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# City of Imperial Beach, California

OFFICE OF THE MAYOR

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August 16, 2023

The Honorable Michael T. Smyth  
Presiding Judge of the Superior Court  
San Diego Central Courthouse  
1100 Union Street, Tenth Floor  
San Diego, CA 92101

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PRESIDING

**RE: City of Imperial Beach Response to San Diego Grand Jury Report: "Governance of San Diego Bay and its Tidal Lands and Regions"**

Dear Judge Smyth:

The City of Imperial Beach has reviewed the San Diego County Grand Jury report on *Governance of San Diego Bay and its Tidal Lands and Regions* released on June 7, 2023. The report includes several findings and recommendations for local government. In accordance with State law, please accept the following responses to the recommendations in the report that are applicable to the City of Imperial Beach. Per State law, the City of Imperial Beach is responding to those findings under the control of the City of Imperial Beach. As such, the City of Imperial Beach will not be responding to findings 1-3 and 6-12.

**Finding 04:** Briefings by Port Commissioners to Port City Councils in noticed public meetings regarding issues affecting their jurisdictions, will increase the level of public participation and knowledge regarding Port District activities, Port Master Plans, Master Plan Updates, Port Master Plan amendments or additions.

**Response:** The City of Imperial Beach agrees with this finding.

**Finding 05:** Currently, the Board of Port Commissioners does not have term limits. Considering term limits would foster democratic principles by providing more opportunities for diverse and talented individuals to serve, prevent the accumulation of influence, and uphold the public trust by keeping the Board representative responsive to its community.

**Response:** The City of Imperial Beach partially disagrees with this finding and supports choice of the individual Port Cities to determine whether limits on the length of Commissioner appointments are appropriate to best represent their cities' interests.

**Finding 13:** Given a preference for informal channels of communication by Port City councils and mayors with their appointed Port District representatives, neither Port Commissioners nor Port City Councils maintain completely open and transparent relationships allowing for public involvement or awareness of Port District activities.

**Response:** The City of Imperial Beach disagrees with this finding. The City, Port District, and its Port Commissioner follow appropriate channels of coordination on pertinent matters and negotiations as

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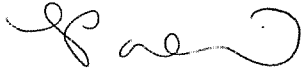
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of Port District activities and decision by the San Diego County Board of Supervisors and the elected city councils of the five Port Cities.

**Response:** Recommendation 23-93 will not be implemented. The City of Imperial Beach does not support conferring authority to another agency, the County Board of Supervisors, as it does not have a direct interest in Port matters and would complicate the governance process.

The City of Imperial Beach appreciates the work, findings, and recommendations of the San Diego County Grand Jury on this important matter. If you have any questions, please contact Tyler Foltz, City Manager, at (619) 423-0314.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paloma Aguirre', written in a cursive style.

Paloma Aguirre  
Mayor  
City of Imperial Beach