

AGENDA



CITY OF IMPERIAL BEACH TIDELANDS ADVISORY COMMITTEE Council Chambers 825 Imperial Beach Blvd. Imperial Beach, CA 91932 November 12, 2013 3:00 P.M.

NOTICE TO THE PUBLIC

SPEAKERS ARE REQUESTED TO COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE SECRETARY. "REQUEST TO SPEAK" FORMS ARE LOCATED IN THE BACK OF THE COUNCIL CHAMBERS. PERSONS ADDRESSING THE COMMITTEE ARE LIMITED TO THREE (3) MINUTES.

AMERICANS WITH DISABILITIES ACT

THE TIDELANDS ADVISORY COMMITTEE IS ENDEAVORING TO BE IN TOTAL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. IF YOU REQUIRE ASSISTANCE OR AUXILIARY AIDS IN ORDER TO PARTICIPATE AT TAC MEETINGS, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT (619) 628-1356 AS FAR IN ADVANCE OF THE MEETING AS POSSIBLE. FOR INDIVIDUALS WITH HEARING AND VOICE IMPAIRMENTS, PLEASE UTILIZE THE CALIFORNIA RELAY SERVICE. (TT) 1-800-735-2929 / (VOICE) 1-800-735-2922.

1. CALL TO ORDER

Roll call:

Michele Dedina, Chairperson
Mary Doyle, Vice Chairperson
Veronica Archer
Joseph Ellis
David Van de Water

2. CONSENT CALENDAR

*All matters listed under Consent Calendar are considered to be routine by the Tidelands Advisory Committee, and will be enacted by one motion. There will be no separate discussion of these items, unless a Board member or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. **Roll Call Vote Required.***

2.1 MOTION TO APPROVE MINUTES OF THE OCTOBER 14 2013, REGULAR MEETING

3. PUBLIC COMMENTS

The public may address the Committee for up to three (3) minutes on any subject within the Tidelands Advisory Committee's jurisdiction. There will be no discussion, and the Board may only request that an item be placed on a future agenda.

Any writings or documents provided to a majority of the Tidelands Advisory Council 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.

4. BUSINESS FROM COMMUNITY DEVELOPMENT

**4.1 PORT OF SAN DIEGO POND 20 FENCE REPLACEMENT ALONG PALM AVENUE/
STATE ROUTE 75**

6. INFORMATIONAL ITEMS/REPORTS/OLD BUSINESS

7. NEW BUSINESS FROM COMMITTEE MEMBERS

8. ADJOURNMENT

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF IMPERIAL BEACH

AFFIDAVIT OF POSTING

I, Tina Barclay, Recording Secretary to the Tidelands Advisory Committee of the City of Imperial Beach, hereby certify that a notice of this meeting was mailed and posted on Friday, November 8, 2013. Said meeting to be held at 3:00 p.m., Monday, November 12, 2013, at the Council Chambers, 825 Imperial Beach Blvd., Imperial Beach, California. Said notice was posted at the entrance to the Council Chambers and inside City Hall.

DATE: NOVEMBER 8, 2013

/s/

Tina Barclay, Recording Secretary

DRAFT

**REGULAR MEETING MINUTES OF THE
REGULAR MEETING MINUTES OF THE
TIDELANDS ADVISORY COMMITTEE
CITY OF IMPERIAL BEACH
October 14, 2103
City Council Chambers
825 Imperial Beach Blvd.
Imperial Beach, California 91932**

1. CALL TO ORDER

Staff Wade called the meeting to order at 3:03 p.m.

2. ROLL CALL BY SECRETARY

PRESENT:

Veronica Archer, Michel Dedina, Mary Doyle, David Van de Water

ABSENT: Joseph Ellis

STAFF PRESENT: Greg Wade, Assistant City Manager/Community Development
Director

Lisa Foster, City Attorney

Tina Barclay, Recording Secretary

Jacqueline Hald, City Clerk

3. PUBLIC COMMENTS:

Mayor Janney welcomed all the new committee members.

4. REPORTS

**A. INTRODUCTIONS AND ADMINISTER OATHS OF OFFICE TO TIDELANDS
ADVISORY COMMITTEE MEMBERS**

Each member introduced themselves and then Jacqueline Hald gave oath of office to members.

**B. SELECTION OF A CHAIR AND DESIGNATION OF THE TIME AND PLACE FOR
HOLDING MEETINGS.**

Recommendation:

1. Select a chair for the Tidelands Advisory Committee;

Member Archer made motion to nominate Member Dedina as chair, 2nd by Member Doyle, passed unanimously.

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2. Discuss the merits of a vice chair and, if desired, select a vice chair; and

Member Doyle volunteered to be vice chair, 2nd by Member Dedina, passed unanimously.

3. Designate a time and place to hold meetings of the Tidelands Advisory Committee
A motion was made by Member Van de Water to hold all meetings the 2nd Monday of each month, @ 3:00 pm. 2nd by Member Doyle, passed unanimously.

C. PRESENTATION ON KEY LEGAL ISSUES FOR BOARD AND COMMISSION MEMEBERS INCLUDING ECONOMIC DISCLOSURES (FORM 700), CONFLICTS OF INTEREST AND THE BROWN ACT.

* No staff report.

City Attorney Foster: Works with conflict of interest work with firm. Touched on the points of legal issues for board and commission members, Form 700, Conflicts of Interest and the Brown Act.

Van de Water expressed concern of two members living on Seacoast Drive – would they have to recuse selves from items such as sand replenishment. Attorney Foster stated there are ways to handle that issue if it affected a quorum.

Form 700 Is required – do have reduced scope of disclosure. Any questions can be answered and help can be given by City Clerk or City Attorney's office. Goes to City Clerk, and available for public inspection.

Conflicts of Interest: Preclude from participating in a decision if it impact board member's *economic* interests. 50 foot rule – own property within the 500 foot rule will be disqualified from voting on that decision. Must publicly disclose conflict when item comes up at meeting. Best practice to recuse self from item at meeting and leave the room during the item. No discussion of item with staff and /or fellow board members.

Ethics Training: Needs to be completed within a year of taking office.

Brown Act: Part of State Government code. Be open and available to public. Three or more members speaking of business at same time and place. Cannot have a series of contact, email, phone, etc. Meeting exceptions: Individual contacts. Attendance at other meetings, social events, community event, etc. Agenda requirements – 72 hour advance posting of agendas for regular meetings, 24 hour advance posting of special meeting agendas. Must specify time and place of meeting. Must contain brief descript-

Item No. 4.C

tion of each item of business to be discussed. Prohibited to discussing items not on agenda. Can ask staff to put an item on a future agenda.

Question came up regarding teleconference meetings – needs to be posted in advance, public can participate from the location of teleconference (such as home, hotel room if on vacation) – also need to do roll call vote. Need a quorum present at meeting.

DUE PROCESS AND EX PARTE CONTACT: Decision maker must hear all evidence Decision maker must not be biased or prejudge matter. Decision based on substantial evidence.

D. PRESENTATION ON PORT PROJECTS.

* No staff report

Staff Wade discussed some of past projects and some that anticipate may be coming forward. Coastal and Tidelands related (Port) and projects that affect adjacent wetlands. Beach re-nourishment, Palm Avenue and Carnation street ends, Seacoast Inn. Environmental, private and Port projects. Date Street End project. and remaining Imperial Beach street ends. This is in the Port Master Plan, to improve street ends between Palm Avenue and Imperial Beach Blvd. When ready for review, will bring to TAC for review and recommendations. Another project recommended for funding – study feasibility of public restroom in south Seacoast Drive area. Another project Port is proceeding with is Pond 20 – make frontage at Palm Avenue more esthetically pleasing. This is not in Imperial Beach but would still come to TAC. .Hard to say how “busy” TAC will be. Do have a slew of projects that Port is working on that would come before TAC. Private projects also – Bernardo Shores, Bikeway Village possibly. If it affects wetlands or beach, then it should come before TAC. Hope is that economy will help keep us active.

5. **OLD BUSINESS:** None

6. **NEW BUSINESS:**

Next scheduled meeting date is a holiday. Recording Secretary will contact members for feedback/recommendations for a meeting date of November 12th or November 18th.

Item No. 6.0

7. ADJOURNMENT

MOTION TO ADJOURN THE MEETING MADE BY MEMBER VAN DE WATER
SECOND BY MEMBER DOYLE.

CHAIR DEDINA adjourned the meeting at 4:22 p.m.

APPROVED

ATTEST

Michel Dedina, Chairperson
Tidelands Advisory Committee

Tina Barclay, Recording Secretary

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**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: CHAIR AND MEMBERS OF THE TIDELANDS ADVISORY COMMITTEE

FROM: GREGORY WADE, ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR

MEETING DATE: NOVEMBER 12, 2013

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PORT OF SAN DIEGO POND 20 FENCE REPLACEMENT ALONG PALM AVENUE/STATE ROUTE 75

EXECUTIVE SUMMARY:

The Port of San Diego is proposing aesthetic improvements including the replacement of the chain link fencing at Pond 20 along Palm Avenue/State Route 75. Staff is seeking input and comment from the Tidelands Advisory Committee on proposed concepts for these improvements.

BACKGROUND:

On June 20, 2012, Board of Port Commissioners of the San Diego Unified Port District approved its Fiscal Year 2014-2018 Capital Improvement Program (CIP). Among the projects funded in this CIP was a project to improve the aesthetic appearance of the Pond 20 frontage along Palm Avenue/State Route 75 – the “Pond 20 Short Term Aesthetic Improvements.” Over the past several months, Port staff has been developing concept plans for the replacement of the chain link fence fronting Palm Avenue/State Route 75 along Pond 20. Port staff is now seeking input on the proposed design concepts.

ANALYSIS:

In approving the Fiscal Year 2014-2018 CIP, the Board of Port Commissioners approved \$300,000 for a replacement fence at Pond 20 along Palm Avenue/State Route 75. Conceptual designs for this replacement fence were developed by a Port consultant based upon previous stakeholder input regarding aesthetics, view corridors and community character, as well as safety and maintenance requirements. The proposed fence is intended to protect Pond 20 from wind-blown trash and debris and is also meant to curtail illegal dumping and trespassing. It must also be designed to be visually appealing and require minimal maintenance while also

meeting Caltrans design standards. All proposed design concepts were evaluated and considered using these evaluation criteria.

There are essentially two basic fence design concepts each of which has three distinct design options. The first concept is the "Wave Fence" which incorporates a wave or undulating pattern and is a light blue, PVC-coated, chain link fence and frame. The fence would have two different sizes of mesh opening for variety and design interest and custom bent tubing to enhance the wave pattern. Also included with the Wave Fence could be fabricated silhouettes of coastal and marine life as well as surfboards at key locations. The fence height will vary between four (4) to six (6) feet in height.

The second basic design concept is a Wire Mesh Fence consisting of a straight, black, square-tube, steel frame with stainless steel wire mesh. The fencing would provide four-inch openings to allow views through it to Pond 20 and San Diego Bay. This fence could also include fabricated silhouettes of coastal and marine life as well as surfboards at key locations. The fence height would be five (5) feet in height. Both the Wave Fence and Wire Mesh Fence would provide passing platforms at specified locations to meet Americans with Disabilities Act (ADA) requirements.

The Pone 20 fence replacement project is a collaboration of the Port, the cities of San Diego and Imperial Beach and Caltrans. The Port is seeking feedback on the design concepts. These concepts will also be placed at Imperial Beach's City Hall to solicit additional input from the public.

ENVIRONMENTAL IMPACT:

This project will likely be exempt under CEQA, however, the Port of San Diego would be the lead agency on any environmental review or exemption.

FISCAL IMPACT:

There is no direct fiscal impact to the City of Imperial Beach. The Port has budgeted \$300,000 in its Fiscal Year 2014-2018 CIP for this project.

DEPARTMENT RECOMMENDATION:

Staff recommends that the Tidelands Advisory Committee receive the report and provide comment and input on the Pond 20 fence replacement design concepts for consideration by the City Council and the Port of San Diego.

Attachments:

1. Pond 20 Fence Replacement Design Concepts

WE NEED YOUR FEEDBACK

The Port of San Diego is making improvements to Pond 20 along Palm Avenue and would like your feedback.

In June 2012, the Board of Port Commissioners approved \$300,000 for a replacement fence along Palm Avenue. The area for the fence replacement is shown in the map. Conceptual designs for a replacement fence were developed based on previous stakeholder input regarding aesthetics, view corridors, and community character, as well as safety and maintenance requirements.

The fence protects Pond 20 from wind-blown trash and debris, but also needs to be visually appealing, relatively maintenance free and compliant with Caltrans fence requirements. All fence designs were evaluated and rated against these criteria.

The Pond 20 fence replacement project along Palm Avenue is collaboration between the Port, the Cities of San Diego and Imperial Beach, and Caltrans. The Port welcomes your feedback on the design concepts presented here. If you would like to send us a comment, please fill out a comment card and leave it in the box provided, or send an email to: pond20@portofsandiego.org.

Thank you for your interest in the improvement of Pond 20.



A-1

Consultant Recommended



B-1



A-2



B-2



A-3



B-3

Wave Fence
The fence will incorporate a wave pattern into a custom blue color, PVC coated, chain-link fence and frame. The fence will have two different sizes opening for the mesh for variety and custom bent tubing to enhance the wave pattern. Also, included in the fence could be metal silhouettes such as coastal and marine life or surfboards at key locations. The fence height will vary between 4 to 6 feet.

Based on preliminary stakeholder feedback and safety and maintenance criteria, the Wave design with wildlife silhouettes is the consultant-recommended option.

Wire Mesh Fence
The fence will be black, square-tube, steel frame with stainless steel wire mesh. Four inch openings in the mesh will provide a view of the bay. Included in the fence could be metal silhouettes such as coastal and marine life or surfboards at key locations. The fence height will be 5 feet.