



# A G E N D A

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



**SEPTEMBER 1, 2010**

**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

**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 PRESENTATION REGARDING THE IMPENDING PROJECTS WITHIN SOUTH BAY NATIONAL WILDLIFE REFUGE. (0150-40)**

City Manager's Recommendation:

1. Receive report.
2. Receive the presentation from the two project proponents.
3. Provide comments and questions to the project proponents as necessary to understand the project and its impact on the City.

**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 (2.1 - 2.4)** - 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. (0660-430)**

City Manager's Recommendation: Approve the minutes of the Regular City Council Meetings of June 15 and July 7, 2010.

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

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 71470 through 71582 with the subtotal amount of \$1,275,570.50 and Payroll Checks 43014 through 43037 for the pay period ending 08/12/10 with the subtotal amount of \$181,992.94, for a total amount of \$1,457,563.44.

**2.3 RESOLUTION NO. FA-10-02 – SETTING REGULAR MEETING SCHEDULE FOR IMPERIAL BEACH PUBLIC FINANCING AUTHORITY. (0417-95)**

City Manager's Recommendation: Adopt resolution.

**2.4 RESOLUTION 2010-6934 – AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF PROPERTY TO FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION ADJACENT TO THE PROPOSED 9<sup>TH</sup> AND PALM REDEVELOPMENT PROJECT. (0150-30 & 0640-20)**

City Manager's Recommendation: Adopt resolution.

**ORDINANCES – INTRODUCTION/FIRST READING (3.1 - 3.2)**

**3.1 ORDINANCE NO. 2010-1110 – ADDING PROVISIONS TO THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING CHAPTER 9.80 OF THE IMPERIAL BEACH MUNICIPAL CODE, PERTAINING TO ADULT ENTERTAINMENT ESTABLISHMENTS. (0280-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for introduction of Ordinance No. 2010-1110, adding Chapter 9.80 to the Imperial Beach Municipal Code pertaining to Adult Entertainment Establishments;
3. City Clerk reads title of Ordinance No. 2010-1110; and
4. Motion to dispense with first reading and introduction of Ordinance No. 2010-1110 by title only and waive further reading, set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication in a newspaper of general circulation.

**3.2 ORDINANCE NO. 2010-1109 – AMENDING THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, AMENDING SECTION 1.12.020 OF CHAPTER 1.12 AND SECTIONS 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, AND 1.22.160 OF CHAPTER 1.22 OF THE IMPERIAL BEACH MUNICIPAL CODE REGARDING CIVIL PENALTIES, ADMINISTRATIVE CITATIONS, AND FINES. (0470-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for introduction of Ordinance No. 2010-1109, amending Section 1.12.020 of Chapter 1.12 and Sections 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, and 1.22.160 of Chapter 1.22 of the Imperial Beach Municipal Code regarding civil penalties, administrative citations, and fines;
3. City Clerk reads title of Ordinance No. 2010-1109; and
4. Motion to dispense with first reading and introduction of Ordinance No. 2010-1109 by title only and waive further reading, set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication in a newspaper of general circulation.

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

None.

### **PUBLIC HEARINGS (5.1 - 5.2)**

- 5.1 AT&T MOBILITY (APPLICANT)/EMMANUEL DANIEL (OWNER); CONDITIONAL USE PERMIT (CUP 080046), DESIGN REVIEW CASE (DRC 080047), AND SITE PLAN REVIEW (SPR 080048) TO INSTALL A TELECOMMUNICATION FACILITY IN THE FORM OF A CLOCK TOWER ATTACHED TO AN EXISTING COMMERCIAL BUILDING LOCATED AT 1497 13<sup>TH</sup> STREET (APN 633-223-47-00) IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 992. (0600-20 & 0800-50)**

City Manager's Recommendation:

1. Declare the public hearing open;
  2. Receive public comment;
  3. Close the public hearing; and
  4. Adopt Resolution No. 2010-6928, approving Conditional Use Permit (CUP 080046), Design Review Case (DRC 080047), and Site Plan Review (SPR 080048), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.
- 5.2 RESOLUTION NO. R-10-227 – RESOLUTION OF NECESSITY OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY PERTAINING TO THE ACQUISITION OF CERTAIN PROPERTY OR INTEREST IN PROPERTY, LEASEHOLD INTEREST IN PROPERTY, IF ANY, AND LOSS OF GOODWILL PURSUANT TO SECTION 1263.510 OF THE CODE OF CIVIL PROCEDURE, IF ANY FOR USE BY THE AGENCY IN THE DEVELOPMENT OF 9<sup>TH</sup> & PALM REDEVELOPMENT PROJECT IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1245.230 OF THE CODE OF CIVIL PROCEDURE OF THE STATE OF CALIFORNIA. (0640-20)**

City Manager's Recommendation:

1. Declare the public hearing open,
2. Receive public comment;
3. Close the public hearing; and
4. Adopt Resolution No. R-10-227.

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

- 6.1 REDEVELOPMENT BOND FUNDING. (0340-10)**

City Manager's Recommendation: Provide direction on the highest priority projects.

- 6.2 TIMELINE RELATED TO CONSIDERATION/ADOPTION OF MEDICAL MARIJUANA REGULATIONS. (0610-95)**

City Manager's Recommendation: Approve the proposed timeline and direct staff to proceed accordingly.

- 6.3 LEAGUE CONFERENCE RESOLUTIONS. (0140-10 & 0460-20)**

City Manager's Recommendation: Review and discuss resolutions and provide direction on a city position on each resolution.

- 6.4 ARMY CORPS OF ENGINEERS SAN DIEGO HARBOR MAINTENANCE DREDGING PROJECT AND ADOPTION OF RESOLUTION NO. 2010-6931 – AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE ARMY CORPS OF ENGINEERS AND THE CITY OF IMPERIAL BEACH. (0150-40 & 0220-70)**

City Manager's Recommendation:

1. Support the San Diego Harbor Maintenance Dredging Project subject to the conditions described in the staff report including the environmental commitments, the preparation and implementation of a detailed Debris Management Plan for the project, including during- and post-project debris monitoring and a plan for removal of any debris found; and
2. Approve and adopt Resolution No. 2010-6931 authorizing the Mayor to enter into a Memorandum of Agreement (MOA) between the Department of the Army and the City of Imperial Beach subject to the conditions described therein and as summarized in Recommendation No. 1 above.

**Continued on Next Page**

**REPORTS (Continued)**

- 6.5 **RESOLUTION NO. 2010-6932 – AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH FOR PARTICIPATION IN THE ARMY CORPS OF ENGINEERS SAN DIEGO HARBOR MAINTENANCE DREDGING PROJECT. (0150-70 & 0220-70)**  
City Manager's Recommendation: Adopt resolution.
- 6.6 **RESOLUTION NO. 2010-6929 – AWARDED A CONTRACT FOR CERTAIN PUBLIC WORKS CONTRACT – PUBLIC WORKS ROOF REPAIR CIP (P05-10A). (0910-30)**  
City Manager's Recommendation: Adopt resolution.

***Item No. 6.7 will be discussed at 7:00 p.m. – TIME SPECIFIC***

- 6.7 **COMMERCIAL ZONING REVIEW – COMMERCIAL ZONING RECOMMENDATIONS DOCUMENT. (0610-95)**  
City Manager's Recommendation: Review the materials presented by staff and provide direction and input on the Commercial Zoning Review Recommendations document.
- 6.8 **RESOLUTION NO. R-10-226 – DECLARING INTENTION TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF CERTAIN OBLIGATIONS AND DIRECTING CERTAIN ACTIONS; AND RESOLUTION NO. R-10-225 – APPOINTING PROFESSIONAL CONSULTANTS IN CONNECTION WITH PROPOSED TAX ALLOCATION BONDS. (0340-10)**  
City Manager's Recommendation: Adopt resolutions.
- 6.9 **WEED ABATEMENT – ABATEMENT COSTS REPORT AND ADOPTION OF RESOLUTION NOS. 2010-6933, 2010-6936 AND 2010-6937 – FINDING AND CONFIRMING ABATEMENT COSTS FOR THE ABATEMENT OF VENUES & RUBBISH, REGARDING THE PROPERTY LOCATED AT 336-338 DAISY AVENUE, 1019 IRIS AVENUE, AND 1174 FLORIDA STREET ARE APPROPRIATE AND ASSESSING COSTS OF ABATEMENT.**  
City Manager's Recommendation: Adopt resolutions.

**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).

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Jacqueline M. Hald, CMC  
City Clerk

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