomplished and not the means, and shall consult with SANDAG as provided for in the Scope of Work. The payments made to Grantee pursuant to this Agreement shall be the full and complete compensation to which Grantee is entitled. SANDAG shall not make any federal or state tax withholdings on behalf of Grantee. SANDAG shall not be required to pay any workers' compensation insurance on behalf of Grantee. Grantee agrees to indemnify SANDAG for any tax, retirement contribution, social security, overtime payment, or workers' compensation payment which SANDAG may be required to make on behalf of Grantee or any employee of Grantee for work done under this Agreement.
- B. **Actions on behalf of SANDAG.** Except as SANDAG may specify in writing, Grantee shall have no authority, express or implied, to act on behalf of SANDAG in any capacity whatsoever, as an agent or otherwise. Grantee shall have no authority, express or implied, to bind SANDAG or its members, agents, or employees, to any obligation whatsoever, unless expressly provided for in this Agreement.

XIX. SEVERABILITY AND INTEGRATION

If any provision of the Agreement is determined invalid, the remainder of that Agreement shall not be affected if that remainder would continue to conform to the requirements of applicable laws or regulations. This Agreement represents the entire understanding of SANDAG and Grantee as to those matters contained in it. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing, signed by SANDAG and the Grantee.

XX. PROJECT MANAGER

The Grantee has assigned [INSERT PROJECT MANAGER NAME] as the Project Manager for the Project. Project Manager continuity and experience is deemed essential in Grantee’s ability to carry out the Project in accordance with the terms of this Agreement. Grantee shall not change the Project Manager without first providing written notice to SANDAG.

XXI. NOTICE

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, registered or certified, postage prepaid, addressed to:

San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101
Attn: Susan Baldwin / Suchi Mukherjee

Grantee:
[LOCAL AGENCY NAME]
[LOCAL AGENCY ADDRESS]
Attn: [LOCAL AGENCY PROJECT MANAGER]

Notice shall be effective upon receipt thereof.

Note to SANDAG Contracts Staff: After receiving this original agreement back from the Grantee and before routing the original agreement for final SANDAG “wet” signatures, confirm with SANDAG Finance and Planning staff that the applicable RTIP has been approved.

XXII. SIGNATURES

The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written above.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

[INSERT JURISDICTION]

GARY L. GALLEGOS OR DESIGNEE
Executive Director

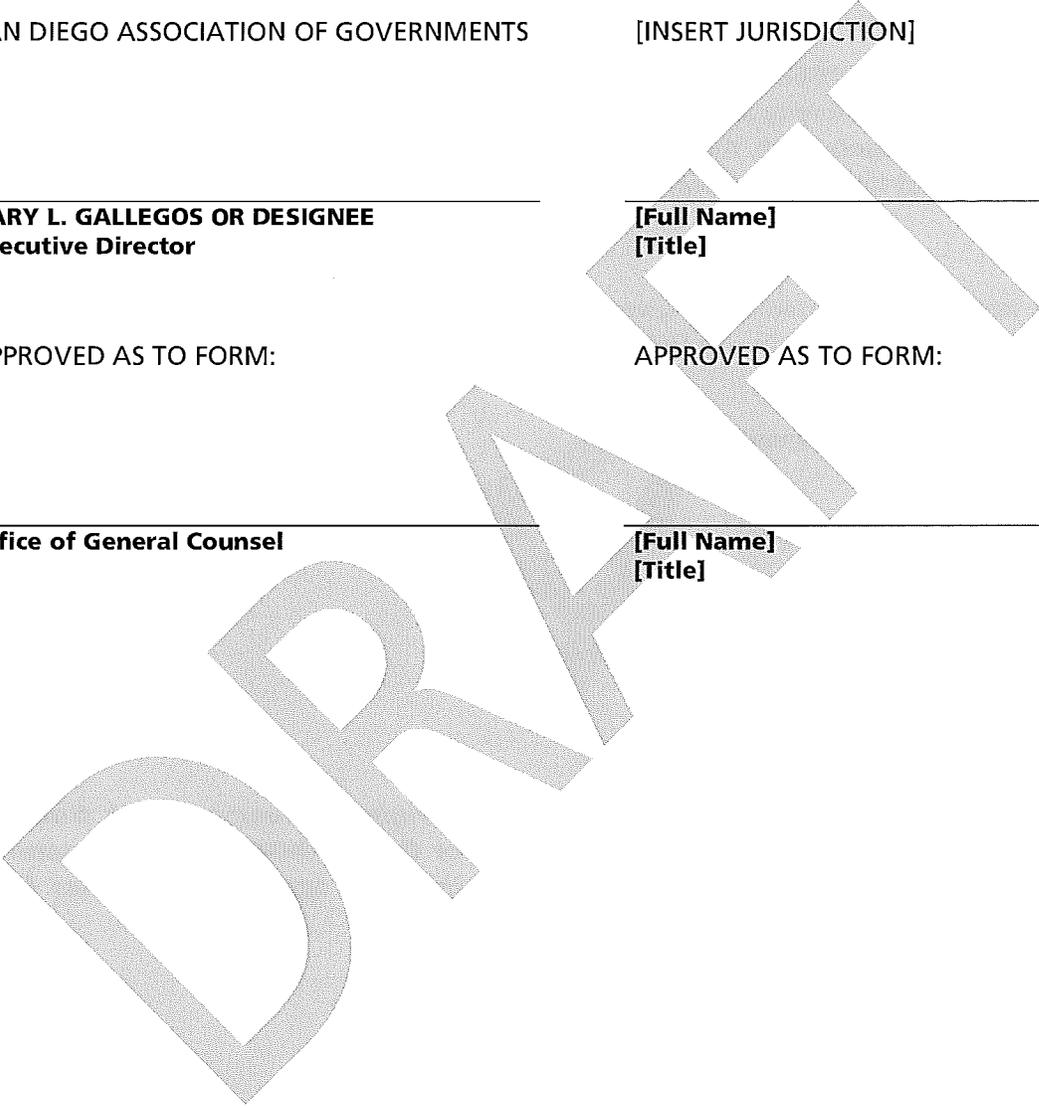
[Full Name]
[Title]

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Office of General Counsel

[Full Name]
[Title]



ATTACHMENT A

SCOPE OF WORK, SCHEDULE, AND APPROVED PROJECT BUDGET

Project Location

(SPECIFIC PROJECT LOCATION INCLUDING JURISDICTION, COMMUNITY, NEIGHBORHOOD, CORRIDORS, AND INTERSECTIONS)

Project Description

[PROJECT TYPE (DESIGN AND/OR CONSTRUCTION, MASTER PLAN, ETC.), TYPES OF IMPROVEMENTS/RECOMMENDATIONS, PROJECT GOALS]

(INSERT SCOPE, SCHEDULE AND APPROVED PROJECT BUDGET)

TransNet MPO ID NO. _____

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ATTACHMENT B



BOARD POLICY NO. **035**

COMPETITIVE GRANT PROGRAM PROCEDURES

Applicability and Purpose of Policy

This Policy applies to all grant programs administered through SANDAG, whether from *TransNet* or another source, including but not limited to the Smart Growth Incentive Program, Environmental Mitigation Program, Bike and Pedestrian Program, Senior Mini Grant Program, Federal Transit Administration grant programs, and Active Transportation Grant Program.

Nothing in this Policy is intended to supersede federal or state grant rules, regulations, statutes, or contract documents that conflict with the requirements in this Policy. There are never enough government grant funds to pay for all of the projects worthy of funding in the San Diego region. For this reason, SANDAG awards grant funds on a competitive basis that takes the grantees' ability to perform their proposed project on a timely basis into account. SANDAG intends to hold grantees accountable to the project schedules they have proposed in order to ensure fairness in the competitive process and encourage grantees to get their projects implemented quickly so that the public can benefit from the project deliverables as soon as possible.

Procedures

1. Project Milestone and Completion Deadlines

1.1. When signing a grant agreement for a competitive program funded and/or administered by SANDAG, grant recipients must agree to the project delivery objectives and schedules in the agreement. In addition, a grantee's proposal must contain a schedule that falls within the following deadlines. Failure to meet the deadlines below may result in revocation of all grant funds not already expended. The final invoice for capital, planning, or operations grants must be submitted prior to the applicable deadline.

1.1.1. Funding for Capital Projects. If the grant will fund a capital project, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary construction contract must be awarded within two years following execution of the grant agreement, and construction must be completed within eighteen months following award of the construction contract. Completion of construction for purposes of this policy shall be when the prime construction contractor is relieved from its maintenance responsibilities. If no construction contract award is necessary, the construction project must be complete within eighteen months following execution of the grant agreement.

1.1.2. Funding for Planning Grants. If the grant will fund planning, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary consultant contract must be awarded within one year following execution of the grant agreement, and the planning project must be

complete within two years following award of the consultant contract. Completion of planning for purposes of this policy shall be when grantee approves the final planning project deliverable. If no consultant contract award is necessary, the planning project must be complete within two years of execution of the grant agreement.

1.1.3 Funding for Operations Grants. If the grant will fund operations, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary services contract for operations must be awarded within one year following execution of the grant agreement, and the operations must commence within six months following award of the operations contract. If no services contract for operations is necessary, the operations project must commence within one year of execution of the grant agreement.

1.1.4 Funding for Equipment or Vehicles Grants. If the grant will fund equipment or vehicles, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary purchase contracts for equipment or vehicles must be awarded within one year following execution of the grant agreement, and use of the equipment or vehicles for the benefit of the public must commence within six months following award of the purchase contract.

2. Project Milestone and Completion Deadline Extensions

2.1. Schedules within grant agreements may include project scopes and schedules that will identify interim milestones in addition to those described in Section 1 of this Policy. Grant recipients may receive extensions on their project schedules of up to six months for good cause. Extensions of up to six months aggregate that would not cause the project to miss a completion deadline in Section 1 may be approved by the SANDAG Executive Director. Extensions beyond six months aggregate or that would cause the project to miss a completion deadline in Section 1 must be approved by the Policy Advisory Committee that has been delegated the necessary authority by the Board. For an extension to be granted under this Section 2, the following conditions must be met:

2.1.1. For extension requests of up to six months, the grantee must request the extension in writing to the SANDAG Program Manager at least two weeks prior to the earliest project schedule milestone deadline for which an extension is being requested. The Executive Director or designee will determine whether the extension should be granted. The Executive Director's action will be reported out to the Board in following month's report of delegated actions.

2.1.2. A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes.

2.1.3. If the Executive Director denies an extension request under this Section 2, the grantee may appeal within ten business days of receiving the Executive Director's response to the responsible Policy Advisory Committee by sending the appeal to the SANDAG Program Manager.

2.1.4. Extension requests that are rejected by the Policy Advisory Committee will result in termination of the grant agreement and obligation by the grantee to return to SANDAG any unexpended funds within 30 days. Unexpended funds are funds for project costs not incurred prior to rejection of the extension request by the Policy Advisory Committee.

3. Project Delays and Extensions in Excess of Six Months

3.1. Requests for extensions in excess of six months, or that will cause a project to miss a completion deadline in Section 1 (including those projects that were already granted extensions by the Executive Director and are again falling behind schedule), will be considered by the Policy Advisory Committee upon request to the SANDAG Program Manager.

3.2 A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes. The grantee must provide the necessary information to SANDAG staff to place in a report to the Policy Advisory Committee. If sufficient time is available, and the grant utilized *TransNet* funds, the request will first be taken to the Independent Taxpayer Advisory Committee (ITOC) for a recommendation. The grantee should make a representative available at the meeting to present the information to, and/or answer questions from, the ITOC and Policy Advisory Committee.

3.3 The Policy Advisory Committee will only grant an extension under this Section 3 for extenuating circumstances that the grantee could not have reasonably foreseen.

4. Resolution and Execution of the Grant Agreement

4.1 Two weeks prior to the review by the Policy Advisory Committee of the proposed grants, prospective grantees must submit a resolution from their authorized governing body that includes the provisions in this Subsection 4.1. Failure to provide a resolution that meets the requirements in this Subsection 4.1 will result in rejection of the application and the application will be dropped from consideration with funding going to the next project as scored by the evaluation committee. In order to assist grantees in meeting this resolution deadline, when SANDAG issues the call for projects it will allow at least 90 days for grant application submission.

4.1.1 Grantee governing body commits to providing the amount of matching funds set forth in the grant application.

4.1.2 Grantee governing body authorizes staff to accept the grant funding and execute a grant agreement if an award is made by SANDAG.

4.2 Grantee's authorized representative must execute the grant agreement within 45 days from the date SANDAG presents the grant agreement to the prospective grantee for execution. Failure to meet the requirements in this Subsection 4.2 may result in revocation of the grant award.

5. Increased Availability of Funding Under this Policy

5.1. Grant funds made available as a result of the procedures in this Policy may be awarded to the next project on the recommended project priority list from the most recent project selection process, or may be added to the funds available for the next project funding cycle, at the responsible Policy Advisory Committee's discretion. Any project that loses funding due to failure to meet the deadlines specified in this Policy may be resubmitted to compete for funding in a future call for grant applications.

Adopted: January 2010

Amended: November 2014

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ATTACHMENT C

PROJECT IMPLEMENTATION AND OVERSIGHT REQUIREMENTS

Capital Grants

1. Contact Information: Grantee must provide SANDAG with contact information for the project manager. Grantee must provide SANDAG with updated contact information in a timely manner if there are any changes to staff assigned.

2. Baseline Data Collection: Prior to the construction of grant-funded improvements, the Grantee is responsible for developing a baseline data collection plan with SANDAG to gather information on pedestrian and bicyclist activity. At a minimum, data should be collected for observed bicycle and pedestrian volumes, behavior, and attitudes in the project area. Once the data collection plan is approved by SANDAG staff, the Grantee is responsible for carrying out the plan and returning collected data to SANDAG as a deliverable. Standardized forms required for data collection will be provided by SANDAG.

Grantees are encouraged to use the National Bicycle and Pedestrian Documentation Project methodology and plan for the following:

- Conduct counts prior to project construction, during National Documentation Days in the second week of September. Supplementary counts and surveys can be conducted during January, May, and July to provide seasonal data, if desired.
- Conduct counts for two hours, at peak times relative to the facility. For example, facilities attracting utilitarian trips should be counted on a Tuesday, Wednesday, or Thursday from 5 to 7 p.m., whereas facilities attracting recreational trips should be counted on a Saturday, from 9 to 11a.m.

In the case that the above timeframes are deemed infeasible due to the project schedule, the Grantee and SANDAG will collaborate on an alternative data collection methodology and procedure.

A subset of Grantees may be selected for in-depth evaluation by SANDAG, in which case, SANDAG will conduct the data collection effort with required participation from Grantee staff. Such in-depth evaluation conducted by SANDAG will take place solely for the purpose of SANDAG Active Transportation data collection and monitoring efforts, and will not impact Grantees' budgets.

Grantees should plan to budget five thousand dollars (\$5,000) for data collection. For questions or assistance with data collection, contact Christine Eary at Christine.Eary@sandag.org, or (619) 699-6928.

3. Design Development and Community Meetings: Grantee must provide SANDAG with advance notice (preferably within two weeks) and agendas of all design development and community meetings, and a meeting summary following the meeting. SANDAG staff may attend any meetings as appropriate.

4. Plan Review: Grantee must submit project design drawings and cost estimates (if available) to SANDAG for review and comment at 30 percent, 60 percent, 90 percent, and 100 percent. SANDAG staff may meet with the Grantee to comment on submitted plans and assure substantial conformance. SANDAG may comment on submitted plans regarding:

- Whether they are consistent with the Project proposed in the original grant application, and
- Consistency with accepted pedestrian/bicycle facility and smart growth design standards.

5. Quarterly Reports and Invoices: Grantee must submit quarterly reports and invoices to SANDAG, detailing accomplishments in the quarter, anticipated progress next quarter, pending issues and actions toward resolution, and status of budget and schedule. Furthermore, the Grantee agrees to provide project milestone information (such as presentations to community groups, other agencies, and elected officials, ground-breakings, and ribbon-cuttings) to support media and communications efforts.

6. Media and Community Outreach Coordination: Press materials shall be provided to SANDAG staff before they are distributed. SANDAG logo(s) should be included in press materials and other project collateral. Furthermore, the grantee agrees to provide project milestone information to support media and communications efforts.

7. Photo Documentation: Grantees are responsible for the following photo documentation:

- Before and after photos, which should be taken from similar angles to showcase how a particular area has been transformed over time.
- Project milestone photos (such as ground-breakings and ribbon-cuttings).
- Photos taken throughout construction phases and throughout the length of the project.

Photos should be high resolution (at least 4 inches by 6 inches with a minimum of 300 pixels per inch) and contain captions with project descriptions, dates, locations, and the names of those featured, if appropriate.

8. Project Signage: Each project or program in excess of \$250,000 funded in whole or in part by revenues from the *TransNet* Extension Ordinance shall be clearly designated during its construction or implementation as being provided by such revenues. SANDAG will provide sign specifications. Grantee agrees to follow sign specifications and submit proof files to SANDAG for approval before printing.

9. Performance Monitoring: SANDAG staff may measure performance of the constructed capital improvements against stated project objectives, and evaluate the overall grant program. Grantee is expected to meet with SANDAG staff to identify relevant performance measures and data sources, and provide available data and feedback regarding the program as appropriate.

Planning and Non-Capital Grants

1. Contact Information. Grantee must provide SANDAG with contact information for the project manager. Grantee must provide SANDAG with updated contact information in a timely manner if there are any changes to staff assigned.

2. Request for Proposals and Consultant Selection. Upon request by SANDAG, Grantee must submit consultant draft Request for Proposals to SANDAG staff for review and comment for consistency with the agreed upon Scope of Work with SANDAG (Attachment A).

3. Quarterly Reports. Grantee must submit quarterly reports to SANDAG, detailing accomplishments in the quarter, anticipated progress next quarter, pending issues and actions toward resolution, and status of budget and schedule.

4. Stakeholder and Community Meetings. Grantee must provide SANDAG with advance notice (preferably within two weeks) and agendas of all stakeholder and community meetings, and a meeting summary following the meeting. SANDAG staff may attend any meetings as appropriate.

5. Media and Community Outreach Coordination. Press materials shall be provided to SANDAG staff before they are distributed. SANDAG logo(s) should be included in press materials and other project collateral. Furthermore, the Grantee agrees to provide project milestone information to support media and communications efforts.

6. Photo Documentation. Grantees are responsible for the following photo documentation:

- Existing conditions photos, which should illustrate the current conditions of the project site and demonstrate the need for improved facilities
- Project milestone photos (such as workshops, presentations to community groups, other agencies, and elected officials)

Photos should be high resolution (at least 4 inches by 6 inches with a minimum of 300 pixels per inch) and contain captions with project descriptions, dates, locations, and the names of those featured, if appropriate.

**ATTACHMENT D
QUARTERLY REPORT AND INVOICE FORMS**

***TransNet Smart Growth Incentive Program and
TransNet/TDA Active Transportation Grant Program
Quarterly Report***

Report Submittal Date: [Insert]

Reporting Period: [Insert - Example: FY 2014, Quarter 1]

PART 1: DESCRIPTION OF ACTIVITY FOR REPORTING PERIOD

1. Work Accomplished This Reporting Period

[INSTRUCTIONS: Replace this text with a detailed description of work completed and underway during the reporting period. In a bullet format, reference specific tasks.]

Example:

- Task 1 - Award Consultant Contract: Issued RFP and convened a selection panel of 5 members from the City, MTS, NTCDC, and SANDAG to shortlist 3 of 9 firms. The panel interviewed the 3 firms and selected XYZ Group for this project. The City Council approved the consultant contract with XYZ Group on January 1, 2014. City staff held a kick-off meeting on January 10, 2014.
- Task 2 – Public Outreach: City staff and XYZ Group began organizing the first workshop for this project. The anticipated date of the first workshop will be in the February/March 2014 timeframe.
- Task 3 – Etc.
- Task 4 – Etc.

2. Deliverables Produced This Reporting Period

[INSTRUCTIONS: Summarize the deliverables produced during this period and indicate the date submitted to SANDAG. Deliverables can be submitted as an attachment to this report. See Item 5 for more details.]

Example:

- Final RFP – Submitted in December 2014.
- Approved Consultant Contract and Kick-Off Meeting Notes – Submitted with this report. Please see accompanying list of attachments.

3. Is there an accompanying invoice for this period?

[INSTRUCTIONS: Indicate YES or NO.]

4. Work Anticipated for the Next Reporting Period

[INSTRUCTIONS: Replace this text with a brief description of work anticipated for the next reporting period. Also note any upcoming meetings or workshops.]

5. List of Attachments

[INSTRUCTIONS: List any deliverables or invoice documents attached to this report. Attachments over 6MB should be sent via WeTransfer.]

WeTransfer Link: <https://sandag.wetransfer.com/>

Example:

- Attachment 1: Consultant Contract
- Attachment 2: Kick-Off Meeting Notes
- Attachment 3: Invoice Spreadsheet
- Attachment 4: Invoice Documentation

PART 2: SCHEDULE AND TASK STATUS

Task	Scheduled Start Date <i>(Per Grant Scope of Work)</i>	Scheduled Completion Date <i>(Per Grant Scope of Work)</i>	Status	Timing	Anticipated Start Date <i>(If Different from Grant Scope of Work)</i>	Anticipated Completion <i>(If Different from Grant Scope of Work)</i>
NTP Date						
Task 1	[mm/dd/yy]	[mm/dd/yy]	[In Progress/ Completed/ Not Started]	[On Time/ Delayed]	[mm/dd/yy]	[mm/dd/yy]
Task 2: Policy No. 035 Milestone	[mm/dd/yy]	[mm/dd/yy]	[In Progress/ Completed/ Not Started]	[On Time/ Delayed]	[mm/dd/yy]	[mm/dd/yy]
Task 3: Policy No. 035 Milestone	[mm/dd/yy]	[mm/dd/yy]	[In Progress/ Completed/ Not Started]	[On Time/ Delayed]	[mm/dd/yy]	[mm/dd/yy]

PART 3: CHALLENGES, SCHEDULE DELAYS, AND AMENDMENT REQUESTS

Challenges and Actions Toward Resolution (If applicable)

[INSTRUCTIONS: If you are experiencing challenges in completing project tasks, please provide information about the delay and actions taken to resolve issues. If an amendment is needed, provide justification and check the appropriate box below.]

No amendment requested at this time

Amendment requested to*:

Project Schedule

Project Budget

Scope of Work

**Failure to check a box in the above section assumes there is no action requested. Amendment requests are subject to SANDAG's approval. It is the Grantee's responsibility to ensure compliance with SANDAG Board Policy No. 035: Competitive Grant Program Procedures and grant agreement terms and conditions.*

PART 4: PROJECT STATUS REPORT SIGNATURE

Prepared by _____ **Date:** _____
Project Manager

INVOICE INSTRUCTIONS

Step 1: Complete the Quarterly Progress Report.

Reimbursements cannot be made without a completed Quarterly Progress Report.

Step 2: Gather Documentation for Staff Costs, Consultant/Contractor Costs, and Other Costs.

Provide SANDAG with a copy of any consultant and contractor agreements awarded through the grant.

Staff Costs should be supported by certified payroll documentation

Consultant costs should be supported by the consultant invoice AND a proof of payment. The proof of payment can be either a copy of the check provided to the consultant or printout from the project's financial accounting system showing that funds were disbursed.

Contractor costs should be supported by the contractor invoice, schedule of values, AND a proof of payment. The proof of payment can be either a copy of the check provided to the contractor or a printout from the project's financial accounting system showing that funds were disbursed.

Other costs should be supported by either an invoice from the vendor or a receipt AND must be accompanied by a proof of payment. The proof of payment can be either a copy of the check provided to the vendor or a printout from the project's financial accounting system showing that funds were disbursed.

Clearly identify (i.e., highlight or circle) all grant-related expenses on documents that include non-related costs.

Step 3: Complete the Expense Summary.

Summarize the total Staff Costs, Consultant/Contractor Costs, and Other Costs incurred during the reporting period.

Confirm that you have the adequate documentation.

Break down each cost by task. This will help with the next step to complete the invoice statement.

Double check and make sure all sub-totals have been calculated correctly.

Step 4: Complete the Invoice Statement.

Enter the costs for each task (calculated in Step 3) into the appropriate cells of the Invoice Statement. The SANDAG contribution, match contribution, and retention amounts should automatically calculate.

Enter previous costs by task into the appropriate cells of the spreadsheet. The remaining grant balance should automatically calculate.

Step 5: Submit Quarterly Progress Report, Invoice, and Supporting Documentation to SANDAG at:

sgatgrants@sandag.org

Sign and scan the completed Quarterly Progress Report. Submit it in PDF form.

Sign and scan the invoice statement. Submit it in PDF form.

Submit supporting documentation in PDF form.

Submit the completed Excel workbook.

Files in excess of 6MB should be submitted via:

<https://sandag.wetransfer.com>

DRAFT

PART 1: STAFF COSTS

Personnel	Time Period	Hours	Hourly Rate	Amount	Documentation Attached?
Staff Person A	mm/dd/yy to mm/dd/yy	10	\$ 100.00	\$ 1,000.00	YES/NO
Staff Person B	mm/dd/yy to mm/dd/yy	10	\$ 100.00	\$ 1,000.00	YES/NO
Staff Person C	mm/dd/yy to mm/dd/yy	10	\$ 100.00	\$ 1,000.00	YES/NO

[INSERT ADDITIONAL LINES AS NEEDED]

PART 2: CONSULTANT/CONTRACTOR COSTS

Consultant/Contractor	Invoice No.	Invoice Date	Description of Costs	Amount	Documentation Attached?
Consultant XYZ	1	1/1/2014	Professional services for the month of January 2014	\$ 10,000.00	YES/NO
Consultant XYZ	2	2/1/2014	Professional services for the month of February 2014	\$ 10,000.00	YES/NO
Consultant XYZ	3	3/1/2014	Professional services for the month of March 2014	\$ 10,000.00	YES/NO
Outreach Organization ABC	1	3/1/2014	Outreach from January 2014 to March 2014	\$ 10,000.00	YES/NO

[INSERT ADDITIONAL LINES AS NEEDED]

PART 3: OTHER COSTS

Vendor	Invoice No.	Invoice Date	Description of Costs	Amount	Documentation Attached?
Vendor A	1	1/1/2014	Printing costs for January 2014	\$ 100.00	YES/NO
Vendor B	1	2/1/2014	News Announcement for February 2014 Workshop	\$ 100.00	YES/NO
Vendor C	1	2/28/2014	Snacks for February 2014 Workshop	\$ 100.00	YES/NO

[INSERT ADDITIONAL LINES AS NEEDED]

TRANSNET SMART GROWTH INCENTIVE PROGRAM INVOICE

To: **SUCHI MUKHERJEE**
SANDAG
 401 B Street, Suite 800
 San Diego, CA 92101-4231

Project Name: [PROJECT NAME]
Contract Number: 500XXX

From: **Name**
Address

Grant Invoice Number: #
Billing Period: FROM TO
Invoice Date: DATE

Grant Award: \$0.00
Balance Remaining: \$0.00

TASK	Previous Balance			Current MM/DD/YYYY to MM/DD/YYYY			Total Expenses	SANDAG Total	Match Spent
	Reimbursed to Date	Match to Date	Total to Date	Staff Costs	Consultant or Contractor Costs	Other Costs	This Invoice	This Invoice	This Invoice
1 RFP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2 Existing Conditions Report	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3 Public Outreach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4 Draft Plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5 Final Plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Total Current Expenditures:	\$0.00
Total Amount Due this Invoice:	\$0.00
<i>Less 10% Retention:</i>	\$0.00
Match % Met to Date:	#DIV/0!

Total Project Budget (Grant + Match)	
Task 1	\$0.00
Task 2	\$0.00
Task 3	\$0.00
Task 4	\$0.00
Task 5	\$0.00
TOTAL	\$0.00
SANDAG Grant:	\$0.00
Match:	\$0.00
SANDAG Contribution %	#DIV/0!
Required Match %	#DIV/0!

CERTIFICATION OF GRANTEE

I hereby certify that the above costs were incurred in performance of the work required under the grant and are consistent with the amounts evidenced by attached supporting documents and expenditures.

Signature

Printed Name and Title

Date

DRAFT



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: CITY ADMINISTRATION
SUBJECT: UPDATE ON ADMINISTRATION OF THE IMPERIAL BEACH SPORTS PARK AND RECREATION CENTER

EXECUTIVE SUMMARY:

On April 16, 2014, an operating agreement between the Boys & Girls Club, the Imperial Beach Little League, the Imperial Beach Girls Softball League and the City of Imperial Beach was created to provide improved and expanded recreational programs for the residents of the community. Since that time, the City Council has organized a Parks and Recreation Committee that meets with the City Manager on a quarterly basis to discuss park improvements and recreational opportunities. The City Council has instructed the City Manager to provide an occasional report on recreation and park related issues.

Recommendation: Accept and file the report of the City Manager and provide any specific direction necessary to insure an effective and responsive parks and recreation program.

Rationale: A well-organized and effective recreation program is consistent with the Imperial Beach Mission Statement by providing a safe environment, family atmosphere and promotes cultural opportunities.

Options:

- Receive and file the report from the City Manager
- Provide direction to the City Manager to take a specific action
- Request additional information and an additional report

BACKGROUND:

A formal agreement was signed on April 16, 2014 to clarify the roles and responsibilities of the Boys & Girls Club, the Imperial Beach Little League, the Imperial Beach Girls Softball League (collectively referred to as "the Leagues") and the City of Imperial Beach in the management of the Sports Park and provision of recreational activities. After several months of operation, staff is prepared to provide a report to the City Council about the current status of the Imperial Beach recreation program.

In addition the operation of the Sports Park, the newly formed Parks and Recreation Committee has met, organized and held meetings with the City Manager. Although this is still an evolving committee, staff is prepared to provide some initial feedback and reports to the City Council.

ANALYSIS:

Staff has reviewed the provisions of the operational agreement and this report contains only those items that are in need of discussion or are of special interest. All other provisions of the agreement have been satisfied. In the order they are found in the agreement:

1. Section III (C) Hours of Operation – There has been some comments received that the facilities are not open during the established hours. Staff has informed the Boys & Girls Club that the facilities need to be open to the public during the established hours.
2. Section III (G) Improvements – Although the operational agreement states that the facilities will be accepted in “AS-IS” condition, the City remains the owner of the facility and will attempt to make improvements and repairs as needed. Staff has met with representatives from the Boys & Girls Club and the Leagues, as well as the Board of the Boys and Girls Club to discuss the necessary improvements. Several of the critical issues have been addressed, and a timeline for completing additional improvements has been identified.
3. Section III (I) Contribution by City – The agreement states that the City will pay the power and water costs for the facility until June 30, 2015. The date was selected to coincide with the annual budget. At that time, the City Council authorized \$50,000 to be provided to pay the power and water bills for the facility and if any funds remain, they should be used to improve the facility. Additionally, the City Council authorized \$10,000 for scholarships for residents that lack the ability to pay to participate in the programs. As the new two year budget is prepared, staff will seek direction of whether to include similar funding levels in the budget proposal.
4. Section III (M) Evaluation/Annual Reports – Staff will work with the appropriate representatives of the Boys & Girls Club and the Leagues to prepare an annual report in conjunction of the preparation of the two year municipal budget.

It was the stated objective of the City Council to modify the operation of the recreation program to improve participation and expand the activities. In discussions with the Boys & Girls Club, there have been new programs introduced such as adult co-ed softball and activities for the Senior Citizens and new activities are being explored. There have been some concerns about the lack of coordination between the schools and the Boys & Girls Club to increase participation as well as the hours of operation, but staff is working with the Boys & Girls Club to address these concerns.

The Parks and Recreation Commission has been created and held meetings to elect a Chair (Tim O’Neil) and other officers. They have established meeting dates and times and regular meetings will be held throughout the coming year. At this time, there is very little to report because the Committee is new and just getting organized, but staff will report more detailed activities the next time a report is prepared for the City Council.

The role of the Committee is to:

1. Review the sports and recreational programs in Imperial Beach to encourage increased participation levels, high quality volunteers, relevant and effective programming, efficient use of municipal resources and other issues related to the sports and recreational programs.
2. Review the condition and maintenance of municipal sports and recreational facilities and recommendations for capital improvements, new or additional facilities, and proper maintenance of existing facilities.

3. Seek funding through federal, state and local grants, sports and recreation foundations, community contributions, charitable donations, and endowment funding opportunities.
4. Identify opportunities to expand the parks and recreation opportunities in Imperial Beach and surrounding areas. Seek partnerships and collaboration with organizations that provide amenities that Imperial Beach cannot efficiently or realistically provide to its residents.
5. Take a holistic approach to parks and recreation to encourage activities for all ages and income levels, physical abilities, and interests. Expand beyond typical sports activities to include non-traditional sports, non-sporting activities and all forms of recreation and relaxation.
6. Seek to provide a positive alternative for the use of spare time. Recognize that an effective parks and recreation program are a necessity for a healthy community, not simply a luxury.

ENVIRONMENTAL DETERMINATION:

This report is not a project as defined by CEQA.

FISCAL IMPACT:

The City Council will need to consider the appropriation of funds for recreational purposes in the deliberations of the two year municipal budget that will be adopted in June of 2015.

RECOMMENDATION:

Staff is recommending that the City Council accept and file the information about the current status of the parks and recreation programs and operations.



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER AH
MEETING DATE: MARCH 4, 2015
ORIGINATING DEPT.: CITY ADMINISTRATION
SUBJECT: DISCUSSION ABOUT THE PROCEDURE TO APPOINT MEMBERS OF COMMUNITY BOARDS, COMMITTEES AND COMMISSIONS

EXECUTIVE SUMMARY:

In simple terms, the process to appoint members to community boards, committees and commissions for the Mayor to present selections to the City Council for advice and consent. However, Mayor Dedina would like the City Council to be more involved in the early stages of the selection process. Rather than create and adopt regulations to formalize this process, the Mayor is suggesting a more open interview process.

Recommendation: Consider and accept the suggestion of Mayor Dedina for the City Council to hold open interviews with candidates for community boards, committees and commissions.

Rationale: The proposed interview process will allow members of the City Council to be more involved in the selection process and ask questions of potential candidates. The process is also consistent with the effort to be more open and transparent in conducting City business.

Options:

- Agree to conduct open candidate interviews as proposed
- Propose an alternative method of selecting candidates
- Determine the current method of selection remains appropriate

BACKGROUND:

Past practice for selecting candidates for community boards, committees and commissions was essentially as follows:

- Identification of openings by the City Clerk due to:
 - Expired terms
 - Resignation
 - Formal Removal
- Notification of openings in the local media and other outreach efforts
- Interviews of candidates by the Mayor
- Presentation of candidate names by the Mayor to the City Council for advice and consent

ANALYSIS:

Mayor Dedina would like the City Council to consider an alternative method of selecting candidates that would allow the members of the City Council to be more involved early in the process and have more input into who is selected to serve on the various boards, committees and commissions in Imperial Beach.

As proposed, the City Council would convene an open meeting for the purpose of interviewing candidates for openings. Participation by Councilmembers is not mandatory, but rather each member of the City Council will be given the opportunity to participate. The members of the City Council who are able to attend the interviews will join the Mayor in the interview process. Following the interviews, and in consideration of any advice provided by the members of the City Council, the Mayor will submit names for each opening on a board, committee or commission to the City Council for their consent. The other facets of the selection process would remain the same, thus:

- Identification of openings by the City Clerk due to:
 - Expired terms
 - Resignation
 - Formal Removal
- Notification of openings in the local media and other outreach efforts
- Interviews of candidates by the Mayor AND MEMBERS OF THE CITY COUNCIL
- Presentation of candidate names by the Mayor to the City Council for consent

Because the process would, or at least could, result in the gathering of a quorum of the City Council, the interviews would be noticed as a public meeting and the interviews would be conducted in public. This would be consistent with the efforts of the Mayor and the City Council to operate in the most transparent manner.

ENVIRONMENTAL DETERMINATION:

This report is not a project as defined by CEQA.

FISCAL IMPACT:

There are no anticipated fiscal impacts associated with this action.

RECOMMENDATION:

Staff recommends acceptance of the suggestion of Mayor Dedina for the City Council to hold open interviews with candidates for community boards, committees and commissions.