

**MINUTES**

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

**JANUARY 16, 2008**

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

**CLOSED SESSION – 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.**

**CLOSED SESSION CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:03 p.m.

**ROLL CALL**

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

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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**CLOSED SESSION**

**MOTION BY BRAGG, SECOND BY WINTER, TO ADJOURN TO CLOSED SESSION UNDER:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS.**

Pursuant to Government Code Section 54956.8:

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

Agency Negotiator: City Manager

Negotiating Parties: Sam & Sandra Dimenstein Trust

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

Negotiating Parties: Sam & Sandra Dimenstein Trust

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

Negotiating Parties: Sam & Sandra Dimenstein Trust

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

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:04 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff and had nothing to report.

**REGULAR MEETING CALL TO ORDER BY MAYOR**

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m

**ROLL CALL BY CITY CLERK**

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

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

MAYOR JANNEY led everyone in the Pledge of Allegiance.

**AGENDA CHANGES**

MAYOR JANNEY recommended Item No. 7.3 be taken off the agenda and moved to a future meeting, and recommended Item No. 7.2 be taken after Item No. 7.6.

**MOTION BY MCCOY, SECOND BY WINTER, TO TAKE ITEM NO. 7.3 – PROJECT OVERVIEW, BUDGET AMENDMENT AND PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR ECO-BIKEWAY AND PALM AVENUE TRAFFIC CALMING PROJECT (S05-104) WITH KOA CORPORATION OFF THE AGENDA TO BE BROUGHT BACK AT A FUTURE MEETING AND TO TAKE ITEM NO. 7.2 – RESOLUTION NO. 2008-6568 – APPROVING A REVISED AND RESTATED AGREEMENT FOR BASIC AND ADVANCED LIFE SUPPORT SERVICE WITH LAIDLAW MEDICAL TRANSPORTATION INC., DBA AMERICAN MEDICAL RESPONSE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AFTER ITEM NO. 7.6. MOTION CARRIED UNANIMOUSLY.**

**MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS**

In accordance with AB 1234, COUNCILMEMBER WINTER announced that she attended the League of California Cities – San Diego County Division Luncheon Meeting.

COUCILMEMBER MCLEAN thanked staff for their efforts on the winter newsletter.

MAYOR PRO TEM MCCOY expressed concern and spoke on issues associated with global warming.

**COMMUNICATIONS FROM CITY STAFF**

None.

## **PUBLIC COMMENT**

MAXX STALHEIM, of Dogs At Play, gave a PowerPoint presentation; he spoke about potential off-leash areas for pets; a desire to create a public/private partnership, to build, maintain and monitor off-leash areas in the City; and raise money towards the cause (additional speaking time donated by ALEXANDRA COMPTON, MICHAEL DALLY, PATRICIA DEL VECCHIO, LAIRENZ DEMARA, JENNIFER DICE, KEVIN HILL, ANDREA MARTIN, SHARON NOBLE, DIANE RATIGAN, RUBY RONQUILLO, KELLY TRACY, NATHAN TROTTER, CATHY VEATCH, and SUSAN YAMAGATA).

STEVE FUTTERMAN continued with the PowerPoint presentation; spoke of the benefits of leash-free areas, he reviewed site recommendations, spoke about engaging discussions with the public and the City, and funding sources.

MR. STALHEIM announced that Dogs At Play will soon be incorporated as a 501(c)3; the organization is interested in monitoring leash-free areas, raising funds to maintain the areas, and providing ongoing educational opportunities for dog owners/guardians.

CITY MANAGER BROWN clarified that the Navy property, referred to in the PowerPoint presentation, was not donated to the City of Imperial Beach. The Navy is in fact working on a lease arrangement with the City.

MAYOR JANNEY asked the community to be respectful of the Navy property and noted that Capt. Gaiani and City Manager Brown are working together on a formal agreement.

RITA LANE expressed concern about the selection of the Caps Field/T-ball Field/Little League Field by Dogs At Play and opposed the fields being taken away from the kids; she also expressed concern about dogs near children playing; she was concerned about lack of clean-up by the dog owners.

ALAN WINKELMAN expressed concern about the business license renewal process (additional speaking time donated by JOHN PERNO).

MAYOR JANNEY referred the matter to staff.

## **PRESENTATION/REPORT (1.1 - 1.3)**

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

MAYOR JANNEY, along with Ron Oliver of EDCO, presented the Recycle All-Star Award Certificate, \$100.00 check and used oil-recycling premiums to Tupu Sagapolutele.

### **1.2 PRESENTATION OF PROCLAMATION TO SHERIFF'S DEPUTY DEL ROSARIO. (0410-30)**

MAYOR JANNEY, along with PUBLIC SAFETY DIRECTOR SOTELO and SHERIFF'S CAPTAIN MILLER, presented a proclamation to Sheriff's Deputy Franco Del Rosario for several years of service in the Imperial Beach community.

**1.3 PRESENTATION BY NAVY CAPTAIN ANTHONY GAIANI – FLIGHT PATTERN FROM REAM FIELD. (0620-80)**

CITY MANAGER BROWN introduced the item.

CAPTAIN ANTHONY GAIANI gave a PowerPoint presentation on the flight patterns over the City of Imperial Beach.

**CONSENT CALENDAR (2.1 - 2.4)**

**MOTION BY MCCOY, SECOND BY BRAGG, TO ACCEPT CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED UNANIMOUSLY.**

**2.1 MINUTES.**

Approved the minutes of the Regular City Council Meetings of November 7 and December 5, 2007, and the Regular City Council Workshop of November 14, 2007.

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

Ratified the following registers: Accounts Payable Numbers 65380 through 65570 with the subtotal amount of \$662,678.46; and Payroll Register Numbers 39114 through 39155 for the pay period ending 11/22/07, Payroll Register Numbers 39156 through 39202 for the pay period ending 12/06/07, and Payroll Register Numbers 39203 through 39242 for the pay period ending 12/20/07 with the subtotal amount of \$439,243.02; for a total amount of \$1,101,921.48.

**2.3 LOCAL APPOINTMENTS LIST. (0460-45)**

Ratified the Local Appointments List in compliance with Government Code §54972, and authorize the City Clerk to post said list at City Hall and the Library in compliance with Government Code §54973.

**2.4 RESOLUTION NO. 2008-6569 RATIFYING THE 2008-2009 PORT OF SAN DIEGO FINANCIAL ASSISTANCE PROGRAM APPLICATION FOR FUNDING ASSISTANCE FOR 2008 CONCERT EVENT. (1040-10)**

Adopted resolution.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

None.

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

None.

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

None.

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6.1 - 6.2)**

**6.1 IB3D BY THE SEA: HARMON NELSON III (OWNER)/JANINE ROCELLE, WHITAKER INC. (APPLICANT/ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 070034), DESIGN REVIEW CASE (DRC 070035), SITE PLAN REVIEW (SPR 070036), TENTATIVE PARCEL MAP (TPM 070089), AND VARIANCE (VAR 070037) TO CONSTRUCT THREE NEW ATTACHED CONDOMINIUM UNITS LOCATED AT 1008 OCEAN LANE, IN THE R-1500/MU-2 (HIGH DENSITY RESIDENTIAL/ SEACOAST MIXED USE OVERLAY) ZONE. MF 924. (0600-20)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item and noted that this is an advisory discussion only and no action would be taken.

ASSOCIATE PLANNER FOLTZ gave a PowerPoint presentation on the item.

Discussion ensued regarding the outdoor fireplace on the rooftop meeting all safety codes; clarification of the height for Unit Three; location of the turbines; and the stairwell and elevator enclosures may extend above the height limit.

RANDY PUTLAND spoke in support of the project; expressed concern about the height of the west side wall.

JANINE ROCELLE, applicant, responded to questions regarding the materials proposed for the project; samples of materials were shown to Council.

HARMON NELSON, owner, spoke about the project and noted that it would be built in a green way, being respectful to the environment.

MAYOR JANNEY closed the public hearing.

**6.2 APPROVAL OF THE 2006-2007 ANNUAL REPORT FOR THE JURISDICTIONAL URBAN RUNOFF MANAGEMENT PLAN (JURMP). (0770-65)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER KEIR gave a report on the item.

Discussion ensued regarding disposal of used cooking oil; importance of the low flow diversion structures; the program being an unfunded mandate and that all the cities in San Diego County will be filing an administrative action to go before the State Mandates Commission to get the State to pay for the program.

MAYOR JANNEY closed the public hearing.

**MOTION BY WINTER, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2008-6567, JURMP ANNUAL REPORT INCLUDING CORRECTIONS, ADDITIONS OR DELETIONS AS DIRECTED. MOTION CARRIED UNANIMOUSLY.**

**REPORTS (7.1 - 7.6)**

**7.1 APPROVING THE AWARD OF GRANTS UNDER THE COMMUNITY GRANTS PROGRAM FY 2007-2008. (0330-15)**

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER gave a report on the item and thanked EDCO for their donation.

City Council discussion ensued regarding increasing the IB Seniors Club grant amount by \$50 and lowering Kitty Rescue's grant amount by \$50.

**MOTION BY MCCOY, SECOND BY MCLEAN, TO APPROVE THE AWARD OF GRANTS UNDER THE COMMUNITY GRANTS PROGRAM FY 2007-2008 AS FOLLOWS:**

<b><u>ORGANIZATION</u></b>	<b><u>GRANT AMOUNT</u></b>
I.B. BEAUTIFUL, INC. (PLANT REPLACEMENT/MAINTENANCE)	\$400
OPTIMIST CLUB OF I.B. (SAND SCULPTING FOR KIDS)	\$400
OCEAN BLUE FOUNDATION (PET WASTE RECYCLING BAGS)	\$400
WILDCOAST (FISHING DERBY TO TEACH WATER QUALITY AWARENESS)	\$350
FRIENDS OF THE IB LIBRARY (PURCHASE BOOKS FOR LIBRARY)	\$400
SOUTH COUNTY RENAISSANCE PROJECT (THEATRE PRODUCTION)	\$350
IB SENIORS CLUB (BUS TRIP TO PRESIDIO PARK FOR SENIORS)	\$400
CHAMBER OF COMMERCE (TASTE OF I.B. BY LOCAL BUSINESSES)	\$350
YMCA CAMP SURF (SCHOLARSHIPS TO YOUTHS FOR DAY CAMP)	\$400
KITTY RESCUE OF SAN DIEGO INC. (FELINE POPULATION CONTROL)	\$350
AMERICAN YOUTH SOCCER ORGANIZATION, SB (DISCOUNT ON SOCCER)	\$400
SOUTH BAY COMMUNITY SERVICES (FREE TAX PREP SRVCS/LOW INCOME)	\$400
KIWANIS CLUB (ELEMENTARY STUDENT OF THE MONTH AWARD)	\$400
<b>TOTAL:</b>	<b>\$5000</b>

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY called a recess at 8:22 p.m. and reconvened the meeting to Open Session at 8:26 p.m.

**7.3 PROJECT OVERVIEW, BUDGET AMENDMENT AND PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR ECO-BIKEWAY AND PALM AVENUE TRAFFIC CALMING PROJECT (S05-104) WITH KOA CORPORATION. (0680-20)**

Item moved to a future meeting by prior City Council action.

**7.4 PROVIDE STAFF DIRECTION ON SITING AND FUNDING A SKATE PARK. (0920-40)**

CITY MANAGER BROWN introduced the item.

Correspondence from Ivan Medellin was submitted as Last Minute Agenda Information.

ASSISTANT CITY MANAGER RITTER gave a PowerPoint presentation on the item.

CANTIN RUSSELL, of Site Design Group, Inc., gave a PowerPoint presentation on the item.

Due to the large number of speaker slips submitted, MAYOR JANNEY requested spokespeople to come forward to speak.

The following spoke in support of the item: MARK CLAUNCH, EMILY YOUNG, KAREN BARNEY, MICHAEL CAREY, TRAVIS BRAZIL, SHANE CROMWELL, MICHEL DEDINA (also submitted a letter from Josephine Dedina), DWAYNE FERNANDEZ, SERGE DEDINA, and GREG HUGHES.

Additional speaker slips in support of the item were submitted by: CHRIS AGUIRRE, ANDREE ARANA, NIKOLAS ARANA, VERONICA ARCHER, JOHN ASHLEY, CAM B., CARLOS BANNER, BAILEY BIESTERFELD, BRITTONY BIESTERFELD, JUSTINE BIESTERFELD, KAREN BISHOP, PAUL C. BISHOP, PAUL J. BISHOP, THOMAS BISHOP, CHRISTIAN CARTIER, CHARLIE CLAUNCH, ROCKY CLAUNCH, CESAR CORONA, NASTASSIA CUNIFF, DANIEL D., CHRIS DE LAURIER, ISRAEL DEDINA, ROBERT DOMINGUEZ, ADRIENNE FERNANDEZ, FE FERNANDEZ, MR. & MRS. FERNANDEZ, TYLER FONGSALY, STEVER FUTTERMAN, FRANK, KELLY GEHRING, LANDON GEHRING, RUBEN GONZALEZ, NORMALINDA HAM, DUNCAN HASTINGS, ISABELLE HASTINGS, LARA HASTINGS, ZACHARY HASTINGS, DANIEL HOLIAN, SHANNON HUGHES, DAREN JOHNSON, JOCH JOHNSON, WAYNE KAIRIS, PAUL KELLY, ERIC KING, JOHN & ALICE LANDRY, RAFAEL LARIES, ATONIO LOPES, BEILYN LOPEZ, DAVE LOPEZ, LOUKAS LOPEZ, TAMAYO LOPEZ, EVAN LOUSTROM, SETH LOUSTROM, FLETCHER MAGNUSON, CAROL MALICK, ADAM MARQUEZ, AMANDA MATA, ZEKE MAZUR, LISA MCGRATH, NICO MEDELLIN, MARQUISS MENDIOLA, GABRIEL MOORE, MICHAEL MOORE, DIANA MUSICK, CHRISTIAN NGUYEN, ALEX OCHOA, JUAN ORTIZ, RICARDO OSWALT, DAVID PARRA, EVAN PEABODY, CARLOS POLANCO, JR., TOM PROCOPIO, RANDY PUTLAND, ADRIANA RODRIGUEZ, RUBY RONQUILLO, STEVE SMITHSON, BAILEY STABENOW, KATE STABENOW, ROBERT & SARA STABENOW, MAXX STALHEIM, DAVID THOMAS, JAVIER TORRES, BRANDON TRAN, ANOUK VASHE, DIEGO VARGAS, GARRY WEGENER, TYLER WERNER, DANIEL ZBAIZ, CHRISTIAN, VINCENT, and WYATT.

The following spoke in support of a dedicated soccer field, opposed the taking away of CIP funds designated for a soccer field; however, supported a skate park: JOHN BORJA, ANTHONY MILLICAN, and IVAN MEDELLIN.

Additional speaker slips in support of a dedicated soccer field, opposed the taking away of CIP funds designated for a soccer field, however supported a skate park were submitted by: RITA LANE and MICHAEL LINGO.

City Council discussion ensued regarding support for the site recommended by staff, opposition to taking funding away from another established program, possible funding sources such as donations, grants, the Tony Hawk Foundation, and approaching the County of San Diego for additional funding; the importance of wearing helmets, possibly building a skate park in phases; and appealing to the community to assist with funding.

SERGE DEDINA stated that he and EMILY YOUNG are willing to work with the City on obtaining funding.

**MOTION BY MCLEAN, SECOND BY WINTER, TO SELECT SITE B – THE EASTERN HALF OF THE OUTDOOR BASKETBALL COURT AT SPORTS PARK AND ASK STAFF TO RETURN WITH SUGGESTED FUNDING SOURCES THAT WILL BRING THE FUNDING LEVEL TO APPROXIMATELY \$200,000 TO CONSTRUCT A SKATE PARK (FOR EXAMPLE, THE CITY COULD APPLY FOR ADDITIONAL FUNDING FROM THE COUNTY, APPLY FOR GRANTS, OR RE-DESIGNATE FUNDS FROM AN EXISTING CIP PROJECT).**

Discussion ensued regarding the designated site, acceptance of offers from the community volunteers to assist with fundraising, and the money spent on the consultants will be taken from general fund and raise it back to the \$65,000.

**VOTES WERE NOW CAST ON AMENDED MOTION BY MCLEAN, SECOND BY WINTER, TO SELECT SITE B – THE EASTERN HALF OF THE OUTDOOR BASKETBALL COURT IN SPORTS PARK AND ASK STAFF TO RETURN WITH SUGGESTED FUNDING SOURCES THAT WILL BRING THE FUNDING LEVEL TO APPROXIMATELY \$200,000 TO CONSTRUCT A SKATE PARK (SUCH AS APPLY FOR ADDITIONAL FUNDING FROM THE COUNTY, APPLY FOR GRANTS, AND ANY ADDITIONAL FUNDING THAT CAN BE FOUND, AND ACCEPT OFFERS FROM COMMUNITY VOLUNTEERS TO ASSIST WITH FUNDRAISING). MOTION CARRIED UNANIMOUSLY.**

#### **7.5 OTHER CIP IDEAS. (0330-35)**

CITY MANAGER BROWN introduced the item.

Discussion ensued regarding holding a CIP Workshop to discuss City Council priorities, staff returning with a list of unfunded projects, and a list of projects for another redevelopment bond.

KEVIN HILL supported the item (was not available to speak).

#### **7.2 RESOLUTION NO. 2008-6568 – APPROVING A REVISED AND RESTATED AGREEMENT FOR BASIC AND ADVANCED LIFE SUPPORT SERVICE WITH LAIDLAW MEDICAL TRANSPORTATION INC., DBA AMERICAN MEDICAL RESPONSE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (0220-70)**

CITY MANAGER BROWN introduced the item and announced that a rate comparison was submitted as Last Minute Agenda Information.

PUBLIC SAFETY DIRECTOR SOTELO gave a report on the item.

CHRIS CARLSON, of AMR, gave a PowerPoint presentation on the item.

Discussion ensued regarding the effective date of the agreement; AMR agreed to amend Item No. 3 of the agreement to read as follows: "As of January 16, 2008, the Primary Rate Component may be increased at AMR's discretion by an amount not to exceed 7% per year. No City approval shall be required for such a rate increase."

**MOTION BY WINTER, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2008-6568 – APPROVING A REVISED AND RESTATED AGREEMENT FOR BASIC AND ADVANCED LIFE SUPPORT SERVICE WITH LAIDLAW MEDICAL TRANSPORT INC., DBA AMERICAN MEDICAL RESPONSE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, INCLUDING THE REVISION TO ITEM NO. 3 OF THE AGREEMENT AS STATED ABOVE. MOTION CARRIED UNANIMOUSLY.**

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

MAYOR JANNEY stated his recommendations were submitted as Last Minute Agenda Information as follows:

1. Title changes for Mayor Pro Tem to Councilmember and vice versa;
2. Councilmember Bragg as the first alternate for the Metropolitan Transit Systems Board;
3. Mayor Janney as the first alternate for Chamber of Commerce Liaison;
4. Councilmember Bragg as the first alternate to the South County Economic Development Council; and
5. Mayor Janney and Councilmember Winter to serve on the newly created Water Quality Matters Ad Hoc Committee.

**MOTION BY WINTER, SECOND BY BRAGG, TO APPROVE COUNCIL ASSIGNMENTS AS PRESENTED BY MAYOR JANNEY. MOTION CARRIED UNANIMOUSLY.**

**REPORTS OF MAYOR AND COUNCILMEMBERS**

None.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 10:48 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk