

**MINUTES**

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

**JUNE 6, 2012  
Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:30 p.m.  
REGULAR MEETING – 6:00 p.m.***

**CLOSED SESSION CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:32 p.m.

**ROLL CALL BY CITY CLERK**

Councilmembers present: King, Bragg  
Councilmembers absent: Bilbray  
Mayor present: Janney  
Mayor Pro Tem present: Spriggs  
Staff present: City Manager Brown, City Attorney Lyon, City Clerk Hald

**CLOSED SESSION**

**MOTION BY SPRIGGS, SECOND BY KING, TO ADJOURN TO CLOSED SESSION UNDER:**

- 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (8 CASES)**  
Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b)(3)(A)
- 2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (8 CASES)**  
Initiation of litigation pursuant to Govt. Code Section 54956.9(c)

**MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: BILBRAY**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:33 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON announced City Council discussed Item Nos. 1 and 2, gave direction and no reportable action was taken.

**REGULAR MEETING CALL TO ORDER**

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

**ROLL CALL BY CITY CLERK**

Councilmembers present: Bilbray (arrived at 6:08 p.m.), King, Bragg  
Councilmembers absent: None  
Mayor present: Janney  
Mayor Pro Tem present: Spriggs  
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 SPRIGGS, TO TAKE ITEM NO. 6.1 AFTER ITEM NO. 1.1.**

**MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: KING, BRAGG, SPRIGGS, JANNEY**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

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

MAYOR JANNEY announced Habitat for Humanity began a project today to build four new homes on Florida Street. Approximately five hundred members of the Home Depot Foundation helped frame the four homes as well as repair, paint and landscape up to 18 other homes in the area.

COUNCILMEMBER BRAGG reported the MTS Board approved up to \$6 million for annual service improvements.

**COMMUNICATIONS FROM CITY STAFF**

CITY MANAGER BROWN announced the Fire Department will be providing CPR lessons at Pier Plaza tomorrow and he distributed information on the event.

**PUBLIC COMMENT**

LORENZO HIGLEY, Director of Program Services for Communities Against Substance Abuse, was in attendance in honor of World No Tobacco Day, which is an annual holiday supported by the World Health Organization as part of their Tobacco Free Initiative. He provided City Council with information on the event.

JAMIE EDMONDS, representing San Diego Energy District Foundation, invited City Council to attend a Community Choice Aggregation (CCA) event to learn about increasing access to renewable energy.

LANE SHARMAN, Co-Founder of the San Diego Energy District Foundation, gave a brief background on CCAs and encouraged City Council and staff to attend the event.

JUNE ENGEL announced the San Diego County Library was ranked number 1 in the nation by Library Journal magazine and Gale.

MAYOR JANNEY announced that he would allow John Roche to speak on Item No. 6.5 as he has a scheduling conflict and will not be able to stay.

JOHN ROCHE, read and submitted a letter to the City Council regarding the history of the maintenance of unpaved alley ways. He stated that there is the possibility of decreased property values when adjacent to unimproved alleys and he spoke in support for allowing property owners to maintain alleyways to a certain standard.

**PRESENTATIONS (1.1)**

**1.1\* PRESENTATION ON PORT DISTRICT ACTIVITIES FROM PORT COMMISSIONER MALCOLM. (0150-70)**

PORT COMMISSIONER MALCOLM reported that the Port District will be considering and approving a budget that will be operationally in deficit for FY 2012-2013. He noted that the Port District does not have a statutory requirement to pass a balanced budget, that passing an unbalanced budget is a policy decision of the Board of Port Commissioners and he explained the Port's financial situation. He also reported that the major maintenance budget for 2014 through 2018 has been reduced to \$6 million and that the Commissioners will be reviewing the process by which Port staff reviews and prioritizes the list of projects. He also reported on the Imperial Beach Sand Replenishment Project and gave an update on Pond 20. He also spoke about Congressman Brian Bilbray's efforts to sponsor a bill to suspend the Jones Act which requires cruise ships to make a foreign port of call, costing cruise lines time and money.

**REPORTS (6.1)**

**6.1 UPDATE ON THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) REGIONAL BEACH SAND PROJECT II. (0140-40)**

COMMUNITY DEVELOPMENT DIRECTOR WADE introduced the item.

SHELBY TUCKER, Associate General Counsel, gave a Power Point presentation on the item and provided a sample of the sand from the MB-1 site.

**CONSENT CALENDAR (2.1-2.4)**

MAYOR PRO TEM SPRIGGS pulled Item No. 2.4 for discussion at the end of the agenda.

**MOTION BY BILBRAY, SECOND BY, KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.3. MOTION CARRIED UNANIMOUSLY.**

**2.1 MINUTES.**

Approved the minutes of the Regular Meeting of March 7, 2012.

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

Ratified the following registers: Accounts Payable Numbers 80493 through 80616 with a subtotal amount of \$1,104,772.32 and Payroll Checks 44622 through 44671 for a subtotal amount of \$290,821.68 for a total amount of \$1,395,594.00.

**2.3 AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENTS TO THE AGREEMENTS BETWEEN THE CITY OF IMPERIAL BEACH AND THE SAN DIEGO UNIFIED PORT DISTRICT FOR PUBLIC SAFETY AND TIDELANDS MAINTENANCE SERVICES. (0150-70)**

Adopted resolution.

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

None.

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

None.

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. 2012-7203 AMENDING USER AND RENTAL FEES FOR THE IMPERIAL BEACH SPORTS PARK RECREATION CENTER. (0920-40 & 0390-60)**

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

HUMAN RESOURCES MANAGER LEICHTLE, announced that the fees relating to skate park and league ballpark fees were included on the master fee list in error and recommended removing them from the list. She announced that staff received a letter in opposition to the adoption of skate park fees.

RECREATION PROGRAM COORDINATOR COATES, , announced the list of fees was previously presented to City Council and that the following correction should be made to the fees for rental of picnic tables:

Resident – 3 Tables	\$30.00
Non-Resident – 3 Tables	\$50.00
Senior – 3 Tables	\$10.00
Resident – 4 Tables	\$40.00
Non-Resident – 4 Tables	\$70.00
Senior – 4 Tables	\$15.00
Security/Cleaning Deposit	\$75.00 (refundable)

TIM ONEAL indicated opposition to any fees for the Skate Park (he did not speak).

MAYOR JANNEY closed the public hearing.

**MOTION BY SPRIGGS, SECOND BY KING, TO ADOPT RESOLUTION NO. 2012-7203 AMENDING FEES FOR THE IMPERIAL BEACH SPORTS PARK RECREATION CENTER. MOTION CARRIED UNANIMOUSLY.**

**REPORTS (6.2-6.5)**

**6.2 AMENDING THE FISCAL YEAR 2012-2013 BUDGET. (0330-30)**

CITY MANAGER BROWN introduced the item.

FINANCE DIRECTOR MCGRANE gave a Power Point presentation on the item. He gave a budget update report, reviewed the measures to close the State induced imbalance and reported on the five-year General Fund projection as listed on the staff report.

In response to City Council's concerns about the potential elimination of the fireworks funding for 4<sup>th</sup> of July, staff will research sales tax data and contact the Port or main sponsor for an economic impact analysis.

CITY MANAGER BROWN noted that the proposed budget includes an additional position under the Sewer Fund.

MAYOR PRO TEM SPRIGGS spoke about his wanting a strategy to promote development of vacant lots in accordance with the zoning plan and the need for a strategy to increase property tax and sales tax as a source of revenues.

COUNCILMEMBER KING spoke in support for a broad strategy to increase taxes and he suggested the pursuit of sustainable energy and innovative ideas to be a model community.

MAYOR JANNEY stated that it will take the whole community, including the schools, transportation, and the Port, to make Imperial Beach a desirable place to live and not just the City Council. He also spoke about the ongoing difficulties with trying to get developers to build in Imperial Beach which is partly due to the inability to sustain businesses.

MAYOR PRO TEM SPRIGGS spoke in support for developing a growth plan (or at least a plan to get one) in the short term.

COUNCILMEMBER BRAGG suggested staff contact the City of Carlsbad who recently completed a plan for their downtown village.

MAYOR PRO TEM SPRIGGS suggested staff return to City Council with options on how the City can develop a strategy to increase revenues.

**6.3 RESOLUTION NO. 2012-7202 APPROVING AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF IMPERIAL BEACH AND BDS ENGINEERING, INC. FOR CITY ENGINEER SERVICES DATED DECEMBER 16, 2009 ON SPECIFIC PROJECTS. (0700-05)**

CITY MANAGER BROWN reported on the item.

**MOTION KING, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2012-7202 APPROVING AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF IMPERIAL BEACH AND BDS ENGINEERING, INC. FOR CITY ENGINEER SERVICES DATED DECEMBER 16, 2009 ON SPECIFIC PROJECTS. MOTION CARRIED UNANIMOUSLY.**

**6.4 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 5 - 7, 2012. (0140-10)**

MAYOR JANNEY nominated Councilmember Bragg as the voting delegate.

**MOTION BY KING, SECOND BY BILBRAY, TO DESIGNATE COUNCILMEMBER BRAGG AS THE VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 5 - 7, 2012. MOTION CARRIED UNANIMOUSLY.**

**6.5 REPORT TO CITY COUNCIL ON UNIMPROVED ALLEYS. (0720-08)**

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a Power Point presentation on the item and reviewed options for permanent and temporary alleys.

