

E-2

**MINUTES
CITY COUNCIL
CITY OF IMPERIAL
AUGUST 18, 2021**

**THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S
EXECUTIVE ORDER N-29-20**

A. CITY COUNCIL CONVENES TO CLOSED SESSION AT 6:30 PM.

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION.
(Initiation of litigation pursuant to paragraph (4) of subdivision (D) of Section 54956.9. Three (3) potential cases.

MAYOR EUGENIO convened to closed session at 6:30 PM.

CITY COUNCIL PARTICIPATION:

PHYSICAL ATTENDANCE: BURNWORTH, TUCKER, DALE AND EUGENIO

*VIRTUAL ATTENDANCE: AMPARANO

CITY STAFF PARTICIPATION:

PHYSICAL ATTENDANCE: MORITA, BROWN, HOLBROOK, MORA, BARRA, SHEFFIELD

*VIRTUAL ATTENDANCE: NONE

B. CITY COUNCIL RE-CONVENES TO OPEN SESSION AT 7:00 P.M.

MAYOR EUGENIO re-convened to Open Session at 7:05 P.M.

CITY COUNCIL PARTICIPATION

PHYSICAL ATTENDANCE: BURNWORTH, TUCKER, DALE AND EUGENIO

*VIRTUAL ATTENDANCE: AMPARANO

CITY STAFF PARTICIPATION:

PHYSICAL ATTENDANCE: MORITA, BROWN, HOLBROOK, MORA, GUTIERREZ, BARRA, AND LOPER

*VIRTUAL ATTENDANCE: NONE

PLEDGE OF ALLEGIANCE WAS LED BY LOPER

ADJUSTMENTS TO THIS AGENDA:

MORITA reported there were no adjustments to the agenda.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

HOLBROOK stated that there wasn't any reportable action taken in closed session.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda.

Two public comments were received by the City Clerk electronically. They were read into the record as follows:

GABRIELA CEJA: I would like to make my concern known about an event we attended last Thursday August 12, 2021 at the Imperial Library. It was an in-person SPROUT art class. There was no requirement for wearing a mask and the number of people in the Early Learning Room exceeded 30 people. As a very involved patron I would like to continue visiting the library and attending those events with my child. But would like you to consider reinstating the mask requirement, temperature checks and limit the number of people in such a small room. This will help the rest of the Imperial County cities that are following these guidelines to stop the rapid spread of COVID and its new variants.

Thank you for considering my email for the meeting being held today.

Sincerely,

Gabriela Ceja

VERONICA MARTINEZ: I would like to make my concern known about the fact that masks are not required at the Imperial Library or at the summer camps. As a very involved patron I would like to continue visiting the library and attending those events with my children. But would like you to consider reinstating the mask requirement, especially since it now being mandated by the County/State effective today. I hope you also consider temperature checks and limit the number of people in the small play room at the Library. This will help the rest of the Imperial County cities that are following these guidelines to stop the rapid spread of COVID and its new variants and protect our children! Thank you for considering my email for the meeting being held today.

Sincerely concerned active parent,
Veronica Martinez

C-2. Matters appearing on the agenda.

One comment was received by the City Clerk electronically relating to Agenda Item F-5. The comment was read into the record as follows.

ERIKA LOPEZ: Why is this change order not competitive? It is millions of dollars and it is not going through a competitive process for a \$4 million dollar increase? It should be competitive. This does not give the opportunity to other companies to submit their proposals. Please clarify why it is not going through a competitive process. Thank you

D. SPECIAL PRESENTATIONS:

D-1. 2021 STATE OF THE CITY ADDRESS

Mayor Eugenio and BROWN introduced the State of the City Address. Mayor Eugenio recognized Hecmar Gomz (present) and Conveyor Group for the efforts in completing the video. GOMZ stated this is the tenth State of the City presentation he has worked on for Imperial. As a long time resident in means something different to him as he has a front row seat to the growth. EUGENIO thanked GOMZ for all the work put in by Conveyor and recounted an incident while filming where GOMZ cut his hand on the drown and continued to film. No further discussion

E. CONSENT AGENDA:

All items appearing under "Consent Agenda" will be acted upon by the City Council by 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

- E-1.** Approval of claims/warrants report.
- E-2.** Continuation of emergency action for repairs to Booster Pump Station located at 201 B Street in Imperial, CA as declared by Resolution 2021-51.
- E-3.** Approval of Minutes for July 07, 2021, July 21, 2021 and August 4, 2021.
- E-4.** Authorization to reject claim submitted by Ruben Garcia as recommended by Carl Warren & Co.

MOTIONED BY DALE, SECOND BY TUCKER to approve the consent agenda as presented.

ROLL CALL VOTE

COUNCILMEMBER TUCKER	YES
MAYOR PRO TEM DALE	YES
COUNCILMEMBER AMPARANO	YES
COUNCILMEMBER BURNWORTH	YES
MAYOR EUGENIO	YES

MOTION CARRIED: 5-0

F. ACTION ITEMS: (DISCUSSION/ACTION – APPROVE-DISAPPROVE)

F-1. SUBJECT: DISCUSSION/ACTION: IMPERIAL PUBLIC LIBRARY.

DISCUSSION:

BROWN presented the item to the City Council. No further discussion was had by the City Council. MAYOR EUGENIO called for a motion.

ACTION:

MOTION by Dale, Seconded by TUCKER to authorize the purchase of the furnishings for the Imperial Public Library as recommended by staff.

ROLL CALL VOTE:

COUNCILMEMBER BURNWORTH	YES
COUNCILMEMBER TUCKER	YES
COUNCILMEMBER AMPARANO	YES
MAYOR PRO TEM DALE	YES
MAYOR EUGENIO	YES

MOTION CARRIED: 5-0

F-2. SUBJECT: DISCUSSION/ACTION: RESOLUTION OF THE CITY COUNCIL RELATING TO BILLING FOR WATER, SEWER, SOLID WASTE AND STATE AB 939.

DISCUSSION:

GUTIERREZ presented the agenda item to City Council. GUTIERREZ emphasized that the State has confirmed the moratorium on utility disconnections is set to expire September 30th and residents are encouraged to make payment arrangements with the Administrative Services Department. GUTIERREZ reviewed the changes within the resolution. No further discussion by the City Council. EUGENIO called for a motion.

ACTION:

MOTION BY TUCKER, SECOND BY BURNWORTH to approve Resolution No. 2021-52 adopting procedures and fees relating to utility billing due dates, delinquency charges, and discontinuance of service for non-payment.

ROLL CALL VOTE

MAYOR PRO TEM DALE	YES
COUNCILMEMBER AMPARANO	YES
COUNCILMEMBER TUCKER	YES
COUNCILMEMBER BURNWORTH	YES
MAYOR EUGENO	YES

MOTION CARRIED: 5-0

F-3. SUBJECT: DISCUSSION/ACTION: 2ND STREET REHABILITATION AND RECONSTRUCTION FROM OLD SR-86 TO “P” STREET – STBGL 5134(024).

DISCUSSION:

MORA presented the agenda item to the City Council. AMPARANO was unable to participate in discussion due to audio issues. No further discussion was had by the City Council. TUCKER made a motion.

ACTION:

MOTION BY TUCKER, SECOND BY BURNWORTH to authorize City staff to seek bids for the removal and replacement of four (4) sanitary sewer manholes along 2nd street, between SR 86 and “P” STREET.

ROLL CALL VOTE

COUNCILMEMBER AMPARANO	YES
COUNCILMEMBER BURNWORTH	YES
COUNCILMEMBER TUCKER	YES
MAYOR PRO TEM DALE	YES
MAYOR EUGENIO	YES

MOTION CARRIED: 5-0

F-4. SUBJECT: DISCUSSION/ACTION: PAVEMENT IMPROVEMENT AT THE WASTEWATER TREATMENT PLANT.

DISCUSSION:

LOPER presented the agenda item to the City Council. LOPER recounted the history of the manholes associated with the area for Council consideration. TUCKER stated that he could remember the emergency item in the past. No further discussion was had by the City Council. TUCKER made a motion.

ACTION:

MOTION BY TUCKER, SECOND BY DALE to approve the change order adding pavement east of influent pump station not to exceed the amount of \$21,000.00.

ROLL CALL VOTE

COUNCILMEMBER TUCKER	YES
COUNCILMEMBER AMPARANO	YES
COUNCILMEMBER BURNWORTH	YES
MAYOR PRO TEM DALE	YES
MAYOR EUGENIO	YES

MOTION CARRIED: 5-0

F-5. SUBJECT: DISCUSSION/ACTION: AMENDMENT/SCOPE CHANGE TO SR 86 IMPROVEMENT PROJECT.

DISCUSSION:

BROWN presented the agenda item to the City Council. Consultants JENNY AN and ADAM CHASE participated virtually. BROWN reviewed the scope change contingent on receipt of additional monies. BROWN also addressed the public comment received relating to the bid process referring to the history of the project and that professional services agreements are not subject to a competitive bid process. BROWN further stated that once the design is completed the construction project will subject to the bid process. EUGENIO asked for clarification regarding the funding that is still pending congressional action. BROWN clarified that until the INVEST in America Act is signed by the President, the City will not know what the final amount of funding is. No further discussion was had by the City Council. EUGENIO called for a motion.

ACTION:

MOTION BY DALE, SECOND BY BURNWORTH to approve the first amendment to agreement between Chen Ryan Associates, Inc. (dba CR ASSOCIATES) and the City of Imperial relating to expanding the project scope for the sr 86 improvement project contingent on funding.

ROLL CALL VOTE:

COUNCILMEMBER AMPARANO	YES
COUNCILMEMBER BURNWORTH	YES
COUNCILMEMBER TUCKER	YES
MAYOR PRO TEM DALE	YES
MAYOR EUGENIO	YES

MOTION CARRIED: 5-0

G. REPORTS:

G-1. SUBJECT: DEPARTMENT REPORTS.

BARRA reported on the Joint Agency Emergency Training taking place at the Imperial County Airport.

G-2. SUBJECT: CITY MANAGER REPORT.

BROWN reported that the public will notice a survey team working on 86 to start the Traffic Study.

G-3. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.

TUCKER: Thanked the City Staff for doing such a great job.

EUGENIO: Recognized Conveyor Group and thanked them for their continued hard work. Encourage the public to stay staff and vigilant among the pandemic.

MAYOR EUGENIO ADJOURNED THE MEETING AT 7:41 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, SEPTEMBER 1, 2021 AT 7:00 P.M.

NOTE: Any documents produced by the City and distributed to a majority of the City Council/Agency Board regarding any item on this agenda will be made available at the front counter at City Hall, located at 420 S. Imperial Avenue, during normal business hours.