

**REGULAR CITY COUNCIL  
REDEVELOPMENT AGENCY  
PUBLIC FINANCING AUTHORITY MINUTES  
CITY OF IMPERIAL BEACH  
October 4, 2006  
CLOSED SESSION – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
825 Imperial Beach Boulevard  
Imperial Beach, California**

**CALL TO ORDER**

MAYOR ROSE called the Closed Session Meeting to order at 5:37 p.m.

**ROLL CALL**

Councilmembers present:	Janney, Winter, McCoy
Councilmembers absent:	None
Mayor present:	Rose (arrived at 6:00 p.m.)
Mayor Pro Tem present:	McLean
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

**CLOSED SESSION**

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

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(a)

Names of Cases:

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

**MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: JANNEY, MCCOY, WINTER, MCLEAN</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS: ROSE</b>

MAYOR PRO TEM MCLEAN adjourned the meeting to Closed Session at 5:38 p.m. and he reconvened the meeting to Open Session at 6:10 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**

MAYOR ROSE called the Regular Meeting to order at 6:11 p.m.

### **ROLL CALL**

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

### **PLEDGE OF ALLEGIANCE**

MAYOR ROSE led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

None.

### **MAYOR/COUNCIL ANNOUNCEMENTS**

COUNCILMEMBER MCCOY reported on the recent Biodiversity Conference.

COUNCILMEMBER WINTER also spoke about attending the Biodiversity Conference and noted that she had the opportunity to meet with State and Federal representatives on cross border contamination issues.

MAYOR PRO TEM MCLEAN thanked staff for their efforts on the recent Beach Blast event.

MAYOR ROSE spoke about meeting US Navy Captain Wally Schirra (Ret.) and announced that Councilmember Janney, who is also the President of the South County Economic Development Council, will preside over the South County Economic Summit on October 5, 2006.

### **COMMUNICATIONS FROM CITY STAFF**

None.

### **PUBLIC COMMENT**

JOHN CARR asked questions of Council concerning the City's financial condition and citizenship.

CRAIG SHERMAN requested Item No. 2.7 be pulled for discussion.

**MOTION BY ROSE, SECOND BY MCLEAN, TO PULL ITEM NO. 2.7 - RESOLUTION NO. 2006-6411 – AMENDED RESOLUTION FOR PUBLIC NUISANCE CONDITIONS REGARDING THE PROPERTY AT 24-30 PALM AVENUE FOR DISCUSSION AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.**

BILL MEDLOCK requested that the City consider campaign limits; he expressed concern about the recent influx of "SaveIB.com" stickers appearing on stop signs and utility boxes throughout the City, and he insisted that those responsible be held accountable.

CITY MANAGER BROWN stated that it is illegal to put up signs in the public right-of-way; it has taken City staff many hours to remove the stickers and he would attempt to contact the organizers of "SaveIB.com" to inform them of the situation. He noted that the Sheriff's Dept. and the Public Works Dept. would be on the lookout for those responsible.

COUNCILMEMBER WINTER expressed concern about the number of hours staff is spending on the removal of the stickers and requested that the Public Works staff keep track of their time in case those responsible are apprehended and prosecuted.

CITY MANAGER BROWN announced a revised Resolution No. 2006-6408 was submitted as Last Minute Agenda Information for Item No. 2.5.

### **PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)**

#### **1.1 PRESENTATION OF PROCLAMATION TO BILL GROVE IN RECOGNITION OF VOLUNTEER SERVICE. (0160-10)**

MAYOR ROSE presented a proclamation to Bill Grove.

#### **1.2 50TH ANNIVERSARY COMMITTEE PRESENTATION. (0160-75 & 1040-10)**

MAYOR ROSE, along with MAYOR PRO TEM MCLEAN, presented the following for their efforts on the 50<sup>th</sup> Anniversary events:

A plaque to Executive Director Bill Hollingsworth, Commissioner Michael Bixler, and Commissioner Rocky Spang of the Port of San Diego for support and sponsorship; Certificates to Councilmember Jim Janney; Jim Coates and the Sports Park staff; Brownie Girl Scout Troop 5134, Joan Brooks of Friends of the IB Library; Raleigh Sanders and Rico Toscano of the Optimist Club; Vivian Wilson of the Kiwanis Club, and Yusanda Blackmon of Latter Rain Ministries. Jim Coates also received the certificate for IB Cross Country Club.

MAYOR ROSE also recognized Judy Sisson of IB Trophies & Awards; Lori Bragg as the Committee's Chair; Public Works Director Hank Levien; and Daniel Sanchez of Mar Vista High School; she also recognized sponsors: Julie Walke of Walke Communications, Cynthia Melcher of North Island Credit Union, Ileana Ovalle of Cox Communications, Mike Murphy and Katie Keach of AMR, Ahmad Solomon of SDG&E, Gary Elgis of Davies Electric, Steve South and John Snyder of EDCO, and County Supervisor Greg Cox. Not present were Montgomery High School Key Club and Sycuan Casino.

### **CONSENT CALENDAR (2.1 - 2.7)**

MAYOR ROSE commented that with regard to Item No. 2.5, the 50<sup>th</sup> Anniversary Committee raised over \$25,000 towards the events.

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

#### **2.1 MINUTES.**

Approved the minutes of the Regular City Council Meeting of August 16, 2006.

- 2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**  
Ratified Accounts Payable Numbers 62401 through 62492 for the period ending 09/25/06 and Payroll Register Numbers 37612 through 37666 for the period ending 09/14/06 in the amount of \$1,691,943.16.
- 2.3 RESOLUTION NO. 2006-6406 AWARDDING A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – 2006 SLURRY SEAL PROJECT (FY 2005/2006 CIP# S06-101). (0720-10)**  
Received report and adopted resolution.
- 2.4 RESOLUTION NO. 2006-6407 DECLARING THE EMERGENCY-1 RESERVE FIRE ENGINE AS SURPLUS CITY EQUIPMENT AND DONATING THE SURPLUS ENGINE TO THE SAN DIEGO COMMUNITY COLLEGE DISTRICT. (0380-45)**  
Adopted resolution.
- 2.5 RESOLUTION NO. 2006-6408 AMENDING THE FY 2006/20 07 BUDGET BY TRANSFERRING \$45,000 IN REVENUE INTO THE 50<sup>th</sup> ANNIVERSARY BUDGET. (0160-75 & 1040-10)**  
Adopted resolution.
- 2.6 CALIFORNIA DEPARTMENT OF TRANSPORTATION PLANNING GRANT COMMUNITY-BASED TRANSPORTATION PLANNING – PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN. (0390-86)**  
Adopted Resolution No. 2006-6409 authorizing contract and use of transportation grant funds awarded by the California Department of Transportation.
- 2.7 RESOLUTION NO. 2006-6411 – AMENDED RESOLUTION FOR PUBLIC NUISANCE CONDITIONS REGARDING THE PROPERTY AT 24-30 PALM AVENUE. (0470-20)**  
Adopted resolution.

COUNCILMEMBERS MCCOY AND WINTER left Council Chambers due to potential conflicts of interest as their residences are located within 500 feet of the item.

CITY MANAGER BROWN introduced the item; he noted that in a previous resolution Finding No. One was that the property was not fit for human habitation; he stated that this was an error and the resolution before the City Council tonight corrects it.

CRAIG SHERMAN, attorney, stated that his client does not object to the merits of what is happening tonight; he expressed concern about due process and noticing requirements and he claimed the City condemned the property; he requested that the City strike the previous resolution.

DEPUTY CITY ATTORNEY TASHAKORIAN responded that although the Finding No. One was made, the City never took action to condemn the property and the City is taking action tonight to correct the mistake; as for settlement, she could not discuss it further as it was discussed in Closed Session.

CITY MANAGER BROWN stated for the record that the use of the word condemnation by Mr. Sherman was totally inappropriate.

**MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE RESOLUTION NO. 2006-6411, AMENDING RESOLUTION NO. 2005-6128. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>JANNEY, MCLEAN, ROSE</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, WINTER (DUE TO POTENTIAL CONFLICTS OF INTEREST)</b>

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

None.

**ORDINANCES - SECOND READING & ADOPTION (4.1 - 4.2)**

**4.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH ADDING SECTION 10.36.025 (USE OF STREETS FOR HABITATION PROHIBITED) OF THE IMPERIAL BEACH MUNICIPAL CODE. (0720-95)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR ROSE called for the reading of Ordinance No. 2006-1047.

CITY CLERK HALD read the title of Ordinance No. 2006-1047, an Ordinance of the City Council of the City of Imperial Beach, California adding Section 10.36.025 (Use of Streets for Habitation Prohibited) of the Imperial Beach Municipal Code.

**MOTION BY ROSE, SECOND BY MCLEAN, TO DISPENSE THE SECOND READING AND ADOPT ORDINANCE NO. 2006-1047 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**4.2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH ADDING CHAPTER 9.70 (HOTEL, MOTEL AND LODGING HOUSE REGISTRATION REGULATIONS) OF THE IMPERIAL BEACH MUNICIPAL CODE. (0660-43)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR ROSE called for the reading of Ordinance No. 2006-1048.

CITY CLERK HALD read the title of Ordinance No. 2006-1048, an Ordinance of the City Council of the City of Imperial Beach, California adding Chapter 9.70 (Hotel, Motel and Lodging House Registration Regulations) of the Imperial Beach Municipal Code.

**MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2006-1048 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6.1)**

**6.1 PROJECT PROPOSALS FOR THE FISCAL YEAR 2007/2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. (0650-33)**

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY reported on the item.

CITY CLERK HALD announced no speaker slips were submitted.

**MOTION BY ROSE, SECOND BY WINTER, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2006-6410 SUPPORTING THE INSTALLATION OF MISCELLANEOUS IMPROVEMENTS AT SPORTS, TEEPLE, AND REAMA PARKS. MOTION CARRIED UNANIMOUSLY.**

**REPORTS (7.1 - 7.4)**

**7.1 PROPOSED REQUEST FOR QUALIFICATIONS/PROPOSALS FOR THE REDEVELOPMENT OF 550 STATE ROUTE 75 - EL CAMINO MOTEL. (0600-20)**

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a report on the item.

COUNCILMEMBER WINTER appreciated that a preference be given to proposals that maximize economic benefits to the community and that the design and construction would incorporate green building development concepts.

COUNCILMEMBER JANNEY noted that these types of partnerships with property owners are essential to keeping the City moving forward and he expressed appreciation for staff's efforts.

**MOTION BY ROSE, SECOND BY MCLEAN, TO AUTHORIZE THE REDEVELOPMENT AGENCY TO ISSUE AN RFQ/P FOR THE REDEVELOPMENT OF 550 STATE ROUTE 75 - EL CAMINO MOTEL. MOTION CARRIED UNANIMOUSLY.**

## **7.2 POINT LOMA WASTEWATER TREATMENT OPTIONS. (0620-75)**

CITY MANAGER BROWN reported on the item and noted that Councilmember Winter will be at the Metro Commission meeting on October 5<sup>th</sup> where they will decide on a recommendation to present to the City of San Diego: 1) continuation of the waiver; 2) negotiate a consent decree involving secondary sewage treatment at the plant; or 3) to concurrently seek an extension of the waiver and negotiate on secondary treatment.

**MOTION BY WINTER, SECOND BY MCLEAN, TO AUTHORIZE COUNCILMEMBER WINTER TO SUPPORT THE CONCURRENT INITIATION OF THE WAIVER APPLICATION AND NEGOTIATIONS OF A CONSENT DECREE OR SOME OTHER APPROACH AS THE METRO COMMISSION DELIBERATES NEXT STEPS RELATED TO POINT LOMA WASTEWATER TREATMENT. MOTION CARRIED UNANIMOUSLY.**

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

CITY MANAGER BROWN gave a verbal report on the redevelopment of the hotel located at 800 Seacoast Drive and he noted that City Planner Nakagawa and the consultant continue to review the administrative draft of the environmental impact report; a draft will be prepared for public review.

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

COUNCILMEMBER WINTER reported that she spoke to State and Federal representatives on border sewage issues; and many agencies will be invited to participate in a policy group to address the sewage issues.

## **REPORTS OF MAYOR AND COUNCILMEMBERS**

COUNCILMEMBER JANNEY announced the South County Economic Summit is tomorrow.

COUNCILMEMBER WINTER announced the recent passing of City of National City Councilmember Ron Morrison's son.

COUNCILMEMBER MCLEAN announced Fiesta del Rio, Dempsey Holder Memorial Surf Contest, and Taste of IB will take place on October 8<sup>th</sup>.

CITY MANAGER BROWN thanked Assistant City Manager Ritter for his efforts on the 50<sup>th</sup> Anniversary.

The meeting adjourned at 7:40 p.m.

---

Diane Rose, Mayor

---

Attest:  
Jacqueline M. Hald, CMC  
City Clerk