

**MINUTES  
CITY COUNCIL  
CITY OF IMPERIAL  
SEPTEMBER 16, 2020**

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

**TELECONFERENCE NOTICE**

Pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020 and to the extent applicable Government Code Section 54953(b), this City Council Meeting may have include teleconference participation by the City Council Members and City staff. Consistent with Executive Order N-29-20 teleconference locations utilized by City Council Members shall not be accessible to the public and are not subject to special posting requirements.

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

**A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GC 54956.9)**  
Case No. 37-2019-00014152-CU-PA-CTL

**A-2. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GC 54956.9)**  
Case No. ECU001391

**A-3. SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC54954.5 (e))**  
Title: City Manager

*CITY COUNCIL ADJOURNED CLOSED SESSION*

**B. CITY COUNCIL CONVENED TO OPEN SESSION**

MAYOR PECHTL called the meeting to order at 7:02 pm.

COUNCILMEMBERS PRESENT: AMPARANO, DALE, EUGENIO, AND PECHTL

COUNCILMEMBERS ABSENT: TUCKER

OTHER OFFICIALS PRESENT: CITY MANAGER MORITA, ASSISTANT CITY MANAGER BROWN, PUBLIC WORKS DIRECTOR LOPER, FIRE BATALLION CHIEF RODELO, POLICE CAPTAIN LUNA, IT DIRECTOR ESTRADA, COMMUNITY SERVICES DIRECTOR HALLER, ADMINISTRATIVE SERVICES DIRECTOR GUTIERREZ, COMMUNITY DEVELOPMENT DIRECTOR MORA, AND PARKS SUPERINTENDENT LOPEZ

**THE PLEDGE OF ALLEGIANCE** was led by Councilmember Amparano.

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION.**

City Manager MORITA announced that no action was taken in Closed Session.

**C. PUBLIC APPEARANCES:**

None.

**D. SPECIAL PRESENTATION:**

**D-1. SUBJECT: PROCLAMATION – DEAF AWARENESS MONTH**

Christopher Cardona, ASL Instructor, IVC joined the meeting virtually for the reading of the proclamation.

**E. CONSENT AGENDA:**

- E-1.** Approval of claims/warrants report.
- E-2.** Continue emergency action for repairs to manhole located near the intersection of Hwy 86 and Aten (southeast corner).
- E-3** Continue emergency action for repairs to traffic signal light located at the intersection of Hwy 86 and Neckel Road.
- E-4.** Approval of Resolution No. 2020-56, Approving the Fiscal Year 2019-2020 Development Impact Fee Funding Report.
- E-5.** Award contract for labor compliance services for the Playground Surfacing Improvement Project to Labor Compliance Consultants of Southern California in the amount of \$5,000.00.
- E-6.** Award contract for labor compliance services for the Barioni Waterline Improvement Project to Labor Compliance Consultants of Southern California in the amount of \$7,000.00.

Motion by AMPARANO, second by DALE to approve the consent agenda.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**F. PUBLIC HEARINGS:**

**F-1. SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT NOTICE OF FUNDING AVAILABILITY – CORONAVIRUS RESPONSE FUND (CDBG-CV1).**

The Public Hearing was opened at 7:10 PM.

Staff report presented by Assistant City Manager Brown. She reported that eligible activities include Public Facility Improvements, Public Facility Acquisition and Economic Development. The city will use the funds for public service assistance for residents who are impacted by the coronavirus pandemic. The city is allotted \$76,525.00.

There were no comments received by members of the public.

Hearing closed at 7:17 PM

- 1.** APPROVAL OF RESOLUTION NO. 2020-57, APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2020

COMMUNITY DEVELOPMENT GRANT PROGRAM – CORONAVIRUS  
RESPONSE FUND 1 (CDBG-CV1).

Motion by DALE, second by AMPARANO to approve Resolution No. 2020-57.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G. ACTION ITEMS:**

**G-1. SUBJECT: IMPERIAL COMMUNITY PARK PROJECT DESIGN & ENGINEERING  
AWARD.**

1. AWARD CONTRACT TO HERMANN DESIGN GROUP FOR PROJECT DESIGN  
& ENGINEERING SERVICES IN THE AMOUNT OF \$483,400.00.

Motion by AMPARANO, second by EUGENIO to award the contract to Hermann Design Group.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G-2. SUBJECT: RESERVOIR INSPECTION SERVICES.**

1. AWARD CONTRACT TO HARPER & ASSOCIATES ENGINEERING, INC. IN  
THE AMOUNT OF \$13,570.00 PLUS ADDITIONAL FEES FOR SEDIMENT  
CLEANING & REPAIRS BASED ON INSPECTION.

Motion by AMPARANO, second by EUGENIO to award the contract to Harper & Associates.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G-3. SUBJECT: IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT RULE  
310 GRANT APPLICATION – PASEO DEL SOL WALKING TRAILS  
PROJECT.**

1. APPROVAL OF RESOLUTION NO. 2020-58, APPROVING THE APPLICATION  
FOR IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT RULE 310  
PROJECT GRANT FUNDS.

Motion by EUGENIO, second by AMPARANO to approve Resolution No, 2020-58.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G-4. SUBJECT: PLAYGROUND SURFACING IMPROVEMENT PROJECT –BID 2020-  
06R.**

1. AWARD CONTRACT TO ROBERTSON INDUSTRIES, INC. IN THE AMOUNT OF \$244,715.00.

Motion by DALE, second by EUGENIO to award contract to Robertson Industries, Inc.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

2. APPROVE 15% CONTINGENCY.

Motion by DALE, second by AMPARANO to approve the 15% contingency.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G-5. SUBJECT: EMERGENCY ACTION – EUCALYPTUS TREES ALONG PORTION OF NECKEL ROAD.**

1. APPROVE RESOLUTION NO. 2020-59 DECLARING AN EMERGENCY, AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTION AS MAY BE NECESSARY IN RESPONSE THERETO AND RATIFYING ACTION TAKEN TO DATE.

Motion by EUGENIO, second by PECHTL to approve Resolution No 2020-59.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

**G-6. SUBJECT: DISCUSSION/ACTION: UPDATE OF COVID-19 PANDEMIC.**

There was no pertinent information to report.

**H. REPORTS:**

**H-1. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.**

Council members Amparano, Eugenio, and Pechtl all commented that is nice to see business activities and park usage taking place within the city.

**H-2. SUBJECT: CITY MANAGER REPORT.**

Morita stated that in January 2021, we will look to start the budget process and suggested that park shade structures and trees be considered at that time.

**H-3. SUBJECT: DEPARTMENT REPORTS.**

Fire Chief Rodelo reported that service calls responded to within the city this month have not been COVID related.

Captain Luna reported on the status of departmental equipment; cameras, tasers and vehicles.

Community Development Director Mora informed council that building construction in the Mayfield subdivision may create some traffic impacts to residents.

**CITY COUNCIL MEETING ADJOURNED AT 7:52 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, OCTOBER 7, 2020 AT 7:00 P.M.**

**MINUTES  
SPECIAL MEETING  
CITY COUNCIL  
CITY OF IMPERIAL  
OCTOBER 1, 2020**

Notice was given that the Mayor of the City of Imperial called a Special Meeting of the Imperial City Council to consider the item on this agenda.

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

**A. CITY COUNCIL CONVENED TO OPEN SESSION**

**MAYOR PECHTL** called the meeting to order at 4:12 pm

**COUNCILMEMBERS PRESENT:** AMPARANO, DALE (IN AT 5:15), EUGENIO, AND  
PECHTL

**COUNCILMEMBERS ABSENT:** TUCKER

**B. PUBLIC APPEARANCES:**

None.

**C. CITY COUNCIL CONVENED TO CLOSED SESSION**

**C-1. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT 54957 (b) (1)**

**TITLE:** City Attorney

***D. SPECIAL MEETING ADJOURNED AT 7:41 PM.***

**MNUTES  
CITY COUNCIL  
CITY OF IMPERIAL  
OCTOBER 7, 2020**

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

**TELECONFERENCE NOTICE**

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**A. CITY COUNCIL CONVENED TO CLOSED SESSION AT 5:30 PM**

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

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 One Case (No. 18-2)

**A-2. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. (Section 54956.9 (c))**

One Potential Case

**A-3. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT. 54957 (b) (1)**

**TITLE:** City Attorney

*CITY COUNCIL ADJOURNED CLOSED SESSION*

**B. CITY COUNCIL CONVENED TO OPEN SESSION**

**COUNCIL MEMBERS PRESENT:** AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL

**OTHER OFFICIALS PRESENT:** CITY MANAGER MORITA, CITY CLERK JACKSON, ASSISTANT CITY MANAGER BROWN, PUBLIC SERVICES DIRECTOR LOPER\*, FIRE CHIEF ESTRADA\*, POLICE CHIEF BARRA\*, COMMUNITY SERVICES DIRECTOR HALLER\*, IT DIRECTOR ESTRADA, ADMINISTRATIVE SERVICES DIRECTOR GUTIERREZ\*, COMMUNITY DEVELOPMENT DIRECTOR MORA\*, PARKS SUPERINTENDENT LOPEZ\*, AND CITY PLANNER TYLEND A

\*remote participation

MAYOR PECHTL called the meeting to order at 7:00 PM and the Pledge of Allegiance was led by Councilmember EUGENIO.

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

City Manager MORITA announced that authorization was given to retain the law firm of Burke, Williams, & Sorenson for personal related matters.

**C. PUBLIC APPEARANCES:**

None.

**D. CONSENT AGENDA:**

- D-1. Approval of claims/warrants report.
- D-2. Approval of Treasurers' Report for month of August 2020.
- D-3. Approval of minutes for meetings of August 5, 2020 and August 19, 2020.
- D-4. Suspend emergency action for repairs to manhole located near the intersection of Hwy 86 and Aten (southeast corner).
- D-5. Suspend emergency action for repairs to traffic signal light located at the intersection of Hwy 86 and Neckel Road.
- D-6. Monterrey Park Subdivision No. 2, Unit 4B Lots 576 to 583 per FM 27/83: Approval of off-site Street Improvements and authorize partial reconveyance to Jupiter Ventures I, LP.
- D-7. Award contract for labor compliance services (RFP # P11-2020) for the 2020 Overlay Improvements at the intersection of Aten Blvd. & Clark Rd. to Labor Compliance Consulting of Southern California in the amount of \$6,000.00.
- D-8. Continue emergency action for removal of a cluster of eucalyptus trees located along the north side of Neckel Road. (East of Hwy. 86).
- D-9. Approve the reclassification of Human Resources Manager to Human Resources Specialist.

Motion by AMPARANO, second by DALE to approve the consent agenda as presented.

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

MOTION CARRIED 5-0

**E. PUBLIC HEARINGS:**

- E-1. **SUBJECT: EXTENSION OF URGENCY ORDINANCE NO. 809 AUTHORIZING RESTAURANTS OUTDOOR DINING.**

The public hearing was opened at 7:04 pm

There were no comments from member of the public and the hearing was closed at 7:05 pm.

- 1. TIME EXTENSION FOR ORDINANCE NO. 809 AUTHORIZING THE USE OF ADDITIONAL SPACE OR OUTDOOR DINING.

Motion by AMPARANO, second by EUGENIO to approve the time extension for Ordinance No. 809.

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

MOTION CARRIED 5-0

**F. ACTION ITEMS:**



**F-1. SUBJECT: URGENCY ORDINANCE AUTHORIZING BUSINESSES THE USE OF OUTDOOR SPACES.**

1. ADOPT ORDINANCE NO. 810, AN URGENCY ORDINANCE AUTHORIZING THE USE OF NEW OR ADDITIONAL SPACE FOR OUTDOOR BUSINESS SERVICES.

Motion by DALE, second by EUGENIO to adopt Ordinance No. 810.

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

MOTION CARRIED 5-0

**F-2. SUBJECT: STREET CLOSURES.**

1. AUTHORIZATION TO CLOSE IMPERIAL AVENUE AND BARIONI BLVD. ON FRIDAY NIGHTS BETWEEN THE HOURS 5PM TO 10PM TO FACILITATE OPEN AIR DINING FOR RESTAURANTS.

Motion by DALE, second by TUCKER to approve the closure of streets as requested.

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

MOTION CARRIED 5-0

**F-3. SUBJECT: MARCH AND ASH MEDICAL CANNABIS PERMIT REVIEW.**

Spencer Andrews and Jonathan Saco, March and Ash representatives were present to answer questions of the council.

1. RE-AWARD OF MEDICINAL AND ADULT-USE CANNABIS PERMIT TO MARCH AND ASH.

Motion by DALE, second by TUCKER to re-award the medicinal and adult use cannabis permit to March and Ash.

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

MOTION CARRIED 5-0

**F-4. SUBJECT: PARKS AND LANDSCAPE MAINTENANCE CONTRACT.**

1. APPROVAL TO SEEK PROPOSALS FOR PARKS AND LANDSCAPE MAINTENANCE SERVICES.

Motion by TUCKER, second by EUGENIO to authorize staff to seek proposals.

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

MOTION CARRIED 5-0

**F-5. SUBJECT: AWARD OF COMMERCIAL APPRAISAL PROFESSIONAL SERVICES.**

1. AWARD OF CONTRACT FOR PROFESSIONAL COMMERCIAL APPRAISAL SERVICES TO MICHAEL FRAUENTHAL & ASSOCIATES INC. IN THE AMOUNT OF \$14,500.00.

Motion by TUCKER, second by EUGENIO to award contract to Michael Frauenthal & Associates.

AYES: AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

**F-6. SUBJECT: LANDSCAPE DESIGN FOR HIGHWAY 86 and CONSIDER SOLICITING SPONSORS TO COVER THE COST OF THE PROJECT.**

Assistant City Manager Brown presented ideas for beautification of the west side of Hwy 86 from 15<sup>th</sup> Street to 2<sup>nd</sup> Street. This would include filling in the barrow pit with decomposed granite or similar material and planting of drought tolerant vegetation there and in the center median. The plan includes keeping the fence in place for safety reasons. Estimated cost is a quarter million dollars which is not budgeted at this time. It is suggested that sponsorships be sought along with the creation of a "Friends of Parks" 501c 3 foundation.

**F-7. SUBJECT: CORONAVIRUS RELIEF FUND – BUSINESS ASSISTANCE MICRO-GRANT PROGRAM.**

1. AWARD OF CORONAVIRUS RELIEF FUND MICRO GRANTS IN THE TOTAL AMOUNT OF \$11,395.00.

Motion by DALE, second by AMPARANO to award the grants as presented.

AYES: AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

**F-8. SUBJECT: RESOLUTIONS TO BE PRESENTED FOR CONSIDERATION BY THE MEMBERSHIP AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 7 – 9, 2020 (VIRTUAL).**

1. TAKE NECESSARY ACTION/GIVE DIRECTION TO VOTING DELEGATE REGARDING THE CITY'S POSITION ON THE PROPOSED 2020 LEAGUE OF CALIFORNIA ANNUAL CONFERENCE RESOLUTIONS.

Motion by AMPARANO, second by TUCKER to encourage the voting delegate to endorse the proposed resolution.

AYES: AMPARANO AND TUCKER

NOES: DALE, EUGENIO, AND PECHTL

ABSTAIN: NONE

ABSENT: NONE

MOTION FAILED 2-3

**F-9. SUBJECT: DISCUSSION/ACTION: UPDATE OF COVID-19 PANDEMIC.**

Assistant City Brown reported as part of the Governors orders issued during the pandemic, of which one is the mailing of a vote-by-mail ballot to all registered voters. The County Registrar of Voters has mailed the ballots by the October 5<sup>th</sup> deadline. In addition, there are new state guidelines in place for sports field use. The Community Services Department will hold a Halloween Drive-through event at the library.

**G. REPORTS:**

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

None.

**G-2. SUBJECT: CITY MANAGER REPORT.**

None.

**G-3. SUBJECT: DEPARTMENT REPORTS.**

Parks Superintendent Lopez reported on the town site park survey and that virtual follow-up meetings are to take place Thursday and Saturday.

Public Services Director Loper gave an update on the 86/Aten manhole project. The traffic signal detection loops were removed during the repair work. New equipment has been received and the signal should be working by the end of the next week.

**CITY COUNCIL MEETING ADJOURNED AT 8:10 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, OCTOBER 21, 2020 AT 7:00 P.M.**