



# A M E N D E D A G E N D A



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

**DECEMBER 16, 2009**

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

**CLOSED SESSION MEETING – 5:30 P.M.  
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.

**CLOSED SESSION CALL TO ORDER BY MAYOR**

**ROLL CALL BY CITY CLERK**

**CLOSED SESSION**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,  
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

Property: 735 Palm Ave., Imperial Beach, CA 91932, APN 626-250-03

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 741 Palm Ave., Imperial Beach, CA 91932, APN 626-250-04

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 761-779 Palm Ave., Imperial Beach, CA 91932, APN 626-250-05

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 743-849 Palm Ave., Imperial Beach, CA 91932, APN 626-250-06

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

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**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.**

**CLOSED SESSION (Continued)**

Property: 775 Palm Ave., Imperial Beach, CA 91932, APN: 626-250-05  
Agency Negotiator: City Manager and City Attorney  
Negotiating Parties: Priced Rite Pets c/o Robert Lokey  
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

**RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)**

**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 Chris Medina.

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

**2.1 MINUTES.**

City Manager's Recommendation: Approve the minutes of the Regular City Council Meeting of December 2, 2009.

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

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 69991 through 70052 with the total amount of \$107,229.16.

**2.3 RESOLUTION NO. 2009-6833 – REVISING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF IMPERIAL BEACH AND BDS ENGINEERING, INC. FOR CITY ENGINEERING SERVICES. (0700-05)**

City Manager's Recommendation: Adopt resolution.

**2.4 REGIONAL NON-POTABLE RECYCLED WATER DEMAND STUDY. (0230-70)**

City Manager's Recommendation: Confirm staff's response to the City of San Diego regarding the City's future plan for the future use of regional non-potable recycled water.

**2.5 RESOLUTION NO. 2009-6832 – APPROVING THE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BY WESTON SOLUTIONS, INC. FOR TIJUANA RIVER WATER QUALITY STUDY. (0230-70)**

City Manager's Recommendation: Adopt resolution.

**2.6 RESOLUTION NO. R-09-202 – APPROVING STREET IMPROVEMENTS, RDA PHASE 3 (CIP S04-108) CHANGE ORDER NO. 7 WITH NASLAND ENGINEERING AND RESCINDING RESOLUTION NO. R-09-200. (0720-25)**

City Manager's Recommendation: Adopt resolution.

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

None.

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

### **4.1 ORDINANCE NO. 2009-1095 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA ADDING CHAPTER 16.12 (WATER EFFICIENT LANDSCAPE REGULATIONS) TO THE IMPERIAL BEACH MUNICIPAL CODE. (0940-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2009-1095, "An Ordinance of the City Council of the City of Imperial Beach, California Adding Chapter 16.12 (Water Efficient Landscape Regulations) to the Imperial Beach Municipal Code";
3. City Clerk to read Ordinance No. 2009-1095; and
4. Motion to dispense second reading and adopt Ordinance No. 2009-1095 by title only.

## **PUBLIC HEARINGS (5)**

None.

## **REPORTS (6.1 - 6.9)**

### **6.1 RESOLUTION NO. R-09-201 – SPORTS PARK SKATE PARK CIP (P07-101) BUDGET AMENDMENT ACCEPTING THE COMMUNITY DONATIONS, THE NON-PROFIT GRANTS AND ADDING \$200,000 RDA TAX INCREMENT (NON-HOUSING) TO THE PROJECT. (0920-40)**

City Manager's Recommendation: Receive report and adopt resolution.

### **6.2 MTS SERVICES CHANGES. (0680-85)**

City Manager's Recommendation: Review and comment on the proposed changes, and provide direction to Council's representatives on the MTS Board as Council deems necessary.

### **6.3 FIRST STATUS REPORT ON INTERIM ORDINANCE NO. 2009-1091 ENACTING AN URGENCY MEASURE PROHIBITING COOPERATIVE, COLLECTIVE, OR OTHER FORMS OF MARIJUANA DISPENSARIES DURING A SPECIAL STUDY PERIOD OF ONE YEAR. (0610-95)**

City Manager's Recommendation:

1. Receive report;
2. Give direction to City Staff as the Council deems appropriate; and
3. Set the date for the next Interim Report to Council.

### **6.4 RESOLUTION NO. 2009-6834 – AUTHORIZING THE PURCHASE OF REPLACEMENT GRAFFITI ABATEMENT VEHICLE (VEHICLE NO. 652). (1130-05)**

City Manager's Recommendation: Receive report and adopt resolution.

### **6.5 REPORT TO CITY COUNCIL ADVISING CHANGES IN SHERIFF STAFFING LEVELS. (0260-10)**

City Manager's Recommendation: Give direction not to fill the Special Purpose Officer (SPO) vacancy and delete the SPO from the current staffing levels and the succeeding fiscal year budgets.

### **6.6 ANNUAL CITY COUNCIL REPRESENTATION ASSIGNMENTS. (0410-50)**

City Manager's Recommendation:

1. Mayor appoint/change City Council Representation Assignments for 2010 in accordance with Chapter 2.18.020.C of the I.B.M.C.; and
2. City Council approve Mayor's appointments and changes to the City Council Representation Assignments for 2010.

**(Continued on Next page)**

**REPORTS (Continued)**

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

City Manager's Recommendation: Appoint Councilmember King as Mayor Pro Tempore for a one-year period pursuant to rotational requirements and be seated at the first meeting in January pursuant to requirements as stated under Council Policy No. 112.

**6.8 2010 CITY COUNCIL CALENDAR MEETING AND WORKSHOP CALENDAR. (0410-05)**

City Manager's Recommendation: Approve the 2010 City Council Calendar which includes City Council quarterly workshops on January 12, April 13, July 13, and October 12, 2010. Staff further recommends rescheduling of the May 5, 2010 City Council meeting to May 4, 2010 and the September 15, 2010 City Council meeting to September 22, 2010, and canceling the January 5, 2011 City Council meeting.

***Item No. 6.9 will be discussed at 7:00 p.m. – TIME SPECIFIC***

**6.9 COMMERCIAL ZONING REVIEW. (0610-95)**

City Manager's Recommendation: Receive staff's report and presentation and provide direction and input on the specific recommendations presented. It is further recommended that the City Council identify any additional items for consideration and discussion, and schedule them for discussion at an upcoming City Council meeting and/or provide direction on the next steps for consideration of the proposed recommendations.

**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 December 11, 2009 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

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

*AFFIDAVIT OF POSTING*

I, Lisa Wolfson, Deputy City Clerk of the City of Imperial Beach, hereby certify that the Amended 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 December 11, 2009. Said meeting to be held at 5:30 p.m. December 16, 2009, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on December 11, 2009 at 3:45 p.m.

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Lisa Wolfson  
Deputy City Clerk