

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
April 19, 2006
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 6:04 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

PLEDGE OF ALLEGIANCE

MAYOR ROSE led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL ANNOUNCEMENTS

COUNCILMEMBER MCCOY announced the recent passing of former City Councilmember John Mahoney.

COUNCILMEMBER WINTER thanked Mayor Rose for attending the grunion greeter workshop with her; volunteers would be monitoring twelve grunion runs.

MAYOR ROSE announced the Paint IB event is taking place on April 29th and the Citywide garage sale is scheduled for April 22nd.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN gave a report on the pier restoration.

SHERIFF'S CAPTAIN PARKER introduced Lt. Lee Yoder is the new lieutenant in IB.

MAYOR ROSE announced Andrew Kornblatt of Assemblymember Juan Vargas' office was in attendance.

PUBLIC COMMENT

None.

PRESENTATIONS/PROCLAMATIONS (1.1)

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

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

CONSENT CALENDAR (2.1, 2.2 & 2.4)

MOTION BY ROSE, SECOND BY MCLEAN, TO PULL ITEM NO. 2.3 - COMMUNITY GRANTS PROGRAM CHANGE TO GUIDELINES FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED UNANIMOUSLY.

MOTION BY ROSE, SECOND BY WINTER, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.2 AND 2.4. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of March 15, 2006 and Special Meeting of March 25, 2006.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 61430 through 61540 for the period ending 04/07/06 and Payroll Register Numbers 36826 through 36869 for the period ending 03/30/06 in the amount of \$794,487.06.

2.4 USE OF ASSET FORFEITURE FUNDS. (0260-05)

Ratified the expenditure of \$13,000 of asset forfeiture funds for digital cameras for the Sheriff's Department.

ORDINANCES - INTRODUCTION/FIRST READING (3.1 - 3.3)

3.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH TO AMEND CHAPTER 8.36 (REFUSE, SOLID WASTE AND RECYCLABLE COLLECTION) OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING SECTIONS 8.36.030, 8.36.200, AND 8.36.210. (0270-95)

CITY MANAGER BROWN introduced the item.

COUNCILMEMBER JANNEY announced he had a potential conflict of interest on the item and left Council Chambers at 6:15 p.m.

MAYOR ROSE called for the introduction of Ordinance No. 2006-1042, an Ordinance of the City Council of the City of Imperial Beach to amend Chapter 8.36 (Refuse, Solid Waste and Recyclable Collection) of the Imperial Beach Municipal Code by amending Sections 8.36.030, 8.36.200, and 8.36.210.

CITY CLERK HALD read the title of Ordinance No. 2006-1042.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READING OF ORDINANCE NO. 2006-1042 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED BY THE FOLLOWING VOTE:

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

COUNCILMEMBER JANNEY returned to Council Chambers at 6:20 p.m.

3.2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH TO AMEND CHAPTER 12.08 (INSTALLATION OF STREETS AND SIDEWALKS FOR NEW CONSTRUCTION) OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING SECTION 12.08.010. (0720-95)

CITY MANAGER BROWN introduced the item.

MAYOR ROSE called for the introduction of Ordinance No. 2006-1043, an Ordinance of the City Council of the City of Imperial Beach to amend Chapter 12.08 (Installation of Streets and Sidewalks for New Construction) of the Imperial Beach Municipal Code by amending Section 12.08.010.

CITY CLERK HALD read the title of Ordinance No. 2006-1043.

MOTION BY ROSE, SECOND BY MCLEAN, TO DISPENSE FIRST READING OF ORDINANCE NO. 2006-1043 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

3.3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REGULATING SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT AND AMENDING THE IMPERIAL BEACH MUNICIPAL CODE. (0240-35)

CITY MANAGER BROWN introduced the item and announced that the San Diego-Tijuana Border Initiative offered to assist with the cost of signs and a color copy of the ordinance was provided as last minute agenda info.

Discussion ensued regarding opposition of regulating smoking in private property and the removal of Section 9 on page 3.

VERONICA BAEZA, Executive Director of the Border Initiative, offered to provide the signage.

MAYOR ROSE called for the introduction of Ordinance No. 2006-1044, an Ordinance of the City of Imperial Beach regulating smoking in public places and places of employment and amending the Imperial Beach Municipal Code.

CITY CLERK HALD read the title of Ordinance No. 2006-1044.

MOTION BY ROSE, SECOND BY MCLEAN, TO DISPENSE FIRST READING OF ORDINANCE NO. 2006-1044 AS AMENDED (DELETION OF SECTION 9 ON PAGE 3) AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, WINTER, MCLEAN, ROSE
NOES:	COUNCILMEMBERS:	JANNEY
ABSENT:	COUNCILMEMBERS:	NONE

ORDINANCES - SECOND READING & ADOPTION (4)

None.

WRITTEN COMMUNICATIONS (5)

None.

REPORTS (7.1 & 7.2)

ITEM NO. 7.1 – TIME SPECIFIC FOR 6:30 P.M.

7.1 WEST PALM AVENUE BIKEWAY AND TRAFFIC CALMING STUDY. (0680-20)

CITY MANAGER BROWN introduced the item.

JOHN HOLLOWAY, of KTU+A, gave a PowerPoint presentation on traffic calming options on Palm Avenue between 3rd Street and 7th Street to allow for a bikeway.

Discussion ensued regarding the three alternative configurations, their effects on traffic calming, cost estimates, and support of staff's pursuit of possible grants from Caltrans; a majority of Council supported option 3.

MOTION BY ROSE, SECOND BY MCLEAN, TO RECEIVE REPORT; CONSIDER APPROVING OPTION 3 AS A FUTURE CIP; DIRECT STAFF TO PRESENT THE STUDY RESULTS TO THE BID, CHAMBER OF COMMERCE, AND DESIGN REVIEW BOARD FOR COMMENT AND FEEDBACK; AND DIRECT STAFF TO PROCEED WITH THE CONSTRUCTION DRAWINGS AND RETAIN THE PROJECT CONSTRUCTION AS AN UNFUNDED CIP PROJECT. DEPENDING ON THE DESIGN COSTS, STAFF MAY HAVE TO RETURN TO COUNCIL WITH A RECOMMENDED FUNDING SOURCE. MOTION CARRIED UNANIMOUSLY.

7.2 REVISED PROJECT DESCRIPTION FOR THE PROPOSED SOUTH BEACH COLONY PROJECT. (0620-20 & 0640-05)

CITY MANAGER BROWN introduced the item and announced the number of homes was reduced from 223 to 208.

MIKE LABARRE, of DR Horton, gave a PowerPoint presentation on the revised South Beach Colony project description; he reviewed the revised site plan, revised elevation, he noted that

there was a reduction in units from 223 to 208, and a reduction in parking spaces from 858 to 754; he added that units were reoriented to the courtyards and the building edge steps back from the neighborhood.

ROBERT BRIANS spoke in opposition to the project.

PARMELA SAWHNEY, M.D. questioned options for relocation.

JOHN CARR spoke in opposition to the project.

TERESA IRISH, spoke in opposition to the project.

BRIAN JONES opposed the project (did not wish to speak).

CLAYTON HINKLE opposed the project (did not wish to speak).

COLETTE VELASCO-HINKLE opposed the project (did not wish to speak).

CLARE BUCKLEY indicated on speaker slips to have space for parks; she questioned if any open space or city park had been offered as a donation and if road improvement would be included as part of the project; she addressed the need to direct traffic to the north and having undergrounded parking; she expressed the need for the project to be larger and to have more businesses and less residences (did not wish to speak).

DODY GOODMAN opposed the project (did not wish to speak).

ANDREA MARTIN opposed the project (did not wish to speak).

DAVE & JOANNE NORDEN opposed the project (did not wish to speak).

LORI HOTTEL opposed the project (did not wish to speak).

DEBBI VALENTINI opposed the project and commented the project was too large and too expensive (did not wish to speak).

ALBERT KNECHT spoke in opposition to the project.

ALLEN WISELEY spoke in opposition to the project.

BOB LOKEY, owner of Priced Rite Pets, requested a meeting with owners; expressed concern about his lease expiring before the project begins; and proposed an agreement between the City, business owners, and the developer.

ELAINE GOODWIN opposed the project (did not wish to speak).

PAUL AILLET opposed the project (did not wish to speak).

NANCY STONE opposed the project (did not wish to speak).

ROBERT MILLER supported the project (did not wish to speak).

MAYOR ROSE stated that the City Council and the developer are listening to the public, and changes have been made to the plans as a result of public input; she thanked the public for attending workshops and raising concerns; she added that without involvement, the developers would not have known to make changes, such as closing the alley at 8th Street and Delaware Street.

Council discussion ensued regarding the need to have discussions with current business owners, including Dr. Sawhney and Mr. Lokey; Council's appreciation of the public's input; zoning and how the project is allowed with the current zoning; readiness to move forward with the necessary environmental documents; and the developer's willingness and understanding to work with the community.

MOTION BY ROSE, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. R-06-100 SUPPORTING THE REVISED PROJECT DESCRIPTION. MOTION CARRIED UNANIMOUSLY.

MAYOR ROSE called a recess at 8:30 p.m. and called the meeting to order at 9:00 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

PUBLIC HEARINGS (6.1)

6.1 SAND AND SEA CAPITAL INC., (PROPERTY OWNER/APPLICANT); VARIANCE (VAR 06-0361) TO WAIVE AN ON-SITE PARKING SPACE AND REPLACE IT WITH A REQUIRED TRASH ENCLOSURE AT 1365 SEACOAST DRIVE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 744. (0600-20)

COUNCILMEMBER MCLEAN announced he had a potential conflict of interest on the item and left Council Chambers at 9:01 p.m.

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE introduced Tyler Foltz, assistant City Planner.

ASSISTANT CITY PLANNER FOLTZ gave a PowerPoint presentation on the item.

In response to Council's concern about the location for the trash enclosure, ALIA KANANI, of Sand and Sea Capital Inc., stated that because some of the units have been sold, the recommended space was the best alternative to the other remaining available spaces.

CITY CLERK HALD announced no speaker slips were submitted.

MOTION BY ROSE, SECOND BY WINTER, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION BY ROSE, SECOND BY WINTER, TO ADOPT RESOLUTION NO. 2006-6312, APPROVING VARIANCE (VAR 06-0361) WHICH WILL REPLACE AN EXISTING PARKING SPACE, REDUCING PARKING FROM 15 TO 14 SPACES FOR 14 CONDOMINIUM UNITS, WITH A REQUIRED TRASH ENCLOSURE AT 1365 SEACOAST DRIVE IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE, WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

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

COUNCILMEMBER MCLEAN returned to Council Chambers at 9:12 p.m.

REPORTS (7.3 - 7.7)

7.3 TIMELINE TO IMPLEMENT LONG-TERM FISCAL SUSTAINABILITY ACTIONS TO BALANCE CITY BUDGET. (0300-30)

CITY MANAGER BROWN introduced the item and reviewed the timeline.

Council discussion ensued regarding undesignated fund balances, staffing levels, departmental budgets, and the general fund.

CITY MANAGER BROWN stated that staff would bring forward an overview of all funds at the next workshop to be held in June.

MAYOR ROSE requested staff look at full cost recovery.

7.4 GENERAL PLAN UPDATE/COMMERCIAL ZONING REVIEW. (0620-95)

CITY MANAGER BROWN introduced the item and announced a General Plan/Local Coastal Program Update: Commercial Zones Analysis was provided as last minute agenda information.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item; he discussed various options that Council could take regarding a general plan update and noted the financial concerns to complete the plans; he added the process would be lengthy.

Council discussion ensued regarding the general plan, the Bayside Master Plan, the Palm Avenue Master Plan, the Big Picture, and community needs.

ALLEN WISELEY questioned the process and where the zoning changes would take place.

LOUANN NOURSE expressed concern about the general plan update and requested community input and more workshops.

Council discussion ensued regarding the need for community input.

BRIAN JONES expressed concern about the ratio of commercial and residential in the C1 zone, noting that loss of commercial property is detrimental; he requested that staff address the commercial to residential ratio before amending the Master Plan.

Council discussion ensued regarding the need for viable commercial space, placing a moratorium on stores such as 99 cent stores and liquor stores, the immediate need to address the C-2 and C-3 zones, and the possibility of involving a stakeholder group in the process.

CITY MANAGER BROWN stated that staff would return with information that would promote marketable and useful retail space in the C-2 and C-3 zones; he added that staff would proceed with the Master Plans for both Palm Ave. and Bayside, and come back with an outline.

COMMUNITY DEVELOPMENT WADE stated that he would return to Council with information in response to Council's concerns presented tonight.

MOTION BY ROSE, SECOND BY MCCOY, TO CONTINUE ITEM NOS. 7.5 – ADOPT RESOLUTION NO. 2006-6313 AMENDING FY 05-07 BUDGET TO FUND MISCELLANEOUS UNANTICIPATED EXPENDITURES, 7.6 – PROGRESS REPORT REGARDING SEACOAST INN REDEVELOPMENT, 7.7 – SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS AND 2.3 –COMMUNITY GRANTS PROGRAM CHANGE TO GUIDELINES TO THE REGULAR MEETING OF MAY 1, 2006. MOTION CARRIED UNANIMOUSLY.

REPORTS OF MAYOR AND COUNCILMEMBERS

COUNCILMEMBER WINTER reported on the Metro Wastewater JPA Workshop and stated the main discussion was regarding the possibility of a joint governance between the JPA and the City of San Diego.

MAYOR ROSE reported on the SAFE Board meeting where they discussed mobile call boxes.

The meeting adjourned at 11:11 p.m.

Diane Rose, Mayor

Attest:
Jacqueline M. Hald, CMC
City Clerk