

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF IMPERIAL
200 WEST 9TH STREET
IMPERIAL, CA 92251-1637
MARCH 16, 2022

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

MAYOR DALE CONVENED TO CLOSED SESSION AT 6:30 PM.

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

STAFF PRESENT: MORITA, BROWN, HOLBROOK, AND MORA

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

(Significant Exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9) One (1) potential case

A-2. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957(b)(1)

Title: City Attorney

MAYOR DALE ADJOURNED CLOSED SESSION AT 6:58 PM

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

MAYOR DALE CALLED THE MEETING TO ORDER AT 7:04 PM

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

STAFF PRESENT: MORITA, BROWN, HOLBROOK, GUTIERREZ, MORA, HALLER, CHIEF ESTRADA, ESTRADA, LOPEZ, CHIEF BARA,

PLEDGE OF ALLEGIANCE LED BY TONY LOPEZ

ADJUSTMENTS TO THIS AGENDA

MORITA explained that a third action to item F-1 would be added to the agenda. The third action would be to amend Mr. Holbrook's existing contract in name Ms. Turner as an Assistant Attorney for the remainder of Mr. Holbrook's agreement ending May 1, 2022. **MORITA** explained that the need for this arose after the agenda was posted. **AMPARANO** asked to move items F6, F10, F11, F12 and F13 to the Consent Calendar. **MORITA** stated it would be best for the City Council to take action separately to make the various adjustments to the agenda.

ACTION #1

AMPARANO MOTIONED TO ADD THE THIRD ACTION ITEM TO F-1 AS AN AMENDMENT TO THE EXISTING AGREEMENT BETWEEN THE CITY OF IMPERIAL AND GEOFFREY P. HOLBROOK FOR CITY ATTORNEY SERVICES. SECONDED BY BURNWORTH.

AYES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 5-0

ACTION #2

AMPARANO MOTIONED TO MOVE ITEMS F-6, F-10, F-11, F-12, AND F-13 TO THE CONSENT AGENDA. SECONDED BY BURNWORTH.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 5-0

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

NONE

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda.

NONE

C-2. Matters appearing on the agenda.

NONE

D. SPECIAL PRESENTATIONS:

D-1. PROCLAMATION – APRIL 2022 AUTISM AWARENESS MONTH

MAYOR DALE presented parent advocates and representatives of Autism Support Imperial County with a Proclamation declaring April as Autism Awareness Month in the City of Imperial. Following the Presentation, LOPEZ invited the community to attend the City’s Inaugural Autism Awareness Fair at Eager Park on April 9, 2022.

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 Minutes from Regular Meeting March 02, 2022

E-2. Claims & Warrants Report

F-6. CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) PROGRAM

F-10. Imperial Public Library Mobile Device Agreement

F-11. Imperial Public Library Children’s Area Furnishings

F-12. Approval of Invoicecloud Electronic Payment Portal

F-13. Municode Recodification Services and Annual Subscription.

ACTION:

MOTIONED BY AMPARANO TO APPROVE THE CONSENT AGENDA AS AMENDED BY EARLIER ACTION. SECONDED BY BURNWORTH.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

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

F-1. SUBJECT: DISCUSSION/ACTION: CITY ATTORNEY APPOINTMENT

DISCUSSION:

HOLBROOK presented the item to the Imperial City Council. HOLBROOK stated that the City received four proposals as part of the competitive process. The City Council held interviews and has selected a candidate which is Ms. Katherine Turner. HOLBROOK reviewed the three actions presented this evening. TURNER introduced herself to the City Council and Community and expressed her excitement to work with the City of Imperial.

ACTION #1:

BURNWORTH MOTIONED BY ONE ACTION TO APPOINT OF KATHERINE TURNER AS CITY ATTORNEY FOR CITY OF IMPERIAL EFFECTIVE MAY 1, 2022. SECONDED BY AMPARANO

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

ACTION #2:

BURNWORTH MOTIONED TO APPROVE THE AGREEMENT BETWEEN CITY OF IMPERIAL AND KATHERINE TURNER FOR CITY ATTORNEY PROFESSIONAL SERVICES. SECONDED BY EUGENIO.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

ACTION #3:

BURNWORTH MOTIONED TO AMEND THE EXISTING AGREEMENT BETWEEN THE CITY OF IMPERIAL AND GEOFFREY P. HOLBROOK DESIGNATING MS. TURNER AS ASSISTANT ATTORNEY FOR THE CITY OF IMPERIAL. SECONDED BY EUGENIO.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 5-0

F-2. SUBJECT: DISCUSSION/ACTION: SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM

DISCUSSION:

MORA presented the item on behalf of the City Council. MORA reviewed the project that would rehab Aten Blvd. from Vilore to Cross Ave. MORA provided the cost overview to the City Council. No discussion was held with the City Council.

ACTION:

MOTION BY AMPARANO TO APPROVE RESOLUTION 2022-16 AUTHORIZING THE SUBMISSION OF STBG PROGRAM GRANT APPLICATION FOR THE REHABILITATION OF ATEN BLVD FROM VILORE WAY TO CROSS AVE AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL ASSOCIATED DOCUMENTS. SECONDED BY BURNWORTH.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 5-0

F-3. SUBJECT: DISCUSSION/ACTION: WATER SERVICE TO PROPERTIES OUTSIDE CITY BOUNDARIES

DISCUSSION:

MORA presented the item to the City Council. MORA reviewed Mr. Meza’s application and confirmed that he has completed the LAFCO process. BURNWORTH asked if this was for a single residence or a new subdivision. MORA confirmed that it was for a single-family residence. BURNWORTH ask MORA to explain what the process was if others were interested. MORA provided the information and stated that Staff does inspect and perform the connection into our utilities. AMPARANO asked if the new connection was going to tear into our road. MORA stated yes, and that the applicant was responsible for the costs. DALE expressed that it is a fairly simple process for anyone interested. No further discussion was held by the Council.

MOTION BY BURNWORTH TO APPROVE THE EXTENSION OF WATER SERVICE TO REAL PROPERTY LOCATED OUTSIDE THE CITY OF IMPERIAL AT APN 064-020-044 ON NANCE ROAD. SECONDED BY AMPARANO.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 5-0

F-4. SUBJECT: DISCUSSION/ACTION: CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM

DISCUSSION:

MORA presented the item to the City Council. MORA provided an overview of the project to install a bike path along Aten Road from Vilore Way to Austin Road. AMPARANO asked for clarification on what we paid for the other bike line from Cross to Dogwood. MORA clarified that the price is due to the cost in materials and the difference in striping for the bike lane. BURNWORTH stated that the cost to the City is minimal. EUGENIO asked what the life span is for thermoplastic verses regular paint. MORA stated that regular paint will show wear and tear as soon as three months after it is put down; thermoplastic can last several years. DALE asked if there is a study that is being completed to who actually uses this? BURNWORTH stated that having the bike lane there will make it more accessible for others. AMPARANO is concerned about the cost of the project, even though it is funded through a grant. EUGENIO expressed that it is part of the bigger picture with HWY 86, and believes it is more cost effective to have thermoplastic that is easier to maintain rather than painting every three to six months. No further discussion was held by the City Council.

ACTION:

MOTIONED BY TUCKER TO APPROVE RESOLUTION 2022-18 AUTHORIZING THE SUBMISSION OF CMAQ PROGRAM GRANT APPLICATION FOR THE INSTALLATION OF THE ATEN BLVD CLASS II BIKE LANE FROM VILORE WAY TO AUSTIN ROAD AND AUTHORIZATION FOR CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL ASSOCIATED DOCUMENTS. SECONDED BY BURNWORTH

YES: EUGENIO, TUCKER, AND BURNWORTH
NOES: AMPARANO AND DALE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 3-2

F-5. SUBJECT: DISCUSSION/ACTION: SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM

DISCUSSION:

MORA presented the item to the City Council. MORA provided an overview of the project for the rehabilitation of P Street. AMPARANO expressed his appreciation for the project and wanted to confirm that we would not rehabbing the portion that belongs to the County. BURNWORTH asked if curb and gutter were apart of this project. MORA confirmed that curb and gutter were in the project scope. No further discussion was had by the City Council.

ACTION

MOTION BY BURNWORTH TO APPROVE RESOLUTION 2022-16 AUTHORIZING THE SUBMISSION OF STBG PROGRAM GRANT APPLICATION FOR THE REHABILITATION OF “P” STREET BETWEEN BARIONI BLVD AND ATEN BLVD. AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL ASSOCIATED DOCUMENTS. SECONDED BY AMPARANO.

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

**F-7. SUBJECT: DISCUSSION/ACTION: WILDFLOWER NORTH RETENTION BASIN
BLOCK WALL REPLACEMENT**

DISCUSSION:

LOPEZ presented the item to the City Council. LOPEZ stated that the quotes seen are in response to the City Council direction provided last meeting. AMPARANO asked if the quote comparisons are based on staff's estimation, or if we went out to gather these? LOPEZ stated that this were obtained from third parties. EUGENIO was hoping the costs difference wouldn't be as much as they are. LOPEZ stated that to construct a similar wall at Skyranch is \$450 per linear foot. BURNWORTH stated that there was a \$100,000.00 difference between chain link and block wall. No further discussion was held by the City Council.

ACTION:

AMPARANO MOTIONED TO AUTHORIZE THE PARKS DEPARTMENT TO SEEK BIDS FOR DEMOLITION AND REPLACEMENT OF WILDFLOWER NORTH RETENTION BASIN BLOCK WALL WITH CHAIN-LINK FENCING AS PRESENTED. SECONDED BY TUCKER

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

**F-8. SUBJECT: DISCUSSION/ACTION: RETIREMENT OF IMPERIAL POLICE
DEPARTMENT K-9 OFFICER JUDY**

DISCUSSION:

CAPT. SHEFFIELD presented the item to the City Council. SHEFFIELD reviewed K9 Judy's history with the Department. BURNWORTH asked if we would be getting another K9. SHEFFIELD stated that the Department would not be seeking to replace Judy, as they still have a dog K9 Kaya. No further discussion was held by the City Council.

ACTION:

MOTIONED BY AMPARANO TO APPROVE THE MEDICAL RETIREMENT FOR K9 JUDY AND AUTHORIZE THE ADOPTION BY HER HANDLER OFFICER STIFF. SECONDED BY EUGENIO

YES: AMPARANO, EUGENIO, TUCKER, BURNWORTH AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED: 5-0

F-9. SUBJECT: DISCUSSION/ACTION: DECLARATION OF SURPLUS LAND

DISCUSSION:

BROWN presented the item to the City Council. BURNWORTH asked if the Council could get a list or GIS map of available properties that the City currently owns. AMPARANO asked if we were planning to sell the property or if we could keep it. BROWN explained it is the City's intent to sell the property pending the completion of notice of availability in compliance with the State of CA Surplus Land Act. The City has determined that the highest and best use for the property would be commercial use and currently the City is using it as storage.

ACTION:

MOTION BY TUCKER TO ADOPT RESOLUTION 2022-20 DECLARING REAL PROPERTY OWNED BY THE CITY OF IMPERIAL LOCATED AT 401 E. BARIONI BLVD AS SURPLUS LAND. SECONDED BY BURNWORTH.

YES: EUGENIO, TUCKER, BURNWORTH AND DALE

NOES: AMPARANO

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED: 4-1

MAYOR DALE ADJOURNED THE CITY COUNCIL MEETING AT 7:48 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, APRIL 6, 2022, AT 7:00 P.M.