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**MINUTES
CITY COUNCIL
CITY OF IMPERIAL
FEBRUARY 3, 2021**

**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 included 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.

COUNCIL MEMBERS PRESENT: AMPARANO*, BURNWORTH, DALE, AND EUGENIO

COUNCIL MEMBERS ABSENT: TUCKER

*Remote participation

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

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Case Number 18-2

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

A-3. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9)
Two potential cases

CITY COUNCIL ADJOURNED CLOSED SESSION AT 6:50 PM.

B. CITY COUNCIL CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: AMPARANO*, BURNWORTH, DALE, AND EUGENIO

COUNCIL MEMBERS ABSENT: TUCKER

OTHERS PRESENT: CITY MANAGER MORITA, CITY CLERK JACKSON,
ASSISTANT CITY MANAGER BROWN, CITY ATTORNEY
HOLBROOK, PUBLIC WORKS DIRECTOR LOPER*, FIRE
CHIEF ESTRADA*, POLICE CHIEF BARRA, IT DIRECTOR

**ESTRADA, COMMUNITY SERVICES DIRECTOR HALLER*,
ADMINISTRATIVE SERVICES DIRECTOR GUTIERREZ,
COMMUNITY DEVELOPMENT DIRECTOR MORA*, PARKS
SUPERINTENDENT LOPEZ, AND CAPTAIN SHEFFIELD**

MAYOR EUGENIO called the meeting to order at 7:00 pm and the Pledge of Allegiance was led by Parks Superintendent Lopez,

ADJUSTMENTS TO THIS AGENDA

City Manager Morita informed Council that an item needing action arose subsequent to the posting of the agenda and requested Council to tack action to add it to the agenda.

Motion by BURNWORTH, second by AMPARANO to add the item regarding environmental clean-up, transportation and disposal of contaminated soil from the Barioni waterline project to the agenda.

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

Added as item E-4.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

City Attorney Holbrook reported no was action taken.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda

None.

C-2. Matters appearing on the agenda.

None.

D. CONSENT AGENDA:

D-1. Approval of claims/warrants report.

D-2. Approval of Treasurers' Report for the month of December 2020.

D-3. Approval of minutes for regular meeting of November 18, 2020, December 2, 2020, and December 16, 2020.

D-4. Monterrey Park Unit 4B; Authorize partial reconveyance to Jupiter Ventures, LLP for lots 372-377 per FM 27/83-85.

D-5. Monterrey Park Unit 4B; Authorize partial reconveyance to Jupiter Ventures, LLP for lots 369-371 and 378-380 per FM 27/83-85.

D-6. Victoria Ranch Unit 6A; Authorize partial reconveyance to Imperial Ranch Partners, LLC for lots 1-3 and 87-98 per FM 27/76-78

D-7. Victoria Ranch Unit 6A; Authorize partial reconveyance to Imperial Ranch Partners, LLC for lots 4-7 and 99-103 per FM 27/76-78

D-8. Approval to waive reading in full and adopt Ordinance No. 811, An Ordinance of the City Council of the City of Imperial, Adding Chapter 10B to the Imperial Municipal Code Regarding the Mandatory Commercial and Multi-family Residential Recycling.

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

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

E. ACTION ITEMS:

E-1. SUBJECT: IMPERIAL POLICE DEPARTMENT OUT OF SERVICE VEHICLES AND MISCELLANEOUS EQUIPMENT.

1. DECLARATION OF IMPERIAL POLICE DEPARTMENT OUT OF SERVICE VEHICLES AND MISCELLANEOUS EQUIPMENT AS SURPLUS.

Motion by DALE, second by BURNWORTH to declare the vehicles and equipment as surplus property.

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

2. AUTHORIZATION OF SALE AND/OR DISPOSAL OF ITEMS DECLARED SURPLUS.

Motion by AMPARANO, second by DALE to approve the sale or disposal of surplus property.

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

E-2. SUBJECT: UTILITY BILL DELINQUENCY – GRANT PROGRAM.

1. APPROVAL TO FORGIVE DELINQUENCY AND/OR PENALTY FEES IN THE AMOUNT OF \$19,001.46.

Motion by BURNWORTH, second by DALE to approve the grant program.

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

E-3. SUBJECT: COVID-19 UPDATE.

Assistant City Manager Brown reported that a vaccine distribution event will take place at IVC. Reported some local restaurants have resumed their open-air dining.

E-4. SUBJECT: ENVIRONMENTAL CLEAN-UP TRANSPORTATION, AND DISPOSAL OF CONTAMINATED SOIL. (BARIONI WATERLINE PROJECT)

1. AUTHORIZATION FOR EFR ENVIRONMENTAL INC. TO TRANSPORT AND DISPOSE OF CONTAMINATED SOIL NOT TO EXCEED \$100,000.00

Motion by BURNWORTH, second by DALE to authorize EFR Environmental, Inc to transport and dispose of the contaminated soil.

AYES: AMPARANO, BURNWORTH, DALE, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: TUCKER

MOTION CARRIED 4-0

F. REPORTS:

F-1. SUBJECT: DEPARTMENT REPORTS.

Public Works Director Loper gave an update on the Plate Settler Project at the water treatment plant. The lamella plates and equipment have arrived and will be installed the next week.

F-2. SUBJECT: CITY MANAGER REPORT.

None.

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

None.

CITY COUNCIL MEETING ADJOURNED AT 7:15 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, FEBRUARY 17, 2021 AT 7:00 P.M.

**MINUTES
CITY COUNCIL
CITY OF IMPERIAL
FEBRUARY 17, 2021**

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

TELECONFERENCE NOTICE

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

*remote participation

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

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
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A-4. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GC 54956.8)
Property APN: 044-200-012
Agency Negotiators: City Manager
Negotiating Parties: Imperial Irrigation District
Under Negotiation: Pricing and Terms

CITY COUNCIL ADJOURNED CLOSED SESSION AT 7:00 PM.

B. CITY COUNCIL CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: BURNWORTH, DALE, TUCKER*, AND EUGENIO

COUNCIL MEMBERS ABSENT: AMPARANO

OTHERS PRESENT: CITY MANAGER MORITA, ASSISTANT CITY MANAGER BROWN,
CCMIN/02-17-2021

CITY CLERK JACKSON, PUBLIC SERVICES DIRECTOR LOPER, BATTALION CHIEF STAUF*, POLICE CHIEF BARRA, PARKS SUPERINTENDENT LOPEZ, COMMUNITY SERVICES DIRECTOR HALLER*, ADMINISTRATIVE SERVICES DIRECTOR GUTIERREZ, COMMUNITY DEVELOPMENT DIRECTOR MORA*, AND IT DIRECTOR ESTRADA

*denotes remote participation

MAYOR EUGENIO called the meeting to order at 7:10 pm and the Pledge of Allegiance was led by Chief Barra.

ADJUSTMENTS TO THIS AGENDA

City Manager Morita informed Council that an item needing immediate action arose subsequent to the posting of the agenda and requested action be taken to add the item to the agenda.

Motion by DALE, second by BURNWORTH to add to the agenda for action the authorization for Council to sign a letter to be submitted to Governor Newsom regarding vaccine allocation.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

Item to be discussed under item F-7.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

City Attorney Holbrook announced that there was no reportable action taken.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda.

GARY REDFERN addressed Council in regards to February being black History Month and the need to remember USMC LCpl Marcus Cherry, a local young man who lost his life serving our country. Mr. Redfern would like to see some type of memorial in recognition of him and his service.

C-2. Matters appearing on the agenda.

None.

D. CONSENT AGENDA:

D-1. Approval of claims/warrants report.

D-2. Approval of minutes for regular and special meetings of January 6, 2021, January 9, 2021, January 16, 2021, and January 20, 2021.

D-3. Approval to purchase equipment parts for street light maintenance from Iteris, Inc. in the amount of \$13,781.23.

Motion by DALE, second by BURNWORTH to approve the Consent Agenda.

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

E. ACTION ITEMS:

E-1. SUBJECT: IMPERIAL COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE.

1. APPROVAL OF RESOLUTION NO. 2021-02, A RESOLUTION OF THE IMPERIAL CITY COUNCIL ADOPTING THE IMPERIAL COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE.

Motion made by DALE, second by TUCKER to approve Resolution No. 2021-02.

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

E-2. SUBJECT: PASEO DEL SOL PARK IMPROVEMENTS.

1. APPROVE PURCHASE OF 3 PARK GAZEBO SHADES SHELTER FROM SUPERIOR RECREATION IN THE AMOUNT OF \$37,898.47

Motion by BURNWORTH, second by DALE to approve the purchase of gazebo shades.

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

2. APPROVE PURCHASE OF SUPPORT AMENITIES FROM GREAT WESTERN RECREATION IN THE AMOUNT OF \$13,022.56

Motion by DALE, second by BURNWORTH to approve the purchase of amenities.

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

E-3. SUBJECT: EAGER PARK SPLASH PAD SHADE.

1. APPROVE STAFF TO PROCEED WITH ORIGINAL DESIGNS FOR SPLASH PAD SHADE.

Motion by DALE, second by BURNWORTH to approve with original design for shade.

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

E-4. SUBJECT: DECLARATION OF EMERGENCY AT BARIONI BOULEVARD WATERLINE IMPROVEMENT PROJECT.

1. APPROVAL OF RESOLUTION NO. 2021-03, 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 DALE, second by BURNWORTH to approve Resolution No. 2021-03.

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

E-5. SUBJECT: SUSPENSION OF UTILITY DELINQUENCY ASSESSMENTS.

1. AUTHORIZATION TO SUSPEND \$50.00 DELINQUENCY FEE ASSESSMENTS ON CITY OF IMPERIAL UTILITY ACCOUNTS.

Motion by BURNWORTH, second by DALE to suspend \$50.00 delinquency fee assessments.

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

2. AUTHORIZATION TO CREDIT THOSE \$50.00 DELINQUENCY FEES PAID AS OF MARCH 2020 BILLING CYCLE BACK TO THE UTILITY ACCOUNT HOLDER.

Motion by BURNWORTH, second by DALE to credit the \$50.00 delinquency fees paid back to the account holder.

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

3. AUTHORIZATION TO STRIP OUTSTANDING \$50.00 DELINQUENCY FEES FROM UTILITY ACCOUNTS AS OF MARCH 2020.

Motion by BURNWORTH, second by DALE to strip outstanding \$50.00 delinquency fees from utility accounts as of March 2020.

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

E-6. SUBJECT: AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES WITH DEVELOPMENT MANAGEMENT GROUP, INC.

1. APPROVE AGREEMENT BETWEEN CITY OF IMPERIAL AND DMG ECONOMICS, INC FOR PROFESSIONAL CONSULTING SERVICES FOR THE TERM OF SIX (6) MONTHS NOT TO EXCEED \$14,000.00

Motion by BURNWORTH, second by DALE to an agreement with DMG Economics, Inc.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-7. SUBJECT: COVID-19 UPDATE.

1. APPROVAL TO SIGN AND SUBMIT TO GOVERNOR NEWSOME AN URGENT REQUEST FOR INCREASE OF CACCINE ALLOCATION TO IMPERIAL COUNTY.

Motion by DALE, second by BURNWORTH to sign and submit a letter to Governor Newsome of urgent request to increase the vaccine allocation to Imperial county.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

F. REPORTS:

F-1. SUBJECT: DEPARTMENT REPORTS.

None.

F-2. SUBJECT: CITY MANAGER REPORT.

None.

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

MAYOR EUGENIO AND COUNCIL MEMBER BURNWORTH commented that even though not all of the Council members agree on an issue they are all respectful of each other.

CITY COUNCIL RE-CONVENED TO CLOSED SESSION AT 8:04 PM

PRESENT: BURNWORTH, DALE, TUCKER*, AND EUGENIO

ABSENT: AMPARANO

City attorney Holbrook announced no action taken in closed session.

CITY COUNCIL MEETING ADJOURNED AT 8:30 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, MARCH 3, 2021 AT 7:00 P.M.