

**MINUTES
CITY COUNCIL
CITY OF IMPERIAL
JUNE 17, 2020**

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

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

- A-1. **SUBJECT:** PUBLIC EMPLOYEE APPOINTMENT 54957 (b) (1)
TITLE: City Manager
- A-2. **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54954.5 (e)
TITLE: City Manager
- A-3. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION (Section 54956.9 (d))

Significant exposure to litigation (1 potential case)

- A-4. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION 54956.9(c)

Initiation of litigation (1 potential case)

- A-5. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

City of Imperial v. Western Insurance Company, et al
SDSC Case No. 37-2011-00083094-CU-CO-CTL

CITY COUNCIL ADJOURNED CLOSED SESSION AT 6:50 PM.

B. CITY COUNCIL RE-CONVENED TO OPEN SESSION

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

OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, CITY CLERK
JACKSON, ASSISTANT CITY MANAGER BROWN,
PUBLIC SERVICES DIRECTOR LOPER*, FIRE
CHIEF ESTRADA*, POLICE CHIEF BARRA*, IT
DIRECTOR ESTRADA, COMMUNITY SERVICES
DIRECTOR HALLER*, PARKS SUPERVISOR
LOPEZ*, COMMUNITY DEVELOPMENT
DIRECTOR MORA*, AND POLICE CAPTAIN
LUNA*.

*remote participation

MAYOR PECHTL called the meeting to order at 7:00 pm and the Pledge of Allegiance was led by Councilman Tucker.

ADJUSTMENTS TO THIS AGENDA:

Staff requested Item D-2, Treasurers' Report be tabled to a future meeting.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:

City Attorney Morita announced that no reportable action was taken in Closed Session.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda.

Ray Roben, local real estate broker and developer addressed Council with ideas and suggestions for the abandoned hotel project. He would like to see the property re-zoned to allow for housing for seniors.

Marian Long, Imperial resident sang a song that she wrote in appreciation of our city government.

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 month of May 2020.

D-3. Approval of minutes for Regular and Special meetings: April 28, 2020, May 6, 2020, May 7, 2020, May 13, 2020, and May 18, 2020.

D-4. Approval to submit letter of support for Imperial Valley Business Recovery.

D-5. Approval to submit letter to CalEPA and CalRecycle regarding Local Government Regulatory Relief in Response to COVID-19 Pandemic.

Motion by AMPARANO, second by DALE to approve Consent agenda withholding warrant 93656 and item D-2.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

Motion by DALE, second by AMPARANO to approve warrant 93656 payable to JT Towing.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: TUCKER

ABSENT: NONE

MOTION CARRIED 4-0

E. ACTION ITEMS:

E-1. SUBJECT: EMERGENCY AT WASTEWATER TREATMENT PLANT – MANHOLES.

1. SUSPEND THE EMERGENCY.

Motion by AMPARANO, second by DALE to suspend the emergency.

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

NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

E-2. SUBJECT: WATER TREATMENT PLANT – PLATE SETTLER REPLACEMENT PROJECT – BID NO. 2020-04

1. AWARD BID TO SPIESS CONSTRUCTION CO. INC. IN THE AMOUNT OF \$839,800.00.

Motion by AMPARANO, second by DALE to award the bid to Spiess Construction Co.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E-3. SUBJECT: CITY CONFLICT OF INTEREST CODE – BIENNIAL REVIEW.

1. PROVIDE DIRECTION TO REVIEW THE CONFLICT OF INTEREST CODE.

Motion by DALE, second by AMPARANO to direct staff to conduct review of the code.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E-4. SUBJECT: FISCAL YEAR 2018-2019 AUDITS.

1. ACCEPTANCE OF FY 18-19 SINGLE AUDIT REPORT FOR FILING.

Motion by DALE, second by TUCKER to accept the Single Audit for filing.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

2. ACCEPTANCE OF FY 18-19 TRANSPORTATION DEVELOPMENT ACT (TDA) AUDIT FOR FILING.

Motion by AMPARANO, second by TUCKER to accept the TDA audit for filing.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E-5. SUBJECT: MUNICIPAL BUDGET FOR FISCAL YEAR 2020-2021.

1. PRESENTATION/OVERVIEW OF MUNICIPAL BUDGET FOR FISCAL YEAR 2020-2021.

2. APPROVAL OF RESOLUTION NO. 2020-32, ADOPTING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2020-2021.

Motion by TUCKER, second by AMPARANO to table the item to the next meeting.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E-6. SUBJECT: EMPLOYMENT AGREEMENT – CITY MANAGER

Assistant City Manager Brown reported that the terms of the agreement include a 3-year term from July 1, 2020 through June 30, 2023 and an annual salary of \$155,000.00.

1. APPROVE EMPLOYMENT AGREEMENT BY AND BETWEEN THE CITY OF IMPERIAL AND DENNIS H. MORITA.

Motion by TUCKER, second by AMPARANO to approve the Employment Agreement.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E-7. SUBJECT: DISCUSSION/ACTION: UPDATE OF COVID-19 PANDEMIC.

Reported on the meeting held earlier in the day with state officials on moving forward with re-opening the county. The county is unable to move past the Stage 2 Lower Risk at this time.

F. REPORTS:

F-1. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.

TUCKER stated that he fully supports our city's police department and fire department in light of current events and the calls for defunding of police departments nation-wide.

DALE spoke on a personal level on the impacts that the closure of businesses has and continues to have on the local economy and livelihoods.

AMPARANO congratulated both the Frank Wright Middle School and Imperial High School graduates. Glad the city was able to assist with the high school's drive through graduation.

EUGENIO thanked Dennis for his service during this time offered congratulations on becoming City Manager.

PECHTL echoed praise and support for our police department as well as county sheriff and fire departments. He encouraged everyone to exercise common sense in their personal lives to stay well and not spread the virus.

F-2. SUBJECT: CITY MANAGER REPORT

Morita commented on the past few months as Interim City Manager and is thankful for the opportunity to serve as City Manager.

F-3. SUBJECT: DEPARTMENT REPORTS.

Several department heads congratulated Mr. Morita on his appointment as City Manager.

Parks Superintendent Lopez informed Council the Sky Ranch wall project was completed last week.

ACM Brown informed everyone that the Census drive through parade will take place on Saturday June 20, 2020. The city is currently at a 60% response rate to the census.

CITY COUNCIL MEETING ADJOURNED AT 8:20 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, JULY 1, 2020 AT 7:00 P.M.