

**MINUTES
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF IMPERIAL
JULY 18, 2018**

A. CITY COUNCIL CONVENED IN CLOSED SESSION AT 6:00 PM

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

OTHER OFFICIALS PRESENT: CITY MANAGER CHATWIN AND CITY ATTORNEY MORITA

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of G.C. 54956.9 (One potential case)

A-2. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (36 potential)

A-3. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GC 54956.8)
Property: Northwest Corner of 15th Street and State Route (SR) 86
Agency Negotiators: City of Imperial
Negotiating Parties: City of Imperial and Halferty Development Company, LLC.
Under Negotiation: Pricing and Terms

A-4 SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54954.5(e))

Title: City Manager

B. CITY COUNCIL CONVENED TO OPEN SESSION

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

**OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN,
POLICE CHIEF BARRA, LIBRARY DIRECTOR CARTER,
FINANCE DIRECTOR GUTIERREZ, COMMUNITY
DEVELOPMENT DIRECTOR MORA, AND CITY CLERK
JACKSON**

MAYOR DALE called the meeting to order at 7:05 PM and the Pledge of Allegiance was led by Public Services Foreman Isaiah Gonzalez.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION: No reportable action was taken.

C. PUBLIC APPEARANCES:

TOMAS OLIVA, office of CONGRESSMAN JUAN VARGAS informed Council about the services that the Congressman's office provides to local constituents.

TOMAS OLIVA, speaking as an individual expressed his opinion about the Sanctuary City item on the agenda.

JOHN GAY, Director of Public Works, Imperial County spoke about the county closing the Imperial landfill (Worthington Road site) as it has reached its capacity. There will be limited opportunities to dispose of solid waste at the site once it is established as a transfer station.

MAYOR GEOFF DALE presented a plaque to retiring Library Administrator Chris Carter in appreciation of her 13 years of service to the city and citizens.

D. CONSENT AGENDA:

- D-1.** Approval of claims/warrants report.
- D-2.** Approval of Community Facilities District (CFD) Disbursement Request No. 1-2018 as requested by Bratton (CFD 2004-3)
- D-3.** Approval of Resolution No. 2018-36, amending Resolution No. 2018-35, Establishing the Salaries and Employee Benefits for Management, Supervisory, Professional, and confidential-Unrepresented Employees.
- D-4.** Approval/Ratification of Memorandum of Understanding Between City of Imperial and Imperial Police Officers Association.
- D-5.** Approval of Resolution No. 2018-37, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-1 (Victoria Ranch).
- D-6.** Approval of Resolution No. 2018-38, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-2 (Mayfield).
- D-7.** Approval of Resolution No. 2018-39, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-3 (Bratton Development).
- D-8.** Approval of Resolution No. 2018-40, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2005-1 (Springfield).
- D-9.** Approval of Resolution No. 2018-41, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2006-1 (Monterrey Park).
- D-10.** Approval of Resolution No. 2018-42, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2006-2 (Savanna Ranch)

Motion by PECHTL, seconded by SAMPSON to approve the Consent Agenda withholding warrant 82410 payable to JT Towing.

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

Motion by AMPARANO, seconded by SAMPSON to approve warrant number 82410 payable to JT Towing.

AYES: AMPARANO, PECHTL, SAMPSON, AND DALE
NOES: NONE
ABSTAIN: TUCKER
ABSENT: NONE MOTION CARRIED 4-0-1

E. PUBLIC HEARINGS:

- E-1. SUBJECT: IMPERIAL LIGHTING MAINTENANCE DISTRICT NO. 1 (WILDFLOWER NO. 8/PASEO DEL SOL SUBDIVISION).**

Report was provided by SCOTT KOPPEL, KOPPEL ASSOCIATES.

The Public Hearing was opened 7:28 PM. There being no comments from the audience, the hearing was closed at 7:29 PM and the following actions taken:

- 1. APPROVAL OF RESOLUTION NO. 2018-43, APPROVING THE ENGINEER'S REPORT.**

Motion by AMPARANO, seconded by TUCKER to approve Resolution 2018-43, 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 2018/2019.

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

2. APPROVAL OF RESOLUTION NO. 2018-44, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by PECHTL, seconded by AMPARANO to approve Resolution no. 2018-44, 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 2018/19.

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

E-2. SUBJECT: IMPERIAL LANDSCAPE MAINTENANCE DISTRICT NO. 1 (WILDFLOWER NO. 8/PASEO DEL SOL SUBDIVISION).

The Public Hearing was opened at 7:30 PM.

There were no comments from members of the audience and the Public Hearing was closed at 7:31 PM

1. APPROVAL OF RESOLUTION NO. 2018-45, APPROVING THE ENGINEER'S REPORT.

Motion by AMPARANO, seconded by TUCKER to approve Resolution No. 2018-45, A Resolution of the City Council of Imperial, California, Amending and/or Approving the Engineer's Report for the Imperial Landscape Maintenance District No. 1 for Fiscal year 2018/19.

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

2. APPROVAL OF RESOLUTION NO. 2018-46, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by PECHTL, seconded by TUCKER to approve Resolution No. 2018-46, A Resolution of the City Council of the City of Imperial, California, Ordering the Levy and Collection of Annual Assessments Related to the Imperial Landscape Maintenance District No. 1 for Fiscal Year 2018/19.

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

E-3. SUBJECT: IMPERIAL LANDSCAPE MAINTENANCE DISTRICT NO. 2 (SKY RANCH SUBDIVISION, ZONE 2005-03).

The Public Hearing was opened at 7:32 PM and was closed at 7:33 PM. There were no comments from members of the audience.

1. APPROVAL OF RESOLUTION NO. 2018-47, APPROVING THE ENGINEER'S REPORT.

Motion by AMPARANO, seconded by TUCKER to approve Resolution No. 2018-47, 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. 2, Zone 2005-03 for Fiscal Year 2018/19.

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

MOTION CARRIED 5-0

2. APPROVAL OF RESOLUTION NO. 2018-48, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by TUCKER, seconded by SAMPSON to approve Resolution No. 2018-48, 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. 2, Zone 2005-03, for Fiscal Year 2018/19.

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

MOTION CARRIED 5-0

E-4. SUBJECT: ZONE CHANGE AND GENERAL PLAN AMENDMENT FOR THE MORNINGSIDE APARTMENTS PHASE II (MARTY COYNE), C-1 TO RA FOR APNs: 064-434-005, 064-434-006, AND 064-434-016.

The Public Hearing was opened at 7:34 PM

Project applicant Marty Coyne reported to Council the he has closed escrow on the purchase of the property and is ready to move forward with the project.

The Hearing was closed at 7:38 P.M.

1. APPROVAL OF RESOLUTION NO. 2018-47, APPROVING GENERAL PLAN AMENDMENT.

Motion by TUCKER, seconded by AMPARANO to approve Resolution No. 2018-47, A Resolution of the City Council of the City of Imperial, California, Approving a General Plan Amendment to Allow for the Development of Multi-family Housing.

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

MOTION CARRIED 5-0

2. INTRODUCTION/1ST READING BY TITLE ONLY OF ORDINANCE NO. 800, AN ORDINANCE OF THE CITY OF IMPERIAL TO CHANGE THE ZONING DESIGNATION FROM C-1 TO RA.

Motion by PECHTL, seconded by TUCKER to hold the first reading of Ordinance No. 800 by title only. An Ordinance of the City of Imperial Amending the Imperial City Code to Change the Zoning Designation from C-1 (Commercial Neighborhood) to R-1 (Residential Apartment) for APNS: 064-434-005, 064-434-006, and 064-434-016.

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

MOTION CARRIED 5-0

E-5. SUBJECT ZONE CHANGE AND GENERAL PLAN AMENDMENT FOR A APN: 064-103-

012 FROM R-1 TO RA.

The Public Hearing was opened at 7:40 PM, There being no comments from members of the audience, the Hearing was closed at 7:41 PM

- 1. APPROVAL OF RESOLUTION NO. 2018-48, APPROVING GENERAL PLAN AMENDMENT.**

Motion by AMPARANO, seconded by TUCKER to approve Resolution No. 2018-48A, A Resolution of the City Council of the City of Imperial, Approving a General Plan Amendment for APN 064-103-012.

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

- 2. INTRODUCTION/1ST READING BY TITLE ONLY OF ORDINANCE NO. 801, AN ORDINANCE OF THE CITY OF IMPERIAL TO CHANGE THE ZONING DESIGNATION FROM R-1 TO RA.**

Motion by TUCKER, seconded by AMPARANO to hold the first reading of Ordinance No 801 by title only. An Ordinance of the City Council of the City of Imperial, Amending the City Code to Change the Zoning Designation from R-1 (Residential Single Family) to R-A (Residential Apartment) for APN 064-103-012.

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

F. ACTION ITEMS:

F-1 SUBJECT: CITY OF IMPERIAL ECONOMIC STRATEGIC PLAN

MIKE BRACKEN, Development Management Group, Inc. presented the strategic plan to the council. A power-point was made that highlighted the purpose of the plan, various economic opportunities, and implementation of the plan.

- 1. APPROVE AND ADOPT CITY OF IMPERIAL ECONOMIC STRATEGIC PLAN 2018-2023**

Motion by PECHTL, seconded by TUCKER to approve and adopt the Economic Strategic Plan 2018-2023.

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

F-2. SUBJECT: CAMBRIA PARK PROJECT –BID 2018-07

- 1. AWARD OF BID TO R.E. SHULTZ, INC. FOR THE CONSTRUCTION OF CAMBRIA PARK IN THE AMOUNT OF \$327,564.00**

Motion by TUCKER, seconded by PECHTL to award the bid to R.E. Shultz, Inc.

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

F-3. SUBJECT: CONDITIONS OF APPROVAL AND PHASING PLAN FOR MONTERREY PARK SUBDIVISION.

1. APPROVAL RESOLUTION NO. 2018-49, AMENDING THE CONDITIONS OF APPROVAL AND PHASING PLAN FOR THE MONTERREY PARK SUBDIVISION.

Motion by SAMPSON, seconded by TUCKER to approve Resolution No. 2018-49, A Resolution of the City Council of the City of Imperial, California, Allowing the Amendment of Conditions of Approval and Phasing Plan for Monterrey Park Subdivision.

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

F-4. SUBJECT: MONTERREY PARK SUBDIVISION NO 2 UNIT 4A FINAL MAP.

1. APPROVE FINAL MAP AND SUBDIVISION GUARANTEE FOR MONTERREY PARK SUBDIVISION NO. 2 UNIT 3A.

Motion by TUCKER, seconded by PECHTL to approve the Final Map and Subdivision Guarantee for Monterrey Park Subdivision No. 2 Unit 3A.

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

2. APPROVE FINAL MAP AND SUBDIVISION GUARANTEE FOR MONTERREY PARK SUBDIVISION NO. 2 UNIT 4A

Motion by TUCKER, seconded by PECHTL to approve the Final Map and Subdivision Guarantee for Monterrey Park Subdivision No. 2, Unit 4A.

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

3. AUTHORIZE CITY CLERK TO RECORD FINAL MAPS AND RELATED DOCUMENTS.

Motion by AMPARANO, seconded by TUCKER to authorize the City Clerk to record the final maps and related documents.

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

F-5. SUBJECT: CDBG SIDEWALK IMPROVEMENT PROJECT – BID 2018-02.

1. APPROVE CHANGE ORDER IN THE AMOUNT OF \$418,706.65 FOR ADDITIONAL WORK.

Motion by TUCKER, seconded by AMPARANO to approve the Change Order.

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

ABSENT: NONE MOTION CARRIED 5-0

F-6. SUBJECT: AGREEMENT BETWEEN CITY OF IMPERIAL AND CODE EXXPERTS.

- 1. APPROVE AGREEMENT FOR WEBSITE AND SERVER DEVELOPMENT SERVICES IN THE AMOUNT OF \$13,500.00

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

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

F-7 SUBJECT: RESOLUTION OF THE CITY COUNCIL TO OPPOSE SB 54, THE CALIFORNIA VALUES ACT;

Discussion was held among Council members, with opinions expressed from both sides of the issue.

- 1. APPROVAL OF RESOLUTION NO. 2018-50 OPPOSING SB 54, THE CALIFORNIA VALUES ACT.

Motion by AMPARANO, seconded by TUCKER to approve Resolution No. 2018-50.

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

F-8. SUBJECT: SCAVENGING OF MATERIALS PLACED FOR COLLECTION

- 1. INTRODUCTION/1ST READING IN TITLE ONLY OF ORDINANACE NO. 782 PROHIBITING THE SCAVENGING OF MATERIALS PLACED FOR COLLECTION.

Motion by PECHTL, seconded by AMPARANO to hold the first reading of Ordinance No. ---, An Ordinance of the City of Imperial, Adding Article VII to Chapter 10 of the City of Imperial Municipal Code Relating to the Prohibition of Scavenging.

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

F-9. SUBJECT: APPOINTMENT OF PERSONNEL COMMITTEE MEMBERS;

- 1. APPOINTMENT OF PERSONNEL COMMITTEE BY THE MAYOR.

Motion by TUCKER, seconded by SAMPSON to ratify the Mayors appointment of Council member Pechtl and Council member Amparano to the Personnel Committee.

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

F-10. SUBJECT PURCHASE OF EQUIPMENT FOR PUBLIC SERVICES DEPARTMENT – VEHICLES

1. AUTHORIZATION OF THE EXPENDITURE OF FUNDS NOT TO EXCEED \$225,000 FOR THE PURCHASE OF VEHICLE(S) AS ALLOCATED IN THE 2018-2019 MUNICIPAL BUDGET.

Motion by TUCKER, seconded by DALE to authorize the purchase of vehicles.

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

F-11. SUBJECT: AWARD BID FOR TRANSIT PARK

1. AWARD BID NO. 2018-04 CONTRACT FOR TRANSIT PARK CONSTRUCTION SERVICES TO PYRAMID CONSTRUCTION AND AGGREGATES, INC.

Motion by TUCKER, seconded by AMPARANO to award the bid to Pyramid Construction and Aggregates, Inc. in the amount of \$1,849,516.94

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

F-12. SUBJECT: RENAMING OF STATE ROUTE 86 CONTINUED;

LINSEY DALE, 45 Agricultural District Board Member spoke about the theme for the 2019 fair season. "Get Your Kicks on Route 86". She would like to see any name change take place after the 2019 fair.

1. DISCUSS AND PROVIDE DIRECTION TO STAFF REGARDING RENAMING OF SR 86.

No action taken at this time. A workshop will be scheduled in early fall.

F-13. SUBJECT: PURCHASE OF TAX-DEFAULTED PROPERTY IN THE FORMER LA FUENTE DEVELOPMENT.

1. APPROVE THE PURCHASE OF TAX-DEFAULTED PROPERTY.

Based on discussion it was determined to hold off on the purchase at this time.

F-14. SUBJECT: PROFESSIONAL AUDITING SERVICES FOR THE CITY OF IMPERIAL;

1. ACCEPT PROPOSAL FOR PROFESSIONAL AUDITING SERVICES TO BE PERFORMED BY MOSS, LEVY & HARTZHEIM, LLP;

Motion by SAMPSON, seconded by TUCKER to accept the proposal submitted.

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

2. APPROVAL OF AGREEMENT BETWEEN CITY OF IMPERIAL AND MOSS, LEVY & HARTZHEIM, LLP FOR PROFESSIONAL AUDITING SERVICES FOR FISCAL YEAR 2018-2019.

Motion by PECHTL, seconded by TUCKER to approve the agreement with Moss, Levy & Hartzheim, LLP

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 reported on visiting the library and witnessing the various summer activities taking place. He requested that market day events be extended an extra hour this season.

PECHTL glad to see families enjoying the 4th of July by being able to have their own fireworks. Thanked Chris for her service to the city. Invited all to attend a movie premiere on July 26th Local author Bret Kofford wrote the script for the movie.

TUCKER requested an update on the GAC project.

DALE received complaints from citizens in regards to the helicopters. Thanked the city for being able to house a fire truck that has been donated to San Felipe until it is able to be transported to San Felipe.

G-2. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS

City Clerk Jackson provided an update on the election process. At the close of business there were four potential nominees for office.

Library Administrator Carter informed everyone that she will still be around and would like to help out with special events.

Fire Chief Estrada gave update on department activities. Strike team has been sent to assist with fire-fighting efforts in Northern California.

Police Chief Barra reported interviews for three officers have taken place.

G-3. SUBJECT: CITY MANAGER REPORT.

Thanked Chris for her work and service to the community.

CITY COUNCIL MEETING ADJOURNED AT 9:30 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, AUGUST 1, 2018 AT 7:00 P.M.