



Minutes

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251-1637

July 19, 2023

Closed Session at 06:00 p.m.

Open Session at 07:00 p.m.

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: The City Council welcomes public input. Members of the public may address the City Council on Closed Session items by contacting the City Clerk's Office at 760-355-3334. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). If you are compensated to communicate with City officials, you may be required to register and/or make certain disclosures as a lobbyist. Please see the City Clerk for additional information. There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

A. CONFERENCE WITH LABOR NEGOTIATIONS – G.C § 54957.6

Agency Designated Representatives: Dennis Morita, City Manager, Kristen Smith, Human Resources Manager and Diana Quintana, Finance Manager

Employee Organizations: Teamsters Local Union #542

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – G.C § 54956.9

Number of Cases: Claim#2109734
Claim#23007035
Claim#4A2210BMYH50001

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Burnworth Called the Meeting to Order at 7:05 p.m.

ROLL CALL: Council Members Obeso-Martinez, Tucker, Mayor Pro Tem Amparano, Mayor Burnworth.

Absent: Council Member Mendoza

PLEDGE OF ALLEGIANCE: The pledge was led by Dennis Morita.

ADJUSTMENTS TO THE AGENDA: The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or “no” votes on consent calendar items and request consent calendar items be removed from the consent calendar for discussion. The City Council may also remove items from the consent calendar prior to that portion of the agenda. For purposes of the official city record, the City Council may take care of these issues by entertaining a formal motion.

City Manager, Dennis Morita stated that there were no adjustments.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

City Attorney, Katherine Turner reported that the City Council had three Items of Existing Litigation and that Direction was provided to the City Council. The City Council also discussed an item related to Labor Negotiations with Direction given to Labor Negotiators.

PUBLIC COMMENT: There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

Matters not appearing on the agenda: If you wish to address the City Council concerning any item within the City Council’s jurisdiction, please raise your hand and be acknowledged by the Mayor. At that time, state your name and address for the record. The Mayor reserves the right to place a time limit of three (3) minutes on each person’s presentation. It is requested that longer presentations be submitted to the City Clerk’s Office in writing 48 hours before the meeting.

David Graham, 609 North C Street, Imperial, CA, addressed the City Council and Police Department about the construction project going on behind his home. Mr. Graham stated that the construction work is starting at five o’clock in the morning and that is too early. Mr. Graham stated that he has reached out to the City and Police Department to file a noise complaint and wants to know what can be done. City Attorney, Katherine Turner commented that she would like to get back to him because the enforcement depends on whether the project is under a conditional use permit or city ordinance.

A. SPECIAL PRESENTATIONS:

A-1. Recognition of the Imperial High School Girls Varsity Softball Team.

Mayor Burnworth Presented the Imperial High School Girls Softball Team with a Certificate of Recognition.

A-2. Trunk or Treat Event Featuring Drifters Car Club.

Nancy Amparano, Parks & Recreation Specialist presented a slideshow about their upcoming Truck or Treat Event featuring drifter's car club. Two members of the Drifters Car Club were present to give a brief story about their club.

A-3. IV 9/11 Stair Climb.

Carlos Pitons a Board Member of the IV 9/11 Stair Climb presented a video about their annual event held in the City of Imperial.

A-4. Update on Northpoint Development Project (Imperial Hotel).

Victor Nava, Director of Strategy Development presented three different photos showing the progress of the Imperial Hotel.

B. CONSENT AGENDA:

All items appearing under "Consent Agenda" will be acted upon by the City Council with one motion without discussion. Should any Council member or other person request that any item be considered separately, that item will then be taken up at the time as determined by the Mayor.

B-1. Approval of Claims and Warrants Report.

B-2. Approval of City Council Minutes of Regular City Council Meetings of June 21, 2023 and June 26, 2023.

B-3. Waive Further Reading and Adopt Ordinance **No. 827**, An Ordinance of the City Council of the City of Imperial, California, Amending the Codified Ordinances of the City of Imperial Adjusting Imperial City Council Compensation to \$720.00 Per Month. **(SECOND READING AND ADOPTION).**

B-4. Continuation of Emergency Action as Declared by Resolution No. 2023-21 for Repairs to Aten Road & Highway 86 Intersection.

Council Member Obeso-Martinez Moved to Approve Consent Agenda. Motion Seconded by Council Member Tucker.

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth

NOES: NONE

ABSTAIN: NONE

ABSENT: Mendoza

MOTION CARRIES: 4-0-1

C. PUBLIC HEARING ITEMS (DISCUSSION/ACTION- APPROVE-DISAPPROVE):

C-1. Public Hearing Approving the Engineer’s Report and Ordering the Levy and Collection of Annual Assessments for the Fiscal Year 2023-2024 for the Imperial Lighting Maintenance District No. 1. (Paseo Del Sol & Wildflower Subdivisions).

Staff Report: John Herrera, Interim Finance Director

1. Open public hearing at 7:41 p.m.
2. Staff report
3. Public comment
4. Close public hearing at 7:42 p.m.
5. Council discussion
6. Recommended action(s)

Recommended Action (1): Adopt Resolution No. **2023-45**, A Resolution of the City Council of the City of Imperial, California, Amending and/or Approving the Engineer’s Report for the Imperial Lighting Maintenance District No. 1, for Fiscal Year 2023-2024 (Paseo Del Sol & Wildflower Subdivisions).

Interim Finance Director, John Herrera presented the staff report and answered questions form the Council.

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-45, Engineer’s Report for the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

Recommended Action (2): Adopt Resolution No. **2023-46**, A Resolution of the City Council of the City of Imperial, California, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Lighting Maintenance District No. 1, for Fiscal Year 2023-2024. (Paseo Del Sol & Wildflower Subdivisions).

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-46, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

- C-2.** Public Hearing Approving the Engineer’s Report and Ordering the Levy and Collection of Annual Assessments for the Fiscal Year 2023-2024 for the Imperial Landscape Maintenance District No. 1. (Paseo Del Sol & Wildflower Subdivisions).

Staff Report: John Herrera, Interim Finance Director

1. Open public hearing at 7:43 p.m.
2. Staff report
3. Public comment
4. Close public hearing at 7:44 p.m.
5. Council discussion
6. Recommended action(s)

Recommended Action (1): Adopt Resolution No. 2023-47, A Resolution of the City Council of the City of Imperial, California, Amending and/or Approving the Engineer’s Report for the Imperial Landscape Maintenance District No. 1, for Fiscal Year 2023-2024. (Paseo del Sol & Wildflower Subdivisions).

Interim Finance Director, John Herrera presented the staff report and answered questions form the Council.

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-47, Engineer’s Report for the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

Recommended Action (2): Adopt Resolution No. 2023-48, A Resolution of the City Council of the City of Imperial, California, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Landscape Maintenance District No. 1, for Fiscal Year 2023-2024. (Paseo del Sol & Wildflower Subdivisions).

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-48, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

- C-3.** Public Hearing Approving the Engineer’s Report and Ordering the Levy and Collection of Annual Assessments for the Fiscal Year 2023-2024 for the Imperial Landscape Maintenance District No. 2, Zone 2005-03 for Fiscal Year 2023-2024. (Sky Ranch).

Staff Report: John Herrera, Interim Finance Director

1. Open public hearing at 7:46 p.m.
2. Staff report
3. Public comment
4. Close public hearing at 7:47 p.m.
5. Council discussion
6. Recommended action

Recommended Action (1): Adopt Resolution No. 2023-49, A Resolution of the City Council of the City of Imperial, California, Amending and or Approving the Engineer’s Report for the Imperial Landscape Maintenance District No. 2, for Fiscal Years 2023-2024. (Sky Ranch).

Interim Finance Director, John Herrera presented the staff report and answered questions from the Council.

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-49, Engineer’s Report for the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

Recommended Action (2): Adopt Resolution No. 2023-50, A Resolution of the City Council of the City of Imperial, California, Ordering the Levy and Collection of Annual Assessments Related to Imperial Landscape Maintenance District No. 2, Zone 2005-03, for Fiscal Year 2023-2024. (Sky Ranch).

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-50, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Lighting Maintenance District No. 1. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

D. ACTION ITEMS (DISCUSSION/ACTION- APPROVE-DISAPPROVE):

D-1. Award On-Call Planning Services to HWL, Gafcon and LC Engineering.

Staff Report: Othon Mora, Community Development Director

Recommended Action: Staff recommends to Award On-Call plan review and inspection services to HWL, Gafcon and LC Engineering.

Community Development Director, Othon Mora presented the staff report and answered questions from Council.

Council Member Obeso-Martinez Moved to Approve the On-Call plan review and inspection services to HWL, Gafcon and LC Engineering. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano

NOES: NONE

ABSTAIN: Mayor Burnworth

ABSENT: Mendoza

MOTION CARRIES: 3-1-1

D-2. Victoria Ranch Subdivision – Unit No. 3B (2) Sewer Lift Station Acceptance.

Staff Report: Othon Mora, Community Development Director

Recommended Action (1): Accept the Sewer Lift Station Facility from Victoria Ranch Subdivision Unit No. 3(B)2.

Community Development Director, Othon Mora presented the staff report and answered questions from Council.

Council Member Tucker Moved to Approve the Sewer Lift Station Facility from Victoria Ranch Subdivision Unit No. 3(B)2. **Motion Seconded by Mayor Pro Tem Amparano.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth

NOES: NONE

ABSTAIN: NONE

ABSENT: Mendoza

MOTION CARRIES: 4-0-1

Recommended Action (2): Authorize Recordation of Grant Deed for Sewer Lift Station from Imperial Ranch Partners, LLC.

Council Member Tucker Moved to Approve Recordation of Grant Deed for Sewer Lift Station from Imperial Ranch Partners, LLC. **Motion Seconded by Mayor Pro Tem Amparano.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza
MOTION CARRIES: 4-0-1

D-3. Purchase of Portable Office Container.

Staff Report: Police Chief Michael Crankshaw

Recommended Action: Authorize Purchase and Accept Project Proposal for the Imperial Police Department.

Interim Police Chief, Michael Crankshaw presented the staff report and answered questions from Council.

Mayor Pro Tem Amparano Moved to Approve the Purchase and Acceptance of Project Proposal for the Imperial Police Department. **Motion Seconded by Council Member Tucker.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

D-4. Cease Emergency Repairs for City Wastewater Lines in Alleyway.

Staff Report: Jackie Loper, Public Services Director

Recommended Action: Approve Cease of Emergency.

Public Services Director, Jackie Loper presented the staff report and answered questions form Council.

Council Member Tucker Moved to Approve the Cease of Emergency. **Motion Seconded by Council Member Obeso-Martinez.**

AYES: Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: Mendoza

MOTION CARRIES: 4-0-1

E. REPORTS:

E-1. Department Reports:

Interim Police Chief, Michael Crankshaw reported on a fire on La Brucherie Road. He stated that they have one subject in custody and subject was booked into the Imperial County Jail. Chief Crankshaw also commented on the Youth Police Cadet program they are trying to develop.

Kristen Smith, from human resources commented on nine positions the City currently has open. If anyone from the public is interested, they need to visit the City of Imperial's website.

E-2. City Manager Report:

City Manager, Dennis Morita will keep the Council updated about new faces they might see around the city.

E-3. Mayor and Councilmember Reports:

Mayor Pro Tem Amparano stated that he had attended the movie night at the pool and commented that the turnout was great. He thanked staff for all their hard work.


Council Member Obeso-Martinez commented that Imperial Valley Reginal Chamber will be having their Legislative Day Event on July 20, 2023 from 4:00 p.m. to 7:00 p.m. at the old Post Office Pavilion in El Centro.

ADJOURNMENT:

Seeing no further business before the Council, Mayor Burnworth Adjourned the Meeting to the next Regular Scheduled City Council Meeting to be held on Wednesday, August 2, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at **8:05 p.m.**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 28th day of August, 2023.



KRISTINA M. SHIELDS
City Clerk
City of Imperial