

## MINUTES

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

**OCTOBER 1, 2014**

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

**REGULAR MEETING – 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, Public Works Director Levien, Administrative Services Director Bradley

### **PLEDGE OF ALLEGIANCE**

Imperial Beach Boy Scout Troop 866 led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

COUNCILMEMBER SPRIGGS requested a discussion on Consent Calendar Item Nos. 2.2, 2.3 and 2.4.

**MOTION BY BRAGG, SECOND BY SPRIGGS, TO PULL ITEM NOS. 2.2, 2.3, AND 2.4 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED UNANIMOUSLY.**

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

COUNCILMEMBER BRAGG reported on her attendance at the Chamber of Commerce meeting where Brian Barreto of California American Water was the speaker and provided helpful information to the community. She requested a similar presentation to the City and asked that the information be placed on the City's website. She also spoke about her attendance at the South County Economic Development Council's Elected Officials Reception and she announced that October is Breast Cancer Awareness Month.

COUNCILMEMBER SPRIGGS reported on some of the workshops he attended while at the League of California Cities Annual Conference in September. City Manager Hall also attended the conference.

MAYOR PRO TEM PATTON reported on his attendance at various events that took place in Imperial Beach over the weekend.

MAYOR JANNEY reported on his attendance at the South County Economic Development Council's Elected Officials Reception. He announced that the SANDAG Board will hold their meeting in San Ysidro next Friday to discuss the 3<sup>rd</sup> Border Crossing. He recognized Public Safety Director Clark and the Chamber of Commerce for their efforts on the Endless Summer Classic Car Show and he spoke about the surfing contest which is a classic Imperial Beach event.

### **COMMUNICATIONS FROM CITY STAFF**

None.

### **PUBLIC COMMENT**

ALEJANDRO GUTIERREZ expressed concern about drivers going over the speed limit on 14<sup>th</sup> Street and Holly Ave. He asked City Council to look into alleviating the problem.

MAYOR JANNEY referred the issue to City staff.

### **PRESENTATIONS (1.1)**

#### **1.1 FIRE PREVENTION WEEK – THEME: WORKING SMOKE ALARMS SAVE LIVES. (0250-65)**

ENGINEER PARAMEDIC MOE spoke about Fire Prevention Week and she invited everyone to the Fire Station Open House on October 18, 2014.

### **CONSENT CALENDAR (2.1 & 2.5)**

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

#### **2.1 MINUTES.**

Approved the Regular City Council Meeting Minutes of August 6, 2014.

#### **2.5 RESOLUTION NO. 2014-7518 – AWARDING A PROFESSIONAL SERVICES CONTRACT FOR STATE ROUTE 75 LANDSCAPE MAINTENANCE PROGRAM. (0940-10)**

1. Received report;
2. Adopted Resolution 2014-7518 awarding the State Route 75 Landscape Maintenance Program project to the proposer with the demonstrated competence and qualification for this service performed at a fair and reasonable price; and
3. Authorized the City Manager to approve a purchase order with Aztec Landscape, Inc. for the amount of the bid price.

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

None.

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

None.

**REPORTS (5.1-5.4)**

**5.1 APPOINTMENTS TO THE PARKS AND RECREATION COMMITTEE. (0120-80)**

MAYOR JANNEY made the following appointments:

- Ken Blinsman and Marc Stephenson with terms expiring on December 31, 2015;
- Robin Klosinski, Tim O'Neal and Lori Joan Stucki with terms expiring on December 31, 2016; and
- Marcy Aguilar (1<sup>st</sup> Alternate), Peter Salisbury (2<sup>nd</sup> Alternate), and Molly Goforth (3<sup>rd</sup> Alternate) with terms expiring December 31, 2015.

He encouraged the alternates to attend the committee meetings and noted that the alternates would be voting members if the primary members are unable to attend meetings.

MAYOR PRO TEM PATTON thanked the applicants for applying for the committee.

**MOTION BY PATTON, SECOND BY BILBRAY, TO APPROVE THE MAYOR'S APPOINTMENTS AS FOLLOWS:**

- **KEN BLINSMAN AND MARC STEPHENSON WITH TERMS EXPIRING ON DECEMBER 31, 2015;**
- **ROBIN KLOSINSKI, TIM O'NEAL AND LORI JOAN STUCKI WITH TERMS EXPIRING ON DECEMBER 31, 2016; AND**
- **MARCY AGUILAR (1<sup>ST</sup> ALTERNATE), PETER SALISBURY (2<sup>ND</sup> ALTERNATE), AND MOLLY GOFORTH (3<sup>RD</sup> ALTERNATE) WITH TERMS EXPIRING DECEMBER 31, 2015.**

**5.2 RESOLUTION 2014-7514 SUPPORTING THE SAN DIEGO PURE WATER PROGRAM AND SECONDARY EQUIVALENCY FOR POINT LOMA WASTEWATER TREATMENT PLANT. (0620-80)**

CITY MANAGER HALL introduced the item.

SCOTT TULLOCH, with the Metro Technical Advisory Committee, gave a background report and the current status and goals of the on the Point Loma Wastewater Treatment Plant Modified National Pollutant Discharge Elimination System (NPDES) Permit. He noted that there are two problems: the treatment plant is the last major one in the U.S. not to convert to secondary or to a higher level of treatment and there is a lack of diversified water supply for the region. He spoke about a solution that can solve the first problem yet provide more water supply for the region. It can be accomplished by offloading the flow to the plant by 100 mgd per day by building potable reuse plants upstream. This would result with the Point Loma plant having the equivalent of secondary level of treatment without having to spend the money to upgrade it.

BRIAN PHILLIP BILBRAY encouraged City Council to stand up for the rate payers and the environment. He stressed that the EIR states that the preferred environmental option is to have no project. He questioned how we can justify allowing the Federal government to force citizens to participate in spending money to do something that the assessment says would be detrimental to the environment. He stated that if you are going to commit to the alternatives, what is the environmental impact opposed to fighting for maintaining the operation which has no net negative impact to the environment.

In response to Mr. Bilbray, SCOTT TULLOCH stated that Scripps took the position that the ocean environment where the outfall discharges is a nutrient deficient area. What is being proposed is to have the mass emissions be equivalent to secondary. They are not proposing the biological oxygen demand be equivalent to secondary because it's not an issue in the large ocean environment. Scripps has always supported the idea that having the plant less than secondary is not a risk to the ocean environment. There is concern that they will end up in court with dueling experts. They are proposing ratepayer money be spent on providing a new large regional source of water that is controlled locally.

COUNCILMEMBER SPRIGGS stated that Scott Tulluch has been a wonderful advisor to the Metro Wastewater JPA. He reported on the history of the item and the discussions that have taken place as it relates to Imperial Beach and the South Bay. He noted that it has taken over a year to get the City of San Diego to accept the notion that there should be minimal or zero diversion of wastewater to the South Bay.

In response to questions of City Council, SCOTT TULLOCH stated that the potable water may go directly to a water treatment plant so it is possible that no water would go to the reservoirs. The potable reuse facilities are envisioned at the North City Reclamation Plant and the South Bay Reclamation Plant. The estimated cost for the new facilities is \$300 million less. This water gets cheaper and cheaper and more cost competitive over time.

MAYOR JANNEY noted that the City of Imperial Beach will benefit due to the terms negotiated with the City of San Diego (items A, B, C, D, and E of Section 1 of the proposed resolution) and he thanked City Manager Hall, Councilmember Spriggs and Environmental Program Manager Helmer for their efforts on the matter. He spoke in support of the resolution.

SCOTT TULLOCH noted that legislation is necessary to protect us from future lawsuits.

COUNCILMEMBER SPRIGGS stated that this is about water security in the long term at a reasonable cost. He commended the City of San Diego for taking into consideration Imperial Beach's interests and concerns.

MAYOR JANNEY suggested that the City Manager send a letter to the City of San Diego, thanking them for their cooperation in this matter.

**MOTION BY JANNEY, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2014-7514 SUPPORTING THE SAN DIEGO PURE WATER PROGRAM AND SECONDARY EQUIVALENCY FOR POINT LOMA WASTEWATER TREATMENT PLANT AND TO SEND A LETTER TO THE CITY OF SAN DIEGO THANKING THEM FOR THEIR COOPERATION. MOTION CARRIED UNANIMOUSLY.**

**5.3 RESOLUTION NO. 2014-7519 AWARDDING A CITY ENGINEER SERVICES CONTRACT TO NV5, INC. (0700-05)**

CITY MANAGER HALL reported on the item.

**MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION 2014-7519 AWARDDING A CITY ENGINEER SERVICES CONTRACT TO NV5, INC. MOTION CARRIED UNANIMOUSLY.**

**5.4 ASSIGN REDEVELOPMENT/SUCCESSOR AGENCY LOAN REPAYMENT AND EXCESS REDEVELOPMENT PROPERTY TAX TRUST FUND REVENUES TO THE STRATEGIC CAPITAL RESERVE. (0330-35 & 0418-50)**

MAYOR PRO TEM PATTON left the Council Chambers at 7:13 p.m. and returned at 7:15 p.m.

ADMINISTRATIVE SERVICES DIRECTOR BRADLEY reported on the item. He stated that the auditors completed their FY 2014 fieldwork in September and he expects the final audited financial statements in two weeks. He noted that the auditors were pleased with the progress the City has made in their financial governance.

CITY MANAGER HALL stated that when the next two year budget is prepared, staff will present specific projects that are anticipated with the strategic capital and other fund balances.

COUNCILMEMBER SPRIGGS spoke in support for a fund that will be used for investing into the community, especially if it has a match with private money. He noted that public/private cooperation can generate maximum benefits for the community. He spoke in support of the item.

COUNCILMEMBER BRAGG spoke in support of the item.

**MOTION BY BILBRAY, SECOND BY SPRIGGS, TO DIRECT STAFF TO ASSIGN \$1,585,588 OF ONE-TIME REVENUE TO THE FY2014 STRATEGIC CAPITAL RESERVE. MOTION CARRIED UNANIMOUSLY.**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)**

None.

**ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

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

COUNCILMEMBER SPRIGGS questioned the expenditure of \$350,000 for the Hotel Project Street End.

ADMINISTRATIVE SERVICES DIRECTOR BRADLEY stated that this item is related to the Pier South Hotel project. He explained that the reimbursement payment, which was based on an agreement, is for completion of public improvements at the Date Ave. street end.

**MOTION BY SPRIGGS, SECOND BY BILBRAY, TO RATIFY THE FOLLOWING REGISTERS: ACCOUNTS PAYABLE NUMBERS 85281 THROUGH 85380 WITH A SUBTOTAL AMOUNT OF \$546,440.95 AND PAYROLL CHECKS/DIRECT DEPOSITS 46165 THROUGH 46194 FOR A SUBTOTAL AMOUNT OF \$160,726.91 FOR A TOTAL AMOUNT OF \$707,167.86. MOTION CARRIED UNANIMOUSLY.**

**2.3 SECOND READING AND ADOPTION OF ORDINANCE NO. 2014-1147 OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 10.36.160 AND ADDING SECTION 10.36.161 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO PARKING REGULATIONS ON STREET-ENDS WEST OF SEACOAST DRIVE. (0920-95)**

COUNCILMEMBER SPRIGGS stated that people who live in the areas of Pier Plaza and elsewhere have expressed concern about the extended hours. There is concern that there can be boisterous activity at the street ends while people are still in bed. He suggested signage that encourages keeping the noise level down in the early and late hours and to have staff consider other possible solutions that can be considered at another time.

MAYOR JANNEY referred the concerns to City Manager Hall.

**MOTION BY BILBRAY, SECOND BY BRAGG, TO WAIVE THE READING IN FULL AND ADOPT ORDINANCE NO. 2014-1147. MOTION CARRIED UNANIMOUSLY.**

**2.4 RESOLUTION NO. 2014-7517 – CONFLICT OF INTEREST CODE UPDATE. (0420-30)**

In response to Councilmember Spriggs, CITY ATTORNEY LYON gave background on the Conflict of Interests Code and requirements pursuant to State Law.

City Council expressed a desire to have staff review the filing requirements, if any, of committee members and board members and to have the item brought back for City Council's consideration at their next meeting.

**ADJOURN REGULAR MEETING**

MAYOR JANNEY adjourned the regular meeting at 7:44 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
James C. Janney,  
Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
Jacqueline M. Hald, MMC  
City Clerk