

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

CLOSED SESSION CALL TO ORDER

MAYOR ROSE called the Closed Session Meeting to order at 5:35 p.m.

ROLL CALL

Councilmembers present:	Janney, McCoy, Winter
Councilmembers absent:	None
Mayor present:	Rose (Arrived at 5:45 p.m.)
Mayor Pro Tem present:	McLean
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

CLOSED SESSION

MOTION BY JANNEY, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Names of Case:

TC Construction Company v. City of Imperial Beach; Case No. GIS 24202

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: JANNEY, MCCOY, WINTER, MCLEAN

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: ROSE

MAYOR PRO TEM MCLEAN adjourned the meeting to Closed Session at 5:36 p.m. and he reconvened the meeting to Open Session at 6:07 p.m. Reporting out of Closed Session, MAYOR PRO TEM MCLEAN announced Council met earlier in Closed Session, received information from staff, gave direction, and had nothing to report at this time.

REGULAR MEETING CALL TO ORDER

MAYOR ROSE called the Regular Meeting to order at 6:08 p.m.

ROLL CALL

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

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

PRESENTATION OF COLORS BY MAR VISTA HIGH SCHOOL NJROTC COLORGUARD

PLEDGE OF ALLEGIANCE

BROWNIE TROOP 5134 led everyone in the Pledge of Allegiance.

INVOCATION

PASTOR CAREY NORMAN gave the invocation.

OATH OF OFFICE CEREMONY

- 1. RESOLUTION NO. 2006-6426 RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2006 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. (0430-40)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced a revised staff report and Resolution No. 2006-6426 were submitted as Last Minute Agenda Information; and she recited the following results of the Canvass of the November 7, 2006 General Municipal Election for Mayor and two Members of the City Council:

“On Tuesday, November 7, 2006, a General Municipal Election was held in the City of Imperial Beach for the purpose of electing: The Mayor for the full term of four (4) years; and Two (2) Members of the City Council for full terms of four (4) years. The whole number of votes (ballots) cast in the precincts except absent voter ballots and provisional ballots was 3,261. That the whole number of absent voter ballots plus the whole number of provisional ballots cast in the City were 1,523, making a total of 4,784 votes (ballots) cast in the City.

The names of persons voted for at the election for Mayor are as follows:

Kourosh Hangafarin	receiving 901 votes
J.M. Bud Harbin	receiving 1,404 votes
Jim Janney	receiving 2,261 votes

That the names of persons voted for at the election for Member of the City Council are as follows:

Lorie Bragg	receiving 1,488 votes
Ron Moody	receiving 717 votes
Tom McDonald	receiving 772 votes
Patricia W. McCoy	receiving 2,222 votes
John Perno	receiving 1,049 votes
M.L. Maxx Stalheim	receiving 1,379 votes

Patricia McCoy was re-elected as Member of the City Council for the full term of four years.

Lorie Bragg was elected as Member of the City Council for the full term of four years.

Jim Janney was elected as Mayor of Imperial Beach for the full term of four years.”

She recommended adoption of Resolution No. 2006-6426 and directing the City Clerk to present Certificates of Election and administer Oaths of Office to Councilmember Patricia McCoy, Councilmember-Elect Lorie Bragg and Mayor-Elect Jim Janney.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6426, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2006, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW, AND THE CITY CLERK SHALL PRESENT CERTIFICATES OF ELECTION AND ADMINISTER OATHS OF OFFICE TO COUNCILMEMBER PATRICIA MCCOY, COUNCILMEMBER-ELECT LORIE BRAGG AND MAYOR-ELECT JIM JANNEY.

2. LEAVING OFFICE PRESENTATION. (0430-23)

OUTGOING MAYOR ROSE was presented with plaques and certificates from the City of Imperial Beach and other organizations for her years of dedicated service to the City of Imperial Beach.

3. OATH OF OFFICE CEREMONY. (0430-65)

As required by the Constitution of the State of California, CITY CLERK HALD administered the Oath of Office to Councilmember Patricia McCoy, Councilmember-Elect Lorie Bragg and Mayor-Elect Jim Janney.

At 7:30 p.m. MAYOR JANNEY invited everyone to the Community Room for refreshments, and he reconvened the Regular Meeting at 8:10 p.m.

ROLL CALL

Councilmembers present:	Bragg, McCoy, Winter
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	McLean
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

AGENDA CHANGES

None.

MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS

None.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

BOB WADHAM expressed concern about ABC licensing of Pinky's Restaurant; he spoke about correspondence he received from ABC asking if he would withdraw his protest of the licensing; and he requested City Council revisit the issue.

PRESENTATIONS/PROCLAMATIONS (1.1)

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

MAYOR JANNEY announced Teresa Ruiz was unable to stay. Yvette Snyder, of EDCO, presented Ms. Ruiz with a \$100.00 check earlier in the evening.

CONSENT CALENDAR (2.1 - 2.3)

MAYOR JANNEY announced a speaker slip was submitted on Item No. 2.3.

MOTION BY MCCOY, SECOND BY MCLEAN, TO PULL ITEM NO. 2.3 FOR DISCUSSION IMMEDIATELY AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.

MOTION BY MCLEAN, SECOND BY WINTER, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 AND 2.2. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 62854 through 62982 for the period ending 11/22/06 and Payroll Register Numbers 37823 through 37863 for the period ending 11/09/06 in the amount of \$839,292.85.

2.2 APPOINTMENT TO BINATIONAL TECHNICAL COMMITTEE (BTC). (0410-50)

Ratified the appointment of Councilmember Winter to the Binational Technical Committee and approve sending the letter attached to the staff report notifying Mr. Marin of her appointment.

2.3 ADOPT RESOLUTION NO. 2006-6427 AMENDING FY 2006/2007 SALARY AND COMPENSATION PLAN TO ADD THE POSITION DESCRIPTION AND SALARY RANGE FOR MANAGEMENT ANALYST. (0510-20 & 0520-75)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER gave a background on the retirement incentive offered to the Deputy Fire Chief and also noted that there is currently a vacancy for the secretary position; he stated that by hiring a Management Analyst and eliminating the Deputy Fire Chief and Administrative Secretary positions, the City would save approximately \$91,000 per year.

CRAIG WEAVER spoke in opposition to the item (additional speaking time donated by Nicholas Best Paul, Favor, and Phil Joseph).

City Council discussion ensued regarding assignment of duties, the vacant fourth firefighter position, and a preference for filling the position temporarily while the City budget is evaluated.

MOTION BY MCLEAN, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2006-6427 AMENDING FY 2006/2007 SALARY AND COMPENSATION PLAN TO ADD THE POSITION DESCRIPTION AND SALARY RANGE FOR MANAGEMENT ANALYST WITH THE CAVEAT THAT THE POSITION BE FILLED TEMPORARILY UNTIL THE CITY'S BUDGET HAS BEEN EVALUATED.

Additional City Council discussion ensued regarding the vacant fourth firefighter position and support to move forward with temporarily filling the Management Analyst position at this time.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY MCLEAN, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2006-6427 AMENDING FY 2006/2007 SALARY AND COMPENSATION PLAN TO ADD THE POSITION DESCRIPTION AND SALARY RANGE FOR MANAGEMENT ANALYST WITH THE CAVEAT THAT THE POSITION BE FILLED TEMPORARILY UNTIL THE CITY'S BUDGET HAS BEEN EVALUATED. MOTION CARRIED UNANIMOUSLY.

ORDINANCES - INTRODUCTION/FIRST READING (3.1)

3.1 ORDINANCE CLARIFYING THE MERGER, UNDER ORDINANCE NO. 2001-970, OF THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AND THE ADDED AREA UNDER AMENDMENT NO. 1 AND EXTENDING THE TIME LIMIT OF THE EFFECTIVENESS OF THE REDEVELOPMENT PLAN, AND EXTENDING THE TIME LIMIT FOR PAYMENT OF INDEBTEDNESS AND RECEIPT OF TAXES UNDER THE REDEVELOPMENT PLAN FOR THE IMPERIAL BEACH REDEVELOPMENT PROJECT AREA. (0640-95)

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LOUGH reported on the item and requested that a public hearing be scheduled for December 20, 2007.

MAYOR JANNEY called for the introduction of Ordinance No. 2006-1050.

CITY CLERK HALD read the title of Ordinance No. 2006-1050, an Ordinance of the City Council of the City of Imperial Beach clarifying the Merger, under Ordinance No. 2001-970, of the Palm Avenue/Commercial Redevelopment Project and the Added Area under Amendment No. 1 and extending the time limit of the effectiveness of the Redevelopment Plan, and extending the time limit for payment of indebtedness and receipt of taxes under the Redevelopment Plan for the Imperial Beach Redevelopment Area, Plan Amendment 2.

MOTION BY MCCOY, SECOND BY WINTER, TO DISPENSE WITH THE FIRST READING OF ORDINANCE NO. 2006-1050, SCHEDULE THE MATTER FOR PUBLIC HEARING AND ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING, AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

ORDINANCES - SECOND READING & ADOPTION (4.1)

4.1 ORDINANCE NO. 2006-1049 AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF IMPERIAL BEACH AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. (0520-95)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER gave a report on the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2006-1049.

CITY CLERK HALD read the title of Ordinance No. 2006-1049, an Ordinance of the City Council of the City of Imperial Beach authorizing an amendment to the contract between the City of Imperial Beach and the Board of Administration of the California Public Employees' Retirement System.

MOTION BY WINTER, SECOND BY MCLEAN, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2006-1049 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6)

None.

REPORTS (7.1 - 7.4)

7.1 REQUEST FOR QUALIFICATIONS/PROPOSALS FOR A VISITOR SERVING FACILITY AT IMPERIAL BEACH BOULEVARD & SEACOAST DRIVE. (0640-20)

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a PowerPoint presentation on the item.

Discussion ensued regarding the qualifications of the developers and architects, the Specific Plan process, the public review process, and support of the project.

MAYOR JANNEY spoke about moving forward with the process.

7.2 RESOLUTION NO. 2006-6428 OPPOSING THE ESTABLISHMENT OF A PAROLEE HOUSING FACILITY AT 1788 PALM AVENUE, SAN DIEGO. (0150-10)

CITY MANAGER BROWN introduced the item; he noted that the facility would have a negative impact on the community as it would be located at the entryway of Imperial Beach; he stated that City of San Diego Councilmember Hueso has taken a position against the project; and he requested Council's approval of Resolution No. 2006-6428, opposing the establishment of the parolee housing facility.

MARY CRIST expressed concern about the safety of children and was opposed to the project.

RODEL REYES, resident of Otay Mesa, spoke in opposition to the project and stated there were a number of petitions circulating in the community opposing the project.

City Council discussion ensued regarding opposition to the project.

COUNCILMEMBER WINTER requested that the Mayor sign a letter in opposition to the project and request the surrounding cities to also oppose the project.

MOTION BY MCLEAN, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2006-6428 OPPOSING THE ESTABLISHMENT OF A PAROLEE HOUSING FACILITY AT 1788 PALM AVE. MOTION CARRIED UNANIMOUSLY.

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

CITY MANAGER BROWN reported Pacifica would revise the environmental administrative draft and the Specific Plan based on comments made by City staff.

MAYOR JANNEY reported that during a recent meeting with Ash Israni, of Pacifica, he emphasized the importance of the project to the City.

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

CITY MANAGER BROWN reported Bajagua placed an advertisement in the newspaper for requests for statements of qualifications for the design, build and operation of a secondary treatment facility, and that Bajagua and the IBWC would be giving a tour to interested bidders later this month.

COUNCILMEMBER WINTER stated that the Binational Technical Committee would have an opportunity to take a tour in January; she reported on a meeting with Assemblymember Saldaña; and the status of reactivating the Policy Committee.

REPORTS OF MAYOR AND COUNCILMEMBERS

MAYOR PRO TEM MCLEAN stated that constituents have expressed concern regarding the cost for remodeling of the Council Chambers and requested that this issue be addressed at the upcoming Council Workshop.

COUNCILMEMBER WINTER noted that the project has already been contracted out, and to be in breach of a contract by ending it may cost the City more money; she also noted that Council has had extensive discussion of the item in the past; she also spoke of the much needed upgrades to the lighting, heating, air conditioning and electricity; she also stated that information would easily be shared with the public by the use of new displays; and she noted that the League of CA Cities recommends public participation and keeping the public informed by live or taped broadcasting.

ADJOURNMENT

The meeting adjourned at 9:40 p.m.

James C. Janney, Mayor

Attest:
Jacqueline M. Hald, CMC
City Clerk