



## Imperial City Council

*Katherine Burnworth- Mayor  
Robert Amparano-Mayor Pro Tem  
Ida Obeso-Martinez-Council Member  
Stacy Mendoza- Council Member  
James Tucker-Council Member*

# AGENDA

## Regular Meeting of the Imperial City Council

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

**December 6, 2023**

**Closed Session at 06:00 pm**

**Open Session at 07:00 pm**

*The Imperial City Council meetings, including public comments, are being livestreamed on the city's social media pages. By remaining in the room, you are giving your permission to be recorded.*

1. You are encouraged to observe the City Council meetings via Livestream at the City of Imperial Facebook page.
2. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, [www.cityofimperial.org](http://www.cityofimperial.org) seventy-two (72) hours prior to the posted meeting time. Government Code section 54957.5(b)(2)(B)

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact (760) 355-4373. A notification of 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting [28CFR 35.102-35.104 ADA title II].*

### **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 REAL PROPERTY NEGOTIATORS – G.C § 54956.8**

Property Address: Old Post Office  
(APN# 064-055-005)  
Agency Negotiator: Dennis H. Morita, City Manager  
Negotiating Parties: AT & T  
Under Negotiation: Instructions to Negotiator Regarding Price & Terms

**B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – G.C § 54956.7 (b)(1)**

Title of Position: City Attorney

**CITY COUNCIL CONVENES TO REGULAR MEETING**

**7:00 P.M. REGULAR MEETING**

**CALL TO ORDER:**

**ROLL CALL:**

**PLEDGE OF ALLEGIANCE:**

**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 ATTORNEY REPORT ON CLOSED SESSION ACTIONS:**

**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.

**A. SPECIAL PRESENTATIONS:**

- A-1. Presentation by Miguel Hernandez, Public Information Officer, regarding the Salton Sea Management Program
- A-2. Presentation by Yvonne Cordero, Planner, regarding SB 1383 Statewide Mandatory Organic Waste Collection

A-3. Retirement Recognition Presentation for Jackie Loper, Public Services Director

**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. Authorize Sunrunners Car Club to Host 38<sup>th</sup> Annual Carne Asada Run Car Show at Eager Park and Approve Partial Road Closures

B-3. Continuation of Emergency at Aten Road and Highway 86 Intersection

B-4. Authorize Purchase of Budgeted Forklift for the Water Treatment Department

B-5. Authorize Rejection of Claim No. 3050008 as Recommended by Carl Warren & Company

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

C-1. Acceptance of Deed and Approval of Water Distribution Line Agreement

**Staff Report:** Katherine Turner, City Attorney

**Recommended Action:** Accept the transfer of deed for water distribution pipeline at Ironwood Acres Estates and authorize staff to record the water distribution line agreement with the County of Imperial

C-2. Introduction of first reading by title only Ordinance No. 828 Restricting Outdoor Smoking in Designated Areas

**Staff Report:** Katherine Turner, City Attorney

**Recommended Action:** Introduce Ordinance No. 828, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ADDING RESTRICTIONS TO OUTDOOR SMOKING IN DESIGNATED AREAS, approve as a first reading and authorize the City Clerk to place on the next agenda for second reading and adoption

C-3. Approval of Republic Services Cost Price Index (CPI) Adjustment

**Staff Report:** Diana Quintana, Finance Manager

**Recommended Action:** Approve Republic Services Cost Price Index (CPI) Adjustment of Four Percent (4%) for Waste and Recycling Services in the City of Imperial

- C-4.** Approval of Resolution Clarifying Terms of At-Will Employment for Executive Management Positions

**Staff Report:** Kristen Smith, Director of Human Resources

**Recommended Action:** Adopt Resolution No. 2023-58, RESOLUTION OF THE IMPERIAL CITY COUNCIL PROVIDING DETAIL REGARDING AT-WILL PERSONNEL POSITIONS AS ADOPTED BY THE CITY COUNCIL ON MARCH 1, 2023

- C-5.** Appointment to the Imperial Valley Healthcare District Initial Board of Directors

**Staff Report:** Dennis Morita, City Manager

**Recommended Action:** Appoint a City of Imperial member to the initial board of the Imperial Valley Healthcare District

**D. REPORTS:**

- D-1.** Department Reports
- D-2.** City Manager Report
- D-3.** Mayor and Councilmember Reports

**ADJOURNMENT:**

**Adjournment of this regular meeting of the City Council until the next regularly scheduled meeting to be held on Wednesday, December 20, 2023, at 7:00 p.m.**

## AFFIDAVIT OF POSTING

I, KRISTINA M. SHIELDS, City Clerk for the City of Imperial, California, DO HEREBY CERTIFY under penalty of perjury under the laws of the State of California, that the foregoing revised notice was posted at the City of Imperial City Hall bulletin board at 420 S. Imperial Avenue, Imperial, CA and on the City of Imperial's website not less than 72 hours prior to the meeting, per Government Code 54954.2.

**Dated:** December 1, 2023

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KRISTINA M. SHIELDS  
City Clerk