



Imperial City Council

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

MINUTES

Regular Meeting of the Imperial City Council

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

November 1, 2023

Closed Session at 06:00 pm

Open Session at 07:00 pm

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 LEGAL COUNSEL – EXISTING LITIGATION – GC 54956.9(d)(1)

Name of Case: Gutierrez v. City of Imperial, Imperial County Superior Court ECU 003168

Name of Case: Haller v. City of Imperial Claim No. 3046317

Name of Case: Mehdipour v. City of Imperial Claim No. 3044388

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – GC 54956.7 (b) (1)

Title of Position: City Manager

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – G.C § 54956.8

Property Address: 420 S. Imperial Avenue APN# 064-143-002

Agency Negotiator: Dennis H. Morita, City Manager

Negotiating Parties: N/A

Under Negotiation: Instructions to Negotiator Regarding Price & Terms

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – G.C § 54956.8

Property Address: Regional Park Site APN# 06-010-083; 06-010-084;
06-010-085; 06-010-086; 06-010-087; 06-010-088
Agency Negotiator: Dennis H. Morita, City Manager
Negotiating Parties: N/A
Under Negotiation: Instructions to Negotiator Regarding Price & Terms

E. CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION
Significant Exposure to litigation pursuant to § 54956.9(d)(4.): One (1) Potential Case

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Burnworth Called the Meeting to Order at 7:07 p.m.

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Othon Mora.

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:

City Attorney, Katherine Turner reported that the City Council had a conference regarding real property negotiations. Direction was given to the negotiator regarding price and terms.

City Attorney, Katherine Turner reported that the City Council had a conference regarding three cases of existing litigation. Direction was given to Council on all three cases.

City Attorney, Katherine Turner reported that the City Council had a conference regarding Initiating Litigation. Direction was given to Council.

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. 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.

- A-1. Approve Claims and Warrants Reports
- A-2. Approve Regular City Council Meeting Minutes of October 18, 2023
- A-3. Authorize Rejection of Claim No. 3049914 WRV as Recommended by Carl Warren & Company
- A-4. Continue Emergency Actions at Aten Road and Highway 86 Intersection
- A-5. Approve Purchase of UV System Equipment Parts for the Wastewater Treatment Plant
- A-6. Approve Declaration of Vehicles as Surplus
- A-7. Approve Purchase of Budgeted Sewer Trailer Jetter

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

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

MOTION CARRIES: 4-0-1

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

- B-1. Public Hearing to consider the recommendation of the Planning Commission regarding the Victoria Ranch Specific Plan Amendment.

Staff Report: Othon Mora, Community Development Director

- 1. Open public hearing @ 7:17 p.m.
- 2. Staff report presented by Othon Mora
- 3. Public comment
- 4. Close public hearing @ 7:19 p.m.
- 5. Council discussion

6. Recommended action(s)

Recommended Action: Adopt Resolution No. 2023-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, APPROVING THE VICTORIA RANCH SUBDIVISION SPECIFIC PLAN AMENDMENT, WHICH UPDATES THE VICTORIA RANCH SPECIFIC PLAN TO REFLECT LAND USE CHANGES, CURRENT INFORMATION AND CONDITIONS

Mayor Pro Tem Amparano Moved to Approve the Public Hearing Item Resolution No. 2023-56.
Motion Seconded by Council Member Tucker.

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

MOTION CARRIES: 5-0

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

- C-1.** Discussion and authorization to sign the Imperial Irrigation District (IID) Encroachment Permit Application No. A-2023-0059 regarding the Morning Star Apartments.

Staff Report: Othon Mora, Community Development Director

Recommended Action: Authorize the City to sign the IID Encroachment Permit Application No. A-2023-0059 as future owner of public utilities, for two (2) waterline crossings over the Dahlia Canal pipeline at 12th Street and 15th Street and to connect “C” Street storm drain pipe outlet from the apartment complex top IID tile drain No. 1.

Community Director, Othon Mora presented the staff report and answered Council’s questions.

Council Member Tucker Moved to Approve authorization to sign the Imperial Irrigation District (IID) Encroachment Permit Application No. A-2023-0059 regarding the Morning Star Apartments. **Motion Seconded by Council Member Tucker.**

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

MOTION CARRIES: 4-0-1

- C-2.** Discussion and related action regarding the acceptance of two (2) Public Utilities Easements over APN# 063-010-023, 063-010-065 and 063-010-066.

Staff Report: Othon Mora, Community Development Director

Recommendation: Acceptance of two (2) 10' wide by 1271' long Public Utilities Easements over APN# 063-010-023, 063-010-065 and 063-010-066.

Community Director, Othon Mora presented the staff report and answered Council's questions.

Council Member Mendoza Moved to Approve Discussion and related action regarding the acceptance of two (2) Public Utilities Easements over APN# 063-010-023, 063-010-066. **Motion Seconded by Council Member Obeso-Martinez.**

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

MOTION CARRIES: 5-0

- C-3.** Discussion and any necessary action to appoint a City of Imperial Representative to the Initial Board of Directors of the Imperial Valley Healthcare District.

Staff Report: Dennis Morita, City Manager

Recommended Action: Provide direction for appointment of a City of Imperial representative.

City Manager, Dennis Morita presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve Applications for the Imperial Valley Healthcare District. **Motion Seconded by Mayor Pro Tem Amparano.**

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

MOTION CARRIES: 5-0

- C-4.** Discussion and any necessary action regarding the approval of a two (2) year Service Agreement with FirstNet for Regular Voice and Data Wireless Service for Public Safety.

Staff Report: R. Alejandro Estrada, IT Director

Recommended Action: Approve the two (2) year Service Agreement with FirstNet

Alejandro Estrada, IT Director presented the staff report and answered Council's questions.

Council Member Obeso-Martinez Moved to Approve the approval of a two (2) year Service Agreement with FirstNet. Motion Seconded by Mayor Pro Tem Amparano.

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

MOTION CARRIES: 5-0

C-5. Accept the State FY21-22 Citizen’s Option for Public Safety (COPS) Growth Supplemental Grant Funding and authorize the use of funds to purchase (45) equipment lockers and (5) new 800Mhz police handheld radios and support accessories.

Staff Report: Michael Crankshaw, Interim Chief of Police

Recommended Action: Adopt Resolution No. 2023-55, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING THE ACCEPTANCE OF STATE CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) PROGRAM FUNDING FOR FISCAL YEAR 2021-2022.

Michael Crankshaw, Interim Chief of Police presented the staff report and answered Council’s questions.

Mayor Pro Tem Amparano Motioned to Approve Resolution No. 2023-55. **Motion Seconded by Council Member Tucker.**

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

MOTION CARRIES: 5-0

D. REPORTS:

D-1. Department Reports

Director of Park & Recreation, Tony Lopez reminded the Council on upcoming events.

Human Resources Manager, Kristen Smith briefed the Council on recent new hires.

Interim Police Chief, Michael Crankshaw briefed the Council on State and Federal funding.

Fire Chief, David Lantzer reminded the community to check their smoke alarms.

D-2. City Manager Report

NONE

D-3. Mayor and Councilmember Reports

Council Member Mendoza reported on special events that she attended.

Council Member Obeso-Martinez reported on having attended the ribbon cutting at First Imperial Credit Union, The Trunk or Treat event and Ben Hulse Carnival.

Mayor Pro Tem Amparano reported that soon good things will be coming to Imperial and also attended a few of our local events.

Mayor Burnworth reported on the Halloween dress-up & office decorating contest.

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, November 15, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at 7:52 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this _____ day of January, 2024.

KRISTINA M. SHIELDS
City Clerk