

**MINUTES**

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

**OCTOBER 20, 2010**

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

**CLOSED SESSION MEETING – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.**

**CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:30 p.m.

**ROLL CALL**

Councilmembers present: Bragg, McCoy, Rose  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: King

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

**CLOSED SESSION**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN 625-262-01-00

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Imperial Coast LTD Partnership

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

**MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:05 p.m. Reporting out of Closed Session, CITY ATTORNEY LYON announced Council met earlier in Closed Session, direction was given, and had no reportable action.

**REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:06 p.m.

**ROLL CALL**

Councilmembers present: Bragg, McCoy, Rose  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: King

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

**PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

**AGENDA CHANGES**

**MOTION BY KING, SECOND BY BRAGG, TO TAKE ITEM NO. 6.3 – AUTHORIZATION TO ISSUE TAX ALLOCATION BONDS IN AN AMOUNT NOT TO EXCEED \$24 MILLION AFTER PRESENTATIONS. MOTION CARRIED UNANIMOUSLY.**

**MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

COUNCILMEMBER MCCOY provided a copy of the Metro JPA budget summary for distribution to City Council.

MAYOR PRO TEM KING reported on his attendance at the Miss IB Pageant where he was a judge; he spoke about the Dempsey Holder Surf Contest; he announced the Fleet Reserve received a donation of an Urban Tree from artist Kathy Ann James, naming veterans from the Korean, Vietnam and Iraq Wars; and he reported on his attendance at the Chamber of Commerce Meeting and announced the upcoming events Taste of IB will be in the spring, Christmas Tree Lighting will be on December 4; and the Holiday Mixer will be on December 10.

**COMMUNICATIONS FROM CITY STAFF**

None.

**PUBLIC COMMENT**

ATHENA MALCOLM suggested the renaming of numbered streets to beach-related names; and she she suggested involvement of the residents as a way to bring the community together.

JOHN PERNO complained about a letter he received from the City stating he needed to apply for a rental business license.

ED KRAVITZ expressed concern about a code enforcement case involving balloons and he expressed disappointment that his requests to have access to video to streaming have not been agendized.

MAYOR JANNEY responded earlier this year City Council considered the broadcasting of City Council meetings on cable and by streaming video and took action to broadcast meetings on cable.

MAYOR PRO TEM KING added City Council reviewed the matter, considered the costs and made an informed decision to have City Council meetings broadcasted on cable television and noted that all the City Council meetings are open and public.

**PRESENTATIONS (1.1)**

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

Ms. Rangel was not in attendance to receive the Recycle All-Star Award Certificate.

**CONSENT CALENDAR (2.1 - 2.4)**

**MOTION BY MCCOY, SECOND BY KING, TO APPROVE 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 September 22 and October 6, 2010.

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

Ratified the following registers: Accounts Payable Numbers 71811 through 71918 with the subtotal amount of \$732,978.70 and Payroll Checks 43196 through 43240 for the pay period ending 09/23/10 with the subtotal amount of \$152,576.26, for a total amount of \$885,554.96.

**2.3 CONFLICT OF INTEREST CODE UPDATE – FILING OF BIENNIAL NOTICE. (0420-30)**

Affirmed that the 2010 Local Agency Biennial Notice was filed with the City Council on October 1, 2010.

**2.4 RESOLUTION NO. 2010-6956 – RATIFYING THE LETTER OF TERMINATION SIGNED BY THE CITY MANAGER REGARDING THE CITY HALL WIRELESS COMMUNICATIONS FACILITY. (0800-50)**

Adopted resolution.

**REPORTS (6.3)**

**6.3 AUTHORIZATION TO ISSUE TAX ALLOCATION BONDS IN AN AMOUNT NOT TO EXCEED \$24 MILLION. (0340-10)**

CITY MANAGER BROWN introduced the item.

FINANCE DIRECTOR MCGRANE announced Dennis McGuire, of Piper Jaffray, and Dave Fama, of Jones Hall, were in attendance; he gave a PowerPoint presentation on the bond issue process.

JOHN CARR questioned the security for the bonds (page 9 of the Official Statement); and suggested the new City Council address this item rather than the current City Council.

DENNIS MCGUIRE responded the base year value was established in the original area in 1996 and in the amended area in 2001, so although there has been assessed value decline over the last two years, it is still much greater than the assessed value when the project areas were established.

In response to City Manager Brown's question if the wording should be changed, DAVE FAMA responded the wording is correct.

TIM O'NEAL asked the item be tabled for now and wait for the new City Council to consider it.

ROBERT TAYLOR questioned the amount of the annual payment and for how many years; he expressed concern about taking money from the schools and also asked for the item to be tabled.

FINANCE DIRECTOR MCGRANE stated the issue will go to 2040 and the debt service will be about \$1.2 million a year; he further stated redevelopment eliminates blighted areas creating added value by increasing assessed property values.

City Council discussion ensued; there was a request for a similar process as was done with the first bond issue to create a priority project list and expenditure plan; City Council spoke about

the benefits of redevelopment, such as providing the tools to cure blight, investing in public improvements, rehabilitating housing, and collecting incremental tax revenues; with bonds, money is leveraged to complete needed projects, rather than waiting 20 years for available funds; with the RDA the City has the resources and mechanisms to improve itself and without it, it would decline.

MIKE FLANAGAN expressed concern about the term of the bond; he questioned the rush to develop the Seacoast Inn and the 9<sup>th</sup> Street & Palm Avenue projects, and spoke in support of leasing the properties.

MAYOR JANNEY clarified no money has been committed to the Seacoast Inn and noted a final project has not been approved at 9<sup>th</sup> Street & Palm Avenue; he stated bonding facilitates projects throughout the City, including maintenance of parks and streets; he also stated all redevelopment agencies must encumber debt per state law; redevelopment funds bring quality improvements and mitigates blight; he recognized staff for getting an A rating, which is today's market is an accomplishment.

**MOTION BY JANNEY, SECOND BY ROSE, TO APPROVE RESOLUTION NO. 2010-6955 – AUTHORIZING THE BORROWING OF FUNDS BY THE REDEVELOPMENT AGENCY FROM THE PUBLIC FINANCING AUTHORITY. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY JANNEY, SECOND BY KING, TO APPROVE RESOLUTION NO. R-10-233– AUTHORIZING AND DIRECTING THE EXECUTION OF A LOAN AGREEMENT RELATING TO THE ISSUING OF BONDS BY THE REDEVELOPMENT AGENCY. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY JANNEY, SECOND BY BRAGG, TO APPROVE RESOLUTION NO. FA-10-03 – AUTHORIZING ISSUANCE OF TAX ALLOCATION REVENUE BONDS BY THE PUBLIC FINANCING AUTHORITY. MOTION CARRIED UNANIMOUSLY.**

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

**3.1 ORDINANCE NO. 2010-1108 – AMENDING TITLE 12 – “STREETS, SIDEWALKS, AND PUBLIC PLACES” TO ADD CHAPTER 12.76 – “NEWS RACKS AFFECTING PUBLIC SAFETY” TO THE IMPERIAL BEACH MUNICIPAL CODE. (0720-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1108.

CITY CLERK HALD read the title of Ordinance No. 2010-1108, “An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING TITLE 12 – “STREETS, SIDEWALKS, AND PUBLIC PLACES” TO ADD CHAPTER 12.76 – “NEWS RACKS AFFECTING PUBLIC SAFETY” TO THE IMPERIAL BEACH MUNICIPAL CODE.”

**MOTION BY MCCOY, SECOND BY BRAGG, TO WAIVE FURTHER READING AND DISPENSE INTRODUCTION OF ORDINANCE NO. 2010-1108 BY TITLE ONLY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.**

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

None.

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. 2010-6953 – REQUESTING ALLOCATION OF THE FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE AGREEMENT WITH THE COUNTY OF SAN DIEGO. (0650-33)**

COUNCILMEMBER ROSE recused herself from discussion of the item due to the location of her home to one of the projects and left Council Chambers at 7:06 p.m.

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN announced a revised staff report and resolution were submitted as Last Minute Agenda Information and he reported on the item.

TIM O'NEAL spoke in support of the crosswalk and questioned if a committee could be created to address music equipment upgrades at the Sports Park.

MAYOR JANNEY closed the public hearing.

**MOTION BY MCCOY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2010-6953 – REQUESTING ALLOCATION OF THE FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE AGREEMENTS WITH THE COUNTY OF SAN DIEGO. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, MCCOY, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>ROSE (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

COUNCILMEMBER ROSE returned to Council Chambers at 7:10 p.m.

**REPORTS (6.1 - 6.2)**

**6.1 REPORT ON THE COMMUNITY WORKSHOPS HELD TO PRESENT THE COMMERCIAL ZONING REVIEW RECOMMENDATIONS TO THE PUBLIC. (0610-95)**

A letter from Ira Glasky, General Counsel for Lissoy Family Trust, was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

MICHAEL CAREY, representing IB Concerned Citizens, appreciated the efforts of City Council and staff for their hard work; and he spoke in support of ten-foot setbacks.

MAYDA WINTER commended City Council and staff for their efforts in consideration of the public and their comments on the proposed changes; she commented specifically on the issue of setbacks for commercial development abutting residential properties; she requested Council's consideration of a buffer between residential neighborhoods and commercial development to all residentially zoned properties regardless of geographic location or type of impact commercial development creates.

**CONSENSUS OF CITY COUNCIL TO ESTABLISH A FIVE-FOOT SETBACK WITHIN THE**

**C/MU-2 ZONE THAT ABUTS THE R-2000 ZONE AND A TEN-FOOT SETBACK WITHIN THE C/MU-2 ZONE ABUTTING THE R-1-6000 ZONE.**

**MOTION BY JANNEY, SECOND BY BRAGG, TO SUPPORT ALL THE COMMERCIAL ZONING REVIEW RECOMMENDATIONS AS PROPOSED AND AS SPECIFICALLY DISCUSSED WITH THE EXCEPTION OF SETBACKS AND THE LAND USE TABLE. MOTION CARRIED UNANIMOUSLY.**

COUNCILMEMBER MCCOY recused herself from discussion of the item due to the location of her residence and left Council Chambers at 8:06 p.m.

**MOTION BY JANNEY, SECOND BY ROSE, TO PROCEED WITH THE RECOMMENDED SETBACK REQUIREMENTS AS DISCUSSED AND AMENDED TONIGHT FOR THE C/MU-2 ZONE. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

COUNCILMEMBER MCCOY returned to Council Chambers at 8:07 p.m.

COUNCILMEMBER BRAGG announced she had a potential conflict of interest due to the location of her employment and left Council Chambers at 8:07 p.m.

**MOTION BY JANNEY, SECOND BY KING, TO SUPPORT STAFF'S RECOMMENDATION ON THE LAND USE TABLE AS PROPOSED IN THE COMMERCIAL ZONING REVIEW.**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

COUNCILMEMBER BRAGG returned to Council Chambers at 8:08 p.m.

**MOTION BY ROSE, SECOND BY BRAGG, TO SUPPORT STAFF'S RECOMMENDATION TO MAINTAIN THE EXISTING SETBACK AND HEIGHT REQUIREMENTS OF THE MU-2 OVERLAY ZONE IN THE PROPOSED RESIDENTIAL OVERLAY ZONE OF THE C/MU-2 ZONE. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY JANNEY, SECOND BY ROSE, TO HAVE STAFF PREPARE A FINAL DOCUMENT THAT INCORPORATES ALL RECOMMENDED CHANGES. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY JANNEY, SECOND BY MCCOY, TO AUTHORIZE STAFF TO NEGOTIATE A CONSULTANT CONTRACT WITH AECOM IN AN AMOUNT BETWEEN \$200,000 AND \$275,000 TO PREPARE AND PROCESS THE REQUIRED ZONING/ORDINANCE AMENDMENTS AND GENERAL PLAN/LOCAL COASTAL PROGRAM AMENDMENTS, AND TO PREPARE AND PROCESS THE REQUIRED ENVIRONMENTAL REVIEW DOCUMENT. MOTION CARRIED UNANIMOUSLY.**

**6.2 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN**

**HOTEL. (0660-43)**

COUNCILMEMBER BRAGG recused herself from discussion on the item due to the location of her employment and left Council Chambers 8:16 p.m.

CITY MANAGER BROWN introduced the item.

ALLISON ROLFE, Project Manager for Pacifica, announced Zane Rodriguez was hired as the new Construction Project Manager; she reported on the phased plan schedule to get to construction; demolition will be completed next week; construction will occur once the financing is locked down; Wells Fargo needs the DDA and ground lease agreement before the loan is moved up to management; the owner needs a commitment of financing from Wells Fargo or the City before he will front the money for construction; construction will not begin until the financing is further along than it is now; she responded to Council's questions regarding the submittal of the final plans; and she will talk to her Finance Director about the delay with Wells Fargo.

MAYOR JANNEY spoke of the need to focus on and proceed with the DDA.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:40 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk