

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
February 1, 2006
CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR ROSE called the Closed Session Meeting to order at 5:40 p.m.

ROLL CALL

Councilmembers present:	Janney, Winter
Councilmembers absent:	McCoy
Mayor present:	Rose
Mayor Pro Tem present:	McLean

Staff present:	Assistant City Manager Ritter; City Attorney Lough; City Clerk Hald
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CLOSED SESSION

MOTION BY ROSE, SECOND BY MCLEAN, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Names of Cases:

Schmidt v. City of Imperial Beach (GIC 771379)

MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE adjourned the meeting to Closed Session at 5:41 p.m. and she reconvened the meeting to Open Session at 6:05 p.m. Reporting out of Closed Session, MAYOR ROSE announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time. She announced that Councilmember Winter did not participate in the Closed Session as she had a potential conflict of interest due to the location of her residence.

The Regular Meeting was called to order at 6:06 p.m.

ROLL CALL

Councilmembers present:	Janney, Winter
Councilmembers absent:	McCoy
Mayor present:	Rose
Mayor Pro Tem present:	McLean

Staff present:	Assistant City Manager Ritter; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE

MAYOR ROSE led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL ANNOUNCEMENTS

MAYOR ROSE reported on attending a meeting with the Mayors of the San Diego County cities and Governor Schwarzenegger; the main topic of discussion was regarding a \$220 billion infrastructure bond issue, he wanted to obtain feedback from the San Diego County region; she spoke about attending a farewell luncheon in honor of Leon Williams who stepped down as the Chair of the Metropolitan Transit System.

MAYOR PRO TEM MCLEAN also spoke about Leon Williams and a discussion at the MTS Board meeting to have a bust and plaque created in honor of him.

CITY ATTORNEY LOUGH reported that if any Councilmembers received reimbursements to announce them at this time.

MAYOR ROSE announced that she obtained reimbursements for parking for attending both meetings that she reported on earlier; she spoke about the recent passing of Madonna, a chocolate Labrador Retriever that worked as a Peace Officer as part of the Canine Unit and helped to recover millions of dollars in forfeiter money.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)

1.1 PRESENTATION BY MICHAEL SCHUERMAN OF THE SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT CORPORATION - 2005 INDICATORS FOR SUSTAINABLE COMPETITIVENESS: A QUALITY OF LIFE INDEX FOR SAN DIEGO. (0140-40)

ASSISTANT CITY MANAGER RITTER introduced the item.

MICHAEL SCHUERMAN of the San Diego Regional Economic Development Corporation gave a PowerPoint presentation on the 2005 Indicators for Sustainable Competitiveness: A Quality of Life Index for San Diego report; he responded to Council's concerns regarding the environmental element and the factors involved obtaining the data, infrastructure investment, and housing affordability; he noted that the full report of the study is available on both the San Diego Regional Economic Development Corporation and SANDAG websites.

1.2 PRESENTATION BY MARS STEIRER, DEPUTY DIRECTOR OF THE WATER DEPARTMENT FOR THE CITY OF SAN DIEGO – WATER REUSE STUDY. (0150-10)

ASSISTANT CITY MANAGER RITTER introduced the item.

MARS STEIRER, Deputy Director of the Water Department for the City of San Diego, gave a PowerPoint presentation on the Water Reuse Study – Local Solutions to Our Long-Term Water Needs.

COUNCILMEMBER WINTER stated that it was a pleasure working with Ms. Steirer and the Assembly during her participation in the American Assembly; she commented the results of the findings were done in a democratic way, that a diverse group of people participated, several disciplines were involved, and everyone had an equal vote; she spoke in support of water reclamation; she added that the Metro Commission voted unanimously to support the study and noted that there is an item on the Consent Calendar to support the item; she also expressed appreciation for Ms. Steirer's efforts on the study.

CONSENT CALENDAR (2.1 - 2.6)

ASSISTANT CITY MANAGER RITTER reported that City staff is working with Paint IB on the insurance clause, however, recommended moving forward with the approval of the agreement.

COUNCILMEMBER WINTER noted that Item No. 2.4 is regarding the approval of a letter in support of the City of San Diego's Water Reuse Study.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.6. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	JANNEY, WINTER, MCLEAN, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of December 7, 2005 and Special Meeting of January 12, 2006.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 61029 through 61119 for the period ending 1/19/06 and Payroll Register Numbers 36507 through 36552 for the period ending 1/05/06 in the amount of \$779,137.07.

2.3 RESOLUTION NO. 2006-6275 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING ADOPTION OF THE 2006 EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREEN BOOK). (0720-95)

1. Received report; and
2. Adopted Resolution.

2.4 APPROVE LETTER IN SUPPORT FOR SAN DIEGO'S WATER REUSE STUDY. (0150-10)

Approved letter of support for the City of San Diego's Water Reuse Study.

2.5 AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH PAINT IB FOR ECONOMIC DEVELOPMENT SERVICES. (0130-40 & 0620-20)

Adopted Resolution No. R-06-95 to approve entering into an agreement with Paint IB and Kiwanis Club for an amount not to exceed \$20,000.

2.6 RESOLUTION NO. 2006-6277 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, SUPPORTING THE SEXUAL PREDATOR PUNISHMENT AND CONTROL ACT OF 2006, ALSO KNOWN AS JESSICA’S LAW. (0460-40)

Adopted Resolution.

MAYOR ROSE commented that Item No. 2.6 is a resolution in support of Jessica’s Law; she noted that there are several cities in the county who have enacted their own ordinances. She requested that a similar ordinance be brought forward to Council for discussion.

CITY ATTORNEY LOUGH responded that the issue was a main topic of discussion by the City Attorneys throughout the county; issues of concern are constitutionality and whether state law preempts local government from implementing these ordinances. The issue will be presented for discussions at a future City Council meeting.

ORDINANCES - INTRODUCTION/FIRST READING (3)

None.

ORDINANCES - SECOND READING & ADOPTION (4)

None.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6)

None.

REPORTS (7.1 - 7.4)

7.1 FOLLOW-UP REPORT ON THE VETERANS PARK SIGNAGE PROJECT. (0920-70)

ASSISTANT CITY MANAGER RITTER stated that the consultant was not able to attend the meeting tonight and requested that the City Council continue the item to February 15th.

**MOTION BY ROSE, SECOND BY WINTER, TO CONTINUE ITEM NO. 7.1 - FOLLOW-UP REPORT ON THE VETERANS PARK SIGNAGE PROJECT TO FEBRUARY 15, 2006.
MOTION CARRIED BY THE FOLLOWING VOTE:**

AYES:	COUNCILMEMBERS:	JANNEY, WINTER, MCLEAN, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

**7.2 REPLACEMENT STREET TREES ADJACENT TO CIVIC CENTER COMPLEX.
(0940-60)**

ASSISTANT CITY MANAGER RITTER introduced the item and noted that, due to dangerous conditions, the trees that were located in front of City Hall were removed.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item and noted that Daniel Lopez, local resident and member of the Design Review Board, has offered to provide a landscape design on a volunteer basis; should Council desire to have Mr. Lopez provide a landscape design, he recommended deferring tree selection at this time, or authorizing staff to pursue a tree option and expend funds to replace trees.

MAYOR PRO TEM MCLEAN spoke in support of a design by Mr. Lopez before moving forward with a tree design and he also spoke about a preference of a drought-resistant design.

COUNCILMEMBER WINTER spoke in support of the offer by Mr. Lopez, with conditions that costs for the project are kept within budget and that the design would not obscure City Hall.

MAYOR ROSE also supported a design by Mr. Lopez and noted that it would not preclude having trees in the design.

MOTION BY ROSE, SECOND BY WINTER, TO ACCEPT MR LOPEZ'S PROPOSAL TO PROVIDE A LANDSCAPE DESIGN ON A VOLUNTEER BASIS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	JANNEY, WINTER, MCLEAN, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

7.3 PROGRESS REPORT REGARDING SEACOAST INN REDEVELOPMENT. (0660-43)

ASSISTANT CITY MANAGER RITTER noted that the item is a standing item on the agenda whereby staff would have the opportunity to update the City Council on activity with the Seacoast Inn and announced that staff did not have a report at this time.

MAYOR ROSE reported that a couple of meetings ago, a timeline was presented to City Council; she noted that public meetings are scheduled to begin in March.

PORT COMMISSIONER BIXLER complemented City Council and staff on their successes; he expressed disappointment with the owners of the Seacoast Inn who have moved slowly on the redevelopment of the hotel; he expressed concern regarding the condo-hotel aspect, he questioned if this type of hotel were dissimilar enough from a timeshare, and he recommended staff begin communications with the Coastal Commission staff to get ahead; he noted that time is of the essence; he suggested that staff have a contingency plan; he also questioned what the financial needs are; he suggested that staff look into public/private partnerships to join together to provide the funding.

MAYOR ROSE noted that there was a meeting in October that addressed many of the issues raised by Mr. Bixler; she reiterated that community meetings are scheduled to begin in March; she noted that the Seacoast Inn owner/developer was ready to move forward and hold public

meetings to present the project early on; however, it has taken time to get to this point as staff had been working with California Coastal Commission staff; she noted that the project has been redesigned, and that a number of meetings have taken place among City staff, Coastal Commission staff, developers, and the City Council subcommittee, and that this process took several months; she commented that City staff is comfortable with the design of the hotel as is the Coastal Commission staff; she noted that Councilmember Winter requested that the item be listed on every agenda and that there was never a direction to have the developer at every meeting.

HARRY COLEMAN commented that at the 9th Street and Palm Ave. Project meeting he had spoken in support of the formation of a Project Area Committee (PAC), which would require City Attorney attendance at every meeting and conformance to the Brown Act; he stated that an advisory group would be another option that would avoid the need for an election; he provided various articles and handouts regarding the use of California Redevelopment Association (CRA) funds for Council's review (additional speaking item donated by Bob Wadham).

COUNCILMEMBER WINTER commented on the issues associated with the formation of a PAC.

CITY ATTORNEY LOUGH spoke about the difficult process of forming a PAC and noted that the process could slow down the project.

COUNCILMEMBER WINTER noted that the project is a private development and the owners are familiar with the desires of Council for public input.

COUNCILMEMBER JANNEY expressed concern about the timeshare financing aspect of the hotel.

CITY ATTORNEY LOUGH commented that he would be releasing a public memo on the issue to explain the financing choice.

COUNCILMEMBER JANNEY stressed the importance in keeping with the schedule and noted that March is just around the corner.

MAYOR PRO TEM MCLEAN stated that the City has a qualified and competent staff and are heading in the right direction on this project and the project on 9th Street and Palm Ave.

MAYOR ROSE noted that she strongly supports advisory committees as they can play a valuable role; she noted that the Tidelands Advisory Committee would be working on the Seacoast Inn.

7.4 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)

ASSISTANT CITY MANAGER RITTER had nothing to report.

COUNCILMEMBER WINTER stated there was an article in the Union-Tribune reporting a dispute between Congressman Filner and Assemblyman Vargas, detailing the appearance of Mr. Filner in Imperial Beach, which is outside his district, in which he advocated the Bajagua project; she commented that it was inappropriate for Mr. Filner to appear outside of his district;

she noted that no answers were received from the IBWC regarding the 23 questions when comments were submitted on the draft EIS.

BEN MCCUE, Manager of the Coastal Conservation Program for Wildcoast, noted that water quality is a major concern of his and he looked forward to working with the City.

COUNCILMEMBER WINTER appreciated Mr. McCue's attendance tonight and looked forward to working with him on some solutions; she spoke about alternative solutions that would cost less than the \$1 billion cost for the Bajagua Project.

MAYOR ROSE recommended that the comments provided by Councilmember Winter be included in a letter for Council's review and approval for the next City Council meeting.

REPORTS OF MAYOR AND COUNCILMEMBERS

COUNCILMEMBER WINTER reported that LAFCO's City Selection Committee meets once or twice a year, and the next agenda includes an item to fill the seat previously held by Patti Davis as San Diego Cities representative; she noted that Ms. Davis was the South County representative; since the representation will be rotated to the North County in May and not rotated back to South County for another two years, she would be supporting National City Councilmember Ron Morrison so there is South County representation as long as possible.

The meeting adjourned at 7:48 p.m.

Diane Rose, Mayor

Attest:
Jacqueline M. Hald, CMC
City Clerk