



# A G E N D A

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



MARCH 17, 2010

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

**REGULAR MEETING – 6:00 P.M.**

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

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

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

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

### **PLEDGE OF ALLEGIANCE**

### **AGENDA CHANGES**

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

### **COMMUNICATIONS FROM CITY STAFF**

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

### **PRESENTATIONS (1.1)**

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

City Manager's Recommendation: Present the Recycle All-Star Award Certificate, \$100.00 check and other premiums to Marjorie Petty.

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

#### **2.1 MINUTES.**

City Manager's Recommendation: Approve the minutes of the Workshop Meeting of January 12, 2010 and the Regular City Council Meetings of February 3 and 17, 2010.

**(Continued on Next Page)**

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

**CONSENT CALENDAR (Continued)**

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

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 70508 through 70600 with the subtotal amount of \$771,502.83 and Payroll Checks 42320 through 42361 for the pay period ending 02/25/10 with the subtotal amount of \$144,395.94, for a total amount of \$915,898.77.

**2.3 CASH AND INVESTMENT REPORTS FOR THE QUARTER ENDED DECEMBER 31, 2009. (0300-90 & 0350-90)**

City Manager's Recommendation: Receive and file the Quarterly Investment Reports for the quarter ending December 31, 2009.

**2.4 RESOLUTION NO. 2010-6870 – APPROVING A MODIFICATION TO THE AGREEMENT FOR PROVISION OF SEWER SERVICES AND PAYMENT FOR SERVICES USING THE SANITARY SEWER SYSTEM – 1185 PALM AVENUE – THRIFTY OIL COMPANY. (0830-95)**

City Manager's Recommendation: Adopt resolution.

**2.5 RESOLUTION NO. 2010-6868 – AMENDING CITY MANAGER'S AGREEMENT. (0530-60)**

City Manager's Recommendation: Adopt resolution.

**2.6 RESOLUTION NO. 2010-6865 – DECLARING APRIL AS “ENVIRONMENTAL AWARENESS MONTH” IN THE CITY OF IMPERIAL BEACH. (0230-40)**

City Manager's Recommendation: Adopt resolution.

**2.7 RESOLUTION NO. 2010-6864 – INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S “REPORT” FOR A SPECIAL ASSESSMENT DISTRICT – AD 67M. (0345-10)**

City Manager's Recommendation: Adopt resolution.

**2.8 RESOLUTION NO. 2010-6862 – SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FY 2011. (0830-95)**

City Manager's Recommendation: Adopt resolution, and direct staff to mail a notice of a public hearing time and place to each property owner and also to place the notice in the I.B. Eagle & Times newspaper as described in the staff report.

**2.9 RESOLUTION NO. 2010-6866 – SETTING THE TIME AND PLACE FOR PUBLIC HEARING TO REVIEW THE SETTING OF THE SEWER CAPACITY FEE FOR FY 2011. (0390-55)**

City Manager's Recommendation: Adopt resolution.

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

None.

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

None.

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. 2010-6867 – AMENDING THE MASTER SCHEDULE OF FEES AND CHARGES FOR RENTAL RATES AND OTHER FEES ASSOCIATED WITH THE NEW YOUTH SOCCER FIELD. (0390-55 & 0920-70)**

City Manager's Recommendation:

1. Declare the public hearing open,
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2010-6867.

**REPORTS (6.1 - 6.7)**

**Item No. 6.1 will be discussed at 7:00 p.m. – TIME SPECIFIC**

- 6.1 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION. (0610-95)**  
City Manager’s Recommendation: City Council continue its discussion and provide direction and input on the specific recommendations presented. Staff further recommends that the City Council consider scheduling the proposed Land Use Table and Definitions for discussion at an upcoming City Council meeting and provide any further specific direction on the next steps for consideration of the proposed recommendations.
- 6.2 XERISCAPE LANDSCAPE PROJECT PROPOSAL FOR MARINA VISTA CENTER FRONTAGE OFF 8<sup>TH</sup> STREET. (0230-70 & 0930-10)**  
City Manager’s Recommendation:  
1. Receive report;  
2. Receive presentation from Eagle Scout Candidate Nick Morrell;  
3. Approve the Marina Vista Center Xeriscape Landscape Project as presented or as modified by City Council;  
4. Authorize the City Manager to approve and sign the Eagle Scout Project Application; and  
5. Authorize the City Manager to apply for a Cal Am Water Conservation Grant for the purpose of installing xeriscape at the Marina Vista Center on the 8<sup>th</sup> Street side.
- 6.3 RESOLUTION NO. 2010-6863 – TIME EXTENSION FOR DOS DELMAR/ EDWIN JOHNSON (OWNER)/TIM MONAHAN OF NEWTRAC PACIFIC (APPLICANT)/JEFF FISCHFOGT (ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701. (0600-20).**  
City Manager’s Recommendation:  
1. Receive report; and  
2. Adopt Resolution No. 2010-6863, approving a one-year time extension for Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.
- 6.4 PORT COMMISSIONER APPOINTMENT PROCESS. (0150-70)**  
City Manager’s Recommendation:  
1. Decide whether to use the current or extended process (staff to return to City Council with a resolution for extended process), but in either case appoint a Commissioner no later than October 20, 2010; and  
2. Approve the Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.
- 6.5 REQUEST FOR COUNCIL DIRECTION CONCERNING THE BROADCASTING OF CITY COUNCIL MEETINGS. (0410-95)**  
City Manager’s Recommendation: That the City Council provide direction on broadcasting of City Council meetings.
- 6.6 RESOLUTION NO. R-10-213 – PROPOSED SECOND AMENDMENT TO AGREEMENT WITH EPIC LAND SOLUTIONS, INC. FOR RELOCATION ASSISTANCE SERVICES AT THE 9<sup>TH</sup> AND PALM REDEVELOPMENT PROJECT. (0640-30)**  
City Manager’s Recommendation: Adopt resolution.
- 6.7 RESOLUTION NO. R-10-212 – PROVIDING MATCHING FUNDS TO SOUTH BAY COMMUNITY SERVICES FOR A MULTI-FAMILY AFFORDABLE SOLAR HOUSING PROGRAM GRANT FOR 1360 HEMLOCK AND 1260 CALLA AVENUES. (0640-20)**  
City Manager’s Recommendation: Adopt resolution.

**ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

**ADJOURNMENT**

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

**FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT**

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

Copies of this notice were provided on March 11, 2010 to the City Council, San Diego Union-Tribune, and I.B. Eagle & Times.

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

*AFFIDAVIT OF POSTING*

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, Planning Commission, and Public Financing Authority of Imperial Beach was provided and posted on March 11, 2010. Said meeting to be held at 6:00 p.m., March 17, 2010, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on March 11, 2010 at 2:00 p.m.

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Jacqueline M. Hald, CMC  
City Clerk



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** March 17, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS *HCB*  
**SUBJECT:** RECYCLE ALL-STAR AWARD PRESENTATION

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**BACKGROUND:**

The Recycle All-Star Program is designed to encourage residents to participate in weekly curbside collection of recyclables. Each month, a City inspector canvasses one randomly selected neighborhood on trash day in search of a Recycle All-Star – the residence with the greatest quantity of uncontaminated recyclables placed in its curbside-recycling bin. Winners receive a certificate from the City, a \$100 check from EDCO, and other premiums such as a travel mug, a frisbee, pens, pencils, note pads, and a 100% recycled-content tote bag. During inspection, information tags are placed on non-winning recycling bins to promote the Recycle All-Star Program, to remind residents of what materials are recyclable, and to point out contamination observed in the bins.

**DISCUSSION:**

On March 3, 2010, City inspectors canvassed the 1000 block of Holly Ave in search of a Recycle All-Star. The following resident was selected as the Recycle All-Star for the month of March: Marjorie Petty of 1022 Holly Ave.

The above resident has been notified of his/her award by telephone and letter and invited to accept the Recycle All-Star award at the March 17, 2010 City Council meeting.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

Not a project as defined by CEQA.

**FISCAL ANALYSIS:**

None

**DEPARTMENT RECOMMENDATION:**

Mayor, in company with an EDCO representative, will present the Recycle All-Star award certificate, \$100 check, and other premiums listed above to Marjorie Petty of 1022 Holly Ave.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
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Gary Brown, City Manager



**DRAFT**

**MINUTES**

**CITY OF IMPERIAL BEACH CITY COUNCIL  
REDEVELOPMENT AGENCY  
PUBLIC FINANCING AUTHORITY**

January 12, 2010

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

***WORKSHOP – 5:30 P.M.***

**WORKSHOP MEETING CALL TO ORDER**

MAYOR JANNEY called the Workshop meeting to order at 5:33 p.m.

**ROLL CALL**

Councilmembers present:	McCoy, Bragg, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald; Public Works Director Levien; Finance Director McGrane; Community Development Director Wade; Human Resources Manager Leichtle; Sheriff's Captain Miller; Lifeguard Captain Stabenow

**PUBLIC COMMENT**

None.

**REPORTS**

**1. GOAL SETTING WORKSHOP. (0100-10)**

City Council, along with senior management staff, discussed goals for 2010. Staff to finalize the 2010 goals based on discussion and bring back for Council's consideration at a later date.

**ADJOURNMENT**

The meeting adjourned at 7:30 p.m.

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James C. Janney, Mayor

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Attest:  
Jacqueline M. Hald, CMC  
City Clerk



**DRAFT**

**MINUTES**

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

**FEBRUARY 3, 2010**

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

**SPECIAL AND REGULAR CLOSED SESSION MEETINGS – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.**

**CALL TO ORDER**

MAYOR JANNEY called the Special and Regular Closed Session Meetings to order at 5:30 p.m.

**ROLL CALL**

Councilmembers present: Bragg, Rose  
Councilmembers absent: McCoy  
Mayor present: Janney  
Mayor Pro Tem present: King

Staff present: City Manager Brown; City Attorney Lyon; Deputy City Clerk Wolfson

**CLOSED SESSION**

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

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION/APPOINTMENT**

Pursuant to Government Code Section 54957:  
Title: City Attorney

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:  
Property: 771 Palm Ave., Imperial Beach, CA 91932, APN: 626-250-05  
Agency Negotiator: City Manager  
Negotiating Parties: Wylde Sydes Boutique c/o James Sides  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

Property: 773 Palm Ave., Imperial Beach, CA 91932, APN: 626-250-05  
Agency Negotiator: City Manager  
Negotiating Parties: Hanh Tran dba J&T Nail Salon  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

**MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BRAGG, ROSE, KING, JANNEY  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: MCCOY**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

### **REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

### **ROLL CALL**

Councilmembers present:	Bragg, Rose
Councilmembers absent:	McCoy
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present:	City Manager Brown; City Attorney Lyon; Deputy City Clerk Wolfson
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### **PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

COUNCILMEMBER ROSE requested that Item No. 6.1 be taken immediately after Consent Calendar.

**MOTION BY ROSE, SECOND BY KING, TO TAKE ITEM NO. 6.1 – UPDATE ON THE RELOCATION OF THE IMPERIAL BEACH CERTIFIED FARMERS MARKET IMMEDIATELY AFTER CONSENT CALENDAR. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

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

COUNCILMEMBER BRAGG attended the League of California Cities conference in Sacramento January 21-22; she spoke about the LOCC's efforts to stop the State from raiding local governments' coffers to balance the State budget and its efforts to promote economic stimulus and job creation; she commented that LOCC staff have been getting inquiries from legislative offices on how local agencies regulate chickens in residential areas; she announced that Dave Allan of La Mesa has been elected as the new chair and Casey Tanaka of Coronado as the vice chair for the Heartland Communications JPA Board; and Borrego Springs has opted out of the JPA, but Sycuan has expressed an interest in joining; she spoke about the Relay for Life to be held May 15-16.

MAYOR PRO TEM KING reported on the progress of the Bayshore Bikeway Committee's bridge segment to be done at a later date for bicyclists to get past Navy base entrances at 32<sup>nd</sup> Street; he spoke about the South County Economic Development Council meeting where they discussed the properties at the Chula Vista Nature Interpretative Center and the old Rohr

property, both slated for development; they added there is a potential land swap between the Port of San Diego and Pacifica Companies.

MAYOR JANNEY added that the land swap was approved, as announced at a meeting he and City Manager Brown recently attended; he commented that the Port followed the City's lead and really held Pacifica to a strict set of rules; he will meet with Mr. Israni of Pacifica tomorrow morning to discuss the Seacoast Inn development; he and Councilmember McCoy attended the SANDAG Summit where they discussed how transportation interfaces with land uses.

#### **COMMUNICATIONS FROM CITY STAFF**

CITY MANAGER BROWN spoke about a recent Tijuana River team meeting where they learned that Tijuana has started construction on sediment basin which should help reduce some of the initial flow due to heavy rains; Homeland Security has contracted with private people to revegetate land that had been draining during heavy rains and this will help cut back on some of the silt going to the estuary; he spoke on the recent IBWC meeting where the new commissioner was in attendance and a status report on upgrading the plant to achieve secondary standards, it is hoped that by March 2011 the effluent coming out of it will meet legal requirements.

#### **PUBLIC COMMENT**

TIM O'NEAL thanked the City for its responsiveness to the Palm Avenue street end during the heavy rains and for continuing to monitor the situation; he asked for help with his family's property which encountered some damage.

MAYOR JANNEY also thanked staff for their efforts and their proactiveness before the storm; he commented that discussions have taken place with the Port of San Diego regarding the Palm Avenue street end and hopes that its resolution will also help neighboring property owners.

#### **PRESENTATIONS (1.1)**

##### **1.1 NAVY PRESENTATION ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SILVER STRAND TRAINING COMPLEX. (0620-80)**

CAPTAIN LINDSEY YANCY, of the U.S. Navy, gave a PowerPoint presentation on the draft Environmental Impact Statement that will go forward for the Silver Strand Training Complex; he stressed that tonight's meeting was to have an overview of the project and formal comments must be made through the Navy's website or at the open house to be held in the near future.

MAYOR JANNEY thanked Captain Yancy for the presentation and for involving Imperial Beach.

CAPTAIN YANCY responded to Council's comments regarding the nine-year lag in getting this project done by stating that priorities have changed since 9/11.

**CONSENT CALENDAR (2.1 - 2.5)**

With regard to Item No. 2.3, ALBERT KNECHT expressed concern about the text in the contract referring to the City Attorney's loyalty to the Council and staff, stating the City Attorney should also be loyal to the citizens.

**MOTION BY BRAGG, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.5. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

**2.1 MINUTES.**

Approved the minutes of the Regular City Council Meeting of December 16, 2009.

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

Ratified the following registers: Accounts Payable Numbers 70218 through 70317 with the subtotal amount of \$417,330.40 and Payroll Checks 42179 through 42227 with the subtotal amount of \$144,998.39, for a total amount of \$562,328.79.

**2.3 RESOLUTION NOS. 2010-6848 AND R-10-208 – AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH MCDUGAL, LOVE, ECKIS, BOEHMER & FOLEY TO REDESIGNATE THE CITY ATTORNEY/GENERAL COUNSEL. (0440-30)**

Adopted resolutions.

**2.4 RESOLUTION NO. 2010-6844 – AMENDING JOB DESCRIPTION FOR MAINTENANCE WORKER II. (0510-20)**

Adopted resolution.

**2.5 RESOLUTION NO. 2010-6849 – SALE OF SURPLUS PROPERTY. (0380-45)**

Adopted resolution.

**REPORTS (6.1)**

**6.1 UPDATE ON THE RELOCATION OF THE IMPERIAL BEACH CERTIFIED FARMERS MARKET. (0130-30 & 0600-20)**

Correspondence from the following individuals was submitted as Last Minute Agenda Information.

- Maile Gangel-Kerr
- Rule Cole
- Susan Fuller
- IB Beautiful Board Members to BID Board Members (letter dated 01/29/10)
- IB Beautiful Board Members
- Bob Miller
- Michel Dedina
- Kathleen Burton

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LYON stated that the purpose of tonight is to give an update only on a potential location and to give opportunity to ask questions; as of yet no formal application for the CUP has been submitted or location selected; once it has been submitted, a formal public hearing will be held.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a status report; he reported that staff has been working on a proposed site plan with the farmers market managers and IB Beautiful to address parking and tenant issues.

MAYOR JANNEY acknowledged the number of farmers market supporters in attendance at tonight's meeting; he discussed the process that needs to be gone through; and he thanked staff for their hard work.

DEANNA ROSE, Farmers Market Manager, introduced David Ellis.

DAVID ELLIS, of IB Beautiful, thanked the supporters in attendance; he requested assistance with the cost of the Conditional Use Permit and/or support in obtaining a temporary business permit (additional speaking time donated by Jill Linder and Michelle Edlin).

DEANNA ROSE thanked City staff for their hard work; she asked for support in bringing to Pier Plaza; she asked the City for help with the CUP and business permits; she expressed concern that vendors are losing interest in participating in this farmers market while a new location is selected.

FABRICE GAUNIN, of Cow-A-Bunga Ice Creamery, supported the Pier Plaza location due to food vendors already there, seating, and pier scenery.

Council discussion ensued regarding the number of supporters; the process that needs to be gone through, including working with the Port and County of San Diego; supporting the location in concept only and the use of public lands for the farmers market; and allowing temporary outdoor sales permits or special event permits.

COMMUNITY DEVELOPMENT DIRECTOR WADE commented that staff brought forward the idea of issuing temporary outdoor sales permits until a final permit could be obtained; however, the municipal code only allows four temporary outdoor sales permits per year and that the County's Department of Environmental Health permits need to be obtained first; he responded to Council's questions regarding the CUP process and the public hearing process; he added that the Port also requires permits that need to be secured prior to issuing any outdoor sales permits.

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

**3.1 ORDINANCE NO. 2010-1097 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION. (0770-95)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item

TIM O'NEAL asked how this ordinance affects personal property flood damage caused by mitigation efforts of property owners.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded that this ordinance regulates development on private property and helps the City reduce the potential for flood damage; it does not cover debris in the ocean that damages property; it allows the City to participate in insurance programs; he responded to Council by stating that we are eligible for FEMA assistance by being active participants in the program; he addressed concerns of Council and gave a PowerPoint presentation at this time showing the 500-year and 100-year floodplain areas.

MAYOR JANNEY closed the public hearing and called for the reading of the title of Ordinance No. 2010-1097.

DEPUTY CITY CLERK WOLFSON read the title of Ordinance No. 2010-1097, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION."

**MOTION BY KING, SECOND BY BRAGG, TO WAIVE FURTHER READING AND DISPENSE INTRODUCTION BY TITLE ONLY, AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING OF FEBRUARY 17, 2010. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

**4.1 ORDINANCE NO. 2010-1096 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 8.30.030 (DEFINITION OF “PRIORITY DEVELOPMENT PROJECT CATEGORY”) AND CHAPTER 8.32 (STANDARD URBAN STORMWATER MITIGATION PLAN (SUSMP)) OF THE IMPERIAL BEACH MUNICIPAL CODE. (0770-85)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1096.

DEPUTY CITY CLERK WOLFSON read the title of Ordinance No. 2010-1096, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING SECTION 8.30.030 (DEFINITION OF “PRIORITY DEVELOPMENT PROJECT CATEGORY”) and CHAPTER 8.32 (STANDARD URBAN STORMWATER MITIGATION PLAN (SUSMP)) OF THE IMPERIAL BEACH MUNICIPAL CODE."

**MOTION BY ROSE, SECOND BY KING, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2010-1096 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

**PUBLIC HEARINGS (5.1 - 5.2)**

**5.1 JOHN HAUPT (APPLICANT/OWNER); A REGULAR COASTAL PERMIT (CP 080061), DESIGN REVIEW CASE (DRC 080062), AND SITE PLAN REVIEW (SPR 080063) FOR THE CONSTRUCTION OF A ROOF OVER AN EXISTING SECOND FLOOR DECK OF A COMMERCIAL UNIT (BEACH CLUB GRILLE DBA SAM'S HAPPY CHEF) OF A MIXED-USE CONDOMINIUM COMPLEX LOCATED AT 710 SEACOAST DRIVE #F (APN 625-182-10-51) IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 1000. (0600-20)**

COUNCILMEMBER BRAGG announced that she has not worked at the Grille since November and requested the opportunity to participate in this discussion.

CITY ATTORNEY LYON clarified that she must disqualify herself from the item until a year has passed since she received income.

COUNCILMEMBER BRAGG left Council Chambers at 7:27 p.m.

MAYOR PRO TEM KING announced he had ex parte communications with the applicant on this item.

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

ASSOCIATE PLANNER FOLTZ gave a PowerPoint presentation on the item; he commented that the Design Review Board recommended skylights, which may be nice for their aesthetic appeal but would require maintenance, and staff has not made requirement for skylights.

Discussion ensued regarding the skylights, the potential heat generated by installing skylights, floor-to-ceiling height requirements, and height limit requirements; it was noted that the 15-foot indoor ceiling height requirement only applied to the first floor of commercial space.

JOHN HAUPT, applicant, commented that the minimum height of the project would be eight feet, but he would not exceed the height limit; he stated the roof will have just enough slope to carry rainfall and the interior roof would be sloping; he spoke of the desire to enclose the patio so it can remain open year round; and added that his is the only beach-view restaurant in I.B. (additional speaking time donated by Tim O'Neal).

STEVE FUTTERMAN spoke in support of the project.

GARY SHASKY spoke in support of the item.

JESSI SITAR spoke in support of the item.

SHARON CHAVARRY spoke in support of the item.

JENNETH LANTZ spoke in support of the item.

JAN KOONTZ spoke in support of the item.

AVEDIS APOSTALO spoke in support of the item.

MAYOR JANNEY closed the public hearing.

COUNCILMEMBER ROSE expressed concern about the small space which may get too hot and she suggested the applicant look at other ways to open the bottom row of windows to open; she expressed her opposition to skylights.

**MOTION BY KING, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6845 AS PRESENTED BY STAFF, APPROVING REGULAR COASTAL PERMIT (CP 080061), DESIGN REVIEW CASE (DRC 080062), AND SITE PLAN REVIEW (SPR 080063), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

## **5.2 FIVE-YEAR IMPLEMENTATION PLAN. (0640-80)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

**MOTION BY BRAGG, SECOND BY KING, TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING OF FEBRUARY 17, 2010 AT 6:00 P.M. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

## **REPORTS (6.1 - 6.3)**

### **6.2 RESOLUTION NO. 2010-6847 – ACCEPTING THE PALM AVENUE LOW FLOW URBAN RUNOFF DIVERSION PROJECT FINAL REPORT. (0770-10)**

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item.

City Council voiced their appreciation for staff in obtaining the grants for construction of the diverter.

**MOTION BY BRAGG, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6847 – ACCEPTING THE FINAL REPORT FOR THE PALM AVENUE LOW FLOW URBAN RUNOFF DIVERSION PROJECT. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

**6.3 RESOLUTION NO. 2010-6846 – APPROVING FY 2008-09 ANNUAL REPORTS FOR THE SAN DIEGO BAY AND THE TIJUANA RIVER WATERSHED URBAN RUNOFF MANAGEMENT PROGRAMS. (0770-87)**

Annual Reports for the San Diego Bay and Tijuana River Watershed Urban Runoff Management Programs were submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item; he spoke about the collaborative efforts by the cities to prepare these reports.

Council expressed appreciation for the hard work and the time expended by staff and other cities on this item.

**MOTION BY BRAGG, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6846 – APPROVING FISCAL YEAR 2008-09 ANNUAL REPORTS FOR THE TIJUANA RIVER AND SAN DIEGO BAY WATERSHED URBAN RUNOFF MANAGEMENT PROGRAMS. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY</b>

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:18 p.m.

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James C. Janney, Mayor

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Lisa Wolfson, CMC  
Deputy City Clerk



**DRAFT**

**MINUTES**

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

**FEBRUARY 17, 2010**

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

**CLOSED SESSION MEETING – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.**

**CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:30 p.m.

**ROLL CALL**

Councilmembers present: Bragg, McCoy, Rose  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**CLOSED SESSION**

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the Closed Session item related to Seacoast Inn due to the location of her previous employment and, therefore, recused herself from discussion on the item.

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

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION/APPOINTMENT**

Pursuant to Government Code Section 54957:  
Title: City Manager

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:  
Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN: 625-262-01-00  
Agency Negotiator: City Manager  
Negotiating Parties: Imperial Coast Limited Partnership  
Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:06 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

**REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:07 p.m.

**ROLL CALL**

Councilmembers present: Bragg, McCoy, Rose  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

**PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

**AGENDA CHANGES**

Consensus of City Council to pull Item No. 3.1 – ADOPTION OF URGENCY ORDINANCE NO. 2010-1099 AND FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1100 AMENDING SECTION 9.08.050 PERTAINING TO JUVENILE CURFEW from the agenda and bring it back for City Council consideration on a future agenda.

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

COUNCILMEMBER BRAGG reported that at the recent League of California Cities Luncheon Meeting they received a presentation on an initiative measure to be submitted to the voters prohibiting the State from taking funds from cities used for transportation or local government projects and services; she thanked Sheriff's Captain Miller for handling a large motorcycle rally that came to town without any incidents; and she announced the recent passing of Fay Sullivan, who was a business owner in I.B. since 1943.

COUNCILMEMBER ROSE announced the Imperial Beach Business Improvement District along with the Imperial Beach Chamber of Commerce and City of Imperial Beach will hold the Imperial Beach Business Expo on March 18.

MAYOR PRO TEM KING reported on his attendance at the State of the County of San Diego Address.

**COMMUNICATIONS FROM CITY STAFF**

None.

**PUBLIC COMMENT**

JUNE ENGEL announced she is no longer the closing supervisor at the Jacumba Library branch; and she reported that the library has established a Flicker account where photos of special events are posted and available for viewing.

**PRESENTATIONS (1.1)**

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

MAYOR JANNEY presented the Recycle All-Star Award Certificate and other premiums to Don and Lois Wallace.

MARCO TOPETE, of EDCO, presented the \$100.00 check to Mr. and Mrs. Wallace.

**CONSENT CALENDAR (2.1 - 2.5)**

COUNCILMEMBER MCCOY announced she had a potential business conflict of interest on Item No. 2.4 due to the location of the project and, therefore, recused herself from voting on this item.

**MOTION BY ROSE, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.3 AND 2.5. MOTION CARRIED UNANIMOUSLY.**

**WITH REGARD TO ITEM NO. 2.4, MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

**2.1 MINUTES.**

Approved the minutes of the Regular City Council Meeting of January 20, 2010.

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

Ratified the following registers: Accounts Payable Numbers 70318 through 70416 with the subtotal amount of \$1,706,261.91 and Payroll Checks 42228 through 42274 with the subtotal amount of \$144,637.24, for a total amount of \$1,850,899.15.

**2.3 RESOLUTION NO. 2010-6852 – SUPPORTING GREEN BUILDING EFFORTS THAT WILL LEAD TO SAVINGS AND INCREASE EFFICIENCY IN SCHOOLS. (0230-95)**

Adopted resolution.

**2.4 RESOLUTION NO. 2010-6853 – APPROVING A TIME EXTENSION FOR ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 050428) AND TENTATIVE MAP (TM 050429) FOR THE CONVERSION OF SEVEN EXISTING RESIDENTIAL DWELLING UNITS INTO COMMON INTEREST CONDOMINIUM OWNERSHIP UNITS LOCATED AT 560 FLORIDA STREET, IN THE R-3000-D (TWO-FAMILY DETACHED RESIDENTIAL) ZONE. MF 791. (0600-20)**

Adopted resolution.

**2.5 RESOLUTION NO. 2010-6854 – CLARIFYING AN UNCERTAINTY UNDER THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO ZONING AND NONCONFORMING USES. (0610-95)**

Adopted resolution.

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

**3.1 ADOPTION OF URGENCY ORDINANCE NO. 2010-1099 AND FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1100 AMENDING SECTION 9.08.050 PERTAINING TO JUVENILE CURFEW. (0240-95)**

Item pulled from the agenda.

**ORDINANCES – INTRODUCTION/FIRST READING (3.2)**

**3.2 ORDINANCE NO. 2010-1098 – REQUIRING MANDATORY L.E.A.D. OR R.B.S.S. TRAINING FOR ABC ESTABLISHMENTS. (0240-95)**

CITY MANAGER BROWN introduced the item.

SHERIFF'S CAPTAIN MILLER gave a report on the item; she responded to Council's concerns about and regulations on window signage in liquor stores; methods of tracking establishments for compliance with training requirements, as well as renewals.

CITY ATTORNEY LYON spoke about the different ways the ordinance deals with violators.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1098.

CITY CLERK HALD read the title of Ordinance No. 2010-1098, "AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE."

**MOTION BY KING, SECOND BY ROSE, TO WAIVE FURTHER READING AND DISPENSE INTRODUCTION BY TITLE ONLY, AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.**

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

**4.1 ORDINANCE NO. 2010-1097 – AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION. (0770-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1097.

CITY CLERK HALD read the title of Ordinance No. 2010-1097, "AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2010-1097 BY TITLE ONLY.**

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. R-10-209 – APPROVAL OF THE FIVE-YEAR IMPLEMENTATION PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA. (0640-80)**

MAYOR JANNEY declared the continued public hearing open.

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a report on the item.

City Council expressed a desire to have staff look into changing the official title of the

redevelopment area to be more descriptive of the area; and there was a request for an update on the Clean and Green Program at the next City Council meeting.

MAYOR JANNEY closed the public hearing.

**MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-209 – ADOPTING A FIVE YEAR IMPLEMENTATION PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA. MOTION CARRIED UNANIMOUSLY.**

**REPORTS (6.1 - 6.4)**

**6.3 LANGUAGE APPROVAL FOR THE RESPONSIBLE RETAILER PROGRAM (RRP) BROCHURE. (0240-07)**

A Responsible Retailer Program brochure was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

SHERIFF'S CAPTAIN MILLER gave a report on the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded to City Council's questions regarding the CUP process.

**MOTION BY MCCOY, SECOND BY ROSE, TO ADOPT THE PROPOSED LANGUAGE IN THE RRP BROCHURE. MOTION CARRIED UNANIMOUSLY.**

<p><b><i>Item No. 6.1 will be discussed at 7:00 p.m. – TIME SPECIFIC</i></b></p>
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**6.1 COMMERCIAL ZONING REVIEW. (0610-95)**

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item and provided a matrix listing the proposed recommendations for residential density, floor area ratios, stepbacks, and setbacks.

Consensus of City Council to allow density of 36 dwelling units per acre in the C/MU-2 and C/MU-3 zones with incentives; a height limit of 35 feet, and a maximum of three stories for both zones, FARs to be re-evaluated based on discussion about height; and they directed staff to continue the discussion at the March 3, 2010 City Council meeting.

STEVE FUTTERMAN spoke in support for density, attracting young, highly educated and skilled workforce to the community, and promoting an economy around a private university or research facility; and he encouraged Council to re-address density.

**6.2 PROPOSED SCOPE OF WORK TO COMPLETE THE TASKS ASSOCIATED WITH THE SECOND CONTRACT AMENDMENT WITH EDWARDS/DECA IN THE AMOUNT OF \$50,000 FOR THE COMMERCIAL ZONING REVIEW. (0610-95)**

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

COUNCILMEMBER ROSE requested that the stakeholder group meetings be held separately from the community meeting

**CONSENSUS OF CITY COUNCIL TO APPROVE THE REVISED SCOPE OF WORK.**

**6.4 RESOLUTION NO. 2010-6851 – AMENDING COUNCIL POLICY 112 - ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)**

CITY MANAGER BROWN introduced the item.

City Council asked that the policy be brought back for Council's consideration.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:59 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** March 17, 2010

**ORIGINATING DEPT.:** Michael McGrane *MM*  
Finance Director

**SUBJECT:** RATIFICATION OF WARRANT REGISTER

**BACKGROUND:**  
None

**DISCUSSION:**

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

Vendor	Check	Amount	Explanation
City of San Diego	70527	\$555,314.00	3 <sup>rd</sup> Qtr 2010 Metro Sewer Charge

**ENVIRONMENTAL IMPACT**

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

**WARRANT #                      DATE                      AMOUNT**

**Accounts Payable**

70508-70554	02/25/10	\$ 633,887.92
70555-70600	03/05/10	137,614.91
<b>Sub-Total</b>		<b>\$ 771,502.83</b>

**Payroll Checks:**

42320-42361	P.P.E. 02/25/10	<u>144,395.94</u>
	<b>Sub-Total</b>	<b>\$ <u>144,395.94</u></b>
	<b>TOTAL</b>	<b>\$ <u>915,898.77</u></b>

**FISCAL IMPACT:**

**Warrants are issued from budgeted funds.**

**DEPARTMENT RECOMMENDATION:**

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

**CITY MANAGER'S RECOMMENDATION:**

**Approve Department recommendation**

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

**Attachments:**

1. Warrant Registers

PREPARED 03/08/2010, 11:12:29  
 PROGRAM: GM350L  
 CITY OF IMPERIAL BEACH

A/P CHECKS BY PERIOD AND YEAR  
 FROM 02/25/2010 TO 03/05/2010

PAGE 1

BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #			CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
<b>VOID CKS 70508-70511</b>						
02/25/2010	70512	U.S. BANK	1873			19,943.19
501-1921-419.28-01	10/23/2009	HYDRAULIC STEERING CYCLE	3667	010600	04/2010	184.28
101-3030-423.28-04	10/19/2009	STABENOW, R-RTC TRAINING	PW_2944_4414435	010687	06/2010	150.00
101-3030-423.30-02	11/23/2009	PWC FUEL	123844	010683	06/2010	9.65
101-3030-423.30-02	11/12/2009	RASH GUARDS-CALL-OUT EQUI	6092359	010686	06/2010	108.07
101-3030-423.28-04	11/30/2009	CPR CARD	000907695	010686	06/2010	12.00
101-3020-422.30-02	12/04/2009	STATION SUPPLIES	022842	010682	06/2010	104.95
101-3020-422.30-02	12/16/2009	SHOWERHEAD	033079/5585452	010682	06/2010	43.47
101-3030-423.30-02	12/01/2009	NIGHT CALL-OUT LIGHTS	09-7573	010686	06/2010	296.00
101-3030-423.30-02	12/02/2009	EQUIP BAGS/TRK RACK PADS	0369783-IN	010686	06/2010	611.89
101-3030-423.28-01	12/18/2009	DIVE WATCH REPAIR	529085	010686	06/2010	54.38
101-3030-423.28-01	12/02/2009	BINOCULAR REPAIR	S73316	010687	06/2010	183.31
101-3030-423.30-02	12/07/2009	CELL PHONE HEADSET	105-7463017-504	010687	06/2010	96.81
101-3030-423.30-02	12/07/2009	MISC OFFICE SUPPLIES	7446	010687	06/2010	18.88
101-3030-423.30-02	12/14/2009	2010 DAY PLANNER	60416651	010687	06/2010	45.03
601-5060-436.30-02	12/16/2009	SIMPLE GREEN CLEANER	092568/5561997	010626	06/2010	29.26
601-5060-436.28-01	12/17/2009	SLAMLOCKS PS #11	SLI/8111393	010626	06/2010	230.05
601-5060-436.28-12	12/17/2009	CASAS, M CWEA DUES	152012	010626	06/2010	132.00
501-1921-419.28-16	12/03/2009	QUAD #609 BRAKE PADS	40757074	010646	06/2010	26.33
501-1921-419.28-01	12/17/2009	TRUCK #109 OUTSIDE REPAIR	SW78885	010646	06/2010	377.10
501-1921-419.30-22	12/17/2009	SMALL TOOLS	422598	010646	06/2010	42.38
503-1923-419.28-04	12/01/2009	LOPEZ, FOOD-HTE CONF	085122	010689	06/2010	9.24
503-1923-419.28-04	12/02/2009	LOPEZ, FOOD-HTE CONF	045753	010689	06/2010	21.78
503-1923-419.28-04	12/02/2009	LOPEZ, FOOD-HTE CONF	084266	010689	06/2010	13.57
503-1923-419.28-04	12/02/2009	LOPEZ, FOOD-HTE CONF	098426	010689	06/2010	16.68
503-1923-419.28-04	12/03/2009	LOPEZ, FOOD-HTE CONF	012834	010689	06/2010	37.57
503-1923-419.28-04	12/04/2009	LOPEZ, FOOD-HTE CONF	002461	010689	06/2010	25.00
503-1923-419.21-04	12/08/2009	SECURITY SSL NETWORK	12-08-2009	010689	06/2010	82.47
101-1210-413.28-12	11/02/2009	BUANGAN, E CSMFO DUES	30316	010688	06/2010	110.00
101-1210-413.28-04	11/30/2009	BUANGAN, E RDA WEB CLASS	043788	010688	06/2010	95.00
101-1230-413.28-04	12/14/2009	NAKAGAWA, J CONF REGISTRAT	12-17-2009	010664	06/2010	15.00
101-1110-412.29-04	12/02/2009	SYMPATHY PLANT/BARBER FAM	W00552503896291	010676	06/2010	89.14
101-1010-411.28-04	12/02/2009	12/02/09 COUNCIL DINNER	082795	010676	06/2010	75.04
101-1110-412.29-04	12/02/2009	COUNCIL GIFT CARDS/DECORA	8113	010676	06/2010	428.34
101-1110-412.29-04	12/03/2009	XMAS TREE DECORATIONS	007884	010676	06/2010	14.14
101-1110-412.29-04	12/03/2009	COUNCIL GIFT CARDS/LGHTS	8634	010676	06/2010	361.31
101-1110-412.30-01	12/09/2009	DRY ERASE MARKERS	500926653-001	010676	06/2010	8.59
101-1110-412.30-01	12/09/2009	MISC OFFICE SUPPLIES	500926727-001	010676	06/2010	47.57
101-1010-411.28-04	12/16/2009	12/16/09 COUNCIL DINNER	087902	010676	06/2010	95.00
101-1110-412.28-04	12/17/2009	POSADA, M-SEMINAR REG	142372	010676	06/2010	198.00
101-1210-413.28-04	12/01/2009	BUANGN, E-CSMFO CONF REGIS	97087	010688	06/2010	350.00
101-1130-412.29-02	11/23/2009	CEJA, E-EMP APPRECIATN REG	Y025888600014	010674	06/2010	50.00
101-1130-412.29-02	11/23/2009	POSADA, M-EMP APPRECIATION	11-23-2009	010674	06/2010	55.99
101-1130-412.29-02	12/11/2009	REFUNDED OVERCHARGE	E16042	010674	06/2010	500.00-
101-0000-209.01-03	12/01/2009	EMP COMP LOAN/BARCLAY	49970169-001		06/2010	824.30
101-0000-209.01-03	12/03/2009	EMP COMP LOAN/CARTIER, J	BBY01-314815011		06/2010	920.58
101-0000-209.01-03	12/07/2009	EMP COMP LOAN/KING, M	3899		06/2010	1,463.88
101-0000-209.01-03	12/07/2009	EMP COMP LOAN-CR RTN ITEM	499701069-001		06/2010	677.50-
101-0000-209.01-03	12/01/2009	EMP COMP LOAN/BARCLAY, T	2001562645941		06/2010	649.13

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
101-0000-209.01-03	12/11/2009	EMP COMP LOAN/WOLFSON, L	30092739		06/2010	628.95
101-0000-209.01-03	12/08/2009	EMP COMP LOAN/ALVAREZ, O	500571243-001		06/2010	521.99
101-0000-209.01-03	12/16/2009	EMP COMP LOAN/GUERN, M	8190870995		06/2010	995.33
101-0000-209.01-03	12/10/2009	EMP COMP LOAN/TABANOU, M	2001582461725		06/2010	1,733.28
101-3020-422.25-03	09/10/2009	UNIFORMS/SALGADO	4106	010680	06/2010	363.18
101-6020-452.28-01	11/19/2009	VET PARK BATHROOM DRAIN	13061	010629	06/2010	144.00
101-1910-419.30-02	11/20/2009	HR MANAGER SIGN	17412	010629	06/2010	39.97
101-6020-452.30-02	11/23/2009	SKATE STOPPERS	12248	010629	06/2010	220.98
101-3060-426.21-04	11/22/2009	11/21-12/20 EOC DIRECTV	1139287191	010680	06/2010	36.99
101-3020-422.28-09	11/25/2009	EXPRESS MAIL FOR PAYCHECK	057275	010680	06/2010	13.05
405-5030-433.30-02	12/16/2009	HOSE REEL SWIVEL	JKL9-2297	010629	06/2010	98.95
405-5030-433.30-02	12/16/2009	COMMERCIAL HOSE	239220	010629	06/2010	56.82
101-3020-422.28-09	12/14/2009	CERTIFIED MAIL	093206	010680	06/2010	5.54
101-3020-422.30-01	12/14/2009	MISC OFFICE SUPPLIES	1301	010680	06/2010	134.08
101-3050-425.20-06	12/16/2009	A/C ASSOCIATION MEMBERSHP	32764	010680	06/2010	125.00
101-3020-422.29-02	12/17/2009	WINTER WARMTH SUPPLIES	12-17-2009	010680	06/2010	32.37
101-3020-422.29-02	12/21/2009	WINTER WARMTH SUPPLIES/CO	12-21-2009	010680	06/2010	71.90
101-3030-423.30-02	02/16/2010	LG SHELF HARDWARE	082595/5020024	010685	08/2010	55.01
405-1260-513.20-06	11/25/2009	PRIORITY MAIL FEES/GRANT	077413	010634	06/2010	7.30
101-3030-423.30-02	11/29/2009	CELL PHONE BELT CLIP/CASE	866	010685	06/2010	10.86
101-5020-432.30-01	12/05/2009	MONTH DIVIDERS-PLANNER	028033	010634	06/2010	9.78
101-3050-425.30-02	12/09/2009	INTERVIEW PANEL LUNCH-A/C	090800	010667	06/2010	67.58
502-1922-419.30-02	12/11/2009	ERGO GEL SET/MARTIN, L	107578	010667	06/2010	61.38
101-1130-412.28-07	12/11/2009	DEC/JAN EMPLOYMENT ADS	68731	010667	06/2010	59.40
101-1130-412.28-07	12/17/2009	CALBO WEBSITE JOB AD	7311	010667	06/2010	45.00
101-3030-423.28-01	12/07/2009	SHIPPING- HELMET REPAIR	231066	010685	06/2010	11.62
101-3030-423.28-01	12/14/2009	REPAIR EQ & TOOLS	012566/7190522	010685	06/2010	66.04
101-3030-423.30-02	12/14/2009	KEY COPIES/CALL OUT TEAM	025911	010685	06/2010	4.08
101-3030-423.30-02	12/14/2009	CLEATS FOR LG GEAR	2018	010685	06/2010	13.18
101-3030-423.30-02	12/16/2009	COMPUTER SPEAKERS	501719559-001	010685	06/2010	45.83
101-6040-454.30-02	12/01/2009	DUNES PARK BOLLARDS	50041	010636	06/2010	153.14
101-6040-454.30-02	12/01/2009	ERROR CHARGED TWICE	50041	010636	06/2010	153.14
101-6040-454.30-02	12/03/2009	CHARGE #1-TOT LOT	S061804	010636	06/2010	403.46
101-6040-454.30-02	12/03/2009	PIER PLAZA TOT LOT	S061804	010636	06/2010	403.46
101-6040-454.30-02	12/04/2009	CREDIT FOR ERROR IN CHARG	50041	010636	06/2010	153.14-
101-6040-454.30-02	12/11/2009	CR FOR CHARGE 1	12-11-2009	010636	06/2010	403.46-
101-6040-454.30-02	12/16/2009	REFUND RETURED ITEMS	3174	010636	06/2010	15.96-
101-6040-454.30-02	12/16/2009	HOLIDAY LIGHTING/RETURNED	3174	010636	06/2010	15.96
101-6040-454.30-02	12/16/2009	HOLIDAY LIGHTING-RETURNED	3177	010636	06/2010	60.68
101-6040-454.30-02	12/16/2009	HOLIDAY LIGHTING	8178	010636	06/2010	43.28
101-6040-454.30-02	12/16/2009	REFUND RETURNED ITEMS	8682	010636	06/2010	60.68-
101-1230-413.30-01	12/02/2009	CALENDARS	499910144-001	010663	06/2010	32.63
101-3040-424.30-01	12/02/2009	WIRELESS MOUSE	499910415-001	010663	06/2010	25.16
101-6040-454.30-02	11/30/2009	SCREWS	071362/1566685	010635	06/2010	5.64
101-6040-454.30-02	11/30/2009	LIGHTING CONTACTOR	1963-546120	010635	06/2010	86.24
101-3020-422.30-02	11/21/2009	BA BOTTLES/HYDRO'ED & FIL	310256	010679	06/2010	182.00
101-6040-454.30-02	12/01/2009	CONDUIT CONNECTORS	041012/0575463	010635	06/2010	2.74
101-6040-454.30-02	12/02/2009	LIGHTING GEL SHEETS	003299	010635	06/2010	32.63
101-6040-454.30-02	12/02/2009	FLOURESCENT LIGHTS	077505/9593344	010635	06/2010	16.28
101-6040-454.30-02	12/03/2009	GFCI OUTLETS	053560/8583757	010635	06/2010	102.16

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101-6040-454.30-02	12/07/2009	AIRHOSE FITTINGS	051426/4576326	010635 06/2010	19.03
101-6040-454.30-02	12/10/2009	WEEDCLOTH/FENCING/WAX	099778/1594402	010635 06/2010	94.92
101-6040-454.30-02	12/11/2009	BALLAST	084591/0594529	010635 06/2010	21.70
101-6040-454.30-02	12/14/2009	PLANTER REPAIR LATH	095866/7190529	010635 06/2010	2.28
101-6040-454.30-02	12/17/2009	BROOM/STAPLES/LAMPS/OUTLE	028423/4562137	010635 06/2010	237.95
101-3020-422.30-02	12/04/2009	BA BOTTLES/HYDRO'ED & FIL	310361	010679 06/2010	106.00
601-5060-436.30-02	11/30/2009	SCREWS FOR DOOR REPAIR	061398/1575290	010640 06/2010	16.35
101-6020-452.30-02	11/30/2009	PLANTS/PS#2 MEDIAN	4375	010648 06/2010	184.55
601-5060-436.30-22	12/17/2009	TROUBLE LIGHT	056763/4571041	010640 06/2010	45.58
101-6020-452.30-02	12/07/2009	WIRE/WIRE NUTS	080123/4584260	010648 06/2010	58.57
101-6020-452.30-02	12/07/2009	STATION MODULES	53237762	010648 06/2010	225.86
101-6020-452.30-02	12/08/2009	TREE STAKES/TIES	53245934	010648 06/2010	76.32
101-6020-452.30-02	12/08/2009	TREE STAKES/TIES	53245934	010648 06/2010	76.31
101-6010-451.30-02	12/04/2009	ALBERTSONS/PARENTS NIGHT	6755050141258	010671 06/2010	38.05
101-6010-451.30-02	12/04/2009	ALBERTSONS/PARENTS NIGHT	6755060585109	010671 06/2010	8.68
101-6010-451.30-02	12/05/2009	HOME DEPOT/SUPPLIES	010973/6583962	010671 06/2010	33.05
101-6010-451.30-02	12/09/2009	HOME DEPOT/SUPPLIES	007383/2010129	010671 06/2010	31.96
101-6010-451.30-02	12/14/2009	TRASH BAGS/CLEANER	12-14-2009	010671 06/2010	39.31
101-0000-212.00-00	12/11/2009	PERSONAL PURCHASE/REIMBUR	12-11-2009	06/2010	155.00
501-1921-419.28-16	12/17/2009	SWITCH/BATTERY	456374	010645 06/2010	252.84
601-5060-436.28-12	12/01/2009	12/09-LAU,P-APWA DUES	658574	010647 06/2010	147.00
101-5010-431.30-02	12/03/2009	CRACK FILLER	058481/8092838	010647 06/2010	35.51
101-5010-431.21-23	12/14/2009	ELECTRICAL PEDESTAL/7-PAL	275251-01	010647 06/2010	1,521.41
101-1020-411.30-01	12/03/2009	OFFICE SUPPLIES	499884777001	010658 06/2010	109.25
101-1020-411.28-04	12/08/2009	WOLFSON-SOFTWARE TRNG	142341	010658 06/2010	198.00
101-3070-427.28-04	12/03/2009	FUEL FOR WORK TRUCK	211749	010659 06/2010	34.51
101-3070-427.28-04	12/03/2009	CONF PARKING FEE	81737	010659 06/2010	8.00
101-3070-427.28-04	12/04/2009	PARKING CONF FEE	81819	010659 06/2010	8.00
101-3070-427.30-01	12/16/2009	SHIPPING LABELS	105-0159462-547	010659 06/2010	96.16
408-5020-432.28-11	10/23/2009	CD SCANS EQUIPMENT LAYOUT	5717120	010630 06/2010	62.21
408-5020-432.28-11	10/30/2009	SCANS PORT DISTRICT REFUR	5721754	010630 06/2010	131.32
101-3040-424.28-04	11/23/2009	ADAME,R HUG CONF REGISTRA	WEST120109REG14	010666 06/2010	50.00
408-5020-432.28-09	12/01/2009	EXPRESS MAIL CHARGES	12-01-2009	010630 06/2010	74.25
101-1910-419.30-02	12/13/2009	CLEANING SUPPLIES	2065862	010644 06/2010	103.06
405-1260-413.28-12	12/16/2009	SELBY, G-ULI MEMBERSHIP	1110469	010662 06/2010	225.00
405-1260-513.10-01	12/01/2009	USPS SKATE PARK MND	077471	010666 06/2010	48.40
101-1920-532.20-06	12/02/2009	USPS 9TH & PALM	067783	010666 06/2010	1.90
101-3070-427.28-04	12/23/2009	GARCIA,S D HUG CONF REGIST	WEST12109REG147	010666 06/2010	50.00
101-1110-412.28-04	12/02/2009	BROWN,G LUNCH MTG	043250	010669 06/2010	21.64
101-1110-412.28-04	12/16/2009	BROWN, G - LUNCH MTG	074195	010669 06/2010	22.43
101-1910-419.30-02	11/23/2009	OUTLETS STOCK	007159/8574600	010633 06/2010	13.01
101-1910-419.30-02	11/23/2009	MICROPHONE CONNECTOR/EOC	4972885	010633 06/2010	23.89
101-1910-419.30-02	11/24/2009	BREATHING APPARATUS FILTE	04836168	010633 06/2010	119.79
101-6040-454.30-02	11/22/2009	BEACH WHEELCHAIR-WHEEL	WZINC-200911221	010638 06/2010	100.58
101-6040-454.30-02	11/22/2009	SIKAFLEX	077278/9565956	010638 06/2010	177.48
101-6040-454.30-02	11/25/2009	RETURN SEALANT	6233811	010638 06/2010	88.74-
101-1910-419.30-02	12/01/2009	FIREHOUSE WINDOWS	S1742CF1 110181	010633 06/2010	215.98
101-1910-419.30-02	12/01/2009	PW PAINT SUPPLIES	080664/0593223	010633 06/2010	33.97
101-3050-425.30-02	12/02/2009	KENNEL ROOF-FIREHOUSE	075222/9018334	010633 06/2010	49.19
101-3050-425.30-02	12/09/2009	KENNEL SUPPLIES	052549/2561048	010633 06/2010	22.66

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101-1910-419.30-02	12/10/2009	PW DOOR LOCK FIX	005226	010633	06/2010	20.00	
101-1910-419.30-02	12/17/2009	WINDOW SUPPLIES-FIRESTATI	020110/04562242	010633	06/2010	20.50	
101-3050-425.30-02	12/21/2009	FIRE STATION KENNEL MATS	L090021	010633	06/2010	162.06	
02/25/2010	70513	ACCONTEMPS	70			960.00	
101-1210-413.21-01	02/09/2010	DIAZ, E W/E	02/05/2010	30658687	010781 08/2010	960.00	
02/25/2010	70514	ADT SECURITY SERVICES, INC.	103			75.08	
101-6010-451.21-04	02/06/2010	MARCH 2010	09174726	010030	08/2010	75.08	
02/25/2010	70515	AIRGAS WEST	129			690.13	
601-5060-436.30-02	02/02/2010	TYVEK PANTS/4 CASES	103910040	010058	08/2010	690.13	
<i>VOID CHECK 70516</i>							
02/25/2010	70517	ALLIANT INSURANCE SERVICES	1193			2,339.90	
101-0000-209.01-13	02/04/2010	PR AP PPE 1/28/2010	20100204		08/2010	384.30	
101-0000-209.01-14	02/04/2010	PR AP PPE 1/28/2010	20100204		08/2010	474.02	
101-0000-209.01-13	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010	382.30	
101-0000-209.01-14	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010	474.02	
101-1010-411.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	19.36	
101-1020-411.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	34.44	
101-1110-412.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	66.04	
101-1130-412.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	20.54	
101-1210-413.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	48.66	
101-1230-413.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	23.70	
101-3070-427.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	.63	
101-3080-428.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	.63	
101-1910-419.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	6.32	
101-3010-421.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	11.00	
101-3020-422.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	47.84	
101-3030-423.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	38.49	
101-3040-424.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	18.96	
101-5020-432.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	50.56	
101-5010-431.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	12.64	
101-5040-434.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	3.93	
101-6020-452.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	6.32	
101-6010-451.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	3.16	
101-6040-454.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	12.64	
245-1240-413.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	6.32	
405-1260-413.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	121.42	
405-5030-433.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	6.32	
601-5060-436.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	12.64	
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502-1922-419.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	7.43	
503-1923-419.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	20.80	
101-0000-209.01-13	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	2.00-	
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101-3050-425.11-04	02/01/2010	FEB 10 DISABILITY/LIFE/	02-01-2010		08/2010	3.16	
02/25/2010	70518	AMERICAN EXPRESS	1895			760.14	
101-1110-412.30-02	01/11/2010	COFFEE SUPPLIES/CITY HALL	60710661	010034	07/2010	132.77	

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101-1010-411.30-02	01/21/2010	CITY COUNCIL MTG SUPPLIES	61307894	010034 07/2010 169.54
101-6010-451.30-02	01/26/2010	CAFE ROOM-FOOD/DRINKS-SPK	61617375	010034 07/2010 457.83
02/25/2010 601-5060-436.28-13	70519 01/26/2010	APCD COUNTY OF SAN DIEGO PERMITS 987621 & 919709	248 97123386	08/2010 622.00 622.00
02/25/2010 601-5060-436.28-13	70520 01/23/2010	APCD COUNTY OF SAN DIEGO PERMIT 979550 03/10-03/11	248 97123527	08/2010 319.00 319.00
02/25/2010 101-3040-424.28-04	70521 02/22/2010	APWA RICK ENGINEERING CO ADAME, R - APWA SEMINAR	251 03-03-2010	08/2010 80.00 40.00
101-1230-413.28-04	02/22/2010	NAKAGAWA, J - APWA SEMINAR	03-03-2010	08/2010 40.00
02/25/2010 101-1210-413.28-14	70522 12/18/2009	ASPEN PUBLISHERS INC 2010 PAYROLL BASIC GUIDE	283 6755539X	08/2010 340.29 340.29
02/25/2010 101-1110-412.28-04	70523 02/01/2010	AT&T TELECONFERENCE SERVICES 55037702- CONF CALL RE RD	1827 02-01-2010	08/2010 166.17 107.01
101-1110-412.28-04	02/01/2010	55037702- CONF CALL RE PA	02-01-2010	F01084 08/2010 59.16
02/25/2010 501-1921-419.29-04	70524 02/24/2010	B.C. INSPECTIONS 2010 ANNUAL BOOM INSPECTN	2199 020310IB109	08/2010 370.00 370.00
02/25/2010 101-1910-419.30-02	70525 02/01/2010	CALIF ELECTRIC SUPPLY AIPHONE LE-D	609 1069-600942	010082 08/2010 52.83 52.83
02/25/2010 101-3030-423.27-02	70526 02/09/2010	CALIFORNIA AMERICAN WATER 05-0155019-8 01/05-02/04	612 03-01-2010	08/2010 209.24 20.11
405-5030-433.27-02	02/10/2010	05-0155037-0 01/08-02/08	03-01-2010	08/2010 14.88
601-5050-436.27-02	02/09/2010	05-0392478-9 01/08-02/08	03-01-2010	08/2010 14.93
601-5060-436.27-02	02/09/2010	05-0505362-9 01/08-02/08	03-01-2010	08/2010 159.32
02/25/2010 601-5060-436.21-04	70527 01/25/2010	CITY OF SAN DIEGO FY 09/10 3RD QTR FUND	896 526768	07/2010 555,314.00 555,314.00
02/25/2010 101-5040-434.21-04	70528 02/03/2010	CLEAN HARBORS JAN 2010	913 6Y1071136	010121 08/2010 776.58 776.58
02/25/2010 101-1130-412.28-11	70529 02/08/2010	COPY POST PRINTING MAILING ENVELOPES/LETTERH	1371 19573	010797 08/2010 288.80 288.80
02/25/2010 101-6010-451.29-04	70530 02/10/2010	COX COMMUNICATIONS 3110015531401 02/13-03/12	1073 03-06-2010	010139 08/2010 125.12 125.12
02/25/2010 101-1210-413.28-11	70531 02/03/2010	DLA PRINTING & PROMO'S 1099 FORMS FOR 2009	1178 6442	010538 08/2010 85.81 85.81
02/25/2010 408-1920-519.20-06	70532 02/16/2010	EPIC LAND SOLUTIONS, INC. P/E 1/31/10 -PALM AVE	2105 0110-0190	010328 08/2010 6,393.71 6,393.71
02/25/2010 501-1921-419.28-16	70533 01/27/2010	GCR TIRE CENTERS TIRES #100	1702 74901	010102 07/2010 1,449.27 322.43

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501-1921-419.28-16	01/27/2010	TIRES/STOCK A-7	74903	010102 07/2010 279.99
501-1921-419.28-16	01/27/2010	TIRES	74904	010102 07/2010 846.85
02/25/2010	70534	HANH TRAN	1	1,600.00
101-1920-532.20-06	02/22/2010	J & T NAILS SECURITY DEP	02-17-2010	08/2010 1,600.00
02/25/2010	70535	HELIOPOWER INC.	2056	1,000.00
248-1920-519.20-06	02/09/2010	CLEAN&GREEN-552 4TH ST	81438	010798 08/2010 1,000.00
02/25/2010	70536	I.B. SENIOR ART GROUP	2200	500.00
101-1010-411.28-08	01/20/2010	09/10 COMMUNITY GRANT	02-08-2010	07/2010 500.00
02/25/2010	70537	IMPERIAL BEACH TROPHIES	319	21.75
101-1020-411.29-04	01/29/2010	NAMEPLATE FOR CITYATTORNE	2932	F01085 07/2010 21.75
02/25/2010	70538	JESSOP & SON LANDSCAPING	479	3,052.83
101-6010-451.21-04	02/16/2010	FEBRUARY 2010	388330	010004 08/2010 3,052.83
02/25/2010	70539	KANE, BALLMER & BERKMAN	1828	1,200.00
405-1260-413.20-06	02/01/2010	9TH/PALM PLAN ISSUES	14845	010799 08/2010 60.00
405-1260-413.20-06	02/01/2010	JANUARY 2010-PALM REDEVEL	14846	010799 08/2010 1,140.00
02/25/2010	70540	KEYSER MARSTON ASSOC INC	620	3,307.83
405-1260-413.20-06	02/08/2010	JANUARY 2010-	0021841	080320 08/2010 3,307.83
02/25/2010	70541	MICHAL PIASECKI CONSULTING	1795	5,850.00
405-1260-513.20-06	02/02/2010	JANUARY 2010 PW DEPT	128	010074 08/2010 135.00
405-1260-513.20-06	02/02/2010	JANUARY 2010 PW DEPT	128	010074 08/2010 5,670.00
601-5060-436.20-06	02/02/2010	JANUARY 2010 PW DEPT	128	010074 08/2010 45.00
02/25/2010	70542	MICHELLE POSADA	2028	188.57
601-5050-436.30-02	08/12/2009	INTERVIEW PANEL REFRESHMN	08-12-2009	08/2010 6.99
101-1010-411.28-04	09/23/2009	MCCOY/KING-STORMWATER	09-23-2009	08/2010 60.00
101-1010-411.28-04	09/28/2009	JANNEY, J-CALTRANS RECEIPT	09-28-2009	08/2010 15.00
101-1010-411.28-04	09/16/2009	BRAGG, L-CONF MEALS	09-16-2009	08/2010 4.13
101-1010-411.29-04	09/07/2009	COUNCIL NAME ENGRAVING	2751	08/2010 10.88
101-1020-411.28-06	09/30/2009	WOLFSON-MILEAGE	09-30-2009	08/2010 22.00
101-1130-412.29-02	11/18/2009	EMP APPRECIATION GIFT	11-25-2009	08/2010 25.00
101-3050-425.28-04	12/09/2009	INTERVIEW PANEL REFRESHME	12-09-2009	08/2010 6.99
101-1020-411.29-04	01/14/2010	CITY COUNCIL SIGN	2908	08/2010 21.75
101-1010-411.28-04	01/28/2010	BRAGG,L-CONF MEALS REIMBU	01-28-2010	08/2010 15.83
02/25/2010	70543	MOFFATT & NICHOL	1995	3,660.40
405-1260-413.20-06	02/12/2010	JAN 2010 BEACH FILL	51361	090326 08/2010 3,660.40
02/25/2010	70544	PAUL HEISKALA CONSTRUCTION	2057	3,692.50
248-1920-519.20-06	02/10/2010	CLEAN&GREEN-1320 CONNECTI	94	010853 08/2010 3,692.50
02/25/2010	70545	PREFERRED BENEFIT INS ADMIN IN	37	2,385.99
101-0000-209.01-12	02/04/2010	PR AP PPE 1/28/2010	20100204	08/2010 1,192.86

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
101-0000-209.01-12	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010	1,192.86	
101-0000-209.01-12	02/01/2010	FEBRUARY 2010 DENTAL	CP10680		08/2010	.27	
02/25/2010	70546	REGIONAL TRAINING CENTER	130			50.00	
101-5020-432.28-04	02/09/2010	KEMPH, J - SUPERVISOR'S	9935		08/2010	50.00	
02/25/2010	70547	SANDPIPA	321			2,095.00	
502-1922-419.28-02	01/19/2010	2010 BOND/CRIME PROG RENW	IBBC10	010861	07/2010	2,095.00	
02/25/2010	70548	SDGE	289			1,276.64	
101-5010-431.27-01	02/10/2010	9476 001 6989 12/31-02/01	02-25-2010		08/2010	1,254.12	
405-1260-413.27-01	02/09/2010	9424 632 2704 12/30-01/29	02-24-2010		08/2010	22.52	
02/25/2010	70549	SKS INC.	412			4,838.05	
501-1921-419.28-15	02/04/2010	1,050 GAL REG FUEL	1231258-IN	010101	08/2010	2,903.32	
501-1921-419.28-15	02/01/2010	CREDIT -JAN 2010 FUEL TAX	1231330-IN	010101	08/2010	955.01	
501-1921-419.28-15	02/11/2010	852 G REG/252 G DIESEL	1231403-IN	010101	08/2010	2,889.74	
02/25/2010	70550	STANFORD SIGN & AWNING	1532			5,561.24	
408-1920-519.20-06	10/14/2009	IB FORUM/DISPLAY SIGNS	09195	010863	06/2010	4,561.24	
408-1920-519.20-06	11/18/2009	IB FORUM/LIGHTS INSTALLAT	16240	010863	06/2010	1,000.00	
02/25/2010	70551	VISION PLAN OF AMERICA	785			214.08	
101-0000-209.01-18	02/04/2010	PR AP PPE 1/28/2010	20100204		08/2010	97.23	
101-0000-209.01-18	02/18/2010	PR AP PPE 2/11/2010	20100218		08/2010	97.23	
101-0000-209.01-18	02/01/2010	FEBRUARY 2010 VISION	02-01-2010		08/2010	9.62	
101-1920-419.29-04	02/01/2010	FEBRUARY 2010 VISION	02-01-2010		08/2010	10.00	
02/25/2010	70552	WEST COAST ARBORISTS	820			342.00	
101-6020-452.20-06	02/12/2010	TREE MAINT SVCS-1380 EAST	63926	010131	08/2010	342.00	
02/25/2010	70553	WESTERN PUMP INC	752			972.03	
501-1921-419.28-13	02/15/2010	APCD PRE-TESTING JAN 2010	0084968-IN	010100	08/2010	603.28	
501-1921-419.28-13	02/15/2010	2010 ANNUAL APCD TESTING	0084969-IN	010100	08/2010	368.75	
02/25/2010	70554	ZUMAR INDUSTRIED INC.	875			717.75	
101-6040-454.30-02	02/09/2010	STREET SIGNS	0119947	010070	08/2010	717.75	
03/05/2010	70555	ACCONTEMPS	70			1,632.00	
101-1210-413.21-01	02/15/2010	DIAZ,E W/E 02/12/10	30674729	010781	08/2010	948.00	
101-1210-413.21-01	02/23/2010	DIAZ, E W/E 02/19/2010	30730414	010781	08/2010	684.00	
03/05/2010	70556	AFLAC	120			463.28	
101-0000-209.01-13	03/04/2010	PR AP PPE 2/25/2010-AFLAC	041603		09/2010	463.28	
03/05/2010	70557	AKEENA SOLAR	2053			1,000.00	
248-1920-519.20-06	02/19/2010	CLEAN&GREEN-1320 CONNECTI	INV15368	010866	08/2010	1,000.00	
03/05/2010	70558	ALL TEAM STAFFING, INC	1801			1,186.20	
101-6020-452.10-02	02/22/2010	CORRALES, L W/E 02/21/10	5000649	010106	08/2010	1,186.20	

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03/05/2010	70559	AT&T	2052			5,589.19
503-1923-419.27-04	02/20/2010	3372571583448	1185720		08/2010	355.96
503-1923-419.27-04	02/20/2010	3393431504727	1184102		08/2010	177.99
101-1110-412.27-04	02/15/2010	6194230314983	1173119		08/2010	108.59
101-5040-434.27-04	02/15/2010	6194231074813	1173120		08/2010	15.88
101-5040-434.27-04	02/15/2010	6194231675716	1173121		08/2010	15.88
601-5060-436.27-04	02/15/2010	6194232231359	1173122		08/2010	15.40
101-3020-422.27-04	02/17/2010	6194237246664	1175970		08/2010	78.75
101-3020-422.27-04	02/15/2010	6194238222636	1173123		08/2010	22.34
101-3020-422.27-04	02/15/2010	6194238225966	1173124		08/2010	163.58
101-1920-419.27-04	02/15/2010	6194238300966	1173125		08/2010	270.01
101-5020-432.27-04	02/15/2010	6194238311966	1173126		08/2010	355.04
101-3030-423.27-04	02/15/2010	6194238322966	1173127		08/2010	211.08
101-1130-412.27-04	02/15/2010	6194238617297	1173128		08/2010	70.97
503-1923-419.27-04	02/11/2010	6194243481712	1158043		08/2010	35.58
101-6030-453.27-04	02/11/2010	6194247077654	1158044		08/2010	78.21
101-3020-422.27-04	02/17/2010	6194247359125	1175971		08/2010	75.39
101-6010-451.27-04	02/22/2010	6195750336814	1187907		08/2010	16.83
101-3020-422.27-04	02/22/2010	6195750361567	1187908		08/2010	16.83
601-5060-436.27-04	02/17/2010	6195751351887	1176517		08/2010	15.36
101-1010-411.27-04	02/17/2010	6196281352138	1175972		08/2010	64.93
101-1230-413.27-04	02/17/2010	6196281356950	1175973		08/2010	195.29
101-3040-424.27-04	02/17/2010	6196281357370	1175974		08/2010	81.68
101-3070-427.27-04	02/17/2010	6196281359503	1175975		08/2010	47.10
101-1210-413.27-04	02/17/2010	6196281361675	1175976		08/2010	246.02
101-6010-451.27-04	02/17/2010	6196281385578	1175977		08/2010	58.67
101-3035-423.27-04	02/17/2010	6196281419922	1175978		08/2010	18.74
101-3010-421.27-04	02/13/2010	6196281485966	1167315		08/2010	41.44
101-1920-419.27-04	02/17/2010	6196282018442	1175979		08/2010	25.25
601-5060-436.27-04	02/15/2010	C602221236777	1173118		08/2010	217.10
101-1210-413.27-04	02/17/2010	6194235034	1186867		08/2010	150.85
503-1923-519.21-04	02/20/2010	3393439371447	1186814		08/2010	2,342.45
03/05/2010	70560	AT&T GLOBAL SERVICES, INC.	2098			163.49
503-1923-419.27-04	02/04/2010	TELEPHONE	SB579118	F01087	08/2010	163.49
03/05/2010	70561	AT&T MOBILITY	1866			588.20
503-1923-419.27-05	02/24/2010	287015635717 JAN/FEB 10	X02232010		08/2010	335.74
101-1230-413.27-05	02/24/2010	287016633295 JAN/FEB 10	X02232010		08/2010	45.35
101-3050-425.27-05	02/24/2010	287019473995 JAN/FEB 10	X02232010		08/2010	207.11
03/05/2010	70562	BDS ENGINEERING INC	372			13,990.00
202-5016-531.20-06	02/10/2010	JANUARY 2010 ST IMPRVMNTS	09-40	010859	08/2010	13,990.00
03/05/2010	70563	BOB HOFFMAN VIDEO PRODUCTION	457			225.00
101-1010-411.21-04	02/03/2010	CONSULTATION SVCS FOR GOV	31845	F01081	08/2010	125.00
101-1010-411.21-04	02/04/2010	CONSULTATION SVCS FOR GOV	31849	F01082	08/2010	50.00
101-1010-411.21-04	02/16/2010	CONSULTATION SVCS ON 2/16	31877	F01086	08/2010	50.00
03/05/2010	70564	BOYCE INDUSTRIES INC	486			679.69
405-5030-433.30-02	02/09/2010	GENERATOR #625X	52466	010060	08/2010	679.69

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03/05/2010	70565	CDW GOVERNMENT INC	725			9,355.52	
503-1923-519	30-22	02/10/2010	CITY HALL PC'S	RRT4780	010793 08/2010	8,171.23	
503-1923-519	30-22	02/10/2010	FRONT OFFICE PC	RRT6812	010793 08/2010	1,184.29	
03/05/2010	70566	CHRISTOPHER G. HELMER	2027			123.00	
101-5020-432	28-04	01/20/2010	MILEAGE REIMBURSEMENT	02-22-2010	08/2010	83.00	
101-5020-432	28-04	02/22/2010	SUSMP TRNG REIMBURSEMENT	02-22-2010	08/2010	40.00	
03/05/2010	70567	COLONIAL LIFE & ACCIDENT	941			133.44	
101-0000-209	01-13	03/04/2010	PR AP PPE 2/25/2010-COLON	9498114-0202585	09/2010	133.44	
03/05/2010	70568	CREATIVE BENEFITS INC FSA	1108			336.68	
101-0000-209	01-11	03/04/2010	PR AP PPE 2/25/2010	20100304	09/2010	336.68	
03/05/2010	70569	CULLIGAN WATER CO. OF SAN DIEG	1112			18.00	
101-1230-413	30-02	02/17/2010	MARCH 2010	05292370	010138 08/2010	18.00	
03/05/2010	70570	DKC ASSOCIATES, INC.	2187			3,200.00	
101-1110-412	20-06	02/25/2010	02/16/10-02/25/10	186	010782 08/2010	1,065.60	
405-1260-413	20-06	02/25/2010	02/16/10-02/25/10	186	010782 08/2010	1,065.60	
502-1922-419	20-06	02/25/2010	02/16/10-02/25/10	186	010782 08/2010	1,068.80	
03/05/2010	70571	EDCO DISPOSAL CORPORATION	1205			128.96	
408-1920-519	20-06	02/28/2010	FEB 2010	02-28-2010	010330 08/2010	128.96	
03/05/2010	70572	FASTENAL	909			406.45	
101-5010-431	30-02	02/04/2010	SHOP SUPPLIES	CACHU21346	010062 08/2010	92.10	
601-5060-436	28-01	02/09/2010	TRUBOLT	CACHU21371	010062 08/2010	100.19	
601-5060-436	30-02	02/15/2010	WHT LITHIUM GRS	CACHU21391	010062 08/2010	110.52	
601-5060-436	30-02	02/19/2010	3 CAN SANTI-SEIZE	CACHU21446	010062 08/2010	103.64	
03/05/2010	70573	GARRY WEGENER	1978			425.50	
101-3030-423	28-04	01/22/2010	REIMBURNMT-DOJ/FINGERPRN	2253	08/2010	52.00	
101-3030-423	28-04	01/07/2010	REIMBURNMT-EMT BASIC	VLEA4F3F0617	08/2010	70.00	
101-3030-423	28-04	01/26/2010	REIMBURNMT-EMT CERT FEE	432905	08/2010	17.00	
101-3030-423	28-04	07/23/2009	REIMBURNMT-EMT CLASS	8697462	08/2010	145.00	
101-3030-423	28-04	08/06/2009	REIMBURNMT-EMT CLASS	8750852	08/2010	36.00	
101-3030-423	28-04	09/22/2009	REIMBURNMT-EMT BOOKS	CV318568-8	08/2010	5.50	
101-3030-423	28-04	12/12/2009	REIMBURNMT-SKILLS TESTNG	306177	08/2010	100.00	
03/05/2010	70574	GOOGLE, INC.	2009			280.00	
503-1923-419	20-06	02/05/2010	FEBRUARY 2010	1067096	010226 08/2010	280.00	
03/05/2010	70575	GRAINGER	1051			1,505.45	
101-1910-419	28-01	02/05/2010	CIRCUITBOARD	9177039410	010076 08/2010	422.50	
501-1921-419	30-02	02/05/2010	CIRCUITBOARD	9177039410	010076 08/2010	211.24	
101-1910-419	30-02	02/05/2010	FUSE/PADLOCK	9177039428	010076 08/2010	88.59	
101-6020-452	30-02	02/09/2010	SPRAY PAINT/SAFETY GEAR	9180100845	010076 08/2010	168.76	
101-1910-419	30-02	02/11/2010	CONTROL RECEPTACLE	9181780777	010076 08/2010	38.13	

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405-5030-433.30-02	02/11/2010	PIPE PAINTER KIT	9181780785	010076 08/2010 26.95
601-5060-436.28-01	02/16/2010	BLOWER MOTOR	9184503051	010076 08/2010 253.39
601-5060-436.28-01	02/17/2010	BLOWER	9185158350	010076 08/2010 255.02
101-6040-454.30-02	02/22/2010	SQUEEGEE SCRUB BRUSH	9188276647	010076 08/2010 40.87
03/05/2010	70576	HDL COREN & CONE	88	
101-1920-419.20-06	02/10/2010	JAN-MAR 2010 PROPERTY TAX	0015518-IN	010241 08/2010 3,000.00
101-1210-413.20-06	02/19/2010	JAN-MAR 2010 SALES TAX	0016204-IN	010241 08/2010 2,025.00
				975.00
03/05/2010	70577	HORIZON HEALTH EAP	90	
101-1130-412.20-06	02/10/2010	FEBRUARY 2010	38333	010036 08/2010 425.79
				425.79
03/05/2010	70578	I B FIREFIGHTERS ASSOCIATION	214	
101-0000-209.01-08	03/04/2010	PR AP PPE 2/25/2010	20100304	09/2010 242.00
				242.00
03/05/2010	70579	ICMA RETIREMENT TRUST 457	242	
101-0000-209.01-10	03/04/2010	PR AP PPE 2/25/2010	20100304	09/2010 5,558.43
				5,558.43
03/05/2010	70580	J. SIMMS AGENCY	1883	
101-1920-419.20-06	02/28/2010	MARCH 2010 PR	2529	010029 08/2010 1,250.00
				1,250.00
03/05/2010	70581	JOSE LUIS MORENO	560	
101-5040-434.30-02	02/22/2010	CITY BANNERS REPAIRS	619	010860 08/2010 105.00
				105.00
03/05/2010	70582	MASON'S SAW & LAWNMOWER	923	
501-1921-419.28-16	02/01/2010	CARBURETOR	193768	010065 08/2010 169.20
501-1921-419.28-16	03/01/2010	DRIVE BELT/IDLER PULLEY	196873	010065 09/2010 84.14
				85.06
03/05/2010	70583	MICHAL PIASECKI CONSULTING	1795	
601-5060-436.21-04	03/01/2010	FEBRUARY 2010 ENVIRONMENT	133	010074 09/2010 1,800.00
				1,800.00
03/05/2010	70584	MOBILE HOME ACCEPTANCE CORPORA	1533	
408-5020-432.25-01	02/21/2010	03/07/10-04/06/2010	150825	010146 08/2010 299.06
				299.06
03/05/2010	70585	MPC OUTLET	2157	
503-1923-519.30-22	02/11/2010	CHAMBERS OFC PC	140015	010792 08/2010 557.57
				557.57
03/05/2010	70586	NASLAND ENGINEERING	1656	
408-5010-531.20-06	01/31/2010	P/E 01/31/10 ST IMPRVMENTS	88892	071139 07/2010 9,279.80
				9,279.80
03/05/2010	70587	PACIFIC SAFETY COUNCIL	1275	
101-5020-432.28-04	02/03/2010	SAFETY VIDEO RENTALS	66900	010412 08/2010 8.70
				8.70
03/05/2010	70588	PARTNERSHIP WITH INDUSTRY	1302	
101-6040-454.21-04	02/02/2010	P/E 01/31/2010	GS02652	010050 08/2010 2,006.27
101-6040-454.21-04	02/17/2010	P/E 02/15/2010	GS02671	010050 08/2010 975.95
				1,030.32
03/05/2010	70589	RANCHO AUTO & TRUCK PARTS	1685	
501-1921-419.28-16	02/10/2010	STARTER #602	7693-17807	010072 08/2010 363.42
501-1921-419.28-16	02/10/2010	SMALL ENGINE SPARK PLUGS	7693-17826	010072 08/2010 207.97
				38.82

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501-1921-419.28-16	02/11/2010	CREDIT-RTN CORE /SPRK PLG	7693-18068	010072 08/2010	63.97-
501-1921-419.30-02	02/16/2010	P STEEL WHEEL WEIGHT CTD	7693-18626	010072 08/2010	120.04
501-1921-419.28-16	02/18/2010	BRAKE SHOES #606	7693-18882	010072 08/2010	25.55
501-1921-419.28-16	02/19/2010	STOCK OIL FILTERS	7693-19043	010072 08/2010	35.01
03/05/2010	70590	RZ PURE WATER 8	1		349.00
101-3030-423.30-02	02/25/2010	BOTTLED WATER	02-09-2010	08/2010	349.00
03/05/2010	70591	SEA BREEZE ELECTRIC	1969		1,783.00
405-1260-413.20-06	02/11/2010	CLEAN&GREEN-526 EMORY ST	386	010855 08/2010	390.00
101-1920-532.20-06	02/10/2010	TIME CLOCK REPLCMT-9TH/PA	384	010856 08/2010	298.00
101-1920-532.20-06	02/10/2010	9TH/PALM-SIGN REMOVAL	385	010857 08/2010	1,095.00
03/05/2010	70592	SEIU LOCAL 221	1821		1,276.04
101-0000-209.01-08	03/04/2010	PR AP PPE 2/25/2010	20100304	09/2010	1,276.04
03/05/2010	70593	SKS INC.	412		5,947.79
501-1921-419.28-15	02/18/2010	852 G REG FUEL	1231499-IN	010101 08/2010	2,296.32
501-1921-419.28-15	02/25/2010	1,130.3 G REG/170.5 G DIE	1231627-IN	010101 08/2010	3,651.47
03/05/2010	70594	SPRINT	2040		257.91
101-3030-423.27-05	02/18/2010	01/15/10-02/14/10	699898810-027	08/2010	257.91
03/05/2010	70595	THYSSENKRUPP ELEVATOR	663		219.65
101-3030-423.20-06	03/01/2010	MARCH 2010	1037046814	010043 09/2010	219.65
03/05/2010	70596	UNDERGROUND SERVICE ALERT	OF 731		34.50
601-5060-436.21-04	03/01/2010	FEBRUARY 2010	220100307	010008 09/2010	34.50
03/05/2010	70597	UNION BANK OF CALIFORNIA	735		875.00
101-1920-419.29-04	02/11/2010	11/01/09-01/31/10	599039	010620 08/2010	875.00
03/05/2010	70598	HELLAS CONSTRUCTION, INC.	2181		59,238.00
405-1260-513.20-06	01/28/2010	VET'S PK SOCCER FIELD	1	010784 07/2010	60,420.00
101-6010-551.20-06	01/28/2010	VET'S PK SOCCER FIELD	1	010784 07/2010	2,160.00
405-1260-513.20-06	01/28/2010	VET'S PK SOCCER FIELD	1	010784 07/2010	3,240.00
405-1260-513.20-06	01/28/2010	VET'S PK SOCCER FIELD RET	1	07/2010	6,042.00-
405-1260-513.20-06	01/28/2010	VET'S PK SOCCER FIELD RET	1	07/2010	324.00-
101-6010-551.20-06	01/28/2010	VET'S PK SOCCER FIELD RET	1	07/2010	216.00-
03/05/2010	70599	CWEA	1116		45.00
101-5020-432.28-04	03/02/2010	MOELLER, AJ-CWEA WKSHP	03-17-2010	09/2010	45.00
03/05/2010	70600	VORTEX INDUSTRIES, INC.	786		1,093.73
502-1922-419.28-17	05/20/2009	ROLLING DOOR EMERG SVC	11-471317-1	010876 07/2010	1,093.73
DATE RANGE TOTAL *					771,502.83 *





## STAFF REPORT CITY OF IMPERIAL BEACH

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

MEETING DATE: March 17, 2010

ORIGINATING DEPT.: FINANCE DEPARTMENT *M*

SUBJECT: CASH AND INVESTMENT REPORTS FOR THE QUARTER  
ENDED DECEMBER 31, 2009

---

### **BACKGROUND:**

The attached reports summarize the City's cash and investment position at December 31, 2009. The reports include the pooled investments for all funds. The cash and investment total for the end of this period (4<sup>th</sup> quarter of 2009) is \$36,606,650.

### **DISCUSSION:**

California law requires that staff submit an investment report to the City of Imperial Beach City Council after each quarter that consists of the following information:

- Type of investment or description
- Issuers (bank or institution)
- Date of maturity
- Dollar amount
- Interest rate
- Current market valuation as of the date of the report
- Source of the valuation of each investment

Additionally, a statement indicating the agency's ability, or lack thereof, to meet the next six (6) months cash flow requirements is required.

The source of market valuations has been quoted from documents received from the bank or institution that is the issuer of each of the investments. If staff did not receive this information from the bank or institution, market value has been listed as equal to the original purchase amount.

The City of Imperial Beach invests most of its funds in government securities, corporate bond and in the California Treasurer's Local Agency Investment Fund (LAIF). LAIF is a liquid investment pool, which allows participants to earn market rate returns of large investments, while retaining access to funds within 24 hours of a withdrawal request. The

quarterly interest rate for LAIF for the quarter ended in December was 0.60%. Government securities consist of Federal Farm Credit Bank. Corporate bond consist of Bank of America.

**FISCAL ANALYSIS:**

For the quarter ending December 31, 2009, the City invested approximately 84% of its funds in LAIF (the state investment pool) and 13% in government agencies and 3% in corporate bond. LAIF earned 0.60% during the quarter. The average yield on our government agency investments as of December 31, 2009 was 1.9%.

The total cash and investment of \$36,606,650 is more than enough to meet the annual net approved budget.

**DEPARTMENT RECOMMENDATION:**

It is respectfully requested that the City Council:

- (1) Receive and file the attached Quarterly Investment Reports for the quarter ending December 31, 2009.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



---

Gary Brown, City Manager

ATTACHMENTS: Cash & Investment Schedule, Investment listing and Certification for December, 2009

**CITY OF IMPERIAL BEACH  
CASH AND INVESTMENT SCHEDULE  
December 31, 2009**

Date of Purchase	Broker's Name	Description	Investment Type	Cost Basis (Where Appropriate)	Market Value (Where Appropriate)	Coupon Rate	Date of Maturity	GASB 31 Adjustment	Carrying Amount/ Fair Value
Various	UBOC	Various	Gov't Securities	3,000,000.00	2,970,940.00		Various		\$ 2,970,940
	UBOC	Bank of America	Corporate Bond	1,033,184.87	1,007,140.00				\$ 1,007,140
	LAIF	State of California	Investment Pool	30,844,797.00	30,844,797.00				\$ 30,844,797
NA	UBOC	Bank/Petty Cash	Demand Accts	228,198.00	228,198.00		NA	-	\$ 228,198
NA	WFB	Reserve Fund-RDA TAB	Gov't Securities	1,555,575.00	1,555,575.00	NA		Various	\$ 1,555,575
				<u>36,661,754.87</u>	<u>36,606,650.00</u>				<u>\$ 36,606,650</u>

**SUMMARY OF CITY CASH & INVESTMENTS:**

LAIF (State Investment Pool)	30,844,797.00	30,844,797.00	-	\$ 30,844,797
Union Bank Investment Account	4,033,184.87	3,978,080.00	-	\$ 3,978,080
Checking Account/Petty Cash	228,198.00	228,198.00	-	\$ 228,198
Reserve Fund-RDA TAB	1,555,575.00	1,555,575.00	Various	\$ 1,555,575
	<u>36,661,754.87</u>	<u>36,606,650.00</u>		<u>\$ 36,606,650</u>

**NOTE:**

UBOC - Union Bank of California  
LAIF - Local Agency Investment Fund

  
Mike McGrane, Finance Director/Treasurer



**CITY OF IMPERIAL BEACH  
FINAL BASED ON TOTAL BALANCE SHEET FOR FUND 950  
December 31, 2009**

<b>TOTAL PER BOOKS:</b>		
<b>950-0000-101-0000</b>		31,070,776.05
<b>Add:</b>		
Merchant Fees posted in the wrong period	149.37	
		<u>149.37</u>
<b>Less:</b>		
		<u>-</u>
<b>TOTAL PER BOOKS</b>		<u><b>31,070,925.42</b></u>

<b>TOTAL PER BANK:</b>		
Operating Account [2170012243]	332,833.61	
LAIF Account [98-37-384]	30,844,797.42	
Investment Services Account [2170012243]		
Payroll Account [2170012308]	-	
Worker's Comp Account [2170012243]	-	<u>31,177,631.03</u>
<b>Add:</b>		
Deposit(s) in Transit (DIT)	-	
		<u>-</u>
<b>Less:</b>		
Outstanding checks	(106,605.61)	
Credit card posted	(100.00)	
		<u>(106,705.61)</u>
<b>TOTAL PER BANK</b>		<u><b>31,070,925.42</b></u>
Unreconciled Balance		<u>-</u>

**Local Agency Investment Fund**  
 P.O. Box 942809  
 Sacramento, CA 94209-0001  
 (916) 653-3001  
 CITY OF IMPERIAL BEACH

[www.treasurer.ca.gov/pmia](http://www.treasurer.ca.gov/pmia)  
 -laif  
 January 06, 2010

CITY TREASURER  
 825 IMPERIAL BEACH BLVD  
 IMPERIAL BEACH, CA 91932

PMIA Average Monthly Yields

Account Number: 98-37-384

Transactions

December 2009 Statement

Tran Type Definitions

Effective Date	Transaction Date	Tran Type	Tran Number	Confirm Number	Authorized Caller	Amount
12/2/2009	12/2/2009	RW	1249873		EVELYN C. BUANGAN	-1,000,000.00
12/9/2009	12/9/2009	RW	1250578		MICHAEL McGRANE	-300,000.00
12/10/2009	12/10/2009	RW	1250761		EVELYN C. BUANGAN	-1,000,000.00
12/17/2009	12/17/2009	RD	1251534		EVELYN C. BUANGAN	2,200,000.00
12/24/2009	12/23/2009	RW	1252364		EVELYN C. BUANGAN	-300,000.00

Account Summary

Total Deposit:	2,200,000.00	Beginning Balance:	31,244,797.42
Total Withdrawal:	-2,600,000.00	Ending Balance:	30,844,797.42



Account Number  
6736300140

Account Name  
CITY OF IMPERIAL BEACH CU

## Account Statement

### Statement Period

December 1, 2009 through December 31, 2009

## Asset Detail - Principal Portfolio

### Government Obligations

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield	Estimated Annual Income
<b>Federal Govt Agency</b>								
FEDERAL FARM CR BKS GLOBAL 2.3000% 9/3/2013	31331G4J5	1,000,000.000	1,000,000.00	986,560.00	98.6560 12/31/2009	24.80%	2.33%	23,000.00
FEDERAL HOME LOAN BANK BONDS DTD 12/11/2009 1.50% 12/11/2013	3133XVSP7	2,000,000.000	2,000,000.00	1,984,380.00	99.2190 12/31/2009	49.88%	1.51%	30,000.00
<b>Total Government Obligations</b>			<b>\$3,000,000.00</b>	<b>\$2,970,940.00</b>		<b>74.68%</b>	<b>1.78%</b>	<b>\$53,000.00</b>

### Corporate Obligations

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield	Estimated Annual Income
<b>Corporate Bonds</b>								
BANK OF AMERICA CORPORATION 7.8000% 2/15/2010	060505AD6	1,000,000.000	1,033,184.87	1,007,140.00	100.7140 12/31/2009	25.32%	7.74%	78,000.00
<b>Total Corporate Obligations</b>			<b>\$1,033,184.87</b>	<b>\$1,007,140.00</b>		<b>25.32%</b>	<b>7.74%</b>	<b>\$78,000.00</b>
<b>Total Principal Portfolio</b>			<b>\$4,033,184.87</b>	<b>\$3,978,080.00</b>		<b>100.00%</b>	<b>3.29%</b>	<b>\$131,000.00</b>
<b>Total Account Values</b>			<b>\$4,033,184.87</b>	<b>\$3,978,080.00</b>		<b>100.00%</b>	<b>3.29%</b>	<b>\$131,000.00</b>

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STATEMENT OF TRANSACTIONS  
FOR THE PERIOD DECEMBER 1, 2009 THROUGH DECEMBER 31, 2009

IMPERIAL BEACH PFA 03-RESERVE FUND  
ACCOUNT NUMBER 15318903

**STATEMENT OF TRANSACTIONS**

DATE	PAR VALUE/SHARES	DESCRIPTION	PRINCIPAL CASH	INCOME CASH	COST VALUE	REALIZED GAIN/LOSS
		<u>BEGINNING BALANCE</u>	<u>0.00</u>	<u>0.00</u>	<u>1,555,575.00</u>	
12/01/09		INTEREST RECEIVED WF ADV 100% TREAS MM FD-SVC CL #008 INTEREST FROM 11/1/09 TO 11/30/09		373.41		
12/02/09		TRANSFER TO PRINCIPAL TRFR EARNINGS TO PRINCIPAL		373.41-		
12/02/09		ADDITION TO ACCOUNT TRANSFER FROM INCOME TRFR EARNINGS TO PRINCIPAL	373.41			
12/15/09		TRANSFER TO ANOTHER ACCOUNT PAID TO ACCOUNT # 15318900 EXCESS TRANSFER PER SEC 4.40 TO REV FD	373.41-			
12/31/09	373.41	CASH SWEEP PURCHASES FOR STMT PERIOD WF ADV 100% TREAS MM FD-SVC CL #008 1 TRANSACTION	373.41-		373.41	
12/31/09	373.41-	CASH SWEEP SALES FOR STMT PERIOD WF ADV 100% TREAS MM FD-SVC CL #008 1 TRANSACTION	373.41		373.41-	
		<u>ENDING BALANCE</u>	<u>0.00</u>	<u>0.00</u>	<u>1,555,575.00</u>	



44581810044





STAFF REPORT  
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: MARCH 17, 2010

ORIGINATING DEPT.: PUBLIC WORKS *HAZ*

SUBJECT: APPROVING A MODIFICATION TO THE AGREEMENT FOR PROVISION OF SEWER SERVICES AND PAYMENT FOR SERVICES USING THE SANITARY SEWER SYSTEM – 1185 PALM AVENUE – THRIFTY OIL COMPANY

**BACKGROUND:** At the July 15, 2009 City Council meeting, City Council adopted resolution 2009-6783 approving an "Agreement For The Provision Of Sewer Services and Payment For Services Using The Sanitary Sewer System – 1185 Palm Avenue." See Attachment (2). The Agreement was to establish the conditions for discharging extraction well ground water to the City's Sewer Service System after processing through their approved remediation system. Resolution 2009-6783 further approved a Sewer Service Fee Class 7 for the approved water discharge to the Sewer System.

Subsequent to City Council action, a Thrifty Oil Representative contacted the City and asked for the City's reference for setting the Sewer Service Fee Class. Staff provided that information as requested.

**DISCUSSION:** Upon further review, staff discovered that the reference used for the sewer service fee class was a draft copy of an exhibit that City Council approved listing users within each Class. This draft listed service stations in Class 7, not Class 8 as was shown on the Council approved list. The FY 2010 Class 7 rate is \$6.7598 and Class 8 rate is \$3.9202. Clearly Thrifty Oil is asking for the Sewer Service Fee class in the Agreement be changed to Class 8.

**ENVIRONMENTAL DETERMINATION:**  
Not a project as defined by CEQA.

**FISCAL IMPACT:**

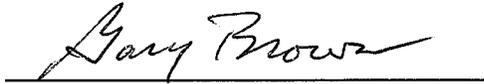
Annual Water Volume (20 gal/min times 525,600 min/yr)	10,512,000 gal/yr
Annual Water Volume in HCF (10,512,000 gal/yr divided by 748 gal/HCF)	14,053 HCF/yr
Projected annual revenue to the Sewer Enterprise Fund (14,053 HFC times \$3.9202 per HFC)	\$55,090

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Approve the City Manger to enter into an "Agreement for the Provision of Sewer Services and Payment for Services Using the Sanitary Sewer System" with Thrifty Oil, Inc. at Customer Sewer Service Class 8.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



---

Gary Brown, City Manager

Attachments:

1. Resolution No. 2010-6870
2. Resolution No. 2009-6783

**RESOLUTION NO. 2010-6870**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A MODIFICATION TO THE AGREEMENT FOR PROVISION OF SEWER SERVICES AND PAYMENT FOR SERVICES USING THE SANITARY SEWER SYSTEM – 1185 PALM AVENUE – THRIFTY OIL COMPANY**

**WHEREAS**, at the July 15, 2009 City Council meeting, City Council adopted resolution 2009-6783 approving an "Agreement For The Provision Of Sewer Services and Payment For Services Using The Sanitary Sewer System – 1185 Palm Avenue" with Thrifty Oil Company ; and

**WHEREAS**, the Agreement was to establish the conditions for discharging extraction well ground water into the City's Sewer Service System, after processing through their approved remediation system; and

**WHEREAS**, Resolution 2009-6783 further approved a Sewer Service Fee Class 7 for the ground water discharged to the Sewer System; and

**WHEREAS**, upon further research it was determined that a more appropriate Sewer Service Fee is Class 8; and

**WHEREAS**, Thrifty Oil is asking for the Sewer Service Fee class in the Agreement be changed to Class 8.

**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 approves the City Manager's recommended remediation water discharge classification as Customer Classification 8.
3. This legislative body approves the City Manager entering in an agreement with Thrifty Oil Company for the purpose of permitting remediated water discharge into the City's Sanitary Sewer Service System at 1185 Palm Avenue.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17th day of March 2010, by the following vote:

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

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

**ATTEST:**

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



RESOLUTION NO. 2009-6783

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVAL OF AGREEMENT FOR PROVISION OF SEWER SERVICES AND PAYMENT FOR SERVICES USING THE SANITARY SEWER SYSTEM – 1185 PALM AVENUE**

**WHEREAS**, Thrifty Oil Company has submitted a building permit application to install ground water remediation equipment system at 1185 Palm Avenue; and

**WHEREAS**, the remediation equipment water discharge is proposed to be piped to the City of Imperial Beach sanitary waste water system; and

**WHEREAS**, the system will have a flow meter to record the water discharged to the City's sewer system; and

**WHEREAS**, the City of San Diego Industrial Discharge Permit 17-0013 requires Thrifty Oil Company to take representative sampling of groundwater discharged; and

**WHEREAS**, the City Attorney had prepared an agreement to be signed by both Thrifty Oil Company and the City Manager authorizing the discharge to the City's sewer system and payment for those services; and

**WHEREAS**, the sewer system customer class in I.B.M.C. Title 13, Chapter 13.06 does not describe a Class for ground water remediation discharge; and

**WHEREAS**, I.B.M.C. 13.06.060 Rate Exceptions states, "The City Manager shall have the power to grant exceptions and to establish policies for the granting of such exceptions from the established sewer service charges"; and

**WHEREAS**, I.B.M.C. Article 13.06.140.D states in part, "...in the case of ... businesses and establishments that have unusual character insofar as sewage is concerned, the rate shall be established in each case by the City Manager subject to approval by the City Council"; and

**WHEREAS**, Thrifty Oil Company estimates that the average discharge will be approximately 20 gallons per minute; and

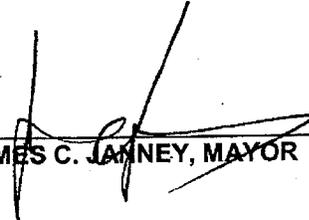
**WHEREAS**, staff recommends the remediation water discharge be classified as equivalent with Customer Classification 7 of Ordinance 2009-1086.

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

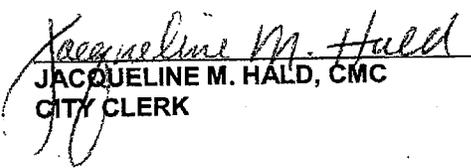
1. The above recitals are true and correct.
2. This legislative body approves the City Manager's recommended remediation water discharge classification as Customer Classification 7.
3. This legislative body approves the City Manager entering into an agreement with Thrifty Oil Company for the purpose of sewer services and payment for services using the sanitary sewer system – 1185 Palm Avenue.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 15<sup>th</sup> day of July 2009, by the following roll call vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, KING, ROSE, BRAGG, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>

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

**ATTEST:**

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





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: CITY COUNCIL**  
**FROM: Mayor James C. Janney**

**MEETING DATE: MARCH 17, 2010**  
**ORIGINATING DEPT: GARY BROWN, CITY MANAGER**

**SUBJECT: CITY MANAGER'S AGREEMENT**

---

**BACKGROUND:**

The City Manager's annual evaluation has been completed and based upon his very good performance, he deserves an increase in salary, but the City cannot afford this.

Therefore, I recommend two ways to recognize and express appreciation to Mr. Brown for his performance and service to our City:

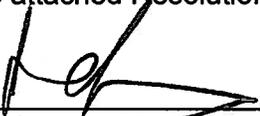
1. Allow him to receive as salary the amount the City contributes to his ICMA Retirement Plan.
2. Continue the practice of not having an end date to the agreement with the City Manager coupled with annual evaluations to ensure satisfactory performance. This promotes stability within our management structure.

**FISCAL IMPACT:**

Neither of the above recommendations will cost the City additional funds.

**MAYOR'S RECOMMENDATION:**

Adopt the attached Resolution and Fourth Amended Employment Agreement.

  
\_\_\_\_\_  
James C. Janney, Mayor

**Attachments:**

1. Resolution 2010-6868
2. Fourth Amended Employment Agreement



**RESOLUTION NO. 2010-6868**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE CITY MANAGER'S CONTRACT**

**WHEREAS**, the City Council finds that Mr. Brown's performance warrants a merit increase, but due to the City's fiscal constraints the City Council wishes to recognize and express appreciation for his performance in other ways.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach that Mr. Brown's Employment Agreement is amended as follows:

- 1. Section III, Salary, and Section V, Deferred Compensation/Retirement shall be amended so as to allow, at the City Manager's discretion, the amount paid by the City in Section V to be paid as salary under section III.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17th day of March 2010, by the following vote:

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

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

**ATTEST:**

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



The FOURTH AMENDED EMPLOYMENT AGREEMENT is made and entered into this 17<sup>th</sup> day of March, 2010, by and between the City of Imperial Beach, a municipal corporation, sometimes hereinafter referred to as "Employer", and Gary Brown, sometime hereinafter referred to as "Employee", both of whom understand as follows:

**WITNESSETH:**

WHEREAS, Employer and Employee have agreed to a change in compensation for Employee for the position of City Manager of the City of Imperial Beach; and

WHEREAS, Employer and Employee wish for this Fourth Amended Employment Agreement to amend the terms of the First Amended Employment Agreement dated May 3, 2005, Second Amended Agreement dated April 18, 2007, Third Amended Agreement dated June 18, 2008, and the terms of the Original Agreement dated December 17, 2003 regarding this subject matter and for the new terms to be effective as of March 17, 2010; and

WHEREAS, Employer and Employee wish for all terms of the previous employment agreements referenced above to remain effective to the extent they are not amended by this FOURTH AMENDED EMPLOYMENT AGREEMENT.

NOW, THEREFORE, in consideration of the mutual covenants herein contained the parties agree to this FOURTH AMENDED EMPLOYMENT AGREEMENT as follows:

**SECTION III  
SALARY**

The following shall be added at the end of this Section: Mr. Brown may at his discretion, be paid the amount in Section V., Deferred Compensation/Retirement, as salary.

**SECTION V  
DEFERRED COMPENSATION/RETIREMENT**

The following shall be added after the last sentence of the first paragraph: The contribution made by the City to Mr. Brown's ICMA Deferred Compensation Plan may, instead, be paid to the City Manager as salary if the City Manager so chooses.

IN WITNESS WHEREOF, the City of Imperial Beach has caused this Fourth Amendment to Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

EMPLOYER:

\_\_\_\_\_  
James C Janney, Mayor  
City of Imperial Beach

ATTEST:

\_\_\_\_\_  
Jacqueline M. Hald  
City Clerk

EMPLOYEE:

\_\_\_\_\_  
Gary Brown

APPROVED AS TO FORM:

\_\_\_\_\_  
Jennifer Lyon  
City Attorney





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS DEPARTMENT *gab*  
**SUBJECT:** RESOLUTION DECLARING APRIL AS "ENVIRONMENTAL AWARENESS MONTH" IN THE CITY OF IMPERIAL BEACH

**BACKGROUND:**

The first Earth Day was celebrated in the United States on April 22, 1970. Since then, through the efforts of government, grassroots organizations, and concerned citizens alike, Earth Day has evolved into a day of environmental recognition celebrated around the globe. An important focus of many Earth Day events is the promotion of responsible waste management practices and the protection of local water quality.

The State of California requires all cities to implement proactive programs to reduce the amount of waste sent to landfills. Similarly, the State requires cities to implement programs that increase the knowledge and awareness of urban runoff and storm water pollution. To address these requirements, the City staff is proposing to implement a number of education activities and special events during the month of April that improve the quality of life and increases knowledge and awareness of key environmental issues.

**DISCUSSION:**

City staff plans to take advantage of the general atmosphere of environmental awareness presented by Earth Day to more actively engage the community on the City's integrated waste management and storm water programs. In recognition of Earth Day, staff is recommending City Council adopt a resolution that would declare April as "Environmental Awareness Month". Several activities are planned for the month of April to encourage community. Some examples are:

- **Recycling Awareness Outreach:** EDCO will tailor its April newsletter to focus on opportunities for Imperial Beach residents and businesses to "Reduce, Reuse, and Recycle".
- **Annual Citywide Garage Sale (April 24, 2010):** The City will hold its annual Citywide Garage Sale on Saturday, April 24, 2010. Residents are encouraged to participate in this event since reuse of items is preferable to disposal in the trash.
- **8<sup>th</sup> Annual Creek to Bay Cleanup (April 24, 2010):** The City co-sponsors the annual I Love a Clean San Diego Creek to Bay Cleanup as a collaborative watershed activity for the San Diego Bay WURMP. Residents will be encouraged to participate in two cleanup sites scheduled at the Tijuana River Mouth and Tijuana River Valley.

- **Home Front Cleanup (May 1, 2010):** The City and EDCO will hold its annual Home Front Cleanup event at Mar Vista High School from 7:00 a.m. – 2:00 p.m. Residents can drop off any item - except hazardous materials - free of charge. EDCO will provide recycling for green waste, scrap metals, construction waste, cardboard/paper, and electronic waste.
- **Sports Park Environmental Education Program:** City staff is coordinating with the State Park education staff from the Tijuana River Estuary to provide City's youth with environmental education activities at Sports Park during the month of April.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

Activities are budgeted within the adopted O&M budget.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Adopt the attached resolution declaring April "Imperial Beach Environmental Awareness Month."

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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

**Attachments:**

1. Resolution No. 2010-6865

**RESOLUTION NO. 2010-6865**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, DECLARING APRIL AS "ENVIRONMENTAL AWARENESS MONTH" IN IMPERIAL BEACH**

**WHEREAS**, April 22<sup>nd</sup> is internationally recognized as Earth Day; and

**WHEREAS**, Earth Day was initiated in 1970 to inspire awareness of and appreciation for the Earth's environment; and

**WHEREAS**, residents, businesses, government entities, and others can care for the environment by reducing the generation of waste, recycling, minimizing water consumption, lowering energy use, and preventing urban runoff; and

**WHEREAS**, the City of Imperial beach is required by the State of California to promote waste reduction, reuse, and recycling programs as a means of reducing the amount of waste sent to local landfills, in addition to increase the knowledge and awareness in the community on urban runoff and storm water pollution.

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

1. The above recitals are true and correct.
2. The month of April is declared "Environmental Awareness Month" in the City of Imperial Beach.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17<sup>th</sup> day of March 2010, by the following vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MARCH 17, 2010

**ORIGINATING DEPT.:** PUBLIC WORKS *HBK*

**SUBJECT:** RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M

**BACKGROUND:** At the regular scheduled meeting on June 17, 1992, City Council approved and adopted Resolution 92-4130, which formed a Special Assessment District pursuant to the "Lighting and Landscaping Act of 1972" (AD-67M). The purpose of the Assessment District was to pay for the construction and operation and maintenance of streetlights on Highway 75

**DISCUSSION:**  
The proposed Resolution is the formal action of the City Council ordering the preparation of the required Engineer's "Report" for the annual levy of assessments. The proposed assessments are for the purpose of paying San Diego Gas and Electric operating and maintenance expenses of the new street lighting on Highway 75/Palm Avenue. The operating and maintenance will consist of energy costs, lamp maintenance, replacement of light standards as required, and San Diego Gas and Electric ownership costs.

**ENVIRONMENTAL DETERMINATION:**  
Not a project as defined by CEQA.

**FISCAL IMPACT:**  
None

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Authorize the Public Works Director to initiate the Engineer's Report for AD – 67M
3. Approve and adopt the proposed resolution.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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

Attachments:

1. Resolution No. 2010-6864

**RESOLUTION NO. 2010-6864**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT (AD-67M)**

**WHEREAS**, the City Council of the City of Imperial Beach, California has previously formed a special assessment district pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special assessment district known and designated as ASSESSMENT DISTRICT NO. 67-M (hereinafter referred to as the "Assessment District"); and

**WHEREAS**, at this time the City Council is desirous to take proceedings to provide for the annual levy of assessments for the next ensuing fiscal year to provide for the annual costs for maintenance of improvements within the Assessment District.

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

**RECITALS**

SECTION 1. That the above recitals are all true and correct.

DECLARATION OF INTENTION

SECTION 2. That the public interest and convenience requires, and it is the intention of this legislative body to initiate proceedings for the annual levy and collection of special assessments for the payment of annual maintenance and/or servicing costs within the Assessment District.

No new improvements or any substantial changes in existing improvements or zones are proposed as a part of these proceedings.

REPORT OF ENGINEER

SECTION 3. That this improvement is hereby referred to the ASSESSMENT ENGINEER, who is hereby directed to make and file the "Report" generally containing the following:

A. Plans and specifications describing the general nature, location and extent of the improvements to be maintained;

B. An estimate of the cost of the maintenance and/or servicing of the improvements for the Assessment District for the referenced fiscal year;

C. A diagram for the Assessment District, showing the area and properties proposed to be assessed;

D. An assessment of the estimated costs of the maintenance and/or servicing, assessing the net amount upon all assessable lots and/or parcels within the Assessment District in proportion to the benefits received.

SECTION 4. That upon completion of the preparation of said "Report", the original shall be filed with the City Clerk, who shall then submit the same to this legislative body for its immediate review and consideration.

FISCAL YEAR

SECTION 5. That the above "Report" shall include all costs and expenses of said maintenance and/or servicing relating to the fiscal year commencing July 1, 2010 and ending June 30, 2011.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17<sup>th</sup> day of March 2010, by the following vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MARCH 17, 2010

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

**SUBJECT:** RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2011

**BACKGROUND:** Pursuant to Chapter 13.06 of the Imperial Beach Municipal Code, a sewer service fee is charged to all residential and non-residential customers in the city limits of the City of Imperial Beach that discharge sewage into the sewer lines maintained by the city, or is considered by the San Diego Metropolitan Sewer System to be within the city jurisdiction. Ordinance 2005-1030, Section 2, adopted by Council on July 20, 2005 states:

"Ordinance 2005-1030, Section 2:  
 "The rates established hereunder shall increase each July 1st, beginning in the year 2006 through July 1, 2010, inclusive, by the amount of five and one-half percent (5.5%) to account for expected increased costs of sewer service. Rates, beginning in July 1, 2010 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, or by a more appropriate future determiner of Imperial Beach Cost of Living that may be developed. Prior to the scheduled increase each year, the City Council shall hold a public hearing in conjunction with the process of adoption or review of the City budget adoption of the annual City budget to determine if there are costs reasonably borne by the City to justify the annual increase established hereunder. If the City Council determines that the actual costs of the sewer program do not require the automatic annual increase, the City Council shall amend the sewer rates to reflect the actual costs of service, including adequate reserves for contingencies. Nothing herein prevents the City Council from enacting fees that cover the actual costs of the sewer program."

The above Ordinance section notes that there is a 5.5% annual increase through July 1, 2010. Rates after July 1, 2010 are to be based on United States Bureau of Labor Statistics Consumer Price Index, but that nothing prevents the City Council from enacting fees that cover the actual costs of the sewer service. Staff analysis of the cost to cover the actual sewer service shows that a 5.5% increase in sewer service fee is warranted. Thus a 5.5% rate adjustment is shown in the public noticing.

Since the sewer service charges are codified in the Imperial Beach Municipal Ordinance, changes to the sewer service charges must be made through a new ordinance. And, since the ordinance proposes a change in a sewer service fee, a public hearing must be held to effect sewer service fee changes.

Additionally in the 2006 California Supreme Court decision (Bighorn-Desert View Water Agency v. Verjil, (2006) 39 Cal. 4<sup>th</sup> 205), the court ruled that a public agency's water rate and charges for ongoing water delivery are subject to the initiative provision of Article 13C, Section 3, as added to the California Constitution by Proposition 218. The *Bighorn* decision raises concerns about the applicability of this decision relative to waste water (sewer) service charges, particularly with regard to public noticing requirements. In an abundance of caution, staff is proposing a 45-day public hearing period and the distribution of notices of the proposed fee increase to all affected property owners.

**DISCUSSION:** The attached resolution would set the time and place of a public hearing to review and approve the subject sewer service charge rate increase. The proposed time and place of the public hearing is:

Tuesday, May 4, 2010  
City Council Chambers  
825 Imperial Beach Blvd.  
Imperial Beach, CA 92932

The following adoption schedule is proposed:

- Mail the 45-day notice no later than March 21, 2010
- Public Hearing and First Reading of Ordinance, May 4, 2010
- Second Reading of Ordinance, May 19, 2010

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

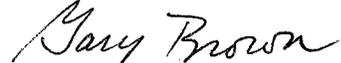
The estimated noticing costs are \$4,000 plus 20-hours of staff time.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Adopt the attached resolution.
3. Direct staff to mail a notice of a public hearing time and place to each property owner and also to place this notice in the I.B. Eagle & Times newspaper as described herein.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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

Attachments:

1. Resolution 2010-6862

**RESOLUTION NO. 2010-6862**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2011**

**WHEREAS**, pursuant to Chapter 13.06 of the Imperial Beach Municipal Code, a sewer service fee is charged to all residential and non-residential customers in the city limits of the City of Imperial Beach that discharge sewage into the sewer lines maintained by the city, or is considered by the San Diego Metropolitan Sewer System to be within the city jurisdiction, sewer service charges; and

**WHEREAS**, Ordinance No. 2005-1030 Section 2 states that rates, beginning in July 1, 2010 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, but that nothing prevents the City Council from enacting fees that cover the actual costs of the sewer service; and

**WHEREAS**, Ordinance No. 2005-1030 Section 2 states that the city council shall hold a noticed public hearing in conjunction with the process of adoption or review of the City budget adoption of the annual City budget to determine if there are costs reasonably borne by the City to justify the annual increase established hereunder; and

**WHEREAS**, a recent California Supreme Court case (Bighorn-Desert View Water Agency v. Virjil, (2006) 39 Cal. 4<sup>th</sup> 205) raises concerns about the applicability of this decision relative to the waste water (sewer) Service Charge rate increases, particularly with regard to public noticed public hearing requirements; and

**WHEREAS**, in an abundance of caution it is appropriate to establish a 45-day notice for a Public Hearing to hear comments and protests on the proposed solid waste rate increases

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

1. The above recitals are true and correct.
2. The time and place of the public hearing is:  
 Tuesday, May 4, 2010  
 City Council Chambers  
 825 Imperial Beach Blvd.  
 Imperial Beach, CA 91932
3. The City Manager is directed to mail out the 45-day Public Hearing notice to all property owners within the City of Imperial Beach.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17th day of March 2010, by the following vote:

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

**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS *HGB*  
**SUBJECT:** RESOLUTION SETTING THE TIME AND PLACE FOR PUBLIC HEARING TO REVIEW THE SETTING OF THE SEWER CAPACITY FEE FOR FY 2011

---

**BACKGROUND:**

Pursuant to Chapter 13.05 of the Imperial Beach Municipal Code, a sewer capacity fee is charged to all new developments in the city limits of the City of Imperial Beach to defray the costs of expansion and rehabilitation of the existing sewer collection system to meet the demands placed on the system by new development. This sewer capacity fee is established to pay for participation rights in the existing sewer collection system and improvements to the system to handle the increased demands in the system caused by new development. The sewer capacity fee was set at \$1,230 per Equivalent Dwelling Unit (EDU) in July 2005 by resolution 2005-6192.

I.B.M.C., Chapter 13.05 section 13.05.050 states that:

The city council shall annually review the amount of the fee to determine whether the fee amounts are reasonably related to the costs of the public facility attributable to the development on which the fee is imposed. The city council may adjust the amount of this fee as necessary to reflect changes in the Engineering – News Record Construction Index, the type, size, location or cost of facilities to be financed by fee, and upon other sound engineering, financing and planning information. Adjustments to the above fee may be made by resolution. The city council shall hold a noticed public hearing annually to review and update the plan. The city council may modify or amend the list of projects in order to meet the demands of new development and maintain compliance with the capital improvement program.

**DISCUSSION:**

This staff report is to propose the setting of the time and place of the public hearing for the annual review of the amount of the fee and to determine whether the fee amounts are reasonably related to the costs of the public facilities attributable to the development on which the fee is imposed. The recommended sewer capacity fee per EDU for Fiscal Year 2010/2011 is \$1,230.00, unchanged from the previous five fiscal years. The proposed time and place of the public hearing is:

Wednesday, April 7, 2010, at 6:00 p.m.

825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

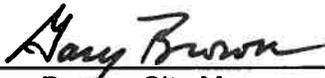
None

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Direct staff to notice a public hearing time and place in the I.B. Eagle & Times newspaper as described herein.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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Gary Brown, City Manager

Attachments:

1. Resolution No. 2010-6866

**RESOLUTION NO. 2010-6866**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING SETTING THE TIME AND PLACE FOR PUBLIC HEARING TO REVIEW THE SETTING OF THE SEWER CAPACITY FEE FOR FY 2011**

**WHEREAS**, pursuant to Chapter 13.05 of the Imperial Beach Municipal Code, a sewer capacity fee is charged to all new developments in the city limits of the City of Imperial Beach to defray the costs of expansion and rehabilitation of the existing sewer collection system to meet the demands placed on the system by new development; and

**WHEREAS**, this sewer capacity fee is established to pay for participation rights in the existing sewer collection system and improvements to the system to handle the increased demands in the system caused by new development; and

**WHEREAS**, the city council shall annually review the amount of the fee to determine whether the fee amounts are reasonably related to the costs of the public facility attributable to the development on which the fee is imposed; and

**WHEREAS**, the city council shall hold a noticed public hearing annually to review and update the plan.

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

1. The above recitals are true and correct.
2. The time and place of the public hearing is:  
Wednesday, April 7, 2010 at 6:00 p.m.  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932
3. The City Clerk, City of Imperial Beach, is directed to publish the notice of public hearing in the Imperial Beach Eagle and Times newspaper on or before March 28, 2010.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17<sup>th</sup> day of March 2010, by the following vote:

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

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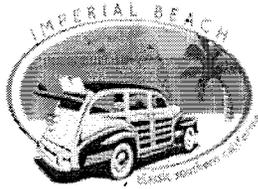
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MARCH 17, 2010

**ORIGINATING DEPT.:** FINANCE DEPARTMENT

**SUBJECT:** ESTABLISHING RENT AND SERVICE CHARGES  
RELATED TO THE NEW YOUTH SOCCER FIELD

---

**BACKGROUND:**

On March 3, 2010, the City Council approved an agreement with Boys & Girls Club to coordinate the rental of the new soccer field in Veteran's Park. This report establishes the rental rate and a refundable deposit.

**FISCAL ANALYSIS:** The City has just invested over \$300,000 for a new artificial turf field. The turf is from the same manufacturer that is used in professional and collegiate venues. In addition to the initial cost to purchase and install the turf, ongoing maintenance and repair of the turf will be necessary. Staff is recommending a rental rate be established to reserve the field. A \$25 per hour rate for residents and \$35 per hour for non-residents is comparable to other nearby cities such as Chula Vista and National City. Staff is additionally recommending establishing a \$250 refundable deposit to assure that the field is not damaged and that the field will be left in a clean condition. The weighted average hourly labor cost (including benefits) for maintenance personnel is currently \$29.45. Staff is recommending a \$30 hour (including billing costs), if necessary, to recover cleanup costs and other related soccer field costs. Actual costs will be charged for any damages to the field. The cleaning and damage charges, if any, would be deducted from the deposit.

**DEPARTMENT RECOMMENDATION:**

Staff recommends the rental cost of the soccer field be established at \$25 per hour for residents and \$35 per hour for non-residents. It is further recommended that a \$250 refundable deposit and a \$30 per labor hour maintenance charge be established to cover potential cleaning costs. The fees will be set forth via resolution as required in Imperial Beach Municipal Code section 12.56.040.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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

Attachments:

Attachment 1: Resolution 2010-6867

**RESOLUTION NO. 2010-6867**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING THE MASTER SCHEDULE OF FEES AND CHARGES FOR RENTAL RATES AND OTHER FEES ASSOCIATED WITH THE NEW YOUTH SOCCER FIELD**

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

**WHEREAS**, the City has constructed a new youth soccer field: and

**WHEREAS**, the field may wish to be reserved for private use: and

**WHEREAS**, the City wishes to assure that this new facility is properly maintained; and

**WHEREAS**, maintenance, damage, or other related fees for the new soccer field do not exceed the cost of the services provided.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach that the Master Fee Schedule is amended to include the following:

Soccer Rental Rates: Resident - \$25 per hour, Non-Resident - \$35 per hour  
Refundable Deposit: \$250  
Maintenance and Cleanup Fee: \$30 per hour per laborer.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17<sup>th</sup> day of March 2010, by the following roll call vote:

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

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6867 – A Resolution of the City Council of the City of Imperial Beach, California AMENDING THE MASTER SCHEDULE OF FEES AND CHARGES FOR RENTAL RATES AND OTHER FEES ASSOCIATED WITH THE NEW YOUTH SOCCER FIELD

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

\_\_\_\_\_  
DATE



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL/CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

**FROM:** GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

**MEETING DATE:** MARCH 17, 2010 – TIME SPECIFIC FOR 7:00 PM

**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*

**SUBJECT:** COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION

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**BACKGROUND:**

On June 24, 2009, a combined City Council and Design Review Board (DRB) workshop was held to present the results and recommendations of the City's Commercial Zoning Review. At this workshop, the consultant team headed by EDAW/AECOM Inc. (EDAW), presented specific recommendations for zoning amendments based upon the review of the City's commercial zones. During the workshop, concerns were raised about the extensive amount of information provided and about some of the specific recommendations being presented, particularly those involving proposed increases to building height and residential densities. As such, the City Council and Design Review Board (DRB) requested that additional workshops be conducted to go over the information in more detail and to allow for additional input from the City Council, DRB and the public.

On July 28, 2009, another City Council/DRB Workshop was held. This workshop was attended by over 70 members of the community many of whom raised concerns about the Commercial Zoning Review and, more specifically, about the process for reviewing the potential draft zoning amendments to the City's Commercial Zoning and General Plan.

On September 23, 2009, staff presented to the City Council options for the review process moving forward for this effort. The City Council directed staff to schedule a special meeting at which the Council could discuss the Commercial Zoning Review recommendations prior to establishing a community outreach and review process.

On October 26, 2009, the City Council held a Special Meeting to discuss the Commercial Zoning Review recommendations. At beginning of this meeting, the City Council voted to eliminate the following potential zoning amendment recommendations from consideration:

1. A 60-foot height overlay zone along Palm Avenue from Emory westward to Rainbow Drive.
2. Minimum residential density requirements.
3. A 40-foot height limit on the east side of Seacoast Drive and along Old Palm Avenue from Seacoast Drive to 3<sup>rd</sup> Street, subject to incentive criteria.
4. Elimination of the Mixed-Use Overlay Zone (MU-2 Zone) west of Ocean Lane.

After discussion, a majority of the City Council voted to consider and discuss the possibility of allowing building of up to 35 feet, not 36 feet as proposed in the potential amendments, on the east side of Seacoast Drive and along Old Palm. This increased height would be permitted only if a proposed project met specific development incentive criteria. The development incentives were one of the items identified by the City Council to be discussed in more detail at the meeting on November 18, 2009.

On November 18, 2009, staff and the consultant team made another presentation to the City Council on the Commercial Zoning Review recommendations. While the City Council had anticipated discussing the parking requirements, performance-based incentives, floor area ratios (FAR's), setbacks and stepbacks, and maximum residential densities, due to time constraints and the depth of discussion, the City Council was only able to cover the parking requirements. The City Council was generally supportive of the proposed recommended parking amendments which included:

- 1) Reducing the overall parking ratios/requirements for commercial development
- 2) Allowing a 25% parking reduction for vertical (taller than one story) development
- 3) Allowing a parking waiver for commercial uses of less than 1,000 square feet
- 4) Allowing a shared parking reduction, subject to a project-specific study

The City Council also suggested that some additional study of existing parking might be necessary, particularly along Seacoast Drive and Old Palm Avenue, in order to support the recommended parking regulation amendments. This will be particularly important as any amendments approved by the City Council must then be certified and approved by the Coastal Commission.

On Wednesday, December 16, 2009, the City Council continued its focus discussions on the following items:

- Maximum Residential Densities
- Setbacks and step-backs
- Floor Area Ratios (FARs)
- Performance-based incentives

Staff and a member of the consultant team presented an overview of these items and responded to questions and comments from the City Council. During this discussion, questions were asked and comments were made regarding the proposed recommendations, including those pertaining to maximum residential densities, floor area ratio (FAR), and the amount of commercial square footage generated with the proposed recommendations as compared to the existing zoning. The City Council elected to continue this focus discussion and provide more formal recommendations at their meeting on January 20, 2010. This item was then continued to February 17, 2010.

At the meeting on February 17, 2010, staff provided another overview of the recommendations for which specific recommendations are needed. The recommendations were also presented in a matrix to clearly list the proposed recommendations as well as the direction given by the City Council for each. The City Council then continued its discussion of maximum residential densities, setbacks and stepbacks, floor area ratios and performance-based incentives. During this meeting, the City Council appeared to reach some consensus on allowing a slight increase in density to thirty-six (36) dwelling units per acre in both the C/MU-2 and C/MU-3 zones through meeting identified incentive criteria. The City Council also supported the same height increases in the C/MU-3 zone (i.e., to 35 feet through incentives). There was also specific discussion regarding setbacks and stepbacks. Given the complexity of the issues discussed,

there was insufficient time to cover all topics. The City Council, therefore, requested that staff return on March 3, 2010, to continue its focused discussion on these topics.

**DISCUSSION:**

At their meeting on March 3, 2010, the City Council continued this focus discussion. The discussion at this meeting focused on building setbacks, primarily those in the C-2 (proposed C/MU-2) Zone. The concerns expressed by Council Members centered on new, multi-story commercial development adjacent to existing residential and residentially-zoned property. Although, currently no setbacks are required in the C-2 Zone, several Council Members expressed support for required upper-level setbacks (above the first floor) for property adjacent to residentially-zoned property to implement existing General Plan policies. The City Council directed staff to return to the City Council on March 17, 2010, to continue the focus discussions on the remaining Commercial Zoning Review recommendations.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

This discussion of the recommended zoning amendments is not, in itself, subject to CEQA.

**FISCAL IMPACT:**

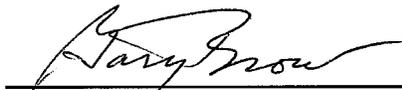
None with this item.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council continue its discussion and provide direction and input on the specific recommendations presented. Staff further recommends that the City Council consider scheduling the proposed Land Use Table and Definitions for discussion at an upcoming City Council meeting and provide any further specific direction on the next steps for consideration of the proposed recommendations.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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Gary Brown, City Manager





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS *HAL*  
**SUBJECT:** XERISCAPE LANDSCAPE PROJECT PROPOSAL FOR MARINA VISTA CENTER FRONTAGE OFF 8<sup>TH</sup> STREET

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**BACKGROUND:** Recently California American Water Company, CALAM, contacted the City of Imperial Beach and invited the City to submit a grant proposal for a new water conservation project within the City. Further they proposed that the City consider a Xeriscape project adjacent to the Marina Vista Center – something that might complement what was done in front of the City of Imperial Beach Civic Center.

As with the Civic Center project the grant moneys would only apply towards material costs of the improvement. If the City was to be competitive in receiving grant funds, a grant application would need to be submitted in the near future. There is a limited pot of grant funds available to their customers.

**DISCUSSION:** As with the Civic Center Xeriscape Project, the costs to construct a Xeriscape garden are not inexpensive if contracted out. The CALAM grant funds will not pay for contractor labor or equipment or overhead. Thus, staff has contacted Boy Scout Troop 53 in North Park, San Diego, California and inquired if there would be any Life Scout interested in performing his Eagle Scout Rank Project doing a Xeriscape project adjacent to Marina Vista Center. It was suggested that the project design replicate that which was installed in front of the Civic Center. One Life Scout, Nick Morrell, stepped forward and expressed an interest in this project. Nick Morrell and his father have visited the proposed site and Nick has accepted this for his Eagle Project, pending City Council approval.

Nick Morrell will be present at this March 17, 2010 meeting to present his concept to City Council for approval. If approved, Nick will submit the materials list and associated costs to City staff. City staff in turn will submit a proposal to CALAM for the grant to cover the material costs of the project.

As with the Civic Center Xeriscape project, Public Works staff will perform the clearing and grubbing at the project site and prepare the area for planting and irrigation by Nick Morrell and Troop 53. These costs will be absorbed within the Public Works O&M budget.

**ENVIRONMENTAL DETERMINATION:**  
Not a project as defined by CEQA.

**FISCAL IMPACT:**

Estimated cost will for the plants and materials funded through the grant is \$3,000

Estimated O&M cost for Public Works staff is \$7,000

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Receive a presentation from Eagle Scout Candidate Nick Morrell
3. Approve the Marina Vista Center Xeriscape Landscape project as presented or as modified by City Council.
4. Authorize the City Manager to approve and sign the Eagle Scout Project Application.
5. Authorize the City Manager to apply for a CALAM Water Conservation Grant for the purpose of installing Xeriscape at the Marina Vista Center on the 8<sup>th</sup> Street side.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR  
JIM NAKAGAWA, AICP, CITY PLANNER

**SUBJECT:** REPORTS: TIME EXTENSION FOR DOS DELMAR/ EDWIN JOHNSON (OWNER)/TIM MONAHAN OF NEWTRAC PACIFIC (APPLICANT)/JEFF FISCHFOGT (ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701

**PROJECT DESCRIPTION/BACKGROUND:**

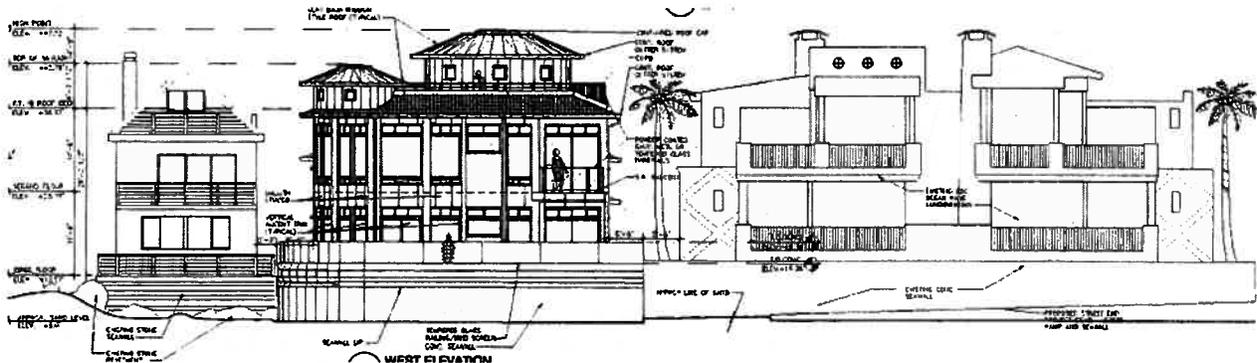
[Continued from March 3, 2010 in order for the applicant's engineer to attend the City Council meeting and respond to questions about the recent storm activity, its effect on erosion, and the behavior of ocean waves on shoreline protective structures.] This is a second time extension request for a previously-approved Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square

foot lot at 684-686 Ocean Lane. The property (APN 625-011-16-00) is designated R-1500 (High Density Residential Zone) by the General Plan/Local Coastal Plan. This project was approved by the City Council on April 4, 2007 (Resolution No.



2007-6463). A time extension for this project was previously approved by the City Council on March 18, 2009 (Resolution No. 2009-6720).

This case was appealed by Nancy Schmidt to the Coastal Commission. However, at the Commission hearing in Santa Rosa on June 14, 2007, the Commission found that there was no substantial issue raised with the appeal. Due to the current economic downturn, the owner has not yet been able to secure financing for the project. However, the realtor for the project is working with an interested buyer for the project and additional time is needed to try to vest the permit.



### **PROJECT EVALUATION/DISCUSSION:**

No new zoning requirements have been enacted that would negatively affect the time extension request. However, the new CEQA Guidelines amendment that require projects to address Greenhouse Gas (GHG) emissions was adopted on December 30, 2009 by the Natural Resources Agency and would go into effect on March 18, 2010.

**ENVIRONMENTAL DETERMINATION:** A Mitigated Negative Declaration (MND; SCH # 2006101119) was approved for this project by the City Council on April 4, 2007. The coastal engineering report (Appendix A) prepared by Dave Skelly, wherein it addressed the issue of possible wave action on the O'Neal property, is attached. Since then, the City did address the issue of Climate Change and, more specifically, Sea Level Rise in two other environmental documents (MF 661 Seacoast Inn EIR and MF 934 Eco-Bikeway BTP EIR) thusly:

#### **Coastal Sea Level Rise**

With the City's low-lying location, the Dos Delmar project, as would virtually all public and private improvements in the City, would be vulnerable to significant sea level rise. Specific effects are difficult to gauge, however, in view of the high degree of variation involved in sea level rise scenarios. The 2006 Climate Scenarios report, for instance, forecasts a range from 4 to 33 inches between 2000 and 2100. In 2001, an IPCC report forecast a similar range from 9 to 88 centimeters (3.5 inches to 34.6 inches) between 1990 and 2100.

Nonetheless, the uncertainty in sea level rise predictions makes it difficult to predict with any accuracy what increased level of protection, if any, would be needed. Since sea level rise would affect not only the entire length of the coastline, but land and improvements inland, a more comprehensive analysis and program for shore protection to mitigate for the effects of sea level rise would be warranted. However, such an extensive study would be beyond the feasibility

and scope of the proposed relatively small scale project. Because of the uncertainty regarding predicted sea level rise and the lack of an established program for shore protection that would be needed for future conditions, any conclusion about the significance of exposure to an environmental hazard related to potential climate changes (e.g., coastal sea level rise and related hazards) would be speculative. Therefore, in accordance with CEQA Guidelines Section 15145, the discussion is ended with no conclusion as to the significance of the project's impact.

#### **Climate Change Mitigation Measures**

Because of the relatively small scale of the proposed project and the design and operational features incorporated into the project to directly or indirectly reduce GHG emissions, no mitigation for GHG emissions is required. Because of the uncertainty regarding impacts related to potential climate change such as coastal sea level rise and related hazards, no mitigation for potential sea level rise effects is recommended.

Since the City has not yet adopted a Climate Action Plan that would comprehensively and equitably address the issue of climate change and sea level rise as it would apply to individual projects, the previously-adopted MND would remain valid for this time extension, just as the City had determined previously with the environmental documents for the Seacoast Inn and Eco-Bikeway projects.

The applicant's coastal engineer is prepared to explain the erosion effects of the recent high surf, storm and high tide activity with a powerpoint presentation in response to the email transmitted by the adjacent property owner to the north:

**From:** Oneal, Jonni (Miramar) NA [mailto:Jonni.Oneal@hanson.biz]  
**Sent:** Tuesday, March 02, 2010 2:02 PM  
**To:** Gary Brown; Greg Wade  
**Cc:** Jim Janney; 'mccoy4ib@aol.com'; 'rose4ib@aol.com'; 'loriebraggib@aol.com'; 'jimkingforib@gmail.com'  
**Subject:** Ed Johnson Duplex (MF 701)

I understand that this item is on the consent agenda to be considered at the city council meeting on March 3, 2010. I am requesting that this item be tabled until all proper information regarding the current conditions at the beach is gathered by staffing. Any previous data/information is not an accurate reflection of the present circumstances because of the construction of the Palm Avenue Turnaround, completed in January, 2009 and the yellow condominiums just recently built. This construction has completely changed the dynamics of the ocean, the beach and the waves.

I would like to urge the Mayor, all City Council members and city staff to go to the end of Palm and first look to the south and then to the north and then re-consider this item.

Thank you,

**Jonni O'Neal**  
Property owner of 680/682 Ocean Lane, Imperial Beach

Sales Administrator  
Hanson Aggregates  
West Region  
P.O. Box 639069  
San Diego, CA 92163

Tel: 858.715.5682  
Fax: 858.277.2404  
[Jonni.Oneal@Hanson.com](mailto:Jonni.Oneal@Hanson.com)  
[www.hanson.com](http://www.hanson.com)

We are advised by the California Environmental Quality Act (CEQA) to consider information that constitutes "substantial evidence" when considering a decision on a project.

### **CEQA GUIDELINES**

#### **Section 15384. Substantial Evidence**

(a) "Substantial evidence" as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

(b) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

Note: Authority cited: Section 21083, Public Resources Code; References: Sections 21080, 21082.2, 21168, and 21168.5, Public Resources Code; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Running Fence Corp. v. Superior Court* (1975) 51 Cal.App.3d 400; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988..

Discussion: "Substantial evidence" as used in the Guidelines is the same as the standard of review used by courts in reviewing agency decisions. Some cases suggest that a higher standard, the so called "fair argument standard" applies when a court is reviewing an agency's decision whether or not to prepare an EIR.

Public Resources Code section 21082.2 was amended in 1993 (Chapter 1131) to provide that substantial evidence shall include "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." The statute further provides that "argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence."

**COASTAL JURISDICTION:** The project is located in the Appeal Jurisdiction of the California Coastal Commission, as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map, and, as such, is appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

#### **FISCAL ANALYSIS:**

The applicant has deposited \$21,300.00 in Project Account Numbers 04-058, 04-059, 04-060, and 04-061 to fund the processing of this application. If the applicant proposes to convert these units into condominiums, a separate coastal permit and parcel map application with additional deposits will be required.

#### **DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 2010-6863, approving a one-year time extension for Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-

313), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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

Attachments:

1. Resolution 2010-6863
  2. Applicant's letter
  3. Coastal Engineering Report from MND
- c: file MF 701  
Tim Monahan, Vice President, NewTrac Pacific, Inc., 4918 N. Harbor Drive, Suite 101,  
San Diego, CA 92106 [tim@newtracpacific.com](mailto:tim@newtracpacific.com)  
Edwin H Johnson, 4631 E. Glenn Street, Tucson, AZ 85712 [edwinjohnson@cox.net](mailto:edwinjohnson@cox.net)  
Ken May, Spirit Realty, 700 Seacoast Drive, Imperial Beach, CA 91932-1875  
[ken@spiritrealty.net](mailto:ken@spiritrealty.net)  
Diana Lilly, Coastal Planner California Coastal Commission, 7575 Metropolitan Drive,  
Suite 103, San Diego, CA 92108-1735 [dlilly@coastal.ca.gov](mailto:dlilly@coastal.ca.gov)  
David Skelly, GeoSoils, Inc., 5741 Palmer Way, Carlsbad, CA 92008  
[dskelly@geosoilsinc.com](mailto:dskelly@geosoilsinc.com)



# ATTACHMENT 1

## RESOLUTION NO. 2010-6863

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING A SECOND TIME EXTENSION FOR DOS DELMAR, AN APPLICATION FOR REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701**

**OWNER/APPLICANT: ED JOHNSON AND TIM MONAHAN OF NEWTRAC PACIFIC**

**WHEREAS**, on April 4, 2007, the City Council of the City of Imperial Beach held a duly noticed public hearing and approved (Resolution No. 2007-6463) an application for a Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and approved a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone and legally described as follows:

Lots 18 and 19, Block 7, Silver Strand Beach Gardens Addition to Imperial Beach, in the City of Imperial Beach, County of San Diego, State of California, according to map thereof No. 1902, filed in the Office of the County Recorder of San Diego County, March 25, 1926; Excepting therefrom any portion therefore heretofore or now lying below the ordinary high tide of the Pacific Ocean; and,

**WHEREAS**, on January 18, 2007, the Design Review Board of the City of Imperial Beach held a duly noticed public meeting and recommended approval of this application for Design Review (DRC 04-059) for two attached residential units 30 feet high with a vertical seawall and garage parking, in the R-1500 (High Density Residential) Zone, on a site at 684-686 Ocean Lane; and

**WHEREAS**, on March 18, 2009, the City Council of the City of Imperial Beach previously granted (Resolution No. 2009-6720) a request for a time extension for the project; and

**WHEREAS**, on March 3, 2010, and on March 17, 2010, the City Council of the City of Imperial Beach held a duly noticed public meeting to consider a request for a second time extension for the project; and

**WHEREAS**, the City Council finds that the project remains consistent with the General Plan and the project design of the two attached 30 foot high residences is compatible in use with other residential developments in the vicinity which consist of multiple-story multiple-family residential developments to the north and south, and a two-story residential building to the east, and, therefore, would be consistent with Policy D-8 of the Design Element of the General Plan which promotes project design harmonious with adjoining residential uses; and

**WHEREAS**, this project complies with the requirements of the California Environmental Quality (CEQA) as a Mitigated Negative Declaration had been prepared for this project and was adopted on April 4, 2007 and submitted to the State Clearinghouse (SCH #2006101119) for agency review; and

**WHEREAS**, the City Council still finds that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis; that the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; that revisions in the project plans or proposals made by or agreed to by the project applicant, pursuant to CEQA Guidelines Section 15070(b)(1), would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and that, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) there is still no substantial evidence that the project as proposed, as conditioned, or as revised, will have a significant effect on the environment; and

**WHEREAS**, the City Council finds that there is sufficient cause to grant a time extension for this project; and

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

**SITE PLAN REVIEW FINDINGS:**

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

The applicant proposes the construction of a two-unit residential building, each with garage parking for two cars and a vertical seawall on a 5,724 square foot oceanfront building site. The project includes the placement of a seawall system that will be installed east of the applicant's west property line along the stringline of the existing seawall system to the south. The height of the building will be required to be no higher than 30 feet above existing grade. The applicant proposes to set back the top floor an additional five feet as required in the R-1500 Zone. Coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006 provide information regarding wave run-up conditions, seawall design, beach sand erosion and the avoidance of adverse impacts on neighboring properties. Based on this engineering information, no adverse impacts to adjacent properties would occur.

The proposed residential use is similar to the other residential uses established nearby. With the granting of the front setback reduction, the proposed building will be set back a similar distance from Ocean Lane as the residential structures to the north. As such, the project is not expected to have a detrimental effect upon the health, welfare, safety and convenience of persons residing or working in the neighborhood. The on-site parking meets the number required for off-street parking.

The project footprint has been set back from its west property line on the beach along the stringline of the four-plex to the south and, thereby, provides enhanced public lateral access along the coast.

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

The subject site is within the High Density Residential (R-1500) Zone and designation. This zoning classification and land use designation provides for the development of attached multiple-family dwellings with a maximum density of one unit per every 1,500 square feet of land. This designation will permit as many as 29 units per net acre of land. This project proposes a density of one unit per 2,862 square feet of property (which is less dense than the project to the south which is one unit per 2,212 square feet) and is, therefore, consistent with the plan designation.

Property to the east of the subject site is also zoned R-1500. It is noted that the subject site is in the "Seacoast Neighborhood" which encompasses beachfront development from Carnation Avenue to Imperial Beach Boulevard. Within this area, residential development dominates, and structural types and residential densities vary in character, bulk and scale. The proposed project is compatible with the established two-story and, in many cases, three-story residential beachfront developments found north of Donax Avenue.

Policy S-11 of the Safety Element of the General Plan/Local Coastal Plan states that new development fronting on Ocean Boulevard north of Imperial Beach Boulevard shall incorporate an engineered vertical seawall in its design if it is determined that shoreline protection is necessary. Such a seawall shall be located within the private property of the development and shall be sufficient to protect the development from flooding during combined design storm and high tide events. The need for a seawall has been documented in coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.

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

It is noted that the subject site is in the "Seacoast Neighborhood" which encompasses beachfront development from Carnation Avenue to Imperial Beach Boulevard. Within this area, residential development dominates, and structural types and residential densities vary in character, bulk and scale. The proposed project is compatible with the established two-story and, in many cases, three-story residential beachfront developments found north of Donax Avenue.

The project design relates in bulk, setback and scale to similar multiple-family residential projects developed along Ocean Lane, north of Imperial Beach Boulevard. The proposed building design provides a visual link with similar existing high density residential beachfront developments to the north and south which incorporate seawalls, beachfront decks, upper level balconies, stucco or wood exterior finish, glass and concrete tile roof materials in their designs. As such, the project is compatible with residential development along the City's developed beachfront (Imperial Beach Boulevard to Carnation Avenue).

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

The garages for the units will take direct access from Ocean Lane and the window features are oriented toward the ocean for views. This project thereby demonstrates proper orientation.

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

The project represents infill development on a beachfront site that is predominantly residential in character. It is not a mixed-use project and this finding is, therefore, not applicable.

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

There is adequate back-out area for the cars to maneuver into Ocean Lane. Ocean Lane is a low volume local access road. The project proposes to provide two parking spaces per unit in a garage structure. This meets the parking requirements of the city.

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

The project is subject to compliance with the zoning standards per Chapter 19.17 of the City of Imperial Beach Municipal Code, titled "High Density Residential (R-1500) Zone". Reduced front yard setbacks are granted for this project in consideration for the increased beachfront setback by the property owner for coastal public access and conformance with the Coastal Commission's stringline development policy.

<b>Standards</b>	<b>Provided/Proposed</b>
One dwelling per 1500 square feet	One dwelling per 2862 square feet
Front Yard: Ocean Lane: 15 feet, 20 feet for garage Side Yard: 5 feet for the first 2 floors, 10 feet for the third floor; 10 feet for street side yard Rear: Ocean Blvd (beach): 10 feet (Section 19.17.030)	Ocean Lane: 11.75 feet for garage and 6 feet for 2 <sup>nd</sup> and 3 <sup>rd</sup> floor overhang Side Yard: 5 feet Third floor: 10 feet Ocean Blvd (beach): 14.75 to 20.5 feet
Minimum lot size of 3,000 square feet (Section 19.17.040)	5,724 square foot parcel.
Minimum street frontage of 50 feet (Section 19.17.060).	Ocean Lane frontage of 50 feet.
Maximum building height of three stories or 30 feet (Section 19.17.060), with exception for chimney (Section 19.40.020.C).	30 feet.
FAR: 100 % (Section 19.17.125)	5687.43 sf = 99.36 %
Lot coverage: 50%	2862 sf = 50%
Minimum 300 square feet of usable open space per unit (Section 19.50.010).	1092.58 square feet = 546 sf per unit
2 parking spaces per dwelling unit, 50% enclosed (Section 19.48.030.C).	Four garage spaces = 2 spaces per unit, 100% enclosed.

**COASTAL PERMIT FINDINGS:**

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

### Shore Processes and Shore Protection

The subject site is situated within the Silver Strand Littoral Cell (SSLC), representing a coastal compartment which contains a complete cycle of littoral (beach) sedimentation, including sand sources, transport pathways and sediment sinks. Recent Army Corps of Engineers studies indicate that erosion problems are most noticeable in Imperial Beach and at Playas de Tijuana. A detailed description of coastal conditions and processes is provided in the coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.

The City of Imperial Beach has approximately 17,600 feet of shoreline, approximately 12,000 feet or 68% of which is either publicly owned or has direct vertical or lateral access. This includes 6,000 linear feet of sandy beach owned by the State of California within the Border Field State Park in the extreme southwest corner of the City. The project represents infill development where shore protection is provided by seawalls and rock revetment, both authorized and unauthorized. However, in 1994, the City of Imperial Beach incorporated new language in its Local Coastal Program that established the construction of vertical seawalls north of Imperial Beach Boulevard. Such shore protection must be shown to be necessary to protect the infill development and must not extend seaward of the western property limits.

The proposed project represents the material impact of this new language on infill development north of Imperial Beach Boulevard. A seawall is proposed to be constructed entirely on the subject site, in accordance with design standards described in the coastal engineering reports prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006. The project is not expected to alter lateral beach access or any portion of beach area for public recreation uses consistent with the certified Local Coastal Plan.

Policy S-11 of the Safety Element of the General Plan/Local Coastal Plan states that new development fronting on Ocean Boulevard north of Imperial Beach Boulevard shall incorporate an engineered vertical seawall in its design if it is determined that shoreline protection is necessary. Such a seawall shall be located within the private property of the development and shall be sufficient to protect the development from flooding during combined design storm and high tide events. The coastal engineering study presents the justification for the seawall, designed to withstand the 1982-83 winter storms.

### Public Access

The subject site is located between the ocean and the first public road, which, in most cases, is Seacoast Drive. Ocean Lane is a twenty-foot wide public street that runs in a north-south direction and parallel to Seacoast Drive and the beach. People reach the beach in the vicinity of the site at the unimproved Palm Avenue street end. The certified Local Coastal Program contains policies that address street-end improvement standards designed to facilitate beach access. Given this, and the fact that improved beach street ends are programmed adjacent to the site, it can be found that there is adequate vertical access to the shoreline. Additionally, adequate on-site parking will be provided to serve the needs of the development.

The project is in conformity with the public access and public recreation policies in the certified Local Coastal Program and Chapter 3 of the Coastal Act, commencing with Section 30200, because:

- a) improved public access to the beach and shoreline is readily available adjacent and to the south of the site;
- b) improved lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy;
- c) the new development will be located entirely on private property upland of the sandy beach;
- d) the project protects public access parking opportunities through the provision of 8 on-site parking spaces, as required by the certified Local Coastal Program.

#### Coastal View Access

The beach is not entirely visible from Seacoast Drive given some of the existing development to the south of the site and on the east side of Ocean Lane. Public viewing areas are provided at the street ends to the south of the site. From a position on the beach seaward of the subject site, the proposed seawall, patio, and balconies appear similar to other buildings on this frontage. Additionally, enhanced lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy.

Refer to Site Plan Review Finding No. 2 for land use consistency, incorporated here by reference.

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

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

The subject site is located between the ocean and the first public road, which, in this case, is Seacoast Drive. Ocean Lane is a 20-foot-wide public street that runs parallel to Seacoast Drive and the beach. The subject site is vacant but people reach the beach at the adjacent Palm Avenue street or they have trespassed through the site to the beach. The property owner will provide lateral coastal access is being provided by having this project set back away from the beach in conformance with the Coastal Commission's stringline development policy. The certified Local Coastal Program contains policies that address street-end improvement standards designed to facilitate beach access. Given this, and the fact that improved beach street ends are programmed near the site, it can be found that there is adequate vertical and lateral access to the shoreline. Additionally, adequate on-site parking will be provided to serve the needs of the development.

Section 30252 of the Coastal Act addresses public access, and states in part "The location and amount of new development should maintain and enhance public access to the coast by (4) providing adequate parking facilities..." Four on-site garage parking

spaces meet the minimum required by Chapter 19.48 of the City of Imperial Beach Municipal Code.

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

Refer to Site Plan Review finding No.7.

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

The project includes the construction of a vertical seawall. Therefore the project is conditioned to provide the fee in compliance with Section 19.87.050 of the City of Imperial Beach Municipal Code. However, due to an interpretation by the Coastal Commission, this project may not need to pay a fee since the seawall will be placed on private property.

#### **DESIGN REVIEW FINDINGS:**

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

The design of the project and the landscaping improvements are consistent with the City's Design Review Guidelines as per Design Review Compliance checklist and the findings adopted by the Design Review Board per their Resolution No. 2007-03.

#### **VARIANCE FINDINGS:**

- 1. There are exceptional or extraordinary circumstances of conditions or hardships peculiar to the property, including size, shape, topography, location or surroundings, that do not apply generally to the property in the same vicinity or zone. Hardships may include practical difficulties in development the property for the needs of the owner or tenant consistent with the regulations of the zone; but in this context, personal, family or financial difficulties, loss of prospective profits, and/or neighboring violations are not hardships justifying a variance;**

The parcels north of the subject site were built pursuant to an older zoning requirement that provided for lesser setbacks from what was an alley but is now recognized as a public street (Ocean Lane). The parcel to the immediate north was developed with a seawall and a 2-unit dwelling landward of its west property line that became one of the significant determinants of the Coastal Commission's stringline policy as applied to this case. The current setback requirement for a garage is 20 feet from Ocean Lane (that was previously an alley). The parcels to the north are about 5 feet from Ocean Lane rather than the current 15 to 20 foot requirement. The parcel to the south developed with 4 units installed a seawall landward from its west property line because it voluntarily dedicated a 20-foot wide easement for public beach access. The Coastal Commission is requiring this project to retreat the location of the seawall and 2-unit building landward

from its west property line in order to observe the Coastal Commission's stringline policy. However, in order to comply with this policy, the building footprint would now encroach into the front setback thereby necessitating the applicant to request a front yard setback reduction from 20 feet to 6 feet. A variance is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

- 2. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and the same general vicinity, and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his neighbors;**

A variance in this case is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

- 3. The granting of such variance will not be substantially detrimental to adjacent property and will not materially impair the purpose of this title or the public interest;**

A variance is justified in order to comply with the Coastal Commission's stringline policy. The reduced setback would not differ from the older development to the north that are characterized by lesser setbacks from Ocean Lane. Having to comply with both city setbacks and the Coastal Commission's policy would afford the property owner an unreasonably small building footprint compared to other property in the vicinity.

- 4. The granting of such variance will not adversely affect the general plan or the local coastal program.**

Since there are unique and unusual circumstances in this case, this setback reduction would not apply to every development and thereby adversely affect the general plan or local coastal plan.

**NOW, THEREFORE, BE IT RESOLVED** that a second time extension for Dos Delmar, a Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61)/Mitigated Negative Declaration, and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone, is hereby **approved** by the City Council of the City of Imperial Beach subject to the following previously-approved:

**CONDITIONS OF APPROVAL:**

**A. PLANNING:**

1. Final building permit plans shall indicate and the site shall be developed substantially in accordance with the approved conceptual plans dated May 31, 2006 on file in the Community Development Department and with the conditions adopted herein.
2. The applicant shall submit a licensed surveyor's certificate upon completion of the foundation work that demonstrates proper placement of the structure relative to building setbacks from property lines and a certificate upon completion of framing that demonstrates and ensures that the building does not exceed the maximum permitted building height of 30 feet above existing grade.
3. Approval of this request shall not waive compliance with any portion of the Uniform Building Code and Municipal Code in effect at the time a building permit is issued.
4. Mechanical equipment, including solar collectors and panels or other utility hardware on the roof, ground, or buildings shall be screened from public view with materials harmonious with the building, and shall be located so as not to be visible from any public way. (19.83).
5. No improvements, structural or non-structural, may be placed on the roof deck. Only personal property, which does not obstruct views, is permitted on the roof deck while authorized person(s) are actually present on the roof deck.
6. All landscaped areas, including any in the public right-of-way, shall be maintained in a healthy condition, free from weeds, trash, and debris.
7. It shall be the applicant's responsibility to assure that shoreline protection structures on adjacent properties are not damaged during construction on the subject site, and to repair any damage to the adjacent property's shoreline protection structures that may be caused by the construction on the subject site. The construction of temporary slopes shall be shored in compliance with CAL-OSHA requirements.
8. Disturbances to sand and inter-tidal areas shall be minimized, and prohibited during the predicted grunion season. The applicant shall obtain the forecasted grunion runs from the California Department of Fish & Game. The grunion spawning season extends from March through August. If spawning grunion are observed seaward of the subject site construction activity must cease for a period of 17 days to allow for incubation of the eggs.
9. The applicant shall provide the City with a construction schedule prior to commencement of work. All construction activity on the beach shall be scheduled during low tides.
10. All sand excavated from the project site shall be analyzed for suitability as beach nourishment material. If determined to be suitable, any sand in excess of that required to provide berming along the first level wall shall be used for beach nourishment seaward of the project site. Local sand, cobbles or armor stones shall not be used for backfill or construction materials. Additionally, the applicant shall remove from the beach and seawall area any and all debris that result from the construction period.
11. Prior to the issuance of a building permit, the applicant shall submit final plans for the shoreline protection device consistent with the recommendations contained in the Coastal Hazard Study and Shore Protection Design engineering report prepared by David Skelly of GeoSoils, dated November 19, 2003 with addendums dated October 7, 2004 and March 10, 2006.
12. Within 60 days following project completion, the applicant shall submit certification by a registered civil engineer verifying that the seawall has been constructed in conformance with the final approved plans for the project.

13. Construction materials or equipment shall not be stored on the beach seaward of the western property line. Equipment shall be removed from the beach at the end of any given work day.
14. Prior to commencement of construction, the applicant shall submit plans showing the locations, both on and off site that will be used as staging or storage areas for materials and equipment during the construction phase of the project. The staging/storage plan shall be subject to review and written approval of the Community Development Director. The plan shall also note that no work requiring encroachment on the public beach shall be allowed on weekend days between Memorial Day and Labor Day, and during predicted grunion runs, of any year.
15. Ocean Lane shall remain open for vehicular traffic, including emergency vehicles during construction of the project. If traffic must be impeded, the applicant must submit a traffic control plan to the Public Works Director for approval at least 10 days prior to closure.
16. Prior to the issuance of the building permit, the landowner, if required, shall execute and record a deed restriction in a form and content that is acceptable to the Community Development Director which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from waves during storms and from erosion or flooding, and the applicant assumes the liability from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the City of Imperial Beach and agrees to indemnify and hold harmless the City of Imperial Beach relative to its approval of the project for any damage due to natural hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.
17. Prior to the issuance of a building permit, the applicant shall pay a sand mitigation fee if required which shall be used for beach sand replenishment purposes, in lieu of providing sand to replace the sand and beach area that would be lost due to the impacts of the proposed shoreline protection structure. The mitigation fee shall be deposited in an interest-bearing account designated by the Executive Director of the California Coastal Commission and the City Manager of the City of Imperial Beach. The mitigation fee shall be determined in accordance with Section 19.87.050 of the City of Imperial Beach Municipal Code, in consultation with the California Coastal Commission technical staff.
18. An engineer is required to supervise the construction of the seawall.
19. The property owner shall be responsible for maintenance of the permitted seawall. Any debris or other materials which become dislodged after completion through weathering and coastal processes, which impair public access, shall be removed from the beach. Any future additions or reinforcements may require a coastal development permit. If after inspection it is apparent that repair and maintenance is necessary, the applicant shall contact the City to determine whether such a permit is necessary.
20. **Expiration Date.** Approval of Regular Coastal Permit (CP 04-58), Design Review (DRC 04-59), Site Plan Review (SPR 04-60), Environmental Initial Assessment (EIA 04-61), and Variance (VAR 05-313) to construct two attached residential units, 30 feet high, with a vertical seawall and requesting a front yard setback reduction from 20 feet to 6 feet on a vacant 5,724 square foot lot at 684-686 Ocean Lane in the R-1500 (High Density Residential) Zone is valid for one year from the date of final action, to **expire on April 4, 2008 2010 2011**, unless an appeal is filed to or by the California Coastal Commission. Any such appeal will stay the expiration date until the case is resolved and the permit will expire 2 years from the date the Commission acts on the appeal. In the event that no appeal is filed, conditions of approval must be satisfied, building permits issued, and

substantial construction must have commenced prior to the expiration date or a time extension is granted by the City pursuant to such a request for extension by the applicant.

21. ~~The applicant or applicant's representative shall, pursuant to Section 711.4 of the California Fish and Game Code, pay by certified check payable to the San Diego County Clerk \$1,800 plus a \$50 documentary handling fee at the time the Notice of Determination is filed by the City, which is required to be filed with the County Clerk within five working days after project approval becomes final (Public Resources Code Section 21152).~~
22. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed affidavit accepting said conditions.
23. Applicant shall pay off any unpaid negative balances in the Project Account Numbers 04-058, 04-059, 04-060, and 04-061 prior to issuance of building permit and prior to final inspection/certificate of occupancy.
24. The applicant shall dedicate an easement over, under, along and across that portion of the property west (seaward) of the proposed seawall to the City of Imperial Beach for access by City maintenance and emergency vehicles and for public access to the beach.

**B. ENVIRONMENTAL MITIGATION MEASURES:**

**Air Quality:**

Temporary impacts to air quality associated with construction activities are anticipated. Implementation of the following measures during construction operations shall reduce impacts to below a level of significance:

25. Water all active construction areas at least twice daily.
26. Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least 2 feet of free board.
27. Pave/apply water three times daily, or apply nontoxic soil stabilizers, on all unpaved access roads, parking areas, and staging areas at the construction sites.
28. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction site.
29. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
30. Hydroseed or apply nontoxic soil stabilizers to inactive construction areas. Inactive construction areas are areas that have been previously graded and are inactive for 10 days or more.
31. Install sandbags, silt fences or other erosion control measures to prevent silt runoff to public roadways.
32. Replant vegetation in disturbed areas as quickly as possible.
33. Suspend excavation and grading activity when wind gusts exceed 25 MPH.

**Biological Resources:**

The following measures shall be implemented to reduce potential impacts to the pismo clam and grunion associated with construction activities:

34. Impacts to pismo clam shall be mitigated by avoiding vehicle use in the lower intertidal zone, and minimizing vehicle use in the middle intertidal zone (or conduct a survey at the time of construction to verify their absence); and
35. Impacts to grunion shall be mitigated by scheduling construction outside the spawning period (e.g., September 1 to March 1). Alternatively, significant impacts shall be avoided during construction by implementing a monitoring and avoidance protocol within the construction zone by a qualified biologist, who shall establish an appropriate buffer around any observed spawning locations to restrict vehicles and equipment for a period of 14 days to allow grunion eggs to hatch.

### **Geology:**

The following geotechnical mitigation measures shall be required in the planning and implementation of the project:

36. A comprehensive geotechnical evaluation, including development-specific subsurface exploration and laboratory test, shall be conducted prior to design and construction if previous studies need to be updated. The purpose of the subsurface evaluation would be to further evaluate the subsurface conditions in the area of the proposed structures and to provide information pertaining to the engineering characteristics of earth materials at the project site. From the data, recommendations for grading/earthwork, surface and subsurface drainage, foundations, pavement structure sections, and other pertinent geotechnical design considerations shall be formulated.
37. Vibration induced settlement due to driving of sheet piles may occur during the construction of the seawalls. Nearby structures and pavement may experience distress due to the induced settlements. A vibration monitoring plan shall be implemented during construction of the sheet pile seawalls. The purpose of the plan would be to document construction induced vibrations.
38. A baseline geotechnical reconnaissance shall be performed at each of the nearby structures to document pre-construction distress features, if any. Such an evaluation may include manometer surveys, crack measurements, and photographic/video documentation.
39. During construction, nearby structures shall be monitored for distress and/or settlement that may occur as a result of construction. Upon completion, a final evaluation of the nearby structures shall be performed, and the results compared with the initial baseline findings.
40. Liquefiable soils may be present on the site. The confirmation of their presence (or absence) shall be done through subsurface exploration (e.g. drilling) and laboratory testing.
41. Loose surficial soils that are not suitable for structural support in their current state are present on the sites. The loose surficial soils shall be mitigated by their removal during site grading. Much of the soils should be suitable for reuse as compacted fill.

42. The project has a potential for strong ground motions due to earthquakes. Accordingly, the potential for relatively strong seismic accelerations shall be considered in the design of proposed improvements.

**Hydrology and Water Quality:**

The potential for impacts to water quality would primarily occur as a result of construction activities. The following measures shall be implemented prior to initiation of construction activities:

43. Prior to City approval of construction permits, the final grading and drainage plans will be reviewed for compliance with SUSMP.
44. The proposed project includes an enclosed parking garage; therefore, excavation below the street level elevation may intercept the groundwater table. A geotechnical report shall be required prior to construction to ensure the appropriate measures are implemented. Temporary construction dewatering may be required during excavation. The applicant shall be responsible for obtaining an appropriate permit for construction dewatering.
45. Project shall adhere to the Water Pollution Control Plan (WPCP) prepared by Tri-Dimensional Engineering as conditioned and approved by the City of Imperial Beach including Construction and Permanent Best Management Practices (BMP) and other requirements pursuant to the City's Standard Urban Storm Water Mitigation Plan (SUSMP).
46. In order to provide the appropriate protection to the project site in case of a flood event, the applicant shall be required to Implement Flood Hazard Reduction Standards established for construction in order to assure protection from flooding (Imperial Beach Municipal Code 15.50.160).
47. In addition to building permits, a flood hazard area development permit may need to be obtained from the City Engineer prior to commencement of any construction (Imperial Beach Municipal Code 19.32.020).

**Noise:**

It is anticipated that the project will create temporary noise impacts associated with construction activities. During construction, equipment and material transport will generate temporary noise, which could be a significant increase in levels for the adjacent residents. Therefore the following mitigation measures shall be implemented to reduce impacts to below a level of significance:

48. To further deter construction noise from adjacent properties, the applicant shall be responsible for notifying residents and businesses within a 300-foot radius prior to shoring activities.
49. Additionally, construction activities associated with implementation of sheet pile design shall be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday.
50. The applicant shall notify all residents within 500 feet of the project site prior to pile driving activities. The applicant shall also incorporate the best available technology acoustical dampening features during pile driving or drilling.

**C. BUILDING:**

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

**THE FOLLOWING ARE REQUIRED ON THE PLANS TO OBTAIN A BUILDING PERMIT:**

52. Form 7-B shall be submitted with the Building Permit Application.
53. Identify all BMPs on the site plan or a separate landscape or drainage plan in compliance with Form 7-B of the Storm Water Management Plan.
54. Provide this note on the plans: "All construction wastes shall be collected, stored and disposed of in an approved manor per Caltrans Storm Water Quality Handbook." Show the location of your waste container or dumpster on site. If you intend to set a dumpster in the public right of way an Encroachment Permit is required.
55. Show proposed drainage pattern with high point elevation and flow lines elevation every 25 feet.
56. Provide a soils report from a licensed soils engineer.
57. An underground agreement is required prior to permit issuance.
58. Locate on the site plan the sewer line for the new dwellings.
59. A grading/improvement plan is required for this project and shall be approved by the City of Imperial Beach Engineer prior to permit issuance.
60. Provide this note on the plans: "BMPs shall be maintained through final inspection. If the building Inspector finds that BMPs are not in place during a regularly scheduled inspection, the inspection will not be complete and a re-inspection fee may be assessed at the discretion of the Building Official."

**D. PUBLIC WORKS:**

61. Ensure that the hot water tank P.T. discharge pipe is piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
62. No building roof or landscape water drains may be piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
63. Require the building foundation elevation be at least 1 foot above gutter line to minimize flooding during storm conditions.
64. Ensure construction design includes adequate storage (out of front yard setback) for 3 trash barrels for each unit (regular trash, recycled waste, green waste).
65. Install survey monuments on northeast property line and southeast property line in or adjacent to the property line. Record same with county office of records.
66. Require applicant to provide verification of post construction Best Management Practice (BMP) maintenance provisions through a legal agreement, covenant, CEQA mitigation requirement, and/or Conditional Use Permit.
67. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that the "Area to be removed [must be] 5' or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5 feet. Where the distance from "Area to be removed", to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.

68. For any work to be performed in the street submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or Caltrans Traffic Control Manual.
69. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
70. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
71. Applicant agree to underground all utilities in accordance with I.B.M.C. 13.08.060.
72. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
  - A certification of intent to comply with storm water requirements – Form 7-A.
  - A checklist of selected BMPs and location of the BMPs on project plans for review by the City – Form 7-B and Table 7-3
  - Certification of intent to maintain selected BMPs – Form 7-B.
  - A Storm Water Management Plan – Form 7-B.
73. Additionally these BMP practices shall include but are not limited to:
  - Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - Water used on site must be prevented from entering the storm drain conveyance system (i.e., streets, gutters, alley, storm drain ditches, storm drain pipes).
  - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system
74. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste/construction waste in roll-off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

**E. PUBLIC SAFETY:**

- 75. **Provide a note on the plans stating:** "Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property and from any alley that fronts the property. Lettering shall be a minimum of four (4) inches high, with a minimum 3/4 inch stroke, on a contrasting background." CFC Section 901.4.4
- 76. **Provide a note on the plans stating:** "All electric, gas, and water meters shall be clearly marked to indicate the unit or portion of the building they serve."
- 77. No parking is allowed in Ocean Lane.

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

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

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its regular meeting held on the 17<sup>th</sup> day of March 2010, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

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

**ATTEST:**

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

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and correct copy of Resolution No. 2010-6863 – A Resolution of the City of Imperial Beach, APPROVING A SECOND TIME EXTENSION FOR DOS DELMAR, AN APPLICATION FOR REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701.

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

\_\_\_\_\_  
DATE

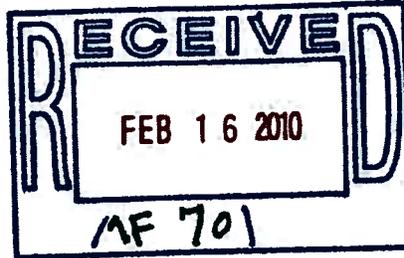
ATTACHMENT 2

Edwin Johnson  
4631 E. Glenn Street  
Tucson, Arizona 85712

520 977-8603

February 10, 2010

City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932



Attn: Mr. Jim Nakagawa

Ref: 684/686 Ocean Lane

Dear Jim,

I would like to request an extension on the project know as Dos Del Mar, located at 684-686 Ocean Lane, Imperial Beach California. Any questions I can be reached at 520 977-8603 or by email at [edwinjohnson@cox.net](mailto:edwinjohnson@cox.net). Thank you

Sincerely

Edwin Johnson



## **ATTACHMENT 3**

### **APPENDIX A**

#### **Wave Runup & Coastal Hazard Study and Addendum Skelly Engineering**

## **GeoSoils Inc.**

March 10, 2006

Mr. Jim Nakagawa  
City of Imperial Beach  
825 Imperial Avenue  
Imperial Beach, CA 91932-2797

SUBJECT:                   Second Addendum to Wave Runup & Coastal Hazard Study, and Response to City of Imperial Beach Community Development Department Review, Johnson Duplex (MF 701/CP 04-58/DRC 04-59? SPR 04-06/EA 04-61), 684-686 Ocean Lane, Letter dated February 12, 2006.

Dear Mr. Nakagawa;

This letter is in response to the your February 12, 2006 letter requesting additional information concerning the proposed seawall at the subject property. Specifically, this is in response to Item A 4 on page 2 of your letter.

The calculations, conclusions, and recommendations in the Wave Runup and Coastal Hazard Study remain valid for the seawall in the newly proposed, more landward, position. As a matter of fact it was assumed by the undersigned that the wall would likely be required to be located at the currently proposed position. The project management team will provide a drawing showing the location of the proposed seawall in plan view and the shore protection on the adjacent properties. The attached letter to you, dated October 7, 2004, thoroughly discusses the impacts of the proposed project on the O'Neal residence, and remains valid for the proposed new location of the seawall. The project management team will provide the details of how the condition of the O'Neal property will be surveyed before and after the driving of the sheet piles.

Thank you for this opportunity to provide further clarification for the proposed project. Please call me if you have any questions regarding this addendum.

Sincerely,

David W. Skelly MS, PE

**5741 Palmer Way, Suite D, Carlsbad CA 92008**

**Phone 760-438-3155**

# GeoSoils Inc.

October 7, 2004

Mr. Jim Nakagawa  
City of Imperial Beach  
825 Imperial Avenue  
Imperial Beach, CA 91932-2797

**SUBJECT:** Addendum to Wave Runup & Coastal Hazard Study, and Response to City of Imperial Beach Community Development Department Review, Johnson Duplex (MF 701/ CP 04-58/DRC 04-59? SPR 04-06/EA 04-61), 684-686 Ocean Lane, Letter dated June 12, 2004.

**REFERENCES:** Griggs, G. B., Tait, J.F., Moore, L.J., Scott, K., Corona, W., and Pembroke, D. 1997. Interaction of Seawalls and Beaches: Eight Years of Field Monitoring, Monterey Bay, CA, Contract Report CHL-97-1, U.S. Army Engineer waterways Experiment Station, Vicksburg, MS, 34 pp.

SANDAG 2002, "State of the Coast Report Spring 2002, Beach and LAGOON Mouth Monitoring Program" 44 pgs + Appendices

Wiegel, R., January 2002, "Seawalls, Seacliffs, Beachrock: What Beach Effects? Part 1, Part 2, & Part 3", Shore & Beach, Vol. 70, Nos. 1, 2, & 3.

Dear Mr. Nakagawa;

This letter is in response to the your request for additional information concerning the impacts of the proposed seawall on the adjacent shore protection structure. In particular you requested more specific information with regards to the property to the north of the proposed project, the ONeal house. The review letter also requested information on construction impact monitoring. As part of the response you requested that a plan view of the proposed shore protection and adjacent shore protection be provided. The project architect, Jeff Fischvogt, will supply the requested plan view as sheet SP-1 and SP-2. The information provided herein is an addendum to the Wave Runup & Coastal Hazard Study provided by this office and unless specifically superceded herein the conclusions and recommendations in that study provided are valid. The response provided herein will first discuss the impact of seawalls in general and then provide a specific discussion of potential impacts to the ONeal property as a result of the proposed project.

## SEAWALL IMPACTS

Recent scientific studies, including an eight year seawall monitoring study by Gary Griggs (Griggs, et. al., 1997), and an extensive analysis and discussion in a three part paper by Professor Robert Weigel (Weigel 2002), find that for the most part seawalls on

5741 Palmer Way, Suite D, Carlsbad CA 92008

Phone 760-438-3155

the California coast do not cause or contribute to beach erosion. Griggs concluded that "there have been no permanent effects on the beaches studied" due to seawalls/revetments. Professor Weigel states that "In the authors judgement, seawalls do not cause erosion, except in the special circumstances where they prevent erosion of an upland source of sand, or are so situated that they act as a groin." These special circumstances do not occur at the subject site because the proposed wall will be located at the back of the beach and only subject to wave activity when the beach is already eroded. As noted by Griggs and Weigel, the performance of seawalls is directly related to design, location, oceanographic and geomorphological conditions (including independent seasonal and long-term changes in beach profiles), quality of construction, and maintenance over the life of the structure, among other salient factors. In addition, both authors point out that there is very little difference between how a seawall interacts with the beach and how a revetment (quarry stone) interacts with the beach. The proposed seawall will not erode the beach but rather will substantially reduce the wave induced flooding of the site and the low lying areas behind the site.

The seawall proposed as part of the overall project for the subject site is similar to other recently permitted seawalls and built in Imperial Beach and Del Mar, which are located at the back of the beach. Seawalls and other shore protection devices have existed at and near the subject site for over two decades. The vast majority of the properties fronting the ocean in Imperial Beach have some form of shore protection. The shoreline in front of the proposed seawall site is indistinguishable from the sites that do not have seawalls. Finally, there has been no identified cumulative impacts to the beach or coastal processes due to all of these existing shore protection systems. For this reason, cumulative impacts due to the proposed project, even in conjunction with the Palm Avenue street end project and adjacent condominium project, will not be significant.

The SANDAG and US Army Corps of Engineers beach monitoring programs have revealed that the advance and retreat of the shoreline has varied greatly over the last several decades as a result of beach nourishment projects and erosion from waves. Typical winter erosion of the Imperial Beach shoreline is reported to be about 130 cubic meters per meter of beach. Typical summer accretion is less than 130 cubic meters per meter of beach. This inequality is verified by a net annual erosion of the shoreline on the order of 1 foot per year. However, this particular site is located within a groin compartment which contributes significantly to the stability of the beach fronting the site and therefore the overall erosion rate is less than the typical rate. The Army Corps of Engineers sand replenishment project will provide significant benefit to the public beach. The post nourishment mean high tide line will be even further seaward than it presently is, and the frequency with which waves reach the seawall will be significantly reduced.

The mean high tide line (the +1.87 MSL contour) is currently located over 120 feet from the location of the proposed seawall. The LCP mean high tide line is about 60 feet

seaward of the proposed seawall. The base of the proposed seawall is at elevation ~+9' MSL. The beach slope in this area is flatter than 1/15 which places the mean high tide line (+1.87 MSL contour) ~100 feet further seaward of the proposed wall location. As further evidence, the seaward location of the mean sea level line is documented in the SANDAG profiles (SANDAG 2002) which show the mean sea level beach width in the project vicinity varies from as narrow as 116 feet in the spring of 1998 to as wide as 319 feet in the fall of 2001. In other words, the proposed project is located well landward of the mean high tide line.

### **PROJECT IMPACTS TO ONEAL PROPERTY**

There is no expected oceanographic impact of the proposed seawall on the ONeal site. It is important to point out that the ONeal site is already significantly vulnerable to wave runup and overtopping. It has been flooded in the past and will likely be flooded in the future. The finished first floor is low as compared to adjacent structures. Ms. ONeal has had to place sand bags "5 or 6 bags high" to prevent flooding of the interior of the residence in the recent past. In addition, the revetment fronting the ONeal site is lower and further landward than the revetment to the north. The front of the ONeal house has a wave deflector and in the past about 40 cubic yards of concrete was poured between the revetment and the house to prevent undermining of the foundation. The wave deflector does not direct the wave runup entirely seaward but being shaped like the bow of a boat deflects some of the waters onto the adjacent properties.

The toe of the revetment fronting the ONeal property is estimated to be about 12 feet back from the seaward face of the proposed seawall. The revetment toe fronting the property to the north of the ONeal property extends about 20 feet seaward of the ONeal shore protection. This is to say that the proposed seawall is more landward than the revetment to the north of the ONeal property. This revetment extends further onto the beach than the proposed seawall. This revetment has not been identified as a source of adverse wave impact on the ONeal property. There are many examples of this type of configuration of shore protection along the shoreline of Imperial Beach. That is shore protection that is set further back than the adjacent shore protection. This can be seen at the Seacoast Inn, the Imperial Beach Club, and even at the north side of the foot of palm prior to the construction of the new seawall. The timber bulkhead at the Seacoast Inn is more seaward than the city park just to the north. To our knowledge, the presence of the seawall at the Seacoast Inn has not resulted in exacerbated wave runup and overtopping at the park.

The street ends on the southern half of Seacoast Drive provide other relatively good examples of similar conditions and what can be expected on the ONeal property. The shore protection at the street ends is lower (like the ONeal protection) than the protection on the properties to either side. When extreme waves reach the shoreline they overtop the

street end revetment (like they do the ONeal's revetment) and flow back to Seacoast Drive. The waves that hit the higher revetments on either side of the street end are reflected back seaward. The amount of wave runup and overtopping is not exacerbated by the presence of the higher revetments on either side that are not overtopped. Quite simply wave energy does not easily move sideways but rather predominantly moves in an onshore and offshore direction. There is no basis in fact for expecting the proposed seawall to exacerbate wave runup onto ONeal property. Rather the opposite is true. The configuration of the ONeal shore protection, with the bow like feature, is more likely to deflect some wave runup at the adjacent shore protection.

It is our opinion, backed by fact, that the ONeal site is subject to significant flooding. This flooding is due to the low height of the revetment fronting the ONeal site (inadequate shore protection and low structure first floor elevation) and the adjacent vacant properties. Significant wave overtopping and associated flooding will occur in the future on the ONeal site regardless of the construction of a seawall on the adjacent property. It is also our opinion that the construction of the seawall will not cause or promote additional wave overtopping on the ONeal site. The waves that strike the wall will be reflected back offshore and not towards the ONeal property. There is no basis in fact to expect wave energy to "funnel" to the ONeal site. The incoming wave will strike the seawall and the ONeal revetment simultaneously ( the toe of the ONeal revetment is almost in line with the face of the seawall). At the seawall the wave energy will reflect back seaward, not sideways. At the ONeal revetment, extreme waves will runup over the revetment, strike the wave deflector, and be directed to the adjacent lot to the north and proposed seawall.

Finally, it is likely that the amount of wave runup water that reaches Ocean Lane will be reduced by the presence of the proposed seawall. Wave striking the seawall will be reflected back offshore and not allowing water to overtop the beach berm and flow back to Ocean Lane. This reduction of water volume will allow for faster draining and reduce the overall standing water height at Ocean Lane. This will be a benefit to the ONeal site.

The concerns expressed by Ms. ONeal are not supported by any facts. There has been no evidence provided to support her concerns. Seawalls, when properly designed and situated, provide protection, not only from direct wave attack but also flooding, for improvements behind the seawall including residences, public streets, and infrastructure. Seawalls and revetments have been in place in Imperial Beach for decades and not one of these structures has been shown to cause the beach to erode or to cause damage to the adjacent property. There will be no cumulative impacts to the coastal processes as a result of this project or the Palm Avenue coastal access project and the newly approved condominium project. The seawall will not impact any future beach nourishment efforts in that the wall is located landward of the nourishment efforts.

# GeoSoils Inc.

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In summary, the shore protection in front of the ONeal house is too low to prevent flooding and overtopping, the finished first floor of the ONeal house is low, the site is significantly vulnerable to wave induce flooding, the site has been subject to wave runup and overtopping in the past and the site will be subject to wave runup in the future, regardless of what occurs on the adjacent property, unless the shore protection in front of the ONeal house is improved. There is no expected oceanographic impact of the proposed seawall on the ONeal site.

## CONSTRUCTION IMPACT MONITORING

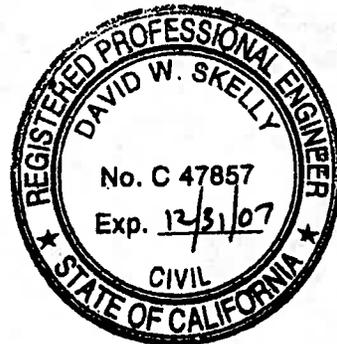
The construction of the seawall will take place during normal working hours and under the conditions imposed by the City of Imperial Beach and other regulatory agencies, as necessary. The driving of the sheet pile is not anticipated to create any substantial nuisance noise or damage. Recent sheet pile seawall construction has taken place in Imperial Beach within a few feet of adjacent structures with no reported damage. Ms. ONeal's house is a minimum of 5 feet away from the proposed seawall construction. Recent projects in Del Mar have required the applicant to survey the adjacent properties prior to seawall pile installation. The City may want to contact Bob Scott at the City of Del Mar for the wording of the special condition of permit.

Thank you for this opportunity to provide further clarification for the proposed project. Please call me if you have any questions regarding this addendum.

Sincerely,



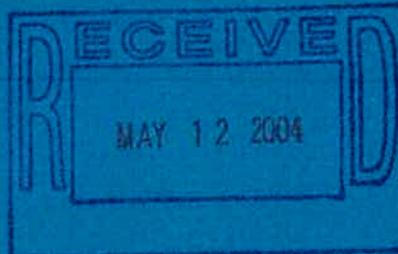
David W. Skelly MS, PE



**SE SKELLY ENGINEERING**

**WAVE RUNUP  
&  
COASTAL HAZARD STUDY**

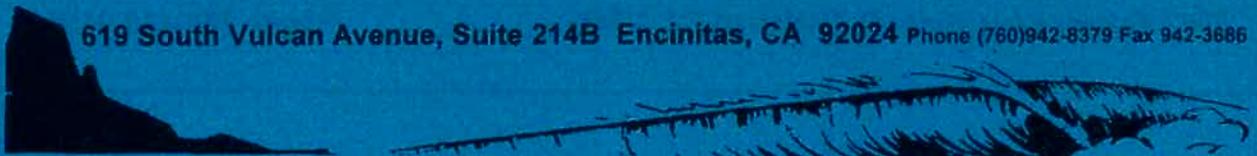
**JOHNSON PROPERTY OCEAN LANE  
IMPERIAL BEACH, CA**



NOVEMBER 2003

Prepared For  
Mr. Ed Johnson

619 South Vulcan Avenue, Suite 214B Encinitas, CA 92024 Phone (760)942-8379 Fax 942-3686



# **SE SKELLY ENGINEERING**

November 19, 2003

Mr. Ed Johnson  
3950 N. Rio Verde Vista Drive  
Tucson, AZ 85750

**SUBJECT: Coastal Hazard Study and Shore Protection Design, Johnson Property  
Ocean Lane, Imperial Beach**

Dear Mr. Johnson:

At your request and authorization we are pleased to present the following report describing the coastal hazards and oceanography in the vicinity of Ocean Lane, Imperial Beach. This report also provides design parameters for the proposed shore protection and an impact analysis of the proposed shore protection for the subject site.

## **SCOPE OF WORK**

The scope of services provided are as follows:

- Site visit to inspect present conditions and coastal setting.
- Review of available coastal processes and geotechnical information.
- Determine coastal processes design constraints for a shore protection structure including, wave forces, water elevations, impact of the structure on the shoreline, and design water level.
- Provide engineering design input and a preliminary design for the proposed shore protection structure including discussion of alternatives.
- Provide written report summarizing site visit, coastal processes and providing information for permit application to the City of Imperial Beach and other permitting agencies.
- Assist in providing technical support for permit processing.

**SITE INSPECTION**

The site was inspected on two occasions, the first inspection was in July 2000 and the second on March 13, 2003. Photograph 1 is an aerial photograph down loaded from the California Coastal Records Project web site ( <http://www.californiacoastline.org/> ). There is currently no development on the site. However, there is a low height quarry stone revetment on the site. Site elevations vary from about +7' MSL at the seaward property line to about +13' MSL in the middle of the site, and back down to about +8.6' MSL at the Ocean Lane property line. There are shore protection devices both up coast and down coast of the site. A new sheet pile seawall has recently been permitted by the City of Imperial Beach for lots just to the south of the subject site to Palm Avenue street end. A timber bulkhead seawall protects several properties located south of Palm Avenue. Quarry stone revetment seawalls are located at the foot of Palm Ave and fronting the structures to the north. Quarry stones and a wave runup deflection wall protect the property to the immediately to the north of the site. The site is located within a groin compartment. The southerly groin is shown in Photograph 1 at the foot of Palm Avenue. The northerly groin is just off the left-hand side of Photograph 1. The groins help to stabilize this section of shoreline. While the groins provide some overall stabilization of shoreline within the compartment, the site is subject to extreme oceanographic conditions that result in wave runup and overtopping on the site, and to a small long term shoreline erosion. Coastal flooding has occurred on this site in the past with wave runup and overtopping reaching the alley (Ocean Lane) behind the site.



Photograph 1. Subject site and adjacent shoreline, Fall 2002.

The proposed development at the site includes a sheet pile seawall type shore protection system. The following sections of the report provide the oceanographic design parameters for the shore protection system. First, information concerning the local coastal processes is provided, which is then used as a basis for determining the oceanographic design parameters. Also included is a preliminary design for the seawall, and a wave runoff and overtopping analysis of the proposed wall. Finally, the report provides information for permitting of the structure.

### **COASTAL PROCESSES IMPERIAL BEACH**

The subject property is located along the shoreline of the City of Imperial Beach. The site is situated within the Silver Strand Littoral Cell (SSLC). A littoral cell is a coastal compartment which contains a complete cycle of littoral (beach) sedimentation including sources, transport pathways, and sediment sinks. The SSLC extends for approximately 31.5 kilometers (17 miles) from Point Loma to the United States/Mexico boundary, and continues south along the coast of Baja California Sur, Mexico to the southern end of Playas de Tijuana. A major shoreline feature within the littoral cell is the Tijuana River Delta. The sources of sand for the beaches within the littoral cell are the delta, erosion of the Playas de Tijuana sea cliffs, and beach nourishment projects. The sand moves along the shoreline predominantly to the north, with occasional reversals. The primary sink for beach sands is the shoal off the southern Zuniga Jetty at the entrance to San Diego Bay.

The SSLC and the City of Imperial Beach have been the subject of many shoreline studies since the early 1960's. Many of the more recent reports were produced by U.S. Army Corp of Engineers as part of the Coast of California Storm and Tidal Wave Study (Inman, et al., 1986, USACOE, 1985, 1987, 1989). The studies reveal that the advance and retreat of the shoreline has varied greatly over the last several decades primarily as a result of beach nourishment projects and erosion from waves. Erosion problems are most noticeable south of Coronado, at Imperial Beach and at Playas de Tijuana. Comparison of historical surveys in Imperial Beach and photographs reveal average annual erosion rates on the order of a few feet per year.

The level of the ocean (sea level) plays an important role in coastal processes. As sea level rises the shoreline moves further towards land as a result of wave erosion. Sea level is primarily influenced by the tides (sun/moon gravitational effect). The tides along this section of coastline are semi-diurnal, that is two high tides and two low tides per day. The mean tide range is about 3.7 feet with the lowest annual tide at about -2.0 feet MLLW and the highest annual tide about 5.4 feet MLLW (USACOE, 1989). Table 1 shows the relationship of the tidal datums and the extreme observed water levels.

**TABLE 1**  
**WATER LEVELS AT IMPERIAL BEACH**  
 (from USACOE, 1989)

	DATUM MLLW FT	DATUM MSL FT
Highest Observed Water Level (Jan 27, 1983)	8.33	5.58
Mean Higher High Water (MHHW)	5.38	2.63
Mean High Water (MHW)	4.63	1.88
Mean Sea Level (MSL)	2.75	0.00
National Geodetic Vertical Datum (NGVD)	2.56	-0.19
Mean Lower Low Water (MLLW)	0.00	-2.75
Lowest Observed Water Level(Dec 11, 1933)	-2.59	-5.34

Sea level in Imperial Beach is also influenced by winds, waves, low pressure systems, and short and long-term climatic events. Strong winds and high waves can pile water up along the shoreline resulting in a rise in sea level. Extreme low pressure systems such as hurricanes (chubascos) can also result in a rise in sea level. The combined effects of wind, waves and low pressure can, in rare cases, raise sea level about 1 foot. However, this rise in sea level is over a relatively short period of time, such as a few hours. During short-term climatic events, such as the El Nino in 1982-83, sea level was about 0.75 feet higher than normal for the duration of the event (USACOE, 1989). Sea level is expected to rise as a result of long-term climate effects, such as global warming, about 0.7 feet over the next 75 years (Titus and Narayanan, 1995).

Waves provide the primary energy that is responsible for shaping the shoreline. There are two classifications of waves "sea" and "swell" that reach the study area. Sea waves are generated by local winds and have a short period (less than 7 seconds between successive waves) and a low height (usually less than 1 meter). Swell waves are generated by distant storms and travel hundreds to thousands of kilometers before reaching the study area. The period of swell waves is longer ( 7 to 20 seconds) with swell wave heights ranging from 1 foot to 20 feet. Swell waves tend to have the greatest impact on the shoreline by providing the majority of the energy to move the beach sands.

Swell waves approach the subject site from different directions and vary in size and period. Northwesterly waves occur throughout the year but are largest during winter. Point Loma effectively blocks most of the northwesterly wave energy from reaching the site. Waves from southern hemisphere swell can occur from April through October. Tropical storm swells also approach the study from the south from June through November. Waves

from extra-tropical Pacific storms occurs from November through April and approach the study area from the west.

Breaking waves in Imperial Beach normally range from 2 to 4 feet, although waves of 6 to 10 feet are not uncommon (occurring annually). Wave heights exceed 5 feet about 90 days a year (USACOE, 1989). Large waves in excess of 10 feet can impact the Imperial Beach shoreline year round and usually last about 2 to 3 days. Extreme event waves, waves in excess of 13 feet in height, during times of high sea level, are responsible for the majority of the short term shoreline erosion. Table 2 presents the significant wave height for extreme nearshore waves versus return period at Imperial Beach.

**TABLE 2**  
(from USACOE, 1989)

RETURN PERIOD YEARS	SIGNIFICANT WAVE HEIGHT FT
2	13.8
5	15.7
10	17.4
25	20.0
50	20.3
100	20.3

Beach sands in Imperial Beach are a product of the erosion of the land within the littoral cell. These sands are delivered to the shoreline both naturally by the Tijuana River and by erosion of the coastal cliffs south of the US/Mexico boundary at Playas de Tijuana, and unnaturally by means of beach nourishment (USACOE, 1987). Dams and other flow obstructions on the Tijuana River have reduced the amount of sand reaching the beach. The reduction in the amount of sand reaching the Tijuana River delta has resulted in the retreat of the shoreline within Imperial Beach.

Waves and wave driven currents are responsible for shaping the shoreline in Imperial Beach. Sand transport within the SSLC is predominantly from the south to the north. Wave driven currents not only move sand up and down the coast but also on and offshore. Transport perpendicular to the shoreline is termed cross-shore transport. Cross-shore transport is responsible for the seasonal changes in the width of the beach. The beaches within Imperial Beach are characterized by a relatively flat back shore, steeper beach face and a gentle offshore slope. The shoreline near the site and at adjacent

properties is stabilized by a groin field and quarry stone revetments (rip rap) or other shore protection structures.

Several U. S. Army Corps of Engineers reports perform detailed analyzes of the historical shoreline changes within the SSLC and Imperial Beach (USACOE, 1987, 1991, and 1995). Winter erosion of the Imperial Beach shoreline is reported to be about 130 cubic meters per meter of beach. Summer accretion is sometimes less than 130 cubic meters per meter of beach. This inequality is verified by a net annual erosion of the shoreline. However, the subject site is within a groin compartment and appears to be relatively more stable over the long term than the shoreline in south Imperial Beach. The primary reason for the seawall is to prevent damage of the proposed structure and flooding of Ocean Lane as a result of extreme oceanographic wave events over the life of the structure.

#### **OCEANOGRAPHIC DESIGN CRITERIA FOR SHORE PROTECTION**

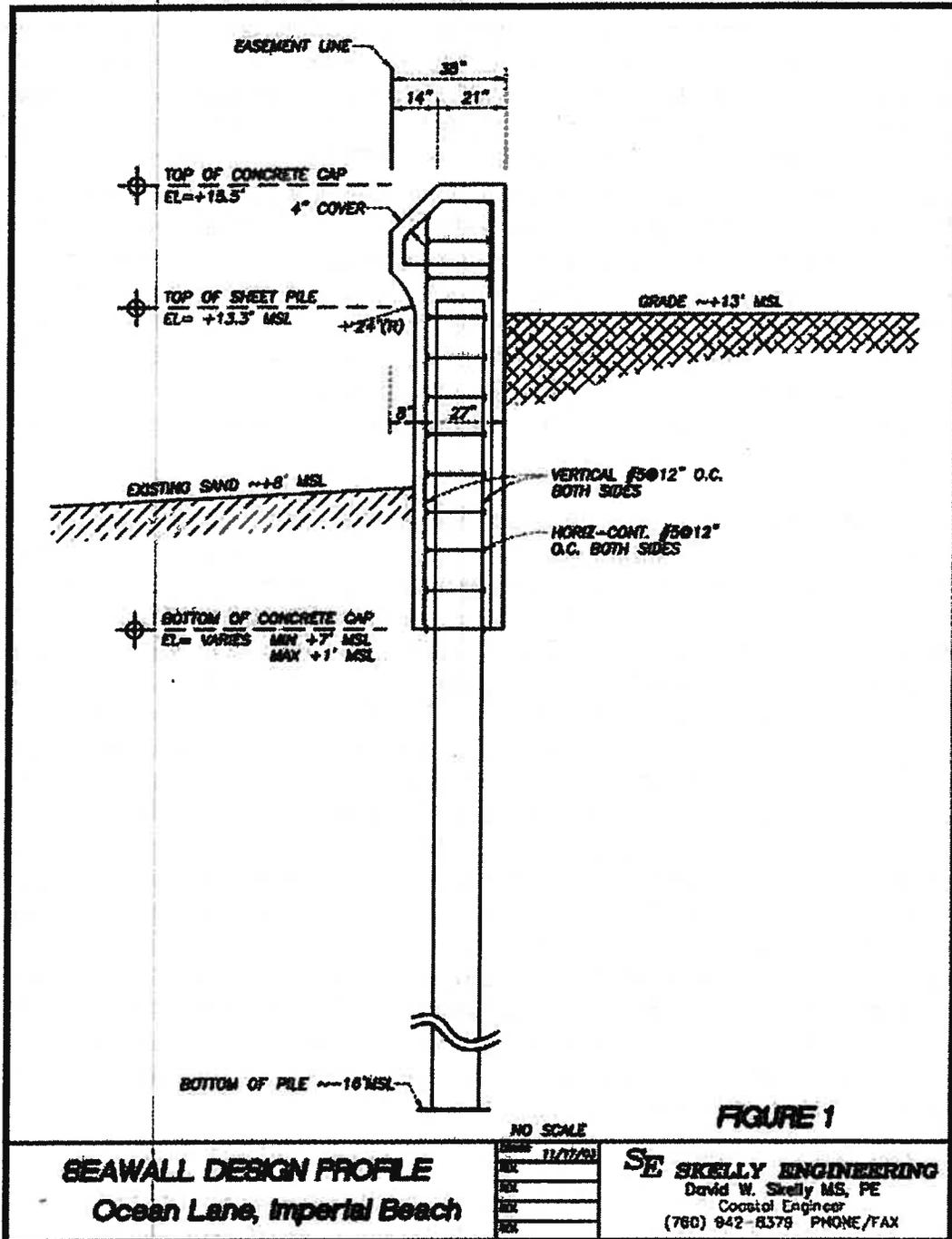
The primary oceanographic design criteria for the proposed seawall are, nearshore slope, maximum still water level, maximum scour depth, and maximum wave height & period. Based upon NOAA bathymetric charts the offshore slope from water depths of 10 feet to 120 feet is 250:1 (horizontal to vertical). The nearshore slope beach slope varies seasonally with beach elevation fluctuating about 4 to 5 feet from winter to summer. An average nearshore slope of 7:1 (horizontal to vertical) was used for the analysis. The proposed seawall is well landward of the Mean High Tide (MHT). The site topographic survey, performed by Algert Engineering on November 10, 2003, shows the MHT line is about 133 feet west of the western property line. Based upon visual observations and anecdotal information the site has experienced some wave runup in the past several decades. Even though the site is well back from the MHT line it will over the next 75 years be subject to additional wave runup and wave attack. The maximum scour depth at the proposed seawall is difficult to calculate due to the complex interaction of the waves the wall and the sand, and the long term erosion/accretion trends. Scour at the toe in previous oceanographic studies along this section of coastline varies from +1.0 to -1.0 feet MSL. It is very likely that due to the landward location of the proposed wall and the presence of a cobble filed below the sand that the maximum scour will be above + 1.0' MSL. However, for conservative design purposes a maximum scour depth of 0.0 feet MSL will be used.

The maximum still water elevation primarily depends upon the tides. Water level is also influenced by wind/wave setup and climatic events (i.e. El Nino & Global Warming). A maximum high water elevation of + 5.58 feet MSL was measured in January 1983. Allowing for larger wave set up and global warming a conservative maximum still water elevation is + 7.0 feet MSL. The design total water depth at the seawall is about 7.0 feet

and is measured from maximum still water to maximum scour elevation.

Waves from distant storms and nearby hurricanes (chubascos) have pounded the coastline of Imperial Beach several times within the last few centuries. However, these extreme waves break further offshore and lose a significant portion of their energy before they reach the shoreline. The design wave height chosen is the maximum storm wave typical of the winter of 1982-83 and 1997-98 "El Niño" storms that will break on the structure. The largest wave during the El Niño has a deep water significant wave height of 21.0 feet, a period of about 20 seconds. The relatively flat offshore area allows for energy from large waves to dissipate before reaching the shoreline. Once a wave reaches a water depth that is about 1.28 times the wave height, the wave breaks and runs up onto the shore. The design wave height is the maximum unbroken wave at the toe of the structure when the beach is at the maximum scour condition. The total water depth is 7.0 feet which would yield a design wave height of about 6.0 feet. A wave period of 20 seconds was used in the analysis because the longer the wave period the larger the runup and overtopping.

The preliminary design profile for the proposed sheet pile seawall is shown in Figure 1. The wall consists of "Z" shape steel sheet pile driven to a depth of approximately 16 feet below MSL. The top of the sheet pile is at about elevation +13' MSL while the top of the concrete cap is at about +15.5' MSL. The concrete cap is cast onto the top of the sheets to protect the sheet pile from wave driven cobbles and to reduce marine erosion/corrosion of the steel. The proposed seawall at this site may be subject to wave runup, and possibly direct wave attack and debris impact loads. The wave force calculations use the Coastal Construction Manual procedure. This procedure calculates horizontal water loads per foot of wall for varying wind speeds, water depths and velocities. The maximum water loads include inertial and drag forces of waves and impact forces of waterborne storm debris. The Coastal Construction Manual method is conservative and often yields excessive wave forces when using extreme wave conditions. A recommended minimum design wave force (horizontal water force) is 700 lbs/ft. The wave force resultant will act at the maximum still water level of + 6.5 feet MSL. Wave forces on the wall will be negligible at elevations above +13 feet MSL. The maximum bending moment will occur when the beach is eroded to the maximum scour depth and the still water is at its maximum elevation. While highly unlikely, it can be presumed that scour will occur along the entire sea wall. In addition, it is very unlikely that the maximum scour will occur at the same time as the maximum water level during the maximum wave event.



As storm waves encounter the proposed seawall the water will rush up, and sometimes over, the structure. Many of the existing shore protection structures along this section of shoreline were overtopped during the 1982-83 winter storms. Often, wave runup and overtopping, strongly influence the design and the cost of coastal projects. Wave runup is defined as the vertical height above the still water level to which a wave will rise on a slope of infinite height. Overtopping is the flow rate of water over the top of a finite height structure (the seawall) as a result of wave runup.

Wave runup and overtopping for the proposed vertical wall is calculated using the US Army Corps of Engineers Automated Coastal Engineering System, ACES. ACES is an interactive computer based design and analysis system in the field of coastal engineering. The methods to calculate runup and overtopping implemented within this ACES application are discussed in greater detail in Chapter 7 of the Shore Protection Manual (1984). The overtopping estimates calculated herein are corrected for the effect of onshore winds. Figure 2 from the ACES manual shows some of the variables involved in the runup and overtopping analysis.

The empirical expression for the monochromatic-wave overtopping rate is:

$$Q = C_w \sqrt{g Q_0^* H_0^3} \left( \frac{R+F}{R-F} \right)^{\frac{-0.1085}{a}}$$

where

Q = overtopping rate/unit length of structure

C<sub>w</sub> = wind correction factor

g = gravitational acceleration

Q<sub>0</sub><sup>\*</sup>, α = empirical coefficients (see SPM Figure\* = 7-27)

H<sub>0</sub> = unrefracted deepwater wave height

R = runup

F = h<sub>s</sub> - d<sub>s</sub> = freeboard

h<sub>s</sub> = height of structure

d<sub>s</sub> = water depth at structure

The correction for offshore winds is:

$$C_w = 1 + W \left( \frac{F}{R} + 0.1 \right) \sin \theta$$

where

$$W_f = \frac{U^2}{1800}$$

U = onshore wind speed (40 knots all cases)

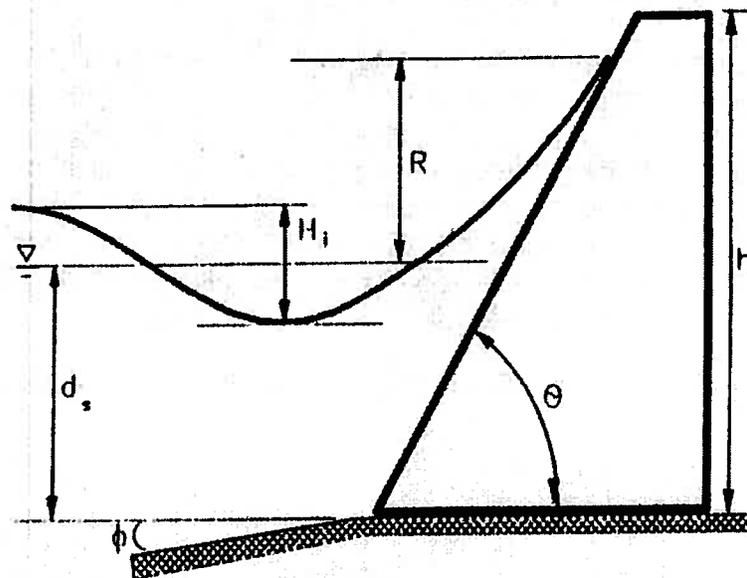


Figure 2. ACES terms for runup and overtopping analysis.

The top of the proposed seawall is at about +15.5 feet MSL. Under typical beach conditions with sand at about elevation +8' MSL fronting the wall normal wave runup will not overtop the wall. The wave runup and overtopping calculation herein is for the fully eroded beach conditions that may occur in the future and for the largest possible wave and highest water level. The calculated overtopping rate for the wall is about 5.0 ft<sup>3</sup>/sec-ft (See Table 3). This will only occur with each wave and only during times of extreme high water. This is the maximum 100 year recurrence interval overtopping rate requiring the coincidence of maximum scour conditions and highest possible water elevations. The actual frequency of overtopping depends upon the beach width. During mild winters the beach may not erode back to the wall and no overtopping will occur. During more energetic winters the wall may interact with waves at high tides and experience some splash and spray overtopping. It is also important to point out that the reentrant feature on the wall will further reduce wave and spray overtopping.

**TABLE 3**

AUTOMATED COASTAL ENGINEERING SYSTEM ... Version 1.02    11/17/2003    8:39  
 Project:    WAVE HAZARD & RUNUP STUDY    OCEAN LANE IMPERIAL BEACH

WAVE RUNUP AND OVERTOPPING ON IMPERMEABLE STRUCTURES					
Item		Unit	Value		
Wave Height at Toe	Hi:	ft	6.000		Smooth Slope
Wave Period	T:	sec	20.000		Runup and
COTAN of Nearshore Slope			250.000		Overtopping
Water Depth at Toe	ds:	ft	7.400		
COTAN of Structure Slope			0.000		
Structure Height Above Toe	hs:	ft	15.500		
Deepwater Wave Height	H0:	ft	3.275		
Relative Height	(ds/H0):		2.260		
Wave Steepness	(H0/gT <sup>2</sup> ):		0.255E-03		
Wave Runup	R:	ft	33.357		
Onshore Wind Velocity	U:	ft/sec	67.512		
Overtopping Coefficient	Alpha:		0.750E-01		
Overtopping Coefficient	Qstar0:		0.500E-01		
Overtopping Rate	Q:	ft <sup>3</sup> /s-ft	5.151		

**COASTAL PERMIT APPLICATION INFORMATION**

To facilitate the processing of a permit for the proposed project we would like to provide the following information as customarily requested by the California Coastal Commission Procedural Memo concerning information needed for processing applications for shoreline protection devices. Much of the information requested is discussed in the previous sections of this report but is summarized here for convenience.

**\* Design wave height and design constraints.**

The design wave height chosen is the maximum storm wave typical of the winter of 1982-83 and 1997-98 "El Niño" storms that will break on the structure. The largest wave during the El Niño has a deep water significant wave height of 21.0 feet, a period of 20 seconds and an azimuth of 283 degrees (from CCSTWS 86-6). However, this wave will break offshore before reaching the wall. The largest wave forces exerted on the wall will occur when the still water elevation is the highest and waves break directly onto the structure. The maximum still water depth is about +7.0' making the maximum breaker height about 6 feet. The design wave used in the analysis is 6.0 feet in height and has a period 20 seconds. Using methods detailed in the Shore Protection Manual, a typical design wave impact and debris force exerted on the sea wall is 700 lbs/ft of wall, with the wave force negligible at elevations above +12. 0' MSL.

**\* Maximum expected wave height.**

A typical breaker height associated with the January 1983 and February 1998 storms is about 18 feet. This wave would break several hundred feet from the beach and have only moderate impact on the proposed shore protection. The design wave for the structures was chosen as the maximum possible wave that could break on the structure when the beach is in an eroded condition. The design wave is a 20 second wave with a height of 6 feet, the maximum expected wave height at the wall.

**\* Frequency of overtopping.**

The top of the proposed shore protection structure is about +15.5 feet MSL. The wall height was chosen, consistent with Local Coastal Program height constraints, to eliminate direct wave overtopping except for when the beach condition are such that at the maximum scour condition, the water level is the highest, and large waves (6 feet) all coincide. The coincidence of these conditions is easily a 100 year or greater recurrence interval situation. However, this condition may occur over the life of the structure and, therefore, needs to be consider in the wall design. The frequency of overtopping could be more easily discussed if there were a constant water depth at the wall, but this is not the case at this location. During most winter conditions, like this current winter, the wall may never be touched by waves. During more energetic winters the wall will be hit by waves and not overtopped. The calculated overtopping rate per wave for the wall is about 5.0 ft<sup>3</sup>/sec-ft. This volume of water per wave can easily be managed by the drainage down the sides of the proposed building. During future extreme events spray may overtop the wall and wind screen but this water will not exert any wave type forces on the building and will be easily managed by the site drainage.

**\* Normal and maximum tidal ranges.**

The tides along this section of coastline are semi-diurnal, that is two high tides and two low tides per day. The mean tide range is about 3.7 feet with the lowest annual tide at about -4.75 feet MSL and the highest annual tide at about 4.8 feet MSL (USACOE, 1989). For tidal ranges and datum comparison see page 2 TABLE 1 of this report.

**\* Erosion rate with/without shore protection.**

The erosion rate is commonly expressed statistically in feet per year. Because of the nature of shoreline erosion this is a poor statistical description. Shorelines erode on a seasonal basis (winter versus summer profile) and on a longer period basis in response to the wave climate. The shoreline at this location during an energetic winter undergoes changes in the shoreline position of over 100 feet. The USACOE 1989 study estimated a long term shoreline erosion rate of about 1 to 2 feet per year for Imperial Beach in general. However this site is in the northern, substantially more stable portion of Imperial Beach and is within a groin compartment.

**\* Effect of seawall on adjoining property.**

The amount of time the seawall will interact with the ocean is very small over its lifetime. The southern end of the seawall proposes to join the recently approved seawall at 690 Ocean Lane. The seawall design will recommend a 10' minimum return along the property line shared with the site to the north. The residence on this neighboring site is relatively low and protected by a low height revetment and runup shield. The runup shield deflects wave runup, that overtops the revetment, to along the sides of the structure. This structure has been subject to significant wave runup, overtopping and flooding in the past. This proposed project will not measurably increase the substantial vulnerability of this low lying site/structure and will not exacerbate wave runup at the site. The presence of the new seawall will not exacerbate erosion on this adjacent property.

Recent scientific studies, including an eight year seawall monitoring study by Gary Griggs (Griggs, et. al., 1997), and an extensive analysis and discussion in a three part paper by Professor Robert Weigel (Weigel 2002), find that for the most part seawalls on the California coast do not cause or contribute to beach erosion. Griggs concluded that "there have been no permanent effects on the beaches studied" due to seawalls/revetments. Professor Weigel states that "In the authors judgement, seawalls do not cause erosion, except in the special circumstances where they prevent erosion of an upland source of sand, or are so situated that they act as a groin." These special circumstances do not occur at the subject site.

The construction of a seawall will enable the removal of the existing quarry stones fronting the site. These stones may be removed from the beach or used elsewhere. For instance, the stones could be used to fortify the low height revetment immediately to the north.

**\* Potential effect of scouring at the base.**

The foundation of the proposed seawall is steel sheet pile and will extend a minimum of 15 feet below the maximum scour depth over the life of the structure. Based upon the proposed design, scour at the base will not impact the seawall. The sands scoured at the base will remain nearby and not be lost from the beach and littoral system. Vertical seawalls and bulkheads have been in place for decades along the shoreline of Imperial Beach and no exacerbated scouring at the base of these has been observed or documented.

**\* Design life of structure/maintenance provisions.**

The proposed seawall is constructed from steel sheet pile with a concrete cap. The expected life with maintenance is 50 years or longer. Due to the harsh and dynamic ocean environment the actual design life may be less. Vertical seawalls of all types require

regular inspection, patching, and repairing every few years or after a particularly harsh winter. The wall should be inspected when the beach is at the lowest level. If cracking occurs in the concrete cap, maintenance in the form of patching the cracks with epoxy may be necessary.

**\* Alternatives to the chosen design.**

**A) No Seawall Project**

The proposed development will be subject to wave uprush and direct wave attack over its lifetime. If the site has no shore protection, the improvements will be seriously damaged or destroyed when subject to wave attack.

**B) Beach Nourishment.**

Beach nourishment could possibly provide a wide beach in front of the proposed development. However, beach nourishment most likely would not protect the site during extreme event waves or cluster storms similar to the 1982-83 El Niño storms. Sand placed at the site would move to the northern end of the groin compartment rather quickly due to high sediment transport potential under the large waves that occur on this moderately high energy beach. In addition, beach nourishment needs to be performed regionally over several miles of shoreline to have any likelihood of success.

**D) Quarry Stone Revetment**

The proposed improvements to this property could be protected by a quarry stone revetment. A revetment does reduce overtopping but it requires the large foot print to do so. The footprint of the revetment would encroach into the beach area fronting the site. The construction of a revetment would be less costly than the construction of the proposed seawall but it is our understanding that neither the City of Imperial Beach or the California Coastal Commission will allow a revetment.

**\* Effects on public access.**

The seawall project will not impact existing vertical access to the shoreline. Excellent cross shore access exists at the street end to the south. The proposed seawall is located well landward of the Mean High Tide line and entirely on private property. The proposed seawall will not impact lateral public access along the beach.

**\* Construction/staging area and technique of construction.**

The staging area will be entirely on the property with no encroachment onto the public beach. During construction of the wall beach sands will be excavated to provide room to pour the concrete cap. These sand will be re-placed after the cap has cured. No sands will be removed from the beach as a result of this project.

**\* Monitoring Report**

If required the monitoring program will evaluate the condition and performance of the seawall. It will address whether any significant weathering or damage has occurred that would adversely impact the future performance of the wall including color and texture (if required). A summary report will be provided each year. The report will be prepared by a licensed professional specializing in coastal processes and capable of assessing the integrity of the seawall.

The monitoring program will be as follows:

1. Photographs will be taken from the ocean looking toward the property on an annual basis. The photographs will include the entire seawall and the beach on either side of the wall. Photographs will also be taken immediately upon completion of the construction and be submitted as part of the "as built" plans. The annual photographs will be compared with previous year photographs to identify changes that may not be observable on a day to day basis.

2. The monitoring report will also address the impact of the seawall on the adjacent properties. Finally, the report will provide recommendations for maintenance, repairs, and changes or modifications to the seawall as necessary.

**LIMITATIONS**

Coastal engineering is characterized by uncertainty. Professional judgements presented herein are based partly on our evaluation of the technical information gathered, partly on our understanding of the proposed construction, and partly on our general experience. Our engineering work and judgements have been prepared in accordance with current accepted standards of engineering practice; we do not guarantee the performance of the project in any respect. This warranty is in lieu of all other warranties expressed or implied.

Sincerely,



David W. Skelly MS,PE

ds:ks



# **SE SKELLY ENGINEERING**

## **REFERENCES**

Coastal Construction Manual, 1986 FEMA (Federal Emergency Management Agency)

Griggs, G. B., Tait, J.F., Moore, L.J., Scott, K., Corona, W., and Pembroke, D. 1997. Interaction of Seawalls and Beaches: Eight Years of Field Monitoring, Monterey Bay, CA, Contract Report CHL-97-1, U.S. Army Engineer waterways Experiment Station, Vicksburg, MS, 34 pp.

Shore Protection Manual, 1984, 4th ed. 2 Vols, US Army Engineer Waterways Experiment Station, Coastal Engineering Research Center, US Government Printing Office,

Titus and Narayanan, 1995, "The Probability of Sea Level Rise" (EPA 230-R-95-008).

USACE LAD. 1987. Silver Strand Littoral Cell Preliminary Sediment Budget Report, Los Angeles District Publication, CCSTWS 87-3.

USACE LAD. 1989. Historic Wave and Sea Level Data Report San Diego Region, Los Angeles District Publication, CCSTWS 88-6.

USACE LAD. 1995. Silver Strand Shoreline Reconnaissance Study, Los Angeles District

Wiegel, R., January 2002, "Seawalls, Seacliffs, Beachrock: What Beach Effects? Part I, Part 2, & Part 3", Shore & Beach, Vol. 70, Nos. 1, 2, & 3.



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** JACQUELINE M. HALD, CITY CLERK

**SUBJECT:** PORT COMMISSIONER APPOINTMENT PROCESS

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**BACKGROUND:**

The San Diego Unified Port District is governed by a seven-member Board of Port Commissioners; one commissioner is appointed by each of the city councils of Chula Vista, Coronado, Imperial Beach and National City, and three commissioners are appointed by the San Diego City Council. The term of each commissioner is four years. On May 22, 2002, Michael Bixler was appointed to the Port Commission to fill an unscheduled vacancy with a term that expired on January 3, 2003. He was reappointed by the City Council on January 6, 2003, to serve a four-year term that expired on January 2, 2007. On July 19, 2006, he was reappointed to serve a second four-year term that will expire on January 4, 2011.

**DISCUSSION**

Pursuant to Section 2.18.010.C of the Imperial Beach Municipal Code, appointments to all commissions, boards and committees, except the planning commission and the personnel board, shall be made by the Mayor, with the approval of the City Council. It is important to be aware of the need for sufficient time to recruit desirable candidates, hold interviews, and make the appointment. A suitable amount of time needs to be allocated for the appointee to be properly oriented, attend Port District Commission meetings on November 9 and December 7, 2010, and meet with the current Port Commissioner and Port staff to familiarize him/herself with the issues prior to taking over the position in January 4, 2011. Therefore, staff recommends that City Council determine a Port Commissioner appointment process (either the current process or an extended process) with the selection of a new Port Commissioner to be made no later than October 20, 2010.

The current appointment process for Boards and Commissions involves posting the vacancy, advertising in the local paper, Mayor's review of applications and recommendation to City Council. Applying the current process would have a timeline of:

- September 1, 2010
  - Post Vacancy at City Hall, Library and City website
- September 9 and 16, 2010
  - Advertise Vacancy in local paper
- September 23, 2010 by 5:30 p.m.
  - Deadline for each applicant to submit completed application to the City Clerk

September 27 through October 1, 2010

- Mayor reviews applications and may interview some or all of the applicants

October 6, 2010

- Mayor makes recommendation to City Council for approval.

**Extended Appointment Process:**

This would involve a more extensive interview process as shown below. As per IBMC 2.18.010B, any additional procedures necessary for appointments to commissions, boards and committees shall be provided by resolution. Therefore, if this extended process is preferred, staff will return with a resolution for City Council's consideration at the next regular meeting.

September 1, 2010

- Post Vacancy at City Hall, Library and City website (same as above)

September 9 and 16, 2010

- Advertise Vacancy in local paper (same as above)

September 23, 2010 by 5:30 p.m.

- Deadline for each applicant to submit completed application to the City Clerk

September 27 through October 15, 2010

- Interview Process (or initial screening):
  - a. City Council interview applicants during the October 6 regular meeting or at a special meeting or
  - b. by City Council Subcommittee making a recommendation to the Mayor by October 4 or
  - c. have the Mayor screen the applicants with his top 3 choices interviewed by City Council at the October 6 regular meeting or at a special meeting

October 20, 2010

- Mayor makes recommendation (based on approved interview process) to City Council for approval.

For examples of earlier timeframes, see attachment 1

Should the current Port Commissioner desire to be reappointed, City Council may either reappoint him through the current appointment process or have him undergo the extended process.

Staff further recommends approval of the attached Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

None associated with this report.

**DEPARTMENT RECOMMENDATION:**

That the City Council:

1. Decide whether to use the current or extended process (staff to return to City Council with a resolution for extended process), but in either case appoint a Commissioner no later than October 20, 2010; and
2. Approve the Port Commissioner Position Specifications and the revised application used for all commission, board, and committee applicants.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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Gary Brown, City Manager

Attachments:

1. Earlier timeframe options
2. Port Commissioner appointment history for the City of Imperial Beach and surrounding cities (excluding the City of S.D.)
3. Imperial Beach Port Commissioner Position Specifications
4. Revised application to be used for all commission, board, and committee applicants
5. City of Chula Vista Memo, dated July 30, 2009
6. City of Coronado Staff Report, dated September 1, 2009
7. 2010 Calendar



**Port Commissioner Appointment Process  
Earlier Timeframe Options**

<b>Current Process</b>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>
Post vacancy at City Hall, library, City website	May 3	June 1	July 6	August 2
Advertise vacancy in local paper	May 6 May 13	June 3 June 10	July 8 July 15	August 5 August 12
Deadline for each applicant to submit completed application to City Clerk (5:30 p.m.)	May 20	June 17	July 23	August 20
Mayor reviews applications and may interview some or all of the applicants	May 24 - May 28	June 21 - June 25	July 26 - July 29	August 23 - August 26
Mayor makes recommendation for City Council for approval	June 2	July 7	August 4	September 1
<b>Extended Appointment Process</b>				
Post vacancy at City Hall, library, City website	May 3	June 1	July 6	August 2
Advertise vacancy in local paper	May 6 May 13	June 3 June 10	July 8 July 15	August 5 August 12
Deadline for each applicant to submit completed application to City Clerk (5:30 p.m.)	May 20	June 17	July 22	August 19
Interview Process (or initial screening)	May 24 - June 11	June 21 - July 15	July 26 - August 12	August 23 - September 17
City Council interview applicants	June 2 regular meeting or special meeting	July 7 regular meeting or special meeting	August 4 regular meeting or special meeting	September 1 regular meeting or special meeting
City Council subcommittee making a recommendation to the Mayor by	June 14	July 19	August 16	September 20
Mayor screens the applicants with his top 3 choices interviewed by City Council	June 2 regular meeting or special meeting	July 7 regular meeting or special meeting	August 4 regular meeting or special meeting	September 1 regular meeting or special meeting
Mayor makes recommendation (based on approved interview process) to City Council for approval	June 16	July 21	August 18	September 22

See 2010 Calendar for holidays/office closures



**Port Cities Appointment History**

<u>Imperial Beach</u>	<u>Coronado</u>	<u>National City</u>	<u>Chula Vista</u>
4/17/02 Regular meeting Mayor Rose announced Commissioner Urtasun submitted letter of resignation effective 6/15/02 and that appointment process will be agendized for next meeting	R. Spane re-appointed with a term expiring 1/2/10  Appointments are for four years; one re-appointment for a second term can be made (eight years total)	Advertise one time in the San Diego Union-Tribune newspaper	6/2/09 Regular meeting Council took action to approve appointment process for a term expiring 1/2/11
5/1/02 Regular meeting City Council took action to rescind Council Policy #109 (Port Commissioner Appt. Process), post the vacancy, and schedule a special meeting on 5/22/02 to conduct appointment	9/1/09 City Council approval of process	Applications solicited	Applications solicited Applications available online & in City Clerk's office 8/3/09-8/31/09  Council determined opening & closing dates for applications as 8/3/09-8/31/09 (after which, applications not accepted)  Applications required submittal of Economic Interests Disclosure
5/22/02 Special meeting Mayor Rose announced M. Bixler as her nominee and City Council approved appointment of M. Bixler for a term commencing 6/4/02 and expiring 1/3/03	9/2/09 Post position announcement at City Hall	Interview before City Council	Submittals forwarded to Mayor and Council
12/05/02 Letter of interest to be reappointed rec'd from M. Bixler 12/19/02 Notice of Vacancy posted	9/9, 9/16, 9/23, 9/30/09 Advertise in the Coronado Eagle & Journal newspaper	At discretion of City Council, may appoint at same meeting but typically appointment made at next meeting	Mayor and Council submit an unrestricted number of potential appointees by a deadline stated when applications & resumes forwarded to them  Mayor and Council submit in advance of interviews questions they would like asked of the applicants
1/6/03 Regular meeting M. Bixler re-appointed for a term commencing 1/3/03 and expiring 1/2/07	10/14/09 Applications due by 5 p.m.	01/05 Robert "Dukie" Valderrama sworn in	Applicants receiving two or more nominations scheduled for interviews
7/19/06 Regular meeting Mayor Rose requested Council consider reappointment of M. Bixler for a term expiring 1/2/11; City Council approved reappointment	10/13 or 10/20/09 Special Council meeting for interviews		Applicants interviewed at Council meeting on date selected by Council
	11/3/09 Appointment of Louis Smith		After interviews concluded, Council deliberate in a public meeting until an applicant receives at least three votes
	1/5/2010 Swearing in Ceremony		09/29/09 Appointment of Steve Padilla 10/09 Swearing in Ceremony



**PORT COMMISSIONER POSITION SPECIFICATIONS**

In addition to being guided by the Powers and Functions of the Board of Commissioners, the Imperial Beach Port Commissioner, appointed by the City Council shall:

1. Take direction from the City Council as to all San Diego Unified Port District matters of direct interest to the citizens of the City of Imperial Beach;
2. Communicate to the City Council and staff all San Diego Unified Port District matters of possible interest to Imperial Beach, and where deemed of particular interest, shall do so at a public meeting as determined by the City Council;
3. Serve as advisor to the Imperial Beach City Council for all San Diego Unified Port District matters;
4. Maintain awareness of all planning for the development and redevelopment of both Imperial Beach and the San Diego Unified Port District;
5. Maintain an active, rather than passive, role in the business of the San Diego Unified Port District and their day-to-day operations; and
6. That the Imperial Beach Port Commissioner be willing to serve at the pleasure of the majority of the City Council.

**Expected Typical Tasks**

1. Coordinate and provide assistance in meshing the several master plans that make up planning for the San Diego Unified Port District;
2. Prepare and submit to the Imperial Beach City Council matters requiring legislative action on all matters interfacing with the City of Imperial Beach and the San Diego Unified Port District;
3. Submit timely reports to the Imperial Beach City Council on any San Diego Unified Port District planning matter deemed to be of importance to Imperial Beach;
4. Public report to the Imperial Beach City Council at its regular meetings on a quarterly or as needed basis;
5. Counsel with and advise City of Imperial Beach commissioners, boards, and committees, as requested by the City Council, on Unified Port matters of general applicability;
6. Represent the interests and perspective of the City of Imperial Beach in all meetings and public functions with other governmental agencies, private groups and organizations on issues affecting Imperial Beach relative to Port District matters;
7. Prepare oral or written summary briefs for the Imperial Beach City Council, relative to matters at the Port District having impact to Imperial Beach;
8. Ensure the public posting of the Port District weekly agenda;
9. Be available to attend all Port District meetings and inform the City Council when unable to do so;
10. File Statement of Economic Interests with the City Clerk

**Standards and Qualifications**

1. Resident and registered voter in the City of Imperial Beach
2. Experience:
  - a. Administrative experience and coordination;
3. Knowledge, Skills, and Abilities:
  - a. Ability to conduct meetings with citizens groups and organizations;
  - b. Ability to make clear and concise presentation to the community, the City Council, and other jurisdictions;
  - c. Ability to work with diverse staff and public entities;
  - d. Personality, attitude and temperament to strive constantly for increased communications and maintain cooperative working relationships with internal and external agencies.





**CITY OF IMPERIAL BEACH, CALIFORNIA  
APPLICATION FOR APPOINTMENT TO COMMISSIONS, BOARDS & COMMITTEES**

The purpose of this application is to provide the Mayor and members of the City Council with background information on persons who wish to serve on a commission, board, or committee of the City. Persons appointed must be residents of the City of Imperial Beach.

**FULL NAME:** \_\_\_\_\_

**HOME ADDRESS:** \_\_\_\_\_

**TELEPHONE:** (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**CHOICE OF COMMISSION, BOARD, OR COMMITTEE:**

- Design Review Board
- Tidelands Advisory Committee
- Port Commission

**EDUCATION:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**OCCUPATION/PROFESSION:**

\_\_\_\_\_

\_\_\_\_\_

**EMPLOYMENT:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEMBERSHIP IN CIVIC ORGANIZATIONS, SERVICE CLUBS, ETC.:**

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\_\_\_\_\_

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\_\_\_\_\_

**ACHIEVEMENTS AND AWARDS (CIVIC, SCHOLASTIC, OR OTHER):**

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**QUALIFICATIONS OR TRAINING YOU FEEL YOU POSSESS THAT WILL AID YOU IN SERVING ON THE COMMISSION, BOARD, OR COMMITTEE, AND THE PEOPLE OF IMPERIAL BEACH:**

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**STATE BRIEFLY WHY YOU ARE INTERESTED IN SERVING:**

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I understand that my application will be kept on file for one year from the date it is submitted, and that I may be considered for appointment to fill any vacancies, either scheduled or unscheduled, during that time.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

Please complete and return this application (and any additional sheets if necessary) to:

Office of the City Clerk  
City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932  
Phone: (619) 423-8616



# MEMO

## Office of the City Clerk

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DATE: July 30, 2009  
TO: Honorable Mayor and City Councilmembers  
FROM: Donna Norris, City Clerk  
SUBJECT: Port Commissioner Appointment Process

On June 2, 2009, the Council unanimously approved the following appointment process for selecting a Port Commissioner for the term expiring on January 2, 2011.

1. Applicants for Chula Vista Port Commissioner must be residents of Chula Vista. Information regarding the responsibilities of a Port Commissioner can be found at [www.portofsandiego.org](http://www.portofsandiego.org).
2. Applications will be available online from August 3 through August 31, 2009, at [www.chulavistaca.gov](http://www.chulavistaca.gov) and at the City Clerk's office.
3. The City Council determined opening and closing dates for applications as August 3, 2009 and August 31, 2009, after which applications will not be accepted.
4. Each applicant must submit to the City Clerk a completed Port Commissioner application, including an Economic Interests Disclosure form and a resumé by 5:00 p.m. on August 31, 2009.
5. After August 31, 2009, all applications and resúmes will be forwarded to the Mayor and City Council.
6. The Mayor and City Council will submit an unrestricted number of name/s of applicants they want to interview by a deadline stated when applications and resúmes are forwarded to them.
7. The Mayor and City Council will submit in advance of interviews the question/s that they would like asked of the applicants.
8. Applicants receiving two or more nominations will be scheduled for interviews.
9. Applicants will be interviewed in a City Council meeting in the Council Chambers on a date selected by the City Council.
10. When interviews have ended, the City Council will deliberate in a public meeting until an applicant receives at least three votes.

Attachment: Council-approved application form



# APPLICATION FOR PORT COMMISSIONER

Name ( Mr.  Mrs.  Ms.) \_\_\_\_\_

Home address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Residence phone \_\_\_\_\_ Business phone \_\_\_\_\_ Cell phone \_\_\_\_\_

Do you live within the City limits of Chula Vista?  yes  no How long? \_\_\_\_\_

Are you registered to vote?  yes  no

Present employer \_\_\_\_\_ Occupation \_\_\_\_\_

Are you currently serving, or have you previously served, on a Chula Vista Board or Commission?

yes  no If yes, which one(s)? \_\_\_\_\_

What experience or special knowledge can you bring to this position?

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What would you hope to accomplish by your participation?

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**Please attach your resumé and a completed Economic Interests Disclosure form (attached).**

*Note: Applications will be accepted by the Office of the City Clerk until 5:00 p.m., August 31, 2009 at 276 Fourth Avenue, Building 100, Chula Vista.*

*I am familiar with the responsibilities of the Unified Port of San Diego Board of Port Commissioners. By submitting this application, I hereby acknowledge those responsibilities and attest that the information provided on this application and its attachments is true and accurate.*

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_

## APPLICATION FOR PORT COMMISSIONER

### ECONOMIC INTERESTS DISCLOSURE

In order to determine potential conflicts of interest, please disclose all economic interests that you have had within the boundaries of the County of San Diego under the following categories (if you have nothing to disclose, indicate with "N/A"):

#### INVESTMENTS

Disclose any financial interests with a value greater than \$2,000 that you, your spouse, registered domestic partner, or dependent children had with any business located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego (include stocks, bonds, sole proprietorships, partnerships, trusts).

BUSINESS NAME	ESTIMATED VALUE	GROSS ANNUAL INCOME

#### INCOME

Disclose the source and amount of gross income or loan of \$500 or more that was received by you, your spouse, or your registered domestic partner during the past year from any source located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego. (You are not required to report loans from commercial lending institutes, child support or alimony payments, or salaries, reimbursements for expenses, social security, disability, or other similar benefit payments from a federal, state, or local government agency.)

SOURCE OF INCOME	YOUR BUSINESS POSITION	GROSS ANNUAL INCOME OR LOAN AMOUNT

Attach additional pages as needed.

Name \_\_\_\_\_

### GIFTS

Disclose the source, description, and value of gift(s) valued at \$50 or more from a single source during the past year from any source located, doing business, planning to do business, or that has done business in the past two years, in the County of San Diego. A gift is anything of value for which you have not provided equal or greater consideration to the donor. (You are not required to disclose gifts from family members, inheritances, or campaign contributions).

NAME OF SOURCE	DESCRIPTION OF GIFT	VALUE

### REAL PROPERTY

Disclose interests that you, your spouse, registered domestic partner, or your dependent children had of \$2,000 or more during the past year in real property located in the County of San Diego or within two miles of the boundaries of the County of San Diego. (You are not required to disclose property used exclusively as a personal residence.)

CITY WHERE PROPERTY IS LOCATED	FAIR MARKET VALUE	GROSS ANNUAL INCOME (IF RENTAL)

Attach additional pages as needed.

**APPROVAL OF PROCESS, SCHEDULE, AND POSITION SPECIFICATIONS FOR RECRUITMENT AND SELECTION OF APPOINTEE TO THE SAN DIEGO PORT COMMISSION**

**ISSUE:** Whether to initiate the recruitment for the City’s next appointee to the San Diego Port Commission.

**RECOMMENDATION:** That the City Council approve the proposed process, schedule, and position specifications, for appointment of a new Port Commissioner to fill the upcoming vacancy.

**BUDGET IMPACT:** None

**STRATEGIC PLAN IMPACT:** This recommendation supports the Strategic Plan Objective 9.3.1, Strategy 9.3.1.3 “Continue to attract involved and knowledgeable citizens to participate in and serve on designated committees and task forces.”

**BACKGROUND:** The San Diego Unified Port District (the “Port District”) is governed by a Board of Commissioners, which is made up of five (5) members, each appointed by the legislative bodies for the five (5) cities within the District’s jurisdiction. The commissioner representing Coronado is appointed by the City Council for a four-year term and may be reappointed to a second term for a total of eight years. Admiral Robert Spane was appointed to the Port Commission on November 20, 2001 to serve a four-year term from January 2, 2002 to January 2, 2006. He was reappointed by the City Council on November 1, 2005 to serve a second four-year term that will expire on January 2, 2010.

**ANALYSIS:** The suggested process and schedule below will provide sufficient time to recruit desirable candidates, hold interviews, make the appointment, and allow the appointee to meet with the current commissioner, attend Port District Commission meetings, and familiarize him/herself with the issues prior to taking over the position in January 2010.

City Council approval of process:	September 1
Post position announcement at City Hall:	September 2
Advertise in the <i>Coronado Eagle &amp; Journal</i> :	September 9, 16, 23, and 30
Applications due by 5:00 p.m.:	October 14
Special Council meeting for interviews:	October 13 or 20
Appointment of new Port Commissioner:	November 3

This process is consistent with past practice.

I:\CLERK\_GENERAL\COMMISSIONS & COMMITTEES\Port Commission\ApprovalProcessPortCommissionerVacancy\_2010

Submitted by City Clerk/ L. Hascup  
 Attachments: Port Commissioner Position Specifications

<del>CM</del>	ACM	AS	CA	CC	CD	CDA	F	G	L	P	PS	R
TR	LH	MLF	LKH	NA	NA	NA	NA	NA	NA	NA	NA	NA

## **PORT COMMISSIONER POSITION SPECIFICATIONS**

In addition to being guided by the Powers and Functions of the Board of Commissioners, the Coronado Port Commissioner, appointed by the City Council shall:

1. Take direction from the City Council as to all San Diego Unified Port District matters of direct interest to the citizens of the City of Coronado;
2. Communicate to the City Council and staff all San Diego Unified Port District matters of possible interest to Coronado and, where deemed of particular interest, shall do so at a public meeting as determined by the Council;
3. Serve as advisor to the Coronado City Council for all San Diego Unified Port District matters;
4. Maintain awareness of all planning for the development and redevelopment of both Coronado and the San Diego Unified Port District;
5. Maintain an active, rather than passive, role in the business of the San Diego Unified Port District and their day-to-day operations; and
6. That the Coronado Port Commissioner be willing to serve at the pleasure of the majority of the City Council.

### **Expected Typical Tasks**

1. Coordinate and provide assistance in meshing the several master plans that make up planning for the San Diego Unified Port District;
2. Prepare and submit to the Coronado City Council matters requiring legislative action on all matters interfacing with the City of Coronado and the San Diego Unified Port District;
3. Submit timely reports to the Coronado City Council on any San Diego Unified Port District planning matter deemed to be of importance to Coronado;
4. Publicly report to the Coronado City Council at its regular meetings on the first and third Tuesday of each month;
5. Counsel with and advises City of Coronado commissioners, boards, and committees, as requested by the City Council, on Unified Port matters of general applicability;
6. Represent the interests and perspective of the City of Coronado in all meetings and public functions with other governmental agencies, private groups and organization on issues affecting Coronado relative to Port District matters;
7. Prepare oral or written summary briefs for the Coronado City Council, relative to matters at the Port District having impact on Coronado;
8. Ensure the public posting of the Port District weekly agenda;
9. Be available to attend all Port District meetings and inform the City Council when unable to do so;
10. File Statement of Economic Interests with the City Clerk.

### **Standards and Qualifications**

1. Resident and Registered Voter in the City of Coronado
2. Experience:
  - a. Administrative experience and coordination;
3. Knowledge, Skills, and Abilities:
  - a. Ability to conduct meetings with citizens groups and organizations;
  - b. Ability to make clear and concise presentation to the Community, the Council, and other jurisdictions;
  - c. Ability to work with diverse staff and public entities;
  - d. Personality, attitude and temperament to strive constantly for increased communications and maintain cooperative working relationships with internal and external agencies.

09/01/09

## **Port District, San Diego Unified (Board of Commissioners)**

Information obtained from the San Diego Unified Port District Web Site

### **Duties**

Responsible for harbor and port improvement and for use of all of tidelands and submerged lands which shall be conveyed to district pursuant to provisions of law, and perform all other duties set forth in law establishing this district.

### **Appointment**

The City Council of each city included in the district shall appoint Commissioners.

### **Term**

Four-year staggered terms any vacancy shall be filled by appointment by the City Council of the City from which the vacancy has occurred and shall be for the remainder of the unexpired term. The terms of the Commissioners shall commence on the 3rd day of January.

### **Composition**

Seven (7) members district-wide as follows: San Diego - three (3) commissioners; National City - one (1) Commissioner; Imperial Beach - one (1) Commissioner; Coronado - one (1) Commissioner; Chula Vista - One (1) Commissioner; Commissioners must be residents of the respective cities they represent at time of appointment and during term of office.

### **Governed By**

San Diego Unified Port District Act (Harbor and Navigation Code) Council Policy 000-13.

Members must file statement of economic interests with port district clerk



# 2010

# CITY OF IMPERIAL BEACH

ATTACHMENT 7

# 2010

825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

January						
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26	27	28	29	30	31	

■ Council Meetings

■ Council Workshops

---- City Hall Closed

■ City Holidays

**SPECIAL EVENTS**

Sandcastle  
IB Birthday  
League Conference

August 6-8, 2010  
July 18, 2010  
September 15-18, 2010





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

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

**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** CITY CLERK'S DEPARTMENT  
FINANCE DEPARTMENT

**SUBJECT:** REQUEST FOR COUNCIL DIRECTION CONCERNING THE  
BROADCASTING OF CITY COUNCIL MEETINGS

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**BACKGROUND:**

With advancements in technology, some local governments have made media broadcast of City Council meetings available to its citizens. Media broadcast options include cable television and webcasting over the Internet. The remodeling of the City Council Chambers in 2005, and the Emergency Operations Center Upgrade in 2006, provided certain required equipment that would reduce the potential cost of broadcasting meetings, should City Council elect to explore one or both of these options. Camera signal transmission requires cabling through the existing infrastructure, to a distribution amplifier that will be located on an equipment rack. The one-time cost for the additional equipment and installation is \$2,600.

- **Traditional Broadcasting:** This type of broadcasting involves transmitting a video and audio signal through the cable television provider's system and out to the televisions of cable subscribers. This type of broadcast can be transmitted live or recorded and shown following the City Council meetings. Cox Communications Channel 24 is the local government channel for the City of Imperial Beach. Simple broadcasts can be accomplished with the wall-mounted stationary camera located in the southeast corner of the Council Chambers. Cable broadcasting on Cox Communications Channel 24 will require no operational expense as this service is included in the City's franchise agreement. Should City Council desire the playback of City Council meetings, there is a one-time cost for the purchase and installation of recording and playback equipment is \$980.00.
- **Webcasting with Option to Index & Video Archive:** Webcasting is a process of delivering multimedia content to an audience over the Internet. This is accomplished by sending video and audio content to streaming media software running on a computer equipped with sufficient processing power. The content is encoded, then sent to a specialized web server and distributed over the Internet. This distribution can be either a live broadcast or on-demand. An additional feature, if desired, is searchable indexes. Video archives that are indexed would allow users to jump to specific spots on the video archive by selecting titles from the City Council meeting agendas or by a word search. Should City Council support the webcasting of City Council meetings, staff recommends the use of a third party vendor due to potential bandwidth overload. Bandwidth overload could result in lower download speed and could potentially lock up and bring down the City's computer network. The cost for webcasting City Council meetings can range from a basic service with one stationary camera streaming live at \$2,400.00 to \$3,600.00/year to advanced service, indexing and archiving at \$5,880.00 to 8,400.00/year (excluding upfront costs and production staff).

**DISCUSSION**

Given the above capacities, we request Council's direction on whether you wish to broadcast your meetings. If so, what types of broadcast would you like? Law does not require a City to broadcast its meetings. Council already meets legal requirements to conduct open public meetings and even overflow space is provided in the Community Room with a television monitor so people can see the proceedings.

Broadcasting city council meetings allows for a convenient method for the public to view their government at work. On the other hand, people's behavior may change when they know they are on camera, and public participation at meetings may decrease. One of the benefits to living in a small city is the easy access to meetings. Broadcasting may reduce the sense of community, but it may increase it.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

		<b>Capital Outlay</b>	<b>Operating Costs</b>
<b>CABLE CHANNEL</b>	Live only	<b>\$2,600.00</b>	<b>\$0</b>
	Broadcast replay	$\$2,600.00 + 980.00 = \mathbf{\$3,580.00}$	<b>\$0</b>
<b>INTERNET</b>	Simple webcast	$\$2,600.00 + \$3,700.00 \text{ to } \$5,300.00 = \mathbf{\$6,300.00 \text{ to } 7,900.00}$	<b>\$200.00 to \$300.00 per month</b>
	Webcast indexing, etc.	$\$2,600.00 + \$5,000.00 \text{ to } \$7,000.00 = \mathbf{\$7,600.00 \text{ to } \$9,600.00}$	<b>\$490.00 to \$700.00 per month (if production staff is needed, incl. an additional \$600.00 per month)</b>

**DEPARTMENT RECOMMENDATION:**

That the City Council provide direction on broadcasting of City Council meetings.

If broadcasting is desired, staff recommends broadcasting on Cox Communications Channel 24 due to minimal costs and the ability to broadcast fairly quickly. City Council needs to decide if the broadcasts will be shown:

- a. live only;
- b. following City Council meetings only; or
- c. both live and following City Council meetings.

Staff further recommends that should City Council desire webcasting, to pursue an affordable option and monitor usage for six months. Should there be a high number of hits, direct staff to add to the next budget cycle funds for an option that allows for archiving and indexing.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

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



AGENDA ITEM NO. 6.6

**STAFF REPORT  
IMPERIAL BEACH REDEVELOPMENT AGENCY**

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

**FROM:** GARY BROWN, EXECUTIVE DIRECTOR

**MEETING DATE:** MARCH 17, 2010

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

**SUBJECT:** PROPOSED SECOND AMENDMENT TO AGREEMENT WITH EPIC LAND SOLUTIONS, INC. FOR RELOCATION ASSISTANCE SERVICES AT THE 9<sup>TH</sup> & PALM REDEVELOPMENT PROJECT

---

**BACKGROUND**

In February 2009, the Imperial Beach Redevelopment Agency ("Agency") entered into an agreement with Epic Land Solutions, Inc. ("Epic") for Relocation Assistance Services for the 9<sup>th</sup> & Palm Redevelopment Project. In August 2009, the Agency amended the agreement to adjust the scope of work, add additional compensation for two additional businesses' increase in the level of assistance, and to cover the cost of the Fixtures and Equipment ("F&E") appraisals.

**DISCUSSION**

The Agency did not initially issue 90-day notices to the businesses at the Miracle Shopping Center in order to allow a more measured approach to the relocations. Nearly a third of the original businesses responded to the Agency's initial notices regarding relocation and worked with Epic to process a relocation claim. However, a number of the businesses have not actively sought to begin the relocation process, or have been slow to respond to Epic's inquiries. Epic has continuously tried to maintain contact with the tenants and supply them with leasing referrals. In an effort to keep the project on budget, staff worked with Epic to limit the number of site visits their agents make to once a week and cut back written updates to twice a month. The initial budget and the amended budget did not anticipate or reflect a protracted relocation process.

The purpose of the proposed second amendment is for additional compensation to cover the increase in hours needed will to bring the relocation process to a conclusion. With the issuance of the recently-authorized 90-day notices, the relocation process should accelerate. The proposed second amendment should be sufficient to complete the relocation process.

The following is the current financial status of the Agreement with Epic:

Original Agreement		\$63,800
1 <sup>st</sup> Amendment		<u>\$38,000</u>
	Subtotal	<u>\$101,800</u>
Paid to Date		<u>\$91,032</u>
Remaining Balance		\$10,768
Proposed 2 <sup>nd</sup> Amendment		<u>\$45,000</u>
Balance with Proposed 2 <sup>nd</sup> Amendment		<u>\$55,768</u>

**ENVIRONMENTAL DETERMINATION**

The approval of the proposed second amendment to an agreement for professional services is not a project as defined by CEQA.

**FISCAL IMPACT**

Funds for the proposed second amendment are available in the Fiscal Year 2009-2010 Budget for professional services.

**DEPARTMENT RECOMMENDATION**

Staff recommends that the Imperial Beach Redevelopment Agency adopt Resolution No. R-10-213 approving a second amendment to the agreement with Epic Land Solutions, Inc. for additional Relocation Assistance Services in an amount not to exceed \$ 45,000. The total compensation will not exceed \$146,800 unless amended by the Agency.

**CITY MANAGER'S RECOMMENDATION**

Approve Department recommendation.

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

Attachments: Attachment 1 – Resolution No. R-10-213  
Attachment 2 – Second Amendment

**RESOLUTION NO. R-10-213**

**A RESOLUTION OF THE IMPERIAL BEACH  
REDEVELOPMENT AGENCY APPROVING A  
SECOND AMENDMENT TO AN AGREEMENT  
WITH EPIC LAND SOLUTIONS, INC. FOR  
RELOCATION ASSISTANCE SERVICES**

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

**WHEREAS**, the Imperial Beach Redevelopment Agency ("Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area [the "Project"] and

**WHEREAS**, the Agency previously entered into an Agreement ["the Agreement"] for Relocation Assistance Services with Epic Land Solutions, Inc. ["Epic"]; and

**WHEREAS**, the Agency previously amended the Agreement for Relocation Assistance Services with Epic Land Solutions, Inc. ["Epic"]; and

**WHEREAS**, the Agency wishes to enter into a second amendment to the Agreement with Epic to add \$45,000 to the contract amount for an increase in the time needed to provide relocation assistance as required by the 9<sup>th</sup> & Palm Redevelopment Project.

**WHEREAS**, the Agency has sufficient funds in 9<sup>th</sup> & Palm Redevelopment Project Budget (R05-201 – 101 1920 5032 2006);

**NOW, THEREFORE, BE IT RESOLVED**, by the Agency, that the Executive Director of the Agency, or designee, is authorized and empowered to execute, for and on behalf of the Agency, a Second Amendment to the Agreement with Epic for Relocation Assistance Services in an amount not to exceed FORTY-FIVE THOUSAND (\$45,000); thereby increasing the compensation of the Agreement to a total amount not to exceed ONE HUNDRED FORTY-SIX THOUSAND EIGHT HUNDRED DOLLARS (\$146,800).

**PASSED, APPROVED, AND ADOPTED** by the Imperial Beach Redevelopment Agency at its meeting held on the 17<sup>th</sup> of March, 2010, by the following roll call vote:

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



**SECOND AMENDMENT TO AGREEMENT  
FOR PROFESSIONAL SERVICES  
BETWEEN IMPERIAL BEACH REDEVELOPMENT AGENCY  
AND EPIC LAND SOLUTIONS, INC.**

THIS AMENDMENT TO THE AGREEMENT MADE this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between the IMPERIAL BEACH REDEVELOPMENT AGENCY, hereinafter referred to as "AGENCY," and Epic Land Solutions, Inc., hereinafter referred to as "CONSULTANT";

WHEREAS, AGENCY desires to amend the Agreement between the AGENCY and the CONSULTANT; and

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

**Section 4. TOTAL COST.**, is hereby amended to read as follows:

The total cost for all work described in Exhibit "A" shall not exceed ONE HUNDRED FORTY-SIX THOUSAND EIGHT HUNDRED DOLLARS (\$146,800) without prior written authorization from AGENCY.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first hereinabove written.

IMPERIAL BEACH REDEVELOPMENT AGENCY

\_\_\_\_\_  
Executive Director

APPROVED AS TO CONTENT:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
AGENCY Counsel

\_\_\_\_\_  
Epic Land Solutions, Inc.





Imperial Beach  
Redevelopment Agency

AGENDA ITEM NO. 6.7

**STAFF REPORT  
IMPERIAL BEACH REDEVELOPMENT AGENCY**

**TO:** CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY  
**FROM:** GARY BROWN, EXECUTIVE DIRECTOR  
**MEETING DATE:** MARCH 17, 2010  
**ORIGINATING DEPT.:** COMMUNITY DEVELOPMENT DEPARTMENT  
GREG WADE, DIRECTOR *GW*  
GERARD E. SELBY, REDEVELOPMENT COORDINATOR *GS*  
**SUBJECT:** SOUTH BAY COMMUNITY SERVICES – PROVIDE MATCHING FUNDS FOR MULTI-FAMILY AFFORDABLE SOLAR HOUSING PROGRAM GRANT FOR 1360 HEMLOCK AND 1260 CALLA AVENUES

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**BACKGROUND**

In October 2005, the Imperial Beach Redevelopment Agency (“Agency”) authorized the Executive Director/City Manager to enter into Rehabilitation Loan Agreements with South Bay Community Services (“SBCS”) for the substantial rehabilitation of apartment buildings located at 1360 Hemlock and 1260 Calla Avenues. In October 2007, the Agency amended the Rehabilitation Loan Agreement for 1360 Hemlock Avenue to provide additional funding for a community room. The Agency has provided a total of \$1,210,062 to SBCS for the rehabilitation of 7 units at Hemlock and 8 units at Calla. The rehabilitation has been completed for several years and both properties continue to be maintained and managed appropriately as affordable housing.

SBCS has received a Multi-Family Affordable Solar Housing (“MASH”) Program grant from the California Center for Sustainable Energy to install photovoltaic solar panels. The purpose of the MASH Program is to provide incentives for and to facilitate the adoption of solar technology in the multifamily affordable housing sector. The MASH Program is part of the California Public Utilities Commission’s California Solar Initiative (CSI) and the Go Solar California campaign.

**DISCUSSION**

The California Public Utilities Commission through the CSI and the Go Solar California campaign seeks to reduce fossil fuel generated power and create a sustainable energy future by using solar technology to generate electricity free of harmful CO2 emissions and other

greenhouse gases. The Draft Regional Climate Action Plan also seeks to reduce energy usage in residential uses and increase the use of renewable energy.

SBCS has requested financial assistance to provide a match for the MASH grant. The requested match would cover 50% of total cost of the project (Attachment 1). The additional investment of housing funds into the solar project achieves a worthwhile goal and adds to the measures, such as the Clean and Green Program that the City of Imperial Beach has implemented to reduce Greenhouse Gas Emissions. The installation of the system will also provide a direct benefit to the tenants through a reduction of their electric bills.

**ENVIRONMENTAL IMPACT**

This is not a project as defined by CEQA.

**FISCAL IMPACT**

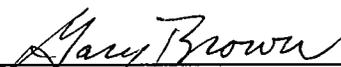
There are sufficient funds in the Redevelopment Agency Housing Budget to provide the matching funds in amount of \$108,964.

**DEPARTMENT RECOMMENDATION**

Staff recommends that the Redevelopment Agency adopt Resolution No. R-10-212 approving matching funds in the amount of \$108,964 to South Bay Community Services for a Multi-Family Affordable Solar Housing Program Grant for 1360 Hemlock And 1260 Calla Avenues.

**EXECUTIVE DIRECTOR'S RECOMMENDATION:**

Approve Agency recommendation.

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

Attachments:

1. Resolution R-10-212

**RESOLUTION NO. R- 10- 212**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY  
OF THE CITY OF IMPERIAL BEACH, CALIFORNIA,  
PROVIDE MATCHING FUNDS TO SOUTH BAY  
COMMUNITY SERVICES FOR A MULTI-FAMILY  
AFFORDABLE SOLAR HOUSING PROGRAM GRANT  
AT 1360 HEMLOCK AND 1260 CALLA AVENUES**

**WHEREAS**, the Agency is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project Area [the "Project"]; and

**WHEREAS**, in order to carry out and implement the Redevelopment Plan, the Agency proposes to provide Housing Funds to South Bay Community Services ("SBCS") to enable SBCS the ability to match a grant from the Multi-Family Affordable Solar Housing ("MASH") Program from the California Center for Sustainable Energy to install photovoltaic solar panels at 1360 Hemlock and 1260 Calla Avenues, Imperial Beach; and

**WHEREAS**, The MASH Program aims to facilitate the adoption of solar technology in the multifamily affordable housing sector; and

**WHEREAS**, The MASH Program provides incentives to multifamily affordable housing facilities; and

**WHEREAS**, The MASH Program is part of the California Public Utilities Commission's California Solar Initiative (CSI) and the Go Solar California campaign.

**WHEREAS**, the Agency has sufficient funds in Redevelopment Agency Housing Bond Fund;

**NOW, THEREFORE, BE IT RESOLVED**, by the Agency, that the Executive Director of the Agency, or designee, is authorized and empowered to execute, for and on behalf of the Agency, the expenditure of Redevelopment Agency Housing Bond Funds to enable SBCS to match a grant from the Multi-Family Affordable Solar Housing ("MASH") Program; and

**BE IT FURTHER RESOLVED**, That expenditures from the Redevelopment Agency Housing Bond Funds to SBCS for 1360 Hemlock and 1260 Calla Avenues shall not to exceed ONE HUNDRED EIGHT THOUSAND NINE HUNDRED SIXTY-FOUR DOLLARS (\$108,964).

**PASSED, APPROVED, AND ADOPTED** by the Imperial Beach Redevelopment Agency of at its meeting held on the 17<sup>th</sup> of March, 2010, by the following roll call vote:

**AYES: BOARDMEMBERS:  
NOES: BOARDMEMBERS:  
ABSENT: BOARDMEMBERS:**

\_\_\_\_\_  
**JIM C. JANNEY  
CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, CMC  
SECRETARY**

**I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. R-10-212 to approve expenditures to SBCS for 1360 Hemlock and 1260 Calla Avenues that shall not to exceed ONE HUNDRED EIGHT THOUSAND NINE HUNDRED SIXTY-FOUR DOLLARS (\$108,964).**

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

\_\_\_\_\_  
**DATE**