

MINUTES

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

OCTOBER 3, 2012

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 Regular Meeting to order at 6:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present: King, Bilbray
Councilmembers absent: Bragg
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

None.

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

MAYOR JANNEY congratulated Public Works Director Levien and Staff for successfully obtaining an Active Transportation Grant from SANDAG for the Eco Bikeway project along Palm Ave.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN introduced Kathleen VonAchen, the City's new Finance Director.

PUBLIC COMMENT

MARCUS BOYD, with the Yes on S Campaign, spoke in support for safe access to medical marijuana.

EUGENE DAVIDOVICH, with the Yes on S Campaign, spoke in support for voting Yes on Proposition S.

HOLLY HELLERSTEDT spoke in support for access to medical marijuana.

KATHLEEN MACKAY spoke about her negative experience with a marijuana dispensary that was located above her place of employment and spoke in opposition to marijuana dispensaries.

VEY LINVILLE spoke in support for Proposition S.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.4)

A revision to page 2 of the September 19, 2012 Minutes was submitted as last minute agenda information.

MOTION BY BILBRAY, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.4. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, KING, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BRAGG

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of August 1, 2012 and the revised Minutes of the Regular City Council Meeting of September 19, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 81187 through 81267 with a subtotal amount of \$1,222,413.22 and Payroll Checks/Direct Deposit 44865 through 44886 for a subtotal amount of \$152,743.81 for a total amount of \$1,375,157.03.

2.3 RESOLUTION NO. 2012-7253 AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH CONSOLIDATING THIRTEEN STREET END LEASE AGREEMENTS AND ADDING TWO ADDITIONAL STREET ENDS (CORTEZ AVENUE AND BEACH AVENUE) INTO ONE AGREEMENT. (0150-70 & 0720-10)

Adopted resolution.

2.4 RESOLUTION NO. 2012-7254 RATIFYING THE SIGNATURE OF THE CITY MANAGER ON THE PURCHASE ORDERS FOR EQUIPMENT RELATED TO THE 2009 ASSISTANCE TO FIREFIGHTERS GRANT FOR RESCUE EQUIPMENT. (0250-05 & 0390-88)

Adopted resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION/PUBLIC HEARING (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1)

6.1 RESOLUTION NO. 2012-7252 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2011/2012 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2012/2013. (0465-20)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER WADE reported on the item.

PAT HUTCHINS, President of the BID, explained that there is left over money from the previous year as projects take time to plan and complete. She also added that they were waiting for the approval of the budget to purchase a holiday banner.

MAYOR JANNEY asked staff to bring back a copy of the agreement between the City and the BID and the State law governing Business Improvement Districts.

In response to Ms. Hutchins' concern about whether or not the banner can be ordered in time for this year's holiday season, CITY ATTORNEY LYON recommended an amendment to Section 3 of the resolution allowing for the purchase of the holiday banner with reserve and carry-over funds from 2011-2012.

MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT AMENDED RESOLUTION NO. 2012-7252 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2011/2012 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2012/2013. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, KING, SPRIGGS, JANNEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BRAGG

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS/CITY COUNCIL (7.1)

7.1 CITY COUNCIL ADOPTION OF RESOLUTION NO. 2012-7255 AND SUCCESSOR AGENCY ADOPTION OF RESOLUTION NO. SA-12-16 (I) ACKNOWLEDGING AND REAFFIRMING THE SUCCESSOR AGENCY'S RIGHTS AND OBLIGATIONS SET FORTH IN THE DISPOSITION AND DEVELOPMENT AGREEMENT DATED DECEMBER 16, 2010 ("DDA") AND ENTERED INTO BY AND BETWEEN IMPERIAL COAST, L.P. AND THE IMPERIAL BEACH REDEVELOPMENT AGENCY AND ALL DOCUMENTS EXECUTED BY THE REDEVELOPMENT AGENCY PURSUANT TO THE DDA AND (II) APPROVING, AUTHORIZING, AND DIRECTING THE CITY'S TRANSFER TO THE SUCCESSOR AGENCY AND THE SUCCESSOR AGENCY'S ACCEPTANCE OF ALL OF THE CITY'S OWNERSHIP INTEREST IN THE REAL PROPERTY LOCATED AT 800 SEACOAST DRIVE, IMPERIAL BEACH, CALIFORNIA RECEIVED BY THE CITY PURSUANT TO THAT CERTAIN GRANT DEED EXECUTED ON MARCH 9, 2011 AND RECORDED WITH THE COUNTY OF SAN DIEGO, CALIFORNIA, ON MARCH 17, 2011. (0418-50 & 0660-43)

A letter from Ash Israni, Chairman of Pacifica Companies, dated October 2, 2012 was submitted as last minute agenda information.

CITY MANAGER BROWN reported on the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE reported on the item.

MOTION BY BILBRAY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2012-7255 (i) ACKNOWLEDGING AND REAFFIRMING THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY'S ("SUCCESSOR AGENCY") RIGHTS AND OBLIGATIONS SET FORTH IN THE DISPOSITION AND DEVELOPMENT AGREEMENT DATED DECEMBER 16, 2010 ("DDA") ENTERED INTO BY AND BETWEEN IMPERIAL COAST, L.P. AND THE IMPERIAL BEACH REDEVELOPMENT AGENCY ("REDEVELOPMENT AGENCY"), PREDECESSOR IN INTEREST OF SUCCESSOR AGENCY, AND ALL DOCUMENTS EXECUTED BY THE REDEVELOPMENT AGENCY PURSUANT TO THE DDA AND (ii) APPROVING, AUTHORIZING, AND DIRECTING THE CITY'S TRANSFER TO THE SUCCESSOR AGENCY OF ALL OF THE CITY'S OWNERSHIP INTEREST IN THE REAL PROPERTY LOCATED AT 800 SEACOAST DRIVE, IMPERIAL BEACH, CALIFORNIA RECEIVED BY THE CITY PURSUANT TO THAT CERTAIN GRANT DEED EXECUTED ON MARCH 9, 2011 AND RECORDED WITH THE COUNTY OF SAN DIEGO, CALIFORNIA, ON MARCH 17, 2011. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION BY KING, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. SA-12-16 (i) ACKNOWLEDGING AND REAFFIRMING THE SUCCESSOR AGENCY'S RIGHTS AND OBLIGATIONS SET FORTH IN THE DISPOSITION AND DEVELOPMENT AGREEMENT DATED DECEMBER 16, 2010 ("DDA") ENTERED INTO BY AND BETWEEN IMPERIAL COAST, L.P. AND THE IMPERIAL BEACH REDEVELOPMENT AGENCY ("REDEVELOPMENT AGENCY"), PREDECESSOR IN INTEREST OF SUCCESSOR AGENCY, AND ALL DOCUMENTS EXECUTED BY THE REDEVELOPMENT AGENCY PURSUANT TO THE DDA AND (ii) APPROVING, AUTHORIZING, AND DIRECTING THE SUCCESSOR AGENCY'S ACCEPTANCE FROM THE CITY OF IMPERIAL BEACH ("CITY") OF ALL OF THE CITY'S OWNERSHIP INTEREST IN THE REAL PROPERTY LOCATED AT 800 SEACOAST DRIVE, IMPERIAL BEACH, CALIFORNIA RECEIVED BY THE CITY PURSUANT TO THAT CERTAIN GRANT DEED EXECUTED ON MARCH 9, 2011 AND RECORDED WITH THE COUNTY OF SAN DIEGO, CALIFORNIA, ON MARCH 17, 2011. MOTION CARRIED BY THE FOLLOWING VOTE:

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

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 6:53 p.m.

/s/
James C. Janney, Mayor

/s/
Jacqueline M. Hald, MMC
City Clerk