



AGENDA

Minutes

Regular Meeting of the Imperial City Council

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

July 5, 2023

Work Session at 05:00 p.m.

Closed Session at 06:30 p.m.

Open Session at 07:00 p.m.

5:00 P.M. WORK SESSION (DISCUSSION ITEMS ONLY)

CALL TO ORDER: Mayor Burnworth Called the Meeting to Order at 5:14 p.m.

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

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

A. Work Session Items

A-1. Municipal Budget for Fiscal Year 2023-2024 Review

Staff Report: Dennis H. Morita, City Manager & John Herrera, Interim Finance Director

Interim Finance Director John Herrera was present via Zoom to discuss the Municipal Budget for Fiscal Year 2023-2024.

CITY COUNCIL CONVENES TO CLOSED SESSION

6:30 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 – G.C § 54956.9**
One (1) matter.

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Burnworth Called the Meeting to Order at 7:17 p.m.

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

PLEDGE OF ALLEGIANCE: The pledge was led by Alexis Brown.

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 Items B4 to B9 on the Consent Agenda will be moved to the Action Items Section of the Agenda. City Manager Morita also stated that he will be recusing himself from Item B9 due to a potential conflict.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

City Attorney Turner, Council Discussed one Item of Existing Litigation and Direction was given to staff.

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.

Leonardo Regalado, 362 Jackrabbit Drive, El Centro, CA addressed the City Council on behalf of the Boy Scouts Troop 4070. He commented that he is the Committee Chair and that they meet on Tuesday nights

at the VFW Hall. Mr. Regalado further stated that some of the boy's scouts need conservation hours and asked that the City keep them in mind if they need help with any projects within city limits.

A. SPECIAL PRESENTATIONS:

A-1. Parks & Recreation Month

Tony Lopez, Parks & Recreation Director Presented a Slideshow about Parks and Recreation.

Mayor Burnworth Presented the Parks and Recreation Team with a Proclamation.

A-2. Update on Northpoint Development Project (Imperial Hotel).

City Manager Dennis Morita pulled Item until next Council Meeting on July 19, 2023.

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. Continuation of Emergency Action as Declared by Resolution No. **2023-15** for repairs to City wastewater line in alleyway to the west of El Zarape Restaurant.

B-3. Continuation of Emergency Action as Declared by Resolution No. **2023-21** for repairs to Aten Road & Highway 86 Intersection.

B-4. Community Facilities District No. 2004-01 (Victoria Ranch)
Approval of Resolution No. **2023-30**, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-30, Determining and Levying the special Taxes for Fiscal Year 2023-24. **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

B-5. Community Facilities District No. 2004-03 (Bratton)
Approval of Resolution No. **2023-31**, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Mendoza Moved to Approve Resolution No. 2023-31, Determining and Levying the Special Taxes for Fiscal Year 2023-24. **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

B-6. Community Facilities District No. 2006-01 (Monterrey). Approval of Resolution No. 2023-32, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Tucker Moved to Approve Resolution No. 2023-32, Determining and Levying the Special Taxes for Fiscal Year 2023-24. **Motion Seconded by Council Member Mendoza.**

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

MOTION CARRIES: 4-1

B-7. Community Facilities District No. 2004-2 (Mayfield). Approval of Resolution No. 2023-33, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Obeso-Martinez Moved to Approve Resolution No. 2023-33, Determining and Levying the Special Taxes for Fiscal Year 2023-24. **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

B-8. Community Facilities District No. 2005-1 (Springfield). Approval of Resolution No. 2023-34, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Tucker Moved to Approve Resolution No. 2023-31, Determining and Levying the Special Taxes for Fiscal Year 2023-24. **Motion Seconded by Council Member Mendoza.**

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

MOTION CARRIES: 5-0

- B-9.** Community Facilities District No. 2006-2 (Savanna Ranch) Approval of Resolution No. 2023-35, Determining and Levying the Special Taxes for Fiscal Year 2023-24.

Council Member Tucker Moved to Approve Resolution No. 2023-31, Determining and Levying the Special Taxes for Fiscal Year 2023-24. **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

- B-10.** Approval of Resolutions for Imperial Lighting Maintenance District No. 1
(1) Resolution No. 2023-36, Initiating Proceedings for the Annual Levy;
(2) Resolution No. 2023-37, Preliminary Approval of the Engineer’s Report; and,
(3) Resolution No. 2023-38, Intention to Conduct a Public Hearing and Order the Levy of Assessments.

- B-11.** Approval of Resolutions for Imperial Landscape Maintenance District No. 1
(1) Resolution No. 2023-39, Initiating Proceedings for the Annual Levy;
(2) Resolution No. 2023-40, Preliminary Approval of the Engineer’s Report; and,
(3) Resolution No. 2023-41, Intention to Conduct a Public Hearing and Order the Levy of Assessments.

- B-12.** Approval of Resolutions for Imperial Landscape Maintenance District No. 2
(1) Resolution No. 2023-42, Initiating Proceedings for the Annual Levy;
(2) Resolution No. 2023-43, Preliminary Approval of the Engineer’s Report; and,
(3) Resolution No. 2023-44, Intention to Conduct a Public Hearing and Order the Levy of Assessments.

Council Member Mendoza Moved to Approve the Consent Agenda with the exception of items B4-B9, which were originally moved to Actions Items at City Manager Morita’s request. **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. ACTION ITEMS (DISCUSSION/ACTION- APPROVE-DISAPPROVE):

C-1. Municipal Budget for Fiscal Year 2023-2024.

Staff Report: Dennis H. Morita, City Manager & John Herrera, Interim Finance Director

Recommended Action (1): Adopt Resolution No. **2023-23** Adopting the Municipal Budget for Fiscal Year 2023-2024

City Manager Morita made brief comments about the budget and answered additional questions from Council. Following a brief discussion, **Mayor Pro Tem Amparano** moved to Approve Resolution No. 2023-23, Adopting the Municipal Budget for Fiscal Year 2023-2024 with Amendments. **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

Recommended Action (2): Adopt Resolution No. **2023-24**, Adopting Appropriations/GANN Limit for Fiscal Year 2023-2024.

Mayor Pro Tem Amparano moved to Approve Resolution No. 2023-24, Adopting Appropriations/GANN Limit for Fiscal Year 2023-2024. **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-2. Approval of Resolution No. 2023-25, to Adopt a Memorandum of Understanding Between the City of Imperial and Teamster’s Local Union #542 for the Term of Three (3) Fiscal Years.

Staff Report: Kristen Smith, Human Resources Manager

Recommended Action: Adopt Resolution No. **2023-25**, Approving a Successor Memorandum of Understanding (MOU) with Teamsters Local Union #542 for Fiscal Years 2023-2024, 2024-2025 and 2026-2026.

Human Resources Manager Smith presented the staff report and answered questions from Council.

Council Member Mendoza moved to Approve Resolution No. 2023-25, Approving MOU with Teamsters Local Union #542 for Fiscal Years 2023-2024, 2024-2025 and 2025-2026. **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-3.** Approval of Resolution No. 2023-26 to Adopt Memorandum of Understanding between City of Imperial and Imperial Police Officers Association for the Term of Three (3) Years.

Staff Report: Kristen Smith, Human Resources Manager

Recommended Action: Adopt Resolution No. 2023-26, Adopting Memorandum of Understanding (MOU) with Imperial Police Officers Association.

Human Resources Manager Smith presented the staff report and answered questions from Council.

Mayor Pro Tem Amparano moved to Approve Resolution No. 2023-26, Adopting the MOU with Imperial Police Officers Association. **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-4.** Approval of Resolution No. 2023-27 Adopting Terms Related to Compensation and Benefits for Unrepresented Employee Classifications.

Staff Report: Kristen Smith, Human Resources Manager

Recommended Action: Adopt Resolution No. 2023-27, Establishing Benefits for MSPC Unrepresented Employees of the City of Imperial.

Human Resources Manager Smith presented the staff report and answered questions from Council.

Mayor Pro Tem Amparano moved to Approve Resolution No. 2023-27, Establishing Benefits for MSPC Unrepresented Employees of the City of Imperial. **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-5.** Adopt Resolution Approving Agreement between the City of Imperial and Dennis H. Morita to Serve as City Manager for a Term of Three (3) Years.

Staff Report: Katherine Turner, City Attorney

Recommended Action: Adopt Resolution No. 2023-28, Approving Agreement between the City of Imperial and Dennis H. Morita to Serve as City Manager for a Term of Three (3) Years.

City Attorney Turner presented the staff report and answered questions from Council.

Council Member Obeso-Martinez moved to Approve Resolution No. 2023-28, Approving Agreement between the City of Imperial and Dennis H. Morita to Serve as City Manager for a Term of Three (3) Years. **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-6.** Approval of First Amendment to Interim Chief of Police Agreement.

Staff Report: Dennis H. Morita, City Manager

Recommended Action: Approve as presented

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

Mayor Pro Tem Amparano moved to Approve First Amendment to Interim Chief of Police Agreement. **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-7. Resolution Regarding Compensation and Benefits for the Imperial City Council.

Staff Report: Katherine Turner, City Attorney

Recommended Action (1): Adopt Resolution No. 2023-29, Approving Health Benefits for the Imperial City Council.

City Attorney Turned presented the staff report and answered questions from Council including a request for an amendment to the Resolution indicating that Council Members are entitled to the same health benefits as other City employees.

Council Member Obeso-Martinez moved to Approve Resolution No. 2023-29, Approving Health Benefits for the Imperial City Council as amended Reflecting Health Benefits as other City employees. **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

Recommended Action (2): 1st Reading in Title Only of Ordinance No. 827, Amending the Codified Ordinances of the City of Imperial Adjusting Imperial City Council Compensation to \$720.00 Per Month.

Council Member Mendoza moved to Approve 1st Reading by Title Only of Ordinance No. 827, Amending the Codified Ordinances of the City of Imperial Adjusting Imperial City Council Compensation to \$720.00 Per Month. **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-8. Removal of Outstanding Library Fines for the Imperial Public Library.

Staff Report: Denise Ulett, Library Supervisor

Recommended Action: Approve

Council Member Tucker moved to Approve Removal of Outstanding Library Fines for the Imperial Public Library. **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-9. Appointment of One (1) Representative to the Imperial Valley Housing Authority Board of Commissioners.

Mayor Burnworth moved to Approve Appointment of Matthew Smith to the Imperial Valley Housing Authority Board of Commissioners. **Motion Seconded by Council Member Mendoza.**

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: None

D-2. City Manager Report:

City Manager Dennis Morita thanked the City Council and staff for the hard work on the budget.

D-3. Mayor and Councilmember Reports:

Council Member Obeso-Martinez, stated that the Boy Scouts still will meet during the summer and that any boys in the community who might need something to do this summer they can attend a meeting.

Council Member Obeso-Martinez also commented that Mana of the Imperial Valley will have programs this summer through October to teach young woman about college Pathways and Leadership. The website to visit is www.ivmana.org

Mayor Pro Tem Amparano attended the movie night at the pool and commented that the event was well attended. He thanked staff for all their hard work.

Mayor Burnworth thanked all staff for the hard work that was put into the budget.

ADJOURNMENT:

Seeing no further business before the Council, Mayor Burnworth Adjourned the Meeting to the Next Regularly Scheduled City Council Meeting to be held on Wednesday, July 19, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at **8:08 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 July, 2023.

Kristina M. Shields,
City Clerk