



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

AUGUST 6, 2014

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

REGULAR & 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 Regular Meeting minutes of the June 4, 2014.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Recommendation: Ratify the following registers: Accounts Payable Numbers 84895 through 85061 (84966 voided) with a subtotal amount of \$1,305,014.54 and Payroll Checks/Direct Deposits 46037 through 46072 for a subtotal amount of \$180,727.16 for a total amount of \$1,485,741.70.

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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)

- 2.3 RESOLUTION NO. 2014-7508 APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIXTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH (CITY). (0680-70 & 680-85)**
Recommendation: Adopt resolution.
- 2.4 SECOND READING AND ADOPTION OF ORDINANCE NO. 2014-1146 (ZONING IMPLEMENTATION OF THE 2013-2021 IMPERIAL BEACH HOUSING ELEMENT) GPA 100060/ MF 1060. (0610-95)**
Recommendation: Waive further reading and adopt Ordinance No. 2014-1146.
- 2.5 RESOLUTION NO. 2014-7507 AUTHORIZING THE PURCHASE OF A REPLACEMENT CITY VEHICLE (EQUIPMENT #624 – PARKS/FACILITIES DIVISION DODGE RAM TRUCK) AND APPROPRIATING \$28,000 FROM THE VEHICLE REPLACEMENT INTERNAL SERVICES FUND FOR THIS PURCHASE. (0380-10)**
Recommendation:
 1. Receive report and
 2. Adopt resolution.
- 2.6 LETTER OF SUPPORT FOR A LEGISLATIVE INITIATIVE FOR RAPID WATER QUALITY TESTING (SB 1395 BLOCK). (0460-20)**
Recommendation: That the City Council approves a letter of support for Senate Bill 1395, authored by Senator Marty Block and related to rapid water quality testing.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4)

None.

REPORTS (5.1 - 5.5)

- 5.1 PROPOSED BSA EAGLE PROJECT PRESENTATION – OCHOA. (0940-10)**
Recommendation:
 1. Receive report;
 2. Receive a presentation from Armando Ochoa regarding the proposed improvements;
 3. Comment and direct staff and Armando Ochoa regarding the design of the proposed project; and
 4. Authorize the City Manager to sign the Eagle Project plan for Armando Ochoa to continue the project development and construction as approved by City Council and City staff.
- 5.2 PROPOSED BSA EAGLE PROJECT PRESENTATION – ENGELBRECHT. (0910-10 & 0940-10)**
Recommendation:
 1. Receive report;
 2. Receive a presentation from Ryan Engelbrecht regarding the proposed improvements;
 3. Comment and direct staff and Ryan Engelbrecht regarding the design of the proposed project; and
 4. Authorize the City Manager to sign the Eagle Project plan for Ryan Engelbrecht to continue the project development and construction as approved by City Council and City staff.

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REPORTS (Continued)

5.3 NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH AIRPORT LAND USE COMPATIBILITY PLAN (NOLF-IB ALUCP) GPA 140038/ MF 1158. (0620-80)

Recommendation:

1. Receive presentation by the Airport Authority;
2. Entertain any public testimony; and
3. Provide comments on the draft ALUCP to the Airport Authority.

5.4 REPORT ON STORM WATER PERMIT ORDER R9-2013-0001 AND DEVELOPMENT OF WATER QUALITY IMPROVEMENT PLANS. (0230-70)

Recommendation: Receive report and presentation on Stormwater Permit Order R9-2013-0001 and update on the development of Water Quality Improvement Plans.

5.5 CITY COUNCIL BRIEFING NO. 3 – PALM AVENUE MIXED USE & COMMERCIAL CORRIDOR MASTER PLAN AND POTENTIAL STATE ROUTE 75 (PALM AVENUE) RELINQUISHMENT ANALYSIS DISCUSSION. (0150-30, 0480-80 & 0600-20)

Recommendation:

1. Receive City Council Briefing No. 3 on the Palm Avenue Mixed Use and Commercial Corridor Master Plan (Master Plan);
2. Authorize staff and its consultant team to proceed with the project and the design of the Master Plan as currently proposed; and
3. Authorize staff to provide a written request to Caltrans to proceed with the next phase of the relinquishment assessment process including preparation of a Project Scope Summary Report (PSSR).

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6.1)

6.1 ADOPTION OF SUCCESSOR AGENCY RESOLUTION NO. SA-14-43 AND CITY COUNCIL RESOLUTION NO. 2014-7510 APPROVING AND RECOMMENDING TO THE OVERSIGHT BOARD APPROVAL OF AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH AS AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED ACTIONS. (0418-50)

Recommendation: That the Successor Agency and City Council approve and enter into an Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds (the "Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds by taking the following actions:

1. Successor Agency adoption of Resolution No. SA-14-43 approving and recommending to the Oversight Board approval of the Agreement as an Enforceable Obligation, and approving related actions; and
2. City Council adoption of Resolution No. 2014-7510 approving the Agreement and related actions.

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)

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

ADJOURN CLOSED SESSION MEETING

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

DRAFT

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

Item No. 2.1

JUNE 4, 2014

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

***CLOSED SESSION MEETING – 5:15 P.M.
REGULAR MEETING – 6:00 P.M.***

CLOSED SESSION CALL TO ORDER

MAYOR JANNEY called the Closed Session meeting to order at 5:16 p.m.

ROLL CALL BY CITY CLERK

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

CLOSED SESSION

COUNCILMEMBER SPRIGGS recused himself from discussion on Closed Session Item Nos. 1 and 2 due to the location of his residence.

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

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Case No. 37-2014-00003054-CU-EI-CTL
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Case No. 37-2013-00081555-CU-EI-CTL
- 3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code §54956.8:
Property: 1075 8th Street, Imperial Beach, CA 91932, APN 626-400-71-00
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: County of San Diego
Under Negotiation: Instruction to Negotiators will concern price and terms of payment

MOTION CARRIED UNANIMOUSLY.

ADJOURN CLOSED SESSION

MAYOR JANNEY adjourned the meeting to Closed Session at 5:17 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council discussed Closed Session Item Nos. 1 through 3, City Council gave direction and no reportable action was taken.

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REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular City Council meeting to order at 6:01 p.m.

ROLL CALL BY CITY CLERK

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

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

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

COUNCILMEMBER SPRIGGS gave an update on the Metro Wastewater Commission JPA meeting. He stated that there is a major effort by the Metro Wastewater Commission JPA and the City of San Diego to work on a project that would recycle water to a high standard so that it is drinkable. He noted that there is support for this type of approach given the rising cost of water and the drought conditions. He said that while most of the other members of the JPA have approved resolutions of support, the Imperial Beach City Council has not due to technical issues. He was hopeful that the city Council will consider a resolution of support once the technical issues have been worked out.

MAYOR JANNEY reported on his attendance at a Binational Summit on the Tijuana River Valley Recovery Strategy. While there, he was able to express gratitude to the Mayor, one of the Councilmembers and the people of Tijuana for the work they have done on the Tijuana River Valley over the past decade.

COUNCILMEMBER SPRIGGS announced that cross-border cooperation between non-governmental organizations will be considered at the next International Boundary and Water Commission meeting. He then asked City Manager Hall for an update on the 4th of July Fireworks Show.

COUNCILMEMBER BILBRAY announced that Candy Unger is interested in giving an update on her fundraising efforts for the 4th of July Fireworks Show but is running late to this meeting.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO PULL ITEM NOS. 2.5 AND 2.6 (WHICH RELATE TO THE 4TH OF JULY FIREWORKS SHOW) FROM THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM CITY STAFF

PUBLIC SAFETY DIRECTOR CLARK introduced Lifeguard Sgt. Art Ayala, Lifeguard II Jesus Gonzalez and Lifeguard Sgt. Jason Lindquist, who recently rescued a surfer from the water.

ART AYALA spoke about his rescue effort to save a surfer clinging to a pier piling. The surfer showed his appreciation by giving \$500 which will be donated to the Junior Lifeguard program.

PUBLIC SAFETY DIRECTOR CLARK announced that the Fire Service will be recognized at the San Diego County Fair on June 27th and that the Imperial Beach Engine 39 Fire Association will have a car in the Demolition Derby.

PUBLIC COMMENT

CITY CLERK HALD announced no speaker slips were submitted.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.4)

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

2.1 MINUTES.

Approved the minutes of the April 16, 2014 Regular City Council Meeting.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 84588 through 84687 with a subtotal amount of \$275,177.43 and Payroll Checks/Direct Deposits 45924 through 45946 for a subtotal amount of \$151,393.23 for a total amount of \$426,570.66.

2.3 SECOND READING AND ADOPTION OF ORDINANCE NO. 2014-1145 AMENDING THE IMPERIAL BEACH MUNICIPAL CODE ADDING CHAPTER 2.32 CREATING THE IMPERIAL BEACH PARKS AND RECREATION COMMITTEE. (0120-80)

City Council approved the reading by title only, waived the reading in full and adopted Ordinance No. 2014-1145.

2.4 DESIGNATION OF VOTING DELEGATE AND ALTERNATE(S) FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 3- 5, 2014. (0140-10)

1. City Council designated Mayor Janney as the voting delegate and Councilmember Spriggs as the voting alternate for the 2014 League Annual Conference Business Meeting.
2. Directed the City Clerk to complete and submit a Voting Delegate/Alternate Form to the League's office by Friday, August 15, 2014.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4.1)

4.1 AT&T (APPLICANT); ADMINISTRATIVE COASTAL PERMIT (ACP 130060), CONDITIONAL USE PERMIT (CUP 130061), DESIGN REVIEW CASE (DRC 130062), AND SITE PLAN REVIEW (SPR 130063) TO CONSTRUCT A NEW FREESTANDING FAUXTREE WIRELESS TELECOMMUNICATIONS FACILITY AND EQUIPMENT SHELTER AT 772 13th STREET (APN 626-312-11-00) IN THE C/MU-1 (GENERAL COMMERCIAL & MIXED-USE) ZONE. MF 1135; RESOLUTION 2014-7491. (0600-20)

MAYOR JANNEY declared the public hearing open.

SENIOR PLANNER FOLTZ gave a PowerPoint presentation on the item and requested City Council's consideration of the three design options for the faux tree.

SHELLY KILBOURNE, representing AT&T, stated that she is available to answer questions.

COUNCILMEMBER BRAGG expressed concern about a lack of lighting on the backside of the parking lot and requested that when similar projects are considered in the future, to include the addition of lighting.

MAYOR JANNEY closed the public hearing.

MOTION BY BILBRAY, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2014-7491 APPROVING ADMINISTRATIVE COASTAL PERMIT (ACP 130060), CONDITIONAL USE PERMIT (CUP 130061), DESIGN REVIEW CASE (DRC 130062), AND SITE PLAN REVIEW (SPR 130063), WHICH MAKES THE NECESSARY FINDING FOR A 40-FOOT BROADLEAF FAUX TREE WIRELESS FACILITY AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED UNANIMOUSLY.

CHRISTINE MOORE, Director of External Affairs, spoke about AT&T's partnership with the City and the Imperial Beach community. She understood that the AT&T building on Palm Ave. is located at the gateway into the City and she said that there have been discussions about beautifying the building.

REPORTS (5.1-5.3)

5.1 POLICY DISCUSSION ABOUT EXTENDING STREET-END PARKING TIMES ALONG SEACOAST DRIVE, AND DIRECTION FROM COUNCIL RESULTING IN POSSIBLE FUTURE ACTION. (0920-95)

PUBLIC SAFETY DIRECTOR CLARK gave a report and asked for City Council's consideration and input on the item.

MAYOR JANNEY commented that extending the hours allows the public better access to the businesses and recreational opportunities on the beachfront, while still prohibiting overnight parking.

MAYOR PRO TEM PATTON stated that it is a great start and supported the item.

COUNCILMEMBER SPRIGGS spoke in support of the item and noted that surfers would benefit in the mornings and the businesses would benefit in the evenings. He questioned having a 12:00 a.m. restriction in the residential areas.

MAYOR JANNEY suggested that the 12:00 a.m. restriction be applied to the street ends between Palm Ave. and Imperial Beach Blvd., that the 10:00 p.m. restriction remain in place at Dunes Park (Daisy Ave.) and the 5:00 a.m. restriction be applied along Seacoast Drive (including South Seacoast Drive).

COUNCILMEMBER BRAGG expressed concern about the public getting confused about a 12:00 a.m. restriction on Date Ave. and a 10:00 p.m. restriction on Daisy Ave. She questioned why the restrictions differed.

PUBLIC SAFETY DIRECTOR CLARK explained that Daisy Ave. is parking for Dunes Park.

MAYOR JANNEY added that the parking area for Dunes Park is not considered a street end.

PUBLIC SAFETY DIRECTOR CLARK announced that he has received direction from City

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Council and will return with a staff report for City Council's consideration.

5.2 RESOLUTION NO. 2014-7494 AWARDED A PUBLIC WORKS CONTRACT, TO WIT: ANNUAL MAIN LINE REPAIRS BY MICROTUNNELING (W12-202) AND APPROPRIATION OF AN ADDITIONAL \$430,280 FROM THE SEWER ENTERPRISE FUND CIP RESERVE TO PROJECT W12-202. (0830-10)

CITY MANAGER HALL gave a PowerPoint presentation explaining the Sewer Enterprise Fund. He also spoke about the need to move forward with the project due to the severe condition of the deteriorated line. He explained that the bids received were higher than the engineer's estimate due to the unique specialty of microtunneling. He recommended approval of the contract with Blue Pacific Engineering and Construction and appropriating an additional \$430,280 to complete the project.

PUBLIC WORKS DIRECTOR LEVIEN continued with a presentation on the construction details of the project.

COUNCILMEMBER SPRIGGS expressed concern about the variance between the the high bid amounts and the significantly lower cost estimate. He questioned if the correct engineer was utilized.

MAYOR PRO TEM PATTON stated that time is of the essence and a line failure would be catastrophic. He spoke in support for completing the project.

In response to questions of Councilmember Bragg, PUBLIC WORKS DIRECTOR LEVIEN spoke about the logistics of the project, the need to involve CalTrans, and the potential impacts to traffic.

MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7494 AWARDED A PUBLIC WORKS CONTRACT, TO WIT: ANNUAL MAIN LINE REPAIRS BY MICROTUNNELING (W12-202) AND APPROPRIATION OF AN ADDITIONAL \$430,280 FROM THE SEWER ENTERPRISE FUND CIP RESERVE TO PROJECT W12-202. MOTION CARRIED UNANIMOUSLY.

MAYOR JANNEY spoke about the importance of informing the public and MTS about the changes to traffic as a result of this project.

5.3 CONSIDERATION AND POTENTIAL ADOPTION OF RESOLUTION NO. 2014-7493 UPDATING COUNCIL POLICY 114 REGARDING CITY COUNCILMEMBERS ATTENDANCE AT CITY SPONSORED PUBLIC WORKSHOPS. (0410-95)

CITY MANAGER HALL introduced the item. He stated that currently City policy does not allow City Councilmembers to attend City sponsored workshops.

CITY ATTORNEY LYON gave a brief overview of the Ralph M. Brown Act. She noted that a meeting is defined as any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body. She also noted that if a majority of the City Council attends a City sponsored workshop, it would have to be noticed as a City Council meeting.

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COUNCILMEMBER SPRIGGS spoke about the importance of having opportunities to hear how the community is responding to particular proposals. He understood that having members of the City Council attend a meeting might stifle public opinions but he noted that there is a difference between being an observer and a participant at a meeting. He spoke in support for having the City Council attend workshops as long as it is understood that attendance at meetings would be as observers only.

MAYOR JANNEY recommended the addition of a statement that the City Council is willing to not participate in discussions at City sponsored workshops.

COUNCILMEMBER BILBRAY suggested a rotation of City Councilmembers to determine who goes to workshop meetings.

MAYOR PRO TEM PATTON spoke in support for having City Councilmembers attend City Council workshops as observers only.

COUNCILMEMBER BRAGG agreed with attending workshops as observers only. She also spoke in support for a policy that is more liberating. She spoke about having a policy that allows as many City Councilmembers attend City sponsored workshops as desired and she spoke in support for noticing the meetings.

In response to Councilmember Spriggs' question about compliance with the Brown Act, CITY ATTORNEY LYON stated that staff will handle the meetings on a case by case basis and depending on the subject matter will remove as many formalities as possible.

MAYOR JANNEY asked City Manager Hall to return to City Council with a revised policy that includes the modifications recommended by City Council.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6.1)

6.1 CONSIDERATION AND ADOPTION OF RESOLUTION NO. 2014-7492 AUTHORIZING THE CITY TO PROCEED WITH AN ALLEY IMPROVEMENT PROJECT (CIP PROJECT S14-104) FOR ALLEY NUMBERS 12, 13, 14, 15, 16, 18, 19, 32, 33, 34, 35, 36, 49, AND 50 AND RESOLUTION NO. SA-14-42 CONDITIONALLY AUTHORIZING THE ALLOCATION OF \$1,274,584 OF 2010 TAX ALLOCATION BOND PROCEEDS FOR THE PROJECT SUBJECT TO PLACEMENT OF THE PROJECT ON THE NEXT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15B) AND OBTAINING THE REQUIRED APPROVAL BY THE OVERSIGHT BOARD AND CALIFORNIA DEPARTMENT OF FINANCE. (0418-50 & 0720-08)

PUBLIC WORKS DIRECTOR LEVIEN gave an overview on the history of the item. He noted that the drawings were previously prepared under the standards that were in effect eight years ago and therefore need to be updated. Additionally, the design of each alley needs to be evaluated and updated to meet the standards of the permit issued by the Regional Water Quality Control Board.

ASSISTANT CITY MANAGER WADE reported on the funding option. He recommended that the City Council authorize the City to proceed with the expense of \$50,000 of the Strategic Capital Improvement Reserve to update the plans and prepare the bid specifications for putting the project out to bid. He also recommended authorization of an additional expenditure of up to \$200,000 to facilitate the plans and bid documents because it will cost more than \$50,000 given the number of alleys to be improved. He also recommended placement of the item on the

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ROPS and once approved by the DOF, refund the Strategic Capital Improvement Reserve with the bond funds for all but the \$50,000 that was already authorized by the City Council from the Strategic Capital Improvement Reserve.

COUNCILMEMBER SPRIGGS expressed concern about using funds from the Strategic Capital Improvement Reserve. He recalled that City Council previously supported funding street and alley projects with Gas Tax and Transnet funds. The Strategic Capital Improvement Reserve Fund was to be used as an investment fund for projects such as public/private partnerships that will result in increased return to the City. He noted that while he is just as confident that the funds will be returned through the ROPS process, he stated that it would be setting the wrong precedence to use the Strategic Capital Improvement Reserve Fund to front-end the costs. He preferred the use of Gas Tax and TransNet funds to fund the project.

CITY MANAGER HALL stated that Gas Tax and TransNet Funds come from SANDAG. To follow the paper trail through another agency would be complicated. He recommended using the money through the loan repayment from the DOF to allow the work to proceed.

City Council discussion ensued regarding City Council's previous action to allocate \$500,000 towards alley improvements and the source of funding.

MAYOR PRO TEM PATTON stated that it is clear that the funds will be returned to the City and noted that a lot of residents will benefit from having alleys.

COUNCILMEMBER SPRIGGS stressed that there are plenty of funds in other reserves. He supported switching the fund source to another fund account and staying true to the principle that we need to have a fund source that can generate economic development.

COUNCILMEMBER BILBRAY stated that TransNet and Gas Tax Funds would be taken from other street projects.

COUNCILMEMBER BRAGG stated that the funds will be paid back. She commented that City Council has been working on the alley project for a long time and to see it come to fruition is exciting. She questioned why concrete is being considered over asphalt.

PUBLIC WORKS DIRECTOR LEVIEN stated that asphalt alleys have a maintenance issue. He recommended use of the resources to install concrete alleys.

CITY MANAGER HALL discussed the benefits of having concrete alleys versus asphalt alleys. Staff will look at both products but will deliver the most cost effective method in both initial installation and long-term maintenance. He stated that there is an option to change the funding source to the Capital Reserve rather than the Strategic Reserve in order to move the item forward.

COUNCILMEMBER BILBRAY stated all of the other alleys have been paid for by property owners in the City. The fact that City Council is considering this item may lead to some criticism. He did state, however, that a policy was established to help determine the priority order for which alleys are to be paved, avoiding favoritism.

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MOTION BY BILBRAY, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2014-7492 AUTHORIZING STAFF TO PROCEED WITH THE NECESSARY PORTIONS OF THE ALLEY IMPROVEMENT PROJECT (CIP PROJECT S14-104) TO PREPARE FOR THE CONSTRUCTION OF ALLEY NUMBERS 12, 13, 14, 15, 16, 18, 19, 32, 33, 34, 35, 36, 49, AND 50.

Discussion ensued regarding funding sources for the project.

MAYOR JANNEY recommended a modification to the motion to use the funds from wherever the City Manager deems appropriate to make everyone happy.

COUNCILMEMBER BILBRAY agreed to the modification to the motion and stated that this is an investment in our neighborhoods.

MOTION BY BILBRAY, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2014-7492 AUTHORIZING STAFF TO PROCEED WITH THE NECESSARY PORTIONS OF THE ALLEY IMPROVEMENT PROJECT (CIP PROJECT S14-104) TO PREPARE FOR THE CONSTRUCTION OF ALLEY NUMBERS 12, 13, 14, 15, 16, 18, 19, 32, 33, 34, 35, 36, 49, AND 50 AND TO AUTHORIZE THE CITY MANAGER USE THE FUNDS FROM WHEREVER HE DEEMS APPROPRIATE. MOTION CARRIED UNANIMOUSLY.

MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. SA-14-42 CONDITIONALLY AUTHORIZING THE ALLOCATION OF \$1,274,584 OF 2010 TAX ALLOCATION BOND PROCEEDS FOR THE ALLEY IMPROVEMENT PROJECT (CIP PROJECT S14-104) SUBJECT TO PLACEMENT OF THE PROJECT AND PROPOSED EXPENDITURE OF THE BOND PROCEEDS ON THE ROPS 14-15B AND OBTAINING THE REQUIRED APPROVAL BY THE OVERSIGHT BOARD AND CALIFORNIA DEPARTMENT OF FINANCE FOR THE EXPENDITURE OF THE BOND PROCEEDS TOWARD THE PROJECT. MOTION CARRIED UNANIMOUSLY.

ITEMS PULLED FROM THE CONSENT CALENDAR

2.5 ADOPTION OF RESOLUTION NO. 2014-7490 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TIN FISH RESTAURANT FOR COMPENSATION OF LOST EARNINGS DUE TO THE PIER CLOSURE FOR THE 4TH OF JULY FIREWORKS SHOW. (1040-10)

CANDY UNGER reported that she has raised \$13,233.00, not including t-shirt sales. She said that of the 60 collection cans, there are 35 cans being actively circulated and each can brings in approximately \$100 per week. She noted that money can be raised if people walk the cans through the neighborhoods. She also reported that t-shirt sales have netted approximately \$1,000.00. There will be a fundraiser at SEA 180 on June 23rd from 5:00 p.m. to 9:00 p.m. where 15% of the sales will go towards fireworks.

MOTION BY BILBRAY, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2014-7490 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TIN FISH RESTAURANT FOR COMPENSATION OF LOST EARNINGS DUE TO THE PIER CLOSURE FOR THE 4TH OF JULY FIREWORKS SHOW. MOTION CARRIED UNANIMOUSLY.

June 4, 2014

City Council and IB Redevelopment Agency Successor Agency Minutes - Draft

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2.6 ADOPTION OF RESOLUTION NO. 2014-7489 RATIFYING THE CITY MANAGER'S SIGNATURE ON AN AGREEMENT WITH PYRO SPECTACULARS, INC. FOR PRODUCTION OF THE 4TH OF JULY FIREWORKS SHOW. (1040-10)

MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7489 RATIFYING THE CITY MANAGER'S SIGNATURE ON AN AGREEMENT WITH PYRO SPECTACULARS, INC. FOR PRODUCTION OF THE 4TH OF JULY FIREWORKS SHOW. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:27 p.m.

James C. Janney, Mayor

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: AUGUST 6, 2014
ORIGINATING DEPT.: ADMINISTRATIVE SERVICES *DSB*
SUBJECT: RATIFICATION OF WARRANT REGISTER

EXECUTIVE SUMMARY:

Approval of the warrant register in the amount of \$ 1,305,014.54 and the payroll checks in the amount of \$180,727.16.

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>
Anthenx, Inc	84783-voided	\$ 125,000.00	Sentinel Cameras/Installation
Anthenx, Inc	84901	\$ 125,000.00	Sentinel Cameras/Installation
Sandpipa	85005	\$ 166,242.35	2014/2015 Insurance Premium
SD County Sheriff	85047	\$ 493,381.42	May 2014 Law Enf Services

The following registers are submitted for Council ratification:

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
84895-84968	07/10/2014	\$ 286,596.57
84969-85018	07/17/2014	\$ 278,825.51
85019-85061	07/24/2014	\$ 740,027.46
*84966 voided	07/10/2014	\$ (435.00)
	Sub-Total	\$1,305,014.54

<u>Payroll Checks/Direct Deposit</u>		
46037-46072	P.P.E. 7/10/14	\$ 180,727.16
	Sub-Total	\$ 180,727.16
	<u>TOTAL</u>	<u>\$ 1,485,741.70</u>

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 Backup
2. Warrant Register

City of Imperial Beach

Warrant Register Back-up

July 10, 17 & 24

	Actual	Notes
PROFESSIONAL SERVICES		
SAN DIEGO COUNTY SHERIFF	\$ 445,384	May 2014 Sheriff
PROJECT DESIGN CONSULTANT	\$ 29,131	Palm Ave Commercial Corridor Project
TRAN CONSULTING ENGINEERS	\$ 26,000	Manhole / Well Inspections
CITY OF CHULA VISTA	\$ 18,321	June 2014 Animal Control
RAWSON ENTERPRISES INC.	\$ 14,500	El Tapatio Facade Improvement
LANCE, SOLL & LUNGHARD LLP	\$ 12,500	FY2015 Interim Audit
KANE, BALLMER & BERKMAN	\$ 11,097	Attorney Fees
TRAFFIC LOGIX CORP	\$ 3,806	Roundabout Fees
STATE CONTROLLER'S OFFICE DIV. OF	\$ 2,572	FY2014 Annual Streets Report
THYSSENKRUPP ELEVATOR CORPORATIO	\$ 801	
KIM A. MIKHAEL	\$ 555	
D.A.R. CONTRACTORS	\$ 347	
SHARP REES-STEALY MEDICAL CNTR	\$ 324	
TINOSA, INC.	\$ 250	
JACQUELINE SUE STENZEL	\$ 200	
CAROLYN WALSTEIN	\$ 150	
INSURANCE PREMIUM/DEPOSIT	\$ 166,242	FY2015 Liability/Property Insurance Renewal
EQUIPMENT		
ATHENX, INC.	\$ 125,000	Lifeguard Camera System (re-issued check)
WESTERN STATE DESIGN, INC.	\$ 11,894	Washer/Dryer for Fire Department
TECHNICAL SERVICES		
WEST COAST ARBORISTS	\$ 28,960	Palm Tree Pruning
ARROW PIPELINE REPAIR, INC	\$ 5,450	Mainline Repair Service
COUNTY OF SAN DIEGO	\$ 4,653	Parking Citation Remit to County
ACACIA LANDSCAPE, CO.	\$ 2,975	June 2014 Landscaping
VORTEX INDUSTRIES, INC.	\$ 2,700	Steel Door Motor Repair
PARTNERSHIP WITH INDUSTRY	\$ 2,294	June 15 & 30 Invoice
SPECTRA ASSOCIATES, INC.	\$ 1,765	Minutes Book
SHARP REES-STEALY MEDICAL CNTR	\$ 1,613	Pre-employment Medical Exam
AZTEC LANDSCAPING INC	\$ 1,540	June 2014 Landscaping
RAPIDSCALE, INC	\$ 839	
COX COMMUNICATIONS	\$ 779	
DOWNSTREAM SERVICES, INC.	\$ 660	
BAY CITY ELECTRIC WORKS	\$ 456	
MIKHAIL OGAWA ENGINEERING	\$ 363	
DATAQUICK	\$ 215	
ADVANCED ELECTRONIC SOLUTIONS2	\$ 190	
SOUTH WEST SIGNAL	\$ 160	
DEPARTMENT OF JUSTICE	\$ 147	
RELIABLE TIRES COMPANY	\$ 30	
INSURANCE PREMIUM/WK COMP	\$ 54,410	FY2015 Workers Compensation Insurance Renewal
SLESF "COPS" FUNDING	\$ 50,000	
OPERATING SUPPLIES		
MUNICIPAL EMERGENCY SERVICES, INC.	\$ 10,214	
WAXIE SANITARY SUPPLY	\$ 3,653	
DOGBAGSANDMORE.COM	\$ 3,640	Voice Amplifiers for Fire Department
GOLDEN STAR TECHNOLOGY, INC	\$ 3,191	Janitorial Supplies
ACACIA LANDSCAPE, CO.	\$ 3,000	Waste Bags
FIRE ETC	\$ 2,201	Toughbook/Laptop for Fire Department
GRAINGER	\$ 2,135	Supplies for Sewer Department
SILVERADO AVIONICS, INC.	\$ 1,347	Radio Parts for Fire Department
BOUND TREE MEDICAL, LLC	\$ 1,184	Supplies for Tidelands
MASON'S SAW & LAWNMOWER	\$ 845	
JOHN DEERE LANDSCAPES	\$ 815	
WHITE CAP CONSTRUCTION SUPPLY	\$ 590	
TERRA BELLA NURSERY, INC.	\$ 518	
OFFICE DEPOT, INE	\$ 515	

City of Imperial Beach

Warrant Register Back-up

July 10, 17 & 24

	Actual	Notes
OLDCASTLE PRECAST, INC.	\$ 433	
PADRE JANITORIAL SUPPLIES	\$ 407	
AMERICAN MESSAGING	\$ 404	
BOYCE INDUSTRIES INC	\$ 302	
SPARKLETTES	\$ 192	
ARROWHEAD MOUNTAIN SPRING WATI	\$ 134	
LIGHTHOUSE, INC	\$ 33	
WESTERN MICROGRAPHICS & IMAGING	\$ -	
PAYROLL EXPENSE	\$ 33,297	
UTILITIES-WATER	\$ 30,332	
GAS & ELECTRIC (SDG&E)	\$ 27,284	
VEHICLE OPERATE-FUEL/OIL	\$ 25,640	SKS Inc. Fuel Charge
THIRD PARTY ADMIN (W/C)	\$ 25,000	FY2015 Workers Comp Third Party Admin Fee (Tristar c/o SANDPIPA)
OTHER SERVICES & CHARGES	\$ 13,752	SANDAG FY2015 Agency Assessment
ATTORNEY SERVICES	\$ 12,609	KANE, BALLMER & BERKMAN
TEMPORARY STAFFING	\$ 11,455	5 Temporary Staff
RENT-UNIFORMS	\$ 9,077	JR. Lifeguard Uniforms
MEMBERSHIP DUES		
COUNTY OF SAN DIEGO	\$ 6,286	FY2015 Local Agency Formation Commission Fees
SOUTH COUNTY ECONOMIC	\$ 2,500	FY2015 Membership Fees
SCAN C/O CITY OF TORRANCE	\$ 80	
ATTORNEY SERVICES-OTHER	\$ 8,227	MCDUGAL LOVE ECKIS &
LIABILITIES-DEPOSITS BUILDING DEPOSITS/	\$ 7,096	
MAINTENANCE & REPAIR	\$ 5,828	Misc Vehicle Repair Costs
BUSINESS IMPROVEMENT DIST BUSINESS II	\$ 5,626	Remittance to the BID
RCS PROGRAM	\$ 3,704	June 2014 Regional Communication System Fee
UTILITIES-TELEPHONE	\$ 2,999	
MISCELLANEOUS REVENUE	\$ 2,019	
COPIER LEASES	\$ 1,935	
UTILITIES-CELL PHONES	\$ 1,719	
ACCOUNT RECEIVABLES	\$ 1,356	
VEHICLE OPERATE-PARTS M&O	\$ 807	
SECURITY & ALARM	\$ 772	
OFFICE SUPPLIES	\$ 757	
FEES & LICENSES	\$ 647	
JR.LIFEGUARD PROGRAM FEES	\$ 645	
SMALL TOOLS/NON-CAPITAL	\$ 533	
CONTRACTS-ELECTIONS	\$ 261	
BANKING/FIN SRVCS CHARGES	\$ 241	
PRINTING SERVICES	\$ 218	
RENT-EQUIPMENT	\$ 207	
TRAFFIC CONTROL	\$ 173	
MISCELLANEOUS PERMITS	\$ 106	
LIABILITIES-DEPOSITS DEPOSITS-G/L INSUR	\$ 81	
SPECIAL EVENT PERMIT FEES	\$ 75	
POSTAGE & FREIGHT	\$ 63	
SB 1186 DISABILITY ACCESS	\$ (1,414)	
VEHICLE IMPOUND FEE	\$ (2,003)	
Grand Total	\$ 1,305,015	

ATTACHMENT 2

A/P CHECKS BY PERIOD AND YEAR
FROM 07/08/2014 TO 07/24/2014

PREPARED 07/24/2014, 9:47:01
PROGRAM: GM350L
CITY OF IMPERIAL BEACH

CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT	TRN AMOUNT
07/10/2014	84895	ACACIA LANDSCAPE, CO.							5,975.00	5,975.00
101-6020-452.21-04		06/24/2014		JUN 2014	5000	140585	12/2014		2,975.00	2,975.00
101-6020-452.30-02		06/24/2014		JUN 2014	5000	140585	12/2014		3,000.00	3,000.00
07/10/2014	84896	ADRIANA RODRIGUEZ							76.00	76.00
101-0000-121.00-00		06/26/2014		OVERPYMT TICKET #64041	PT #64041		12/2014		76.00	76.00
07/10/2014	84897	AFLAC							716.98	716.98
101-0000-209.01-13		07/19/2014		PAYROLL AP PPE 6/12/14	20140619	140093	12/2014		358.49	358.49
101-0000-209.01-13		07/03/2014		PAYROLL AP PPE 6/26/14	502749	140093	01/2015		358.49	358.49
07/10/2014	84898	AMERICAN MESSAGING							548.55	548.55
101-3020-422.27-05		06/01/2014		JUN 2014	L10740450F	140093	12/2014		50.15	50.15
101-3020-422.27-05		05/01/2014		MAY 2014	L10740450E	140093	11/2014		162.67	162.67
101-3030-423.30-02		05/01/2014		MAY 2014	L10740450E	140093	11/2014		335.73	335.73
07/10/2014	84899	ARROW PIPELINE REPAIR, INC.							5,450.00	5,450.00
601-5060-436.21-04		06/26/2014		MAINLINE REPAIR SERVICE	18-000110	140918	12/2014		5,450.00	5,450.00
07/10/2014	84900	AT&T							2,951.14	2,951.14
503-1923-419.27-04		06/20/2014		3372571583448	5504209		12/2014		331.78	331.78
503-1923-419.27-04		06/20/2014		3393431504727	5502603		12/2014		152.83	152.83
503-1923-419.27-04		06/20/2014		33934339371447	5505298		12/2014		178.97	178.97
503-1923-419.27-04		06/20/2014		33934423233406	5505606		12/2014		17.19	17.19
101-1210-413.27-04		06/17/2014		61942335034	5494724		12/2014		.74	.74
101-3020-422.27-04		06/17/2014		6194237246664	5493944		12/2014		4.35	4.35
101-5020-432.27-04		06/15/2014		6194238311966	5490348		12/2014		16.70	16.70
101-3030-423.27-04		06/15/2014		6194238322966	5490349		12/2014		13.59	13.59
503-1923-419.27-04		06/11/2014		6194243481712	5468040		12/2014		.10	.10
101-1230-413.27-04		06/17/2014		6196281356950	5493947		12/2014		18.47	18.47
101-1920-419.27-04		06/17/2014		6196282018442	5491407		12/2014		103.79	103.79
601-5060-436.27-04		06/15/2014		6196282018442	5491409		12/2014		128.93	128.93
101-1920-419.27-04		06/15/2014		C602221236777	5491410		12/2014		58.73	58.73
101-1110-412.27-04		06/15/2014		C602224829777	5491411		12/2014		375.45	375.45
101-1020-411.27-04		06/15/2014		C602224831777	5491412		12/2014		198.74	198.74
101-1230-413.27-04		06/15/2014		C602224832777	5491413		12/2014		78.01	78.01
101-1130-412.27-04		06/15/2014		C602224833777	5491414		12/2014		87.42	87.42
101-1210-413.27-04		06/15/2014		C602224834777	5491415		12/2014		293.66	293.66
101-6030-453.27-04		06/15/2014		C602224835777	5491416		12/2014		206.77	206.77
101-6010-451.27-04		06/15/2014		C602224836777	5491417		12/2014		297.34	297.34
101-3020-422.27-04		06/15/2014		C602224837777	5491418		12/2014		157.60	157.60
101-3020-422.27-04		06/15/2014		C602224838777	5491419		12/2014		125,000.00	125,000.00
101-5020-432.27-04		06/15/2014		C602224840777	14-1431	140643	12/2014		76,523.67	76,523.67
601-5060-436.27-04		06/15/2014		C602224841777	14-1432	140680	12/2014		48,476.33	48,476.33
07/10/2014	84901	ATHENX, INC.							36.00	36.00
101-3030-423.50-04		06/06/2014		SILENT SENTINEL CAMERAS	6641		11/2014		36.00	36.00
101-3030-423.50-04		06/06/2014		SURVEILLANCE SYSTEM INSTA						
07/10/2014	84902	BLANCA EPPS								
101-0000-324.73-01		05/29/2014		REFUND SOUND PERMIT						

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/10/2014	84904	CALIFORNIA AMERICAN WATER	612			16,307.62	
101-5020-432.27-02	06/10/2014	1015-210019058534	MAY 14	07-02-2014	11/2014	277.20	
101-5010-431.27-02	06/16/2014	1015-210020731235	MAY 14	07-08-2014	11/2014	6.56	
601-5060-436.27-02	06/18/2014	1015-210019401916	MAY 14	07-10-2014	11/2014	6.56	
601-5060-436.27-02	06/10/2014	1015-210018820255	MAY 14	07-02-2014	11/2014	24.02	
101-5020-432.27-02	06/17/2014	1015-210020277854	MAY 14	07-09-2014	11/2014	74.60	
101-6020-452.27-02	06/17/2014	1015-210021082448	MAY 14	07-09-2014	11/2014	1,435.18	
101-6020-452.27-02	06/10/2014	1015-210019176128	MAY 14	07-02-2014	11/2014	12.39	
101-6020-452.27-02	06/10/2014	1015-210019176067	MAY 14	07-02-2014	11/2014	832.22	
101-5010-431.27-02	06/06/2014	1015-210018811916	MAY 14	06-30-2014	11/2014	32.81	
601-5060-436.27-02	06/06/2014	1015-210019512885	MAY 14	06-30-2014	11/2014	290.56	
101-1910-419.27-02	06/09/2014	1015-210020154739	MAY 14	07-01-2014	11/2014	22.23	
101-6020-452.27-02	06/12/2014	1015-210019748332	MAY 14	07-07-2014	11/2014	6.56	
101-6020-452.27-02	06/11/2014	1015-210019749687	MAY 14	07-03-2014	11/2014	24.02	
101-5010-431.27-02	06/16/2014	1015-210021068541	MAY 14	07-08-2014	11/2014	424.89	
601-5060-436.27-02	06/09/2014	1015-210020125977	MAY 14	07-01-2014	11/2014	16.40	
101-6020-452.27-02	06/13/2014	1015-210021067159	MAY 14	07-07-2014	11/2014	24.02	
101-5010-431.27-02	06/18/2014	1015-210019178568	MAY 14	07-10-2014	11/2014	6.56	
101-5010-431.27-02	06/17/2014	1015-210019334948	MAY 14	07-09-2014	11/2014	12.39	
101-5010-431.27-02	06/17/2014	1015-210019335835	MAY 14	07-09-2014	11/2014	12.39	
101-5010-431.27-02	06/18/2014	1015-210019531534	MAY 14	07-10-2014	11/2014	24.02	
101-5010-431.27-02	06/18/2014	1015-210019531626	MAY 14	07-10-2014	11/2014	18.21	
101-5010-431.27-02	06/18/2014	1015-210019535857	MAY 14	07-10-2014	11/2014	41.49	
101-6020-452.27-02	06/12/2014	1015-210019749625	MAY 14	07-07-2014	11/2014	6.56	
303-1250-413.29-04	06/20/2014	1015-210021114451	MAY 14	07-14-2014	11/2014	16.40	
101-6020-452.27-02	06/19/2014	1015-210019746893	MAY 14	07-11-2014	11/2014	6.56	
101-6020-452.27-02	06/17/2014	1015-210021068367	MAY 14	07-09-2014	11/2014	5,237.29	
101-1910-419.27-02	06/13/2014	1015-210021068268	MAY 14	07-07-2014	11/2014	69.94	
101-1910-419.27-02	06/17/2014	1015-210019335347	MAY 14	07-09-2014	11/2014	843.86	
101-6020-452.27-02	06/17/2014	1015-210019335484	MAY 14	07-09-2014	11/2014	192.14	
101-6020-452.27-02	06/17/2014	1015-210019335248	MAY 14	07-09-2014	11/2014	4,009.49	
101-6020-452.27-02	06/17/2014	1015-210019335682	MAY 14	07-09-2014	11/2014	22.23	
101-6020-452.27-02	06/17/2014	1015-210019335774	MAY 14	07-09-2014	11/2014	145.59	
101-6020-452.27-02	06/12/2014	1015-210019748080	MAY 14	07-07-2014	11/2014	6.56	
101-6020-452.27-02	06/18/2014	1015-210019176333	MAY 14	07-10-2014	11/2014	122.94	
101-3030-423.27-02	06/06/2014	1015-210020153385	MAY 14	06-30-2014	11/2014	25.27	
101-6020-452.27-02	06/12/2014	1015-210020440898	MAY 14	07-07-02014	11/2014	1,158.09	
101-5010-431.27-02	06/10/2014	1015-210019179080	MAY 14	07-02-2014	11/2014	819.42	
07/10/2014	84905	CAROLYN JAYNES, MUSIC ENTERTAI	2587			150.00	
101-6030-453.20-06	06/18/2014	MUSIC ENTERTAINMENT 10/24	1002A	F14079	12/2014	150.00	
07/10/2014	84906	CITY OF CHULA VISTA	823			1,015.55	
101-3050-425.20-06	05/07/2014	JUN 2014 A/C OT/CALLBACK		140249	12/2014	428.09	
101-3050-425.20-06	05/07/2014	MAY 2014 A/C- OT/CALLBACK		140249	11/2014	587.46	
07/10/2014	84907	COLIN J KELLY	2			10.00	
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #64460	PT #64460		12/2014	10.00	
07/10/2014	84908	COLONIAL LIFE & ACCIDENT	941			100.18	
101-0000-209.01-13	06/19/2014	PAYROLL AP PPE 6/12/14	20140619		12/2014	50.09	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	
101-0000-209.01-13	07/03/2014	PAYROLL AP PPE 6/26/14	0602033		01/2015		50.09	
07/10/2014	84909	COUNTY OF SAN DIEGO	1055				4,652.50	
101-3010-421.21-04	06/25/2014	MAY 2014 PARKING PENALTY	05/14		11/2014		2,229.50	
101-3010-421.21-04	06/30/2014	JUN 2014 PARKING PENALTY	06/14		12/2014		2,423.00	
07/10/2014	84910	COX COMMUNICATIONS	1073				39.91	
101-6010-451.29-04	06/14/2014	06/13-07/12 3110015531401	07-03-2014	140162	12/2014		156.86	
101-6010-451.29-04	06/25/2014	06/19-07/12 311001531401	06-25-2015		12/2014		116.95	
07/10/2014	84911	DANIEL J SCOTT	2				103.00	
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #61754	P61754		12/2014		103.00	
07/10/2014	84912	DATAQUICK	1134				214.50	
101-1210-413.21-04	07/01/2014	JUN 2014	B1-2303009	140197	12/2014		2.50	
101-3020-422.21-04	07/01/2014	JUN 2014	B1-2303009	140197	12/2014		6.50	
101-3040-424.21-04	07/01/2014	JUN 2014	B1-2303009	140197	12/2014		205.50	
07/10/2014	84913	DAVID E BRUCE	2				63.00	
101-0000-121.00-00	06/26/2014	OVERPYMT OF TICKET #62730	PT #62730		12/2014		63.00	
07/10/2014	84914	DOGBAGSANDMORE.COM	2517				3,640.00	
101-5050-435.30-02	05/31/2014	BIODEGRADABLE WASTE BAGS	7808	140929	11/2014		1.01	
101-5050-435.30-02	05/31/2014	BIODEGRADABLE WASTE BAGS	7808	140929	11/2014		2,227.33	
101-5050-435.30-02	05/31/2014	BIODEGRADABLE WASTE BAGS	7808	140929	11/2014		1,411.66	
07/10/2014	84915	DOWNSTREAM SERVICES, INC.	1593				660.00	
101-5050-435.21-04	06/13/2014	FILTER MAINTENANCE	72709	140025	12/2014		660.00	
07/10/2014	84916	FERNANDO VALDEZ	2				63.00	
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07/10/2014	84917	GCR TIRE CENTERS	1702				404.22	
501-1921-419.28-16	06/04/2014	#617 TIRES	832-29766	140047	12/2014		404.22	
07/10/2014	84918	GO-STAFF, INC.	2031				7,817.26	
101-3020-422.21-01	06/17/2014	W/E 06/15/14 MEDLEY,A	125824	140164	12/2014		353.68	
503-1923-419.21-01	06/17/2014	W/E 06/15/14 PIEDRA,M	125826	140840	12/2014		448.00	
101-1230-413.10-02	06/17/2014	W/E 06/15/14 LOPEZ, L	125823	140890	12/2014		1,053.00	
101-1210-413.21-01	06/24/2014	W/E 06/22/14 FERGUSON,N	126210	140089	12/2014		978.12	
101-3020-422.21-01	06/24/2014	W/E 06/22/14 MEDLEY,A	126209	140164	12/2014		606.30	
503-1923-419.21-01	06/24/2014	W/E 06/22/14 PIEDRA,M	126211	140840	12/2014		672.00	
101-1230-413.10-02	06/24/2014	W/E 06/22/2014 LOPEZ,L	126208	140890	12/2014		1,287.00	
101-1210-413.21-01	07/01/2014	W/E 06/29/14 FERGUSON,N	126593	140089	12/2014		800.28	
101-3020-422.21-01	07/01/2014	W/E 06/29/14 MEDLEY,A	126592	140164	12/2014		565.88	
101-1230-413.10-02	07/01/2014	W/E 06/29/14 LOPEZ,L	126591	140890	12/2014		1,053.00	
07/10/2014	84919	GST	10				3,190.67	
101-3020-422.30-02	06/19/2014	TOUGHBOOK/TOUCHSCREEN	JAI108970	140834	12/2014		3,190.67	
07/10/2014	84920	GRAINGER	1051				1,541.41	
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101-6020-452.30-02	06/23/2014	SPRAY PAINT	9473540921	140008	12/2014	36.55		
501-1921-419.30-02	06/25/2014	LENS CLEANING SOLN	9476835435	140008	12/2014	8.54		
601-5060-436.30-02	06/30/2014	LATEX GRIP GLOVES	9479185432	140008	12/2014	1,180.45		
07/10/2014	84921	HEATHER KNEREM	2			63.00		
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #63368	PT #63368		12/2014	63.00		
07/10/2014	84922	I B FIREFIGHTERS ASSOCIATION	214			450.00		
101-0000-209.01-08	07/03/2014	PAYROLL AP PPE 6/26/14	20140703		01/2015	450.00		
07/10/2014	84923	IB BUSINESS IMPROVEMENT DISTRI	487			5,626.00		
101-0000-203.22-00	06/30/2014	APR-JUN 2014 BID FEES	06-30-2014		12/2014	5,626.00		
07/10/2014	84924	ICMA RETIREMENT TRUST 457	242			5,521.81		
101-0000-209.01-10	07/03/2014	PAYROLL AP PPE 6/26/14	101814325		01/2015	5,521.81		
07/10/2014	84925	INTERSTATE BATTERY OF SAN DIEG	388			403.19		
501-1921-419.28-16	06/16/2014	#117 BATTERIES	950012194	140009	12/2014	306.92		
501-1921-419.28-16	06/25/2014	#102 MT-59	770025270	140009	12/2014	96.27		
07/10/2014	84926	JANET MABRY DOUTHIT	2			103.00		
101-0000-121.00-00	06/26/2014	OVERPYMNT TICKET #34247	PT #34247		12/2014	103.00		
07/10/2014	84927	JASON SANAGUSTIN	2			63.00		
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #59274	PT #59274		12/2014	63.00		
07/10/2014	84928	JENNIE BAHENA	2			63.00		
101-0000-121.00-00	06/26/2014	OVERPYMT OF TICKET #61719	PT #61719		12/2014	63.00		
07/10/2014	84929	JETER SYSTEMS	483			49.10		
101-1210-413.30-01	06/26/2014	FILING LABELS	2242702	F14081	12/2014	49.10		
07/10/2014	84930	JOHN DEERE LANDSCAPES	1986			1,347.35		
101-6020-452.30-02	06/25/2014	TREE STAKES/BANDS/CUTTER	68704386	140028	12/2014	547.71		
101-6020-452.30-02	06/25/2014	TRASH PICKERS	68704424	140028	12/2014	266.98		
101-6020-452.30-22	06/30/2014	TREE PRUNING SYSTEM	68761809	140028	12/2014	532.66		
07/10/2014	84931	JOHN WATSON	2			63.00		
101-0000-121.00-00	06/26/2014	OVERPYMNT TICKET #63541	PT #63541		12/2014	63.00		
07/10/2014	84932	JOVIAN FONSECA	2			116.00		
101-0000-121.00-00	06/26/2014	OVERPYMT OF TICKET #63444	PT #63444		12/2014	116.00		
07/10/2014	84933	KARL E FARMER	2			10.00		
101-0000-121.00-00	06/26/2014	OVERPAYMENT OF PT #63338	PT #63338		12/2014	10.00		
07/10/2014	84934	KIM A MIKHAEL	1680			555.00		
101-3050-425.20-06	06/30/2014	04/16/14 ADMIN HEARING FO	06-30-2014	F14084	12/2014	135.00		

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101-3070-427.20-06	06/30/2014	APR/MAY 2014 APPEAL HRNGS	06-30-2014		11/2014	270.00	
07/10/2014	84935	KORYE MILLER	2			146.00	
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #64014	PT #64014		12/2014	53.00	
101-0000-121.00-00	06/26/2014	OVERPYMT OF TICKET #63894	PT #63894		12/2014	93.00	
07/10/2014	84936	LIGHTHOUSE, INC	787			33.40	
501-1921-419.30-02	06/19/2014	BACK UP ALARM/SHRINKTUBE	0052300	140040	12/2014	33.40	
07/10/2014	84937	MASON'S SAW & LAWNMOWER	923			844.72	
101-6020-452.30-02	06/24/2014	SG20/BRUSH DEFENDER/BG86	350096	140027	12/2014	844.72	
07/10/2014	84938	MICHAEL E CURTIS	2			63.00	
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #62386	P62386		12/2014	63.00	
07/10/2014	84939	MUNICIPAL EMERGENCY SERVICES,	2434			4,088.89	
101-3020-422.30-02	06/27/2014	VOICE AMPLIFIERS/KEVLAR H	00535599_SNV	140112	12/2014	4,088.89	
07/10/2014	84940	OFFICE DEPOT, INC	1262			1,186.10	
101-5020-432.30-02	06/18/2014	MID BACK CHAIR-PW	713789780001	140001	12/2014	148.50	
101-5020-432.30-02	06/19/2014	HIGH-BACK CHAIR	713958404001	140001	12/2014	194.39	
101-3020-422.30-01	06/20/2014	MISC OFFICE SUPPLIES	709069156001	140001	12/2014	325.57	
101-1230-413.30-01	06/24/2014	FOLDERS/PAPER/ENVELOPES	717509327001	140001	12/2014	49.74	
101-3070-427.30-02	06/24/2014	AAA BATTERIES	717509522001	140001	12/2014	23.26	
101-1230-413.30-01	06/24/2014	WRIST&KEYBOARD REST	717509523001	140001	12/2014	25.65	
101-1230-413.30-01	06/25/2014	USB DRIVE	717509524001	140001	12/2014	13.05	
101-1010-411.30-01	05/10/2014	IMPRT ENVELOPES	708379909001	140001	11/2014	75.59	
101-1010-411.30-01	05/13/2014	IB BUSINESS CARDS	708722542001	140001	11/2014	88.17	
101-1210-413.30-01	06/25/2014	STORAGE BOXES/NOTE PADS	717680835001	140001	12/2014	93.83	
101-5020-432.30-02	06/26/2014	KEYBOARD MOUSE/MISC SUPPL	717957574001	140001	12/2014	134.18	
101-5020-432.30-02	06/26/2014	TAPE DISPENSER	717957718001	140001	12/2014	4.46	
101-5020-432.30-02	06/27/2014	DESK ORGANIZER	717957717001	140001	12/2014	9.71	
07/10/2014	84941	OFFICETEAM	1266			2,216.00	
101-1020-411.21-01	06/16/2014	W/E 06/13/14 CARBALLO,S	40606698	140421	12/2014	1,108.00	
101-1020-411.21-01	06/23/2014	W/E 06/20/14 CARBALLO,S	40663225	140421	12/2014	1,108.00	
07/10/2014	84942	OLDCASTLE PRECAST, INC.	2471			433.40	
101-6020-452.30-02	06/17/2014	GALV LINERS	070167897	140092	12/2014	433.40	
07/10/2014	84943	ONG'S RESTAURANT GROUP INC	2			70.00	
101-0000-324.73-01	06/20/2014	REFUND TEMP OUTDOOR SALES	7224		12/2014	70.00	
07/10/2014	84944	ORIGINAL WATERMEN, INC.	2370			8,373.03	
101-3035-423.25-03	06/05/2014	JRLG UNIFORMS	29475	140935	12/2014	5,684.37	
101-3035-423.25-03	06/13/2014	JRLG UNIFORMS	29780	140935	12/2014	2,688.66	
07/10/2014	84945	PARTNERSHIP WITH INDUSTRY	1302			1,110.42	
101-6040-454.21-04	06/15/2014	P/E 06/15/2014	GS05493	140516	12/2014	333.13	

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07/10/2014	84946	PEARL ONYX JIMENEZ	2				103.00
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #61531		PT #61531		12/2014	103.00
07/10/2014	84947	PRINCIPAL FINANCIAL GROUP	2428				1,232.55
101-0000-209.01-13	06/19/2014	PAYROLL AP PPE 6/12/14		20140619		12/2014	608.03
101-0000-209.01-13	07/03/2014	PAYROLL AP PPE 6/26/14		20140703		01/2015	616.28
101-0000-209.01-13	07/01/2014	JUL 2014 VOL LIFE INSURAN		JUL 2014		01/2015	8.25
101-0000-209.01-13	07/01/2014	JUL 2014 VOL LIFE INSURAN		JUL 2014		01/2015	.01-
07/10/2014	84948	PRUDENTIAL OVERALL SUPPLY	72				617.84
101-5020-432.25-03	06/04/2014	06/04/14 PW UNIFORMS		30422957	140094	12/2014	117.28
101-5020-432.25-03	06/11/2014	06/11/14 PW UNIFORMS		30424457	140094	12/2014	127.00
101-5020-432.25-03	06/18/2014	06/18/14 PW UNIFORMS		30425951	140094	12/2014	117.28
101-5020-432.25-03	06/25/2014	06/25/14 PW UNIFORMS		30427457	140094	12/2014	129.28
101-5020-432.25-03	05/28/2014	05/28/14 PW UNIFORMS		30421468	140094	11/2014	127.00
07/10/2014	84949	RAWSON ENTERPRISES INC.	2588				14,500.00
402-5000-532.20-06	06/16/2014	FACADE IMPRVMT-EL TAPATI		933		12/2014	14,500.00
07/10/2014	84950	ROBERT M RECTOR	2				295.00
101-0000-347.77-02	05/29/2014	REFUND 2014 JRLG FEES		6645		11/2014	295.00
07/10/2014	84951	RONALD A VALENTINE	2				23.00
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #64075		PT #64075		12/2014	23.00
07/10/2014	84952	SCRIPT-IN-HAND PLAYERS	2595				100.00
101-6030-453.29-04	06/23/2014	SR CENTER PERFORMANCE		06-23-2014	F14083	12/2014	100.00
07/10/2014	84953	SDGE	289				3,778.28
101-6020-452.27-01	07/02/2014	0175 275 3776 05/30-06/30		07-17-2014		12/2014	423.55
101-5010-431.27-01	07/02/2014	0824 329 2041 05/30-06/30		07-17-2014		12/2014	240.07
101-6020-452.27-01	07/02/2014	2081 689 1273 05/30-06/30		07-17-2014		12/2014	156.32
101-6010-451.27-01	07/02/2014	2081 692 3399 05/30-06/30		07-17-2014		12/2014	12.75
101-6020-452.27-01	07/02/2014	2083 847 9032 05/30-06/30		07-17-2014		12/2014	80.45
101-5010-431.27-01	07/01/2014	2741 969 9359 05/30-06/30		07-16-2014		12/2014	158.79
215-6026-452.27-01	07/01/2014	2819 871 6315 05/30-06/30		07-16-2014		12/2014	2,002.07
101-6010-451.27-01	07/02/2014	3206 700 9265 05/30-06/30		07-17-2014		12/2014	56.72
101-6020-452.27-01	07/02/2014	5456 692 8951 05/30-06/30		07-17-2014		12/2014	27.98
101-6020-452.27-01	07/02/2014	6921 003 2109 05/30-06/30		07-17-2014		12/2014	405.27
101-5010-431.27-01	07/02/2014	7706 795 7872 05/30-06/30		07-17-2014		12/2014	8.74
101-6020-452.27-01	07/02/2014	9327 898 1346 05/30-06/30		07-17-2014		12/2014	157.09
101-6010-451.27-01	07/02/2014	9956 693 6272 05/30-06/30		07-17-2014		12/2014	48.48
07/10/2014	84954	SEIU LOCAL 221	1821				1,521.54
101-0000-209.01-08	07/03/2014	PAYROLL AP PPE 6/26/14		20140703		01/2015	1,521.54
07/10/2014	84955	SKS INC.	412				10,521.84
501-1921-419.28-15	06/19/2014	188.7 GAL DIESEL FUEL		1262892-IN	140046	12/2014	735.69

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501-1921-419.28-15	06/26/2014	335.8 GALLONS DIESEL FUEL	1263044-IN	140046	12/2014		1,303.36	
07/10/2014	84956	SPARKLETTES	2341				146.53	
101-3020-422.30-02	06/06/2014	MAY 2014	12529930 060614	140102	12/2014		110.43	
101-1210-413.30-01	06/28/2014	JUN 2014	10552239 062814	140199	12/2014		36.10	
07/10/2014	84957	SPECTRA ASSOCIATES, INC.	2003				1,764.50	
101-1020-411.21-04	06/18/2014	MINUTE BOOKS	34149-D	140895	12/2014		1,764.50	
07/10/2014	84958	TINOSA, INC.	2596				250.00	
101-3020-422.20-06	06/18/2014	AIR COMPRESSOR TESTING	2394	F14085	12/2014		250.00	
07/10/2014	84959	TRAFFIC LOGIX CORP	2574				3,806.00	
201-5015-531.20-06	06/17/2014	ROUNDAABOUT RESTOCKING FEE	I-16333	140740	12/2014		3,806.00	
07/10/2014	84960	TRAN CONSULTING ENGINEERS	2033				26,000.00	
601-5060-536.20-06	06/24/2014	MANHOLE/WET WELL INSPECTS	7325	140940	12/2014		26,000.00	
07/10/2014	84961	US BANK	2458				3,206.16	
101-0000-209.01-20	07/03/2014	PAYROLL AP PPE 6/26/14	20140703		01/2015		3,201.10	
101-0000-209.01-20	07/03/2014	PR AP PPE 6/26/14	20140703		01/2015		5.06	
07/10/2014	84962	VALLEY POWER SYSTEMS, INC	760				3,054.51	
501-1921-419.28-01	06/30/2014	E-39 VALVE/COOLER REPLACE	C30245	140938	12/2014		3,054.51	
07/10/2014	84963	VANESSA FIERRO	2				156.00	
101-0000-325.73-06	06/03/2014	REFUND SPECIAL EVENT FEE	6849		12/2014		75.00	
101-0000-221.01-04	06/03/2014	REFUND EVENT INS FEE	6849		12/2014		81.00	
07/10/2014	84964	VERONICA GARCIA	2				103.00	
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #62394	PT #62394		12/2014		103.00	
07/10/2014	84965	WAXIE SANITARY SUPPLY	802				808.28	
101-6020-452.30-02	06/18/2014	JANITORIAL SUPPLIES	74658963	140013	12/2014		808.28	
07/10/2014	84966	WESTERN MICROGRAPHICS & IMAGIN	1384				.00	
101-3040-424.30-02	06/25/2014	LABOR, TRAVEL AND ROLLER	21726	F14082	12/2014		435.00	
101-3040-424.30-02	07/17/2014	LABOR, TRAVEL AND ROLLER	21726		01/2015		435.00	
07/10/2014	84967	WHITE CAP CONSTRUCTION SUPPLY	1434				414.48	
101-5010-431.21-23	06/18/2014	REFLECTIVE VESTS	10001899963	140015	12/2014		172.70	
101-5010-431.30-02	06/26/2014	SURVEY VESTS	10001948991	140015	12/2014		241.78	
07/10/2014	84968	ZEE MEDICAL, INC.	872				34.16	
101-1920-419.29-04	06/20/2014	MEDICAL CABINET REFILL/	0140690127		12/2014		34.16	
07/17/2014	84969	ADVANCED ELECTRONIC SOLUTIONS2	1892				190.00	
503-1923-419.21-04	05/30/2014	READYKEY SYSTEM LABOR	9214020	140942	11/2014		190.00	

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503-1923-419.29-04	07/01/2014	07/01-07/31	3110015533201	07-22-2014	150087	01/2015	37.62
101-5050-435.21-04	07/04/2014	07/04-08/03	3110097787001	07-25-2014	150087	01/2015	179.00
07/17/2014	84983	D.A.R. CONTRACTORS	1122				347.00
101-3050-425.20-06	07/01/2014	JUN 2014		061401229	140103	12/2014	347.00
07/17/2014	84984	DEPT. OF CONSERVATION	1158				446.11
101-0000-211.01-01	06/30/2014	APR-JUN 2014 SMIPS FEES		06-30-2014		12/2014	446.11
07/17/2014	84985	DIVISION OF THE STATE ARCHITEC	2505				605.79
101-0000-371.83-09	07/01/2014	APR-JUN 2014 SB1186 FEES		06-30-2014		12/2014	1,413.51-
101-0000-371.83-03	07/01/2014	APR-JUN 2014 SB1186 FEES		06-30-2014		12/2014	2,019.30
07/17/2014	84986	DLA PRINTING & PROMO'S	1178				217.80
101-1210-413.28-11	06/23/2014	A/P VOUCHER PRINTING		7906		12/2014	217.80
07/17/2014	84987	ELIZA SPEER	2				350.00
101-0000-347.77-02	06/30/2017	REFUND JRLG FEES-CAPTAIN		6666		11/2014	350.00
07/17/2014	84988	FERGUSON ENTERPRISES INC. #108	915				1,092.58
601-5060-436.28-01	06/26/2014	SEWER SADDLES		0479482	140051	12/2014	528.82
601-5060-436.28-01	07/08/2014	SADDLE T		0479435	150046	01/2015	563.76
07/17/2014	84989	IMPERIAL BEACH WOMAN'S CLUB	2558				260.00
101-1010-411.29-04	07/07/2014	BENCH DEL. REIMBURSEMENT		1	140917	11/2014	260.00
07/17/2014	84990	JACQUELINE SUE STENZEL	2491				200.00
101-6030-453.20-06	06/24/2014	05/23/14-06/20/14		12	140906	12/2014	200.00
07/17/2014	84991	KATHERINE KING	2				106.00
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #63930		PT #63930		12/2014	106.00
07/17/2014	84992	KATHERINE KING	2				16.00
101-0000-121.00-00	06/26/2014	OVERPYMT TICKET #63969		PT #63969		12/2014	16.00
07/17/2014	84993	MELANIE MARTINEZ-GOODMAN	2383				86.38
101-3030-423.25-03	04/17/2014	UNIFORM REIMBURSEMENT		536795		10/2014	86.38
07/17/2014	84994	NGUOI VIET TODAY	1715				30.00
101-1020-411.21-06	07/07/2014	LEGAL AD PUBLICATION		6745	F15002	01/2015	30.00
07/17/2014	84995	OFFICETEAM	1266				1,108.00
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07/17/2014	84996	PADRE JANITORIAL SUPPLIES	1430				406.52
101-6040-454.30-02	07/03/2014	JANITORIAL SUPPLIES		358790-1	150020	01/2015	140.40
101-6040-454.30-02	06/19/2014	JANITORIAL SUPPLIES		358578	140022	12/2014	266.12

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101-6040-454.21-04	06/30/2014	P/E 06/30/2014	GS05522	140516	12/2014			354.98
101-6040-454.21-04	06/30/2014	P/E 06/30/2014	GS05522	140516	12/2014			354.98
101-6040-454.21-04	06/30/2014	P/E 06/30/2014	GS05522	140516	12/2014			473.30
07/17/2014	84998	PITNEY BOWES INC	271					207.36
101-1920-419.25-02	06/03/2014	JUL-SEP 2014 POSTAGE METE	626812	150071	01/2015			207.36
07/17/2014	84999	PRAXAIR DISTRIBUTION INC	1652					27.39
101-5010-431.28-01	05/08/2014	PROPANE TORCH PARTS	49339704	140002	11/2014			27.39
07/17/2014	85000	PROJECT DESIGN CONSULTANT	65					29,131.21
401-1230-413.20-06	06/26/2014	MISC. NOT CLASSIFIED	84720	140823	12/2014			17,192.34
401-1230-413.20-06	06/26/2014	JUN 2014 PALM AVE MIXED	84720		12/2014			4,456.19
401-1230-413.20-06	06/26/2014	JUN 2014 PALM AVE MIXED	84720		12/2014			7,482.68
07/17/2014	85001	PROTECTION ONE ALARM MONITORIN	69					293.50
601-5060-436.20-23	06/19/2014	JUL 2014	98684496	150090	01/2015			293.50
07/17/2014	85002	SAN DIEGO GAS & ELECTRIC	1399					19,776.55
101-3020-422.27-01	07/08/2014	1008 786 9371 05/29-06/27	07-24-2014		12/2014			40.25
101-1910-419.27-01	07/08/2014	1008 786 9371 05/29-06/27	07-24-2014		12/2014			160.36
101-5010-431.27-01	07/08/2014	1008 860 4389 05/27-06/25	07-24-2014		12/2014			37.53
101-3020-422.27-01	07/08/2014	1980 769 7764 05/28-06/26	07-24-2014		12/2014			4,272.75
601-5060-436.27-01	07/08/2014	5263 521 9238 05/27-06/25	07-24-2014		12/2014			10.00
101-6020-452.27-01	07/08/2014	5649 771 4749 05/30-06/30	07-24-2014		12/2014			7.76
101-5010-431.27-01	07/08/2014	5649 771 4749 05/27-06/25	07-24-2014		12/2014			7,565.92
101-5010-431.27-01	07/08/2014	8507 517 8464 05/30-06/30	07-24-2014		12/2014			123.40
601-5060-436.27-01	07/08/2014	8507 517 8464 05/30-06/30	07-24-2014		12/2014			91.18
101-6020-452.27-01	07/08/2014	8507 517 8464 05/30-06/30	07-24-2014		12/2014			951.44
601-5060-436.27-01	07/08/2014	8541 770 1270 05/30-06/30	07-24-2014		12/2014			5,045.99
101-5020-432.27-01	07/08/2014	9169 299 2261 05/26-06/24	07-24-2014		12/2014			1,469.97
07/17/2014	85003	SAN DIEGO ASSOCIATION OF GOVER	254					12,731.00
101-1920-419.29-04	07/01/2014	FY 15 AGNCY ASSESSMENTS	AR169260	150086	01/2015			12,731.00
07/17/2014	85004	SAN DIEGO COUNTY ASSESSOR	2120					125.00
101-1920-419.29-04	06/30/2014	APR-JUN 2014 MPR EXTRACT	2014002	140342	12/2014			125.00
07/17/2014	85005	SANDPIPA	321					166,242.35
502-1922-419.28-02	07/01/2014	FY15 LIABILITY INSURANCE	IBLI1415	F15010	01/2015			138,635.00
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07/17/2014	85006	SDGE	289					3,729.38
101-5010-431.27-01	07/01/2014	0646 753 1938 05/29-06/27	07-16-2014		12/2014			7.76
101-5010-431.27-01	07/01/2014	1694 230 1484 05/29-06/27	07-16-2014		12/2014			14.75
101-5010-431.27-01	06/27/2014	1912 409 2723 05/27-06/25	07-12-2014		12/2014			7.99
101-6010-451.27-01	07/02/2014	2081 689 7619 05/30-06/30	07-17-2014		12/2014			536.57
101-5010-431.27-01	07/01/2014	3062 843 3719 05/29-06/27	07-16-2014		12/2014			10.75

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	101-5010-431.27-01				06/27/2014	5280 340 6641 05/27-06/25	06-27-2014		12/2014		72.48
	101-5010-431.27-01				06/27/2014	5576 188 0541 05/27-06/25	07-12-2014		12/2014		7.50
	101-5010-431.27-01				07/01/2014	9476 001 6989 05/29-06/29	07-16-2014		12/2014		552.83
	601-5060-436.27-01				07/11/2014	8773 823 6424 05/28-06/26	07-26-2014		12/2014		2,500.13
07/17/2014	85007	SHARP REES-STEALY MEDICAL	CNTR 390		06/17/2014						1,937.00
	101-6040-454.21-04				06/17/2014	MAY 2014 PRE-EMPLOYMENT	273		11/2014		1,160.00
	101-1130-412.21-04				06/17/2014	MAY 2014 PRE-EMPLOYMENT	273		11/2014		453.00
	101-3030-423.20-06				06/17/2014	MAY 2014 PRE-EMPLMNT EXAM	273	140076	12/2014		324.00
07/17/2014	85008	SKS INC.	412		07/02/2014						9,658.09
	501-1921-419.28-15				07/10/2014	1097.7 GAL REG FUEL	1263183-IN	150041	01/2015		4,464.19
	501-1921-419.28-15				07/10/2014	1426 GAL REG FUEL	1263344-IN	150041	01/2015		5,193.90
07/17/2014	85009	SOUTH WEST SIGNAL	488		06/30/2014						160.00
	101-5010-431.21-04				06/30/2014	JUN 2014	51585	140035	12/2014		160.00
07/17/2014	85010	SPRINT	2040		06/29/2014						149.97
	101-3020-422.27-05				06/29/2014	05/26-06/25/2014	594768811-079	140184	12/2014		149.97
07/17/2014	85011	TERRA BELLA NURSERY, INC.	1946		06/17/2014						518.23
	101-6020-452.30-02				06/17/2014	GORILLA HAIR MULCH	122092	140031	12/2014		323.89
	101-6020-452.30-02				06/23/2014	GORILLA HAIR MULCH	122482	140031	12/2014		194.34
07/17/2014	85012	THE EPOCH TIMES IN SAN DIEGO	2602		07/15/2014						117.00
	101-1020-411.21-06				07/15/2014	LEGAL AD PUBLICATION	SD051201407	F15006	01/2015		117.00
07/17/2014	85013	THYSSENKRUPP ELEVATOR CORPORAT	663		07/01/2014						801.07
	101-3030-423.20-06				07/01/2014	JUL-SEP 2014 MAINT SVCS	1037092443	150083	01/2015		801.07
07/17/2014	85014	TRANSWORLD SYSTEMS INC.	2160		06/30/2014						241.12
	101-1210-413.20-27				06/30/2014	JUN 2014 COLLECTION FEES	938013		12/2014		241.12
07/17/2014	85015	VERIZON WIRELESS	2317		07/08/2014						1,325.01
	101-5020-432.27-05				07/08/2014	06/09/2014-07/08/2014	9728280347		12/2014		606.86
	101-3040-424.27-05				07/08/2014	06/09/2014-07/08/2014	9728280347		12/2014		48.84
	101-3020-422.27-05				07/08/2014	06/09/2014-07/08/2014	9728280347		12/2014		132.05
	101-3030-423.27-05				07/08/2014	06/09/2014-07/08/2014	9728280347		12/2014		182.04
	101-3070-427.27-05				07/08/2014	06/09/2014-07/08/2014	9728280347		12/2014		49.72
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07/17/2014	85016	VORTEX INDUSTRIES, INC.	786		06/30/2014						2,699.95
	101-1910-419.21-04				06/30/2014	STEEL DOOR MOTOR REPAIRS	11-842884-1		12/2014		2,699.95
07/17/2014	85017	WAXIE SANITARY SUPPLY	802		06/24/2014						1,960.63
	101-6040-454.30-02				06/24/2014	JANITORIAL SUPPLIES	74667519	140013	12/2014		1,161.92

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07/24/2014	85019	AMERICAN MESSAGING	1759				99.55
101-3020-422.27-05	07/01/2014	JUL 2014		L1074045OG	150100	01/2015	31.19
101-3030-423.30-02	07/01/2014	JUL 2014		L1074045OG	150100	01/2015	68.36
07/24/2014	85020	BAY CITY ELECTRIC WORKS	369				456.25
101-1910-419.21-04	07/11/2014	JUL 2014 MAINTENANCE		W128611	150097	01/2015	456.25
07/24/2014	85021	BOYCE INDUSTRIES INC	486				302.29
501-1921-419.30-02	07/01/2014	PSI HOSE		57612	150004	01/2015	302.29
07/24/2014	85022	CALIFORNIA AMERICAN WATER	612				13,033.11
101-5020-432.27-02	07/10/2014	1015-210019058534 JUN 14		08-01-2014		12/2014	283.03
101-5010-431.27-02	07/17/2014	1015-210020731235 JUN 14		08-08-2014		12/2014	6.56
601-5060-436.27-02	07/18/2014	1015-210019401916 JUN 14		08-11-2014		12/2014	12.39
601-5060-436.27-02	07/10/2014	1015-210018820255 JUN 14		08-01-2014		12/2014	12.39
101-5020-432.27-02	07/18/2014	1015-210020277854 JUN 14		08-11-2014		12/2014	62.96
101-6020-452.27-02	07/18/2014	1015-210021082448 JUN 14		08-11-2014		12/2014	201.56
101-6020-452.27-02	07/11/2014	1015-210019176128 JUN 14		08-04-2014		12/2014	6.56
101-6020-452.27-02	07/10/2014	1015-210019176067 JUN 14		08-01-2014		12/2014	611.11
101-5010-431.27-02	07/09/2014	1015-210018811916 JUN 14		07-31-2014		12/2014	32.81
601-5060-436.27-02	07/09/2014	1015-210019512885 JUN 14		07-31-2014		12/2014	267.73
101-1910-419.27-02	07/09/2014	1015-210020154739 JUN 14		07-31-2014		12/2014	28.06
101-6020-452.27-02	07/14/2014	1015-210019748332 JUN 14		08-15-2014		12/2014	6.56
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101-6020-452.27-02	07/15/2014	1015-210020440898 JUN 14		08-06-2014		12/2014	1,257.01
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101-6020-452.27-02	07/16/2014	1015-210021068367 JUN 14		08-07-2014		12/2014	4,253.88
101-1910-419.27-02	07/16/2014	1015-210021068268 JUN 14		08-07-2014		12/2014	69.94
101-1910-419.27-02	07/18/2014	1015-210019335347 JUN 14		08-11-2014		12/2014	750.75
101-6020-452.27-02	08/18/2014	1015-210019335484 JUN 14		08-11-2014		12/2014	128.14
101-6020-452.27-02	08/18/2014	1015-210019335248 JUN 14		08-11-2014		12/2014	3,485.77
101-6020-452.27-02	07/18/2014	1015-210019335682 JUN 14		08-11-2014		12/2014	33.86
101-6020-452.27-02	07/18/2014	1015-210019335774 JUN 14		08-11-2014		12/2014	122.31
101-6020-452.27-02	07/14/2014	1015-210019748080 JUN 14		08-05-2014		12/2014	6.56
07/24/2014	85023	CITY OF CHULA VISTA	823				17,305.75
101-3050-425.20-06	06/30/2014	JUN 2014 AC SERVICES		AR135443	140249	12/2014	17,305.75
07/24/2014	85024	COUNTY OF SAN DIEGO RCS	1065				3,703.50
101-3010-421.21-25	07/01/2014	JUN 2014		14CTOFIBN12	140165	12/2014	2,272.50
101-3020-422.21-25	07/01/2014	JUN 2014		14CTOFIBN12	140165	12/2014	477.00
101-3030-423.21-25	07/01/2014	JUN 2014		14CTOFIBN12	140165	12/2014	954.00
07/24/2014	85025	CSAC EXCESS INSURANCE AUTHORIT	406				54,410.00
502-1922-419.28-03	07/01/2014	FY15 EXCESS WORK COMP		15100175	F15009	01/2015	54,410.00

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07/24/2014 601-5060-436.28-01	85026	DAKOTA PUMP COMPANY 06/28/2014	1125 CAST IRON 4X4X6 SOE	8436	140752 12/2014	974.16 974.16	
07/24/2014 101-1130-412.21-04	85027	DEPARTMENT OF JUSTICE 06/30/2014	1154 JUN 2014	043091	140080 12/2014	147.00 147.00	
07/24/2014 101-1210-413.28-09	85028	FEDERAL EXPRESS CORP. 07/18/2014	911 07/10/14 COUNTOUR DESIGN	2-721-60407	150114 01/2015	63.24 63.24	
07/24/2014 101-0000-209.01-18 101-0000-209.01-18 101-0000-209.01-18 101-0000-209.01-18	85029	FIDELITY SECURITY LIFE INSURAN 06/19/2014 07/03/2014 07/09/2014 07/09/2014	2476 PAYROLL AP PPE 6/12/14 PAYROLL AP PPE 6/26/14 AUG 2014 VISION PREMIUM AUG 2014 VISION PREMIUM	20140619 20140703 AUG 2014 AUG 2014	12/2014 01/2015 02/2015 02/2015	246.34 119.05 119.05 8.41 .17-	
07/24/2014 101-3020-422.30-02 101-3020-422.30-02	85030	FIRE ETC 06/10/2014 07/07/2014	924 CREDIT FOR OVER CHARGED STATION BOOTS	CR61039 63502	140984 12/2014 12/2014	2,200.72 180.68- 2,381.40	
07/24/2014 501-1921-419.28-01	85031	GCR TIRE CENTERS 07/08/2014	1702 E39 INSTALLED TIRES	832-30464	150042 01/2015	349.98 349.98	
07/24/2014 101-1210-413.21-01 101-1210-413.21-01 101-1230-413.21-01 101-1230-413.21-01	85032	GO-STAFF, INC. 07/08/2014 07/15/2014 07/08/2014 07/15/2014	2031 W/E 07/06/14 FERGUSON,N W/E 07/13/14 FERGUSON,N W/E 07/06/14 LOPEZ,L W/E 07/13/14 LOPEZ,L	126945 127289 126943 127288	150072 01/2015 150072 01/2015 150113 01/2015 150113 01/2015	3,706.56 800.28 800.28 1,053.00 1,053.00	
07/24/2014 101-6020-452.30-02 101-6020-452.30-02 101-6040-454.30-02 601-5060-436.30-02 601-5060-436.28-01	85033	GRAINGER 06/30/2014 06/30/2014 06/30/2014 07/15/2014 07/17/2014	1051 LUBRICANT DISPOSABLE GLOVES/THREADL PADLOCKS SANI-HAND WIPES HOUR METERS	9479186679 9479186687 9480135368 9490488880 9493377361	140008 12/2014 140008 12/2014 140008 12/2014 150007 01/2015 150007 01/2015	855.52 5.67 210.95 249.22 128.05 261.63	
07/24/2014 101-0000-209.01-08	85034	I B FIREFIGHTERS ASSOCIATION 07/17/2014	214 PAYROLL AP PPE 7/10/14	20140717	01/2015	450.00 450.00	
07/24/2014 101-0000-209.01-10	85035	ICMA RETIREMENT TRUST 457 07/17/2014	242 PAYROLL AP PPE 7/10/14	101820073	01/2015	5,558.15 5,558.15	
07/24/2014 303-1250-413.20-01 303-1250-413.20-01 217-5000-532.20-01 303-1250-413.20-06 303-1250-413.20-06 303-1250-413.20-06 303-1250-413.20-06 303-1250-413.20-01	85036	KANE, BALLMER & BERKMAN 07/08/2014 07/08/2014 07/08/2014 07/08/2014 07/08/2014 07/08/2014 07/08/2014 07/08/2014	1828 20353 20352 20355 20360 20354 20356 20357		12/2014 12/2014 12/2014 12/2014 12/2014 12/2014 12/2014 12/2014	23,706.39 3,822.09 1,316.14 522.50 4,540.00 5,649.83 907.50 1,338.33	

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07/24/2014	85038	LANCE, SOLL & LUNGHARD LLP	716				12,500.00
101-1210-413.20-06	06/30/2014	2014 INTERIM AUDIT		11641	150101	01/2015	12,500.00
07/24/2014	85039	MCDUGAL LOVE ECKIS &	962				8,227.00
101-1220-413.20-02	06/30/2014	JUN 2014 MONTHLY RETAINER		06-30-2014	140198	12/2014	8,227.00
07/24/2014	85040	MIKHAIL OGAWA ENGINEERING	2593				363.00
101-5050-435.21-04	07/14/2014	JUN 2014 JRMP ANALYSIS		001574	140915	12/2014	363.00
07/24/2014	85041	MUNICIPAL EMERGENCY SERVICES,	2434				6,124.69
101-3020-422.30-02	06/26/2014	KEVLAR HEADNET/AMPLIFIERS		00535132 SNV		12/2014	3,457.66
101-3020-422.30-02	06/26/2014	KELVAR HEADNET/SMPLIFIER		00535132=SNV	140112	12/2014	2,667.03
07/24/2014	85042	PRINCIPAL FINANCIAL GROUP	2414				4,053.53
101-0000-209.01-14	07/03/2014	PAYROLL AP PPE 6/26/14		20140703		01/2015	622.93
101-0000-209.01-16	07/03/2014	PAYROLL AP PPE 6/26/14		20140703		01/2015	617.37
101-0000-209.01-21	07/03/2014	PAYROLL AP PPE 6/26/14		20140703		01/2015	772.92
101-0000-209.01-14	07/17/2014	PAYROLL AP PPE 7/10/14		20140717		01/2015	630.35
101-0000-209.01-16	07/17/2014	PAYROLL AP PPE 7/10/14		20140717		01/2015	611.84
101-0000-209.01-21	07/17/2014	PAYROLL AP PPE 7/10/14		20140717		01/2015	782.10
101-0000-209.01-16	07/23/2014	JUL 2014 BASIC LIFE/AD&D/		JUL 2014		01/2015	16.02
07/24/2014	85043	PROTECTION ONE ALARM MONITORIN	69				293.51
601-5060-436.20-23	04/22/2014	APR/MAY 2014		97544445		11/2014	429.85
601-5060-436.20-23	04/22/2014	APR/MAY 2014		94546296		11/2014	136.34
07/24/2014	85044	RAPID SCALE, INC	2591				838.95
503-1923-419.21-04	06/30/2014	CLOUD MAIL HOSTING		2822	140897	12/2014	838.95
07/24/2014	85045	RELIABLE TIRES COMPANY	136				30.00
101-5040-434.21-04	07/14/2014	USED TIRE RECYCLE		91259		01/2015	15.00
101-5040-434.21-04	07/17/2014	USED TIRES		91345	F15007	01/2015	15.00
07/24/2014	85046	RICOH USA, INC.	2392				1,935.40
101-1210-413.20-17	07/04/2014	JUL 2014		92765576	150109	01/2015	1,382.42
101-3020-422.20-17	07/04/2014	JUL 2014		92765576	150109	01/2015	276.49
101-3030-423.20-17	07/04/2014	JUL 2014		92765576	150109	01/2015	276.49
07/24/2014	85047	SAN DIEGO COUNTY SHERIFF	882				493,381.42
101-3010-421.20-06	06/25/2014	MAY 2014 LAW ENF SERVICES		06-25-2014		11/2014	445,384.40
101-0000-338.60-03	06/25/2014	MAY 2014 LAW ENF SERVICES		06-25-2014		11/2014	2,002.98
212-0000-336.40-02	06/25/2014	MAY 2014 LAW ENF SERVICES		06-25-2014		11/2014	50,000.00
07/24/2014	85048	SANDPIPA	321				25,000.00
502-1922-419.20-07	07/01/2014	FY15 WORK COMP ADMIN		IBWC1415	F15008	01/2015	25,000.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
07/24/2014 101-1020-411.28-12	85049	SCAN C/O CITY OF TORRANCE 07/01/2014	2386	FY 2014-15 DUES 10.80.14421	F15013	01/2015	80.00 80.00
07/24/2014 101-0000-209.01-08	85050	SEIU LOCAL 221 07/17/2014	1821	PAYROLL AP PPE 7/10/14 20140717		01/2015	1,692.03 1,692.03
07/24/2014 101-3020-422.30-02	85051	SILVERADO AVIONICS, INC. 07/11/2014	2490	REPLACEMENT RADIO PARTS 7467		09/2014	1,346.71 1,346.71
07/24/2014 501-1921-419.28-15 501-1921-419.28-15	85052	SKS INC. 07/17/2014 07/17/2014	412	388.1 GAL DIESEL FUEL 1141 GAL REG FUEL 1263498-IN 1263499-IN	150041 150041	01/2015 01/2015	5,460.25 1,406.52 4,053.73
07/24/2014 101-1010-411.28-12	85053	SOUTH COUNTY ECONOMIC 06/16/2014	484	2014/2015 MEMBERSHIP 1002-14	150093	01/2015	2,500.00 2,500.00
07/24/2014 101-3020-422.30-02	85054	SPARKLETTS 07/04/2014	2341	JUN 2014 12529930 070414		12/2014	81.14 81.14
07/24/2014 201-5000-532.20-06	85055	STATE CONTROLLER'S OFFICE 06/25/2014	517	DIV. 2013/2014 ANNUAL ST REPRT 40013		12/2014	2,571.92 2,571.92
07/24/2014 101-1010-411.29-04	85056	TIMOTHY J. TAYLOR 07/18/2014	2249	ENTERTAINMENT-MAYOR BKFST 07-18-2014	150094	01/2015	300.00 300.00
07/24/2014 101-0000-209.01-20	85057	US BANK 07/17/2014	2458	PAYROLL AP PPE 7/10/14 20140717		01/2015	3,719.56 3,719.56
07/24/2014 101-1920-419.29-04	85058	WAGE WORKS INC. 07/16/2014	2210	JUL 2014 125AI0331293	150104	01/2015	107.75 107.75
07/24/2014 101-6040-454.30-02	85059	WAXIE SANITARY SUPPLY 07/11/2014	802	STEEL LINERS 74700714	150011	01/2015	884.09 884.09
07/24/2014 101-5010-431.21-04 101-5010-431.21-04 101-6040-454.21-04	85060	WEST COAST ARBORISTS 06/30/2014 06/30/2014 06/30/2014	820	PALM TREE PRUNING PALM TREE PRUNING PALM TREE PRUNING 97895-A 97895-A 97896-A	140926 140926 140926	12/2014 12/2014 12/2014	28,960.00 5,848.00 21,000.00 2,112.00
07/24/2014 101-3020-422.50-04	85061	WESTERN STATE DESIGN, INC. 07/15/2014	2598	DEXTER STACK WASHER/DRYER E22330-IN	140983	12/2014	11,894.00 11,894.00
DATE RANGE TOTAL *							1,305,014.54 *



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: AUGUST 6, 2014

ORIGINATING DEPT.: PUBLIC SAFETY *de*

SUBJECT: RESOLUTION NO. 2014-7508 APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIXTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH (CITY)

EXECUTIVE SUMMARY:

MTS has proposed to continue regulating Imperial Beach's taxicabs and other for-hire vehicles. This renewal would be the sixth agreement with MTS which would extend the current agreement for a period of five years, from July 1, 2014 through June 30, 2019. There is no fiscal impact to the City. MTS has provided satisfactory regulatory management of these vehicles and thus has relieved the City of this responsibility. Staff recommends approving and executing the sixth amendment with MTS.

BACKGROUND:

Metropolitan Transit System (MTS) has regulated taxicabs and other for-hire vehicles and services such as charter vehicles, sight-seeing vehicles, nonemergency medical vehicles, and jitney vehicles in Imperial Beach since July 1, 1990 and the City's current agreement with MTS ended on June 30, 2014.

DISCUSSION:

MTS has provided satisfactory regulatory management of taxis and other for-hire vehicles and has thus relieved the City of regulatory duties. Staff would like to continue the current relationship with MTS through June 30, 2019.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

No impact; continues to save City staff time that might otherwise be spent on regulating taxis. Regulatory costs are covered by taxis and other for-hire vehicles.

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 2014-7508 approving and authorizing the City Manager to enter into a sixth amendment to an agreement for administration of taxicab and other for-hire vehicle regulations between San Diego Metropolitan Transit System (MTS) and the City of Imperial Beach.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Resolution No. 2014-7508
2. Sixth amendment to agreement for administration of taxicab and other for-hire vehicle regulations between San Diego Metropolitan Transit System (MTS) and the City of Imperial Beach

RESOLUTION NO. 2014-7508

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AND AUTHORIZING A SIXTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLES REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH

WHEREAS, MTS is authorized under Section 120266, Chapter 2, Division 11 of the California Public Utilities Code (PUC), to enter into contracts to regulate transportation services within a city in its area of jurisdiction; and

WHEREAS, the City of Imperial Beach is within MTS's jurisdiction created January 1, 1976, under Section 120050, et seq., Chapter 2, Division 11 of the PUC; and

WHEREAS, the City of Imperial Beach regulated taxicab and other for-hire vehicles in accordance with the Imperial Beach Municipal Code, Chapter 4.44; and

WHEREAS, the City of Imperial Beach desires that MTS regulate taxicabs and other for-hire vehicles and services such as charter vehicles, sight-seeing vehicles, nonemergency medical vehicles, and jitney vehicles pursuant to PUC Section 120266 and in accordance with MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and Regulating of Transportation Services with the City"; and

WHEREAS, the City of Imperial Beach and MTS entered into an agreement for the period of July 1, 1990, through June 30, 1995; a first amendment to that agreement for the period of July 1, 1995, through June 30, 1998; a second amendment to that agreement for the period of July 1, 1998, through June 30, 2003; a third amendment to that agreement for the period of July 1, 2003, through June 30, 2008; a fourth amendment to that agreement for the period of July 1, 2008, through June 30, 2013; and a fifth amendment to that agreement for the period of July 1, 2013 through June 30, 2014.

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

That the City Manager is hereby authorized to enter into a sixth amendment to an agreement for administration of taxicab and other for-hire vehicle regulations between San Diego Metropolitan Transit System (MTS) and the City of Imperial Beach for the period of July 1, 2014 through June 30, 2019.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 6th day of August 2014, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

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



1255 Imperial Avenue, Suite 1000
 San Diego, CA 92101-7490
 (619) 231-1466 • FAX (619) 234-3407

MTS Doc. No. T0048.6-90
 TAXI 590.5 (IMPERIAL BEACH)

**SIXTH AMENDMENT TO AGREEMENT FOR
 ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS
 BETWEEN
 SAN DIEGO METROPOLITAN TRANSIT SYSTEM
 AND
 CITY OF IMPERIAL BEACH**

THIS AGREEMENT is entered into by and between the City of Imperial Beach, a municipal corporation, 825 Imperial Beach Boulevard, Imperial Beach, CA (herein called "CITY"), and the San Diego Metropolitan Transit System, a public agency, 1255 Imperial Avenue, Suite 1000, San Diego, CA (herein called "MTS"), in view of the following recitals, which are a substantive part of this Agreement:

RECITALS

- A. MTS is authorized under Section 120266, Chapter 2, Division 11 of the California Public Utilities Code (PUC), to enter into contracts to regulate transportation services within a city in its area of jurisdiction;
- B. CITY is within MTS's jurisdiction created January 1, 1976, under Section 120050, et seq., Chapter 2, Division 11 of the PUC;
- C. CITY regulated taxicab and other for-hire vehicles in accordance with the Imperial Beach Municipal Code, Chapter 4.44;
- D. CITY desires that MTS regulate taxicabs and other for-hire vehicles and services such as charter vehicles, sight-seeing vehicles, nonemergency medical vehicles, and jitney vehicles pursuant to PUC Section 120266 and in accordance with MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and Regulating of Transportation Services Within the City";
- E. CITY and MTS entered into an agreement for the period of July 1, 1990, through June 30, 1995; a first amendment to that agreement for the period of July 1, 1995, through June 30, 1998; a second amendment to that agreement for the period of July 1, 1998, through June 30, 2003; a third amendment to that agreement for the period of July 1, 2003, through June 30, 2008; a fourth amendment to that agreement for the period of July 1, 2008, through June 30, 2013; a fifth amendment to that agreement for the period of July 1, 2014, through June 30, 2019;
- F. CITY and MTS now desire to enter into an agreement to extend the period from July 1, 2014, through June 30, 2019; and

NOW THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement, CITY and MTS agree as follows:

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • www.sdmts.com

Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

1. MTS will administer and enforce its taxicab and other for-hire vehicles Ordinance policies, and regulations as in effect on July 1, 2014, and as thereafter from time to time amended by MTS, and thereby regulate such taxicab and other for-hire vehicles and transportation services rendered wholly within the CITY's corporate limits during the period of July 1, 2014, through June 30, 2019, pursuant to PUC Section 120266.

2. MTS will collect and administer all such regulatory fees, fines, and forfeitures as now or hereafter provided by MTS Taxicab and Other For-Hire Vehicles Ordinance No. 11 policies, and regulations.

3. The CITY Manager and MTS Chief Executive Officer may supplement this agreement by executing a Memorandum of Understanding relative to administrative and operating procedures of taxicab and other for-hire vehicles regulation, and to provide for reimbursable staff and legal support services.

IN WITNESS THEREOF, this sixth amendment to the agreement is executed by the CITY acting by and through its City Manager pursuant to Council Resolution No. _____, and by MTS acting through its Chief Executive Officer.

Dated this _____ day of _____, 2014.

THE CITY OF IMPERIAL BEACH

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

City Manager

Signature on file

Paul C. Jablonski
Chief Executive Officer

WE HEREBY APPROVE the form of the foregoing Agreement.

City Attorney

Signature on file

Office of the General Counsel

Date: _____

Date: 6-24-14

Attest: _____

DSundh/Taxicab
AMENDMENT-6.CITY OF IMPERIAL BEACH
6.5.14



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: AUGUST 6, 2014

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
[Signature] GREG WADE, ASSISTANT CITY MANAGER/ COMMUNITY DEVELOPMENT DIRECTOR *SW*
 JIM NAKAGAWA, AICP, CITY PLANNER

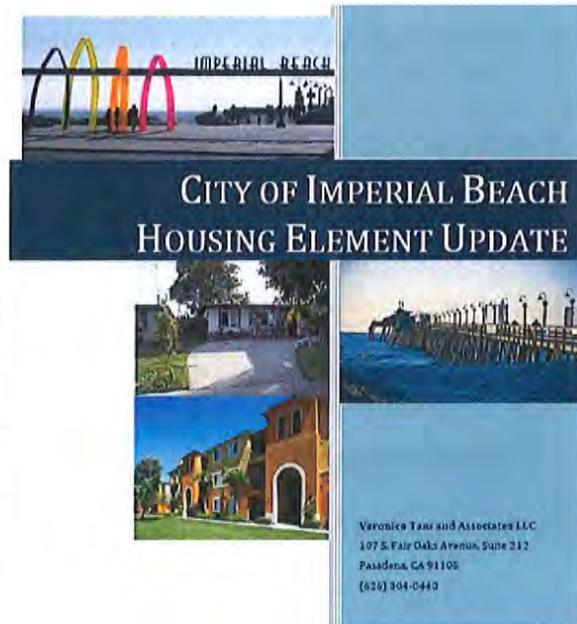
SUBJECT: CONSENT CALENDAR: SECOND READING AND ADOPTION OF ORDINANCE NO. 2014-1146 (ZONING IMPLEMENTATION OF THE 2013-2021 IMPERIAL BEACH HOUSING ELEMENT) GPA 100060/ MF 1060

EXECUTIVE SUMMARY:

This is the consideration of the Second Reading and Adoption of Ordinance No. 2014-1146, the zoning implementation of the 2013-2021 Imperial Beach Housing Element. Housing Program 11 that proposed amending Section 19.42.070 was removed from consideration by the City Council during the First Reading proceeding.

PROJECT DESCRIPTION/ BACKGROUND:

The Introduction and First Reading by title only of Ordinance No. 2014-1146 was held by the City Council on July 16, 2014. Housing Element Program 11 that proposed amending §19.42.070 by eliminating the lot combining restriction for development in the multiple-unit residential zones and included incentives to encourage the owner-initiated merger or consolidation of contiguous properties was removed from consideration by the City Council during the First Reading proceeding. Housing Element Programs 12 (Affordable Housing Density Bonus) and 13 (Special Needs Housing) were required by state and federal laws and are included for consideration in Ordinance No. 2014-1146.



PROJECT EVALUATION/ DISCUSSION:

Letters of comment from Gene and Christine Hillger, Steve and Donna Simonds, and Charles and Eva Quisenberry were received and included in the staff report for the July 16th Introduction and First Reading of the ordinance.

General Plan/Local Coastal Plan/Zoning Consistency: Government Code Section 65300.5 provides that general plan elements and policies be internally consistent. Government Code Section 65860 provides that implementing ordinances be externally consistent with the General Plan/Local Coastal Plan.

ENVIRONMENTAL DETERMINATION: The Final Negative Declaration (SCH# 2012111006) for the final Housing Element was adopted on January 23, 2013. This environmental document remains adequate in addressing any environmental effects resulting from the implementation of the Housing Element. The Notice of Determination (NOD) was filed with the County Clerk on January 24, 2013 along with a \$2206.25 Fish and Game fee and no legal challenges were filed within the statute of limitations.

HOUSING ELEMENT IMPLEMENTATION DUE DATE: The zoning implementation of the 2013-2021 Housing Element (fifth cycle revision) is required to be adopted one year after the Housing Element was certified by HCD.

COASTAL JURISDICTION: Public Resources Code Section 30500.1. of the California Coastal Act provides that: No local coastal program shall be required to include housing policies and programs. The Housing Element did not need to be certified by the Coastal Commission. However, the zoning implementation of the Housing Element does need to be certified by the Coastal Commission.

FISCAL ANALYSIS:

The contract with Veronica Tam and Associates (authorized by the City Council on June 15, 2011; Resolution No. 2011-7053 and R-10-231) to produce the 2013-2021 Housing Element was in the amount of \$ 36,910 which was paid from the 20% housing set aside portion of the redevelopment funds. The Housing Element was completed ahead of the state's deadline and under budget. The zoning implementation is anticipated to have a negligible fiscal impact as it would merely bring municipal requirements and practices into compliance with state and federal laws.

DEPARTMENT RECOMMENDATION:

Waive further reading and adopt Ordinance No. 2014-1146.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Ordinance No. 2014-1146

c: file MF 1060 Housing Element GPA 100060
Veronica Tam and Associates LLC, 107 S. Fair Oaks Avenue, Suite 212, Pasadena, CA
91105 Veronica.Tam@vtaplanning.com
Susan Baldwin, Housing, SANDAG, 401 B Street, Ste. 800, San Diego, CA 92101
Susan.Baldwin@sandag.org
Robin Huntley, HPD Analyst, California Department of Housing and Community
Development, 1800 Third Street, Sacramento, CA 95811-6942
rhuntley@hcd.ca.gov
Amanda Sackett, Coastal Program Analyst, California Coastal Commission, 7575
Metropolitan Drive, Suite 103, San Diego, CA 92108-1735
Amanda.sackett@coastal.ca.gov
Gene and Christine Hillger,
Steve and Donna Simonds,
Charles and Eva Quisenberry,

ORDINANCE NO. 2014-1146

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING TITLE 19 (ZONING) OF THE IMPERIAL BEACH MUNICIPAL CODE BY IMPLEMENTING PROGRAMS 12 AND 13 OF THE 2013-2021 (5TH CYCLE) HOUSING ELEMENT. MF 1060.

WHEREAS, on January 23, 2013, the City Council of the City of Imperial Beach held a duly advertised public hearing and adopted the 2013-2021 Housing Element; and

WHEREAS, on July 16, 2014, the City Council of the City of Imperial Beach held a duly advertised public hearing to consider the merits of approving or denying amendments to the Zoning Ordinance that would implement Programs 11, 12, and 13 of the 2013-2021 (5th Cycle) Housing Element; and

WHEREAS, the City Council finds that the proposed implementing zoning amendments would be externally consistent with the General Plan/ Local Coastal Plan, specifically the Housing Element, pursuant to Government Code Section 65860; and

WHEREAS, the City Council of the City Of Imperial Beach hereby finds that the implementing zoning amendments of the 2013-2021 Housing Element is in substantial compliance with the California Housing Element Law (Government Code Section 65580 et seq); and

WHEREAS, the City Council finds that the Final Negative Declaration (SCH # 2012111006) adopted by the City Council on January 23, 2013 for the Housing Element remains adequate in addressing any environmental effects that may result from the implementation of the policies and programs, including the proposed zoning amendments, of the Housing Element.

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

SECTION 1: That Chapter 19.65 is hereby amended to read as follows:

Chapter 19.65. AFFORDABLE HOUSING DENSITY BONUS

19.65.010. Purpose.

This chapter establishes procedures and requirements to facilitate the development of affordable housing that serve moderate income, low income, very low income, and senior households within the city. To encourage the provision of affordable housing, the city shall provide to developers who meet the requirements established by this chapter and Government Code Section 65915 (Density Bonus Law) a density bonus and the incentives identified in Government Code Section 65915.

19.65.020. Definitions.

As used in this chapter, the following terms shall have the following meanings:

“Affordability” is determined as 30 percent or less of the area median income (AMI) as adjusted for assumed household size for moderate income, low income, and very low income households as defined by the Health and Safety Code.

"Density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the City. The density bonus shall apply to residential developments of five or more units. The number of housing units to be reserved for low or very low income households or qualifying residents does not include the density bonus units.

"Equivalent financial value" means to the cost to developer/property owner based on the land cost per dwelling unit. The land cost per dwelling unit is determined by the difference in the value of the land with and without the density bonus.

"Housing development," as used in this chapter, means a development project for five or more residential units. For the purposes of this chapter, "housing development" also includes a subdivision or common interest development, as defined in Section 4100 of the Civil Code, approved by the City and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Government Code Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

"Maximum allowable residential density" means the density allowed under the zoning ordinance and land use element of the general plan, or if a range of density is permitted, means the maximum allowable density for the specific zoning range and land use element of the general plan applicable to the project. Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.

"Lower income households" are as currently defined in Section 50079.5 of the Health and Safety Code and any subsequent amendments or revisions.

"Qualifying resident" or "senior citizen" means a person 62 years of age or older, or 55 years of age or older in a senior citizen housing development as defined in Section 51.3 of the Civil Code and any subsequent amendments or revisions.

"Very low income households" are as currently defined in Section 50105 of the Health and Safety Code and any subsequent amendments or revisions. (Ord. 94-888 § 2, 1994; Ord. 94-884)

19.65.030. Density Bonus Application Process.

A. Pursuant to and in accordance with Government Code Section 65915, et seq., an applicant seeking a density bonus for a housing development shall file the completed application with and on a form provided by the Community Development Department. The City shall grant:

1. A density bonus and additional concessions or incentives pursuant to this chapter,

B. In order to qualify for the density bonus, a proposed housing development must consist of five or more dwelling units and meet one or more of the following criteria:

1. At least ten percent of the total units allowed by the maximum permitted density are designated for lower-income households as defined in Section 50079.5 of the Health and Safety Code; or

2. At least five percent of the total units allowed by the maximum permitted density are designated for very low-income households as defined in Section 50105 of the Health and Safety Code; or

3. A senior citizen housing development, as defined in Sections 51.3 of the Civil Code, or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

4. Ten percent of the total dwelling units in a common interest development as defined in Section 4100 of the Civil Code for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

C. This chapter shall not be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 commencing with Section 30000 of the Public Resources Code). In the coastal zone, the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as they apply to the project site. The otherwise maximum allowable residential density shall mean the maximum potential density modified by applying all site-specific environmental development constraints identified within the coastal zoning ordinances and land use element certified by the coastal commission. The density bonus shall be applicable to housing developments consisting of five or more units.

D. In the coastal zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible, and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. Approval of development proposed under this section shall require a finding that the development, if it had been proposed without the twenty-five percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. In cases where a density increase is granted pursuant to Government Code Section 65915 which results in development inconsistent with otherwise applicable certified local coastal program policies and development standards, such as height, parking and setback requirements, the relief granted from such standards shall be considered an additional incentive under Government Code Section 65915. (Ord. 94-888 § 2, 1994; Ord. 94-884)

19.65.040. Density bonus agreement.

A. To be eligible for a density bonus, the developer/property owner must sign a binding agreement with the City which sets forth the conditions and guidelines to be met in the implementation of the density bonus law requirements pursuant to Government Code Sections 65915.(c) and 65917. The agreement will also establish specific compliance standards and remedies available to the City upon failure by the developer/property owner to make units accessible to intended residents. To ensure compliance, the city shall require a security in an amount and in a form acceptable to the City Manager, City Attorney, and the Community Development Department. (Ord. 94-888 § 2, 1994; Ord. 94-884)

B. The developer/property owner shall agree to, and the City shall ensure, continued affordability of all low- and very low income units that qualified the applicant for the

award of the density bonus for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety Code. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code.

C. The developer/property owner shall agree to, and the City shall ensure that, the initial occupant of the moderate-income units that are directly related to the receipt of the density bonus in the common interest development, as defined in Section 4100 of the Civil Code, are persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code. The local government shall enforce an equity sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity sharing agreement:

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The local government shall recapture any initial subsidy, as defined in subparagraph 2, and its proportionate share of appreciation, as defined in subparagraph 3, which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.

2. The local government's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value

3. The local government's proportionate share of appreciation shall be equal to the ratio of the local government's initial subsidy to the fair market value of the home at the time of initial sale.

D. Where there is a direct financial contribution to a housing development pursuant to Government Code Section 65915 through participation in the cost of infrastructure, write-down of land costs, or subsidizing the cost of construction, the City shall assure continued availability for low- and moderate-income units for 30 years. When appropriate, the agreement provided for in Section 19.65.040 shall specify the mechanisms and procedures necessary to carry out this section.

19.65.050. Density bonus calculations.

A. **Low-Income Units.** For housing developments meeting the criteria of Section 19.65.030.B.1, the density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus	Incentives/concessions
10	20	1
11	21.5	1
12	23	1
13	24.5	1
14	26	1
15	27.5	1

17	30.5	1
18	32	1
19	33.5	1
20 - 29	35	2
≥ 30	35	3

B. **Very Low-Income Units.** For housing developments meeting the criteria of Section 19.65.030.B.2, the density bonus shall be calculated as follows:

Percentage Very Low-Income Units	Percentage Density Bonus	Incentives/concessions
5	20	1
6	22.5	1
7	25	1
8	27.5	1
9	30	1
10	32.5	2
11 – 14	35	2
≥ 15	35	3

C. **Senior Housing.** For housing developments meeting the criteria of Section 19.65.030.B.3, the density bonus shall be 20 percent of the number of senior housing units.

D. **Moderate Income Units.** For housing developments meeting the criteria of Section 19.65.030.B.4, the density bonus shall be calculated as follows:

Percentage Moderate Income Units	Percentage Density Bonus	Incentives/concessions
10	5	1
11	6	1
12	7	1
13	8	1
14	9	1
15	10	1
16	11	1
17	12	1
18	13	1
19	14	1
20	15	2
21	16	2
22	17	2
23	18	2
24	19	2
25	20	2
26	21	2
27	22	2

28	23	2
29	24	2
30	25	3
31	26	3
32	27	3
33	28	3
34	29	3
35	30	3
36	31	3
37	32	3
38	33	3
39	34	3
40	35	3

E. All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

F. **Land donation.** When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City in accordance with the state Density Bonus Law, the applicant shall be entitled to a 15-percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33

29	34
30	35

19.65.060. Incentives or Concessions.

- A. The applicant shall receive the following number of incentives or concessions:
1. One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development.
 2. Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development.
 3. Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.
- B. Such concession shall be specific to the individual project and may include:
1. A modification of development standards pertaining to building height, open space, lot size requirements, street access, off-street parking, landscaping, fencing or other development standards, or off-site improvements;
 2. Reduction of development processing fees, not including impacts fees;
 3. In the coastal zone, any incentives must be consistent to the maximum extent feasible, and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and standards. In choosing between incentives, priority shall be given to that incentive most protective of coastal resources so as to avoid any development within or adjacent to wetlands or other environmentally sensitive areas, or any development within or adjacent to geologic hazard areas, or any development which would result in any significant adverse impacts on coastal access and recreation.
- C. An applicant for a density bonus pursuant to Section 19.65.030 may submit to the City a proposal for the specific incentives or concessions that the applicant requests pursuant to this chapter, and may request a meeting with the City. The City shall grant the concession or incentive requested by the applicant unless the City makes a written finding, based upon substantial evidence, of any of the following:
1. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in the density bonus agreement.
 2. The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
 3. The concession or incentive would be contrary to state or federal law.

D. The developer and city staff shall negotiate to determine the incentives which will make the project economically feasible with minimum deviations from established standards and minimal impacts of health, safety and welfare. (Ord. 94-888 § 2, 1994; Ord. 94-884)

19.65.070. Development Standards.

A. "Development standard" includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

B. The City may not apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of Section 19.65.030.B at the densities or with the concessions or incentives permitted by this chapter. An applicant may submit to the City a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of Section 19.65.030.B at the densities or with the concessions or incentives permitted under this chapter, and may request a meeting with the City.

C. The City is not required to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The City is not required to waive or reduce development standards if such waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

D. A proposal for the waiver or reduction of development standards pursuant to this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to Section 19.65.060.

E. Upon the request of the developer, the City shall not require a vehicular parking ratio, inclusive of disabled and guest parking, of a development meeting the criteria of Section 19.65.030.B that exceeds the following ratios:

1. Zero to one bedroom: one onsite parking space.
2. Two to three bedrooms: two onsite parking spaces.
3. Four and more bedrooms: two and one-half parking spaces.

F. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a development may provide "onsite parking" through tandem parking or uncovered parking, but not through on-street parking.

G. This subdivision shall apply to a development that meets the requirements of Section 19.65.030.B but only at the request of the applicant. An applicant may request parking incentives or concessions beyond those provided in this section.

19.65.080. Child care facility.

A. When an applicant proposes to construct a housing development that conforms to the requirements of Section 19.65.030.B and includes a child care facility that will be located on the premises of, as part of, or adjacent to, the project, the City shall grant either of the following:

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

B. The City shall require, as a condition of approving the housing development, that the following occur:

1. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

2. Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

C. Notwithstanding any requirement of this subdivision, a city, county, or city and county shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

D. "Child care facility," as used in this section, means a facility installed, operated, and maintained for the nonresidential care of children as defined under applicable state licensing requirements for the facility other than a family day care home, but including and not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

E. "Density bonus" as used in this section means a floor area ratio bonus over the otherwise maximum allowable density permitted under the applicable zoning ordinance and land use elements of the general plan of the City of:

1. A maximum of five square feet of floor area for each one square foot of floor area contained in the child care facility for existing structures.

2. A maximum of 10 square feet of floor area for each one square foot of floor area contained in the child care facility for new structures.

3. For purposes of calculating the density bonus under this section, both indoor and outdoor square footage requirements for the child care facility as set forth in applicable state child care licensing requirements shall be included in the floor area of the child care facility.

F. "Developer" means the owner or other person, including a lessee, having the right under the applicable zoning ordinance of the City to make an application for development approvals for the development or redevelopment of a commercial project.

G. "Floor area" means as to a commercial project, the floor area as calculated under the applicable zoning ordinance of the City and as to a child care facility, the total area contained within the exterior walls of the facility and all outdoor areas devoted to the use of the facility in accordance with applicable state child care licensing requirements.

H. The City may establish a procedure by ordinance to grant a developer of a commercial project, containing at least 50,000 square feet of floor area, a density bonus when that

developer has set aside at least 2,000 square feet of floor area and 3,000 outdoor square feet to be used for a child care facility. The granting of a bonus shall not preclude the City from imposing necessary conditions on the project or on the additional square footage. Projects constructed under this section shall conform to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other health, safety, and zoning requirements generally applicable to construction in the zone in which the property is located. A consortium with more than one developer may be permitted to achieve the threshold amount for the available density bonus with each developer's density bonus equal to the percentage participation of the developer. This facility may be located on the project site or may be located offsite as agreed upon by the developer and the City. If the child care facility is not located on the site of the project, the City shall determine whether the location of the child care facility is appropriate and whether it conforms with the intent of this section. The child care facility shall be of a size to comply with all state licensing requirements in order to accommodate at least 40 children.

I. The developer may operate the child care facility itself or may contract with a licensed child care provider to operate the facility. In all cases, the developer shall show ongoing coordination with a local child care resource and referral network or local governmental child care coordinator in order to qualify for the density bonus.

J. If the developer uses space allocated for child care facility purposes, in accordance with Section 19.65.030.B, for purposes other than for a child care facility, an assessment based on the square footage of the project may be levied and collected by the City. The assessment shall be consistent with the market value of the space. If the developer fails to have the space allocated for the child care facility within three years, from the date upon which the first temporary certificate of occupancy is granted, an assessment based on the square footage of the project may be levied and collected by the City in accordance with procedures to be developed by the City. The assessment shall be consistent with the market value of the space. A penalty levied against a consortium of developers shall be charged to each developer in an amount equal to the developer's percentage square feet participation. Funds collected pursuant to this subdivision shall be deposited by the City into a special account to be used for child care services or child care facilities.

K. Once the child care facility has been established, prior to the closure, change in use, or reduction in the physical size of, the facility, the City shall be required to make a finding that the need for child care is no longer present, or is not present to the same degree as it was at the time the facility was established.

19.65.090. Condominium conversions.

A. When an applicant for approval to convert apartments to a condominium project agrees to provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income as defined in Section 50093 of the Health and Safety Code, or 15 percent of the total units of the proposed condominium project to lower income households as defined in Section 50079.5 of the Health and Safety Code, and agrees to pay for the reasonably necessary administrative costs incurred by the City pursuant to this section, the City shall either (1) grant a density bonus or (2) provide other incentives of equivalent financial value. The City may place such reasonable conditions on the granting of a density bonus or other incentives of equivalent financial value as it finds appropriate, including, but not limited to, conditions which assure continued affordability of units to subsequent purchasers who are persons and families of low and moderate income or lower income households.

B. For purposes of this section, "density bonus" means an increase in units of 25 percent over the number of apartments, to be provided within the existing structure or structures proposed for conversion.

C. For purposes of this section, "other incentives of equivalent financial value" shall not be construed to require the City to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the City might otherwise apply as conditions of conversion approval.

D. An applicant for approval to convert apartments to a condominium project may submit to the City a preliminary proposal pursuant to this section prior to the submittal of any formal requests for subdivision map approvals. The City shall, within 90 days of receipt of a written proposal, notify the applicant in writing of the manner in which it will comply with this section. The City shall establish procedures for carrying out this section, which shall include legislative body approval of the means of compliance with this section.

E. Nothing in this section shall be construed to require the City to approve a proposal to convert apartments to condominiums.

F. An applicant shall be ineligible for a density bonus or other incentives under this section if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under Government Code Section 65915.

19.65.100. Other Affordable Housing Incentives or Concessions.

Applications for affordable housing projects not qualifying for or requesting a density bonus may be considered for incentives or concessions at the discretion of the City Council. The City may require an affordable housing agreement to ensure the availability of the targeted units for low and moderate income households for a period of 30 years and may execute such other provisions as may be necessary to implement the agreement.

SECTION 2: That Section 19.68.030 is hereby amended to read as follows:

19.68.030. Manufactured homes in Residential zones.

- A. It is the purpose of this section to allow the placement of manufactured homes in the R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, and R-1500 zones.
- B. Eligibility. A manufactured home shall not be eligible:
1. If more than ten years have elapsed between the date of manufacture and the date of the application for a permit.
 2. If the home is not certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.)
 3. If it has been altered in violation of applicable code.
- C. Criteria. The manufactured home shall:
1. Be occupied only as a single-family residential use;
 2. Be subject to all provisions of the Zoning Ordinance applicable to residential structures;

3. Be attached to a permanent foundation system in compliance with all applicable building regulations;
4. Have a roof overhang of twelve inches or more. (Ord. 94-884)

SECTION 3: That Chapter 19.04 is hereby amended to include the following definitions:

19.04.318. Employee housing.

Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation pursuant to Health and Safety Code Section 17021.5.(b)

19.04.761. Transitional housing .

"Transitional housing" and "transitional housing development" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months pursuant to Health and Safety Code Section 50801(i). Pursuant to Government Code Section 65583(a)(5), transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

19.04.747. Supportive housing.

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community pursuant to Health and Safety Code Section 50675.14(a)(B)(2). Pursuant to Government Code Section 65583(a)(5), transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

19.04.702. Single-room occupancy unit.

Single room occupancy" unit or an SRO, means a room used for sleeping purposes that: (1) is occupied as a primary residence, (2) lacks, in the unit itself, either or both a kitchen or bathroom, and (3) is subject to state landlord-tenant law pursuant to chapter 2 (commencing with section 1940) of Title 5 of part 4 of division 3 of the Civil Code.

SECTION 4: That Section 19.67.010 is hereby amended to read as follows:

19.67.010. Definition.

"Senior citizen housing development" means a residential development developed, substantially rehabilitated, or substantially renovated for, senior citizens that has at least 35 dwelling units. Any senior citizen housing development which is required to obtain a public report under Section 11010 of the Business and Professions Code and which submits its application for a public report after July 1, 2001, shall be required to have been issued a public report as a senior citizen housing development under Section 11010.05 of the Business and

Professions Code. No housing development constructed prior to January 1, 1985, shall fail to qualify as a senior citizen housing development because it was not originally developed or put to use for occupancy by senior citizens.

SECTION 5: That Section 19.23.010. is hereby amended to read as follows:

19.23.010. Land use table.

	C/MU-1	C/MU-2	C/MU-3	Notes
Residential and Similar Uses				
Single-room occupancy units	C	N	N	

SECTION 6: That Section 19.02.070. is hereby added to read as follows:

19.02.070. Reasonable Accommodation for Persons with Disabilities.

- A. Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.
- B. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.
- C. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.
- D. In order to make housing available to an individual with a disability, any eligible person may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.
- E. Requests for reasonable accommodation shall be in writing and provide the following information:
 - (1) Name and address of the individual(s) requesting reasonable accommodation;
 - (2) Name and address of the property owner(s);
 - (3) Address of the property for which accommodation is requested;
 - (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- F. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- G. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

- H. If an individual needs assistance in making the request for reasonable accommodation, the City will provide assistance to ensure that the process is accessible.
- I. Requests for reasonable accommodation shall be reviewed by the Community Development Director.
- J. The Community Development Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in paragraph L.
- K. If necessary to reach a determination on the request for reasonable accommodation, the Community Development Director may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.
- L. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:
 - (1) Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
 - (2) Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
 - (3) Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;
 - (4) Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program.
- M. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Community Development Director's findings on the criteria set forth in paragraph L. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- N. The written decision of the Community Development Director shall be final unless an applicant appeals it to the City Council.
- O. If the Community Development Director fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by paragraph J, the request shall be deemed granted.
- P. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.
- Q. Within thirty (30) days of the date of the Community Development Director's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.
- R. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.

- S. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- T. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

SECTION 7: That this ordinance shall only become effective upon its certification by the California Coastal Commission.

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

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

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 16th day of July, 2014; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 6th day of August, 2014, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: AUGUST 6, 2014

ORIGINATING DEPT.: PUBLIC WORKS *Chris Hehn*

SUBJECT: RESOLUTION NO. 2014-7507 AUTHORIZING THE PURCHASE OF A REPLACEMENT CITY VEHICLE (EQUIPMENT #624 – PARKS/FACILITIES DIVISION DODGE RAM TRUCK) AND APPROPRIATING \$28,000 FROM THE VEHICLE REPLACEMENT INTERNAL SERVICES FUND FOR THIS PURCHASE

EXECUTIVE SUMMARY:

Resolution No. 2014-7507 approves the purchase of a replacement City vehicle (Equipment #624 – Parks/Facilities Division 1999 Dodge Ram truck) as authorized in the adopted Fleet Maintenance Division FY 2015 O&M budget – Vehicle Replacement Internal Service Fund - and appropriates \$28,000 for this purchase. The old truck #624 will be converted to a Tidelands maintenance truck allowing the retirement of a much older (1995) and poorer conditioned truck #630.

BACKGROUND:

The Fiscal Year 2014-15 Fleet Division Operating and Maintenance Capital Outlay Budget (501-1921-419-5004) included the purchase of a new truck to replace City vehicle #624 – Parks/Facilities Division Dodge Ram truck. City vehicle #624 is a 1999 vehicle with a current odometer reading of approximately 81,000 miles. This vehicle is used daily by the Parks/Facilities Division, and is due for replacement. In an effort to appropriately utilize the city's funds and to extend the useful service life for City vehicles, staff is recommending the purchase of a new vehicle #624, and replacing Tidelands vehicle #630 with the current vehicle #624. Vehicle #630 is a 1995 Ford Ranger used daily in the corrosive environment of the Tidelands area, and has approximately 64,000 miles on the odometer.

The budgeted allocation for the purchase of a replacement for vehicle #624 was \$27,000.00.

ANALYSIS:

Staff has researched the bid list purchase for this equipment replacement. The State of California bid list had the most favorable price. The purchase price for the new vehicle from Downtown Ford Sales is \$26,307.79. The cost to install new safety light bar is estimated to be \$1,028.00

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

The budgeted amount for truck # 624 from the Fleet Division O&M Capital Outlay Budget (501-1921-419-5004) for Fiscal Year 2014-2015 was \$27,000, and the proposed expenditure is \$27,335.79, exceeding the budgeted amount by \$335.79. However, the adopted budget for fleet vehicle replacement account 501-1921-419-5004 is \$180,000. Thus this account has sufficient funds to purchase the remaining balance of the new City equipment. The remaining fiscal year 2014/15 Fleet Vehicle Replacement balance after this purchase is approximately \$152,664.21.

RECOMMENDATION:

1. Receive this report.
2. Adopt Resolution 2014-7507 authorizing the City Manager to approve a purchase order with Downtown Ford Sales for the purchase of the replacement City Vehicle (equipment #624) using the State of California bid list.
3. Appropriate \$28,000 from the Fleet Vehicle Replacement Fund (501-1921-419-5004) for the purchase of a replacement cab and chassis and all related retrofitting.

Attachments:

1. Resolution No. 2014-7507

RESOLUTION NO. 2014-7507

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE PURCHASE OF A REPLACEMENT CITY VEHICLE (EQUIPMENT #624 – PARKS/FACILITIES DIVISION DODGE RAM TRUCK) AND APPROPRIATING \$28,000 FROM THE VEHICLE REPLACEMENT INTERNAL SERVICES FUND (501-1921-419-50-04) FOR THIS PURCHASE

WHEREAS, the Fiscal Year 2014-15 Fleet Division Operating and Maintenance Capital Outlay Budget (501-1921-419-5004) included the purchase of new truck to replace City vehicle #624 – Parks/Facilities Dodge Ram size truck; and

WHEREAS, City vehicle #624 is a 1999 vehicle with odometer reading of approximately 81,000 miles that is used daily by the Parks/Facilities Division, and is due for replacement; and

WHEREAS, staff is recommending the purchase of a new truck for vehicle # 624, and replacing vehicle # 630 with the current vehicle # 624; and

WHEREAS, vehicle #630 is a severely deteriorated 1995 Ford Ranger with an odometer reading of approximately 64,000 miles that is used daily in the corrosive environment of the Tidelands area; and

WHEREAS, the budgeted allocation for the purchase of a replacement for vehicle # 624 was \$27,000.00; and

WHEREAS, staff has researched the bid list purchase for this equipment replacement; and

WHEREAS, the State of California bid list had the most favorable price with a purchase price for the new cab and chassis of \$26,307.79; and

WHEREAS, the cost to install new safety light bar is estimated to be \$1,028.00; and

WHEREAS, the proposed expenditure exceeds the budgeted amount by \$335.79; and

WHEREAS, there are sufficient funds within the Fleet Vehicle Replacement account to fund the remaining balance of the new City equipment; and

WHEREAS, staff recommends appropriating \$28,000 for this purchase

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

1. The above recitals are true and correct.
2. This legislative body authorizes the purchase of a new truck for vehicle # 624, and replacing vehicle # 630 with the current vehicle # 624.
3. This legislative body authorizes the City Manager to approve the purchase order for the purchase of the new truck for vehicle # 624, and replacing vehicle #630 with the current vehicle # 624.
4. This legislative body appropriates the total of \$28,000 from the Fleet Vehicle Replacement Internal Service Fund for this purchase.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 6th day of August 2014, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: AUGUST 6, 2014
ORIGINATING DEPT.: CITY ADMINISTRATION *emms*
SUBJECT: LETTER OF SUPPORT FOR A LEGISLATIVE INITIATIVE FOR
RAPID WATER QUALITY TESTING (SB 1395 BLOCK)

EXECUTIVE SUMMARY:

SB 1395 will improve and shorten water quality testing time for our local beaches by allowing a new rapid method water quality test. The current test takes 24-48 hours and passage of this bill could reduce the wait time in water quality testing to four hours. This method has been approved by the United States Environmental Protection Agency.

BACKGROUND:

Existing law requires the California Department of Public Health to adopt regulations for the minimum public health standards of public beaches, including requiring the testing of waters adjacent to all public beaches for specified microbial contaminants. The current culture-based testing method leaves a 24-48 hour window during which the public may be vulnerable.

ANALYSIS:

SB 1395, which is sponsored by the County of San Diego, would authorize the department to allow a local health officer to use specified polymerase chain reaction testing methods published by the United States Environmental Protection Agency. This method produces more rapid results, shortening the time that California's 238 million beachgoers may unknowingly be at risk. Quicker test results also allow jurisdictions such as the city of Imperial Beach to more rapidly reopen closed beaches when the threat of contamination is no longer present.

The bill would require the department, in making the determination of whether to authorize the use of those testing methods by a local health officer, to take into account whether the alternative indicators and related test method can provide results more quickly. The bill would specify that its provisions do not require the use of those testing methods.

SB 1395 passed the Senate by a 35-0 vote and is moving toward a vote on the Assembly floor.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

None associated with this report.

RECOMMENDATION:

That the City Council approves a letter of support for Senate Bill 1395, authored by Senator Marty Block and related to rapid water quality testing.

Attachments:

1. Letter of Support



City of Imperial Beach, California

OFFICE OF THE MAYOR

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August 6, 2014

Assembly Speaker Toni Atkins
State Capitol
PO Box 942849
Sacramento, CA 94249

Dear Assembly Speaker Atkins,

On behalf of the City of Imperial Beach, I would like to express our support of SB 1395 related to beach water quality testing. The City of Imperial Beach is uniquely interested in ocean water quality issues due to ongoing cross-border sewage flow that enters the Pacific Ocean at the Tijuana River Estuary. This can pose a safety risk for beach goers, surfers, fisherman and the greater community of Imperial Beach. In 2013 alone, the beach adjacent to the Tijuana River was closed 204 times due to cross-border sewage.

The current method of culture-based testing can take up to 72 hours and this lag time can result unnecessary beach closures as well as open beaches when the water is contaminated. After a recent rain event in eastern Tijuana, the beach was closed for two days just before one of the busiest beach weekends of the year when testing eventually indicated that it should have been open. Having to wait for test results impacts local business and poses a safety threat and is unacceptable.

As a coastal San Diego County resident and Mayor of the City of Imperial Beach, I would like to show my support for SB 1395 and thank you for your efforts in making our beaches and coastal resources safer for residents.

For these reasons, the City of Imperial Beach respectfully requests that you vote in favor of this important measure.

Thank you,

Mayor Jim Janney
City of Imperial Beach

cc: City Council



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: AUGUST 6, 2014
ORIGINATING DEPT.: PUBLIC WORKS *HWK*
SUBJECT: PROPOSED BSA EAGLE PROJECT PRESENTATION- OCHOA

EXECUTIVE SUMMARY:

This report is to request City Council's approval for Eagle Scout Candidate Armando Ochoa to perform a community service project within the City of Imperial Beach to wit: landscape the west entrance to the Public Works facility – 495 10th Street. See attachment 1. City Council's approval of this landscape project by Armando Ochoa will continue the landscape improvements started with the Bayshore Bikeway Access Improvement project completed about 9 months ago. Approval of this project will allow him to meet the requirements for the Boy Scouts Of America Eagle Rank requirement to "plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or your community."

BACKGROUND:

Nearly two years ago, City Council awarded a contract for the redevelopment or conversion of the Public Works facility industrial area to a new Bayshore Bikeway access, new public parking lot and native garden and nature path. The west entrance from 10th Street into this newly renovated area was not part of the contract. However this entrance was always considered to be a future improvement that would be scheduled when time and resources became available. Recently Armando Ochoa, Eagle Scout candidate from Boy Scout Troop 53, proposed to complete this project by designing and constructing an entrance improvement consistent with the landscape theme of the adjacent native garden area.

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 – 495 10th Street west side entrance landscape design and construction - qualifies as a "significant community service project."

ANALYSIS:

BSA Troop 53, Eagle Scout Candidate Armando Ochoa has indicated an interest in performing landscape design and construction on the west side entrance to the Public Works Facility and adjacent to the Bayside Bikeway Access improvements. Staff is willing to work with Armando Ochoa in designing and constructing the project. Armando Ochoa would design the improvements, plan, organize and supervise the construction of the project, should City Council approve his project.

I.B. Beautiful has reported to the City staff that they desire to help finance some or part of community service projects that will help beautify the City's properties including projects that might be performed by Eagle Scout candidates. Armando Ochoa will be scheduled to present his project to I.B. Beautiful at one of their upcoming meetings to seek funding for this service project.

ENVIRONMENTAL DETERMINATION:

This project was evaluated for CEQA requirements and is determined to be Categorical Exempt per section 15301 - Existing Facilities – Class 1.c.

FISCAL IMPACT:

IB Beautiful is expected to fund the project materials and supplies cost. All labor will be provided by Eagle project support personnel. The estimated costs for this project's materials and supplies is \$1000. If IB Beautiful decides to not fund this project, the costs will come from the Park Maintenance Division FY 2015 Operating Budget.

RECOMMENDATION:

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

Attachments:

1. Aerial / photo of the proposed Eagle Project work area adjacent to Public Works facility, 495 10th Street.





STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: AUGUST 6, 2014
ORIGINATING DEPT.: PUBLIC WORKS *AH*
SUBJECT: PROPOSED BSA EAGLE PROJECT PRESENTATION - ENGELBRECHT

EXECUTIVE SUMMARY:

This report is to request City Council's approval for Eagle Scout Candidate Ryan Engelbrecht to perform a community service project within the City of Imperial Beach to wit: landscape the east entrance to City Hall, between Sheriff's Station and City Hall – 825 Imperial Beach Blvd. See attachment 1. City Council's approval of this landscape project by Ryan Engelbrecht will continue the landscape improvements started along the frontage of City buildings in the 800 block of Imperial Beach Boulevard. Approval of this project will allow him to meet the requirements for the Boy Scouts Of America Eagle Rank requirement to "plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or your community."

BACKGROUND:

Approximately 5-years ago Council authorized a series of landscape improvement projects on the north side of City Hall, Sheriff's Station, Fire Station and Sewer Lift Station # 8. These projects were patterned after a design prepared by Partier Landscape Inc., Pat O'Conner, owner. The design included a 4-inch block pattern installed between the existing curb and sidewalk and a native plant garden between the sidewalk and the buildings' frontage. This project would continue the block pattern and native plant garden into the entrance area. Recently Ryan Engelbrecht, Eagle Scout candidate from Boy Scout Troop 53, proposed to complete this project by designing and constructing an entrance improvement consistent with the landscape theme of the City complex frontage.

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 – the east side entrance to City Hall, between the Sheriff's Station and City Hall, 825 Imperial Beach Blvd. landscape design and construction - qualifies as a "significant community service project."

ANALYSIS:

BSA Troop 53, Eagle Scout Candidate Ryan Engelbrecht has indicated an interest in performing landscape design and construction on the east side entrance to the City Hall and Sheriff's

station facilities. Staff is willing to work with Ryan Engelbrecht in designing and constructing the project. Ryan Engelbrecht would design the improvements, plan, organize and supervise the construction of the project, should City Council approve his project.

I.B. Beautiful has reported to the City staff that they desire to help finance some or part of community service projects that will help beautify the City's properties including projects that might be performed by Eagle Scout candidates. Ryan Engelbrecht will be scheduled to present his project to I.B. Beautiful at one of their upcoming meetings to seek funding for this service 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:

IB Beautiful is expected to fund the project materials and supplies cost. All labor will be provided by Eagle project support personnel. The estimated costs for this project's materials and supplies is \$500. If IB Beautiful decides to not fund this project, the costs will come from the Park Maintenance Division FY 2015 Operating Budget.

RECOMMENDATION:

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

Attachments:

1. Aerial / photo of the proposed Eagle Project work area adjacent to City Hall / Sheriff's Station entrance at 825 Imperial Beach Blvd.





**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: AUGUST 6, 2014

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

SUBJECT: *Sho* **REPORTS: NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH AIRPORT LAND USE COMPATIBILITY PLAN (NOLF-IB ALUCP) GPA 140038/ MF 1158**

EXECUTIVE SUMMARY:

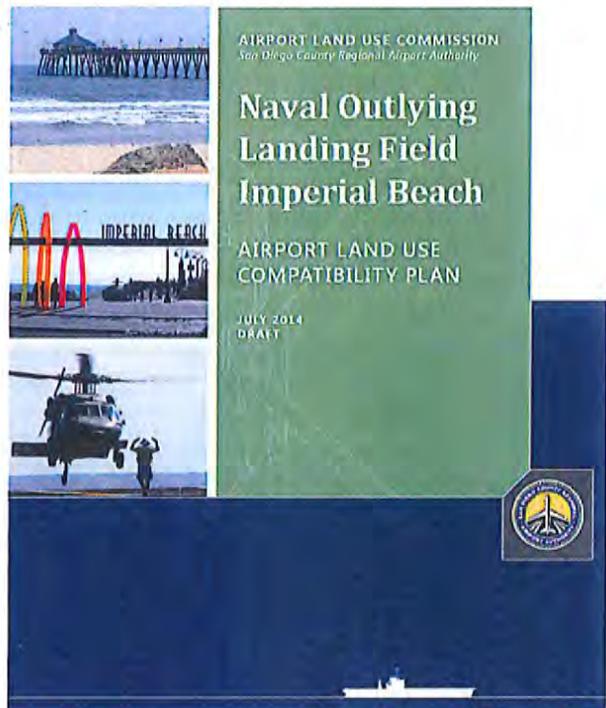
The Airport Land Use Commission (ALUC) has released the draft Airport Land Use Compatibility Plan (ALUCP) for the Naval Outlying Land Field Imperial Beach (NOLF-IB) for public review. ALUC is requesting the City Council to provide comments on the document at the August 6th meeting.

PROJECT DESCRIPTION/ BACKGROUND:

The US Navy released its Air Installation Compatible Use Zones (AICUZ) Study Update on April 3, 2012 for public review and it was transmitted to the San Diego County Airport Authority (operating as the Airport Land Use Commission) to be considered for the Naval Outlying Landing Field Imperial Beach (NOLF-IB) Airport Land Use Compatibility Plan (ALUCP). A community meeting was held on January 14, 2014 at the Marina Vista Community Center to obtain public input on the plan.

PROJECT EVALUATION/ DISCUSSION:

Sections 21670 – 21679.5 of the California Public Utilities Code require Airport Land Use Commissions (ALUC) of each county to prepare and adopt an Airport Land Use Compatibility Plan for each airport. The Airport Authority began the update process in 2006



working with the Airport Technical Advisory Group (ATAG). The AICUZ studies for Naval Air Station North Island (NASNI), that affects the City of Coronado, and for NOLF, that affects the City of Imperial Beach and the City of San Diego, were outdated and the ALUCP for Coronado and the ALUCP for Imperial Beach lagged behind the work done for the other airports until the Navy was able to secure funding for an updated AICUZ study. An updated study was important as aircraft platforms and noise technology had changed considerably since the 1984 and 1989 studies. Safety and noise issues raised by the operations of the military air facilities had the potential to impact land uses within the cities' jurisdictions.



Naval Air Station North Island and
 Naval Outlying Landing Field
 Imperial Beach, California

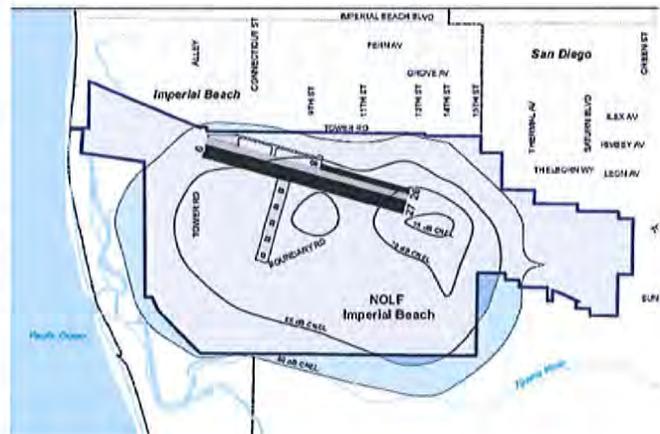
2011

AICUZ Study Update for NAS North Island and NOLF Imperial Beach

A review of the updated study for NOLF indicates that the CNEL noise contours had diminished significantly compared to the 1989 AICUZ to where the 60-65 dB noise contour would affect a few homes along the southern portion of the Seaside Point subdivision. Standard California Title 24 energy requirements would attenuate the exterior noise level down to the required interior noise level of 45 dB. The overflight factor would cover the entire city and state regulations would require that prospective real estate buyers be notified of the overflight. This may be provided with a recorded instrument or with a zoning overlay with the approval of the ALUC.

A draft of the NOLF IB ALUCP is available for public review and comment at the Airport Authority's website: http://www.san.org/sdcraa/airport_initiatives/land_use/nolf_ib_alucp.aspx. Submit comments to alucpcomments@san.org or to SDCRAA Airport Land Use Commission, PO Box 82776, San Diego CA 92138-2776.

General Plan/Local Coastal Plan/Zoning Consistency: Government Code Section 65300.5 provides that general plan elements and policies be internally consistent. Figure N-2 (Ream Field Helicopter Noise Contours) of the Noise Element would need to be updated. Government Code Section 65860 provides that implementing ordinances be externally consistent with the General Plan/Local Coastal Plan. This may be accomplished with an amendment to the Zoning Map showing an Overflight Overlay.



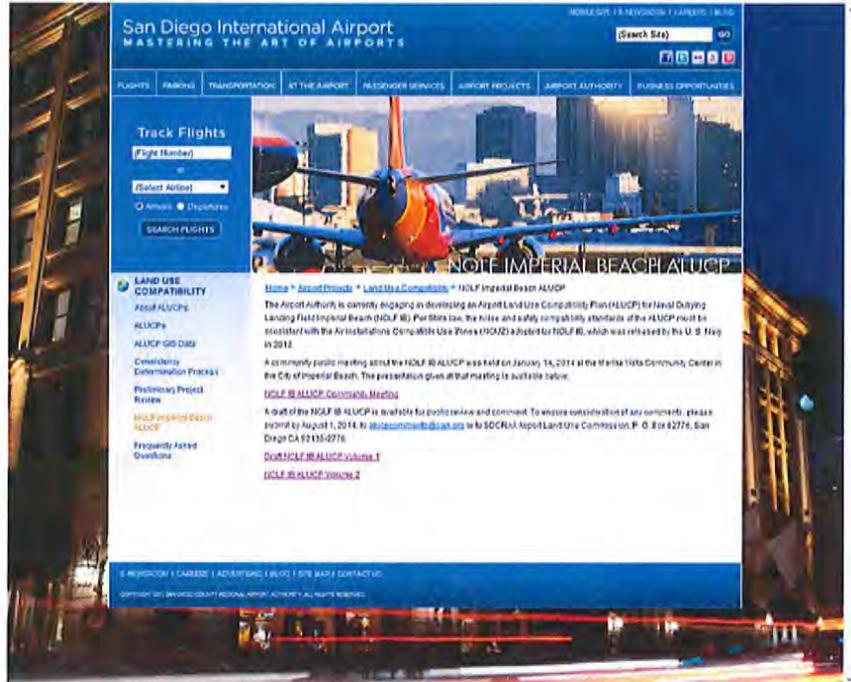
ENVIRONMENTAL DETERMINATION: It is anticipated that a draft Negative Declaration will be prepared by the ALUC staff, routed for public and agency review, and adopted by the ALUC at the time of the adoption of the ALUCP. The City of Imperial Beach will refer to the document as a responsible agency.

COASTAL JURISDICTION:

The Coastal Commission would need to certify any changes to the policy and implementation components of the Imperial Beach Local Coastal Plan with regard to the ALUCP.

FISCAL ANALYSIS:

The cost to prepare the general plan/ local coastal plan/ zoning amendment is estimated to be about \$24,000 in staff costs. The Overflight zoning overlay would be a component of the process. The cost to provide sound attenuation for homes along the north boundary of NOLF would be insignificant since any new homes would be constructed to current energy standards that would concurrently provide the required sound attenuation. Existing homes are not affected by the amendments.



DEPARTMENT RECOMMENDATION:

1. Receive presentation by the Airport Authority.
2. Entertain any public testimony.
3. Provide comments on the draft ALUCP to the Airport Authority.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.

Attachments:

1. Draft Airport Land Use Compatibility Plan Vol. 1

c: file MF 1158 ALUCP GPA 140038
Angela Jamison, Airport Planning Manager, San Diego County Regional Airport Authority, P.O. Box 82776, San Diego, CA 92138-2776 ajamison@san.org

Ed Gowens San Diego County Regional Airport Authority, P.O. Box 82776, San Diego,
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Gene and Christine Hillger,

Rachel A. Hurst, Director of Community Development, City of Coronado, 1825 Strand
Way, Coronado, CA 92118 rhurst@coronado.ca.us

Dante Pamintuan,
Nancy W. Dayton"

[jmscanlon1](#)

AIRPORT LAND USE COMMISSION
San Diego County Regional Airport Authority

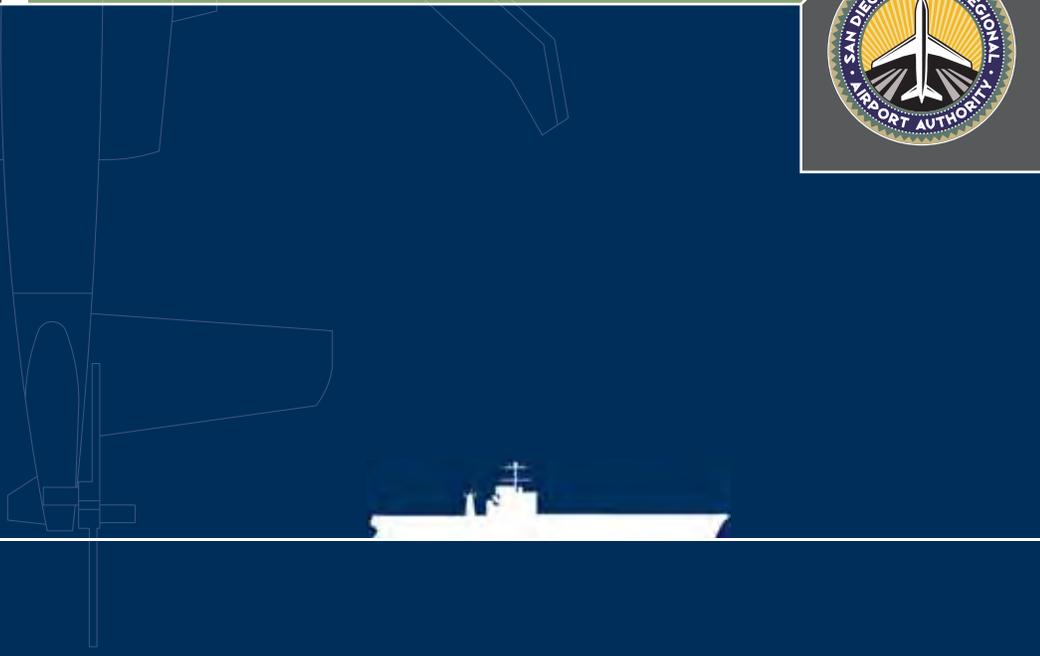
Naval Outlying Landing Field Imperial Beach

**AIRPORT LAND USE
COMPATIBILITY PLAN**

**JULY 2014
DRAFT**



Photo Credit: Henryk Kotowski



Airport Land Use Compatibility Plan for Naval Outlying Landing Field Imperial Beach

Volume 1



PREPARED FOR:

San Diego County Regional Airport Authority

July 2014

DRAFT

PREPARED BY:
RICONDO & ASSOCIATES, INC.

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CHAPTER 1

Implementation

This Airport Land Use Compatibility Plan (ALUCP) for Naval Outlying Landing Field Imperial Beach (NOLF IB) is the fundamental tool used by the San Diego County Airport Land Use Commission (ALUC) to promote airport land use compatibility in the vicinity of the airfield.

This ALUCP was prepared by the San Diego County Regional Airport Authority (SDCRAA), acting in its capacity as the San Diego County ALUC.

1.1 Purpose and Contents of the Plan

Consistent with State law, the purpose of this ALUCP is to promote compatibility between NOLF IB and surrounding future land uses to:

- Provide for the orderly development of NOLF IB and the area surrounding the facility
- Protect public health, safety and welfare in areas around NOLF IB¹

As required by State law,² this ALUCP is consistent with the safety and noise standards in the *Air Installations Compatible Use Zones (AICUZ) Update* prepared by the United States Department of Defense (DOD), Naval Facilities Command Southwest (NAVFAC SW) for NOLF IB.³ The primary goal of the DOD's AICUZ Program is to protect the health, safety, and welfare of those living on and near a military airfield while preserving the operational capability of the airfield.⁴

This ALUCP provides airport land use compatibility policies and standards related to four airport-related factors: noise, safety, airspace protection and overflight. The goals of these land use compatibility policies and standards are as follows.

¹ California Public Utilities Code §21675(a).

² California Public Utilities Code §21675(b).

³ The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, prepared for NAVFAC-SW, 2011.

⁴ The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, prepared for NAVFAC-SW, 2011, ES-1.

Compatibility Factor	Goals
Noise	Ensures that new development within the noise contours is compatible with aircraft noise by: <ul style="list-style-type: none"> • Limiting new noise-sensitive development within the noise compatibility boundary • Ensuring that any new noise-sensitive development includes sound attenuation
Safety	Protects the public health, safety, and welfare by: <ul style="list-style-type: none"> • Prohibiting certain sensitive land uses within the safety zones • Limiting the number of people in areas subject to the highest risk of aircraft accidents
Airspace Protection	Ensures that new development is consistent with: <ul style="list-style-type: none"> • Assuring flight safety by limiting the height of new structures and objects • Preserving the long-term operational capability of NOLF IB
Overflight	Ensures that prospective buyers of new housing within areas subject to aircraft overflights are informed about the potential effects of overflights by: <ul style="list-style-type: none"> • Promoting compliance with the state’s real estate disclosure law • Ensuring that sellers (and their agents) of new residential projects provide notice of the presence of aircraft overflight to prospective buyers

1.2 Effective Date and Amendment

1.2.1 Effective Date

This ALUCP becomes effective on the date of its adoption by the ALUC. If any portion of this ALUCP is invalidated by court action, other portions of this ALUCP remain unaffected and in full force.

1.2.2 Amendment of this ALUCP

Amendment of this ALUCP may be made once per calendar year, as provided by law.⁵ ALUCP amendments may address any issue deemed appropriate by the ALUC. In addition, the ALUC must amend the ALUCP as needed to reflect updates and revisions to the AICUZ.

⁵ California Public Utilities Code §21675(a).

1.3 State Requirements and Guidance

1.3.1 State ALUC Statute

State law requires the San Diego County ALUC to prepare ALUCPs for all public-use and military airports in the County.⁶ The Legislature assigned the ALUC function in San Diego County to SDCRAA.⁷

State law requires the California Department of Transportation (Caltrans) to provide guidance to ALUCs in preparing ALUCPs. The Caltrans Division of Aeronautics publishes the *California Airport Land Use Planning Handbook* (the Handbook) to fulfill this responsibility. State law requires ALUCs to be guided by the information in the Handbook when preparing ALUCPs.⁸ ALUCs have a degree of flexibility and discretion to make planning decisions they consider appropriate for the airports within their jurisdiction.

State law requires ALUCPs to be consistent with the safety and noise standards in the AICUZ for military airports.⁹ State law also includes requirements for ALUC review of land use plans and regulations and other land use projects.¹⁰ In addition, the ALUC should review revisions to the AICUZ to determine whether amendments to the ALUCP are required.

After the ALUC adopts an ALUCP, local agencies with jurisdiction within the NOLF IB Airport Influence Area (AIA), defined in **Section 1.4**, must either amend their land use plans and regulations to be consistent with the ALUCP or overrule the ALUCP.¹¹

A local agency can overrule the ALUCP (or any part of the ALUCP) with a two-thirds majority vote of its governing body. The overrule resolution must include findings describing how the local agency's current land use plans and regulations achieve the objectives of the State ALUC statute.¹²

In addition to agencies with land use regulatory authority (such as cities and counties), special districts, community college districts and school districts are also subject to the requirements of the State ALUC statute.¹³

⁶ California Public Utilities Code §21675.

⁷ California Public Utilities Code §21670.3.

⁸ California Public Utilities Code §21674.7.

⁹ California Public Utilities Code §21675(b).

¹⁰ California Public Utilities Code §§21675.2, 21676, 21676.5.

¹¹ California Public Utilities Code §§21675.1(d), 21676, 21676.5.

¹² California Public Utilities Code §§21676 and 21676.5.

¹³ California Public Utilities Code §21670(f).

What are Land Use Plans and Regulations?	What are Land Use Projects?
<p>Land use plans and regulations include any general plan, community plan, specific plan, precise plan, zoning ordinance, rezone, building regulation or any amendments to these policy and regulatory documents. Land use plans and regulations also include any school district, community college district or special district master plans or amendments to master plans.</p>	<p>A land use project is a proposed development that requires a ministerial or discretionary permit or approval from a local agency or that is sponsored by a local agency and involves any of the following:</p> <ul style="list-style-type: none"> • Construction of a new building • Enlargement of the floor area of an existing building • The subdivision of land • A change of use within an existing structure (land uses are defined in Appendix A of this ALUCP) • An increase in the height of a structure or object <p>When a land use project includes a land use plan amendment or rezone, it is reviewed as a land use plan and regulation.</p>

1.3.2 California Airport Land Use Planning Guidelines

The latest edition of the Handbook was released in October 2011.¹⁴ The Handbook provides guidance on the delineation of airport compatibility factor boundaries, the policies that should apply within those areas, and the administration of ALUCPs. The guidance in the *Handbook* is intended to serve as the starting point for compatibility planning around individual airports.¹⁵ In addition to reflecting the updated AICUZ for NOLF IB, the policies and maps in this ALUCP take into account the guidance provided by the current edition of the Handbook.

1.4 Geographic Scope: the Airport Influence Area

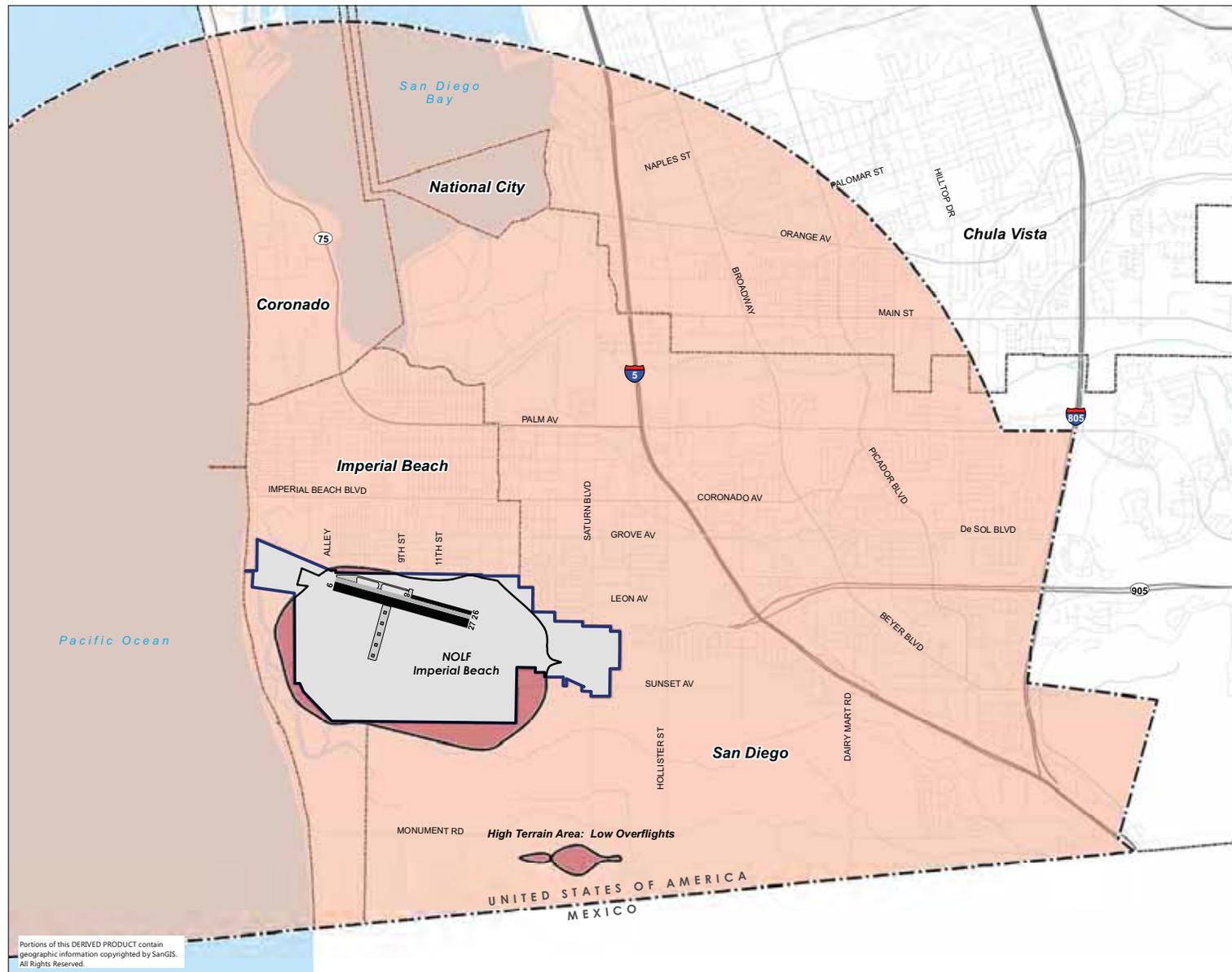
The AIA defines the boundary where this ALUCP applies. The AIA is “the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on land use.”¹⁶

Within the AIA, various boundaries applying to each of the four compatibility factors are defined. The AIA is divided into Review Areas 1 and 2, as depicted in **Exhibit 1-1**. The differences in impacts within these two areas require different policies and review procedures.

¹⁴ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011.

¹⁵ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 3-16. 3-20, 4-12, 4-15, 4-16, 4-32, 4-40.

¹⁶ California Business and Professions Code 11010(b)(13)(B).



LEGEND

- Major Roads
- Highways
- Municipal Boundaries
- Airport Property Boundary
- Water

Airport Influence Area (AIA)

- Airport Influence Area: the AIA is the area within which real estate disclosure is required.
- Review Area 1: the combination of the 60 dB CNEL noise contour and the outer boundary of all safety zones.
- Review Area 2: the combination of the airspace protection and overflight boundaries beyond Review Area 1.



Note: Airfield elevation is 24 feet above mean sea level (MSL)

Sources: San Diego Geographic Information Source (SanGIS), 2008 and 2011 (municipal boundaries, roads, rivers and highways); Naval Facilities Engineering Command, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Field Imperial Beach, California, 2011, (airport property boundary, runways, airfield); Ricondo & Associates, Inc., 2013 (airport influence area).

Prepared by: Ricondo & Associates, Inc., March 2014.

Exhibit 1-1
Airport Influence Area

Portions of this DERIVED PRODUCT contain geographic information copyrighted by SanGIS. All Rights Reserved.

- Review Area 1 is defined by the combination of the 60 dB CNEL noise contour and the outer boundary of all safety zones. All ALUCP policies and standards apply within Review Area 1.
- Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1. Only airspace protection and overflight policies and standards apply within Review Area 2.

1.4.1 Real Estate Disclosure

Sellers of property and their agents are required by State law to disclose to prospective buyers of new and existing residential properties when such property is located within the AIA, as shown on **Exhibit 1-1**.¹⁷ The disclosure provisions of State law are deemed mandatory for any new dwelling unit and shall continue in effect as ALUC policy even if the State law is revised or rescinded.

1.5 Local Agencies and Stakeholders Subject to this ALUCP

This ALUCP applies to all local agencies within the AIA. In this ALUCP, the term “local agency” includes the cities of Chula Vista, Coronado, Imperial Beach and San Diego in addition to all school, community college and special districts within the AIA. This ALUCP does not apply to any property owned by the United States government or any Native American tribe or located within Mexico.

Those affected most directly by the ALUCP include three groups of stakeholders – the ALUC, local agencies and project sponsors. The following table briefly describes these stakeholders and their roles in using or implementing the ALUCP.

¹⁷ Business and Professions Code § 11010(a) and (b)(13); Civil Code §§1102.6, 1103.4 and 1353; Code of Civil Procedure §731a.

	ALUC	Local Agencies	Project Sponsors
Stakeholders	The SDCRAA Board serves as the ALUC for San Diego County.	In this ALUCP, the term “local agency” means any municipality with land use regulatory and permitting authority within the AIA. It also includes school districts, community college districts and special districts with the authority to build and operate public buildings and facilities.	In this ALUCP, the term “project sponsor” refers to any person or entity having a legal interest in a property, including a local agency, landowner or nonresidential tenant, who submits an application to a local agency for review of a project proposed on such property.
How they use this ALUCP	This ALUCP is used by the ALUC and its staff to fulfill its mandate to promote airport land use compatibility in the environs of NOLF IB.	This ALUCP provides compatibility policies and standards that local agencies must incorporate into their land use plans and regulations. ¹⁸	Project sponsors must comply with the compatibility policies and standards of this ALUCP in designing and building projects.

1.6 Existing Land Uses

Under State law, an ALUC has no authority over existing land use.¹⁹ An exception is for existing incompatible land uses that are proposed to be intensified, as described in **Section 1.6.1**.

A land use project will be considered an existing land use when a “vested right” is obtained in any of the following ways:

- An approved and unexpired vesting tentative map (pursuant to California Government Code §66498.1); or
- An executed and valid development agreement (pursuant to California Government Code §65866); or
- Issuance of a valid building permit with substantial work performed and substantial liabilities incurred in good faith reliance on the permit²⁰

An extension of time, or a proposed modification to an existing land use project that the local agency has determined to be in substantial conformance with previous approvals, is not subject to ALUC review. If the proposed modification is determined not to be in substantial conformance, it must be submitted to the ALUC.

¹⁸ State law allows local agencies to overrule the ALUCP and other ALUC decisions, after meeting specific requirements (California Public Utilities Code §§21676 and 21676.5).

¹⁹ California Public Utilities Code §§21670(a)(2), 21674(a).

²⁰ Pursuant to the California Supreme Court decision in *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785,791, and its progeny.

The determination of whether a land use plan, regulation or project meets the criteria of an existing land use must be made by the ALUC (or the local agency after it has made its general plan and land use regulations consistent with the ALUCP).

1.6.1 Existing Incompatible Land Uses

An existing incompatible land use is inconsistent with one or more of the policies or standards of this ALUCP and is not subject to this ALUCP unless it proposes enlargement or reconstruction after the adoption of this ALUCP. The proposed enlargement or reconstruction of existing incompatible land uses must be evaluated according to the applicable compatibility policies and standards listed below.

Repair, maintenance or remodeling of an existing incompatible land use within an existing building footprint is not subject to the following policies and standards unless the work would result in a height that would increase any degree of airspace protection incompatibility.

1.6.1.1 Noise

An existing incompatible land use for noise is not sound attenuated to the levels required by **Table 2-1** in **Chapter 2**.

Enlargement or reconstruction of uses described as “incompatible” in **Table 2-1** is inconsistent with this ALUCP and is not allowed.

Enlargement and reconstruction of land uses described as “conditionally compatible” in **Table 2-1**, but which do not comply with the stated conditions, are subject to ALUC review and the following requirements:

- The enlarged portion of the building must be sound-attenuated as required by **Table 2-1**
- Reconstructed buildings must be fully sound-attenuated as required by **Table 2-1**

1.6.1.2 Safety

An existing incompatible land use for safety either exceeds the residential density or nonresidential intensity levels listed in **Table 3-1** in **Chapter 3**.

Enlargement and reconstruction of uses described as “incompatible” in **Table 3-1** is inconsistent with this ALUCP and is not allowed.

Enlargement and reconstruction of land uses described as “conditionally compatible” in **Table 3-1** but which do not comply with the stated conditions are subject to ALUC review and the following requirements:

- Residential Uses Only
 - An existing incompatible residential use may be expanded in building area or reconstructed if there is no increase in the number of dwelling units. A second dwelling unit, as defined by State law,²¹ is not counted toward this limitation.
- Nonresidential Uses Only
 - An existing incompatible nonresidential use may be expanded in building area or reconstructed if there is no increase in the intensity of the use.
 - Existing incompatible children’s schools (grades K–12) may be expanded, replaced or reconstructed if required by State law. New, expanded or modernized facilities to accommodate existing enrollment must be submitted to the ALUC for review.

1.6.1.3 Airspace

Enlargement and reconstruction of an existing incompatible land use are not subject to ALUC review for airspace purposes, unless the work would result in an increase in height that creates an obstruction or hazard (see **Section 4.3** in **Chapter 4**).

1.6.1.4 Overflight

Since the overflight policies of this ALUCP only apply to new residential units, enlargement and reconstruction of existing residences within the overflight boundary shown on **Exhibit 5-1** are not subject to ALUC review.

1.6.1.5 Discontinuance

An existing incompatible land use (as indicated in **Table 2-1** and **Table 3-1**) that has been abandoned for more than 24 months cannot qualify as an existing use. An incompatible land use may be re-established prior to 24 months (as determined by the local agency) following initial abandonment without being subject to ALUC review. Any resumption of a previously existing incompatible use may not add additional area or height which would increase any degree of incompatibility or increase intensity beyond what existed immediately prior to abandonment of the use.

1.7 Single-Family Residence Development Right

Notwithstanding any other policies of this ALUCP, construction of a single-family residence, including a second dwelling unit, is allowed subject to the following considerations:

- The property is not located in the Clear Zone (CZ)
- Each dwelling unit must be sound-attenuated, if required by the noise compatibility policies and standards of this ALUCP

²¹ California Government Code §§65852.150, 65852.

- An overflight agreement must be recorded, if required by the compatibility policies and standards of this ALUCP
- Each dwelling unit must comply with the airspace protection policies and standards of this ALUCP

1.8 Land Use Plans, Regulations and Projects in Progress at Time of ALUCP Adoption

Land use plans and regulations for which an application to the local agency was deemed complete prior to the adoption of this ALUCP are not subject to further review by the ALUC. However, land use plans and regulations for which an application is deemed complete by the local agency after the adoption of this ALUCP must comply with the policies and standards of this ALUCP.

Land use projects for which an application has been deemed complete per the Government Code by the local agency prior to the adoption of this ALUCP are not subject to further review. If a land use project application deemed complete prior to adoption of this ALUCP is revised after adoption of this ALUCP, it is subject to this ALUCP. Land use project applications deemed complete by the local agency after the adoption of the ALUCP are subject to this ALUCP.

What is consistency?

Consistency means being compatible with the policies and standards for each applicable compatibility factor (noise, safety, airspace protection and overflight). A proposed land use plan, regulation or project must comply with those policies and standards to be deemed consistent by the ALUC.

1.9 ALUC Review Process before Local Agency Implementation

This section describes the process for consistency determinations before a local agency:

- Amends its land use plans and regulations to be consistent with this ALUCP, or
- Overrules all or part of this ALUCP

Exhibit 1-2 depicts the ALUC review process for land use plans, regulations and projects before a local agency has implemented or overruled this ALUCP.

1.9.1 Review Area 1

ALUC review is required for all land use plans, regulations and projects located in Review Area 1. ALUC staff may make a consistency determination for any land use plan, regulation or project that:

- Is compatible with ALUCP noise and safety compatibility policies, and
- Does not require Federal Aviation Administration (FAA) review²² or is determined by the FAA not to be a hazard or obstruction to air navigation

1.9.2 Review Area 2

ALUC review is required for land use plans and regulations within Review Area 2 proposing increases in height limits and for land use projects that:

- Have received from the FAA a Notice of Presumed Hazard, a Determination of Hazard or a Determination of No Hazard subject to conditions, limitations or marking and lighting requirements²³, and/or
- Would create any of the following hazards, as discussed in **Section 4.4** in **Chapter 4**:
 - Glare
 - Lighting
 - Electromagnetic interference
 - Dust, water vapor, and smoke
 - Thermal plumes
 - Bird attractants

²² Title 14, Code of Federal Regulations, Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, Subpart B, *Notice Requirements*, §77.9.

²³ Title 14, Code of Federal Regulations, Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, Subpart B, *Notice Requirements*, §§77.25 – 77.35.

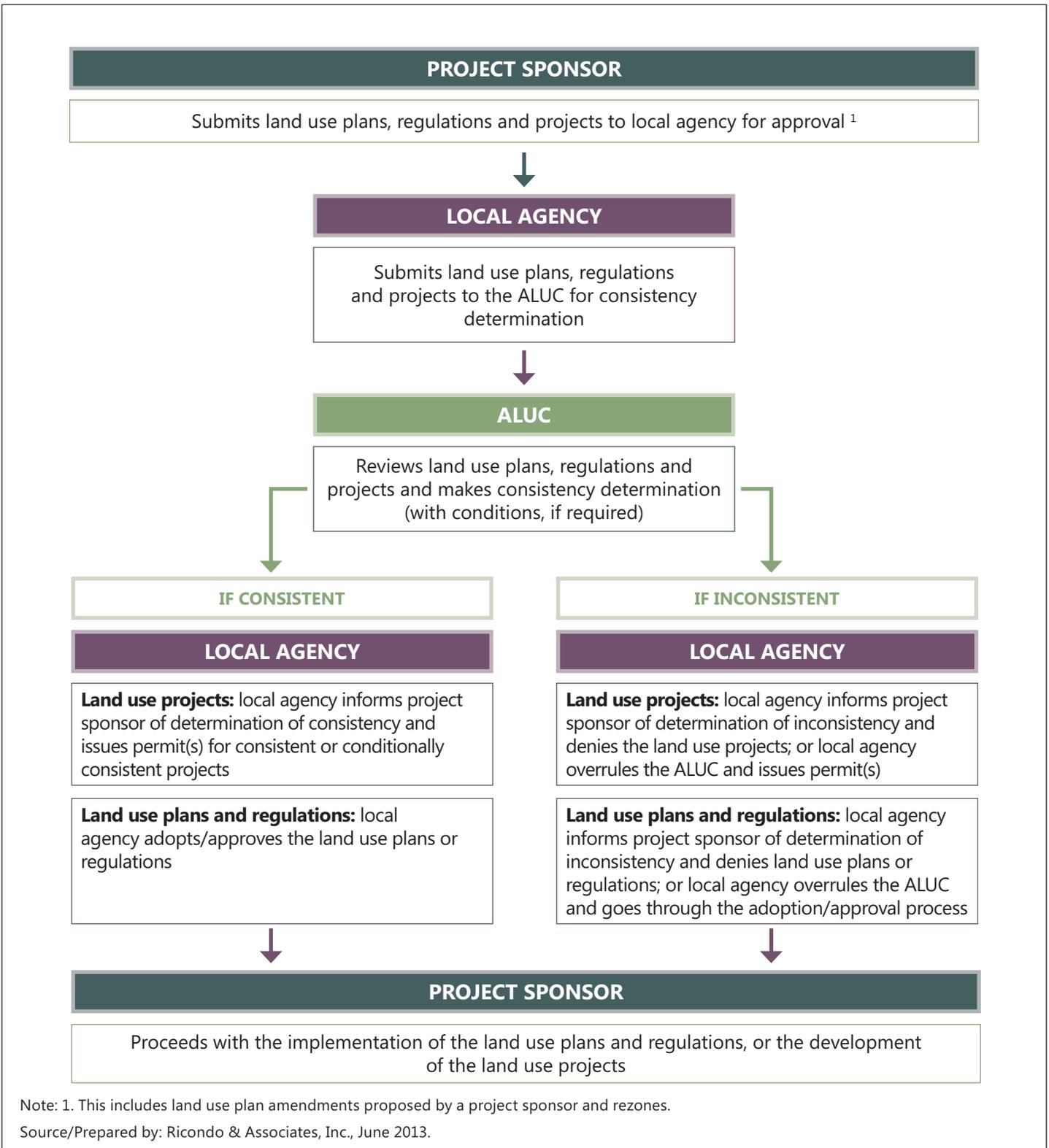


Exhibit 1-2

ALUC Review Before Local Agency Implementation

1.9.3 Consistency Determination Review Process

Local agencies must submit an application for consistency determination to the ALUC for proposed land use plans, regulations and projects as required by this ALUCP.²⁴

The application must contain information described in **Appendix B**. The procedures discussed in the following sections apply.

1.9.3.1 Review of Application for Completeness

ALUC staff must determine if the application for consistency determination from the local agency is complete and notify the local agency of application completeness in writing within 30 calendar days after receipt of an application.

If the application for consistency determination is incomplete, ALUC staff will identify the information required to complete the application and inform the local agency. If additional information is required, a new 30-calendar day review period begins after the additional information is received by ALUC staff.

If ALUC staff does not make a written determination of completeness within 30 calendar days after receipt of an application for consistency determination, the application is considered complete.

1.9.3.2 Consistency Review Timeframe

The ALUC must respond to a local agency's request for consistency determination within 60 calendar days after the application is deemed complete by ALUC staff.

The 60 calendar day review period may be extended if the local agency agrees in writing or so states at an ALUC meeting.

If the ALUC fails to act within 60 calendar days, the proposed land use plan, regulation or project is considered consistent with this ALUCP.²⁵

1.9.3.3 Consistency Determination Result

The ALUC must notify the local agency in writing of its consistency determination. A proposed land use plan, regulation or project is determined to be one of the following:

- Consistent with all four compatibility factors in this ALUCP. The local agency can proceed with its approval.
- Conditionally consistent with this ALUCP. Any specified conditions must correspond to the policies and standards of this ALUCP. Unless a condition specifies subsequent review by the ALUC, responsibility to ensure compliance with conditions rests with the local agency with permit or approval authority.

²⁴ California Public Utilities Code § 21676

²⁵ California Public Utilities Code §21676(d).

- Not consistent with this ALUCP. The ALUC must explain the specific conflicts with ALUCP policies and standards. The local agency may not approve the proposed land use plan, regulation or project, unless it overrules the ALUC's finding of inconsistency in accordance with applicable State law.²⁶

Exhibit 1-3 presents a flow diagram summarizing the consistency determination review process.

1.10 Local Agency Implementation

1.10.1 Local Agency Requirements and Responsibilities

Within 180 calendar days of the ALUC's adoption or amendment of this ALUCP, each local agency affected by this ALUCP must:²⁷

- Amend its land use plans and regulations to be consistent with this ALUCP, if needed, or
- Overrule this ALUCP by a two-thirds vote of its governing body after adopting findings that justify the overrule and providing notice, as required by law²⁸

If a local agency fails to take either action, it must follow the review process detailed in **Section 1.9**.

²⁶ California Public Utilities Code §21675.1(d).

²⁷ California Government Code §65302.3(a), (b) and (c).

²⁸ California Public Utilities Code §21675.1(d).

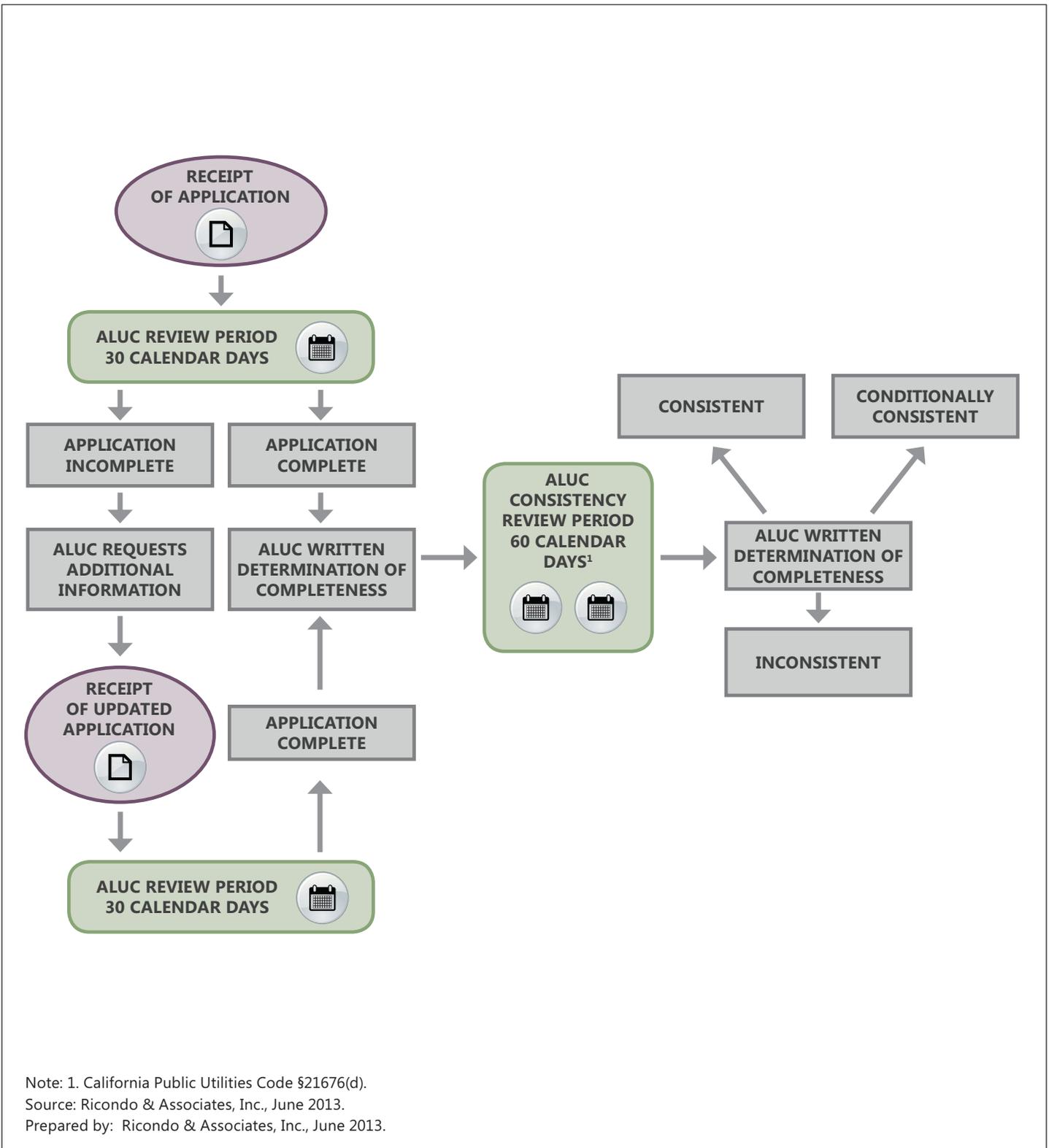


Exhibit 1-3

Consistency Determination Review Process

1.10.2 Establishing Consistency of Local Agency Land Use Plans and Regulations

To establish consistency of land use plans and regulations with this ALUCP, local agencies must eliminate conflicts with this ALUCP. Conflicts may include:

- Land use plan or zoning designations that permit incompatible uses within noise contours or safety zones
- Permissible nonresidential intensities that exceed this ALUCP's intensity limits in any safety zone
- Permissible heights that would constitute a hazard as determined by the FAA

Land use designations in local agency land use plans that reflect existing land uses do not render the local agency plans inconsistent with this ALUCP. However, local agencies must limit the expansion and reconstruction of existing land uses that are not consistent with this ALUCP in accordance with the existing incompatible land use policies and standards of this ALUCP (see **Section 1.6.1**).

1.10.2.1 Methods of Implementing this ALUCP

A local agency can make its land use plans and regulations consistent with this ALUCP in the following ways:

- Incorporate ALUCP policies into General Plan Elements—Individual elements of local general plans may be amended to incorporate applicable policies from this ALUCP. For example, noise compatibility policies and standards could be added to the noise element, safety policies to the safety element, and other policies, standards and maps to the land use element
- Adopt ALUCP as Stand-Alone Document—Local agencies may adopt this ALUCP as a local policy document
- Adopt Overlay Zone—Local agencies may incorporate the policies and standards of this ALUCP into an overlay zone to supplement the requirements of the standard land use zoning districts

If the local agency's land use plans and regulations are consistent with this ALUCP, no action to adopt additional policies or regulations is required. However, only the ALUC can determine whether or not a local agency's land use plans and regulations are consistent with this ALUCP.

What is an Overlay Zone?

An overlay zone is a special purpose zoning district. The regulations within an overlay zone supplement the requirements of the underlying standard zoning districts (typically residential, commercial, or industrial). Overlay zones are used to achieve a special purpose, such as flood hazard protection or the preservation of a historic district, without directly changing the underlying land use in the affected area.

1.10.2.2 Ensuring Long-Term Compliance with this ALUCP

Local agency land use plans and regulations must include provisions for long-term compliance with this ALUCP. Local agencies must define the process they will follow when revising or amending land use plans and regulations, or when reviewing and approving land use projects within the AIA to ensure that they will be consistent with this ALUCP. Land use plans and regulations, including zoning, subdivision and building regulations, must include standards for reviewing land use projects for consistency with this ALUCP. More information regarding implementation can be found in **Appendix B**.

1.11 ALUC Review after Local Agency Implementation

Exhibits 1-4 and **1-5** depict the ALUC review process for land use plans, regulations and projects after a local agency has implemented this ALUCP.

1.11.1 Review of Land Use Plans and Regulations

Proposed land use plans and regulations within Review Area 1 always require ALUC review. ALUC review is also required for land use plans and regulations within Review Area 2 proposing increases in height limits.

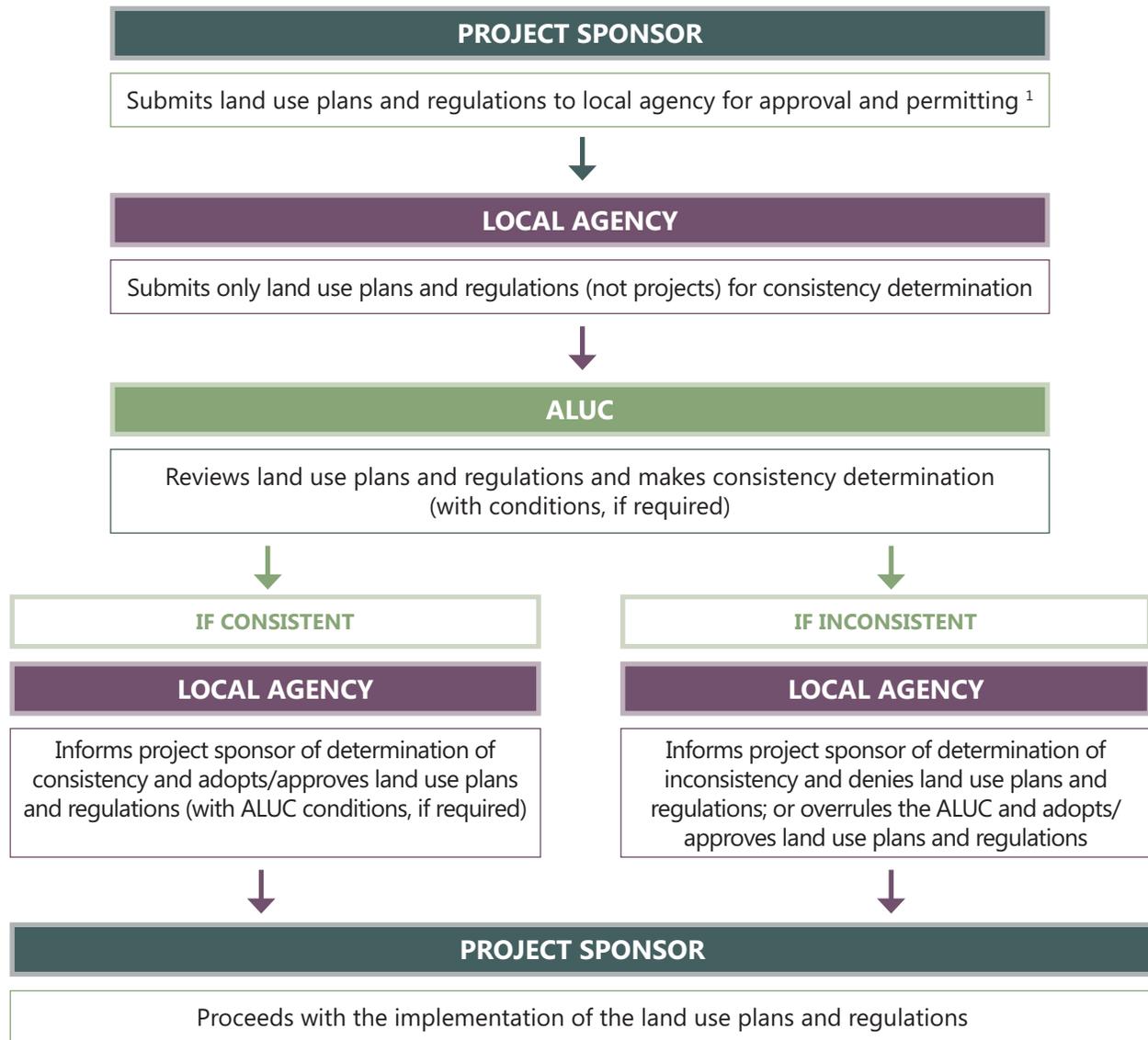
1.11.2 Review of Land Use Projects

After local agency implementation or overrule of this ALUCP, land use projects are no longer required to be submitted to the ALUC for review, unless the following apply:

- The land use project includes a land use plan amendment or rezone
- The land use project has received a determination from the FAA that it will constitute a hazard or obstruction to air navigation
- The land use project has characteristics that may result in the creation of a hazard to air navigation, as discussed in **Section 4.4** in **Chapter 4**

1.11.3 Voluntary Review of Land Use Projects

After implementation, local agencies may choose to submit land use projects to the ALUC for advisory review. Any ALUC recommendation would be non-binding.



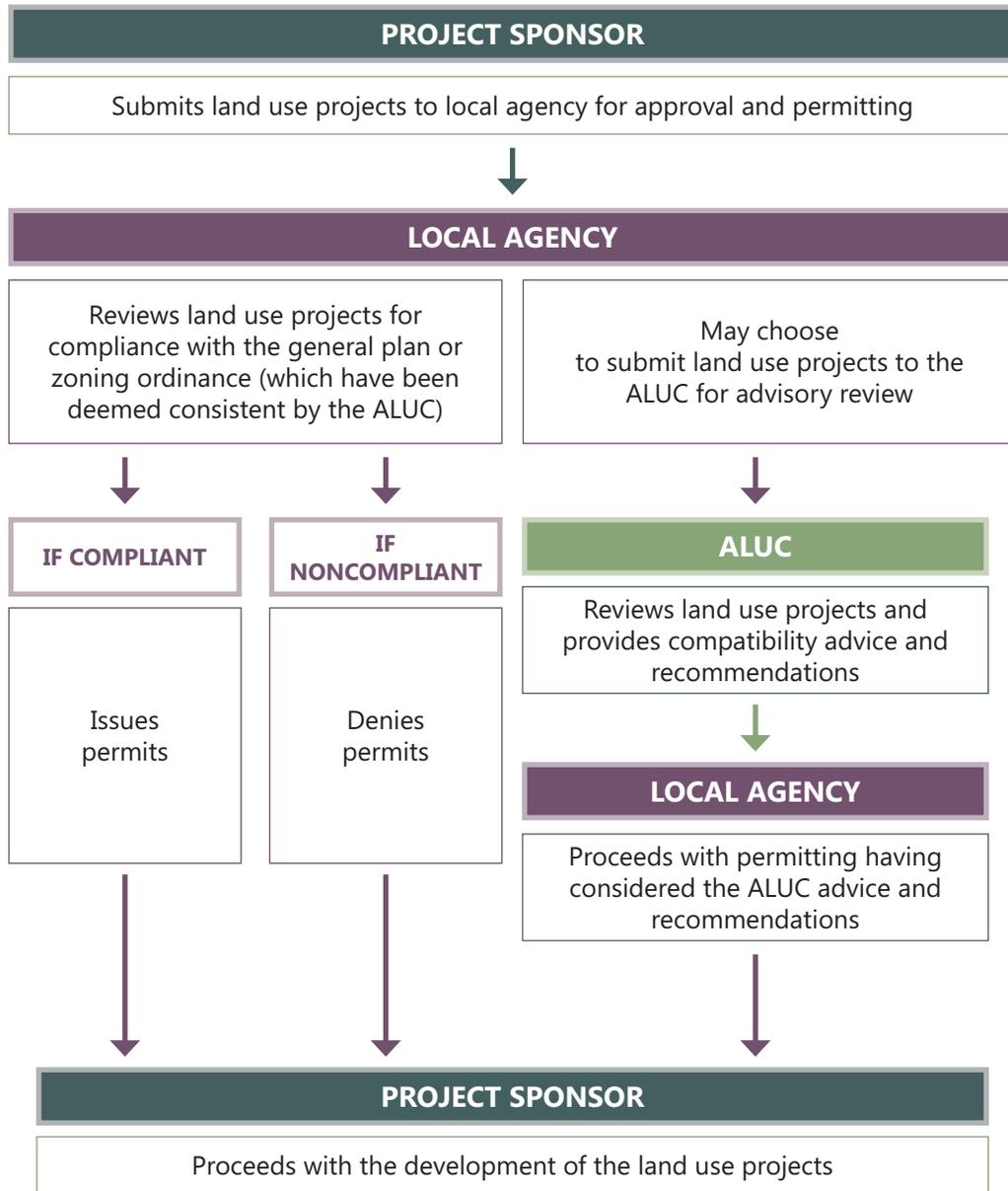
Note: 1. This includes land use plan amendments proposed by a project sponsor and rezones.

Source/Prepared by: Ricondo & Associates, Inc., June 2013.



Exhibit 1-4

ALUC Review After Local Agency Implementation Land Use Plans and Regulations



Source/Prepared by: Ricondo & Associates, Inc., June 2013.



Exhibit 1-5

ALUC Review After Local Agency Implementation Land Use Projects

1.11.4 Consistency Determination Review Process

Local agencies must submit to the ALUC an application for consistency determination for proposed land use plans and regulations as required by this ALUCP.²⁹ The consistency determination review process for land use plans and regulations follows the same process as discussed in **Section 1.9.3**.

1.12 ALUC Review of Proposed Airport Plans and Projects

The ALUC is required by State law to review proposed airport plans for consistency with this ALUCP.³⁰ This requirement ensures that the ALUC is kept informed of changes in airport plans so that appropriate amendments to this ALUCP can be made.

1.12.1 Airport Plans and Projects

The following airport plans and projects require ALUC review:³¹

- Any AICUZ study or amendments to an AICUZ study that would modify previously adopted airport plans
- Any proposal for airport expansion. Airport expansion is defined to include the construction of a new runway, the extension or realignment of an existing runway, the acquisition of runway protection zones or the acquisition of any interest in land for the purposes identified above.

1.12.2 ALUC Actions on Airport Plans

The ALUC should determine if an AICUZ or expansion plan is consistent or inconsistent with this ALUCP. When an inconsistency exists, the ALUC will amend this ALUCP to reflect the assumptions and recommendations in the AICUZ study.

1.12.3 Consistency Determination Result

A proposed airport plan or project is determined to be one of the following:

- Consistent: no revisions or amendments to the ALUCP are required
- Inconsistent: the ALUC must amend this ALUCP³²

1.12.4 Limit of ALUC Authority Over Airport

SDCRAA has no authority over airport operations or development on airport property.³³

²⁹ California Public Utilities Code § 21676(b).

³⁰ California Public Utilities Code §21676(c).

³¹ California Public Utilities Code §21676(c); California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 6-3 – 6-4.

³² California Public Utilities Code §21675(a).

³³ California Public Utilities Code §21674(e).



CHAPTER 2

Noise Compatibility Policies and Standards

Chapter 2 provides the noise contour map for Naval Outlying Landing Field Imperial Beach (NOLF IB) and applicable compatibility policies and standards.

Appendix E2 provides the technical basis for delineating the noise contours and establishing the policies and standards.

In addition to the policies and standards established by this chapter, a project sponsor must also review all policies and standards established by this ALUCP.

The policies of this chapter apply only to new development or redevelopment. The policies do not apply to existing land uses, except as noted in **Section 1.6** in **Chapter 1**.

A list of the noise compatibility policies is provided below.

<u>Policy N.1</u>	Noise Contour Map and Table
<u>Policy N.2</u>	Sound Attenuation
<u>Policy N.3</u>	Evaluation of Noise Compatibility for Development with a Mix of Uses
<u>Policy N.4</u>	Building Split by a Noise Contour
<u>Policy N.5</u>	Land Uses Not Specified in Table 2-1
<u>Policy N.6</u>	New Uses in Existing Buildings

Noise Compatibility Policies and Standards

Policy N.1 Noise Contour Map and Table

This ALUCP establishes the 60 dB CNEL contour as the threshold above which noise compatibility standards apply.¹ Noise contours by 5 dB CNEL increments are depicted in **Exhibit 2-1**.

Proposed land uses will be evaluated for consistency with the standards contained in **Table 2-1**. These standards establish three land use compatibility categories, as follows:

-  Compatible (green): The use is consistent with this ALUCP
-  Conditionally compatible (yellow): The use is consistent with this ALUCP if the conditions described in **Table 2-1** are met
-  Incompatible (red): The use is inconsistent with this ALUCP

Land uses located outside the 60 dB CNEL contour are not subject to the noise compatibility policies and standards of this ALUCP.

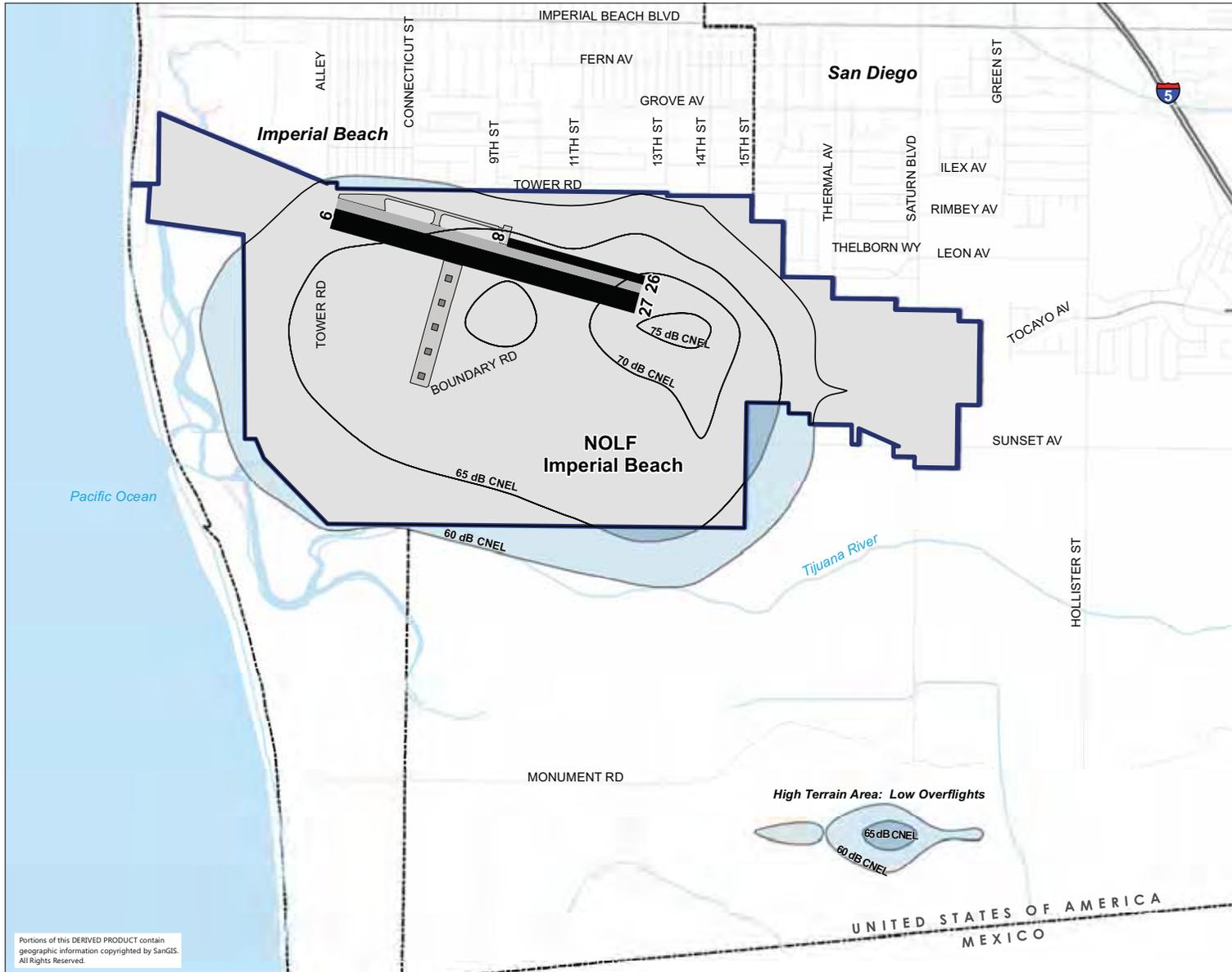
Policy N.2 Sound Attenuation

Conditionally compatible land uses must incorporate sound attenuation to achieve indoor noise levels as specified in **Table 2-1**.

Policy N.3 Evaluation of Noise Compatibility for Development with a Mix of Uses

When a land use project involves a combination of different land uses listed in **Table 2-1**, each component use must comply with the applicable noise standards.

¹ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 4-46.



LEGEND

- Major Roads
- Highways
- - - Municipal Boundaries
- ▭ Airport Property Boundary
- Water

Forecast Noise Exposure Ranges:

- 60 - 65 dB CNEL
- 65 - 70 dB CNEL
- 70 - 75 dB CNEL
- 75 + dB CNEL



Note: Airfield elevation is 24 feet above mean sea level (MSL)

Sources: San Diego Geographic Information Source (SanGIS), 2008 and 2011 (municipal boundaries, roads, rivers and highways); Naval Facilities Engineering Command, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Field Imperial Beach, California, 2011, (airport property boundary, runways, airfield, noise contours).

Prepared by: Ricondo & Associates, Inc., February 2014.

Exhibit 2-1
Noise Contour Map

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Table 2-1 (1 of 2) Noise Compatibility Standards

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Noise Contour Range (dB CNEL)			
		60-65	65-70	70-75	75+
RESIDENTIAL					
11, 14	Single-Family, Multi-Family, Mobile Home	45			
12	Group Quarters	45/50**			
13	Residential Hotel	45/50**			
COMMERCIAL, OFFICE, SERVICE, TRANSIENT LODGING					
15, 751	Hotel, Motel, Resort, Guest Camp	45/50**			
61, 631, 632, 633, 635, 636, 65, 671, 8221-8222	Office - Medical/Dental, Professional Services, Civic				
51-59, 62	Wholesale & Retail Sales, Eating/Drinking Establishment, Personal Services, Funeral Chapel/Mortuary				
64, 66	Repair Services (e.g., Auto, Electrical, Furniture), Car Wash, Contract Construction Service				
7425	Sport/Fitness Facility				
721	Auditorium, Concert Hall, Theatre	45 [†]	45		
7211, 7213	Amphitheater, Outdoor Music Shell				
EDUCATIONAL, INSTITUTIONAL, PUBLIC SERVICES					
691, 699, 7119, 723, 729	Assembly - Adult (Religious, Fraternal, Other)	45 [†]	45		
691, 7119, 729	Assembly - Children (Instructional Studio, Cultural Heritage School, Religious, Other)	45 [†]			
624	Cemetery				
68	Child Day Care and School (Preschool, Kindergarten through Grade 12), Adult School (College, University, Vocational/Trade School)	45 [†]			
672	Fire, Police Station				
674	Jail, Prison				
7111, 7112, 7113	Library, Museum, Gallery	45 [†]	45		
6513, 6516, 6517	Medical Care - Hospital, Out-Patient Surgery Center, Congregate Care, Nursing and Convalescent Home	45 [†]			
INDUSTRIAL					
4214, 4222, 4315	Vehicle Storage - Construction, Bus, Motor Freight, Aircraft				
21-39, 821	Manufacturing/Processing				
85, 89	Mining, Extractive Industry				
6391	Research and Development - Scientific, Technical				
485	Sanitary Landfill, Solid Waste Incinerator, Recycling Center, Solid Waste Transfer Station				
6373-6379	Warehousing/Storage				

Table 2-1 (2 of 2) Noise Compatibility Standard

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Noise Contour Range (dB CNEL)			
		60-65	65-70	70-75	75+
TRANSPORTATION, COMMUNICATION, UTILITIES					
46	Auto Parking				
47	Communication - Cell Phone, TV/Radio Tower				
481-484, 489	Utilities - Electrical, Gas, Water, Wastewater, Wind Turbine, Photovoltaic Solar Array				
4113, 4115, 4122, 4211-4213, 4312, 4314, 4411, 4413	Passenger Terminal (air, bus, rail, marine)				
4114, 4221, 4313, 4412	Cargo Terminal (air, bus, rail marine)				
RECREATION, PARK, OPEN SPACE					
722	Arena, Stadium				
744	Marina				
74, 76	Park, Recreation (golf course, tennis court, riding stable, water sports)				
712	Nature Exhibits (botanical garden, zoo)				
73	Amusements (fairground, amusement park, shooting or golf driving range, etc.)				
AGRICULTURE					
81-84	Agriculture, Aquaculture				
LEGEND					
	Compatible: Use is allowed.				
45	Conditionally Compatible: Use is allowed subject to stated conditions.	Indoor uses: building must be treated to attenuate outdoor noise to 45 dB CNEL indoors.			
50		Indoor uses: building must be treated to attenuate outdoor noise to 50 dB CNEL indoors.			
45/50		Sleeping rooms must be attenuated to reduce outdoor noise to 45 dB CNEL indoors; other indoor areas must be attenuated to 50 dB CNEL.			
	Incompatible: Use is not allowed.				
	Not applicable (on base property).				
NOTES					
*	Land use codes from <i>Standard Land Use Coding Manual</i> , Urban Renewal Administration, Housing and Home Finance Agency and Bureau of Public Roads, Department of Commerce, 1965.				
**	Required by the California Building Code, Title 24, Part 2, Chapter 12, §1207.11.3, <i>Airport Noise Sources</i> .				
†	Based on standards adopted by the ALUC for other airports in San Diego County.				
**	While these uses are considered conditionally compatible in the AICUZ study, they are incompatible under the State Noise Law. See California Code of Regulations, Title 21, §5014, <i>Incompatible Uses within the Noise Impact Boundary</i> .				

Source: Ricondo & Associates, Inc., October 2013. Adapted from The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update, Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, prepared for NAVFAC-SW, 2011, Table C-1.

Prepared by: Ricondo & Associates, Inc., November 2013.

Policy N.4 Building Split by a Noise Contour

The standards for the noise contour range within which **more than 50 percent** of the building is located, as determined by gross floor area (in square feet), apply.



For Illustrative Purposes Only

Policy N.5 Land Uses Not Specified in Table 2-1

For any proposed land use that is not specified in **Table 2-1**, the ALUC must determine the most similar land use based upon the land use definitions and guidance in **Appendix A**. The ALUC may also consider the noise sensitivity of the land use in determining the most similar land use. Considerations include whether the land use involves:

- Sleeping rooms
- Activities where a quiet indoor environment is needed

Once the ALUC determines the most similar land use, standards for that land use will apply.

Policy N.6 New Uses in Existing Buildings

No ALUC review is required when new compatible or conditionally compatible uses, as described in **Table 2-1**, are proposed within a portion of an existing building, such as a multi-tenant shopping center. However, ALUC review is required for new residential, public assembly and adult school uses.² Incompatible uses are not allowed.

ALUC review is required when a new use (or multiple uses) is proposed to entirely occupy an existing building. In those cases, the new use or uses must comply with the applicable conditions in **Table 2-1**.

² Title 21, California Code of Regulations, Subchapter 6, *Noise Standards*, Section 5014.



CHAPTER 3

Safety Compatibility Policies and Standards

Chapter 3 provides a map of the safety zones for Naval Outlying Landing Field Imperial Beach (NOLF IB) and applicable policies and standards.

Appendix E3 explains the technical basis for delineating the safety zones and establishing the safety compatibility policies and standards.

In addition to the policies and standards established by this chapter, a project sponsor must also review all policies and standards established by this ALUCP.

The policies of this chapter apply only to new development or redevelopment. The policies do not apply to existing land uses, except as noted in **Section 1.6** in **Chapter 1**. A list of the safety compatibility policies is provided below.

<u>Policy S.1</u>	Safety Compatibility Zone Map and Table
<u>Policy S.2</u>	Projects with a Single Conditionally Compatible Use
<u>Policy S.3</u>	Projects with Multiple Conditionally Compatible Uses
<u>Policy S.4</u>	Ancillary Uses
<u>Policy S.5</u>	Buildings Split by Safety Zone Boundaries
<u>Policy S.6</u>	Land Uses Not Specified in Table 3-1
<u>Policy S.7</u>	New Uses in Existing Buildings

3.1 Safety Compatibility Policies and Standards

Policy S.1 Safety Compatibility Zone Map and Table

This ALUCP establishes the safety zones where safety policies and standards apply, as depicted in **Exhibit 3-1**.

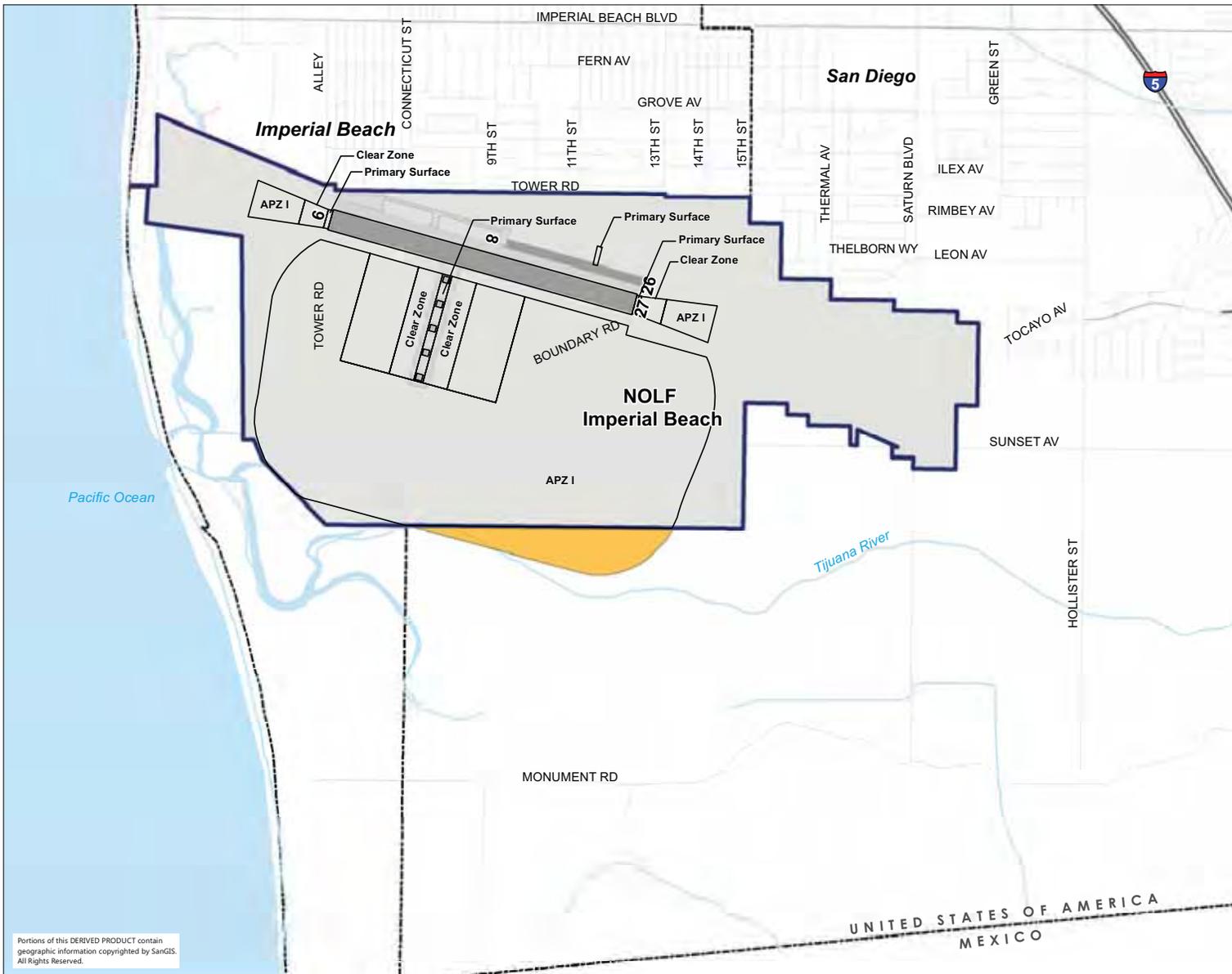
Table 3-1 establishes the safety compatibility standards that apply to different land use categories within each safety zone. Land uses are classified within each safety zone as:

- Conditionally compatible (yellow): The use is consistent with this ALUCP if the conditions described in **Table 3-1** are met. For nonresidential uses, the maximum allowable intensity is indicated by safety zone. Nonresidential intensity is a measure of the number of people per net acre and, for many conditionally compatible uses, is regulated through maximum floor area ratios (FARs).
- Incompatible (red): The use is inconsistent with this ALUCP.

What are Clear Zones (CZ) and Accident Potential Zones (APZ)?

Clear Zones (CZ) are trapezoid-shaped safety zones defined off the immediate ends of runways at military airfields. They are equivalent to runway protection zones at civilian airports.

Accident Potential Zones (APZ) are safety-related zones defined by AICUZ studies for areas beyond CZs at military airfields.



LEGEND

- Major Roads
- Highways
- - - Municipal Boundaries
- ▭ Airport Property Boundary
- Water

Safety Compatibility Zones:

- Primary Surface
- Accident Potential Zone (APZ) I
- Clear Zone (CZ)



Note: Airfield elevation is 24 feet above mean sea level (MSL)

Sources: San Diego Geographic Information Source (SanGIS), 2008 and 2011 (municipal boundaries, roads, rivers and highways); Naval Facilities Engineering Command, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Field Imperial Beach, California, 2011, (airport property boundary, runways, airfield, safety zones).

Prepared by: Ricondo & Associates, Inc., February 2014.

Exhibit 3-1
Safety Compatibility Zones

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Table 3-1 (1 of 4) Safety Compatibility Standards

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Safety Zones [§]		Conditions Uses must adhere to the FAR and maximum intensity limits as indicated.	Occupancy Factor [†]
		CZ	APZ I		
		Maximum Intensity Limits (people per acre)			
		10	25		
RESIDENTIAL					
11, 14	Single-Family, Multi-Family, Mobile Home				N/A
12	Group Quarters				N/A
13	Residential Hotel				N/A
COMMERCIAL, OFFICE, SERVICE, TRANSIENT LODGING					
15, 751	Hotel, Motel, Resort, Guest Camp				N/A
61, 631, 632, 633, 635, 636, 65, 671, 8221, 8222	Office - Medical/Dental, Professional Services, Civic				N/A
51	Wholesale Trade		0.28		250
53, 54, 56-59, 62	Retail Sales (except as listed below), Eating/Drinking Establishment, Personal Services, Funeral Chapel/Mortuary				N/A
521	Lumber, Building Material Sales		0.20		250
522, 523, 524, 525	Heating and Plumbing, Paint, Electrical, Hardware and Farm Equipment Sales		0.12		250
55	Automotive, Marine Craft, Aircraft, and Heavy Equipment Sales		0.14		250
64, 66	Repair Services (e.g., Auto, Electrical, Furniture), Car Washes, Contract Construction Services		0.11		250
7425	Sport/Fitness Facility				N/A
721	Auditorium, Concert Hall, Theatre				N/A
7211, 7213	Amphitheater, Outdoor Music Shell				N/A

Table 3-1 (2 of 4) Safety Compatibility Standards

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Safety Zones [§]		Conditions Uses must adhere to the FAR and maximum intensity limits as indicated.	Occupancy Factor [†]
		CZ	APZ I		
		Maximum Intensity Limits (people per acre)			
		10	25		
EDUCATIONAL, INSTITUTIONAL, PUBLIC SERVICES					
691, 699, 7119, 723, 729	Assembly - Adult (Religious, Fraternal, Other)				N/A
691, 7119, 729	Assembly - Children (Instructional Studio, Cultural Heritage School, Religious, Other)				N/A
624	Cemetery		0.11	No chapels or indoor places of assembly.	N/A
68	Child Day Care and School (Preschool, Kindergarten through Grade 12), Adult School (College, University, Vocational/Trade School)				N/A
672	Fire, Police Station				N/A
674	Jail, Prison				N/A
7111, 7112, 7113	Library, Museum, Gallery				N/A
6513, 6516, 6517	Medical Care - Hospital, Out-Patient Surgery Center, Congregate Care, Nursing and Convalescent Home				N/A
INDUSTRIAL					
4214, 4222, 4315	Vehicle Storage - Construction, Bus, Motor Freight, Aircraft		0.28	No processing or storage of hazardous materials; maximum intensity limit indicated at top of page.	1,000
21-23, 28, 31-35	Manufacturing (except as listed below)				N/A
24-27, 39	Manufacturing - Low Intensity: lumber, wood; furniture, fixtures; paper, printing, publishing		0.28		300
29, 6379	Processing/Storage of Hazardous Materials				N/A
85, 89	Mining, Extractive Industry		0.28	No use of explosives; maximum intensity limit indicated at top of page.	1,000
6391	Research and Development - Scientific, Technical				N/A
485	Sanitary Landfill, Solid Waste Incinerator, Recycling Center, Solid Waste Transfer Station				N/A
6373-6379	Warehousing/Storage (excluding hazardous materials)		1.00		1,000

Table 3-1 (3 of 4) Safety Compatibility Standards

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Safety Zones ^s		Conditions Uses must adhere to the FAR and maximum intensity limits as indicated.	Occupancy Factor ^t
		CZ	APZ I		
		Maximum Intensity Limits (people per acre)			
		10	25		
TRANSPORTATION, COMMUNICATION, UTILITIES					
46	Auto Parking		0.28		1,000
47	Communication - Cell Phone, TV/Radio Tower		0.28	No height obstructions and no frequency interference.	N/A
4812	Electrical Power Generation Plant (conventionally fueled)				N/A
4812	Wind Turbine, Photovoltaic Solar Array		0.28	No glare and no height obstructions.	N/A
4813	Electrical Substation		0.28	No above-ground transmission lines.	N/A
4832, 4841, 4842, 4849	Water, Wastewater Treatment Plant		0.28	Must be designed and operated to avoid attracting birds; maximum intensity limit indicated at top of page.	1,000
4113, 4115, 4122, 4211-4213, 4312, 4314, 4411, 4413	Passenger Terminal (air, bus, rail, marine)				N/A
4114, 4221, 4313, 4412	Cargo/Freight Terminal (air, bus, rail, marine)		0.28		1,000
RECREATION, PARK, OPEN SPACE					
722	Arena, Stadium				N/A
744	Marina			No indoor places of assembly.	N/A
74, 76	Park, Recreation (golf course, tennis court, riding stable, water sports)		0.11	No tot lots and no indoor places of assembly.	N/A
712	Nature Exhibits (botanical garden, zoo)			No indoor places of assembly.	N/A
73	Amusements (fairground, amusement park, shooting or golf driving range, etc.)				N/A

Table 3-1 (4 of 4) Safety Compatibility Standards

SLUCM No.*	Land Use Category Refer to Appendix A for definitions of all land uses in this table. Land uses not specifically listed shall be evaluated, as determined by the ALUC, using the criteria for similar uses.	Safety Zones §		Conditions Uses must adhere to the FAR and maximum intensity limits as indicated.	Occupancy Factor †
		CZ	APZ I		
		Maximum Intensity Limits (people per acre)			
		10	25		
AGRICULTURE					
81-84	Agriculture, Aquaculture		0.28	No residential buildings; activities attracting birds are incompatible.	N/A
LEGEND					
###	Conditionally Compatible: Use is allowed subject to stated conditions. Uses conditionally compatible are subject to stated Floor Area Ratio (FAR) limits.				
	Incompatible: Use is not allowed.				
	Not Applicable (On base property)				
NOTES					
*	Land use codes from <i>Standard Land Use Coding Manual</i> , Urban Renewal Administration, Housing and Home Finance Agency and Bureau of Public Roads, Department of Commerce, 1965.				
†	Occupancy factor is expressed as square feet of floor area per person. The occupancy factor is used to estimate the average intensity of conditionally compatible uses. N/A means "not applicable", because the land use is incompatible or does not involve the construction of habitable buildings.				
§	APZ = Accident Potential Zone CZ = Clear Zone				

Source: Ricondo & Associates, Inc., October 2013. Adapted from The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update, Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach*, California, prepared for NAVFAC-SW, 2011, Table C-2.

Prepared by: Ricondo & Associates, Inc., November 2013.

3.2 Conditionally Compatible Land Uses

What is Nonresidential Intensity?

Intensity is a measure of the concentration of people in nonresidential land uses and is expressed by the number of people per acre. Floor Area Ratio (FAR) can be used as an indirect indicator of intensity. FAR is calculated by dividing the floor area of the building by the area of the lot.

Policy S.2 Projects with a Single Conditionally Compatible Use

The total intensity of a conditionally compatible nonresidential land use must not exceed the maximum allowable intensity in people per acre shown at the top of Table 3-1. The maximum FARs indicated for conditionally compatible uses are a commonly used alternative metric for development intensity and are provided for the convenience of project applicants. A proposed land use is deemed compliant with the intensity limits in Table 3-1 if it does not exceed the indicated FAR.

A project may exceed the listed maximum FAR as long as the maximum allowable intensity in people per acre indicated at the top of Table 3-1 is not exceeded. A project's nonresidential intensity in people per acre may be calculated using the occupancy factors indicated for each land use category in Table 3-1. Intensity in people per acre may be calculated by dividing the nonresidential floor area by the occupancy factor and then dividing the resulting quotient (occupancy) by the area of the project site in net acres.

$$\left(\frac{\text{Nonresidential Floor Area}}{\text{Occupancy Factor}} \right) / \text{Site Area in acres} = \text{People per Acre}$$

The above formula must be used to determine the intensity of nonresidential buildings for land uses without assigned maximum FARs.

Structures devoted to parking (whether above or below ground) are not to be included in the gross square footage of the building for purposes of calculating the FAR.

New structures, other than those required for aeronautical purposes, are not compatible within the CZ.

What does “net acreage” mean?

Net acreage refers to the lot area not including land dedicated for public purposes, such as streets or parks.

Policy S.3 Projects with Multiple Conditionally Compatible Uses

For projects involving multiple conditionally compatible nonresidential uses, the FAR for each use must not exceed the maximum allowable FAR for the use as shown in Table 3-1. The FAR for each component use can be calculated using the following steps:

1. Determine the proportion of the floor area of each use to the total project floor area by dividing the floor area dedicated to the component use by the total floor area.
2. Calculate the amount of total land area proportionate to the component use by multiplying the net acreage of the project site by the proportion calculated in step 1 above.
3. The FAR for the component use may then be calculated by dividing the floor area dedicated to the use by the proportionate amount of site land area calculated in step 2 above.

Structures devoted to parking (whether above or below ground) are not to be included in the gross square footage of the building for purposes of calculating the FAR.

See Example B in Table 3-2 for an example of calculating intensity for a nonresidential project with multiple uses.

3.3 Supplemental Safety Compatibility Policies

Policy S.4 Ancillary Uses

Ancillary uses are primarily intended for use by the employees/residents/occupants of a land use project and cumulatively occupy no more than 10 percent of the total floor area.

Ancillary uses occupying no more than 10 percent of the total floor area that are conditionally compatible (yellow) according to **Table 3-1** are not included in the calculation of intensity. Ancillary uses that are listed as “incompatible” (red) in **Table 3-1** are not permitted.

Policy S.5 Buildings Split by Safety Zone Boundaries

When 50 percent or more of a proposed building, as determined by gross floor area (in square feet), is located within a safety zone, the requirements of that safety zone apply. When less than 50 percent of the building is located within a safety zone, no safety restrictions apply. However, no building or portion of a building is allowed within the CZ.



For Illustrative Purposes Only

Policy S.6 Land Uses Not Specified in Table 3-1

For any proposed land use that is not specified in **Table 3-1**, the ALUC must determine the most similar land use based upon the land use definitions and guidance in Appendix A. Once the most similar use is determined, standards for that use apply.

Policy S.7 New Uses in Existing Buildings

No ALUC review is required when new uses are proposed within a portion of an existing building, such as a multi-tenant shopping center. Only those uses described in **Table 3-1** as compatible or conditionally compatible are allowed; incompatible uses are not allowed.

ALUC review is required when a new use (or multiple uses) is proposed to entirely occupy an existing building, provided that the maximum intensity is limited as described in **Policies S.2** and **S.3**. Intensities for new uses in existing buildings may be calculated using the method for determining people per acre described in **Policy S.2**.

If the overall size of the existing building results in a calculated intensity that exceeds the maximum limit, an occupancy deed restriction can be recorded on the property limiting the occupancy of the building to no more than the maximum limit as calculated using the occupancy factors listed for each conditionally compatible use in **Table 3-1**.

Table 3-2 (1 of 2) Examples

Example A: Calculating Nonresidential Intensity	
A construction materials/lumber yard sales development is proposed in APZ I.	
<p>Project Details:</p> <p>Site area: 0.25 acres or 10,890 square feet</p> <p>Total building floor area: 1,500 square feet</p> <p>Retail uses: Lumber, pipe, and other building/landscape construction materials</p>	<p>Calculations:</p> <p>The proposed uses are in the "Lumber, Building Material Sales" category in Table 3-1 which has an FAR limit of 0.2. Divide the floor area by the site area to calculate the FAR.</p> $1,500 \text{ s.f.} \div 10,890 \text{ s.f.} = 0.14 \text{ FAR}$
<p>Result: The FAR of 0.14 is less than the allowable maximum of 0.2 indicated in Table 3-1 for APZ I. Therefore, the proposed project is compatible.</p>	
Example B: Calculating Intensity for a Nonresidential Project with Multiple Uses	
A repair shop/warehouse project is proposed in APZ I.	
<p>Project Details:</p> <p>Site area: 0.25 acres or 10,890 square feet</p> <p>Repair Services area: 7,000 square feet</p> <p>Warehouse area: 9,000 square feet</p> <p>Total building floor area: 16,000 square feet</p>	<p>Calculations:</p> <p>The proposed uses are in the "Repair Services" (FAR of 0.11) and "Warehousing/Storage" (FAR of 1.00) categories in Table 3-1. Calculate the proportion of total floor area for each component land use by dividing the floor area of each use by the total floor area.</p> <p>Repair Services: $7,000 \text{ s.f.} \div 16,000 \text{ s.f.} = 0.4375$.</p> <p>Warehouse: $9,000 \text{ s.f.} \div 16,000 \text{ s.f.} = 0.5625$.</p> <p>Calculate the amount of site area proportionate to each component's floor area.</p> <p>Repair Services: $10,890 \text{ s.f.} \times 0.4375 = 4,764 \text{ s.f.}$</p> <p>Warehouse: $10,890 \text{ s.f.} \times 0.5625 = 6,126 \text{ s.f.}$</p> <p>Calculate the FAR for each component land use by dividing the floor area by the components share of site area.</p> <p>Repair Services: $7,000 \text{ s.f.} \div 4,764 \text{ s.f.} = 1.47$.</p> <p>Warehouse: $9,000 \text{ s.f.} \div 6,126 \text{ s.f.} = 1.47$</p>
<p>Result: The FAR of 1.47 is more than the allowable maximum FARs of 0.11 and 1.0 indicated in Table 3-1 for repair services and warehousing/storage, respectively. Therefore, the proposed project is not compatible.</p>	

Table 3-2 (2 of 2) Examples

Example C: Calculating Intensity for a Nonresidential Use Not Assigned a Maximum FAR in Table 3-1	
An informational building/gift shop is proposed as part of a planned nature exhibit in APZ I.	
<p>Project Details:</p> <p>Site area: 0.5 acres or 21,780 square feet</p> <p>Total building floor area: 2,000 square feet</p> <p>Occupancy factor: 170 square feet/person</p>	<p>Calculations:</p> <p>The proposed use is in the "Nature Exhibits" category in Table 3-1. Calculate the number of occupants of the proposed use by dividing total building floor area by the occupancy factor.</p> $2,000 \text{ s.f.} \div 170 \text{ s.f./person} = 11.76 \text{ occupants}$ <p>Calculate the intensity by dividing the number of building occupants by the site area in acres.</p> $11.76 \text{ occupants} \div 0.5 \text{ acres} = 23.5 \text{ people per acre}$
<p>Result: The intensity of 23.5 people per acre is less than the allowable maximum intensity of 25 people per acre indicated in Table 3-1 for APZ I. Therefore, the proposed project is compatible.</p>	



CHAPTER 4

Airspace Protection Policies and Standards

Chapter 4 provides an airspace protection boundary map for Naval Outlying Landing Field Imperial Beach (NOLF IB) and applicable policies and standards.

Appendix E4 provides the technical basis for delineating the airspace protection boundary and establishing the policies and standards.

In addition to the policies and standards established by this chapter, a project sponsor must also review all policies and standards established by this ALUCP.

The policies of this chapter apply only to new development or redevelopment. The policies do not apply to existing land uses, except as noted in **Section 1.6** in **Chapter 1**.

A list of the airspace protection policies is provided below.

<u>Policy A.1</u>	Airspace Protection Boundary
<u>Policy A.2</u>	FAA Notification Requirements
<u>Policy A.3</u>	Hazards
<u>Policy A.4</u>	Compatible Structure or Object
<u>Policy A.5</u>	Conditionally Compatible Obstructions
<u>Policy A.6</u>	Standards for the Protection of Flight Safety

What is an Obstruction?

An obstruction is an object that exceeds the obstruction standards established in 14 CFR Part 77, as determined by the FAA. Obstructions must be marked, lighted and identified in aeronautical publications so they are easily recognized by pilots.

What is a Hazard?

A hazard is an object or condition that would compromise flight safety as determined by the FAA.

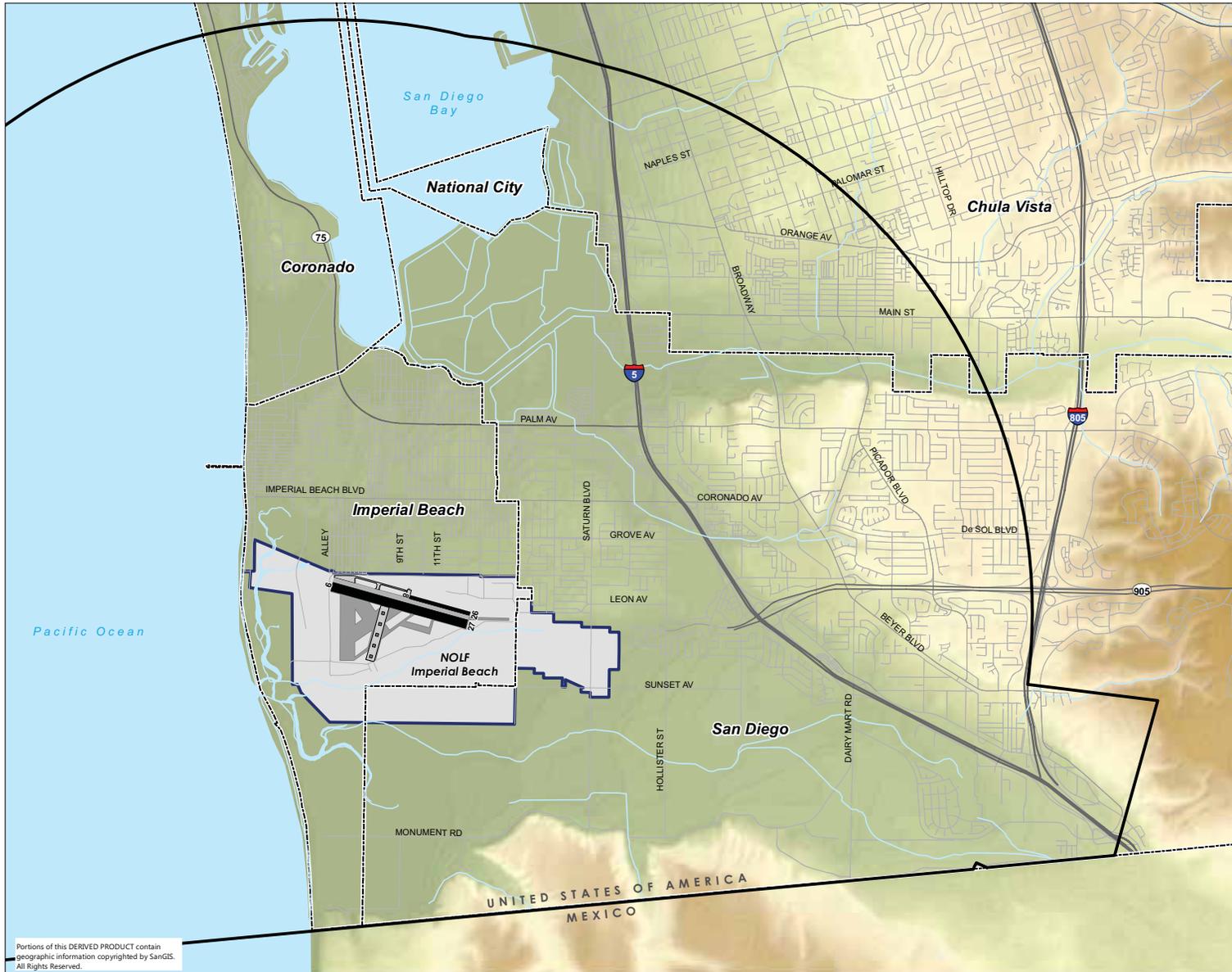
Airspace Protection Policies and Standards

Policy A.1 Airspace Protection Boundary

The airspace protection boundary, as depicted on **Exhibit 4-1**, establishes the area where the policies and standards of this chapter apply.

The airspace protection boundary is based on the outermost edge of the following airspace surfaces:

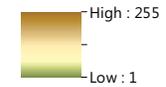
1. Part 77, Subpart B, 100:1 notification surface boundary
2. Military helicopter object clearance surfaces
3. The approach surfaces for the Runway 27 TACAN approach defined by the criteria in FAA Order 8260.3B, United States Standard for Terminal Instrument Procedures (TERPS) (which lie within the Subpart B, 100:1 surface boundary)



LEGEND

- Major Roads
- Highways
- - - Municipal Boundaries
- ▭ Airport Property Boundary
- ▭ Proposed Airspace Protection Boundary

Terrain Elevations (in feet MSL)



- Notes:
1. MSL = Mean Sea Level
 2. Airport elevation is 24 feet MSL
 3. The Airspace Protection Boundary is defined as the outer boundary of the combined Part 77 Subpart B, Subpart C and TERPS approach surface boundaries.

Sources: San Diego Geographic Information Source (SanGIS), 2008 and 2011 (municipal boundaries, roads and highways); Naval Facilities Engineering Command, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Field Imperial Beach, California, 2011, (airport property boundary, runways, airfield, terrain); Ricondo & Associates, Inc., 2013, (proposed airspace protection boundary).

Prepared by: Ricondo & Associates, Inc., March 2014.

**Exhibit 4-1
Airspace Protection
Boundary**

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4.1 FAA Notification of Proposed Construction or Alteration

Federal law requires project sponsors of proposed structures or objects (including structures, antennas, trees, and mobile and temporary objects, such as construction cranes) that exceed Part 77, Subpart B, height criteria to submit to the FAA a Notice of Proposed Construction or Alteration (Form 7460-1).¹ Additionally, the FAA may also require notification for proposed structures or objects that may cause signal reception interference with navigational aids (NAVAIDs). Project sponsors may refer to this FAA [website](#)² to determine if they are required to file Form 7460-1 with the FAA.

Policy A.2 FAA Notification Requirements

Project sponsors must comply with FAA notice requirements for proposed construction or alteration of objects exceeding certain heights or that could potentially interfere with NAVAIDs by filing of Form 7460-1 with the FAA, if required.

Regardless of location, sponsors of proposed projects are required by federal law to notify the FAA of proposed structures or objects exceeding 200 feet above ground level.³

Project sponsors must include a copy of the FAA notice of determination letter with their consistency applications to the ALUC if FAA review is required.

See **Appendix B** for the submittal requirements under ALUCP consistency determination application process.

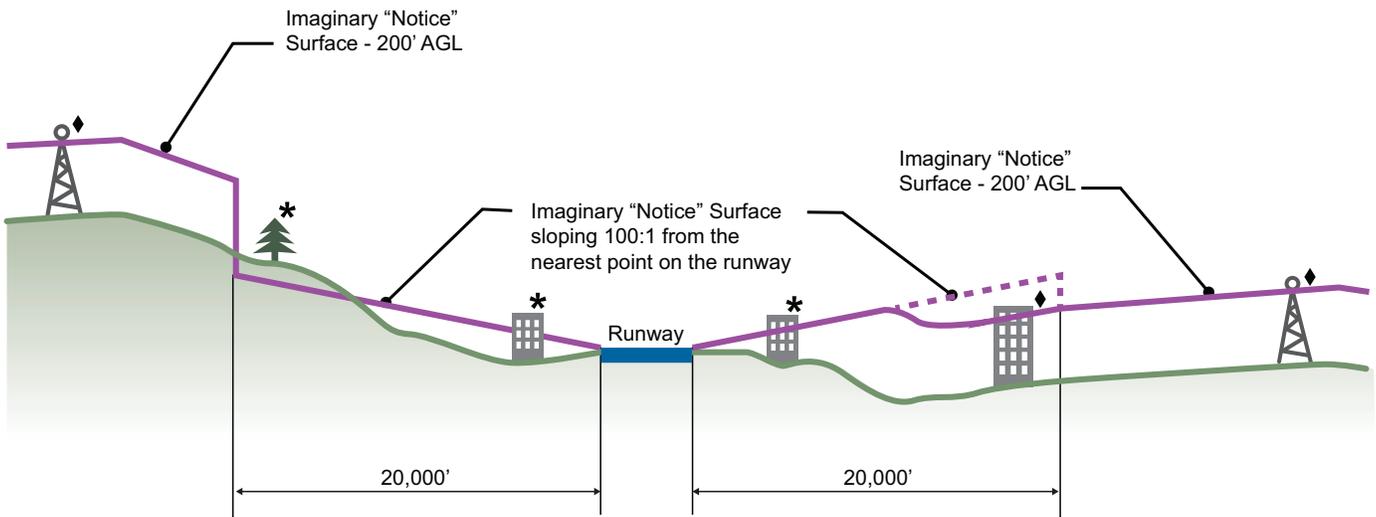
Exhibit 4-2 presents an example illustration related to the 14 CFR Part 77 Notification Criteria.

¹ Title 14, Code of Federal Regulations, Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, Subpart B, Notice Requirements, §77.7.

² Federal Aviation Administration, Department of Obstruction Evaluation/Airport Airspace Analysis (OE/AAA), *Notice Criteria Tool*, <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>.

³ Title 14, Code of Federal Regulations, Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, Subpart B, Notice Requirements, §77.9(a).

Federal law requires sponsors of certain proposed projects to file with the FAA a Notice of Proposed Construction or Alteration (FAA Form 7460-1). This applies to proposed objects taller than 200 feet above the ground anywhere in the United States and shorter objects within 20,000 feet of runways longer than 3,200 feet or within 10,000 feet of shorter runways. This requirement applies to all proposed objects including structures, antennas, trees, mobile objects, and temporary objects, such as construction cranes. For more information, refer to this website.²



- ◆ 14 CFR §77.9(a) Any proposed construction or alteration more than 200 feet in height above ground level (AGL) at its site requires notice.
- * 14 CFR §77.9(b) Any proposed construction or alteration penetrating imaginary surfaces in proximity to runways or heliports requires notice.

Notes:

1. Note: Proposed construction or alteration that is lower than 200 feet AGL and is lower than the 100:1 notification surfaces may require notification under other requirements. Please see §77.9(c) and §77.9(d)
2. <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

Source: Adapted from FAA Order JO 7400.2J, Procedures for Handling Airspace Matters, Figures 5-2-1 and 5-2-2.

Prepared by: Ricondo & Associates, Inc., June 2013.



Exhibit 4-2

Notice of Federal Requirement

4.2 Hazards

Hazards are obstructions or other adverse objects that FAA aeronautical study concludes would have a “substantial adverse effect” on a “significant volume of aeronautical operations.”⁴ Objects that are hazards to navigation have been so determined because they are not sufficiently clear from the normal pathways of aircraft, would affect the useable length of an existing or planned runway, or because they result in certain other adverse effects, such as electromagnetic interference, control tower visibility hindrances, or pilot distraction.⁵

Policy A.3 Hazards

Hazards, as determined by the FAA, are incompatible with the airspace protection policies and are not allowed.

4.3 Compatibility of Structures and Objects

After receiving a Form 7460-1 Notice of Proposed Construction or Alteration, the FAA undertakes an obstruction evaluation and aeronautical study to determine the effect of the proposed structure or object on the use of airspace. Through its study, the FAA determines if the proposed structure or object would be an obstruction to air navigation, a hazard to air navigation, or neither.

Policy A.4 Compatible Structure or Object

A proposed structure or object is compatible with the airspace policies if the FAA determines that it is not an obstruction to air navigation.

Policy A.5 Conditionally Compatible Obstructions

If a proposed structure or object is determined to be an obstruction, it may be made conditionally compatible with this ALUCP if all the following apply:

1. As a result of an aeronautical study, the FAA determines that the obstruction would not be a hazard to air navigation
2. FAA analysis determines that the object would not cause any of the following:
 - (a) An increase in the ceiling or visibility minimums for an existing or planned instrument procedure⁶
 - (b) A reduction of the operational efficiency and capacity of NOLF IB

⁴ Federal Aviation Administration, Order JO 7400.2J, *Procedures for Handling Airspace Matters*, Sections 6-3-3 and 6-3-4.

⁵ Federal Aviation Administration, Order JO 7400.2J, *Procedures for Handling Airspace Matters*, Section 6-3-3.

⁶ A planned procedure is one that is formally on file with the FAA or that is consistent with the FAA-approved Airport Layout Plan.

- (c) Conflict with visual flight rules (VFR) airspace
- 3. Sponsors of a proposed structure or object must comply with the findings of FAA aeronautical studies (e.g., reduce structure height, install obstruction lighting systems and/or painting/markings of structures) performed under Part 77 regulations.⁷

4.4 Standards for the Protection of Flight Safety

Local agencies must consult with the FAA, the ALUC and the Commander of Naval Base Coronado when proposed land use projects within the Airspace Protection Boundary may cause any hazard described in the following sections.

Policy A.6 Standards for the Protection of Flight Safety

Policy A.6.1 Sources of Glare

Highly reflective materials may cause visual after-images or flash blindness in pilots, thus compromising flight safety. Such materials are incompatible unless the ALUC finds that either of the following conditions applies:

1. The project sponsor has prepared a technical study, certified by a lighting engineer or an expert approved by the ALUC, demonstrating to the ALUC's satisfaction that the proposed building materials would not create reflections intense enough to cause visual after-images or flash blindness in pilots on approach to either runway end at any time of day during any season of the year.
2. The FAA has reviewed the land use project and has issued a final Notice of Determination within which it raises no objections to the potential glare impacts of the project.

The FAA, in cooperation with the U.S. Department of Energy, has made available to the public a Solar Glare Analysis Tool that can be used to determine the potential for solar energy projects to cause glint and glare severe enough to interfere with the vision of pilots and controllers at airport traffic control towers. See Appendix B for information about this tool.

⁷ Federal Aviation Administration, Advisory Circular 70/7460-1K, *Obstruction Marking and Lighting*.

Policy A.6.2 Lighting

The following lighting systems are incompatible with this ALUCP when casting light toward the approach paths of aircraft:

- Searchlights
- Laser lights
- Sequenced flashing lights
- Stroboscopic lights

Any other lighting systems that, in the ALUC's determination, produce effects that mimic airport identification lighting, runway end identification lighting or runway approach lighting are also incompatible with this ALUCP.

Policy A.6.3 Sources of Dust, Water Vapor and Smoke

Land use projects that, in the opinion of the ALUC, may create columns of dust, steam, water vapor, or smoke dense enough to impair pilot vision and compromise flight safety are incompatible with this ALUCP.

Policy A.6.4 Electromagnetic Interference

Sources of electromagnetic interference with aircraft instrumentation and ground-based radar and navigational aids are incompatible with this ALUCP. If a land use project may result in electromagnetic interference, the ALUC must consult with the FAA to ensure that the FAA is aware of the potential for electronic interference. The ALUC must require the project sponsor to modify the land use project to comply with any FAA recommendations and conditions.

Policy A.6.5 Sources of Thermal Plumes

Land use projects that, in the opinion of the ALUC, may create thermal plumes with the potential to interfere with the safe control of aircraft are incompatible with this ALUCP. Thermal plumes rising 200 feet or more above the ground at upward velocities of 14.1 feet per second or greater are capable of jeopardizing the safe control of aircraft.

Policy A.6.6 Bird Attractants

The following land uses, if they have the potential to attract birds, are incompatible with this ALUCP and are not permitted within the Airport

Influence Area (AIA).⁸

1. Agricultural, recreational, open space activities and facilities that include:
 - (a) Aquaculture activities conducted outside of fully enclosed buildings
 - (b) Water features incorporated into landscaping, open space areas or golf courses are incompatible unless they have less than 2,500 square feet of surface area and include measures to control hazardous wildlife
2. Waste Disposal Operations
 - (a) Municipal solid waste landfills
 - (b) Trash transfer stations that handle waste, are not fully enclosed or that lack ventilation and air filtration systems adequate to control odors escaping to the outdoors (odor masking is not acceptable)
 - (c) Commercial or institutional composting operations that accept food waste
3. Water Management Facilities
 - (a) Storm water management facilities that create above-ground standing water, unless required by other provisions of municipal, county, or State law. Where storm water detention ponds are necessary and must be allowed, measures should be taken to minimize the risks of attracting potentially hazardous wildlife.
 - (b) Wastewater treatment facilities and associated settling ponds, including any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes and artificial marshes designed for wastewater treatment.
 - (c) Wetlands mitigation projects, unless they provide unique functions that must remain onsite or are otherwise directed by state or federal law, state or federal regulatory decision, or court order.
 - (d) Dredge spoil containment areas (also known as confined disposal facilities) if the spoils contain material that would attract hazardous wildlife.

⁸ Federal Aviation Administration, Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports*.



CHAPTER 5

Overflight Compatibility Policies

Chapter 5 provides an overflight area boundary map for Naval Outlying Landing Field Imperial Beach (NOLF IB) and applicable policies relating to aircraft overflight notification.

Appendix E5 provides the technical basis for delineating the overflight area boundary and establishing the policies.

In addition to the policies and standards established by this chapter, a project sponsor must also review all policies and standards established by this ALUCP.

The policies of this chapter apply only to new development or redevelopment. The policies do not apply to existing land uses.

A list of the overflight compatibility policies is provided below.

Policy O.1	Overflight Boundary
Policy O.2	Overflight Notification

Overflight Compatibility Policies

Policy O.1 Overflight Boundary

The overflight boundary, as depicted on **Exhibit 5-1**, establishes the area where the policies of this chapter apply.

Policy O.2 Overflight Notification

Local agencies must adopt an ordinance mandating that the owner of any new dwelling unit located within the overflight area indicated on Exhibit 5-1 must record an overflight agreement with the Office of the County Recorder.

Alternative methods of providing overflight notification are acceptable if approved by the Airport Land Use Commission.

See **Appendix B** for a sample of an overflight notification agreement.



LEGEND

- Major Roads
- Highways
- - - Municipal Boundaries
- ▭ Airport Property Boundary
- ▭ Overflight Area Boundary
- ▭ Water



Note: Airfield elevation is 24 feet above mean sea level (MSL)

Sources: San Diego Geographic Information Source (SanGIS), 2008 and 2011 (municipal boundaries, roads, rivers and highways); Naval Facilities Engineering Command, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Field Imperial Beach, California, 2011, (airport property boundary, runways, airfield); Ricondo & Associates, Inc., 2013, (overflight area boundary).

Prepared by: Ricondo & Associates, Inc., March 2014.

**Exhibit 5-1
Overflight Area Boundary**



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AGENDA ITEM NO. 5.4

**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: AUGUST 6, 2014

ORIGINATING DEPT.: PUBLIC WORKS *Chris Helms*

SUBJECT: REPORT ON STORM WATER PERMIT ORDER R9-2013-0001
AND DEVELOPMENT OF WATER QUALITY IMPROVEMENT
PLANS

EXECUTIVE SUMMARY:

The San Diego Regional Water Quality Control Board (RWQCB) updated the Municipal Storm Water Permit (Order R9-2013-0001) on May 8, 2013. The new permit requires the City to develop Water Quality Improvement Plans (WQIPs) for the Tijuana River and San Diego Bay watersheds in addition to updating the City's Jurisdictional Runoff Management Program. This report and presentation provides an update on the development of the WQIPs and an opportunity for council to discuss the new requirements in Storm Water Permit Order R9-2013-0001.

BACKGROUND:

The San Diego Regional Water Quality Control Board (RWQCB) updated the Municipal Storm Water Permit (Order R9-2013-0001) on May 8, 2013. The permit requires the jurisdictions within each of the nine San Diego County watersheds to collaborate and develop Water Quality Improvement Plans (WQIPs) specific to each watershed. The City of Imperial Beach is the lead agency responsible for the development of the Tijuana River WQIP and participating with the responsible agencies in the development of the San Diego Bay WQIP. These new WQIPs will focus planning and implementation of jurisdictional storm water programs on water quality conditions that are specific to each watershed and will hopefully allow greater discretion for the Copermitees to prioritize storm water management activities. The City is also required to submit an updated Jurisdictional Runoff Management Program (JRMP) to the RWQCB concurrent with the submittal of the WQIPs by June 2015.

The purpose of the WQIP is to guide jurisdictional runoff management programs towards achieving the outcome of improved water quality in receiving waters. According to the Municipal Storm Water Permit, "the goal of the WQIP is to protect, preserve, and enhance the water quality and designated beneficial uses of waters of the state. This goal will be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within a watershed and implements strategies on a jurisdictional basis to achieve improvements in the quality of discharges from the MS4s and receiving waters."

The intent of this staff report and presentation is to provide council an update on the development of the WQIPs and an overview of the requirements in the new storm water permit.

ANALYSIS:

The WQIP is a new approach by the RWQCB to bring storm water management planning and implementation to a watershed level, which requires the restructuring of the previous storm water management programs that were based on a tiered level approach with separate regional, watershed, and jurisdictional program activities. The key piece in each WQIP is the identification of the highest priority conditions for each watershed that will allow each jurisdiction to implement water quality improvement strategies that cater to each watershed's unique characteristics. The logic to this approach is that jurisdictions will have the flexibility to focus different levels of effort so as long as the storm water management activities are focused on the highest priority conditions in the watershed. Each jurisdiction will then be responsible for meeting the water quality improvement goals, strategies, and schedules outlined in the plan.

The new storm water permit also requires substantial effort to involve the public and key stakeholders in the development planning process for the WQIPs. Each WQIP involves a series of facilitated public workshops on different elements in the plan and the establishment of a consultation panel of watershed stakeholders to participate in the development of the plans. The deliverables to the RWQCB are then phased in three parts so as to provide adequate public participation and stakeholder input into each draft section of the plan. The first deliverable to the RWQCB on the high priority water quality conditions, pollutant sources, and stressors was already delivered to the RWQCB in May 2014. The second deliverable requires the development of numeric goals, strategies, and schedules for the highest water quality conditions and is due by November 2014. The third and final deliverable is due by June 2015 and combines all these elements into the final WQIP and includes additional program elements into the WQIP for Monitoring and Assessment, new BMP Design Manual standards for Priority Development Projects, Watershed Management Area Analysis for alternative compliance, and an updated JRMP from each responsible agency. The RWQCB will then open one final 30 public comment period and allow each jurisdiction 60 additional days to update municipal codes and any programmatic changes into storm water programs.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

The City continues to implement its existing jurisdictional storm water management program until the final WQIPs get approved by the RWQCB in June 2015. The City Council already executed Cost Share Agreements for the Tijuana River WQIP (2014-7443), San Diego Bay WQIP (2014-7476), and Regional Work Plan for FY 2015 (2014-7475). These fiscal impacts are largely covered under the existing FY15 Stormwater Budget; however, future unknown cost impacts from increased monitoring and reporting are possible and still being evaluated.

RECOMMENDATION:

1. Receive report and presentation on Stormwater Permit Order R9-2013-0001 and update on the development of Water Quality Improvement Plans



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ANDY HALL, CITY MANAGER *AH*
MEETING DATE: AUGUST 6, 2014
ORIGINATING DEPT.: CITY MANAGER/COMMUNITY DEVELOPMENT *SN*
SUBJECT: CITY COUNCIL BRIEFING NO. 3 – PALM AVENUE MIXED USE & COMMERCIAL CORRIDOR MASTER PLAN AND POTENTIAL STATE ROUTE 75 (PALM AVENUE) RELINQUISHMENT ANALYSIS DISCUSSION

EXECUTIVE SUMMARY:

The last City Council update on the Palm Avenue Mixed Use and Commercial Corridor Master Plan (Master Plan) was provided on May 21, 2014. As a key part this project, City staff and its consultant team have been coordinating closely with Caltrans to determine whether or not some of the key elements of the Master Plan could be implemented within State Route 75 (Palm Avenue), either in compliance with the State Highway Design Manual or, potentially, as "design exceptions" processed by Caltrans. After several weeks of coordination with Caltrans which included their preliminary review of the initial drawings for the Master Plan, it has been determined that several key elements of the project will not meet Caltrans' standards nor would they be eligible for design exceptions. Despite this information, and after consulting with SANDAG (the administrator for the \$400,000 Smart Growth Incentive Program grant awarded for the project), staff is recommending that the City proceed with the design and environmental work as currently proposed in order to complete this phase of the design in conformance with the design for which grant funds were awarded. It should be noted that supporting this recommendation would acknowledge that some elements of the project could not be implemented unless a relinquishment of all or portions of State Route (SR) 75 were ultimately accepted by the City. To that end, staff will provide an update on Caltrans' analysis of SR 75 for potential relinquishment to the City.

BACKGROUND:

On January 18, 2013, staff submitted an application to the San Diego Association of Governments (SANDAG) for Fiscal Year 2013 Smart Growth Incentive Program (SGIP) funding which allocated funding for local transportation-related infrastructure and planning efforts that support smart growth development in the region. The funding was available for two types of projects: capital and planning. On January 23, 2013, the City Council adopted Resolution Number 2013-7294, authorizing and supporting the submittal of a SGIP planning grant application in the amount of \$400,000. The City Council also authorized City matching funds in the amount of \$50,000 and up to \$45,000 in in-kind contributions (staff expenses).

On June 28, 2013, the SANDAG Board of Directors approved the SGIP Fiscal Year 2013 projects for funding. Among the projects awarded full funding was Imperial Beach's Palm Avenue Mixed Use & Commercial Corridor Master Plan (Master Plan). On July 15,

2013, the City received a Notice of Award from SANDAG for \$400,000 of SGIP planning grant funding. On August 21, 2013, the City Council authorized issuance of the RFQ/P to solicit civil engineering, landscape architecture, urban design and environmental planning consultant services, with the City intending to utilize its on-call traffic engineering consultant, KOA Corporation, for this effort.

The purpose of the SGIP grant will be to develop the prior Master Plan concepts into engineering drawings sufficient to also prepare and process the corresponding environmental review document. On December 18, 2013, after a competitive RFQ/P process, the City Council authorized the execution of a professional services agreement with Project Design Consultants (PDC) as the lead civil engineering consultant of the consultant team including MIG (urban design, landscape architecture & lighting), Katz & Associates (public engagement & outreach), RECON (environmental review), SCS Engineers (environmental site assessment), and GEOCON (geotechnical engineering).

On January 24, 2014, a fully executed copy of the Smart Growth Incentive Grant Agreement between the City and SANDAG was delivered to staff along with a Notice to Proceed with the project. After issuance of the Notice to Proceed, City staff and the consultant team reviewed the Master Plan Study and prepared concept drawings based on the Master Plan recommendations for discussions purposes and to reaffirm the Master Plan recommendations and to fully assess them for application and implementation with the Palm Avenue/SR 75 corridor. A comprehensive Community Engagement effort was then initiated. As part of this outreach effort, a dedicated web page has been created on the City's web site (www.ImperialBeachCA.gov/PalmMasterPlan) and a contact email address has been established both to receive information and updates on the project and to provide comments. This web page has been updated regularly with pertinent project information.

On April 16, 2014, staff provided the City Council with its first regular Briefing on the project, during which a detailed Community Engagement Strategy prepared by the consultant team's Outreach & Engagement Consultant, Katz & Associates was presented. Also at this meeting, staff reminded the City Council that the first of two Community Workshops was to take place on April 29, 2014.

On Tuesday, April 29, 2014, the first of two Community Workshops on the Master Plan was held in the City Hall Community Room. The objective of the workshop was to reintroduce the project to the community, explain the work plan for the current phase and its relationship to the established vision, and solicit community feedback on a variety of streetscape/landscape design concepts proposed for the Palm Avenue corridor. A total of 32 community members signed in at the workshop, though it appeared that several more were in attendance. The focus of the first workshop was aimed at reintroducing the community to the project and providing Workshop attendees with sufficient project information while allowing ample time for attendees to provide their input. A presentation of the project was given and input received at the following additional outreach meetings:

- May 15, 2014 – Design Review Board Meeting Presentation
- May 20, 2014 – Presentation to the Kiwanis Club
- May 22, 2014 – Chamber of Commerce Presentation
- May 27, 2014 – Business Improvement District Presentation

Generally speaking, the overwhelming majority of people in attendance at these workshop and community outreach presentations were quite supportive of the Master Plan as proposed. Though most of the comments were supportive, concerns expressed by those in attendance were directed primarily at potential traffic impacts and the potential costs of implementation. It has been assured that those concerns will be analyzed and addressed as the project progresses.

ANALYSIS:

Continuing Caltrans Coordination

On April 2, 2014, staff and its consultant team provided Caltrans staff with a set of the conceptual engineering drawings for the Master Plan. On April 29, 2014, staff received a letter from Caltrans providing their comments on their initial review of the Master Plan concepts. Based upon the comments in their letter, some of which would all but preclude the implementation of several key elements of the Master Plan, staff and members of its consultant team, including the lead civil engineer (PDC) and the traffic engineer (KOA), met with Caltrans staff on Thursday, May 1, 2014, to discuss the issues raised in the letter. It was a productive meeting during which Caltrans agreed to seek a preliminary determination from their Caltrans headquarter liaison as to whether the key design issues could be potentially be approved through as “design exceptions” by Caltrans.

On May 28, 2014, staff received a preliminary determination from Caltrans that several items of the Master Plan would not be eligible for design exceptions. During additional correspondence, Caltrans provided final notification on June 23, 2014, that the following elements of the project would neither meet nor be eligible for design exceptions to Caltrans State Highway Design Standards:

- The 12-foot lane widths cannot be reduced in width due to the design speed exceeding 45 mph west of 9th street and the truck volumes exceeding 250 per lane
- The intersection/crosswalk bulb-outs would not be allowed due to the design speed exceeding 35 mph
- The local access side medians would not be allowed due to the requirement to provide 8 to 10-foot shoulders on a minimum of one side of the two through lanes
- Two different speed limits on the same roadway would not be permitted

The above restrictions would preclude the implementation of the proposed local access lanes and local access medians in the Mid-Town Sector. This is a key element of the Master Plan which received significant support during the community outreach workshop and presentations. These restrictions would also preclude the proposed design of the pedestrian crosswalks in all sectors of the proposed Master Plan. Given this information, therefore, and in order for the City to proceed with implementation of the Master Plan as proposed, a relinquishment of the SR 75 right-of-way or portions of it would have to be accepted by the City. Upon receipt of this information, staff inquired about the status of the Transportation System Analysis and Evaluation for SR 75 (the “TSAE”) being prepared by Caltrans to assess the possible relinquishment of SR 75 to the City. Although staff had expected a Draft TSAE to be completed by the end of April, the Draft TSAE was provided to the City on July 8, 2014, with a final, signed copy of the TSAE delivered on July 11, 2014.

The TASE provided to staff concluded that SR 75 was both eligible and appropriate for potential relinquishment to the City. Further, the TASE indicated that Caltrans District 11 viewed the potential relinquishment of this segment of SR 75 as an initial move towards complete relinquishment of the entire route. As has been discussed with Caltrans and conveyed to the City Council, acceptance of a relinquishment of SR 75 by the City would allow staff and the City Council to be more responsive to community interests and development along Palm Avenue as the City would have more flexibility to add design features currently limited by State highway regulations. Additionally, as stated in the TASE, a relinquished Palm Avenue/SR-75 would allow the City the ability to issue permits to new developments for roadway connections and proposed public improvements thereby eliminating the need to obtain state encroachment permits or state involvement. And, of course, a relinquishment would allow for approval and implementation of the Master Plan as currently proposed and supported during the community outreach effort.

Current and Potential Maintenance Costs of SR 75 (Palm Avenue)

As also conveyed to the City Council at their meeting on April 2, 2014, however, a relinquishment would mean the transfer of all rights, title and interests in the right-of-way to the City. This would necessarily include the transfer of all maintenance responsibilities to the City. It should be noted, however, that, pursuant to the City's Maintenance Agreement with Caltrans, the City already provides, at its cost, much of the on-going maintenance and operations costs for SR 75. These annual costs include the following:

Landscaping Contract (Aztec Landscaping)	\$18,480
Replacement of Plants & Materials	\$ 5,947
City Staff Time	\$ 1,200
Electrical Costs (SDG&E)	\$60,000
Irrigation/Water Costs (CalAM)	<u>\$10,000</u>
 Total Annual Costs:	 \$95,627

Additionally, although Caltrans has its own graffiti abatement program, the City's practice is to remove any graffiti itself rather than allow it to remain during the time involved in reporting it and having it removed by Caltrans. Because Caltrans has their own graffiti abatement program, however, the City is not reimbursed for these costs. Staff has also conferred with its insurer, SANDPIPA, and has determined that there would be minimal, in any, increased premium costs associated with the acceptance of a relinquished SR 75 right-of-way. In fact, a benefit to the City would more likely be realized with the increase in roadway lane miles for which the City would be responsible by a corresponding increase in transportation funding paid to the City on an annual basis.

In discussions with Caltrans about a possible relinquishment of SR 75, their staff provided us with the following four-year maintenance costs incurred by Caltrans:

Total Cost by Maintenance Category:	
• Safety	\$ 73,225
• Preservation	\$ 3,775
• Service	<u>\$ 49,135</u>
Four-year total maintenance cost	\$126,135
 Historical annual average	 \$ 31,535

Given the above maintenance costs, therefore, acceptance of a relinquishment of the SR 75 right-of-way would be expected to increase the City's annual maintenance costs by a third of what the City already pays today for the maintenance of SR 75.

The recently completed TSAE was primarily focused on assessing the appropriateness of the potential relinquishment of SR 75 to the City. As noted above, although the TSAE concluded that SR 75 is suitable for relinquishment, it did not include any assessment of the need for necessary improvements to bring the roadway into compliance with applicable highway design standards. That analysis and assessment would be expected in the next step of the relinquishment process. At this point, Caltrans has requested a written request and further authorization to proceed to the next phase of the process which would include the preparation of a Project Scope Summary Report ("PSSR"). Caltrans has estimated that preparation of a PSSR could take up to a year to complete. Although, once again, the City's request to proceed with this phase of the process would not commit the City to acceptance of a relinquishment, it would signal the City's desire to continue on with the assessment of a potential relinquishment and would also provide the City Council with the type of information it requested during their last discussion of this issue on April 2, 2014.

Among other objectives, the PSSR would include "Costs to Relinquish" options for the roadway which would form the basis of a negotiated agreement under which the City could accept relinquishment of SR 75. One of several options for providing the improvements identified in the PSSR would be a negotiated Financial Contribution Only ("FCO") option in which a mutually agreed upon amount of funding would be provided to the City by Caltrans to implement the necessary improvements in the future. Those funds would be provided to the City upon the City's acceptance of the relinquished SR 75 right-of-way.

Recommended Course of Action

Over the past several weeks, staff and its consultant team have been seeking a clear determination from Caltrans regarding the City's ability to implement key elements of the Master Plan under state highway design standards. Now that staff has been advised that the Master Plan as proposed and supported by the community during our initial outreach efforts cannot be implemented under applicable Caltrans standards, staff is seeking concurrence from the City Council on a recommended course of action.

On Monday, July 28, 2014, staff and the City's lead consultant on the Master Plan met with SANDAG staff in their role as the Smart Growth Incentive Program (SGIP) Grant administrator, to discuss the project and the issues it faces. During this meeting, it was agreed that, because the Master Plan was awarded SGIP grant funding based upon the merits and design of the project as proposed, the best course of action would be continue on with the proposed design and the following environmental review based upon that design. Furthermore, because the preparation of the PSSR could take up to a year to complete, waiting for the outcome of that analysis could put the project funding in jeopardy by requiring approval of SANDAG's Regional Planning Committee. In proceeding with the Master Plan project as designed, the environmental review document would acknowledge that elements of the project, as proposed, could not be implemented under current state highway design standards but would also acknowledge that the Master Plan design would most effectively achieve the objectives of the project to provide a more desirable "main street", multi-modal corridor conducive to pedestrians, bicyclists, transit and vehicles as well as to businesses and new, infill development. Caltrans staff has indicated that, as long as the environmental document acknowledges the need for a

relinquishment to implement certain elements of the Master Plan, they would not seek to challenge the certification of the document and approval of the Master Plan. By continuing on with the Master Plan as currently proposed, therefore, the City will best position itself to carry out the desired objectives of the Master Plan along with the desires of a majority of the community members who have voiced their support for the project.

ENVIRONMENTAL DETERMINATION:

The prior phase of the Master Plan was exempt from CEQA pursuant to CEQA Guidelines Sections 15262 and 15306. This phase of the Master Plan will include the preparation of the required environmental review document to analyze the proposed project. This may result in an amendment to the City's General Plan and Local Coastal Program as well as the processing of a coastal development permit, site plan review, and design review for the proposed capital improvements.

FISCAL IMPACT:

The City has been awarded \$400,000 in SGIP planning grant funding. The City has authorized a City match of \$50,000 and up to \$45,000 in in-kind City services. It is expected that the City's \$50,000 matching funds will come from one-time general fund reserves.

RECOMMENDATION:

That the City Council:

1. Receive City Council Briefing No. 3 on the Palm Avenue Mixed Use and Commercial Corridor Master Plan (Master Plan);
2. Authorize staff and its consultant team to proceed with the project and the design of the Master Plan as currently proposed; and
3. Authorize staff to provide a written request to Caltrans to proceed with the next phase of the relinquishment assessment process including preparation of a Project Scope Summary Report (PSSR).

Attachments:

1. Caltrans Transportation System Analysis and Evaluation for State Route 75 (Imperial Beach City Limits) – July 2014
2. Draft Letter of Request to Caltrans

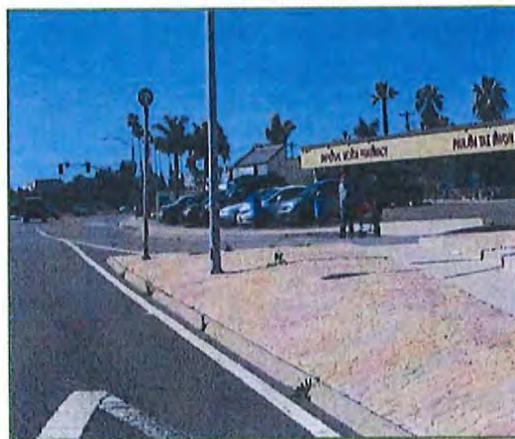
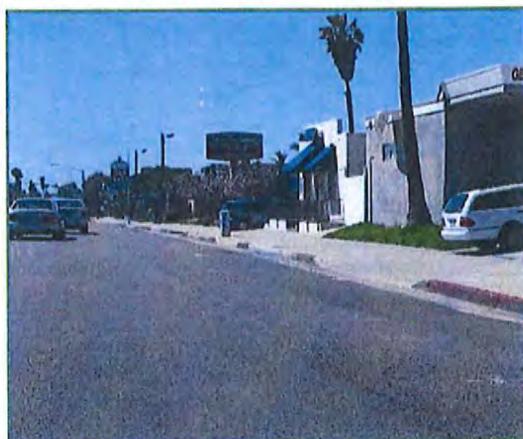


Transportation System Analysis and Evaluation for STATE ROUTE 75

11-SD-75-PM 9.997/11.2

From just south of Georgia St. to just north of Via Silver Strand
(Imperial Beach City Limits)

July 2014



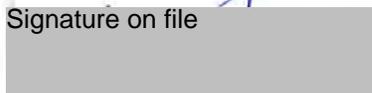
Prepared by:
The California Department of Transportation (Caltrans)
District 11 Planning Division

State Route 75 Transportation System Analysis and Evaluation Signatories

I approve this Transportation System Analysis and Evaluation of the proposed relinquishment of State Route 75 from Georgia St. to just north of Via Silver Strand to the City of Imperial Beach and recommend that Caltrans proceed with the relinquishment process.

Recommend Approval:

Signature on file

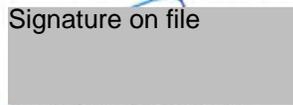


7-8-2014

BILL TIGGE Date
Deputy District Director, Planning
Caltrans – District 11

Recommend Approval:

Signature on file

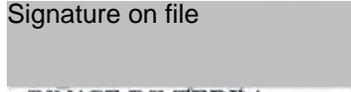


7/8/14

LAURIE BERMAN Date
District Director
Caltrans – District 11

Approved:

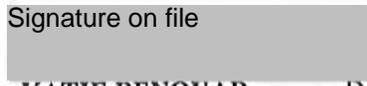
Signature on file



7-8-14

BRUCE DE TERRA Date
Chief
Office of System and Freight
Division of Transportation Planning
Caltrans

Signature on file



7/10/14

KATIE BENOUAR Date
Chief
Division of Transportation Planning

Background

The purpose of the Transportation System Analysis and Evaluation (TSAE) is to assess the relinquishment of State Highway System (SHS) facilities to local agencies. Relinquishment of individual SHS route segments can be initiated by either State or local agency request. The TSAE specifies the current roles of the route segment in the SHS and includes an assessment of the current and projected use of the facility as that use pertains to the mission and responsibilities of the California Department of Transportation (Caltrans).

Purpose and Need

The District 11 Planning Division developed this Transportation System Analysis and Evaluation (TSAE). This document addresses the elements described below in aiding the determination of the appropriateness of relinquishing portions of State Route 75 (SR-75) within the city limits of the City of Imperial Beach. This segment includes post mile (PM) 9.997 to PM 11.2.

The primary purpose of SR-75 is to provide intraregional access between the cities of Imperial Beach, Coronado, and San Diego. SR-75 provides the only vehicular access to the Coronado peninsula by both the Silver Strand and the San Diego-Coronado Bay Bridge. The route carries a large number of civilian and military commuters to the North Island Naval Air Station and the Naval Amphibious Base in Coronado.

The City of Imperial Beach (City) requested this TSAE to assess the feasibility of relinquishment of SR-75 within the City's boundaries.

1. Description of Route and Basis of Request for Relinquishment

- A) Provide county, route number, post miles, functional classification, and other designations (such as STAA truck terminal access route or other designations as applicable).**

SR-75 is a 13.5 mile route which commences at Interstate 5 (I-5) in the City of San Diego and terminates at Interstate 5 near downtown San Diego. The route is entirely within the boundaries of San Diego County and District 11. The segment of SR-75 under evaluation for relinquishment is comprised of two different facility types and lies between PM 9.997 and PM 11.2. The southern segment of the roadway is six lanes and is classified as a conventional highway; the northern segment has four lanes and is classified as an expressway.

In 1933, the portion of SR-75 from I-5 to the Coronado-San Diego Ferry crossing was adopted into the State Highway System. In 1969, the San Diego-Coronado Bay Bridge opened, providing direct highway service between Coronado and downtown San Diego.

The 2012 Moving Ahead for Progress in the 21st Century Act (MAP-21) federal functional classification for SR-75 is Urban Principal Arterial, and portions of the route within the City of Coronado (outside of this study area) are designated as Strategic Highway Network (STRAHNET). SR-75 is designated as part of the National Network for Surface Transportation

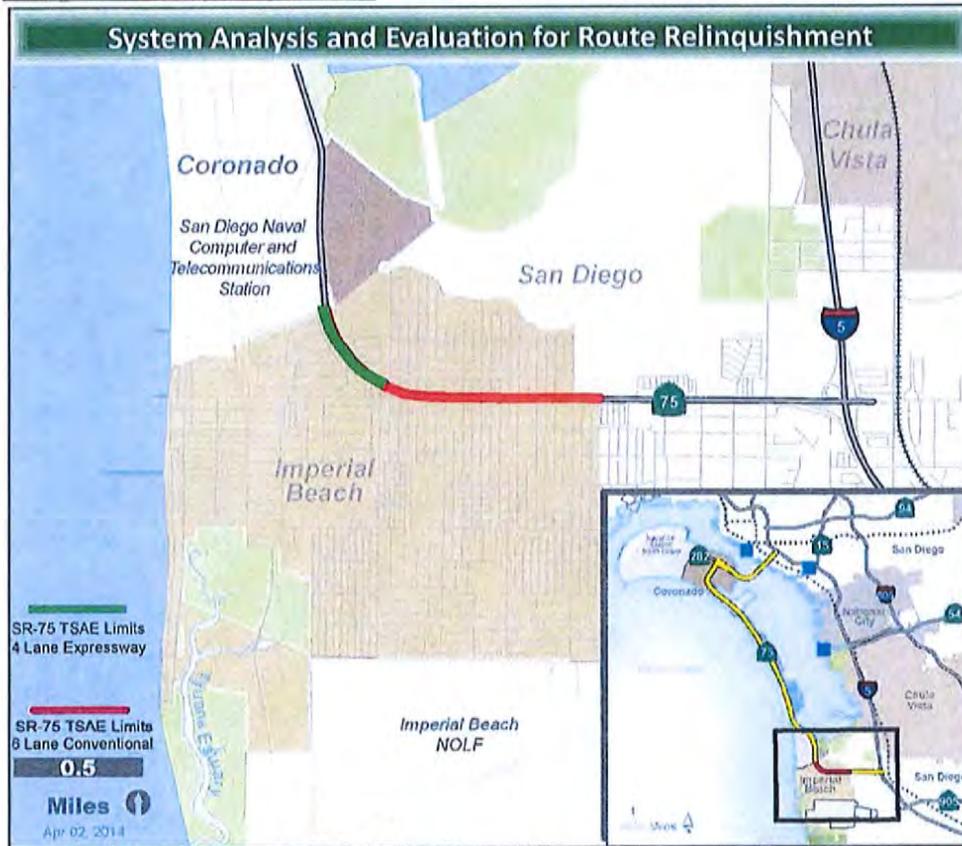
Assistance Act (STAA) for trucks with the following restriction: no flammables, corrosives, or explosives on Coronado Bay Bridge from toll plaza (PM 20.3) to junction Route 5 (PM 22.3); otherwise, the highway is a terminal access route. Outside of the study area, SR-75 is included in the National Highway System (NHS) in the City of Coronado serving both Naval Amphibious Base Coronado (NABC) and Naval Air Station North Island (NASNI). SR-75 is on the California list of Officially Designated State Scenic Highways.

Existing facility types within the study limits:

Post Mile (PM)	Location	Rural/Urban	Lanes/Facility Type*	Federal Functional Class	STAA (Y/N)	Designated Scenic Highway (Y/N)
9.997-10.72	Georgia Street to Delaware Street	Urban	6C	Urban Principal Arterial	Y	Principal Arterial
10.72-11.2	Delaware Street to Via Silver Strand	Urban	4E	Urban Principal Arterial	Y	Principal Arterial

Upon completion of this proposed relinquishment, SR-75 would be interrupted within the city limits of Imperial Beach, with the remaining southern portion of the Route located in the City of San Diego and the remaining northern portion of the Route located within City of Coronado and Department of the Navy jurisdictions.

Map of study segment:



- B) Identify the category the route and route segment is included in the Two Tier System Report (primary or secondary). Identify if the district concurs with the category and why.**

Caltrans proposed a Two-Tier Highway System in 1995 in response to local entities expressing interest in more control of State Highways traversing their communities. This interest resulted from the application of interregional highway standards to routes that no longer function as such. Though the two-tier system was not adopted, the underlying concept is still utilized to differentiate local and interregional highways.

The intent of the State highway "Primary" system was an interconnected network of routes that provide the greatest mobility in both rural and urban areas. The Primary routes are generally characterized by higher speeds and greater access control.

The State highway "Secondary" system has routes that should be operated and maintained by the appropriate local governmental agency that can be most responsive to the public interests in administration, planning, and/or construction of that facility. The intent was for

Caltrans to have authority to negotiate relinquishment agreements with local agencies for State highway Secondary routes or portions of those routes.

The portion of SR-75 being evaluated for relinquishment was included in the Secondary category of the Two-Tier System. District 11 concurs with the placement of this portion of SR-75 into the Secondary category since much of SR-75 operates like a city street rather than a State highway. On-street parking and numerous driveways and access points generate significant side friction. This portion of the route does not function as an interregional transportation facility. SR-75 parallels the Interstate 5 (I-5) freeway, which carries most of the interregional commercial and passenger vehicular traffic.

C) Evaluate if the segment proposed is in fact between two logical termini and identify any issues with the proposed limits of the relinquishment. Identify how these will be addressed. Examples of issues with logical termini are relinquishments that will create a stub route, terminate in mid block or intersection, etc.

The segment being evaluated for relinquishment has a southern terminus at the eastern city limit of the City of Imperial Beach. SR-75 continues east for approximately one mile in the City of San Diego to the route terminus, just east of I-5. The segment in the City of San Diego possesses a similar context to the segment in Imperial Beach; it is a six-lane primary arterial that has many commercial land uses and subsequent demand for access including sidewalks, bicycle facilities, bus stops, and many driveways. SR-75 to the north is a four-lane expressway that shifts to a four-lane conventional highway in the downtown section of the City of Coronado, and then shifts back to an expressway on the Coronado Bay Bridge, where the route terminates at I-5.

One key issue associated with relinquishing SR-75 in the evaluation segment includes the discussion regarding logical termini. Terminating SR-75 within the Imperial Beach city limits while retaining the north and south segments of the route would create a non-state highway segment between two State Highway segments of SR-75. Jurisdictionally, this situation should only be a problem if a portion of SR-75 was partially in the City of Imperial Beach. In such a case, maintenance, operational, and jurisdictional issues may arise. However, mechanisms currently in practice could mitigate these potential issues. The Cooperative Agreement must specify how these issues will be resolved.

Another issue that needs to be addressed is how a potential relinquishment would impact the neighboring cities of San Diego and Coronado and the Naval stations along SR-75. Specifically, military equipment and hazardous material that cannot cross the Coronado Bay Bridge would need to be allowed passage along the relinquished segment of SR-75. The need to document agreements with the City of Imperial Beach to address these concerns and maintain current access must be included in the final Cooperative Agreement between Caltrans and the City of Imperial Beach. In addition, the following sections address some of the contextual issues that relate to SR-75 in both the City of Imperial Beach and the City of San Diego, which support relinquishment of the entire route, with the exception of the Coronado Bay Bridge.

- D) Describe the basis of request for relinquishment and identify local jurisdiction(s) requesting it. Explain why the city or county does not want the State Highway designation. Explain the issues and history including requests for encroachment permits and issues with approving or denying requests. Include district/local jurisdiction IGR/CEQA discussions, comments, and issues. This is important for multiple reasons including documenting context sensitive solutions efforts and what could and could not be resolved. Explain how the relinquishment benefits local planning and community design and circulation considerations.**

This portion of SR-75 traverses a predominantly built-out area of the City of Imperial Beach. The conventional highway portion of SR-75 from just south of Georgia St. (PM 9.997) to Rainbow Drive (PM 10.990) behaves operationally like a busy city street due to the prevalence of traffic signals and turning lanes. Numerous driveways generate significant side friction. This portion of the route does not function as an interregional transportation facility as part of the State Highway System. The portion of SR-75 from Rainbow Drive to the northern city limits of the City of Imperial Beach serves as a transition between the expressway environment and the conventional highway "main street" context of the Imperial Beach segment.

Land use within the City of Imperial Beach adjacent to this portion of SR-75 consists of mixed use commercial, including several shopping centers as well as several proposed developments. As additional development occurs, the construction of new (or expansion of existing) access points to SR-75 becomes problematic. From an operational perspective, the continued expansion of new development and the resulting additional traffic utilizing SR-75 as prime access downgrades the Level of Service (LOS) on the facility and further reduces the State Highway functionality. The City of Imperial Beach requested this Transportation System Analysis & Evaluation to analyze potential future City access control of the roadway and possibly avoid the Caltrans permitting process for local development projects.

Two large mixed-use developments and one large residential development are proposed adjacent to SR-75 in the City of Imperial Beach. These developments will increase traffic volumes on SR-75. City staff and project proponents have met with Caltrans staff, and Caltrans standards with regard to traffic, access to projects, and bicycle and pedestrian accommodation are an issue. The City is interested in this TSAE and subsequent relinquishment in order to avoid, what the City sees as, inconsistencies with Caltrans policy.

The City of Imperial Beach received a Caltrans Community Based Transportation Planning (CBTP) Grant, to study community connectivity improvements to the SR-75 corridor within the city limits. The Palm Avenue Commercial Corridor Master Plan was the final product of the CBTP grant. This plan proposes infrastructure treatments intended to allow the Palm Avenue Corridor to develop economically and provide transportation improvements for all users of the corridor. The Palm Avenue study acknowledges that some of the roadway features and treatments proposed may not meet state highway standards and that relinquishment of SR-75 may be necessary to realize some proposed features. The City of San Diego was recently awarded a CBTP grant to study similar issues along the segment of SR-75 in that City.

Photographs of segments studied:



Northbound SR-75 at PM 10.1



Northbound SR-75 at PM 10.7

Photographs of segments studied:



Southbound SR-75 at PM 10.5



Southbound SR-75 at PM 10.1

E) Identify status of the route in local agency circulation element of the General Plan and any current applicable local planning studies or community initiatives impacting the request.

SR-75 is identified as a Prime Arterial in the Circulation Element of the City of Imperial Beach General Plan.

The Palm Avenue Commercial Corridor Master Plan discusses the issues associated with Caltrans ownership of SR-75 and the desire to use roadway features that differ from Caltrans Standards. The Master Plan states:

“The roadway is currently within Caltrans jurisdiction, and is a State Route. Caltrans approval will be necessary during the design phase of these segments. During this phase, Caltrans may require different levels of processing in order to obtain approval of these projects. Some segments will need design exceptions for lane or shoulder width variations, while others may be greatly disparate to the Caltrans standard cross-sections and may require the complete relinquishment of the highway in order to implement. The level of each will be negotiated by the City of Imperial Beach and Caltrans at the time of design processing.”

The Palm Avenue Commercial Corridor Master Plan recommends multi-modal access for transit, bicyclists and pedestrians and includes some engineering features that may not be approved by Caltrans on SR-75. The City of Imperial Beach is interested in the feasibility of a relinquishment to pursue such engineering features without obtaining Caltrans approval and going through the design exception process. Certain design exceptions may require Federal Highway Administration approval in addition to Caltrans approval.

2. Route or Corridor Concept and Recommendations for Route Development

A) Identify the route development or relinquishment recommendations in the districts route concept or transportation corridor report and other applicable internal reports or studies. (Cite date of latest Transportation Concept Report or Transportation Corridor Report).

Caltrans completed a Route Concept Report for SR-75 in 1985. At that time, no relinquishment considerations were under discussion.

District 11 completed a Transportation Concept Report Summary (TCS) for SR-75 in October 2011. The following summary discusses the proposed relinquishment, and specifically states:

“Caltrans strongly encourages the City of Imperial Beach to ascertain at an early stage if any or all portions of this project will

require relinquishment of SR-75, so that the City may begin consultations with the City of San Diego and the City of Coronado for acceptance of portions of the route that may fall within their jurisdiction and require relinquishment.”

In addition, the TCS identifies SR-75 in its entirety as a potential candidate for relinquishment in the Fiscal Year 2010 State Highway Operations and Protection Program (SHOPP).

B) Describe current and projected future traffic and components of the traffic stream (5 plus axle trucks) for the route as it exists in the state highway system and any system restrictions for large trucks. Identify how this is forecasted to change based on the relinquishment.

Existing traffic on SR-75 in Imperial Beach operates at levels of service (LOS) B and C. The San Diego Association of Governments (SANDAG) Regional Transportation Model projects LOS C and D in 2030. The following table shows 2010 traffic count data and projected 2030 volumes:

Existing and Future Average Weekday Traffic

Location	2010 AWDT ¹	2010 LOS ²	2030 AWDT ³	2030 LOS ²
13 th Street (PM 10.070) to 9 th Street (PM 10.570)	34,900	B	39,800	C
9 th Street (PM 10.0570) to Delaware Street (PM 10.720)	23,400	C	32,900	C
Delaware Street (PM 10.720) to 7 th Street (PM 10.790)	21,100	C	25,600	C
7 th Street (PM 10.790) to Rainbow Drive (PM 10.990)	17,500	B	22,100	D

¹ 2010 Average Weekday Daily Traffic (AWDT) derived from Caltrans District 11 Traffic Census Branch Average Annual Daily Traffic (AADT) Volumes.

² 2010 and 2030 Levels of Service are based on sketch level planning analysis and are not to be used for design purposes.

³ 2030 AWDT Volumes based on the SANDAG Regional Transportation Model.

According to the 2012 Caltrans Annual Average Daily Truck Traffic census, there were, on average, 163 five-plus axle trucks per day on SR-75, comprising 8.5% of the average daily truck traffic. SR-75 is designated as part of the National Network for Surface Transportation Assistance Act (STAA) for trucks with the following restriction: no flammables, corrosives, or explosives on Coronado Bay Bridge from toll plaza (PM 20.3) to junction Route 5 (PM 22.3); otherwise the highway is a terminal access route. Trucks carrying restricted loads must access the City of Coronado, the Coronado Naval Amphibious Base, and North Island Naval Air Station by following a southerly route on I-5 then circle back to the north on the SR-75. Any relinquishment would need to consider the current and future needs of vehicles that are restricted on the Coronado Bay Bridge, as well as the need to maintain STAA requirements and terminal

routes. Details of the resolution would be a requirement of the Cooperative Agreement between the City of Imperial Beach and Caltrans in the event that the relinquishment is approved and accepted.

- C) Identify the primary origins and destinations for travel on the route segment in terms of interregional and major regional trips and sub area localized trips as applicable. Identify any primary route segment functions that may impact relinquishment considerations, for example, connectivity to a regional mall, a regional area industrial park, regional airport, and other functions.**

Travel on SR-75 consists of a wide range of local and regional traffic. The Imperial Beach segment is a commuter route for residents to employment centers in the City of Imperial Beach, the City of Coronado, North Island Naval Air Station, and the Coronado Naval Amphibious Base. Many small and medium-size businesses are located along SR-75 and residential areas populate the nearby communities along the SR-75 corridor.

SR-75 within the study limits is an alternate connection from I-5 and points to the north, south, and east to the City of Coronado and Silver Strand State Park. Recreational and tourist trips to these destinations are frequent in the spring and summer months.

- D) Identify any issues with the local agencies request that will or may negatively impact interregional or regional travel and connectivity, inter-modal transfer for freight, and other functions. Identify how the concerns will be addressed. This includes potential local restrictions of truck access and timing for deliveries.**

Given that SR-75 is a STAA Truck Route, an agreement with the City of Imperial Beach will be necessary to maintain terminal access along any potential relinquished portions of the route. No other issues have been identified.

- E) Identify if the relinquishment is expected to cause diversion of interregional and regional trips (including large trucks) to other state routes or local arterials thus creating a potential need for additional improvements to accommodate increased travel demand on the routes.**

A diversion of trucks and increased travel demand are not anticipated beyond local growth and development.

- F) Identify any compatibility issues with the transition created by the proposed relinquishment for the adjoining jurisdiction and any “gaps” created by the relinquishment. For example will a relinquishment terminate at an intersection or mid-way in an identified bikeway segment creating potential traveler confusion or differences in design standards. Identify how compatibility issues will be resolved.**

No gaps or traveler confusion are expected to result from the relinquishment. SR-75 to the south, in the City of San Diego, has similar characteristics to the Imperial Beach segment. The City of San Diego is studying the re-purposing of SR-75. To the north, the context of SR-75 becomes expressway and changes significantly.

- G) Identify any issues with signal coordination and control along the route and existing agreements with local jurisdictions that will need to be modified with the relinquishment. Identify recommended actions to resolve.**

Issues that could arise include a disconnect between Caltrans signal operations on the remaining portions of SR-75 in the City of San Diego. Caltrans will work closely with the City of Imperial Beach throughout the relinquishment process on traffic signal coordination and future ownership of traffic signals.

Traffic signal coordination with the City of San Diego also needs to be addressed as a component of a Cooperative Agreement in the event of a relinquishment.

- H) Identify actions that may be needed to advise interregional travelers and the trucking industry on connecting routes or adjacent route segments if the segment recommended for relinquishment will not accommodate through or connecting trips based on anticipated or known local redesign and development plans.**

No actions are anticipated. Local trucks serving local developments along the relinquished SR-75 will continue to use the relinquished SR-75. Access would still be accommodated.

- I) Identify any Department of Transportation funded studies ongoing or completed that impact the route portion (Environmental Justice, Community Planning, State Planning and Research and others) and related recommendations.**

In 2007, the City of Imperial Beach was awarded a Caltrans Community Based Transportation Planning (CBTP) Grant to create the Palm Avenue Commercial Corridor Master Plan. The resulting \$18.6 million project creates a new “main street” to entice pedestrians, bicyclists, transit users, and drivers to patronize the businesses along Palm Avenue, encourages private investment in the area, and establishes a more defined route to the shoreline. The Imperial Beach City Council unanimously approved the Master Plan in February 2009. Also in February 2009, the Palm Avenue Commercial Corridor Master Plan Traffic Impact Study analyzed potential

modifications to traffic lanes, parking areas, medians, landscaping, sidewalks, crosswalks, curbs, and gutters.

The Master Plan divides Palm Avenue into four sections from Rainbow Drive to 13th Street. Each section – West End Gateway, Park, Mid-Town and East End Gateway – represents a distinct district that will be connected to the others with new landscaping and improved sidewalks, medians, and bike paths. The most significant design changes are planned for the Mid-Town section from Florida to Delaware Streets. The Master Plan proposes keeping two lanes of the highway in each direction for through-traffic and using one lane to access businesses. That lane will be separated from the other two with a median.

Another section that may change is the Park area, from Delaware to 7th Streets. The area is now a mix of odd-shaped medians and traffic islands and a series of diagonal streets and merging lanes. The new design would provide for a better flow of traffic toward a more prominent entrance to the city's Seacoast commercial district.

The proposed changes, including the loss of the one through-lane in the Mid-Town section, narrower intersections, and wider lanes and medians, coupled with more trees and traffic signals that work together will improve traffic movement along this portion of SR-75.

The City of San Diego was recently awarded a CBTP grant that will study similar improvements to SR-75 adjacent to the Imperial Beach segment. These types of studies often support proposed relinquishments.

J) Identify adjacent local agency position(s) on the relinquishment and how they have been coordinated and addressed between jurisdictions.

The City indicated support of this relinquishment evaluation with a letter of interest in having full control of the segment of SR-75 within the City limits. Relinquishment of the Route would allow the City the ability to issue permits to new developments for roadway connections, thereby eliminating the need to obtain State encroachment permits or State involvement.

3. District Coordination with Regional Transportation Planning Agency

A) Identify steps the district has taken to coordinate the relinquishment request with the Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO).

The San Diego Association of Governments (SANDAG) is aware of the historical interest in relinquishment possibilities for SR-75. Discussions and coordination has taken place between the Caltrans, SANDAG and with the City of Imperial Beach. Caltrans will continue to work closely with SANDAG and the City of Imperial Beach throughout the relinquishment negotiation process.

B) Identify the route development strategy in the Regional Transportation Plan and any supportive or contrary recommendations on the relinquishment.

The SANDAG Regional Transportation Plan (RTP) from October 2011 does not include any project proposals on SR-75.

Relinquishment recommendations and/or actual relinquishment of portions of SR-75 will be coordinated closely with SANDAG staff. Another benefit of relinquishment from a funding perspective is that more dollars may potentially be available for improvements to remaining State routes in San Diego County.

C) Identify district actions to provide information and recommendations to the RTPA technical committee and as applicable the policy committee and other applicable groups to educate and inform on state highway issues and coordinate the relinquishment. This should include how the district has worked with the technical advisory committee to encourage consideration of relinquishment of entire routes and route segments that were identified as eligible in the Two Tier analyses from 1995.

SANDAG is aware of the local jurisdictional interests regarding this proposed relinquishment and has met with the Caltrans District 11 Director. Caltrans planning staff also met with former MPO staff when the Two-Tier Highway System was proposed and the potential for relinquishment of Secondary routes was discussed.

D) Identify regional studies on this portion of the route or impacting it and the related recommendations from the studies. Identify if the study recommendations support the relinquishment request.

In 2013, SANDAG awarded a Smart Growth Incentive Program grant in the amount of \$400,000 to the City of Imperial Beach. The award is intended to produce 30% development plans and environmental clearance to begin the implementation of the aforementioned Palm Avenue Commercial Corridor Master Plan. This grant is currently being implemented and discussions are currently on-going between City of Imperial Beach and Caltrans staff regarding design and traffic aspects of the Plan.

- E) In regional areas where State congestion management planning and program statutes apply (counties with an urbanized area or portion of urbanized area) and where the county and cities have not exercised the “opt out” provision, identify district actions to encourage relinquishment of the entire Two Tier route in order to most effectively link local land use decisions to transportation planning and funding decisions across jurisdictions for comprehensive congestion management.**

District 11 views the potential relinquishment of the Imperial Beach segment of SR-75 as an initial move towards a complete relinquishment of the route. The City of San Diego was awarded a CBTP grant to perform a study similar to the Palm Avenue Commercial Corridor Master Plan. This work is viewed as a conceptual plan for the corridor. As the study progresses, the City of San Diego may come to the same conclusion as the City of Imperial Beach regarding relinquishment. The City of Coronado, to the north, has not yet applied for a CBTP grant. However, District 11 staff discussions with the City of Coronado regarding potential relinquishment are on-going.

4. Coordination with State Plans and Programs

- A) Identify any known Plans of other State Agencies, Departments or Public entities impacting the route portion and adjacent portions (Coastal Plans, Coastal Bike Trails and Pedestrian Plans, other plans).**

As previously mentioned, one important issue that needs to be addressed is how a potential relinquishment would impact the neighboring cities of San Diego and Coronado and the Naval stations along SR-75. Specifically, military equipment and hazardous material that cannot cross the Coronado Bay Bridge must be allowed passage along the relinquished segment of SR-75. The need for the City of Imperial Beach to address these concerns and maintain current access will be included in the final Cooperative Agreement between Caltrans and the City of Imperial Beach.

Other than the above issue, no known plans from other State or public entities would impact the proposed relinquishment.

- B) Identify projects that are now programmed or planned on the state highway within the area or in adjacent segments that may be impacted by the relinquishment. Include all programs regardless of funding type (STIP, SHOPP, Local Programs – CMAQ, TEA, RSTP) and include transit capital programs as applicable.**

The only project in the District 11 10-Year SHOPP Needs Plan is route relinquishment.

5. Internal District Coordination

- A) Identify the functional unit in the district and project manager for the relinquishment package and person to call for questions on the system evaluation.**

Transportation System Analysis and Evaluation (TSAE) contact Bill Figge, District 11 Planning Director (619) 688-6681, or Rob Owen, Freight & System Planning Branch Chief at rowen@dot.ca.gov (619) 688-2507.

Relinquishment Project Manager, contact Rob Owen (619) 688-2507.

Relinquishment Project Initiation Development (PID) information, contact Jesus "Chi" Vargas (619) 688-3157.

- B) Identify the responsible unit and individual for coordinating the revised state highway information based on the approved relinquished segment within the district (maintenance, traffic operations, design, other units), to Headquarters Divisions, and for ensuring local enforcement and safety agencies are informed of the status of the change in route status from a state highway to a local road when it occurs.**

Relinquishment Project Manager, Rob Owen (619) 688-2507

Identify functional unit and responsible position in the district for ensuring that the state highway inventory accurately reflects the relinquished segment post miles with final approval.

Rob Owen, Freight & System Planning Branch Chief: rowen@dot.ca.gov or (619) 688-2507.

State Route 75 Transportation System Analysis and Evaluation Signatories

I approve this Transportation System Analysis and Evaluation of the proposed relinquishment of State Route 75 from Georgia St. to just north of Via Silver Strand to the City of Imperial Beach and recommend that Caltrans proceed with the relinquishment process.

Recommend Approval:

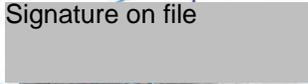
Signature on file


BEL FIGGE Date
Deputy District Director, Planning
Caltrans – District 11

7-8-2014

Recommend Approval:

Signature on file


LAURIE BERMAN Date
District Director
Caltrans – District 11

7/8/14

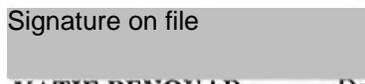
Approved:

Signature on file


BRUCE DE TERRA Date
Chief
Office of System and Freight
Division of Transportation Planning
Caltrans

7-8-14

Signature on file


KATIE BENOVAR Date
Chief
Division of Transportation Planning

7/10/14

August 6, 2014

Laurie Berman
District 11 Director
California Department of Transportation, District 11
4050 Taylor Street
San Diego, CA 92110

SUBJECT: LETTER OF REQUEST – PREPARATION OF A PROJECT SCOPE STUDY REPORT (PSSR) FOR THE POTENTIAL RELINQUISHMENT OF STATE ROUTE 75/PALM AVENUE IN THE CITY OF IMPERIAL BEACH, CA

Dear Ms. Berman:

The City of Imperial Beach (City) is in receipt of and would like to thank District 11 of the California Department of Transportation (Caltrans) for the Final Transportation System Analysis and Evaluation (TSAE) for State Route 75/Palm Avenue (SR 75). As the TSAE found that SR 75 in Imperial Beach would be appropriate for potential relinquishment, the City is now interested in having Caltrans proceed with the preparation of a Project Scope Study Report (PSSR) that would analyze the City's segment of SR 75, inclusive of needed infrastructure improvements and maintenance costs that would form the basis of a negotiated agreement under which a potential relinquishment might occur.

At their meeting on August 6, 2014, our City Council authorized City staff to issue this letter of request to initiate preparation of the PSSR. As the PSSR will be essential for City staff and the City Council to assess and adequately consider the possibility of the relinquishment of the segment of SR 75 within the City, it is understood that this letter constitutes the City's written request only to proceed with the PSSR but does not commit the City to acceptance of the relinquishment of SR 75. The City does desire, however, to continue working with Caltrans to assess the possibility of a relinquishment of SR 75.

The City respectfully requests, therefore, that Caltrans proceed with the preparation of a PSSR as part of its current work plan to continue the assessment of the portion of SR 75 within the City's boundaries for its possible relinquishment to the City.

If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,

Andy Hall
City Manager

C: Jim Janney, Mayor
Greg Wade, Assistant City Manager/Community Development Director
Hank Levien, Public Works Director
Joe Hull, District Chief, Traffic Operations
Bill Figge, Deputy District Director, Planning



AGENDA ITEM NO. 6.1

**STAFF REPORT
CITY OF IMPERIAL BEACH
&
IMPERIAL BEACH REDEVELOPMENT
AGENCY SUCCESSOR AGENCY**

TO: HONORABLE MAYOR AND CITY COUNCIL & CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY

FROM: ANDY HALL, CITY MANAGER/EXECUTIVE DIRECTOR

MEETING DATE: AUGUST 6, 2014

ORIGINATING DEPT.: CITY MANAGER & SUCCESSOR AGENCY

SUBJECT: ADOPTION OF SUCCESSOR AGENCY RESOLUTION NO. SA-14-43 AND CITY COUNCIL RESOLUTION NO. 2014-7510 APPROVING AND RECOMMENDING TO THE OVERSIGHT BOARD APPROVAL OF AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH AS AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED ACTIONS

EXECUTIVE SUMMARY:

The former Redevelopment Agency issued Tax Allocation Bonds in November 2010. During the dissolution of the former Redevelopment Agency, the 2010 Bond Proceeds ("Bond Proceeds") were approved for expenditure on enforceable obligations by the State Department of Finance ("DOF") on Recognized Obligation Payment Schedules ("ROPS") of the Imperial Beach Redevelopment Agency Successor Agency ("Successor Agency"). On April 12, 2013, the DOF issued a Finding of Completion to the Successor Agency authorizing the Successor Agency to expend the Bond Proceeds for their intended purpose. Recently, \$1,274,452 of unallocated Bond Proceeds being held by the Bond Trustee, Wells Fargo, were transferred to the Successor Agency and, on June 4, 2014, were allocated by the City Council to fund the Alley Improvement Project, subject to subsequent approval on a future ROPS. Additionally, Bond Proceeds in the approximate amount of \$400,000 that were previously transferred to the City of Imperial Beach ("City") for specific projects remain unspent and are available to be reallocated toward other projects consistent with the Trust Indenture and the Official Statement and also subject to approval on a ROPS. These funds have been identified as available to assist with development of the Tower23 IB Hotel. Finally, Bond Proceeds of up to \$1.8 million have been allocated to the Bikeway Village project, however, the City has applied for grant funds that, if awarded, may reduce the amount of Bond Proceeds needed for the Bikeway Village project such that additional Bond Proceeds would become available for reallocation to other projects consistent with the Trust Indenture and Official Bond Statement. Staff is recommending that the City and Successor Agency enter into an "Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds" ("Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure on specified projects consistent with the purposes set forth in the Trust Indenture and the Official Statement.

BACKGROUND:

On November 1, 2010 the former Redevelopment Agency and Wells Fargo Bank, National Association ("Trustee") issued 2010 Tax Allocation Bonds in the principal amount of \$21,595,000 ("2010 Tax Allocation Bonds"). Pursuant to the Official Statement for the 2010 Tax Allocation Bonds, the Bond Proceeds are required to be used to provide financing for projects of benefit to the Palm Avenue/Commercial Redevelopment Project Area in accordance with the Redevelopment Plan and the Redevelopment Law. More specifically, the 2010 Tax Allocation Bonds specify that the Bond Proceeds were to be used for a Hotel Redevelopment Project, Street and Alley Improvements, Airfield Property Improvements (i.e., the Bikeway Village project), Palm Avenue Corridor Improvements, City Facility Upgrades, and other projects within or of benefit to the Palm Avenue/Commercial Redevelopment Project Area.

On June 28, 2011, Assembly Bill No.X1 26 (2011-2012 1st Ex. Sess.) ("AB 26") was signed by the Governor of California making certain changes to the Redevelopment Law and to the California Health and Safety Code ("H&S Code"). Pursuant to AB 26, as modified by the California Supreme Court's December 29, 2011 decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies. AB 26 and related H&S Code provisions were subsequently amended. AB 26 and all subsequent amendments are hereinafter referred to as the "Dissolution Act."

On April 12, 2013, the California Department of Finance ("DOF") issued a Finding of Completion to the Successor Agency pursuant to H&S Code Section 34179.7 of the Dissolution Act, which specifically authorizes the Successor Agency to utilize bond proceeds issued prior to January 1, 2011 in a manner consistent with the original bond covenants. H&S Code Section 34191.4(c) of the Dissolution Act provides that once a Finding of Completion has been issued by the DOF, bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the purposes for which the bonds were sold, and bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall be expended in a manner consistent with the original bond covenants. An expenditure made pursuant to H&S Code Section 34191.4(c) shall constitute the creation of excess bond proceeds obligations to be paid from the excess bond proceeds. Excess bond proceeds obligations are required to be listed separately on a Recognized Obligation Payment Schedule ("ROPS") for approval.

ANALYSIS:

As of August 6, 2014, a total amount of \$1,674,452 in bond proceeds ("Bond Proceeds") from the 2010 Tax Allocation Bonds of the Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds. Of this amount, Bond Proceeds in the amount of \$1,274,452 were delivered to the Successor Agency by the Trustee during the ROPS 13-14B period (January to June 2013) for expenditure toward projects consistent with the Trust Indenture and the Official Statement and are currently being held by the Successor Agency. On June 4, 2014, these Bond Proceeds were allocated by the City Council to fund the Alley Improvement Project, subject to subsequent approval of this use of the Bond Proceeds on a future ROPS by the Successor Agency, Oversight Board and DOF. Additionally, Bond Proceeds in the approximate amount of \$400,000 that were previously transferred to the City for expenditure toward specific projects currently remain unspent and are

available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement. These funds have been identified as available to assist with the development of a new hotel in the City. Finally, Bond Proceeds of up to \$1.8 were previously allocated to the Bikeway Village project pursuant to an Owner Participation Agreement. Recently, the City applied for grant funds in the amount of \$1.8 million for this project that, if awarded, may reduce the amount of Bond Proceeds needed for the Bikeway Village project. Staff estimates the up to \$1.4 million of Bond Proceeds could be made available if the grant is awarded making these Bond Proceeds available for reallocation to other projects consistent with the Trust Indenture and Official Bond Statement.

The Successor Agency and the City desire to enter into an "Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds" ("Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds. Under this proposed Agreement, the projects for which the Bond Proceeds are anticipated to be expended include \$1,274,452 for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project (the "Alley Improvement Project"), and approximately \$400,000 for use toward the development of the proposed Tower23 IB Hotel, or for other projects as otherwise permitted by the 2010 Tax Allocation Bonds. Additionally, the Agreement provides for "Potentially Available Bond Proceeds" in the approximate amount of \$1,400,000 that could be made available from up to \$1,800,000 of "Other Bond Proceeds" allocated to the Bikeway Village project if a grant is awarded for that project. If a grant is awarded for the Bikeway Village project, these Potentially Available Bond Proceeds could become available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement.

Pursuant to H&S Code Sections 34178(a) and 34180(h) of the Dissolution Act, the Successor Agency may enter into such an Agreement with the City upon obtaining the approval of the Oversight Board. As such, if the Successor Agency approves the Agreement, Successor Agency staff will submit the Agreement to the Oversight Board for consideration of approval at the Oversight Board meeting scheduled for August 13, 2014. Thereafter, at subsequent meetings of the Successor Agency and Oversight Board, respectively, the Successor Agency and the Oversight Board will each consider the approval of the ROPS 14-15B for the period of January 1, 2015 through June 30, 2015, which will include the expenditure of the Bond Proceeds pursuant to the Agreement as an enforceable obligation. This Agreement will then be subject to approval by the DOF on the ROPS 14-15B.

ENVIRONMENTAL DETERMINATION:

The activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

FISCAL IMPACT:

As noted above, there is \$1,274,452 of Bond 2010 Proceeds available for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project (the "Alley Improvement Project") and approximately \$400,000 for use toward the development the proposed Tower23 IB Hotel, or as otherwise permitted by the 2010 Tax Allocation Bonds. Additionally, "Potentially Available Bond Proceeds" in the approximate

amount of \$1,400,000 could be made available from up to \$1,800,000 of "Other Bond Proceeds" allocated to the Bikeway Village project if a grant is awarded for that project.

RECOMMENDATION:

That the Successor Agency and City Council approve and enter into an Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds (the "Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds by taking the following actions:

1. Successor Agency adoption of Resolution No. SA-14-43 approving and recommending to the Oversight Board approval of the Agreement as an Enforceable Obligation, and approving related actions; and
2. City Council adoption of Resolution No. 2014-7510 approving the Agreement and related actions.

Attachments:

1. Bond Fund Expenditure Agreement
2. Resolution No. SA-14-43
3. Resolution No. 2014-7510

**AGREEMENT
REGARDING RETENTION AND EXPENDITURE OF
BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS**

This Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds (this “**Agreement**”) is dated as of _____, 2014 and is entered into by and between the IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY, a public entity duly created, validly existing and in good standing under the laws of the State of California (the “**Successor Agency**”) and the CITY OF IMPERIAL BEACH, a municipal corporation (the “**City**”). The Successor Agency and the City are hereinafter collectively referred to as the “**Parties**”.

RECITALS

A. Pursuant to authority granted by the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code (the “**H&S Code**”) (the “**CRL**”), the former Imperial Beach Redevelopment Agency, a public body, corporate and politic (the “**Former RDA**”) had the responsibility of implementing the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area, duly adopted by the City Council of the City of Imperial Beach (the “**City Council**”) on February 7, 1996 by Ordinance No. 96-901, as amended by the City Council on July 18, 2001 by the adoption of Ordinance No. 01-970, as further amended by the City Council on December 20, 2006 by the adoption of Ordinance No. 2006-1066, and as further amended by the City Council on March 19, 2008 by the adoption of Ordinance No. 2008-1066 (the “**Redevelopment Plan**”).

B. Pursuant to a Trust Indenture dated as of November 1, 2010 and executed by and between the Former RDA and Wells Fargo Bank, National Association (the “**Trustee**”), the Former RDA issued the 2010 Tax Allocation Bonds (Palm Avenue/Commercial Redevelopment Project), in the aggregate principal amount of \$21,595,000 (the “**2010 Tax Allocation Bonds**”). In connection with the refunding of two loan agreements related to the Tax Allocation Bonds, 2003 Series A (Palm Avenue/Commercial Redevelopment Project), the Trust Indenture was supplemented by a First Supplemental Indenture of Trust dated December 1, 2013 executed by and between the Successor Agency and the Trustee.

C. Pursuant to Page 4 of the Official Statement for the 2010 Tax Allocation Bonds, a true and correct copy of which is attached hereto as Exhibit A and incorporated herein by this reference, the 2010 Tax Allocation Bonds are required to be used to provide financing for projects of benefit to the Palm Avenue/Commercial Redevelopment Project Area in accordance with the Redevelopment Plan and the CRL. More specifically, the 2010 Tax Allocation Bonds are to be used for Hotel Redevelopment Project; Street and Alley Improvements; Airfield Property Improvements; Library Expansion; Palm Avenue Corridor Improvements; City Facility Upgrades; and other projects within or of benefit to

the Palm Avenue/Commercial Redevelopment Project Area in the Former RDA's discretion (the "**Financing Plan**").

D. Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the CRL and to the H&S Code including adding Part 1.8 (commencing with Section 34161) ("**Part 1.8**") and Part 1.85 (commencing with Section 34170) ("**Part 1.85**") to Division 24 of the H&S Code.

E. On December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding AB 26 largely constitutional and reformed certain deadlines set forth in AB 26.

F. Pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Former RDA, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies.

G. Pursuant to Resolution No. 2012-7136, adopted by the City Council on January 5, 2012, the City agreed to serve as the successor agency to the Former RDA upon the dissolution of the Former RDA on February 1, 2012 by operation of law under AB 26.

H. On February 5, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency", the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26 and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency. AB 26 and related H&S Code provisions were subsequently amended. AB 26 and all subsequent amendments are hereinafter referred to as the "**Dissolution Act**".

I. H&S Code Section 34191.4(c) of the Dissolution Act provides that once a finding of completion (a "**FOC**") has been issued by the California Department of Finance (the "**DOF**"), bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the purposes for which the bonds were sold, and bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. An expenditure made pursuant to H&S Code Section 34191.4(c) shall constitute the creation of excess bond proceeds obligations to be paid from the excess bond proceeds. Excess bond proceeds obligations shall be listed separately on a Recognized Obligation Payment Schedule ("**ROPS**").

J. The Successor Agency was issued a FOC by the DOF on April 12, 2013 authorizing the Successor Agency to utilize bond proceeds issued prior to January 1,

2011 in a manner consistent with the original bond covenants pursuant to H&S Code Section 34191.4(c).

K. As of August 6, 2014, a total amount of \$1,674,452 in available bond proceeds (the “**Available Bond Proceeds**”) from the 2010 Tax Allocation Bonds of the Former RDA remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds. Of this amount, certain Available Bond Proceeds in the amount of \$1,274,452 were delivered to the Successor Agency by the Trustee during the ROPS 13-14B period for expenditure toward projects consistent with the Trust Indenture and the Official Statement and are currently retained by the Successor Agency, and certain Available Bond Proceeds in the approximate amount of \$400,000 were previously transferred to the City for expenditure toward a specific project but remain unspent and available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement.

L. In addition, as of August 6, 2014, an approximate amount of \$1,800,000 of other bond proceeds (the “**Other Bond Proceeds**”) from the 2010 Tax Allocation Bonds of the Former RDA remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds and have been allocated for the Bikeway Village project (referred in the Trust Indenture and Official Statement as the Airfield Property Improvements). The Other Bond Proceeds were previously transferred to the City for expenditure toward the Bikeway Village project but remain unspent and may be available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement. The City has applied for grant funds that, if awarded, may reduce the amount of Other Bond Proceeds needed for the Bikeway Village project in the approximate amount of \$1,400,000; such portion of the Other Bond Proceeds that would become available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement upon the awarding of such grant shall be referred to herein as the “**Potentially Available Bond Proceeds**”.

M. The Available Bond Proceeds and the Potentially Available Bond Proceeds shall collectively be referred to herein as the “**Bond Proceeds**”.

N. The Parties desire to enter into this Agreement in order for the City to receive and retain the Bond Proceeds for the City’s use and expenditure of the Bond Proceeds consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds and all applicable covenants therein, and the requirements of the CRL applicable to the expenditure of redevelopment funds. The projects for which the Bond Proceeds are anticipated to be expended include, without limitation, approximately \$1,274,452 for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project, and up to \$1,800,000 (consisting of approximately \$400,000 in Available Bond Proceeds and up to \$1,400,000 in Potentially Available Bond Proceeds) for use toward the development of the proposed Tower23 Hotel, or for other projects as otherwise permitted by the 2010 Tax Allocation Bonds.

O. An oversight board has been established for the Successor Agency (“**Oversight Board**”) and all seven (7) members have been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Code Sections 34179 through 34181 of the Dissolution Act.

P. Pursuant to H&S Code Sections 34178(a) and 34180(h), the Successor Agency may enter into this Agreement with the City upon obtaining the approval of the Oversight Board.

QO. At the Successor Agency meeting scheduled for August 6, 2014, the Successor Agency will consider the approval of this Agreement. Thereafter, at the Oversight Board meeting scheduled for August 13, 2014, the Oversight Board will consider the approval of this Agreement. Thereafter, at subsequent meetings of the Successor Agency and Oversight Board, respectively, the Successor Agency and the Oversight Board will each consider the approval of the ROPS 14-15B for the period of January 1, 2015 through June 30, 2015, which ROPS 14-15B will include the expenditure of the Bond Proceeds pursuant to this Agreement as an enforceable obligation.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. Recitals. The foregoing Recitals are hereby incorporated by reference and made part of this Agreement.
2. Effective Date. This Agreement shall become effective when it is deemed effective in accordance with H&S Code Section 34179(h) (the “**Effective Date**”) and executed by the Parties.
3. Term. The term of this Agreement shall commence on the Effective Date and shall continue in effect until the date that all Bond Proceeds are expended in accordance with the terms, conditions and purposes set forth in this Agreement.
4. Retention and Transfer of Bond Proceeds. Upon the Effective Date, the Successor Agency shall transfer the Bond Proceeds to the City, and the City shall be deemed authorized to retain the Bond Proceeds, and the City shall deposit and hold such funds into a separate Bond Proceeds account for the City’s use in accordance with the terms, conditions and purposes set forth in this Agreement.
5. Use of Bond Proceeds. The City agrees that it shall use the Bond Proceeds solely for the purposes identified in the Recitals above and for projects consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds and all applicable covenants therein, and the requirements of the CRL applicable to the expenditure of redevelopment funds.

6. Project Approvals; Environmental Review. This Agreement is not intended to limit in any manner the discretion of the City in connection with the issuance of approvals and entitlements for the projects described in this Agreement, nor to avoid legally required processes attendant to project approval including, without limitation, the undertaking and completion of any required environmental review pursuant to the California Environmental Quality Act and/or the National Environmental Policy Act, as applicable, and the review and approval of plans and specifications.

7. Severability. If any term, provision, covenant or condition set forth in this Agreement is held by the final judgment of a court of competent jurisdiction to be invalid, void or unenforceable, then the remaining provisions, covenants and conditions shall continue in full force and effect to the extent that the basic intent of the Parties as expressed herein can be accomplished. In addition, the Parties shall cooperate in good faith in an effort to amend or modify this Agreement in a manner such that the purpose of any invalidated or voided provision, covenant or condition can be accomplished to the maximum extent legally permissible.

8. No Third-Party Beneficiaries. Nothing in this Agreement is intended to create any third-party beneficiaries to this Agreement, and no person or entity other than the Successor Agency and the City, and the permitted successors and assigns of either of the Parties, shall be authorized to enforce the provisions of this Agreement.

9. Further Assurances. Each of the Parties agrees to execute, acknowledge and deliver all additional documents and instruments, and to take such other actions as may be reasonably necessary to carry out the intent of the transactions contemplated by this Agreement.

10. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

11. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

12. Amendments. This Agreement may be modified or amended, in whole or in part, only by an instrument in writing executed by the Parties.

[Signatures begin on following page.]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

“SUCCESSOR AGENCY”

IMPERIAL BEACH REDEVELOPMENT
AGENCY SUCCESSOR AGENCY,
a public entity

Dated: _____ By: _____
Name: Andy Hall
Title: Executive Director

ATTEST:

By: _____
Name: Jacqueline M. Hald
Title: Secretary

APPROVED AS TO FORM:

By: _____
Name: Jennifer M. Lyon
Title: Successor Agency Counsel

By: _____
Name: Kendall D. Levan
Kane, Ballmer & Berkman
Title: Successor Agency Special Counsel

[Signatures continue on following page.]

“CITY”

CITY OF IMPERIAL BEACH,
a municipal corporation

Dated: _____

By: _____

Name: Andy Hall
Title: City Manager

ATTEST:

By: _____

Name: Jacqueline M. Hald
Title: City Clerk

APPROVED AS TO FORM:

By: _____

Name: Jennifer M. Lyon
Title: City Attorney

By: _____

Name: Kendall D. Levan
Kane, Ballmer & Berkman
Title: City Special Counsel

Exhibit A

2010 Tax Allocation Bonds Official Statement

[behind this page]

RESOLUTION NO. SA-14-43

A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING, AND RECOMMENDING TO ITS OVERSIGHT BOARD APPROVAL OF, AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH AS AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED ACTIONS

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the Redevelopment Agency had the responsibility of implementing the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area, duly adopted by the City Council of the City ("City Council") on February 7, 1996 by Ordinance No. 96-901, as amended by the City Council on July 18, 2001 by the adoption of Ordinance No. 01-970, as further amended by the City Council on December 20, 2006 by the adoption of Ordinance No. 2006-1066, and as further amended by the City Council on March 19, 2008 by the adoption of Ordinance No. 2008-1066 ("Redevelopment Plan"); and

WHEREAS, pursuant to a Trust Indenture dated as of November 1, 2010 and executed by and between the Redevelopment Agency and Wells Fargo Bank, National Association ("Trustee"), the Redevelopment Agency issued the 2010 Tax Allocation Bonds (Palm Avenue/Commercial Redevelopment Project), in the aggregate principal amount of \$21,595,000 ("2010 Tax Allocation Bonds"). In connection with the refunding of two loan agreements related to the Tax Allocation Bonds, 2003 Series A (Palm Avenue/Commercial Redevelopment Project), the Trust Indenture was supplemented by a First Supplemental Indenture of Trust dated December 1, 2013 executed by and between the Successor Agency (defined below) and the Trustee; and

WHEREAS, pursuant to Page 4 of the Official Statement for the 2010 Tax Allocation Bonds, the 2010 Tax Allocation Bonds are required to be used to provide financing for projects of benefit to the Palm Avenue/Commercial Redevelopment Project Area in accordance with the Redevelopment Plan and the Redevelopment Law. More specifically, the 2010 Tax Allocation Bonds are to be used for Hotel Redevelopment Project; Street and Alley Improvements; Airfield Property Improvements; Library Expansion; Palm Avenue Corridor Improvements; City Facility Upgrades; and other projects within or of benefit to the Palm Avenue/Commercial Redevelopment Project Area in the Redevelopment Agency's discretion ("Financing Plan"); and

WHEREAS, Assembly Bill No.X1 26 (2011-2012 1st Ex. Sess.) ("AB 26") was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code ("H&S Code"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the H&S Code; and

WHEREAS, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former

redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, on February 15, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency," the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26, and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

WHEREAS, H&S Code Section 34179 of AB 26 establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Code Sections 34179 through 34181 of AB 26; and

WHEREAS, AB 26 and related H&S Code provisions were subsequently amended. AB 26 and all subsequent amendments are hereinafter referred to as the "Dissolution Act"; and

WHEREAS, on April 12, 2013, the California Department of Finance ("DOF") issued a Finding of Completion to the Successor Agency pursuant to H&S Code Section 34179.7 of the Dissolution Act, which specifically authorizes the Successor Agency to utilize bond proceeds issued prior to January 1, 2011 in a manner consistent with the original bond covenants pursuant to H&S Code Section 34191.4(c); and

WHEREAS, H&S Code Section 34191.4(c) of the Dissolution Act provides that once a Finding of Completion has been issued by the DOF, bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the purposes for which the bonds were sold, and bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. An expenditure made pursuant to H&S Code Section 34191.4(c) shall constitute the creation of excess bond proceeds obligations to be paid from the excess bond proceeds. Excess bond proceeds obligations shall be listed separately on a Recognized Obligation Payment Schedule ("ROPS"); and

WHEREAS, as of August 6, 2014, a total amount of \$1,674,452 in available bond proceeds ("Available Bond Proceeds") from the 2010 Tax Allocation Bonds of the Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds. Of this amount, certain Available Bond Proceeds in the amount of \$1,274,452 were delivered to the Successor Agency by the Trustee during the ROPS 13-14B period for expenditure toward projects consistent with the Trust Indenture and the Official Statement and are currently retained by the Successor Agency, and certain Available Bond Proceeds in the approximate amount of \$400,000 were previously transferred to the City for expenditure toward a specific project but remain unspent and available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement; and

WHEREAS, in addition, as of August 6, 2014, an approximate amount of \$1,800,000 of other bond proceeds (the "Other Bond Proceeds") from the 2010 Tax Allocation Bonds of the Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds and have been allocated for the Bikeway Village project (referred in the Trust Indenture and Official Statement as the Airfield Property Improvements). The Other Bond Proceeds were previously transferred to the City for expenditure toward the Bikeway Village project but remain unspent and may be available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement. The City has applied for grant funds that, if awarded, may reduce the amount of Other Bond Proceeds needed for the Bikeway Village project in the approximate amount of \$1,400,000; such portion of the Other Bond Proceeds that would become available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement upon the awarding of such grant shall be referred to herein as the "Potentially Available Bond Proceeds"; and

WHEREAS, the Available Bond Proceeds and the Potentially Available Bond Proceeds shall collectively be referred to herein as the "Bond Proceeds"; and

WHEREAS, the Successor Agency and the City desire to enter into an "Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds" ("Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure of the Bond Proceeds consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds and all applicable covenants therein, and the requirements of the Redevelopment Law applicable to the expenditure of redevelopment funds; and

WHEREAS, under the Agreement, the projects for which the Bond Proceeds are anticipated to be expended include, without limitation, approximately \$1,274,452 for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project, and up to \$1,800,000 (consisting of approximately \$400,000 in Available Bond Proceeds and up to \$1,400,000 in Potentially Available Bond Proceeds) for use toward the development of the proposed Tower23 Hotel, or for other projects as otherwise permitted by the 2010 Tax Allocation Bonds; and

WHEREAS, pursuant to H&S Code Sections 34178(a) and 34180(h) of the Dissolution Act, the Successor Agency may enter into the Agreement with the City upon obtaining the approval of the Oversight Board. In this regard, upon the Successor Agency's approval of the Agreement, the Successor Agency will submit the Agreement to the Oversight Board for consideration of approval at the Oversight Board meeting scheduled for August 13, 2014. Thereafter, at subsequent meetings of the Successor Agency and Oversight Board, respectively, the Successor Agency and the Oversight Board will each consider the approval of the ROPS 14-15B for the period of January 1, 2015 through June 30, 2015, which ROPS 14-15B will include the expenditure of the Bond Proceeds pursuant to the Agreement as an enforceable obligation; and

WHEREAS, the activity proposed for approval by this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by this Resolution is an organizational or administrative activity that will not result in a

WHEREAS, in addition, as of August 6, 2014, an approximate amount of \$1,800,000 of other bond proceeds (the "Other Bond Proceeds") from the 2010 Tax Allocation Bonds of the Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds and have been allocated for the Bikeway Village project (referred in the Trust Indenture and Official Statement as the Airfield Property Improvements). The Other Bond Proceeds were previously transferred to the City for expenditure toward the Bikeway Village project but remain unspent and may be available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement. The City has applied for grant funds that, if awarded, may reduce the amount of Other Bond Proceeds needed for the Bikeway Village project in the approximate amount of \$1,400,000; such portion of the Other Bond Proceeds that would become available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement upon the awarding of such grant shall be referred to herein as the "Potentially Available Bond Proceeds"; and

WHEREAS, the Available Bond Proceeds and the Potentially Available Bond Proceeds shall collectively be referred to herein as the "Bond Proceeds"; and

WHEREAS, the Successor Agency and the City desire to enter into an "Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds" ("Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure of the Bond Proceeds consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds and all applicable covenants therein, and the requirements of the Redevelopment Law applicable to the expenditure of redevelopment funds; and

WHEREAS, under the Agreement, the projects for which the Bond Proceeds are anticipated to be expended include, without limitation, approximately \$1,274,452 for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project, and up to \$1,800,000 (consisting of approximately \$400,000 in Available Bond Proceeds and up to \$1,400,000 in Potentially Available Bond Proceeds) for use toward the development of the proposed Tower23 Hotel, or as otherwise permitted by the 2010 Tax Allocation Bonds; and

WHEREAS, pursuant to H&S Code Sections 34178(a) and 34180(h) of the Dissolution Act, the Successor Agency may enter into the Agreement with the City upon obtaining the approval of the Oversight Board. In this regard, upon the Successor Agency's approval of the Agreement, the Successor Agency will submit the Agreement to the Oversight Board for consideration of approval at the Oversight Board meeting scheduled for August 13, 2014. Thereafter, at subsequent meetings of the Successor Agency and Oversight Board, respectively, the Successor Agency and the Oversight Board will each consider the approval of the ROPS 14-15B for the period of January 1, 2015 through June 30, 2015, which ROPS 14-15B will include the expenditure of the Bond Proceeds pursuant to the Agreement as an enforceable obligation; and

WHEREAS, the activity proposed for approval by this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by this Resolution is an organizational or administrative activity that will not result in a

direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines;
and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The Successor Agency determines that the foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The Successor Agency determines that the proposed use and expenditure of the Bond Proceeds under the Agreement are consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds, and that there are sufficient Bond Proceeds available for the designated purposes.
- Section 3.** The Successor Agency approves, and recommends to its Oversight Board approval of, the Agreement between the Successor Agency and the City as an enforceable obligation.
- Section 4.** The Successor Agency authorizes and directs, and recommends to its Oversight Board that it authorize and direct, the Executive Director of the Successor Agency or designee (i) to take all actions and to execute any and all documents, instruments, and agreements necessary or desirable on behalf of the Successor Agency, as approved by the Executive Director and the Successor Agency General Counsel, including without limitation the Agreement, in order to implement and effectuate the Agreement and all other actions approved by this Resolution, including, without limitation, approving changes, implementations, or revisions to documents, instruments, and agreements as determined necessary by the Executive Director, or designee; (ii) to administer the Successor Agency's obligations, responsibilities, and duties to be performed pursuant to this Resolution and all documents, instruments, and agreements required by the Agreement; (iii) to include the expenditure of the Bond Proceeds pursuant to this Agreement on the ROPS 14-15B as an enforceable obligation; and (iv) to provide such notifications as required by the Dissolution Act.
- Section 5.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that its board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- Section 6.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any constitutional, legal or equitable rights that the Successor Agency may have to challenge, through any administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Act, any determinations rendered or

actions or omissions to act by any public agency or government entity or division in the implementation of the Dissolution Act, and any and all related legal and factual issues, and the Successor Agency expressly reserves any and all rights, privileges, and defenses available under law and equity.

Section 7. The Successor Agency determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

Section 8. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 6th day of August 2014, by the following vote:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

RESOLUTION NO. 2014-7510

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH APPROVING AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH, AND APPROVING RELATED ACTIONS

WHEREAS, the Imperial Beach Redevelopment Agency (“Redevelopment Agency”) was a redevelopment agency in the City of Imperial Beach (“City”), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (“Redevelopment Law”); and

WHEREAS, the Redevelopment Agency had the responsibility of implementing the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area, duly adopted by the City Council of the City (“City Council”) on February 7, 1996 by Ordinance No. 96-901, as amended by the City Council on July 18, 2001 by the adoption of Ordinance No. 01-970, as further amended by the City Council on December 20, 2006 by the adoption of Ordinance No. 2006-1066, and as further amended by the City Council on March 19, 2008 by the adoption of Ordinance No. 2008-1066 (“Redevelopment Plan”); and

WHEREAS, pursuant to a Trust Indenture dated as of November 1, 2010 and executed by and between the Redevelopment Agency and Wells Fargo Bank, National Association (“Trustee”), the Redevelopment Agency issued the 2010 Tax Allocation Bonds (Palm Avenue/Commercial Redevelopment Project), in the aggregate principal amount of \$21,595,000 (“2010 Tax Allocation Bonds”). In connection with the refunding of two loan agreements related to the Tax Allocation Bonds, 2003 Series A (Palm Avenue/Commercial Redevelopment Project), the Trust Indenture was supplemented by a First Supplemental Indenture of Trust dated December 1, 2013 executed by and between the Successor Agency (defined below) and the Trustee; and

WHEREAS, pursuant to Page 4 of the Official Statement for the 2010 Tax Allocation Bonds, the 2010 Tax Allocation Bonds are required to be used to provide financing for projects of benefit to the Palm Avenue/Commercial Redevelopment Project Area in accordance with the Redevelopment Plan and the Redevelopment Law. More specifically, the 2010 Tax Allocation Bonds are to be used for Hotel Redevelopment Project; Street and Alley Improvements; Airfield Property Improvements; Library Expansion; Palm Avenue Corridor Improvements; City Facility Upgrades; and other projects within or of benefit to the Palm Avenue/Commercial Redevelopment Project Area in the Redevelopment Agency’s discretion (“Financing Plan”); and

WHEREAS, Assembly Bill No.X1 26 (2011-2012 1st Ex. Sess.) (“AB 26”) was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code (“H&S Code”), including adding Part 1.8 (commencing with Section 34161) (“Part 1.8”) and Part 1.85 (commencing with Section 34170) (“Part 1.85”) to Division 24 of the H&S Code; and

WHEREAS, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, on February 15, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency," the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26, and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

WHEREAS, H&S Code Section 34179 of AB 26 establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Code Sections 34179 through 34181 of AB 26; and

WHEREAS, AB 26 and related H&S Code provisions were subsequently amended. AB 26 and all subsequent amendments are hereinafter referred to as the "Dissolution Act"; and

WHEREAS, on April 12, 2013, the California Department of Finance ("DOF") issued a Finding of Completion to the Successor Agency pursuant to H&S Code Section 34179.7 of the Dissolution Act, which specifically authorizes the Successor Agency to utilize bond proceeds issued prior to January 1, 2011 in a manner consistent with the original bond covenants pursuant to H&S Code Section 34191.4(c); and

WHEREAS, H&S Code Section 34191.4(c) of the Dissolution Act provides that once a Finding of Completion has been issued by the DOF, bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the purposes for which the bonds were sold, and bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. An expenditure made pursuant to H&S Code Section 34191.4(c) shall constitute the creation of excess bond proceeds obligations to be paid from the excess bond proceeds. Excess bond proceeds obligations shall be listed separately on a Recognized Obligation Payment Schedule ("ROPS"); and

WHEREAS, as of August 6, 2014, a total amount of \$1,674,452 in available bond proceeds ("Available Bond Proceeds") from the 2010 Tax Allocation Bonds of the Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds. Of this amount, certain Available Bond Proceeds in the amount of \$1,274,452 were delivered to the Successor Agency by the Trustee during the ROPS 13-14B period for expenditure toward projects consistent with the Trust Indenture and the Official Statement and are currently retained by the Successor Agency, and certain Available Bond Proceeds in the approximate amount of \$400,000 were previously transferred to the City for expenditure toward a specific project but remain unspent and available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement; and

WHEREAS, in addition, as of August 6, 2014, an approximate amount of \$1,800,000 of other bond proceeds (the "Other Bond Proceeds") from the 2010 Tax Allocation Bonds of the

Redevelopment Agency remain to be spent pursuant to the Trust Indenture and Official Statement of the 2010 Tax Allocation Bonds and have been allocated for the Bikeway Village project (referred in the Trust Indenture and Official Statement as the Airfield Property Improvements). The Other Bond Proceeds were previously transferred to the City for expenditure toward the Bikeway Village project but remain unspent and may be available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement. The City has applied for grant funds that, if awarded, may reduce the amount of Other Bond Proceeds needed for the Bikeway Village project in the approximate amount of \$1,400,000; such portion of the Other Bond Proceeds that would become available to be reallocated toward different projects consistent with the Trust Indenture and the Official Statement upon the awarding of such grant shall be referred to herein as the "Potentially Available Bond Proceeds"; and

WHEREAS, the Available Bond Proceeds and the Potentially Available Bond Proceeds shall collectively be referred to herein as the "Bond Proceeds"; and

WHEREAS, the Successor Agency and the City desire to enter into an "Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bonds" ("Agreement") in order for the City to receive and retain the Bond Proceeds for the City's use and expenditure of the Bond Proceeds consistent with the purposes set forth in the Trust Indenture and the Official Statement for the 2010 Tax Allocation Bonds and all applicable covenants therein, and the requirements of the Redevelopment Law applicable to the expenditure of redevelopment funds; and

WHEREAS, under the Agreement, the projects for which the Bond Proceeds are anticipated to be expended include, without limitation, approximately \$1,274,452 for use toward the improvement of fourteen (14) unpaved alleys within the Palm Avenue/Commercial Redevelopment Project, and up to \$1,800,000 (consisting of approximately \$400,000 in Available Bond Proceeds and up to \$1,400,000 in Potentially Available Bond Proceeds) for use toward the development of the proposed Tower23 Hotel, or for other projects as otherwise permitted by the 2010 Tax Allocation Bonds; and

WHEREAS, pursuant to H&S Code Sections 34178(a) and 34180(h) of the Dissolution Act, the Successor Agency may enter into the Agreement with the City upon obtaining the approval of the Oversight Board. In this regard, upon the Successor Agency's and the City's approval of the Agreement, the Successor Agency will submit the Agreement to the Oversight Board for consideration of approval at the Oversight Board meeting scheduled for August 13, 2014. Thereafter, at subsequent meetings of the Successor Agency and Oversight Board, respectively, the Successor Agency and the Oversight Board will each consider the approval of the ROPS 14-15B for the period of January 1, 2015 through June 30, 2015, which ROPS 14-15B will include the expenditure of the Bond Proceeds pursuant to the Agreement as an enforceable obligation; and

WHEREAS, the activity proposed for approval by this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

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

- Section 1.** The City Council determines that the foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The City Council approves the Agreement between the Successor Agency and the City and accepts all obligations of the City set forth in the Agreement.
- Section 3.** The City Council authorizes and directs the City Manager of the City or designee (i) to take all actions and to execute any and all documents, instruments, and agreements necessary or desirable on behalf of the City, as approved by the City Manager and the City Attorney, including without limitation the Agreement, in order to implement and effectuate the Agreement and all other actions approved by this Resolution, including, without limitation, approving changes, implementations, or revisions to documents, instruments, and agreements as determined necessary by the City Manager, or designee; and (ii) to administer the City's obligations, responsibilities, and duties to be performed pursuant to this Resolution and all documents, instruments, and agreements required by the Agreement.
- Section 4.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- Section 5.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the City of any constitutional, legal or equitable rights that the City or the Successor Agency may have to challenge, through any administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Act, any determinations rendered or actions or omissions to act by any public agency or government entity or division in the implementation of the Dissolution Act, and any and all related legal and factual issues, and the City expressly reserves any and all rights, privileges, and defenses available under law and equity.
- Section 6.** The City Council determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.
- Section 7.** This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the City of Imperial Beach at its meeting held on the 6th day of August 2014, by the following vote:

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

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK