



Minutes

City Council
City of Imperial
220 West 9th Street
Imperial, CA 92251-1637

December 7, 2022

Closed Session at 5:30 p.m.

Open Session at 7:00 p.m.

City Council Members

*Geoff Dale- Mayor
Katherine Burnworth-Mayor Pro Tem
Robert Amparano-Council Member
Karin Eugenio- Council Member
James Tucker-Council Member*

A. City Council Convenes to Closed Session at 5:30 p.m.

Mayor Dale called close session to order at 5:30 p.m.

Council Members Present: Geoff Dale- Mayor, Katherine Burnworth-Mayor Pro Tem, Robert Amparano-Council Member, James Tucker-Council Member.

City Staff Present: Dennis Morita-City Manager, Alexis Brown- Assistant City Manager, Katie Turner-City Attorney.

A-1. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to § 54956.9(d)(2): Three (3) Potential Cases

A-2. Conference with Legal Counsel – Existing Litigation (§ 54956.9(d)(1))

Case Number.: 4A2210BMYH5-0001

A-3. Conference with Real Property Negotiators (§ 54956.8)

Property: APN 064-230-015000 (located at 451 W. Aten Road)

Agency Negotiator: City Manager

Negotiating Parties: County of Imperial

Under Negotiation: Instructions to Agency Negotiator Regarding Lease, Price and Terms

B. City Council Convenes to Open Session at 7:00 p.m.

Mayor Dale Called Open Session to Order at 7:08 p.m.

Roll Call:

Council Members Present: Geoff Dale- Mayor, Katherine Burnworth-Mayor Pro Tem, Robert Amparano-Council Member, James Tucker-Council Member

City Staff Present: Dennis Morita- City Manager, Alexis Brown-Assistant City Manager, Katie Turner- City Attorney, Othon Mora-Community Development Director, Jackie Loper- Public Services Director, Anthony Lopez-Parks Director, Alex Estrada-Information Technology Director, Luis Anguiano-Information Technology Support Technician, Jillian Mehdipour-Public Records Analyst, Max Sheffield -Police Captain, Cody Cole- Community Development Building Inspector.

Pledge of Allegiance:

Led by Robert Amparano

Adjustments to the Agenda:

Morita, former Council Member Eugenio has vacated her position and the record shall reflect there is now only four council members. We request that an item be added to the agenda; it was brought to our attention after the agenda was posted, there is additional COPS funding that needs to be expended by the end of the year. The item would be added as F-12 with resolution 2022-077 to accept the funding.

Action:

Amparano made a motion to approve adding “*Item F-12 for discussion and approval, Resolution 2022-077 COPS Program Funding for Fiscal Year 2020-2021.*” **Tucker seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

Action Taken in Closed Session:

Turner, Item A-1, the council discussed three potential cases of anticipated litigation. Direction was given to the council; no reportable action was taken. Item A-2 direction was given to the council. A-3, with Real Property located at 451 W. Aten Road, terms were given to the negotiator. There is no reportable action to report.

C. Public Appearances:

C-1. Matters not appearing on the agenda:

Christian, Imperial Market Days Participating Vendor, addressed the Council requesting more allowed time for vendors to vacate the market days area after the event closure.

C-2. Matters appearing on the agenda:

None

D. Special Presentations

D-1. Imperial Public Library Scholarship Awards:

The awardees presented a slide show. Mayor Dale recognized the awardees and presented scholarship awards.

E. Consent Agenda:

E-1. City Council Meeting Minutes for October 19, 2022, November 2, 2022, and November 16, 2022.

E-2. Continuation of Emergency at HWY 86 and Aten Road.

E-3. Adoption of Resolution 2022-74 Ceasing the Emergency for Water Leak at Wall Road.

- E-4.** Continuation of Emergency for 6th Street Apartments.
- E-5.** Authorization to File Annual Reports in Accordance with SB 165 for Community Facility Districts Bratton 2004-3, Mayfield 2004-2, Monterrey Park 2006-1, Savanna Ranch 2006-2, Springfield 2005-1, and Victoria 2004-1.
- E-6.** 2nd Amendment to City Manager Contract

Action:

Burnworth made a motion to approve “*items E1, E2, E3, E4, E5, and E6, on the consent agenda.*”
Amparano seconded the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F. Action Items: (Discussion/Action– Approve-Disapprove)

F-1. Subject: Purchase of Equipment for Waste Water Treatment Plant

Discussion:

Loper presented the staff report. Burnworth, the new one will be purchased, will the current one be repaired and become the backup? Loper, yes. Amparano, what is the time frame we are looking at? Loper, we will not know the time it will take until we order the parts and they give us an expected delivery time.

Action:

Tucker made a motion to approve, “*The Authorization to Purchase a Submersible Pump for the Waste Water Treatment Plant in the amount not to exceed \$6,000.00.*” **Amparano seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-2. Subject: Award of Engineering Design Services in Response to RFP 2022-07

Discussion:

Mora presented the staff report. Amparano, is this for the striping? Mora, it’s for the thermo plastic bike lane, the design. Amparano, so this is to ensure the project is completed correctly. Is this something we can do in house? Mora, that is correct. At the current time we do not have the capabilities to take care of this inhouse. In the future, we will be able to take care of this in house. Burnworth, do you have a professional engineer to stamp the completed plans? Mora, we do not, and for this project we would not need it since there are no significant changes. We also have consultants on hand we can hire if needed.

Action:

Amparano made a motion to approve the *“Award of Engineering Design Services for RFP 2022-07 to LC Engineering Consultants Inc. for the Class II Bike Lane on Aten Blvd., Between Vilore Way to Austin Road in The Amount Of \$20, 240.00.”* **Burnworth, seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-3. Subject: Award of Engineering Design Services in Response to RFP 2022-08.

Discussion:

Mora present the staff report. Amparano, this is half of what the other bids were at, is there going to be changes? Mora, we have worked with them in the past, and the work was very successful.

Action:

Burnworth made a motion to *“Award of Engineering Design Services for RFP 2022-08 to Vexer Engineering for the Aten Blvd. Rehabilitation Project Between Vilore Way to HWY 86 in the amount of \$37,534.00.”* **Tucker seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-4. Subject: Imperial Police Department Equipment Purchase.

Discussion:

Sheffield, presented the staff report.

Action:

Tucker made a motion to *“Authorization to Purchase Equipment and Supplies for Patrol and Investigations Unit(s) in the Amount Not to Exceed \$12,000.00.”* **Amparano seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-5. Subject: Improvements to Sunset Park

Discussion:

Lopez presented the staff report with a power point. Amparano, I like the red clay. What would that do to the DG that we put in there? Lopez, we would need to regrade the area first, then install additional drain boxes. This will help keep the new improvements from deteriorating. Tucker, where does the water go after the storms? Lopez, with the grade working properly, it will go to the southeast corner. Currently it's not working properly it needs to be regraded. Currently the water just pools. We want to install 12x12 suction boxes with a regrading this will allow us to pump the water out right away. Amparano, does this price include the materials, labor, and regrading? Lopez, we would be working with Public Services to complete this as an in-house project. If needed we can also look to our non-profit organization for help with donations of labor work if there is work that would need to be outsourced. Dale, is there a way we can get some lights installed? Lopez, Public Service has sent me the cost for the past installed lights. I know we will have funds to do some extra things, like the lights. Dale, I can buy the light in a pair on Amazon for \$600.00. I would buy the lights and donate them if they could be put on a pole and mounted just so the kids and those wanting to use the park when its dark out can. Lopez, we will have some extra funds and have some options that we can look into for this. Loper, if you can get me the specification of the lights I can look in to what we can do for installing lights.

Action:

Tucker made a motion to approve “*Proposed Park Improvements to Sunset Park Not to Exceed \$150,000.00, to include Park lighting.*” **Burnworth seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-6. Subject: Community Development Department Safety Standards.

Discussion:

Mora presented the staff report. Amparano, how is the code enforcement officer protecting themselves? What are we doing to take care of them? I have had this conversation before with Mr. Morita. I ask what is being done for the staff's safety. Morita, although data has been collected on situations that a code enforcement officer would face,

ultimately, it's up to us at the end of the day on what measures to implement. According to our information, we do not have anything that would put our code enforcement officer in danger. The PD would be engaged if a situation would arise. My recommendation is to proceed with a non-tactical uniform: a polo shirt and pants. This may change in the future with new data. Amparano, what do ICC, CA, and CEO stand for? Mora, International Code Counts, and the California Association of Code Enforcement Officers. Amparano, how much training does our staff have? We give them all the training, but nothing to protect themselves. Dale, I don't believe the code enforcement officer should escalate the situation; if it gets to the point where it's escalating, the PD should be involved. I am all for education on both sides. I have an issue with the word officer on the title code enforcement; when someone thinks they are an officer when they are not, it can create issues when they approach someone. This creates escalation.

Action:

Tucker made a motion to “*Approve of Resolution No. 2022-73 Adopting Safety Standards for the Community Development Department Divisions of Engineering and Building and Safety in Accordance with California State Bill 296.*” **Burnworth seconded** the motion.

Ayes: 3 Burnworth, Dale, Tucker

Nays: 1 Amparano

Absent:0

Abstained: 0

Motion Passed 3-1

F-7. Subject: Imperial Public Art Program.

Discussion:

Brown presented the staff report. Tucker, will this include a Welcome to Imperial sign? Brown, it could.

Action:

Amparano made a motion for “*Approval of Resolution 2022-75 Establishing the City of Imperial Public Art Program.*” **Tucker seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-8. Subject: 2022 California Building Codes.

Discussion:

Cole presented the staff report.

Action:

Tucker made a motion for the “*Introduction/ 1st reading by title only of Ordinance No. 823, Amending Imperial Municipal Code Chapter 6 to Adopt 2022 California Building Codes.*”

Burnworth seconded the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

Amparano made a motion to “*Provide Directions to Staff to Prepare a Summary of Ordinance No. 823 for Publication Purposes.*” **Tucker seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-9. Subject: Beautification of HWY 86 Between 2nd and 15th Street.

Discussion:

Brown presented the staff report. Amparano, if this goes through next week, what is our time frame? Brown, we will not be able to secure a timeline until we secure the materials.

Action:

Amparano made a motion to “*Authorization for the Purchase and Installation of Materials for the Beautification of HWY 86 Between 2nd and 15th Street in the Amount of \$910,000.00.*”

Burnworth seconded the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-10. Subject: Establishment of Full Time Classifications and Ranges for the Imperial Public Library.

Discussion:

Brown presented the staff report.

Action:

Tucker made a motion to approve the “*Establishment of Full Time Literacy Coordinator Classification at Range 75 of the MSPC Salary Schedule*”. **Amparano seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

Amparano made a motion for the “*Establishment of Full Time Library Assistant Classification at Range 60 of the Teamsters Local Union 542 Salary Schedule.*” **Tucker seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-11. Subject: Imperial Community Grant Program

Discussion:

Brown presented the staff report. Amparano, how does this come back to council? Brown, this is passed through committees for approval and recommendation of the funding. Burnworth, who is the developmental committee? Brown, this committee is all of City Department heads. Tucker, grants are people who ask for money. So, we are asking for money because we don't have any? Brown, what happens is that the parameters will be set for the gift of public funds that will go into improving the City of Imperial. Burnworth, is this only open a couple times during the year? Brown, we can change that to once a quarter or twice a year? Burnworth, can we make it every quarter?

Action:

Burnworth made a motion for the “*Approval of Resolution 2022-76 Establishing the City of Imperial Community Grant Program.*” *With the amendment of open period will be awarded quarterly.* **Amparano seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

F-12. Subject: Approval of COPS funding.

Discussion:

Sheffield presented the staff report.

Action:

Tucker made a motion to approve the “*Authorization of the use of COPS Funding Resolution 2022-077.*” **Amparano seconded** the motion.

Ayes: 4 Amparano, Burnworth, Dale, Tucker

Nays: 0

Absent:0

Abstained: 0

Motion Passed 4-0

G. Adjournment

G-1. Subject: Adjournment of this Regular Meeting of the City Council is Until the Next Regularly Scheduled Meeting, Wednesday, December 21, 2022, at 7:00 pm.

Action:

8:31 p.m. Mayor Dale adjourned the City Council meeting until 7:00 p.m. on December 21, 2022.