

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
March 16, 2005
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR ROSE called the Regular meeting to order at 6:15 p.m.

ROLL CALL

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE/INVOCATION

MAYOR ROSE led everyone in the Pledge of Allegiance and asked everyone to bow his or her head for a moment of silence.

AGENDA CHANGES

MAYOR ROSE requested Item No. 7.7 be taken prior to Item No. 7.1.

MOTION BY ROSE, SECOND BY WINTER, TO TAKE ITEM NO. 7.7 – PROGRESS REPORT REGARDING SEACOAST INN SPECIFIC PLAN: PACIFICA COMPANIES, OWNER/APPLICANT: SPECIFIC PLAN (GPA 03-095), DESIGN REVIEW (DRC 03-094), REGULAR COASTAL PERMIT (CP 03-091) SITE PLAN REVIEW (SPR 03-093) AND TENTATIVE MAP (TM 03-092) FOR THE REDEVELOPMENT OF AN EXISTING HOTEL LOCATED AT 800 SEACOAST DRIVE IN THE C-2 ZONE BEFORE ITEM NO. 7.1. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL ANNOUNCEMENTS

COUNCILMEMBER MCCOY spoke of the passing of former Councilmember Hughes.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN announced that Councilmember Winter was appointed Vice Chair of the Metropolitan Wastewater Management Authority.

COUNCILMEMBER WINTER announced that the SBUSD Education Foundation was sponsoring a fun bus trip to Laughlin, Nevada as a fundraiser.

COUNCILMEMBER MCLEAN encouraged all to participate in the SBUSD fundraiser.

MAYOR ROSE spoke about attending the Little League opening day and the success of the Bike Safety Rodeo.

PUBLIC COMMENT

CITY CLERK HALD announced no speaker slips were submitted.

PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)

1.1 PRESENTATION OF PROCLAMATION TO CITY OF CORONADO FIRE CHIEF KIM RADDATZ – IN APPRECIATION FOR USE OF LIFEGUARD VEHICLES. (0220-20)

CITY MANAGER BROWN introduced the item.

PUBLIC SAFETY DIRECTOR SOTELO introduced Lifeguard Captain Stabenow.

LIFEGUARD CAPTAIN STABENOW gave a background on the item stating the City of Coronado provided the City of Imperial Beach with two lifeguard vehicles for six months at no cost to the City of Imperial Beach.

MAYOR ROSE presented City of Coronado Fire Chief Kim Raddatz with a proclamation in appreciation for use of the lifeguard vehicles.

FIRE CHIEF KIM RADDATZ stated that the City of Coronado was glad to have the opportunity to help out.

1.2 PRESENTATION BY THE AIRPORT LAND USE COMMISSION (SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY) ON THE DRAFT COUNTYWIDE AIRPORT LAND USE COMPATIBILITY PLAN. (0680-10)

CITY MANAGER BROWN announced that the representatives from the SDCRAA were not available this evening and would be available to give a presentation on April 6, 2005. He also announced that staff is currently reviewing the plans and will present a report at the April 6, 2005 meeting.

COUNCILMEMBER MCCOY stated that she was disappointed that the SDCRAA did not give a presentation to the residents in the South Bay area.

ASSISTANT CITY MANAGER RITTER stated he was informed that a workshop would be held in the South Bay; date and time are pending.

CONSENT CALENDAR (2.1 - 2.7)

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.7. MOTION CARRIED UNANIMOUSLY.

- 2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)**
Ratified Accounts Payable Numbers 58863 through 58959 for the period ending 03/03/05 and Payroll Register Numbers 35183 through 35277 for the period ending 03/03/05 in the amount of \$870,948.85.
- 2.2 RESOLUTION NO. 2005-6126; MICHAEL AND LORENA MURTAUGH [OWNER]: TIME EXTENSION REQUEST FOR VARIANCE (VAR 04-028) FROM THE TWO PARKING SPACE REQUIREMENT FOR A SECOND FLOOR ADDITION TO A HOUSE LOCATED AT 1119 EMORY STREET, IN THE R-2000 (MEDIUM DENSITY RESIDENTIAL) ZONE. MF 685. (0600-20)**
Adopted Resolution No. 2005-6126, approving the time extension for Variance (VAR 04-028) from the zoning requirement for two parking spaces for a second story addition of 1005 square feet to an existing 868 square foot house with a one-car garage at 1119 Emory Street in the R-2000 (Medium Density Residential) Zone, which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.
- 2.3 ADOPT RESOLUTION NO. 2005-6119 AMENDING FY 04-05 SALARY AND COMPENSATION PLAN POSITION DESCRIPTION FOR GROUNDS AND FACILITY SUPERVISOR. (0520-75)**
Adopted Resolution No. 2005-6119.
- 2.4 ADOPT RESOLUTION NO. 2005-6124 AMENDING FY 04-05 SALARY AND COMPENSATION PLAN BY ADDING THE POSITION DESCRIPTION AND SALARY RANGE FOR RECREATION LEADER. (0510-20, 0520-75)**
Adopted Resolution No. 2005-6124.
- 2.5 ADOPT RESOLUTION NO. 2005-6121 APPROVING A CONTRACT WITH RANDALL FUNDING AND DEVELOPMENT, INC. TO PROVIDE GRANT WRITING SERVICES TO THE CITY AND ALLOCATE \$17,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE. (0390-35)**
Adopted Resolution No. 2005-6121.
- 2.6 ADOPT RESOLUTION NO. 2005-6120 APPROVING AN AGREEMENT WITH THE BRIDGE TO PRODUCE ORIGINAL VIDEO PROGRAMMING FOR BROADCAST ON THE CITY'S LOCAL GOVERNMENT CABLE CHANNEL AND ALLOCATE \$20,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE. (0160-53)**
Adopted Resolution No. 2005-6120.
- 2.7 ADOPT RESOLUTION NO. 2005-6122 AUTHORIZING THE LIMITED FOUR-YEAR TERM POSITIONS OF OFFICE SPECIALIST AND PROJECT MANAGER TECHNICIAN TO ASSIST IN IMPLEMENTING THE CITY'S 5-YEAR CIP AND AMENDING FY 04-05 SALARY AND COMPENSATION PLAN BY ADDING THE POSITION DESCRIPTION AND SALARY RANGE FOR OFFICE SPECIALIST. (0510-20, 0520-75)**
Adopted Resolution No. 2005-6122.

MAYOR ROSE recognized Jackson of The BRIDGE who was in attendance, and she spoke in support of Item No. 2.6.

ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARING (3)

None.

ORDINANCES - SECOND READING & ADOPTION (4.1)

**4.1 PROPOSED CONDOMINIUM CONVERSION ORDINANCE NO. 2005-1023
(MCA 04-01). MF 692. (0660-17)**

CITY MANAGER BROWN introduced the item.

MAYOR ROSE called for the reading of the title of Ordinance No. 2005-1023.

CHRIS CHRISTENSEN thanked staff and Council for their hard work on the item and he spoke in support of the ordinance.

CITY CLERK HALD read the title of Ordinance No. 2005-1023, adding Chapter 18.84 (Condominium Conversion Procedures and Requirements) to the Imperial Beach Municipal Code.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE WITH THE SECOND READING AND ADOPT ORDINANCE NO. 2005-1023. MOTION CARRIED UNANIMOUSLY.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6.1 - 6.2)

**6.1 24-30 PALM AVENUE – NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC
NUISANCE CONDITIONS. (0470-20)**

COUNCILMEMBERS WINTER AND MCCOY both announced they had potential conflicts of interest on the item as they both live within 500 feet of the property and left Council Chambers at 6:33 p.m.

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE announced that a letter from Attorney Craig A. Sherman, dated 03/11/05, and a list of written notices given to the property owner between 1999-2004 were submitted as last minute agenda information.

CODE ENFORCEMENT OFFICER GARCIAS gave a PowerPoint presentation on the item.

CITY CLERK HALD announced no speaker slips were submitted.

MOTION BY ROSE, SECOND BY JANNEY, TO CLOSE THE PUBLIC HEARING.

AYES: COUNCILMEMBERS: MCLEAN, JANNEY, ROSE
NOES: COUNCILMEMBERS: NONE
DISQUALIFIED: COUNCILMEMBERS: MCCOY, WINTER (DUE TO POTENTIAL CONFLICTS OF INTEREST)

MAYOR PRO TEM JANNEY spoke of complaint driven enforcement and requested that the \$4,950.00 in civil penalties be added to the first year of probation.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded to Mayor Pro Tem Janney's concerns and noted that the civil penalties began on November 30, 2004 and not back to 1999.

MAYOR ROSE supported Mayor Pro Tem Janney's request adding that the \$500.00 in administrative fees should be assessed immediately; she noted that Council had made it a policy not to waive administrative fees.

MOTION BY ROSE, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2005-6128 ASSESSING \$500.00 IN ADMINISTRATIVE COSTS TO BE REMITTED TO THE CITY WITHIN 30 DAYS OF ADOPTION OF THE RESOLUTION, PLACE THE REMAINING NINE THOUSAND FOUR HUNDRED DOLLARS (\$9,400.00) OF ACCRUED CIVIL PENALTIES IN ABEYANCE AND ESTABLISHING A FIVE-YEAR PROBATIONARY PERIOD WITH AMORTIZATION SCHEDULE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: MCLEAN, JANNEY, ROSE
NOES: COUNCILMEMBERS: NONE
DISQUALIFIED: COUNCILMEMBERS: MCCOY, WINTER (DUE TO POTENTIAL CONFLICTS OF INTEREST)

COUNCILMEMBERS WINTER AND MCCOY returned to Council Chambers at 6:50 p.m.

6.2 VACANT LOT, APN 626-230-13, THE 600 BLOCK OF FLORIDA STREET – NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS. (0470-20)

MAYOR ROSE declared the public hearing open.

CODE ENFORCEMENT OFFICER GARCIAS gave a PowerPoint presentation on the item and he recommended adoption of Resolution No. 2005-6127 assessing \$2,900.00 in civil penalties and administrative costs to be remitted to the City within 30 days of adoption of the Resolution.

DOROTHY BAKER spoke about the cleanup history of her property. She stated that the property was overgrown with weeds due to the recent rains and currently the property looks fine; she also added that she visits the property at least once a month.

MAYOR ROSE agreed that it has been an unusually rainy year; she recommended assessment of \$500.00, placing the rest of the amount into probation and continuing the public hearing. She hoped that the owner understood the conditions and that she would hire someone to maintain the property.

CITY ATTORNEY LOUGH stated that the public hearing did not need to be continued as a final decision was being made, if there is further violation staff would bring the item back to City Council.

COUNCILMEMBER WINTER recommended assessment of civil penalties at this time and to continue the public hearing; she also recommended that the property be monitored as summer approaches.

MAYOR ROSE recommended continuance of the public hearing, placing the fines into abeyance and if the property were in violation again, then penalties would be due.

MOTION BY ROSE, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2005-6127 ASSESSING \$500.00 IN ADMINISTRATIVE COSTS TO BE REMITTED TO THE CITY WITHIN 30 DAYS OF ADOPTION OF THE RESOLUTION AND TO CONTINUE THE PUBLIC HEARING TO MAY 18, 2005 TO DETERMINE ABATEMENT OF THE CODE VIOLATIONS AND DISPOSITION OF REMAINING CIVIL PENALTIES. MOTION CARRIED UNANIMOUSLY.

REPORTS (7.1 - 7.7)

7.7 PROGRESS REPORT REGARDING SEACOAST INN SPECIFIC PLAN: PACIFICA COMPANIES, OWNER/APPLICANT: SPECIFIC PLAN (GPA 03-095), DESIGN REVIEW (DRC 03-094), REGULAR COASTAL PERMIT (CP 03-091) SITE PLAN REVIEW (SPR 03-093) AND TENTATIVE MAP (TM 03-092) FOR THE REDEVELOPMENT OF AN EXISTING HOTEL LOCATED AT 800 SEACOAST DRIVE IN THE C-2 ZONE. MF 661. (0660-43)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated this was the first presentation of this item to the City Council and the public with further meetings to be scheduled in the future.

DARRELL GENTRY, Project Manager for Civic Solutions, gave a PowerPoint presentation on the item, he noted that the report is for informational purposes only and no decisions were to be made at this time, he provided a history on the item and he spoke about the proposed plan, he noted that it was a contemporary design that incorporated a Mediterranean motif, he recommended public involvement through public workshops as well as presentations before the Design Review Board and the Tidelands Advisory Committee, he stated that a plan would be in place for public workshops as required by CEQA, they would continue working with subcommittee; and the public will be included in work sessions that will be occurring in the next 6-8 months,

CITY MANAGER BROWN announced that Richard Campbell and Dan Fissori of Pacifica Companies were also in attendance.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded to concerns of Council regarding the design.

MR. GENTRY responded to concerns of council regarding the financing concept.

MAYOR ROSE thanked the architects for their efforts on the design of the hotel; she stated that the financing component is probably the most controversial issue, a series of steps have been taken to get to this point; the community is strongly in support of a new hotel; and she spoke in detail regarding the financing concept.

COUNCILMEMBER MCCOY stated that it has been a challenge to get to where we are today; she expressed concern that the Chamber and BID were not in attendance tonight as they would benefit from the spin-off of the new hotel; she stated that she was interested in getting as many people as possible to the workshops and she supported the financing concept.

BOB WADHAM expressed concern about the financing for the hotel.

COUNCILMEMBER WINTER expressed concern about the limited number of people in attendance tonight; she was pleased with the design of the hotel, and she hoped that the restaurant area would be maximized.

PAUL DARRELL, of Deutch Consultants, architect, spoke about the design and responded to concerns of Council.

MAYOR ROSE stated that she would like presentations on the item to be made at a regular meeting before the Design Review Board and Tidelands Advisory Committee, and she suggested holding public workshops; she suggested that presentations also be made at the Chamber of Commerce breakfasts and Kiwanis meetings.

7.1 AUTHORIZATION FOR CITY MANAGER TO INCREASE THE BDS ENGINEERING PURCHASE ORDER FOR CITYWIDE ALLEY ASSESSMENT DISTRICT RDA/CIP PROJECT (CIP S04-902). (0720-08)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MOTION BY ROSE, SECOND BY MCCOY, TO ADOPT RESOLUTION R-05-66, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED PURCHASE ORDER TO BDS ENGINEERING TO A TOTAL AUTHORIZED EXPENDITURE OF \$420,500. MOTION CARRIED UNANIMOUSLY.

7.2 20A FUNDED UTILITY UNDERGROUND POLICY. (0810-95)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MAYOR PRO TEM JANNEY spoke in support of staff's recommendations, he added that overhead power lines are blight; and he encouraged staff to underground lines as quickly as possible.

MOTION BY JANNEY, SECOND BY MCLEAN, TO DIRECT STAFF TO RETURN WITH THE REVISED POLICY AS SOON AS POSSIBLE TO MAKE IT APPLICABLE TO 9th STREET DISTRICT CONVERSION. MOTION CARRIED UNANIMOUSLY.

7.3 SEACOAST DRIVE STREET LIGHT – PEDESTRIAN LIGHT DESIGN. (0750-35, 0750-65)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item and stated the street ends have a number of lights that are deteriorating and need to be replaced, direction would need to be provided to the Port prior to the changing of the lights.

MAYOR ROSE recommended that she and Councilmember Winter serve on an ad hoc committee to work with staff on the issue, then come back to Council with their recommendations.

MOTION BY ROSE, SECOND BY JANNEY, TO ESTABLISH A CITY COUNCIL AD HOC SUBCOMMITTEE CONSISTING OF MAYOR ROSE AND COUNCILMEMBER WINTER TO WORK WITH STAFF TO PROVIDE POSSIBLE OR RECOMMENDED REPLACEMENT LIGHTING FOR SEACOAST DRIVE AND ADJACENT STREET-ENDS. MOTION CARRIED UNANIMOUSLY.

7.4 NO ITEM.

7.5 ASSESSMENT DISTRICT #71 BOND ISSUE. (0345-10, 0465-10)

CITY MANAGER BROWN introduced the item.

ADMINISTRATIVE SERVICES DIRECTOR HERRERA gave a report on the item.

MOTION BY MCCOY, SECOND BY MCLEAN, TO AUTHORIZE BOND DOCUMENTS AND RESOLUTION NO. 2005-6129 FOR THE SALE OF \$73,000 TO FINANCE ALLEY IMPROVEMENTS RELATED TO ASSESSMENT DISTRICT #71; TO AUTHORIZE STAFF TO REFUND THE AD #71 LOAN FROM THE GENERAL FUND AUTHORIZED ON DECEMBER 15, 2004 IN ANTICIPATION OF SALE OF ASSESSMENT DISTRICT BONDS; TO AUTHORIZE PAYMENT OF BOND ISSUANCE COSTS FOR UNDERWRITING, BOND COUNSEL, AND PAYING AGENT FEES AS PRESENTED IN THE FISCAL IMPACT SECTION IN THE STAFF REPORT; TO ACKNOWLEDGE STAFF'S INTENT TO PROPOSE REFUNDING THE \$73,000 AD #71 BOND ISSUE IF AND WHEN THE LARGER CITYWIDE ALLEY ASSESSMENT DISTRICT IS APPROVED BY THE CITY, RESIDENTS, AND PROPERTY OWNERS AND FINANCED NEXT YEAR. MOTION CARRIED UNANIMOUSLY.

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

MAYOR PRO TEM JANNEY stated that there is a group called Beaches who has a test for water and results can be available within two hours.

COUNCILMEMBER WINTER stated that she had attended a NOAA conference in the past where she was in touch with someone from the same organization and she had already requested information on the testing. She will share the information once she receives it.

COUNCILMEMBER MCCOY stated there is a Borders meeting on Friday.

COUNCILMEMBER WINTER reported on the recent IBWC meeting; she was interested in bringing back a clean water policy.

COUNCILMEMBER MCCOY stated that Oscar Romo, Coastal Training Program Coordinator for the Tijuana Estuary, will be speaking at a Borders meeting in the future.

REPORTS OF MAYOR AND COUNCILMEMBERS

COUNCILMEMBER MCCOY spoke about future COBRO meetings.

COUNCILMEMBER WINTER spoke about attending the League of California Cities workshop on fiscal reform; Marney Cox with SANDAG, and Dwight Stenbakken and Michael Coleman with the League of California Cities in Sacramento were also at the workshop to speak on fiscal reform.

MAYOR PRO TEM JANNEY reported that he and Community Development Director Wade met with Senator Barbara Boxer, Senator Diane Feinstein, and Congresswoman Susan Davis in Washington, D.C. on beach renourishment funding; and he reported that there is no Federal funding available at this time. He will be on NBC news tomorrow regarding beach renourishment.

MAYOR ROSE reported on the status of the 50th anniversary preparations.

The meeting adjourned at 8:52 p.m.

Diane Rose, Mayor

Attest:
Jacqueline M. Hald
City Clerk