

## MINUTES

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

**AUGUST 6, 2014**

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

***REGULAR & CLOSED SESSION MEETINGS – 6:00 P.M.***

### **REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the City Council meeting to order at 6:00 p.m.

### **ROLL CALL BY CITY CLERK**

Councilmembers present:	Bilbray, Spriggs, Bragg
Councilmembers absent:	None
Mayor Present:	Janney
Mayor Pro Tem Present:	Patton
Staff Present:	City Manager Hall, City Attorney Lyon, City Clerk Hald, Environmental Program Manager Helmer, Public Works Director Levien, Assistant City Manager Wade

### **PLEDGE OF ALLEGIANCE**

LCDR JODY YOUNG, U.S. Navy, led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

COUNCILMEMBER BRAGG suggested pulling Item No. 2.3 from the Consent Calendar to give an update report on the item.

CITY MANAGER HALL recommended suspension of the Closed Session item to a future date yet to be determined.

MAYOR JANNEY announced Item No. 5.1 will be presented at a future City Council meeting.

COUNCILMEMBER SPRIGGS requested Item No. 2.6 be pulled for discussion because it may be of public interest since it has to do with testing of beach water.

**MOTION BY JANNEY, SECOND BY PATTON, TO PULL CONSENT CALENDAR ITEM NOS. 2.3 AND 2.6 FOR DISCUSSION AT THE END OF THE AGENDA AND MOVE THE CLOSED SESSION ITEM AND ITEM NO. 5.1 TO A FUTURE CITY COUNCIL MEETING AGENDA. MOTION CARRIED UNANIMOUSLY.**

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

COUNCILMEMBER SPRIGGS reported on the recent meeting of the International Boundary and Water Commission Citizen's Forum meeting where they discussed the status of the Treaty Minute that provides for binational cooperation to clean up the Tijuana River Basin. The discussions are ongoing and the Citizen's Forum is in the process of commenting on the Treaty Minute.

MAYOR PRO TEM PATTON expressed his thanks to the volunteers, City staff and members of the Sheriff's Dept. who helped make the Sun and Sea Festival a success.

MAYOR JANNEY announced that the Navy is hosting a public meeting on August 13, 2014 for the Draft Environmental Impact Statement (EIS) for the Naval Base Coronado Coastal Campus at 5:00 p.m. in the Marina Vista Center.

### **COMMUNICATIONS FROM CITY STAFF**

CITY MANAGER HALL announced that there are a couple of employment opportunities listed on the City's website and the City is accepting applications for the Parks and Recreation Committee.

COUNCILMEMBER SPRIGGS suggested a formal recognition of the citizens who took a leadership role in bringing back the Sun and Sea Festival and the 4<sup>th</sup> of July Fireworks Event.

### **PUBLIC COMMENT**

CITY CLERK HALD announced that no speaker slips were submitted.

### **PRESENTATIONS (1)**

None.

### **CONSENT CALENDAR (2.1, 2.2, 2.4 & 2.5)**

**MOTION BY PATTON, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.2, 2.4 AND 2.5. MOTION CARRIED UNANIMOUSLY.**

#### **2.1 MINUTES.**

Approved the Regular Meeting minutes of the June 4, 2014 City Council meeting.

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

Ratified the following registers: Accounts Payable Numbers 84895 through 85061 (84966 voided) with a subtotal amount of \$1,305,014.54 and Payroll Checks/Direct Deposits 46037 through 46072 for a subtotal amount of \$180,727.16 for a total amount of \$1,485,741.70.

#### **2.4 SECOND READING AND ADOPTION OF ORDINANCE NO. 2014-1146 (ZONING IMPLEMENTATION OF THE 2013-2021 IMPERIAL BEACH HOUSING ELEMENT) GPA 100060/ MF 1060. (0610-95)**

Waived further reading and adopted Ordinance No. 2014-1146.

#### **2.5 RESOLUTION NO. 2014-7507 AUTHORIZING THE PURCHASE OF A REPLACEMENT CITY VEHICLE (EQUIPMENT #624 – PARKS/FACILITIES DIVISION DODGE RAM TRUCK) AND APPROPRIATING \$28,000 FROM THE VEHICLE REPLACEMENT INTERNAL SERVICES FUND FOR THIS PURCHASE. (0380-10)**

1. Received report and
2. Adopted resolution.

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

None.

### **PUBLIC HEARINGS (4)**

None.

**REPORTS (5.1 - 5.5)**

**5.1 PROPOSED BSA EAGLE PROJECT PRESENTATION – OCHOA**

This item was removed from the agenda by prior City Council Action.

MAYOR JANNEY recommended taking Item No. 5.3 at this time because Eagle Scout Candidate Ryan Engelbrecht was running late.

**5.3 NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH AIRPORT LAND USE COMPATIBILITY PLAN (NOLF-IB ALUCP) GPA 140038/ MF 1158. (0620-80)**

CITY MANAGER HALL introduced the item.

ED GOWENS, Senior Airport Planner with the San Diego County Airport Authority, gave a PowerPoint on the presentation on the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY stated that although the plan states that 40 homes are affected, this amount is not realistic.

With regard to the public workshop held in January, MR. GOWENS, stated that there were only questions by the public and there were no comments in terms of the content of the plan.

COUNCILMEMBER SPRIGGS stressed the importance of fairly and accurately portraying what the impacts are and what the community has to live with so that when there are plans for expansion, there is an adequate baseline of understanding in order to accurately assess any subsequent impacts.

In response to Councilmember Spriggs' question about the major changes or impacts compared to the previous AICUZ study that was completed in 1989, MR. GOWENS stated the noise contours have been reduced from what they were in 1989.

LCDR JODY YOUNG, U.S. Navy, added that the biggest change is the type of aircraft. When the fixed wing aircrafts were used, the noise margin was much greater than the helicopters. With regard to filing noise complaints, he stressed the importance of providing detailed and accurate information.

COUNCILMEMBER BRAGG commented that based on what appeared on the PowerPoint slide about complaints, it appeared that complaints are coming from all around the City and not the 40 homes directly located next to NOLF.

**5.2 PROPOSED BSA EAGLE PROJECT PRESENTATION – ENGELBRECHT. (0910-10 & 0940-10)**

PUBLIC WORKS DIRECTOR LEVIEN introduced the item.

BSA EAGLE SCOUT CANDIDATE RYAN ENGELBRECHT gave a PowerPoint presentation on his project which is to landscape the east entrance between the Sheriff's Station and City Hall.

In response to questions of City Council, PUBLIC WORKS DIRECTOR LEVIEN spoke about the irrigation system that will be installed and the drought tolerant landscaping that will be planted.

**CONCURRENCE OF CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO SIGN THE EAGLE PROJECT PLAN FOR RYAN ENGELBRECHT TO CONTINUE THE PROJECT DEVELOPMENT AND CONSTRUCTION AS APPROVED BY CITY COUNCIL AND CITY STAFF.**

**5.4 REPORT ON STORM WATER PERMIT ORDER R9-2013-0001 AND DEVELOPMENT OF WATER QUALITY IMPROVEMENT PLANS. (0230-70)**

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item. He spoke about the new storm water approach and requirements and the challenges that will be encountered. He noted that in the future, the anticipated changes are office alternative compliance (WMAA) and a statewide trash policy. In response to questions of City Council, he stated that the most onerous BMPs would apply to priority development projects which are about one acre in size. He also spoke about conducting an evaluation of the street sweeping program and the educational outreach component. He expressed concern with the higher costs associated with monitoring at the watershed level versus a regional level.

**5.5 CITY COUNCIL BRIEFING NO. 3 – PALM AVENUE MIXED USE & COMMERCIAL CORRIDOR MASTER PLAN AND POTENTIAL STATE ROUTE 75 (PALM AVENUE) RELINQUISHMENT ANALYSIS DISCUSSION. (0150-30, 0480-80 & 0600-20)**

ASSISTANT CITY MANAGER WADE reported on the item.

MAYOR PRO TEM PATTON expressed concerns about the unknowns such as catastrophic events. He also expressed concern about the Navy Coastal Campus increasing impacts to Palm Ave. He suggested that there be a trial period to see the effects of a reduction down to two lanes.

ASSISTANT CITY MANAGER WADE explained that the number of lanes is not being reduced. The way the 3 lanes move in each direction will be altered in a two block area, between 9<sup>th</sup> Street and Florida Ave. As part of the traffic analysis, there will be a simulation model that will visually and effectively show the traffic. The simulation can include traffic during peak hours and show traffic impacts by other projects.

COUNCILMEMBER SPRIGGS questioned if after evaluating all of the constraints that would make the original concepts unachievable, would it be worth spending the grant, the City's investment, and opportunity costs.

MAYOR JANNEY spoke about the possibility of the State of California doing away with local/state highways to save money in their transportation budget.

ASSISTANT CITY MANAGER WADE reviewed the current project schedule. He noted that in the Executive Summary for the Coastal Campus, it says that there was coordination with SANDAG and SANDAG has incorporated these projects into their traffic models.

MAYOR JANNEY expressed concern about SANDAG and Caltrans not notifying the City of Imperial Beach about incorporating projects such as the Coastal Campus in their traffic models. He also expressed concern about the EIS on the Coastal Campus and the interface it has with Highway 75 and Palm Ave. and noted that he will personally find out what SANDAG studied in that location. He spoke in support for moving forward with the grant but expressed concern about the potential effects by the Coastal Campus. He also stated that the traffic problems at Palm Ave. and Saturn Blvd. need to be fixed.

COUNCILMEMBER BILBRAY expressed concern about the impacts the proposed housing development at the former Marion High School site will have on traffic.

COUNCILMEMBER SPRIGGS stated that there are many factors that are becoming visible that may not have been adequately factored in when receiving the grant. He stressed the need to be aligned with the City of San Diego and he expressed concern that the original plan has been taken over by events. He spoke about having SANDAG extend the time period to allow for phasing with the other developments, to get a better understanding of what their impacts are going to be and to coordinate with the City of San Diego. He suggested that SANDAG be the facilitator and he stressed the need to ensure that the area is designed as an integrated corridor.

MAYOR JANNEY commented that Councilmember Alvarez with the City of San Diego will be included in the meeting with SANDAG and Caltrans. He also stated that the information San Diego used to apply for the grant came from Imperial Beach Staff and is basically the same information as Imperial Beach's. He spoke about the need to find out what the Navy is doing with the Coastal Campus as it not only affects Palm Ave., but also other parts of Imperial Beach.

ASSISTANT CITY MANAGER WADE stated that even if the City proceeds with the project as currently designed, the City will still have to evaluate the impacts as a result of that operation. The City may need to evaluate an alternative solution that would effectuate the City's goals but also allow for traffic circulation that would be suitable for now and in the future. He spoke in support for continuing with the design process and to have Caltrans continue accessing the right of way. He noted that City Staff has coordinated with the Navy, they were advised of the project, they have been asked about their large vehicles, their transport requirements, their vehicle width requirements and at no point has the Navy said that the plan doesn't work for them.

COUNCILMEMBER BRAGG stated that the City has come so far and she would hate to see the plan abandoned. She spoke about the needs to proceed with the project.

MAYOR PRO TEM PATTON spoke in support for a backup plan and stressed the importance of doing the project right.

ASSISTANT CITY MANAGER WADE requested City Council's consideration of Staff's recommendation with the caveat that Staff will look at potential alternatives to the plan.

**MOTION BY JANNEY, SECOND BY BRAGG, TO AUTHORIZE STAFF AND ITS CONSULTANT TEAM TO PROCEED WITH THE PROJECT AND THE DESIGN OF THE MASTER PLAN AS CURRENTLY PROPOSED, AUTHORIZE STAFF TO PROVIDE A WRITTEN REQUEST TO CALTRANS TO PROCEED WITH THE NEXT PHASE OF THE RELINQUISHMENT ASSESSMENT PROCESS INCLUDING PREPARATION OF A PROJECT SCOPE SUMMARY REPORT (PSSR) AND DIRECT STAFF TO LOOK AT POTENTIAL ALTERNATIVES TO THE PLAN.**

Discussion:

COUNCILMEMBER SPRIGGS stated that he envisioned a fundamental incompatibility here that needs to be reconciled between this being a thoroughfare for the benefit of the North Island commuters and for it being a neighborhood street for Imperial Beach. He commented on how

challenging the situation is and he spoke of the need to determine if there is enough common ground for the project to be worth the money and effort in the end.

**VOTES WERE NOW CAST ON ORIGINAL MOTION BY JANNEY, SECOND BY BRAGG, TO AUTHORIZE STAFF AND ITS CONSULTANT TEAM TO PROCEED WITH THE PROJECT AND THE DESIGN OF THE MASTER PLAN AS CURRENTLY PROPOSED, AUTHORIZE STAFF TO PROVIDE A WRITTEN REQUEST TO CALTRANS TO PROCEED WITH THE NEXT PHASE OF THE RELINQUISHMENT ASSESSMENT PROCESS INCLUDING PREPARATION OF A PROJECT SCOPE SUMMARY REPORT (PSSR) AND DIRECT STAFF TO LOOK AT POTENTIAL ALTERNATIVES TO THE PLAN. MOTION CARRIED UNANIMOUSLY.**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6.1)**

- 6.1 ADOPTION OF SUCCESSOR AGENCY RESOLUTION NO. SA-14-43 AND CITY COUNCIL RESOLUTION NO. 2014-7510 APPROVING AND RECOMMENDING TO THE OVERSIGHT BOARD APPROVAL OF AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH AS AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED ACTIONS. (0418-50)**

ASSISTANT CITY MANAGER WADE reported on the item and he responded to questions regarding projects listed in the bond documents.

**MOTION BY BILBRAY, SECOND BY SPRIGGS, TO ADOPT SUCCESSOR AGENCY RESOLUTION NO. SA-14-43 APPROVING AND RECOMMENDING TO THE OVERSIGHT BOARD APPROVAL OF THE AGREEMENT AS AN ENFORCEABLE OBLIGATION AND APPROVING RELATED ACTIONS. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2014-7510 APPROVING THE AGREEMENT AND RELATED ACTIONS. MOTION CARRIED UNANIMOUSLY.**

**ITEMS PULLED FROM THE CONSENT CALENDAR (2.3 & 2.6)**

- 2.3 RESOLUTION NO. 2014-7508 APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIXTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH (CITY). (0680-70 & 680-85)**

MAYOR PRO TEM PATTON left the Council Chambers at 8:04 p.m.

COUNCILMEMBER BRAGG gave an update report on the item. She noted that while the City of San Diego and MTS worked out their issues, the smaller cities banded together on some of the content of the agreement, making it better for Imperial Beach.

**MOTION BY BILBRAY, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2014-7508 APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIXTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH (CITY). MOTION CARRIED BY THE FOLLOWING VOTE:**

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

**2.6 LETTER OF SUPPORT FOR A LEGISLATIVE INITIATIVE FOR RAPID WATER QUALITY TESTING (SB 1395 BLOCK). (0460-20)**

COUNCILMEMBER SPRIGGS stated that he pulled the item because it involves water safety testing and questioned whether the proposed quicker alternative is as accurate and safe as the current system.

ENVIRONMENTAL PROGRAM MANAGER HELMER reported on the item and stated that the legislation authorizes the use of a testing method approved by the EPA. The proposed method has molecular based sampling. In contrast, the current method is culture based sampling. The EPA method is appropriate if the County of San Diego Department of Environmental Health can demonstrate through efficient studies that it is equivalent or better at protecting public health than the existing method.

MAYOR PRO TEM PATTON returned to the Council Chambers at 8:08 p.m.

**MOTION BY SPRIGGS, SECOND BY BILBRAY TO APPROVE A LETTER OF SUPPORT FOR SENATE BILL 1395, AUTHORED BY SENATOR MARTY BLOCK AND RELATED TO RAPID WATER QUALITY TESTING. MOTION CARRIED UNANIMOUSLY.**

**CLOSED SESSION (1)**

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957  
Title: City Manager

The Closed Session Item was moved to a future City Council meeting by prior City Council action.

**ADJOURN REGULAR MEETING**

MAYOR JANNEY adjourned the meeting at 8:11 p.m.

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/s/  
James C. Janney, Mayor

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/s/  
Jacqueline M. Hald, MMC  
City Clerk