

**MINUTES
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF IMPERIAL
MARCH 21, 2018**

A. CITY COUNCIL CONVENED TO CLOSED SESSION AT 6:00 P.M

COUNCIL MEMBERS PRESENT: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE

OTHERS PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, PUBLIC SERVICES DIRECTOR LOPER, AND COMMUNITY DEVELOPMENT DIRECTOR MORA

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9 (One potential case)

A-2. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT (54957)

Title: Director of Information Technology

A-3. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (54956.8)

Property: 612 North “N” Street

Agency negotiator: Stefan Chatwin, City Manager

Negotiating parties: Coldwell Banker – The Wilkinson Team

Under negotiation: Instruction to negotiator concerning price, terms of payment, or both

B. CITY COUNCIL RE-CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE

OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, PUBLIC SERVICES DIRECTOR LOPER, FIRE CHIEF ESTRADA, POLICE CHIEF BARRA, COMMUNITY SERVICES DIRECTOR HALLER, HUMAN RESOURCES DIRECTOR GADDIS, FINANCE DIRECTOR GUTIERREZ, PLANNING & COMMUNITY DEVELOPMENT DIRECTOR MORA, AND CITY CLERK JACKSON

Open Session was called to order at 7:04 P.M. by MAYOR DALE with the Pledge of Allegiance being led by COMMUNITY DEVELOPMENT DIRECTOR MORA

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:

There was no reportable action taken in Closed Session.

C. PUBLIC APPEARANCES:

KRIS HAUGH, NAF EL CENTRO, presented the city with a signed Blue Angels lithograph in recognition of city’s support.

D. CONSENT AGENDA:

- D-1. Approval of claims/warrants report.
- D-2. Approval of Treasurers' Report for the Month of February, 2018.
- D-3. Approval of Minutes for Regular Meetings of January 17, 2018 and February 7. 2018.

Motion by PECHTL, seconded by TUCKER to approve the Consent Agenda as presented.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE MOTION CARRIED 5-0

E. PUBLIC HEARING:

- E-1. **SUBJECT: VICTORIA RANCH UNIT 6A – ZONE CHANGE, GENERAL PLAN AMENDMENT FROM RA (RESIDENTIAL APARTMENTS) TO A PLANNED UNIT DEVELOPMENT (PUD) FOR 113 SINGLE FAMILY HOMES, TENTATIVE TRACT MAP AND NEGATIVE DECLARATION.**

The Public Hearing was opened at 7:08 P.M.

The staff report was presented by Othon Mora. Applicant requests a change from the original proposed project of 405 Multifamily Dwelling units to a Planned Unit Development of 113 Single family homes.

Applicant Tory Lessley was present to answer questions.

There were no comments from members of the audience and the *Hearing was closed at 7:15 P.M.*

1. INTRODUCTION/IST READING BY TITLE ONLY OF ORDINANCE NO. 798, APPROVING THE ZONE CHANGE FROM RA (RESIDENTIAL APARTMENT) TO P.U.D. (PLANNED UNIT DEVELOPMENT).

Motion by AMPARANO, seconded by PECHTL to hold the first reading of Ordinance No. 798 by title only, An Ordinance of the City of Imperial Amending the Imperial City Code to Change the Zoning Designation of the Victoria Ranch Specific Plan Subdivision Unit 6A from VR-MF: Multifamily Dwelling to Planned Unit Development R-1 Single Family Residential.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE MOTION CARRIED 5-0

2. ADOPT RESOLUTION NO. 2018-05, CERTIFYING A NEGATIVE DECLARATION AND APPROVING THE VICTORIA RANCH SUBDIVISION UNIT 6A PLANNED UNIT DEVELOPMENT TENTATIVE TRACT MAP AND SPECIFIC PLAN AMENDMENT

Motion by AMPARANO, seconded by TUCKER to adopt Resolution No. 2018-05.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE MOTION CARRIED 5-0

- E-2. **SUBJECT: ZONE CHANGE FOR PARCEL LOCATED WEST OF HWY 86, EAST OF NORTH IMPERIAL AVENUE, NORTH OF 15TH STREET – FORMERLY OWNED BY STATE OF CALIFORNIA DEPARATMENT OF TRANSPORTATION.**

The Public Hearing was opened at 7:16 P.M.

Othon Mora presented the staff report and informed the Council that this parcel is the vacant land that the city acquired through the state relinquishing SR 86 through city limits. Staff is requesting the zone change in order to attract development of the parcel.

There were no comments from members of the audience and the *Public Hearing was closed at 7:17 P.M.*

1. INTRODUCTION/FIRST READING BY TITLE ONLY OF ORDINANCE NO. 797 APPROVING THE ZONE CHANGE FROM R-1 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL GENERAL

Motion by TUCKER, seconded by PECHTL to hold the first reading of Ordinance No. 797 by title only, An Ordinance of the City of Imperial Amending the Imperial City Code to Change the Zoning designation of a Specified Property Formerly Owned by State of California Department of Transportation From R-1 Single Family to C-2 General Commercial.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

F. NEW BUSINESS:

F-1. SUBJECT: RESOLUTION TO APPROVE AUTHORIZATION AND ACCESS TO STATE AND FEDERAL CRIMINAL HISTORY INFORMATION

1. APPROVE RESOLUTION NO. 2018-06, AUTHORIZING AN APPLICATION FOR ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR MEDICAL CANNABIS RELATED EMPLOYMENT, VOLUNTEERS, CONTRACTORS, LICENSING OR CERTIFICATION PURPOSES.

Motion by PECHTL, seconded by TUCKER to approve Resolution No. 2018-06.

AYES: PECHTL, SAMPSON, TUCKER, AND DALE
NOES: AMPARANO
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 4-1

F-2. SUBJECT: AMENDMENT TO POLICY AND PROCEDURES FOR MEDICAL CANNABIS APPLICATIONS

1. APPROVE RESOLUTION NO. 2018-07, TO AMEND EXHIBIT "A" OF RESOLUTION 2018-01 DEFINING APPLICATION PROCESS AND PROCEDURES FOR MEDICAL CANNABIS FACILITY APPLICATIONS.

Motion by PECHTL, seconded by TUCKER to approve Resolution No. 2018-07, with a change to the timeline for applications from 180 days to 90 days.

AYES: PECHTL, TUCKER, AND DALE
NOES: AMPARANO AND SAMPSON
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 3-2

F-3. SUBJECT: IMPERIAL POLICE DEPARTMENT - POLICE SERVICE OFFICER I/II/III.

1. APPROVAL OF POLICE SERVICE OFFICER I/II/III JOB DESCRIPTION.

Motion by PECHTL, seconded by SAMPSON to approve the job description.
AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

2. APPROVE POLICE SERVICE OFFICER II POSITION AT SALARY RANGE 62.

Motion by TUCKER, seconded by AMPARANO to approve position at salary range 62.
AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-4. SUBJECT: ORDINANCE RELATED TO THE SALES AND DISCHARGE OF FIREWORKS IN THE CITY OF IMPERIAL

1. INTRODUCTION/1ST READING BY TITLE ONLY OF ORDINANCE NO. 799, AMENDING CHAPTERS 8 AND 12 OF THE IMPERIAL MUNICIPAL CODE TO ALLOW FOR SALES AND DISCHARGE OF SAFE AND SANE FIREWORKS DURING SPECIFIED PERIODS OF TIME.

Motion by PECHTL, seconded by SAMPSON to hold the first reading of Ordinance No. 799 by title only.
AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

2. DIRECT STAFF TO PREPARE A SUMMARY OF ORDINANCE FOR PUBLICATION PURPOSES.

Motion by PECHTL, seconded by TUCKER to direct staff to prepare a summary for publication.
AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-5. SUBJECT: HARRIS COMPUTER MAINTENANCE ANNUAL SERVICE

1. APPROVE DISBURSEMENT OF FUNDS FOR UTILITY BILLING SOFTWARE SERVICE WITH HARRIS COMPUTER IN THE AMOUNT OF \$15,232.53

Motion by SAMPSON, seconded by TUCKER to approve funds for Harris Computer.
AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-6. SUBJECT: TRANSITION PLAN FOR CITY CLERK APPOINTMENT PROCESS

1. DISCUSS AND PROVIDE DIRECTION TO CITY MANAGER REGARDING TRANSITION PLAN AND APPOINTMENT OF CITY CLERK TO A FULL TIME EMPLOYEE (OR FTE) POSITION.

CITY MANAGER CHATWIN presented a transition plan that would be implemented in two phases. First phase would change the elected position to a part-time/ceremonial with a small stipend for performance of statutory duties and create position of records manager or similar title as full-time employee with additional salary and benefits. Phase two would place a ballot measure before the voters to question if the position should be elected or appointed.

CHUCK JERNIGAN, Imperial resident addressed Council in opposition to this proposal and about making any changes to the position before such question is taken to the voters.

No action taken.

F-7. SUBJECT: RESOLUTIONS REGARDING COMMUNITY FACILITIES DISTRICT NO. 2004-3 (BRATTON) AND NO. 2004-2 (MAYFIELD)

1. APPROVE RESOLUTION NO. 2018-08, TO AUTHORIZE THE COMMENCEMENT OF JUDICIAL FORECLOSURE ACTIONS, COLLECTION OF DELINQUENT SPECIAL TAX INSTALLMENTS AND REMOVAL OF DELINQUENT SPECIAL TAX INSTALLMENTS FROM THE COUNTY TAX ROLL FOR COMMUNITY FACILITIES DISTRICT NO. 2004-3 (BRATTON)

Motion by PECHTL, seconded by TUCKER to approve Resolution No. 2018-08.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

2. APPROVE RESOLUTION NO. 2018-09, TO AUTHORIZE THE COMMENCEMENT OF JUDICIAL FORECLOSURE ACTIONS, COLLECTION OF DELINQUENT SPECIAL TAX INSTALLMENTS, AND REMOVAL OF DELINQUENT SPECIAL TAX INSTALLMENTS FOR THE COUNTY THE COUNTY TAX ROLL FOR COMMUNITY FACILITIES DISTRICT NO. 2004-2 (MAYFIELD)

Motion by PECHTL, seconded by TUCKER to approve Resolution No. 2018-09.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE.
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

G. REPORTS:

G-1. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.

AMPARANO commented that the Mayor’s State of the City address and Tri-tip cook off were well both great events and thanked staff for all their work in putting these events together.

PECHTL echoed comments in regards to recent events.

TUCKER AND SAMPSON each commented on Market day events and thanked staff.

G-2. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS

IMPERIAL CHAMBER EXECUTIVE DIRECTOR PARADIS reported the Chamber will host the “King of the Ring” onion ring contest at the April Market Day; next mixer will be held at REACH Air service on March 29th and the ribbon cutting for Nana’s Kitchen located inside El Sol Market on April 7th

G-3. SUBJECT: CITY MANAGER REPORT.

CHATWIN highlighted items contained in the Managers' report; upcoming LCC Division meeting on March 22nd, budget preparation calendar in place and upcoming trip to Washington DC

CITY COUNCIL MEETING ADJOURNED AT 8:57 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, APRIL 4, 2018 AT 7:00 P.M.

**MINUTES
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF IMPERIAL
APRIL 4, 2018**

A. CITY COUNCIL CONVENES TO OPEN SESSION

COUNCIL MEMBERS PRESENT: AMPARANO, SAMPSON, TUCKER, AND DALE

COUNCIL MEMBERS ABSENT: PECHTL

OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, PUBLIC SERVICES DIRECTOR LOPER, FIRE CHIEF ESTRADA, POLICE CHIEF BARRA, COMMUNITY SERVICES DIRECTOR HALLER, HUMAN RESOURCES DIRECTOR GADDIS, FINANCE MANAGER GUTIERREZ, COMMUNITY DEVELOPMENT DIRECTOR MORA, AND CITY CLERK JACKSON

MAYOR DALE called the meeting to order at 7:00 pm and the Pledge of Allegiance was led by HR DIRECTOR GADDIS.

B. PUBLIC APPEARANCES:

VICTOR CARILLO, spoke about CR&R's public outreach being made to inform communities the various services they offer.

MARY LOCHER, Imperial resident thanked the fire department for their assistance in providing medical aid for a family member on multiple occasions.

C. SPECIAL PRESENTATIONS, CERTIFICATES, PROCLAMATIONS:

C-1. PROCLAMATION – DECLARING APRIL AS AUTISM AWARENESS MONTH AND APRIL 2, 2018 AS WORLD AUTISM AWARENESS DAY IN THE CITY OF IMPERIAL presented to Autism Support of Imperial County

MAYOR DALE read the proclamation and presented it to VERONICA ROSAS an Imperial resident who is the mother of two boys with autism. Comments were made by THERESA GARCIA., JAMES GONZALEZ, CAROLINA NUNEZ, and GLORIA BRAMBILA, all with various autism support groups regarding services for children and families of children who have autism. Additional comments were made by VICTOR CARILLO AND SUSAN PARADES.

D. CONSENT AGENDA:

- D-1.** Approval of claims/warrants report.
- D-2.** Approval to waive reading in full and adopt Ordinance No. 797, An Ordinance of the City of Imperial Amending the Imperial City Code to Change the Zoning Designation of a Specified Property Formerly Owned by State of California Department of Transportation from R-1 Single Family to C-2 General Commercial.
- D-3.** Approval to waive reading in full and adopt Ordinance No. 798, An Ordinance of the City of Imperial

Amending the Imperial City Code to Change the Zoning Designation of the Victoria Ranch Subdivision Specific Plan Unit 6A from MF-Multifamily Dwelling to Planned Unit Development R-1 Single Family Residential.

- D-4.** Approval to waive reading in full and adopt Ordinance No. 799, An Ordinance of the City of Imperial Amending the Imperial Municipal Code to Allow for Sales and Discharge of Safe and Sane Fireworks During Specified Periods of Time.
- D-5** Approval of Minutes for Regular Meetings of February 21, 2018 and March 7, 2018 and Special Meeting of February 21, 2018.

Motion by AMPARANO, seconded by SAMPSON to approve the Consent Agenda as presented.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

E. NEW BUSINESS:

E-1. SUBJECT: STREET AND SIDEWALK IMPROVEMENT PROJECT 15-CDBG-10577, BID #2018-02

- 1. AWARD BID TO PYRAMID CONSTRUCTION & AGGREGATES, INC. IN THE AMOUNT OF \$976,642.35.

Motion by AMPARANO, seconded by SAMPSON to award bid to Pyramid Construction & Aggregates, Inc.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

E-2. SUBJECT: IMPERIAL TRANSIT PARK, FEDERAL AID PROJECT CA04-244.

- 1. AUTHORIZATION TO SEEK BIDS

Motion by TUCKER, seconded by AMPARANO to authorize staff to seek bids for the transit park project.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

E-3. SUBJECT: AGREEMENT FOR SERVICES BETWEEN THE CITY OF IMPERIAL AND HDL COMPANIES

- 1. APPROVAL OF AGREEMENT FOR SALES AND USE TAX SERVICES BETWEEN HDL COMPANIES AND CITY OF IMPERIAL

Motion by TUCKER, seconded by AMPARANO to approve the agreement with HDL.

AYES: AMPARANO, TUCKER, AND DALE
NOES: SAMPSON
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 3-1

- 2. APPROVAL OF AMENDMENT TO THE AGREEMENT BETWEEN HDL COMPANIES AND CITY OF IMPERIAL FOR CANNABIS MANAGEMENT SERVICES

Motion by TUCKER, seconded by AMPARANO to approve the amendment to the agreement.

AYES: AMPARANO, TUCKER, AND DALE
NOES: SAMPSON
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 3-1

E-4. SUBJECT: ICMA DEFERRED COMPENSATION LOAN PROGRAM.

1. APPROVE RESOLUTION NO. 2018-10, A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL AMENDING THE CITY OF IMPERIAL ICMA 457 DEFERRED COMPENSATION PLAN TO PERMIT LOANS

Motion by AMPARANO, seconded by SAMPSON to approve Resolution No. 2018-10.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

E-5. SUBJECT: APPOINTMENT OF DIRECTOR OF INFORMATION TECHNOLOGY.

1. APPROVAL OF AGREEMENT BETWEEN THE CITY OF IMPERIAL AND ALEJANDRO ESTRADA FOR DIRECTOR OF INFORMATION TECHNOLOGY SERVICES

Motion by SAMPSON, seconded by TUCKER to approve the agreement with Alejandro Estrada.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

2. APPOINTMENT OF ALEJANDRO ESTRADA TO DIRECTOR OF INFORMATION TECHNOLOGY FOR THE CITY OF IMPERIAL

Motion by AMPARANO, seconded by SAMPSON to appoint Alejandro Estrada to Director of Information Technology.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL MOTION CARRIED 4-0

E-6 SUBJECT: CITY REPRESENTATION AT THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL CONFERENCE & GENERAL ASSEMBLY TO BE HELD MAY 3 – 4, 2018, IN INDIAN WELLS, CALIFORNIA.

1. APPOINTMENT OF DELEGATE AND ALTERNATE FOR CITY REPRESENTATION AT THE REGIONAL CONFERENCE & ASSEMBLY.

Motion by SAMPSON, seconded by TUCKER to appoint Council member Amparano as the delegate.

AYES: SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: AMPARANO
ABSENT: PECHTL MOTION CARRIED 3-0-1

Motion by SAMPSON, seconded by AMPARANO to appoint Council member Tucker as the alternate delegate.

AYES: AMPARANO, SAMPSON, AND DALE
NONES: NONE

ABSTAIN: TUCKER
ABSENT: PECHTL

MOTION CARRIED 3-0-1

E-7. SUBJECT: DECLARE EQUIPMENT AS SURPLUS AND AUTHORIZE DISPOSAL

1. DECLARE MODEL JT9 DITCH WITCH AS SURPLUS PROPERTY AND AUTHORIZE DISPOSAL

Motion by AMPARANO, seconded by SAMPSON to declare the Ditch Witch as surplus property and authorize its disposal.

AYES: AMPARANO, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: PECHTL

MOTION CARRIED 4-0

F. REPORTS:

F-1. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.

AMPARANO reported on attending the LCC Division meeting and the Chamber of Commerce Mega mixer at REACH facility. In addition thanked the fire department for assisting with Mrs. Locher's family's medical calls and thanked city staff for all their hard work.

SAMPSON questioned if the city was going to join in with city of El Centro is their suit against Spectrum cable.

DALE, reported on attending the Chamber of Commerce Mega mixer held at REACH facility. Congratulated them putting on a great event.

F-2. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS

CHIEF BARRA gave a report on the recently held ICNTF gang sweep.

CHALUPNIK reported that 291 responses have been received for the contest to re-name the portion of SR 86 that runs through city limits.

CHAMBER EXECUTIVE OFFICER PARADIS, reported on the successful Chamber mixer at REACH. In addition informed everyone about upcoming events; The May mixer will honor veterans and the Chamber's Administrative Professionals Day event on April 25th.

F-3. SUBJECT: CITY MANAGER REPORT.

Provided information on the Mayor's Border Summit on April 13th and the May 4th law enforcement memorial ceremony. Announced he will be out of office next week to travel to Washington DC for annual lobbying trip to meet with various representatives.

CITY COUNCIL MEETING ADJOURNED AT 8:15 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, APRIL 18, 2018 AT 7:00 P.M.