



City Council

Ida Obeso-Martinez - Mayor
Stacy Mendoza - Mayor Pro-Tem
Katherine Burnworth - Council Member
Robert Amparano - Council Member
James Tucker - Council Member

AGENDA

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251

July 15, 2026

Closed Session at 06:00 pm

Open Session at 07:00 pm

The City Council meetings are live-streamed on the City's Facebook page at www.facebook.com/cityofimperial. By remaining in the room, you are giving permission to be recorded.

Public Comments: Members of the public who wish to speak are encouraged to fill out a Speaker Slip and submit it to the City Clerk before the start of the meeting. Public comments are limited to 3 minutes. Comments may also be submitted by email to CityClerk@imperial.ca.gov no later than 5:00 p.m., the day of the meeting.

Americans with Disabilities Act: Requests for special assistance to participate in the meeting, please contact the City Clerk's Office by calling (760) 355-5303 or emailing CityClerk@imperial.ca.gov. Notification of 48 hours before the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA title II].

All documents with executive summaries and staff recommendations for open session action items are available on the City's website 72 hours before the meeting. Supplemental writings distributed to the City Council within 72 hours of the meeting will also be posted online. Written materials shared during the meeting will be available there if prepared by the city or afterward if prepared by others. These materials can be obtained from the City Clerk's Office.

6:00 P.M. CLOSED SESSION

ROLL CALL

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: At this time, members of the public may address the City Council on Closed Session items. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). If you are compensated to communicate with City officials, you may be required to register and/or make certain disclosures as a lobbyist. Please see the City Clerk for additional information. There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

CITY COUNCIL ADJOURNS INTO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION G.C §54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of Litigation pursuant to California Government Code section 54956.9(c)

7:00 P.M. REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE AGENDA: The City Council may amend the order, add urgency items, note abstentions or “no” votes on consent calendar items, and request consent calendar items be removed from the consent calendar for discussion. The City Council may also remove items from the consent calendar before that portion of the agenda. The City Council may address these issues by entertaining a formal motion.

CITY ATTORNEY REPORT ON CLOSED SESSION

PUBLIC COMMENT: If you wish to address the City Council concerning any item within the City Council’s jurisdiction, please raise your hand and be acknowledged by the mayor. At that time, state your name and address for the record. The mayor reserves the right to place a time limit of three (3) minutes on each person’s presentation.

A. PRESENTATIONS:

A.1. Presentation by the Imperial Valley 9/11 Stair Climb Committee.

B. CONSENT AGENDA: All items appearing under the “Consent Agenda” will be acted upon by the City Council with 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.

B.1. Approval of Warrants Report.

- B.2.** Approve City Council Minutes for the Special Meetings of March 25, 2026, December 11, 2025, November 5, 2026, and Regular meetings of April 1, 2026, April 15, 2026, May 20, 2026, and June 3, 2026.
- B.3.** Acceptance of Cannabis Tax Fund Grant Program Award
- B.4.** Recommendation to return late Claim CJP 3056823 Bonillas, as recommended by Athens.

C. PUBLIC HEARING (DISCUSSION/ACTION):

- C.1.** Approve Urgency Ordinance No. 835 extending Interim Urgency Ordinance No. 834, approving a Temporary Moratorium.

Presenter: Othon Mora, Community Development Director

Recommended Action: Approve Urgency Ordinance No. 835, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL EXTENDING INTERIM URGENCY ORDINANCE NO. 834 ESTABLISHING A TEMPORARY MORATORIUM ON APPROVAL, ESTABLISHMENT, OR OPERATION OF CERTAIN HIGH-ENERGY INDUSTRIAL, TECHNOLOGY, AND UTILITY-SUPPORTING USES WITHIN THE CITY OF IMPERIAL PURSUANT TO GOVERNMENT CODE SECTION 65858 and extending Interim Urgency Ordinance No. 834 for an additional ten (10) months and fifteen (15) days pursuant to California Government Code Section 65858, while the City studies potential zoning regulations and development standards.

D. ACTION ITEMS (DISCUSSION/ACTION):

- D.1.** Approval of Resolution 2026-53, adopting the project list for Fiscal Year 2026-27 funded by SB1.

Presenter: Othon Mora, Community Development Director

Recommended Action: Approve Resolution 2026-53, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026-53 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.

- D.2.** Review and Approve Revised by-laws of the Library Board of Trustees for Imperial Public Library

Presenter: Ember Haller, Library Manager

Recommended Action: Staff recommends that the City Council review and approve the revised changes to the Library Board bylaws.

D.3. Approval of Agreement Between City of Imperial and Aleshire & Wynder, LLP for City Attorney Legal Services.

Presenter: Dennis H. Morita, City Manager

Recommended Action: Staff recommends the City Council approve the agreement between City of Imperial and Aleshire & Wynder, LLP for City Attorney Legal Services.

D.4. Appointment to the Library Board of Trustees to fill an unscheduled vacancy.

Presenter: Dennis H. Morita, City Manager

Recommended Action: Reappoint Magdalena Altamirano to a three-year term and appoint one of the two applicants to fill an unscheduled vacancy with a term ending on June 30, 2027.

E. REPORTS:

- Department Reports
- City Manager Report
- Mayor and Councilmember Reports

ADJOURNMENT: The next regular meeting of the Imperial City Council will be held on August 5, 2026.

Check Register Report

B.1

Date: 07/09/2026

Time: 12:04 pm

Page: 1

CITY OF IMPERIAL

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
133586	06/30/26	Printed			5956	AMAZON CAPITAL SERVICES	17MT-1GV9-16HM 88963	3,465.61
133587	06/30/26	Printed			9102	APA CALIFORNIA	135270F89D3BA212D0F 88882	900.00
133588	06/30/26	Printed			6069	CONFERENCE BAKER DISTRIBUTING COMPANY LLC	GT99725 88967	116.71
133589	06/30/26	Printed			7158	BLUETARP FINANCIAL, INC.	A08381 88965	304.63
133590	06/30/26	Printed			8747	BLUETRITON BRANDS INC.	06F8730277992	211.02
133591	06/30/26	Reconciled		07/07/26	9103	BOSCH BUILDING TECHNOLOGIES	90026087-1 87892	730,800.00
133592	06/30/26	Printed			8296	BRAWLEY ANALYTICAL, INC.	002096 88083	479.00
133593	06/30/26	Printed			6286	BURKE, WILLIAMS & SORENSEN, LL	370134 88910	1,079.00
133594	06/30/26	Printed			6558	CS-AMSCO	0021885 86648	11,231.86
133595	06/30/26	Reconciled		07/08/26	6919	DAVID RAMIREZ	REIMBURSEMENT-GAS 6/23/26 88883	100.00
133596	06/30/26	Printed			339	DEPARTMENT OF CONSERVATION	APRIL-JUNE 2026 88876	183.97
133597	06/30/26	Printed			207	EL CENTRO MOTORS	5253238 88133	447.36
133598	06/30/26	Printed			1123	EMPIRE SOUTHWEST, LLC	EPSL00016924 83295	146,980.70
133599	06/30/26	Printed			4456	GRAFFIK SCREEN PRINTING	5756 88864	132.68
133600	06/30/26	Printed			710	GRAINGER	9947998440 88082	3,482.47
133601	06/30/26	Printed			7720	GREEN RUBBER-KENNEDY AG	I-110974 88265	76.80
133602	06/30/26	Printed			117	HAAKER EQUIPMENT COMPANY	INV39714 88087	619.14
133603	06/30/26	Printed			2096	HOME DEPOT CREDIT SERVICES	8900253 88084	943.56
133604	06/30/26	Printed			028	IMPERIAL IRRIGATION DISTRICT	JUNE 29, 2026	7,447.59
133605	06/30/26	Printed			3187	IMPERIAL TRUSS & LUMBER CO.	B86029 88136	49.91
133609	06/30/26	Printed			6472	INGRAM LIBRARY SERVICES	97482458 87922	1,842.59
133610	06/30/26	Printed			868	K-C WELDING & RENTALS, INC.	229120 88131	235.89
133611	06/30/26	Printed			1647	LA BRUCHERIE IRRIGATION SUPPLY	332615 88966	547.70
133612	06/30/26	Printed			8933	LA LIBRERIA INC	105057-1 87937	289.63
133614	06/30/26	Printed			5230	LABOR COMPLIANCE CONSULTANTS	3028 88866	8,225.00
133615	06/30/26	Printed			1996	LEE TIRE CO.	412851 88085	169.63
133616	06/30/26	Printed			3978	MAR-CO EQUIPMENT CO.	216872 88761	13,731.35
133617	06/30/26	Printed			8669	NAPA AUTO PARTS	575217 88089	2,823.26
133618	06/30/26	Printed			8777	NICKLAUS ENGINEERING INC	0043638 88763	5,133.60
133619	06/30/26	Printed			4481	O'REILLY	2687-221538 88958	160.98
133620	06/30/26	Printed			079	ONE SOURCE DISTRIBUTORS	S008323881.001 88093	3,933.00
133621	06/30/26	Printed			9027	ORIGINAL WATERMEN INC	508730-02 88962	595.90
133622	06/30/26	Printed			219	PADRE USA	16035308 88268	192.44
133623	06/30/26	Reconciled		07/06/26	9000	PETER NGUYEN	JUNE 2026 88913	12,043.27
133624	06/30/26	Printed			7495	POLYDYNE INC.	2036065 88080	14,646.46
133625	06/30/26	Printed			694	REXEL OF AMERICA, LLC	S145411186.001 88088	657.39
133626	06/30/26	Printed			3786	RINGCENTRAL INC	CD_001475695 88048	1,426.38
133627	06/30/26	Printed			8518	ROCKWELL ENGINEERING &	271437 88086	17,476.66
133628	06/30/26	Printed			9104	ROSIO ROBLES	9988-4142/480 TRESHILL#279	197.20
133629	06/30/26	Printed			3526	RSD	3354490-00 88090	1,073.44
133630	06/30/26	Printed			5855	THE DESERT REVIEW	5382 87098	180.00
133631	06/30/26	Printed			1239	THE SHERWIN-WILLIAMS CO.	5975-4 87535	85.10
133633	06/30/26	Reconciled		07/07/26	5837	U.S. BANK	CSMF 6/18/26 87893	1,505.59
133634	06/30/26	Printed			9097	USALCO LLC	910234576 88412	21,845.28
133635	06/30/26	Printed			611	VERIZON WIRELESS	6142897875 REISSUED	955.46
133636	06/30/26	Printed			1568	WEBB AND ASSOCIATES	ARIV0012830 88762	4,007.71

Total Checks: 46

Checks Total (excluding void checks):

1,023,032.92

Date: 07/09/2026
Time: 12:04 pm
Page: 2

CITY OF IMPERIAL

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
Total Payments: 46							Bank Total (excluding void checks):	1,023,032.92
Total Payments: 46							Grand Total (excluding void checks):	1,023,032.92



City Council

Ida Obeso-Martinez - Mayor
Stacy Mendoza - Mayor Pro-Tem
Katherine Burnworth - Council Member
Robert Amparano - Council Member
James Tucker - Council Member

Minutes

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251

April 1, 2026

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

The Closed Session meeting was called to order at 6:00 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker, Mayor Pro Tem Mendoza, Mayor Obeso-Martinez, City Attorney Turner, City Manager Morita, Assistant to the City Manager Garcia

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: There were none.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION G.C §54956.9 (d)(1):

City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457, Imperial Valley Manufacturing, LLC vs. City of Imperial, United States District Court for the Southern District of California Case No 26CV128 JLS BJW, and City of Imperial v. Gazette Ranch, Inc., Imperial County Superior Court, ECU00569

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of Litigation pursuant to California Government Code section 54956.9(c) Number of Potential Cases: 1

CONFERENCE WITH LABOR NEGOTIATORS G.C. §54957.6 Agency Representatives: City Manager Employee Organization: Imperial Police Officers Association, Teamsters Local 542 & Employee Organization Management Supervisory, Professional, Confidential, and Police Captain/Unrepresented

PUBLIC EMPLOYEE APPOINTMENT G.C. § 54957 Title: City Attorney

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Obeso-Martinez called the meeting to order at 7:09 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker, Mayor Pro Tem Mendoza, Mayor Obeso-Martinez

PLEDGE OF ALLEGIANCE: A member of the community led the Pledge of Allegiance.

ADJUSTMENTS TO THE AGENDA: There are none.

CITY ATTORNEY REPORT ON CLOSED SESSION: City Attorney, Turner, reported that direction was given to Council on Existing Litigations and Anticipated Litigation.

PUBLIC COMMENT: Robert Powell was present for public comments regarding the Data Center.

A. PRESENTATIONS:

A.1. Autism Acceptance Month Proclamation Presentation.

A.2. Q2 Budget Update Presentation by Finance Director Victor Manriquez.

B. CONSENT AGENDA:

B.1. Approval of Warrants Report.

B.2. Approve the City Council Meeting Minutes for March 4, 2026.

B.3. Authorization for the destruction of Imperial Police Department Reports ranging from 1979-2014

B.4. Approval of terms of service for appointed members of the Library Board of Trustees.

Moved by Amparano, seconded by Mendoza, to approve the Consent Agenda.

AYES: Amparano, Tucker, Mendoza, Obeso-Martínez

NOES: None

ABSTAIN: Burnworth

ABSENT: None

MOTION CARRIES: 4-0-1

C. PUBLIC HEARING (DISCUSSION/ACTION):

C.1. Public hearing for the purpose of vacating a public right-of-way portion of Imperial Avenue between 1st Street and State Highway 86 and adopting Resolution No. 2026-11 approving the intent to vacate.

Mayor Obeso-Martinez opened the public hearing at 7:54 p.m. Othon Mora, Community Development Director, presented the staff report. Mayor Mendoza closed the public hearing at 7:55 p.m.

Presenter: Othon Mora, Community Development Director

Recommended Action: Approve Resolution 2026-11, A RESOLUTION OF INTENTION TO VACATE A PUBLIC RIGHT-OF-WAY.

Moved by Mendoza, seconded by Burnworth, to approve Resolution No. 2026-11.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

D. ACTION ITEMS (DISCUSSION/ACTION):

- D.1.** Establishing A Policy for the Processing of Specific Residential Development Projects Consistent with Government Code Section 65583.2

Presenter: Othon Mora, Community Development Director

Recommended Action: Staff Recommends Approval of Resolution No 2026-08, A RESOLUTION OF CITY COUNCIL OF THE CITY OF IMPERIAL, ESTABLISHING A POLICY FOR THE PROCESSING OF SPECIFIC RESIDENTIAL DEVELOPMENT PROJECTS CONSISTENT WITH GOVERNMENT CODE SECTION 65583.2

Moved by Burnworth, seconded by Amparano, to approve Resolution No. 2026-08.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

- D.2.** Approval and acceptance of off-site street improvements, and authorize partial reconveyance for Lots in Phases 62-67 of Monterrey Park Subdivision No.2 Unit 4C, to Jupiter Ventures I, LP

Presenter: Othon Mora, Community Development Director

Recommended Action: 1. Staff recommends approval and acceptance of off-site street improvements of Monterrey Park Subdivision No.2 Unit 4C - Phases 62-67.
2. Staff recommends authorization of Partial Reconveyance regarding Lots 484 to 493 per FM 28-60, Lots 512 to 521 per FM 28-60, and Lots 550 to 568 per FM 28-60 to Jupiter Ventures I, LP.

Moved by Mendoza, seconded by Burnworth, to approve 1. Staff recommends approval and acceptance of off-site street improvements of Monterrey Park Subdivision No.2 Unit 4C - Phases 62-67. 2. Staff recommend authorization of Partial Reconveyance regarding Lots 484 to 493 per FM 28-60, Lots 512 to 521 per FM 28-60, and Lots 550 to 568 per FM 28-60 to Jupiter Ventures I, LP.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

- D.3.** Approve Grid 2 Sidewalk Survey Proposal from Precision Concrete Cutting

Presenter: Jenell Guerrero, Interim Public Services Director

Recommended Action: Approve Grid 2 Sidewalk Survey Proposal from Precision Concrete Cutting.

Moved by Burnworth, seconded by Mendoza, to approve the Grid 2 Sidewalk Survey Proposal from Precision Concrete Cutting.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

D.4. Acceptance of work completed for 7th Street Rehabilitation & Pedestrian Improvements from S. "D" Street to S. "E" Street, LPPSB1-5134(029)

Presenter: Othon Mora, Community Development Director

Recommended Action: Staff recommends approval of the balancing change order, acceptance of the work as completed, and authorization to file the "Notice of Completion" with the County Clerk/Recorder's Office.

Moved by Tucker, seconded by Amparano, to approve the staff's recommendation of approval of the balancing change order, acceptance of the work as completed, and authorization to file the "Notice of Completion" with the County Clerk/Recorder's Office.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

D.5. Approve Resolution No. 2026-12 to Authorize the Sale of APN 063-054-038.

Presenter: Dennis H. Morita, City Manager

Recommended Action: Staff recommends approval of a Purchase and Sale Agreement with JMJ SouthWest Limited Liability Company and adopt Resolution No. 2026-12, APPROVING THE SALE OF ASSESSOR'S PARCEL NUMBER 063-054-038 (APPROXIMATELY 25,311.72 SQUARE FEET OF VACANT LAND) AND AUTHORIZING CITY MANAGER AND/OR HIS DESIGNEE TO ENTER INTO A PURCHASE AND SALE AGREEMENT TO EFFECTUATE SAID SALE

Moved by Burnworth, seconded by Tucker, to approve Resolution No. 2026-12.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

E. REPORTS:

- Department heads reported on their activities since the last city council meeting.
- City Manager Report: None
- The Mayor and Council members reported on their activities since the last city council meeting and on upcoming events.

ADJOURNMENT: Seeing no further business before the Council, Mayor Obeso-Martinez adjourned this meeting at 8:22 p.m. until the next council meeting on April 15, 2026.



City Council

Ida Obeso-Martinez - Mayor
Stacy Mendoza - Mayor Pro-Tem
Katherine Burnworth - Council Member
Robert Amparano - Council Member
James Tucker - Council Member

Minutes

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251

April 15, 2026

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

The Closed Session meeting was called to order at 6:00 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker, City Attorney Turner, City Manager Morita

ABSENT: Mayor Pro Tem Mendoza and Mayor Obeso-Martinez

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: There is none.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457, Imperial Valley Manufacturing, LLC vs. City of Imperial, United States District Court for the Southern District of California Case No 26CV128 JLS BJW, and City of Imperial v. Gazette Ranch, Inc., Imperial County Superior Court, ECU00569

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of Litigation pursuant to California Government Code section 54956.9(c) Number of Potential Cases: 1

CONFERENCE WITH LABOR NEGOTIATORS G.C. §54957.6 Agency Representatives: City Manager Employee Organization: Imperial Police Officers Association, Teamsters Local 542 & Employee Organization Management Supervisory, Professional, Confidential, and Police Captain/Unrepresented

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – GC 54956.7 (b) (1) Title of Position: City Manager

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Council Member Burnworth called the meeting to order at 7:09 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker

ABSENT: Mayor Pro Tem Mendoza and Mayor Obeso-Martinez

PLEDGE OF ALLEGIANCE: Aimee Osuna led the Pledge of Allegiance.

ADJUSTMENTS TO THE AGENDA: Council Member Amparano moved Item B-2 to the Consent Agenda.

Moved by Amparano, seconded by Tucker, to approve Item B-2 to be moved to the Consent Agenda.

AYES: Amparano, Burnworth, Tucker

NOES: None

ABSTAIN: None

ABSENT: Mendoza, Obeso-Martinez

MOTION CARRIES: 3-0

CITY ATTORNEY REPORT ON CLOSED SESSION: City Attorney, Turner, reported that direction was given to Council on Existing Litigations and Employee Performance Evaluation. Council was given directions on Anticipated Litigation.

PUBLIC COMMENT: There were none.

A. CONSENT AGENDA:

A.1. Approval of Warrants Report.

A.2. Approval of Resolution No. 2026-13, Declaring Support for California Cities Week, April 19–25, 2026

B.2. ** Approve Annual Purchase of Lamps and Maintenance Parts for WWTP Trojan UV3000Plus Disinfection System.

Moved by Tucker, seconded by Amparano, to approve the Consent Agenda with the addition of Item B-2.

AYES: Amparano, Burnworth, Tucker

NOES: None

ABSTAIN: None

ABSENT: Mendoza, Obeso-Martinez

MOTION CARRIES: 3-0

B. ACTION ITEMS (DISCUSSION/ACTION):

B.1. Approval of the Dell Storage Spaces Direct (S2D) Cluster Project.

Presenter: Alejandro Estrada, Director of Innovation and Technology

Recommended Action: The staff recommends approving the disbursements of funds for the Dell S2D Cluster Project in the amount of \$259,468.33.

Moved by Tucker, seconded by Amparano, to approve the staff recommendation to approve the disbursements of funds for the Dell S2D Cluster Project in the amount of \$259,468.33.

AYES: Amparano, Burnworth, Tucker

NOES: None

ABSTAIN: None

ABSENT: Mendoza, Obeso-Martinez

MOTION CARRIES: 3-0

B.2. ** Moved to consent agenda. Approve Annual Purchase of Lamps and Maintenance Parts for WWTP Trojan UV3000Plus Disinfection System.

B.3. Adopt Resolution No. 2026-14, submitting to the qualified voters of Community Facilities District (CFD) No. 2004-2 Mayfield, to repeal or reduce Mello-Roos CFD taxes.

Presenter: Dennis H. Morita, City Manager

Recommended Action: Adopt Resolution No. 2026-14, SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT AN INITIATIVE MEASURE TO REPEAL OR REDUCE MELLO-ROOS COMMUNITY FACILITIES DISTRICT (CFD) TAXES WITHIN CITY OF IMPERIAL COMMUNITY FACILITIES DISTRICT NO. 2004-02 UPON SATISFACTION OF OUTSTANDING OBLIGATIONS.

Andrew Rauch and Mario Maresca were present to comment on Item B-3.

Moved by Amparano, seconded by Tucker, to approve Resolution No. 2026-14.

AYES: Amparano, Burnworth, Tucker

NOES: None

ABSTAIN: None

ABSENT: Mendoza, Obeso-Martinez

MOTION CARRIES: 3-0

C. REPORTS:

- Department heads reported on their activities since the last city council meeting.
- City Manager Report: None
- The Mayor and Council members reported on their activities since the last city council meeting and on upcoming events.

ADJOURNMENT: Seeing no further business before the Council, Council Member Burnworth adjourned this meeting at 7:36 p.m. until the next council meeting on May 6, 2026.



City Council

Ida Obeso-Martinez - Mayor
Stacy Mendoza - Mayor Pro-Tem
Katherine Burnworth - Council Member
Robert Amparano - Council Member
James Tucker - Council Member

MINUTES

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251

May 20, 2026

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

The Closed Session meeting was called to order at 6:00 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker, Mayor Obeso-Martinez, City Attorney Turner, City Manager Morita, Assistant to the City Manager Garcia

ABSENT: Mayor Pro Tem Mendoza

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: None.

CONFERENCE WITH LEGAL COUNSEL:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 Potential Case

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code §54956.9(d)(1).) i. City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457 ii. Imperial Valley Manufacturing, LLC vs. City of Imperial, United States District Court for the Southern District of California Case No 26CV128 JLS BJW. iii. Novalk, LLC v. City of Imperial et. al, United States District Court for the Southern District of California, 25CV2307 BAS DDL

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54954.5(e)) Title: City Manager

PUBLIC EMPLOYEE APPOINTMENT G.C. §54957 Title: City Attorney

CONFERENCE WITH LABOR NEGOTIATORS G.C. §54957.6 Agency Representatives: City Manager Employee Organization: Imperial Police Officers Association, Teamsters Local 542 & Employee Organization Management Supervisory, Professional, Confidential, and Police Captain/Unrepresented

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Obeso-Martinez called the meeting to order at 7:01 p.m.

ROLL CALL: Council Members Amparano, Burnworth, Tucker, Mayor Obeso-Martinez

ABSENT: Mayor Pro Tem Mendoza

PLEDGE OF ALLEGIANCE: James Tucker led the Pledge of Allegiance.

ADJUSTMENTS TO THE AGENDA: Item A-4 and Item C-1 will be moved to the beginning of the meeting. Item C-4 will be moved to Consent. Item A-2 will be moved to a future meeting.

Moved by Burnworth, seconded by Amparano, to approve the adjustments to the agenda.

AYES: Amparano, Burnworth, Tucker, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: Mendoza

MOTION CARRIES: 4-0

CITY ATTORNEY REPORT ON CLOSED SESSION: No reportable action given on Anticipated Litigation, Evaluation – City Manager, Appointment – City Attorney, and Labor Negotiators. Direction given to the council on Existing Litigation.

PUBLIC COMMENT:

Resident Isaiah Gonzalez and Peter Rodriguez provided public comments.

A. PRESENTATIONS:

A.1. Presentation by Victoria Topete on Chalk the Walk Winners

****Moved to the next meeting on June 3, 2026.**

A.2. Recognition of outgoing Planning Commission Board Member Ruben Rivera.

****Moved to a future meeting.**

A.3. Introduction of newly appointed Planning Commission Board Member Alejandro Duarte

A.4. Presentation to recognize Officer Amaya as Officer of the Year.

A.5. Presentation by Officer Schleyer on Internet Crimes Against Children.

B. CONSENT AGENDA:

B.1. Approval of Warrants Report.

C.4. Authorize the purchase of two (2) 2026 Ford F-150 Police Responders.

Moved by Burnworth, seconded by Amparano, to approve the consent agenda minus Warrant #132464.

AYES: Amparano, Burnworth, Tucker, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: Mendoza
MOTION CARRIES: 4-0

Moved by Burnworth, seconded by Tucker, to approve warrant # 132464.

AYES: Amparano, Burnworth, Tucker, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: Mendoza

MOTION CARRIES: 4-0

C. ACTION ITEMS (DISCUSSION/ACTION):

- C.1.** Discussion and direction to staff regarding implementation of zoning, planning and other tools to balance economic development with environmental safeguards with specific focus on residences and schools.

Presenter: Dennis H. Morita, City Manager, and Katherine Turner, City Attorney

Recommended Action: Discuss and provide direction to staff regarding implementation of zoning, planning and other tools to balance economic development with environmental safeguards with specific focus on residences and schools.

Two public comments were received by email and were summarized and read into the record by City Attorney Turner. Public Comments in favor of a moratorium were given by Abraham Zavala, Gina Snow, Robert Diaz, Belen Donato, Susan Farar Paredes, Peter Rodriguez, Jake Tyson, Francisco Leal, and Christopher Scurries. Council members acknowledged the public's concerns about the AI Data Center and requested that a moratorium be brought back to the City Council for approval at the next regular meeting. The City Council also directed staff to update the city's zoning policies and general plan.

Moved by Burnworth, seconded by Obeso-Martinez, to approve the direction of a moratorium to come back for voting at the next council meeting on June 3rd.

AYES: Amparano, Burnworth, Tucker, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: Mendoza

MOTION CARRIES: 4-0

****Council Member Burnworth was excused from the meeting.**

- C.2.** Approve the plans and specifications for "P" Street Rehabilitation between Aten Rd & Rosarito Dr. STPL-5134(032), and authorize staff to seek bids through a competitive bidding process.

Presenter: Othon Mora, Community Development Director

Recommended Action: 1. Approve the Plans and Specifications for this project.
2. Authorize staff to seek bids through a competitive bidding process for the construction of "P" Street Rehabilitation between Aten Rd. & Rosarito Dr. Project. Stpl-5134(032).

Moved by Amparano, seconded by Tucker, to approve the Plans and Specifications for this project. 2. Authorize staff to seek bids through a competitive bidding process for the construction of "P" Street Rehabilitation between Aten Rd. & Rosarito Dr. Project. Stpl-5134(032). Amparano has asked for curbing to be added to the bid.

AYES: Amparano, Tucker, Obeso-Martínez

NOES: None

ABSTAIN: None

ABSENT: Burnworth, Mendoza

MOTION CARRIES: 3-0

- C.3.** Approve plans and specifications for Phase II and Phase III of the EV Charging Station Installation and EV Purchase Project CRP-5134(033), and authorize staff to seek bids through a competitive bidding process.

Presenter: Othon Mora, Community Development Director

Recommended Action: 1. Approve the plans and specifications for this project
2. Authorize staff to seek bids through a competitive bidding process for the construction of Phase II and phase III of the EV Charging Station Installation and EV purchase project CRP-5134(033).

Hector Meza was present to comment on Item C-3.

Moved by Tucker, seconded by Amparano, to approve the plans and specifications for this project 2. Authorize staff to seek bids through a competitive bidding process for the construction of Phase II and phase III of the EV Charging Station Installation and EV purchase project CRP-5134(033).

AYES: Amparano, Tucker, Obeso-Martínez

NOES: None

ABSTAIN: None

ABSENT: Burnworth, Mendoza

MOTION CARRIES: 3-0

- C.4. ** Moved to consent agenda.** Authorize the purchase of two (2) 2026 Ford F-150 Police Responders.

C.5. Award of contract to Nicklaus Engineering, Inc. (NEI) for Design and Engineering Services in the amount of \$67,897.00

Presenter: Anthony Lopez, Parks & Recreation Director

Recommended Action: Authorize the City Manager to execute an agreement with Nicklaus Engineering Inc. (NEI) for design and engineering services related to the Kitchen Incubator Project in the amount of \$67,897.00

Moved by Tucker, seconded by Amparano, to approve and authorize the City Manager to execute an agreement with Nicklaus Engineering Inc. (NEI) for design and engineering services related to the Kitchen Incubator Project in the amount of \$67,897.00

AYES: Amparano, Tucker, Obeso-Martínez

NOES: None

ABSTAIN: None

ABSENT: Burnworth, Mendoza

MOTION CARRIES: 3-0

D. REPORTS:

- Department heads reported on their activities since the last city council meeting.
- City Manager Report: None
- The Mayor and Council members reported on their activities since the last city council meeting and on upcoming events.

ADJOURNMENT: Seeing no further business before the Council, Mayor Obeso-Martínez adjourned this meeting at 8:44 p.m. until the next council meeting on June 3, 2026.

Ida Obeso-Martinez - Mayor
Stacy Mendoza - Mayor Pro-Tem
Katherine Burnworth - Council Member
Robert Amparano - Council Member
James Tucker- Council Member

MINUTES

Regular Meeting of the Imperial City Council

City Council Chambers
220 West 9th Street
Imperial, CA 92251

June 3, 2026

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

CALL TO ORDER: The meeting was called to order at 6:04 p.m.

ROLL CALL

Present: Robert Amparano, Katie Burnworth, James Tucker, Mayor Ida Obeso-Martinez, City Manager Dennis H. Morita, Assistant to the City Manager Thomas Garcia, Human Resources Manager Kristen Smith. Mayor Pro-Tem Mendoza arrived at 6:25 p.m.

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: None

The City Council adjourned into Closed Session at 6:04 p.m.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code §54956.9(d)(1).) i. City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457 ii. Imperial Valley Manufacturing, LLC vs. City of Imperial, United States District Court for the Southern District of California Case No 26CV128 JLS BJW. iii. Novalk, LLC v. City of Imperial et. al, United States District Court for the Southern District of California, 25CV2307 BAS DDL

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 Potential Case

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54954.5(e)) Title: City Manager

PUBLIC EMPLOYEE APPOINTMENT G.C.§54957 Title: City Attorney

CONFERENCE WITH LABOR NEGOTIATORS G.C. §54957.6 Agency Representatives: City Manager Employee Organization: Imperial Police Officers Association, Teamsters Local 542 & Employee Organization Management Supervisory, Professional, Confidential, and Police Captain/Unrepresented

7:00 P.M. REGULAR MEETING

CALL TO ORDER

Mayor Obeso-Martinez called the meeting to order at 7:03 p.m.

ROLL CALL

Present: Council Robert Amparano, Council Katie Burnworth, Council James Tucker, Mayor Pro-Tem Stacy Mendoza, Mayor Ida Obeso-Martinez

Absent: None

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE AGENDA:

Move item C.6 after C.1.

Moved by Burnworth, seconded by Mendoza, to approve the adjustments to the agenda.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

CITY ATTORNEY REPORT ON CLOSED SESSION

Direction was given regarding City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial Valley Manufacturing, LLC vs. City of Imperial, and Novalk, LLC v. City of Imperial et. al.

Council also discussed Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 Potential Case and direction was given.

No reportable action for the Public Employee Performance Evaluation of the City Manager.

Direction was given to the Human Resources Department and City Manager regarding the Public Employee Appointment of the City Attorney.

Conference with Labor Negotiators was not discussed.

PUBLIC COMMENT: If you wish to address the City Council concerning any item within the City Council's jurisdiction, please raise your hand and be acknowledged by the mayor. At that time, state your name and address for the record. The mayor reserves the right to place a time limit of three (3) minutes on each person's presentation.

Public comment provided by Isaiah Gonzalez regarding his concerns with the city.

Public comment provided by Peter Martinez regarding IVC partnership and higher education activities.

A. PRESENTATIONS:

A.1. Presentation by Victoria Topete on Chalk the Walk Winners

B. CONSENT AGENDA: All items appearing under the “Consent Agenda” will be acted upon by the City Council with 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.

Public comment submitted via email by Marco Conde for consent item B.10 declaring June as Men’s Mental Health Month. Mr. Conde thanked the Council for considering the consent item as a Resolution and would like to extend an invitation to the City Council and the public to attend the Men’s Mental Health Awareness event on Monday, June 8.

- B.1.** Approval of Warrants Report.
- B.2.** Approve City Council Meeting Minutes for May 8, 2026, Special Meeting, May 13, 2026, Special Meeting, and May 19, 2026, Special Meeting.
- B.3.** Authorization to reject claim Athens File Number CJP-3055913 as recommended by Athens.
- B.4.** Authorization to reject claim Athens File Number CJP-3056034 as recommended by Athens.
- B.5.** Authorization to reject claim Athens File Number CJP-3056421 as recommended by Athens.
- B.6.** Authorization to reject two claims with Athens File Number CJP-3056738 as recommended by Athens.
- B.7.** Approve three (3) resolutions for the Imperial Lighting Maintenance District No. 1 (Paseo del Sol and Wildflower Subdivision)
 - 1. Resolution No. 2026-20, Intention to Conduct a Public Hearing and Order the Levy of Assessments;
 - 2. Resolution No. 2026-21, Preliminary Approval of the Engineer’s Report; and,
 - 3. Resolution No. 2026-22, Initiating Proceedings for the Annual Levy.
- B.8.** Approve three (3) resolutions for the Imperial Landscape Maintenance District No. 1 (Paseo del Sol and Wildflower Subdivision);
 - 1. Resolution No.2026-17 Intention to conduct a Public hearing and Order Levy of Assessments;
 - 2. Resolution No. 2026-18, Preliminary Approval of the Engineer’s Report; and
 - 3. Resolution No. 2026-19, Initiating proceedings for the Annual Levy.
- B.9.** Approve three (3) resolutions for the Imperial Landscape Maintenance District No. 2 (Sky Ranch Subdivisions, Zone 2005-03)
 - 1. Resolution No. 2026-23, Intention to Conduct a Public Hearing and Order Levy of Assessments;
 - 2. Resolution No. 2026-24, Preliminary Approval of the Engineer’s Report; and
 - 3. Resolution No. 2026-25, Initiating Proceeding for the Annual Levy.

- B.10.** Approve Resolution No. 2026-26, Declaring the month of June as Men's Mental Health Month.

Moved by Mendoza, seconded by Burnworth, to approve the items on the consent agenda.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

C. ACTION ITEMS (DISCUSSION/ACTION):

- C.1.** Approval of Urgency Ordinance No. 834, Establishing a Temporary Moratorium.

Public comments were provided by Christopher Scurries, Jake Tyson, Fabiola Moreno, and Pete Rodriguez all in favor of passing the moratorium.

Moved by Tucker, seconded by Robert Amparano, to approve Urgency Ordinance No. 834, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ESTABLISHING A TEMPORARY 45-DAY MORATORIUM ON THE APPROVAL OF CERTAIN EMERGING HIGH-ENERGY INDUSTRIAL AND TECHNOLOGY USES, INCLUDING DATA CENTERS, BATTERY ENERGY STORAGE SYSTEMS, AND SIMILAR UTILITY INTENSIVE INDUSTRIAL OR TECHNOLOGICAL USES, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858, while the City studies potential zoning regulations and development standards.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

- C.6.** Approve equipment purchase for the new City of Imperial Fire Engine.

*Item Moved Up **Moved by Burnworth, seconded by Robert Amparano,** to approve the equipment purchase.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

- C.2.** Acceptance of work completed for Aten Blvd. Rehabilitation Project between Vilore Way and Old SR-86 Project No. STPL-5134(027)

Moved by Mendoza, seconded by Burnworth, to accept the work completed and approve the balancing change order.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

- C.3.** Approval of the Community Development Permit Streamlining Report.
Moved by Burnworth, seconded by Tucker, to approve Resolution No. 2026-16 approving the streamlining report.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

C.4.

Award contract for the City Apartments Remodel Project, Bid No. 2026-03.

Moved by Tucker, seconded by Mendoza, to award the project to Busted Knucklez Construction and authorize the City Manager to execute all required documentation.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

C.5.

Declaration of Imperial Police Department 2018 Ford Fusion as Surplus

Moved by Amparano, seconded by Tucker, to approve the declaration of the 2018 Ford Fusion as surplus.

AYES: Amparano, Burnworth, Tucker, Mendoza, Obeso-Martinez

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIES: 5-0

D. REPORTS:

D.1. Department Reports

D.2. City Manager Report

D.3. Mayor and Councilmember Reports

ADJOURNMENT: Mayor Obeso-Martinez adjourned the meeting at 8:10 p.m. until the next regular meeting of the Imperial City Council on June 17, 2026.



Imperial City Council

Ida Obeso-Martinez – Mayor
Stacy Mendoza – Mayor Pro-Tem
Katie Burnworth – Council Member
Robert Amparano – Council Member
James Tucker – Council Member

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

March 25, 2026
Special Meeting

Mayor Obeso-Martinez called the meeting to order at 4:30 p.m.

ROLL CALL Council Members Amparano, Burnworth, Tucker, Mayor Pro-Tem Mendoza, Mayor Obeso-Martinez, City Manager Morita.

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: None.

City Council convened to Closed Session at 4:34 p.m.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated negotiations.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code §54956.9(d)(1).)

- i. City of Imperial vs. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457
- ii. Imperial Valley Manufacturing, LLC vs. City of Imperial, United States District Court for the Southern District of California Case No 26CV128 JLS BJW.

ADJOURNMENT The closed session meeting adjourned at 5:30 p.m.



Imperial City Council

James Tucker – Mayor
Ida Obeso-Martinez – Mayor Pro Tem
Stacy Mendoza – Council Member
Katherine Burnworth – Council Member
Robert Amparano – Council Member

MINUTES

Special Meeting of the Imperial City Council

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

December 11, 2025

6:00 P.M. CLOSED SESSION

CALL TO ORDER: The meeting was called to order at 6:00 p.m.

ROLL CALL: Council Member Mendoza, Mayor Pro Tem Obeso-Martinez, Mayor Tucker, City Manager Morita, Assistant to City Manager Garcia and Attorney Turner.

Council Members Burnworth and Amparano are absent.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Tucker

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY:

Public Comment was received by Francisco Leal, resident of Imperial. Leal spoke in opposition to the proposed data center, thanked the City of Imperial for making residents aware and encouraged other residents to attend meetings.

Public Comment was received by Larry Vasquez, a resident of Imperial, who commented that he was not opposed to development but had concerns for the two schools within 2 miles.

Public Comment was received by Christopher Scurries, a resident of Imperial, who spoke in opposition to the proposed data center, thanked the City of Imperial, and encouraged residents to attend a County meeting on Dec. 18th.

Public Comment was received by Belen Donato, a resident of Imperial, who expressed gratitude towards the City of Imperial Council and stated her opposition to the proposed data center.

Public Comment was received by Brian Vega, a resident of Holtville, who thanked the City of Imperial Council and expressed concerns about residents being overlooked on the proposed data center project.

Public Comment was received by Monica Romero-Armstrong, a resident of Imperial, who also spoke in opposition to the data center project. Romero stated her concerns over energy and water, further asked the City Council to continue fighting for the residents.

Public Comment was received by Jessica Salgado, a resident of Imperial, who spoke in opposition to the proposed data center, and asked the City Council to attend the County meeting on December 18th.

CONFERENCE WITH LEGAL COUNSEL:

CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION G.C
§54956.9 City of Imperial v. Imperial Valley Computer Manufacturing LLC, et al, Imperial County Superior Court Case No ECU004457.

CITY COUNCIL CONVENES TO REGULAR SESSION

Council convened to regular session at 7:20 p.m.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS: City Attorney, Katherine Turner, reported that the City Council discussed Existing Litigation, directions were given to staff, no action taken.

ADJOURNMENT:

With no further business before the Council, Mayor Tucker adjourned the meeting at 7:28 p.m.



Imperial City Council

Robert Amparano – Mayor
James Tucker – Mayor Pro-Tem
Ida Obeso-Martinez – Council Member
Stacy Mendoza – Council Member
Katherine Burnworth – Council Member

Minutes
Imperial City Council
Special Meeting
City Council Chambers
220 West 9th Street
Imperial, CA 92251-1637

November 5, 2025
Work-Study Session
5:00 pm

5:00 P.M. WORK-STUDY SESSION

CALL TO ORDER The meeting was called to order at 5:00 p.m.

ROLL CALL Present: Amparano, Burnworth, Mendoza, Mayor Pro-Tem Obeso-Martinez, Mayor Tucker, City Manager Morita, Assistant to the City Manager Garcia, and City Attorney Turner.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: None.

A. WORK-STUDY SESSION: (DISCUSSION/DIRECTION ONLY)

A-1. Strategic Planning Session of the Imperial City Council with Consultant Jeff Bills

ADJOURNMENT

Seeing no further business before the Council, the meeting was adjourned at 6:26 p.m.



City Council **STAFF REPORT**

Document ID: 2026-390

Category: Consent Item

Department: Police
Department Head: Aaron Reel, Police Chief
Meeting Date: July 15, 2026

SUBJECT:

ACCEPTANCE OF CANNABIS TAX FUND GRANT PROGRAM AWARD IN THE AMOUNT OF \$219,984.00

BACKGROUND:

The City of Imperial Police Department applied for funding through the Cannabis Tax Fund Grant Program to support public safety efforts related to impaired driving enforcement, education, and prevention. The grant program provides funding to local agencies to assist with reducing cannabis-related impaired driving and improving roadway safety.

The City has been awarded \$219,984.00 through the Cannabis Tax Fund Grant Program. These funds will allow the Police Department to enhance traffic safety operations, provide education and outreach, support enforcement activities, and purchase approved equipment and supplies consistent with the grant requirements.

FISCAL IMPACT:

The City will receive grant funding in the amount of \$219,984.00 through the Cannabis Tax Fund Grant Program. There is no required local match. Grant expenditures will be limited to approved grant activities and will be reimbursed or funded in accordance with the grant terms.

REQUESTED ACTION:

Approve

CITY MANAGER RECOMMENDATION:

Approve



City Council **STAFF REPORT**

Document ID: 2026-407

Category: Consent Item

Department: Human Resources
Department Head: Kristen Smith, Human Resources Director
Meeting Date: July 15, 2026

SUBJECT:

**RECOMMENDATION TO RETURN LATE CLAIM CJP 3056823 BONILLAS, AS
RECOMMENDED BY ATHENS.**

BACKGROUND:

Recommendation to return late Claim CJP 3056823 submitted by Philip Bonillas on 6/8/2026.

FISCAL IMPACT:

None

REQUESTED ACTION:

Recommendation to return late Claim CJP 3056823 submitted by Philip Bonillas on 6/8/2026.

CITY MANAGER RECOMMENDATION:

Attachments:

1. Recommendation to Return Late Claim
2. Claim - Bonillas, Philip B._Redacted

July 9, 2026

To: City of Imperial
Attention: Kristen Smith

RECOMMENDATION TO RETURN CLAIM AS LATE BEYOND 6 MONTHS

RE: Claimant: Philip Bonillas
 Date of Loss: 11/06/2025
 Claim Filing Date: 06/08/2026
 Our File Number: CJP-3056823

We have reviewed the above captioned claim and request that you take the action indicated below:

Please return the claim as late with a late notice stating the following:

“Notice is hereby given that the claim which you presented to the City on June 8, 2026, is being returned to you because it was not presented within six months after the event or occurrence, as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action has been taken on the claim.

Your only recourse at this time is to apply without delay to the City for leave to present a late claim. See Sections 911.4 to 912.2, inclusive, and Section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See Section 911.6 of the Government Code.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.”

Please provide a copy of the notice sent along with the proof of service.

If you have any questions, please advise.

Best Regards,

Jackie Marquez

Senior Claims Examiner
Athens Program Insurance Services, LLC
P: 714.912.0445
Email: jmarquez@athensadmin.com

Note about transcribed forms: this format exists to remove accessibility barriers, but some recipients prefer the original printed format. If you'd like help moving your entries into the original form, please use the live assistance options in the sidebar or contact the author.

Claim for Damage or Injury Against the City of Imperial, California

Claims for death, injury to person, or to personal property must be filed not later than six months after the occurrence. (Gov. Code, Sec. 911.2)

Claims for damages to real property must be filed not later than 1 year after the occurrence. (Gov. Code, Sec. 911.2)

TO: City of Imperial
420 So. Imperial Ave.
Imperial, CA 92251

Claimant information

Name of Claimant

Philip B. Bonillas

Address

Zip

92251

Phone

Age

Address to which Claimant wishes notices sent

WHEN did damage or injury occur?

12-6-25

WHERE did damage or injury occur?

In Front of the Police Station



HOW and under what circumstances did damage or injury occur?

How and under what circumstances did damage or injury occur?

It was disclosed to me that a cop who allegedly has taken sexual favors from a known drug addict who may or may not be Imperials C.I. had me singled out and harassed to the point and only under duress that I unwillingly got out of my vehicle under the threat of arrest. continued on Page 2

WHAT particular action by the City, or its employees, caused the alleged damage or injury? (Include Names of Employees, if known)

I have video of the officers I don't have names & to add insult to injury the following day was harassed & followed

WHAT sum do you claim? Include the estimated amount of any prospective loss, insofar as it may be known at the time of the presentation of this claim, together with the basis of computation of the amount claimed: (Attach estimates or bills, if possible)

\$	\$
My Car & Valubles as Im a numismat	My home car rental & home
\$ 100,000.00 ~ 1,000,000	\$ 310,500 ~ 361,900
\$	Total Amount Claimed \$
	\$ 410,500 ~ \$1,361,900

NAMES and addresses of witnesses, Doctors and Hospitals:

Any one who watches the video is a witness.

Signature of Claimant

Philip B. Ball

Date

6-4-26

Hopefully the officer in question had his cam on. After a heated debate I ask for the supervisor who also refused to look at my evidence / paperwork and advised me to take it to court. The man who smugly smiled and treated me rudely behind the glass by the name of Fraizer committed perjury with the stamp of Imperial Police Department seal. So you can thank him for that. I took the advise of the supervisor went to court scheduled the date. Then I received a notice in the mail that the tow company was selling my car with different plates. I told them that those plates don't belong to my car, which can only mean that the police department swapped out my plates to make it look like I stole my car. Due to the arrogance of the department not allowing me to collect my valuables unbeknownst to them that I am a numismatist (coin collector) you all robbed me of my prize possession my 1943 Bronze Penny that I had intended to mail to be graded at PCGS ~~and~~ escalating this fineable offense to felony charges brought upon the force due to the rarity of this coin ungraded is worth \$100,000 ~ 1,000,000 dollars. The day of court the Judge found me innocent!! of all charges but the damage was done because the car was sold meaning the department illegally towed impounded & sold my property. As well started a chain of events that would lead to me losing my job and losing my house rendering me homeless. And I have all the officers recorded on my phone as well as

The continued form of harassment to add insult to injury of the men & women you all employed paid to safe guard this community. Which I no longer feel safe in my home town. As by instructions you all have 45 days to respond or not. which I fully intend to take you all to court. with all the evidence I have and proof of Unwarranted harassment.

Thank You & Have a nice day!



City Council **STAFF REPORT**

Document ID: 2026-399

Category: Action Item

Department: Community Development

Department Head: Othon Mora, Community Development Director

Meeting Date: July 15, 2026

SUBJECT:

EXTENSION OF INTERIM URGENCY ORDINANCE NO. 834 – TEMPORARY MORATORIUM ON DATA CENTERS, ARTIFICIAL INTELLIGENCE COMPUTING FACILITIES, BATTERY ENERGY STORAGE SYSTEMS (BESS), UTILITY-SCALE ENERGY STORAGE FACILITIES, UTILITY SUPPORT INFRASTRUCTURE, AND SIMILAR HIGH-ENERGY INDUSTRIAL USES

BACKGROUND:

On June 3, 2026, the City Council adopted Interim Urgency Ordinance No. 834 establishing a temporary forty-five (45) day moratorium on the establishment, expansion, and approval of Data Centers, High-Performance Computing Facilities, Artificial Intelligence (AI) Computing Facilities, Battery Energy Storage Systems (BESS), Utility-Scale Energy Storage Facilities, Utility Support Infrastructure, and similar high-energy industrial land uses.

The moratorium was adopted after staff determined that the City's Zoning Ordinance does not adequately address these emerging land uses and lacks clear development standards, operational requirements, locational criteria, and performance standards necessary to protect the public health, safety, and welfare.

The need for additional study was prompted by the preliminary review of a proposed 250 MW data center within the City of Imperial and a separate 330 MW data center proposed within the City's Sphere of Influence. Both projects highlighted the significant infrastructure, environmental, land use compatibility, emergency response, and utility issues associated with these rapidly evolving technologies.

Government Code Section 65858 authorizes the City Council to extend an interim urgency ordinance if the Council finds that a current and immediate threat to public health, safety, or welfare remains and that additional time is necessary to complete the studies required to prepare permanent zoning regulations.

Discussion/Analysis

Since the moratorium was adopted, staff have made substantial progress in evaluating

these emerging land uses. However, the research has also demonstrated that these facilities present significantly more complex planning, infrastructure, utility, public safety, and operational issues than initially anticipated.

Rather than simply evaluating whether these uses should be permitted, staff has undertaken a comprehensive review intended to establish an appropriate long-term regulatory framework that protects the City's infrastructure while providing regulatory certainty to future applicants.

Since June 3, 2026, staff has completed or initiated the following:

A Development Review Committee meeting was conducted to initiate interdepartmental review of emerging high-energy industrial uses and identify issues requiring additional analysis. Representatives from multiple City departments participated in identifying potential impacts, permitting considerations, infrastructure constraints, and future regulatory needs.

Staff completed a preliminary land use compatibility analysis evaluating:

- Existing industrial zoning districts;
- Commercial zoning districts;
- Potential compatibility with surrounding land uses;
- Appropriate zoning classifications;
- Potential development thresholds based upon facility size and electrical demand.

Staff also prepared a preliminary Site Suitability Study identifying areas potentially appropriate for future consideration while recognizing the need for additional environmental, infrastructure, and public safety analysis.

As part of the City's ongoing evaluation of emerging high-energy industrial and technology-related land uses, staff has determined that the City's Zoning Ordinance currently lacks definitions for several rapidly evolving digital infrastructure and energy-related facilities. The absence of standardized definitions makes it difficult to consistently classify these uses, determine appropriate zoning districts, establish permitting requirements, and evaluate land use compatibility.

During the course of the City's study, staff determined that the term "Data Center" encompasses a broad range of facility types with substantially different operational characteristics, infrastructure requirements, electrical demand, public safety considerations, and potential land use impacts.

Consequently, staff have initiated development of a preliminary classification framework to distinguish these uses and evaluate whether different regulatory standards should apply based upon facility type, operational characteristics, and scale.

Staff has begun developing preliminary definitions for, and evaluating the regulatory

implications of, the following facility types:

- Accessory Server Rooms and Data Rooms;
- Enterprise Data Centers;
- Colocation (Colo) Data Centers;
- Cloud Computing Data Centers;
- Hyperscale Data Centers;
- Edge (Micro) Data Centers;
- Artificial Intelligence (AI) Computing Facilities;
- High-Performance Computing (HPC) Facilities;
- Digital Infrastructure Campuses;
- Telecommunications Hubs (Carrier Hotels);
- Cryptocurrency Mining Facilities; and
- Supporting infrastructure, including Battery Energy Storage Systems (BESS), Utility-Scale Energy Storage Facilities, substations, backup generation systems, cooling plants, and other utility support infrastructure.

As staff's research has progressed, it has become evident that many of these facilities differ substantially in their electrical demand, water consumption, cooling technologies, tenant structure, operational intensity, and compatibility with surrounding land uses. Staff is therefore evaluating whether distinct zoning classifications, permitting requirements, operational standards, development criteria, and performance standards should be established for each facility type rather than regulating all facilities under a single "Data Center" classification.

Staff is also evaluating whether additional distinctions should be made based upon facility size, electrical demand, operational characteristics, ownership structure, and potential impacts on public infrastructure, utilities, emergency response capabilities, and adjacent land uses. This work represents a significant component of the City's ongoing study and is necessary to develop comprehensive, technically sound, and legally defensible zoning regulations.

Staff initiated coordination with the City's Development Review Committee (DRC) to obtain technical input regarding potential operational, infrastructure, public safety, and regulatory considerations associated with these emerging uses.

Given the complexity of these facilities and the range of technical considerations involved, several members of the Development Review Committee have requested additional time to complete their review and provide recommendations.

The additional time requested by DRC members reflects the need for further evaluation of potential impacts related to public safety, infrastructure, City operations, and long-term regulatory considerations before permanent regulations are adopted. Although substantial progress has been made, staff have determined that additional time is needed to complete a comprehensive regulatory framework that appropriately addresses the potential impacts of these emerging technologies while establishing

clear, predictable development standards.

Because these facilities involve rapidly evolving technologies and represent infrastructure investments that may remain operational for decades, staff believe it is in the City's best interest to complete a thorough evaluation before adopting permanent zoning regulations.

Premature adoption of regulations without sufficient technical analysis could result in unintended consequences, inadequate development standards, inconsistent permitting requirements, or future amendments that could have been avoided through a more comprehensive review.

The findings supporting the adoption of Interim Urgency Ordinance No. 834 remain.

The City's Zoning Ordinance still lacks comprehensive standards governing these emerging high-energy industrial uses. Approval of such facilities prior to completion of the City's study could result in projects being established without adequate standards governing:

- Public health and safety;
- Infrastructure capacity;
- Emergency response;
- Utility impacts;
- Environmental considerations;
- Land use compatibility;
- Public service demands.

Accordingly, staff finds that a current and immediate threat to the public health, safety, and welfare continues to exist as contemplated by Government Code Section 65858.

Public Notice

Consistent with Government Code Section 65858, the City published the required Notice of Public Hearing for consideration of the proposed extension of the Interim Urgency Ordinance.

CEQA Analysis

The proposed Interim Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), as the action will not result in a direct or reasonably foreseeable physical change in the environment and can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

FISCAL IMPACT:

N/A

REQUESTED ACTION:

Approve Urgency Ordinance No. 835, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL EXTENDING INTERIM URGENCY ORDINANCE NO. 834 ESTABLISHING A TEMPORARY MORATORIUM ON APPROVAL, ESTABLISHMENT, OR OPERATION OF CERTAIN HIGH-ENERGY INDUSTRIAL, TECHNOLOGY, AND UTILITY-SUPPORTING USES WITHIN THE CITY OF IMPERIAL PURSUANT TO GOVERNMENT CODE SECTION 65858 and extending Interim Urgency Ordinance No. 834 for an additional ten (10) months and fifteen (15) days pursuant to California Government Code Section 65858, while the City studies potential zoning regulations and development standards.

CITY MANAGER RECOMMENDATION:

Attachments:

1. Ordinance 835 Extension Updated Urgency Ordinance
2. Data Center Preliminary Site Suitability Study Area
3. Ordinance No. 834_ Temporary Moratorium

ORDINANCE NO. 835

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL EXTENDING INTERIM URGENCY ORDINANCE NO. 834 ESTABLISHING A TEMPORARY MORATORIUM ON THE APPROVAL, ESTABLISHMENT, OR OPERATION OF CERTAIN HIGH-ENERGY INDUSTRIAL, TECHNOLOGY, AND UTILITY-SUPPORTING USES WITHIN THE CITY OF IMPERIAL PURSUANT TO GOVERNMENT CODE SECTION 65858

WHEREAS, the City of Imperial (“City”) is a municipal corporation organized and existing under the laws of the State of California; and

WHEREAS, on June 3rd, 2026, the City Council adopted Interim Urgency Ordinance No. 834 pursuant to California Government Code Section 65858 establishing a temporary moratorium on the approval, establishment, or operation of certain high-energy industrial, technology, and utility-supporting uses, including but not limited to data centers, high-performance computing facilities, battery energy storage systems, and similar uses within the City of Imperial; and

WHEREAS, Ordinance No. 834 was adopted to provide the City with sufficient time to study and evaluate appropriate land use regulations, development standards, operational requirements, and potential impacts associated with these emerging technologies; and

WHEREAS, the City’s existing Zoning Ordinance does not contain specific definitions, development standards, operational requirements, or review procedures addressing these emerging uses; and

WHEREAS, these facilities may involve significant electrical demand, specialized infrastructure, backup power generation, hazardous materials, cooling systems, noise generation, emergency response considerations, water usage, and other operational characteristics that require additional evaluation to determine appropriate land use compatibility and regulatory requirements; and

WHEREAS, since the adoption of Ordinance No. 834, City staff has initiated coordination with the City’s Development Review Committee (DRC) and applicable City departments to evaluate potential impacts related to planning, infrastructure, public safety, emergency response, utilities, technology systems, and City operations; and

WHEREAS, the review of these facilities involves complex technical considerations, including but not limited to cybersecurity, telecommunications infrastructure, utility coordination, emergency communications, fiber infrastructure, cost recovery mechanisms, operational impacts, long-term staffing needs, and technology infrastructure planning; and

WHEREAS, several members of the Development Review Committee have requested additional time to complete their review and provide recommendations due to the complexity of the subject matter and the need for further technical evaluation; and

WHEREAS, additional time is necessary for City staff to complete research, evaluate potential regulatory approaches, prepare appropriate definitions and development standards, and determine whether amendments to the City’s Zoning Ordinance or other regulatory documents are necessary; and

WHEREAS, Government Code Section 65858 authorizes the City Council to extend an interim urgency ordinance for an additional period of ten (10) months and fifteen (15) days following a noticed public hearing upon a finding that there is a current and immediate threat to public health, safety, or welfare and that the approval of additional permits or entitlements that may be inconsistent with a contemplated zoning proposal would result in that threat; and

WHEREAS, the City Council finds that continuation of the temporary moratorium is necessary to allow sufficient time to complete the necessary analysis and establish appropriate regulations to protect public health, safety, and welfare while allowing the City to continue pursuing responsible economic development.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL DOES ORDAIN AS FOLLOWS:

SECTION 1:

Recital Incorporated

The above recitals are true and correct and are incorporated herein by reference as findings of the City Council.

SECTION 2:

Extension of Interim Urgency Ordinance No 834

Pursuant to California Government Code Section 65858, Interim Urgency Ordinance No. 834 is hereby extended for an additional period of ten (10) months and fifteen (15) days from the date of expiration of the original moratorium period.

SECTION 3:

Continuation of Temporary Moratorium

During the extended period, the City shall continue the temporary moratorium established by Ordinance No. 834 on the approval, establishment, construction, expansion, or operation of the uses identified therein, unless otherwise exempted pursuant to Ordinance No. 834 or applicable law.

SECTION 4:

Direction to Staff

City staff is directed to continue evaluating appropriate regulations, including but not limited to:

- Definitions and classifications for data centers, colocations facilities, high-performance computing facilities, artificial intelligence computing facilities, and similar uses;
- Appropriate zoning districts and permitting requirements;
- Conditional Use Permit requirements;
- Development standards;
- Utility and infrastructure requirements;
- Fire and life-safety requirements;
- Noise, emissions, and operational standards;
- Cost recovery mechanisms; and
- Other regulations necessary to address environmental potential impacts.

SECTION 5:

Environmental Clearance.

The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), in that the Ordinance will not result in a direct or reasonably foreseeable physical change in the environment and can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

SECTION 6:

Effective Date.

This Ordinance is adopted as an urgency ordinance pursuant to Government Code Section 65858 and shall take effect immediately upon adoption by at least a four-fifths (4/5) vote of the City Council.

This Ordinance shall remain in effect for ten (10) months and fifteen (15) days unless extended in accordance with Government Code Section 65858.

The City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution.

I HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the City Council of the City of Imperial at a _____ meeting thereof, held on the _____ day

of _____, 2026, by the following vote, to wit:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

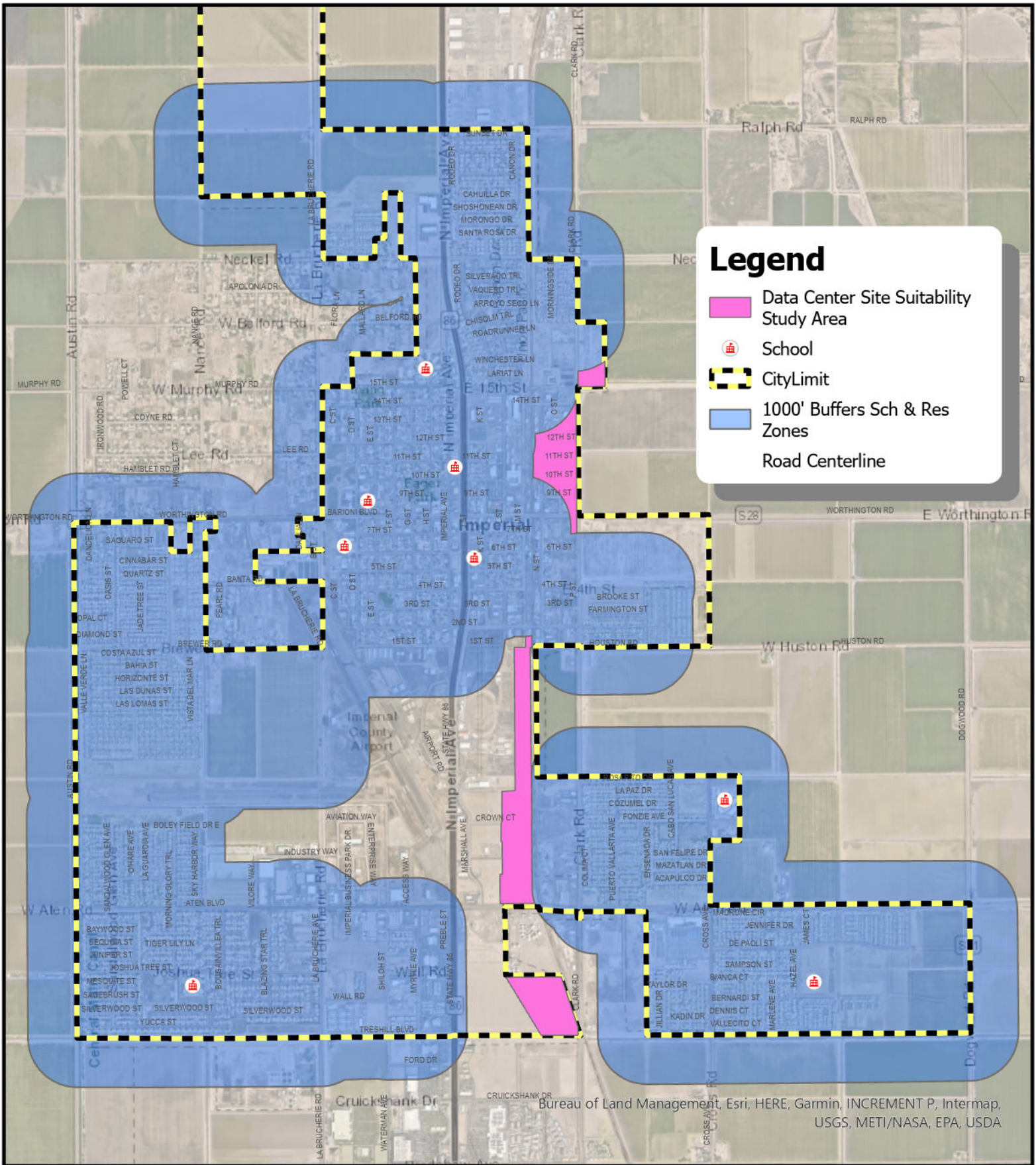
City Clerk

The foregoing Ordinance is hereby approved this _____ day of _____, 2026.

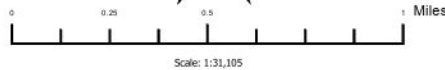
Mayor

ATTEST:

_____ City
Clerk



Data Center Preliminary Site Suitability Study Area



ORDINANCE NO. 834

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ESTABLISHING A TEMPORARY MORATORIUM ON THE APPROVAL OF CERTAIN EMERGING HIGH-ENERGY INDUSTRIAL AND TECHNOLOGY USES, INCLUDING DATA CENTERS, BATTERY ENERGY STORAGE SYSTEMS, AND SIMILAR UTILITY INTENSIVE INDUSTRIAL OR TECHNOLOGICAL USES, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858

The City Council of the City of Imperial does ordain as follows:

SECTION 24.100:

A. Findings.

A. The City of Imperial has recently experienced increasing development interest involving emerging industrial and technology-related land uses, including Data Centers, Battery Energy Storage Systems (BESS), and similar utility-intensive or technological uses.

B. Such uses may involve substantial electrical demand, hazardous materials, fire and thermal runaway risks, emergency response concerns, backup generator emissions, excessive noise, water consumption, infrastructure impacts, and land use compatibility concerns.

C. The City's current Zoning Ordinance does not contain specific development standards, operational requirements, locational criteria, or performance standards governing such uses.

D. The City Council finds that the approval of additional permits or entitlements for such uses without adequate study and regulation would result in a current and immediate threat to the public health, safety, and welfare.

E. Pursuant to California Government Code Section 65858, the City Council desires to temporarily prohibit the establishment, expansion, or approval of such uses while the City studies appropriate zoning regulations and development standards.

F. This urgency ordinance is necessary to preserve the public health, safety, and welfare and shall take effect immediately upon adoption.

B. Temporary Moratorium on Certain Emerging Industrial and Technology Uses.

A. Prohibited Uses.

The following uses are hereby temporarily prohibited within all zoning districts of the City of Imperial unless expressly exempted herein:

1. Data Centers;
2. High-Performance Computing Facilities;
3. Battery Energy Storage Systems (BESS);
4. Utility-Scale Energy Storage Facilities;
5. Artificial Intelligence Computing Facilities;
6. Similar utility-intensive industrial or technology uses as determined by the Community Development Director.

B. Applicability.

This moratorium shall apply to all applications for:

1. Conditional Use Permits;
2. Site Plan Review;
3. Variances;
4. Building Permits;
5. Business Licenses;
6. Administrative Permits;
7. Any discretionary or ministerial permit required for the establishment, expansion, or operation of the prohibited uses identified herein.

C. Section Study and Development of Regulations.

During the term of this Ordinance, City staff is directed to study and prepare recommendations regarding:

- A. Appropriate zoning and locational standards;
- B. Fire and emergency response requirements;
- C. Hazardous materials regulations;
- D. Infrastructure and utility capacity impacts;
- E. Noise and air quality impacts;
- F. Environmental and land use compatibility concerns;
- G. Operational performance standards;
- H. Development and design standards for such uses.

D. Enforcement.

The City Manager and or the Community Development Director, and any authorized City official, are hereby authorized to enforce the provisions of this Ordinance.

Any application submitted in violation of this Ordinance shall be denied, suspended, or deemed incomplete.

SECTION 2:

Environmental Clearance.

The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), in that the Ordinance will not result in a direct or reasonably foreseeable physical change in the environment and can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

SECTION 3:

Effective Date.

This Ordinance is adopted as an urgency measure pursuant to California Government Code Section 65858 and shall become effective immediately upon adoption by a four-fifths vote of the City Council.

This Ordinance shall remain in effect for forty-five (45) days unless extended in accordance with Government Code Section 65858.

The City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution.

I HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the City Council of the City of Imperial at a _____ meeting thereof, held on the - _____ day of _____, 2026, by the following vote, to wit:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

City Clerk

The foregoing Ordinance is hereby approved this _____ day of _____, 2026.

Mayor

ATTEST:

_____ City

Clerk



City Council **STAFF REPORT**

Document ID: 2026-396

Category: Action Item

Department: Community Development
Department Head: Othon Mora, Community Development Director
Meeting Date: July 15, 2026

SUBJECT:

APPROVAL OF RESOLUTION 2026-53 ADOPTING THE PROJECT LIST FOR FISCAL YEAR 2026-27 FUNDED BY SB1.

- 1. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026-53 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.**

BACKGROUND:

On April 28, 2017 the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017 to address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

A percentage of the Road Maintenance and Rehabilitation Account (RMRA) funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system. The City will receive **\$643,364** in RMRA funds for FY 2026-27.

Prior to receiving RMRA funds from the Controller in a fiscal year, the City must submit to the Commission a list of projects proposed to be funded with these funds as shown in Resolution 2026-53.

Please refer to Exhibit A (RESOLUTION NO. 2026-53) and Exhibit B (Projected FY2026-27 Revenues) attached herewith for details.
 Project list is as follows:

Project #1 - 7th, 10th, & 14th Street Rehabilitation Project
Project #2 - "P" Street Rehabilitation Phase 1 between Aten Blvd. and Rosarito Drive
Project #3 - Aten Blvd. Rehabilitation Project between SPRR Tracks & Clark Road
Project #4 - Aten Blvd. Rehabilitation Project between Old SR-86 and SPRR Tracks
Project #5 - City Streets Rehabilitation Project
Project #6 - Old SR-86 Rehabilitation Project within City Limits

FISCAL IMPACT:

\$643,364 in SB1 RMRA funds for FY 2026-27

REQUESTED ACTION:

Approve Resolution 2026-53, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026-53 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.

CITY MANAGER RECOMMENDATION:

Attachments:

1. Exhibit A
2. Exhibit B

RESOLUTION NO. 2026-53

RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026-2027 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Imperial are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Imperial must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Imperial, will receive an estimated \$643,364 in RMRA funding in Fiscal Year 2026-2027 from SB 1; and

WHEREAS, the funding from SB 1 will help the City of Imperial maintain and rehabilitate major streets and roadways throughout the City this year and several similar projects into the future; and

WHEREAS, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in very poor condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into excellent condition; and

WHEREAS, without revenue from SB1, the City, would have otherwise been postponing or canceling projects throughout the community; and

WHEREAS, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, the local street and road system is also critical for farm to market needs interconnectivity, multimodal needs, and commerce; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, that the City Council of the City of Imperial does hereby resolve as follows:

1. The foregoing recitals are true and correct.
2. The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2026-2027 Road Maintenance and Rehabilitation Account revenues:

Project #1: 7th, 10th, & 14th Street Rehabilitation Project
Location: 7th, 10th, & 14th Street between “C” Street and Old SR-86
Description: Scope of work includes, but not limited to, pulverization of existing pavement and stabilization by mixing with the underlying materials and additives to create a stable, homogeneous base and repaving with minimum 3 inches of hot-mix asphalt, as well as installation of thermoplastic striping

**Estimated
Useful Life:** 15-20 years
**Anticipated
Year of
Construction:** July 2026

Project #2: “P” Street Rehabilitation Phase 1 between Aten Blvd. and Rosarito Drive
Location: “P” Street between Aten Blvd. and Rosarito Drive
Description: Scope of work includes, but not limited to, grind & overlay northbound and southbound “P” Street, as well as installation of thermoplastic striping
Useful Life: 15-20 years
**Anticipated
Year of
Construction:** March 2027

Project #3: Aten Blvd. Rehabilitation Project between SPRR Tracks & Clark Road
Location: Aten Blvd between Southern Pacific Railroad Tracks and Clark Road
Description: Scope of work includes, but not limited to, grind & overlay eastbound and westbound of Aten Blvd, as well as installation of thermoplastic striping
Useful Life: 15-20 years
Anticipated Year of Construction: March 2027

Project #4: Aten Blvd. Rehabilitation Project between Old SR-86 and SPRR Tracks
Location: Aten Blvd. between Old SR-86 and Southern Pacific Railroad Tracks
Description: Scope of work includes, but not limited to, grind & overlay eastbound and westbound of Aten Blvd., as well as installation of thermoplastic striping
Useful Life: 15-20 years
Anticipated Year of Construction: June 2027

Project #5: City Streets Rehabilitation Project
Location: Various street within City Limits bounded in the north by Ralph Road, in the south by Treshill Road, in the East by “P” Street and the west by Austin Road
Description: Asphalt roadway reconstruction, thermoplastic striping, sidewalks, curb & gutters, cross gutter, handicap ramps & bike lanes
Useful Life: 15-20 years
Anticipated Year of Construction: June 2027

Project #6: Old SR-86 Rehabilitation Project within City Limits
Location: Old SR-86 Rehabilitation Project between Ralph Road and Treshill Road
Description: Scope of work includes, but not limited to, grind & overlay northbound and southbound of Old SR-86, as well as installation of thermo plastic striping
Estimated Useful Life: 15-20 years
Anticipated Year of Construction: June 2027

BE IT FURTHER RESOLVED, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Senate Bill 1 (SB1) to terminate an agency's project and reprogram State funds as deemed necessary.

The City Attorney is authorized to make minor typographical changes to this Resolution that does not change the substance of this Resolution;

PASSED AND ADOPTED by the City of Imperial City Council during a regular meeting this 15th day of July, 2026, by the following vote:

IDA OBESO-MARTINEZ
Mayor

ATTEST:

KRISTINA SHIELDS
City Clerk

CERTIFICATION

I, Kristina Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing Resolution No. 2026-53 was duly adopted at a meeting of the City Council of said City at its meeting held on the 15th day of July, 2026, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 15th day of July, 2026

KRISTINA SHIELDS,
City Clerk

Exhibit B

ATTACHMENT B

Local Streets and Roads - Projected FY2026-27 Revenues

Based on State Dept of Finance statewide revenue projections

Estimated May 2026

Estimated May 2026	Highway Users Tax Acct (HUTA) ⁽¹⁾ Streets & Highways Code					TOTAL HUTA	Road Mntnc	TOTAL
	Sec2103 ⁽³⁾	Sec2105 ⁽³⁾	Sec2106 ⁽³⁾	Sec2107 ⁽³⁾	Sec2107.5 ⁽⁴⁾		Rehab Acct	
FRESNO COUNTY								
CLOVIS	1,278,109	835,380	426,837	1,116,524	10,000	3,666,850	3,632,982	7,299,832
COALINGA	178,550	116,701	63,758	155,977	4,000	518,986	507,522	1,026,507
FIREBAUGH	86,256	56,377	33,282	75,351	2,000	253,266	245,179	498,446
FOWLER	75,892	49,604	29,860	66,297	2,000	223,653	215,721	439,374
FRESNO	5,513,802	3,603,857	1,825,480	4,816,718	20,000	15,779,857	15,672,795	31,452,652
HURON	68,617	44,848	27,458	59,942	2,000	202,864	195,041	397,905
KERMAN	173,571	113,447	62,114	151,627	4,000	504,759	493,369	998,128
KINGSBURG	131,502	85,951	48,223	114,877	3,000	383,552	373,790	757,342
MENDOTA	125,810	82,231	46,343	109,905	3,000	367,289	357,612	724,901
ORANGE COVE	96,184	62,867	36,560	84,024	2,000	281,635	273,400	555,035
PARLIER	145,004	94,775	52,681	126,672	3,000	422,131	412,168	834,299
REEDLEY	263,331	172,115	91,753	230,039	6,000	763,238	748,509	1,511,746
SANGER	267,627	174,923	93,171	233,792	6,000	775,513	760,720	1,536,233
SAN JOAQUIN	36,605	23,925	16,887	31,977	1,000	110,394	104,048	214,442
SELMA	244,623	159,887	85,575	213,696	5,000	708,781	695,331	1,404,112
GLENN COUNTY								
ORLAND	86,157	56,313	31,359	75,264	2,000	251,093	244,898	495,991
WILLOWS	64,093	41,892	24,557	55,990	2,000	188,532	182,182	370,714
HUMBOLDT COUNTY								
ARCATA	188,082	122,932	82,814	164,304	4,000	562,131	534,617	1,096,748
BLUE LAKE	11,928	7,796	9,747	10,420	1,000	40,891	33,904	74,795
EUREKA	266,983	174,502	115,541	233,230	6,000	796,256	758,891	1,555,147
FERNDALE	13,799	9,019	10,523	12,054	1,000	46,395	39,222	85,617
FORTUNA	124,029	81,066	56,245	108,348	3,000	372,688	352,547	725,236
RIO DELL	33,556	21,932	18,719	29,314	1,000	104,521	95,382	199,903
TRINIDAD	3,039	1,986	6,060	2,655	1,000	14,740	8,638	23,378
IMPERIAL COUNTY								
BRAWLEY	286,582	187,312	112,094	250,351	6,000	842,339	814,601	1,656,940
CALEXICO	396,664	259,262	153,307	346,516	6,000	1,161,749	1,127,504	2,289,253
CALIPATRIA	64,677	42,273	29,014	56,500	2,000	194,465	183,842	378,307
EL CENTRO	455,402	297,654	175,298	397,828	6,000	1,332,181	1,294,465	2,626,646
HOLTVILLE	56,273	36,781	25,868	49,159	2,000	170,081	159,955	330,035
IMPERIAL	226,340	147,937	89,539	197,725	5,000	666,542	643,364	1,309,905
WESTMORLAND	20,629	13,483	12,523	18,021	1,000	65,655	58,636	124,291
INYO COUNTY								
BISHOP	38,159	24,941	20,304	33,335	1,000	117,738	108,465	226,203



City Council **STAFF REPORT**

Document ID: 2026-397

Category: Action Item

Department: Library
Department Head: Ember Haller, Library Manager
Meeting Date: July 15, 2026

SUBJECT:

LIBRARY BOARD OF TRUSTEES REVISED BY-LAWS

BACKGROUND:

The Library Board bylaws for the Imperial Library Board of Trustees were approved and adopted on October 6, 2021. The bylaws set the governing roles and responsibilities of the Trustees. The Trustees first reviewed and discussed the bylaws at the regular Library Board meeting on September 9, 2025. The second discussion and approval of changes took place at the regular Library Board meeting on June 9, 2026, and are recommended for approval to the City Council. The bylaws have been revised to include the following changes that are common in public library bylaws, such as:

- Residency and eligibility requirements for Trustees
- Trustee attendance expectations and consequences for repeated absences
- Conflict of interest and ethics requirements
- Clarity of the recommendation of the Trustees by members of the City Council
- Authority to establish standing (and ad hoc) committees
- Procedures for bylaw amendments and regular review

FISCAL IMPACT:

None

REQUESTED ACTION:

Staff recommends that the City Council review and approve the revised changes to the Library Board bylaws.

CITY MANAGER RECOMMENDATION:

Approve as presented

Attachments:

1. Library Board Bylaws

BY-LAWS OF THE BOARD OF TRUSTEES CITY OF IMPERIAL PUBLIC LIBRARY

Article I – Title and Bylaws

Section 1. This body shall be named the Imperial City Library Board of Trustees, hereinafter referred to as “Board.”

Section 2. Recommendation of these bylaws may be amended at any time as requested by a Trustee, the Library Manager or the City Council. The Library Manager shall review the bylaws every two years and provide recommendations to the Board, if deemed necessary by the Library Manager. These bylaws may be formally amended by the City Council at a regular meeting of the City Council.

Article II - Mission and Purpose

Section 1. The Board is an advisory board to the Imperial City Council. The Board shall do and perform those acts and things necessary or proper to advise the City Council on the proper administration of the library. Areas of focus include, but are not limited to:

- Reviewing policies recommended by staff;
- Recommending long-range plans regarding facilities, staff, and programs;
- Evaluating community desires and needs for library services;
- Reviewing customer concerns and suggestions; and
- Generating public support and participation in library programs.

Article III - Trustees

Section 1. The Imperial City Library shall be managed by a Board of Trustees, consisting of five members, to be recommended by members of the City Council, appointed by the Imperial City Mayor with the consent of the City Council.

Section 2. The Trustees shall be residents of the City of Imperial and be registered to vote in the City of Imperial. Trustees shall be required to fill out requested applications published by the City Clerk to be considered for appointment.

Section 3. The City Council shall have the option to remove Trustees for any reason, including a change in direction or vision. If the Trustee does not attend three meetings throughout the year without providing a justified reason for such absence to the Library Manager, the Trustee shall be removed from the office.

Section 4. The Term of Office and Compensation - The Trustees shall hold office for three years and shall serve without compensation. The members of the first board appointed shall so classify themselves by lot that one of their number shall go out of office at the end of the current fiscal year (June); two at the end of one year thereafter and two at the end of two years thereafter.

Section 5. Vacancies - Vacancies shall be filled by appointment for the unexpired term in the same manner as the original appointments are made.

Article IV - Meetings

Section 1. Regular meetings of the Board shall be on the second Tuesday of each month at 6:00 p.m. in the City Council Chamber.

Section 2. Meetings of the Board are governed by the Ralph M. Brown Act (Chapter 9, commencing with Section 54950, of Part 1 of Division 2 of Title 5 of the Government Code).

Section 3. A majority of the Board shall constitute a quorum for the transaction of business.

Article V - Officers

Section 1. The officers of this Board shall be a President, a Vice-President, and a Secretary. The President and Vice-President shall be elected annually from the Board's own members. The Secretary shall be the Library Manager or designee.

Article VI - Duties of Officers

Section 1. President - The President shall preside at meetings and shall have the ability to appoint members to ad hoc or regular or special committees. The President shall also perform the duties usually belonging to that office.

Section 2. Vice-President - The Vice-President shall, in the absence of the President, perform the duties of the President.

Section 3. The Secretary shall keep a true and accurate record of all meetings of the Board, issue notice of all regular and special meetings, and perform such other duties as are generally associated with the office of Secretary.

Article VII - Annual Report

Section 1. The Board shall review the annual report prepared by the Library Manager prior to its submission to the State Librarian. The annual report will be submitted to State Library following all requirements and deadlines as set forth by State in order to maintain funding eligibility and contribute to statewide data. The report shall, in addition to other matters deemed expedient by the Board, contain such statistical and other information as deemed desirable by the State Librarian.

Article VIII – Conflict of Interest and Ethics

Section 1. Board members shall comply with the City of Imperial Conflict of Interest Code and shall comply with all federal, state and local laws and policies regarding ethics.

Adopted by the City Council of the City of Imperial on _____, 2026.

MAYOR,

BY-LAWS OF THE BOARD OF TRUSTEES CITY OF IMPERIAL PUBLIC LIBRARY

Article I – Title and Bylaws

Section 1. This body shall be named the Imperial City Library Board of Trustees, hereinafter referred to as “Board.”

Section 2. Recommendation of these bylaws may be amended at any time as requested by a Trustee, the Library Manager or the City Council. The Library Manager shall review the bylaws every two years and provide recommendations to the Board, if deemed necessary by the Library Manager. These bylaws may be formally amended by the City Council at a regular meeting of the City Council.

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- Reviewing policies recommended by staff;
- Recommending long-range plans regarding facilities, staff, and programs;
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- Generating public support and participation in library programs.

Article III - Trustees

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Section 2. The Trustees shall be residents of the City of Imperial and be registered to vote in the City of Imperial. Trustees shall be required to fill out requested applications published by the City Clerk to be considered for appointment.

Section 3. The City Council shall have the option to remove Trustees for any reason, including a change in direction or vision. If the Trustee does not attend three meetings throughout the year without providing a justified reason for such absence to the Library Manager, the Trustee shall be removed from the office.

Section 24. The Term of Office and Compensation - The Trustees shall hold office for three years and shall serving-serve without compensation. The members of the first board appointed shall so classify themselves by lot that one of their number shall go out of office at the end of the current fiscal year (June); two at the end of one year thereafter and two at the end of two years thereafter.

Section ~~35~~. Vacancies - Vacancies shall be filled by appointment for the unexpired term in the same manner as the original appointments are made.

Article IV - Meetings

Section ~~14~~. Regular meetings of the Board shall be on the second Tuesday of each month at 6:00 p.m. in the City Council Chamber.

Section 2. Meetings of the Board are governed by the Ralph M. Brown Act (Chapter 9, ~~(commencing with Section 54950)~~, of Part 1 of Division 2 of Title 5 of the Government Code).

Section 3. A majority of the Board shall constitute a quorum for the transaction of business.

Article V - Officers

Section 1. The officers of this Board shall be a President, a Vice-President, and a Secretary. The President and Vice-President shall be elected annually from the ~~Board's~~ Board's own ~~number~~ members. The Secretary shall be the ~~Director of Community Services~~ Library Manager or designee.

Article VI - Duties of Officers

Section 1. President - The President shall preside at meetings and shall have the ability to appoint members to ad hoc or regular or special committees. The President shall also perform the duties usually belonging to that office.

Section 2. Vice-President - The Vice-President shall, in the absence of the President, perform the duties of the President.

Section 3. The Secretary shall keep a true and accurate record of all meetings of the Board, issue notice of all regular and special meetings, and perform such other duties as are generally associated with the office of Secretary.

Article VII - Annual Report

Section ~~I-1~~. The Board shall review the annual report prepared by the Library Manager ~~Director of Community Services~~ prior to its submission to the State Librarian. The annual report will be submitted to State Library following all requirements and deadlines as set forth by State in order to maintain funding eligibility and contribute to statewide data. The report shall, in addition to other matters deemed expedient by the Board, contain such statistical and other information as deemed desirable by the State Librarian.

Article Vill — ~~Amendments~~ Conflict of Interest and Ethics

Section 1. Board members shall comply with the City of Imperial Conflict of Interest Code and shall comply with all federal, state and local laws and policies regarding ethics. These By-Laws may be amended by the City Council at a regular meeting of
the City Council.

Adopted by the City Council of the City of Imperial on ____, 2025.

MAYOR,

BY-LAWS OF THE BOARD OF TRUSTEES CITY OF IMPERIAL PUBLIC LIBRARY

Article I – Name

Section 1. This body shall be named the Imperial City Library Board of Trustees, hereinafter referred to as “Board.”

Article II – Mission and Purpose

Section 1. The Board is an advisory board to the Imperial City Council. The Board shall do and perform those acts and things necessary or proper to advise the City Council on the proper administration of the library. Areas of focus include:

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Article V – Officers

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Article VI – Duties of Officers

Section 1. President – The President shall preside at meetings and appoint members to special committees. The President shall also perform the duties usually belonging to that office.

Section 2. Vice-President – The Vice-President shall, in the absence of the President, perform the duties of the President.

Section 3. The Secretary shall keep a true and accurate record of all meetings of the Board, issue notice of all regular and special meetings, and perform such other duties as are generally associated with the office of Secretary.

Article VII – Annual Report

Section 1. The Board shall review the annual report prepared by the Director of Community Services prior to its submission to the State Librarian. The annual report will be submitted to State Library following all requirements and deadlines as set forth by State in order to maintain funding eligibility and contribute to statewide data. The report shall, in addition to other matters deemed expedient by the Board, contain such statistical and other information as deemed desirable by the State Librarian.

Article VIII – Amendments

Section 1. These By-Laws may be amended by the City Council at a regular meeting of the City Council.

Adopted by the City Council of the City of Imperial on _____, 2021.

Karin Eugenio, Mayor
City of Imperial



City Council **STAFF REPORT**

Document ID: 2026-398

Category: Action Item

Department: Human Resources
Department Head: Dennis H. Morita, City Manager
Meeting Date: July 15, 2026

SUBJECT:

APPROVAL OF AGREEMENT BETWEEN CITY OF IMPERIAL AND ALESHIRE & WYNDER, LLP FOR CITY ATTORNEY LEGAL SERVICES.

BACKGROUND:

Per the direction of the City Council, the City Manager's Office has concluded negotiations with Aleshire & Wynder, LLP to provide City Attorney Services for the City of Imperial. The City of Imperial received four proposals in response to our RFP for City Attorney Services. Following review and interviews with the candidates, the City entered into negotiations with Aleshire & Wynder, LLP to provide the said services identified in the proposal. Aleshire & Wynder, LLP designate Paul Early as the City Attorney in the agreement. Attached for your review is the agreement to be executed by the City Manager, pending Council action.

FISCAL IMPACT:

Monthly Retainer is \$18,000 for 60 hours. Additional information on hourly rates for hours worked in excess of 60 hours or specialty services is listed in Exhibit A of the attached agreement.

REQUESTED ACTION:

Staff recommends the City Council approve the agreement between City of Imperial and Aleshire & Wynder, LLP for City Attorney Legal Services.

CITY MANAGER RECOMMENDATION:

Attachments:

1. Agreement for City Attorney Legal Services for the City of Imperial

AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES
FOR THE CITY OF IMPERIAL

This AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES FOR THE CITY OF IMPERIAL (“**Agreement**”) is effective as of July 27, 2026 (“**Effective Date**”) by and between the law firm of ALESHIRE & WYNDER, LLP, a California limited liability partnership (“**A&W**”), and the CITY OF IMPERIAL, a municipal corporation (“**City**”). The term “City” shall also include any and all boards, commissions, financing authorities, and other bodies of City.

RECITALS

A. City is a general law city, formed and existing pursuant to the provisions of the California Government Code.

B. City is authorized to enter into consultant agreements under the provisions of California Government Code § 53060.

C. City desires or is in need of City Attorney Legal Services.

D. A&W has special knowledge and experience and is properly licensed to perform and accomplish the City Attorney Legal Services and will perform all City Attorney Legal Services in compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances.

E. City now desires to retain A&W to perform and accomplish the City Attorney Legal Services, and A&W is willing to be so retained pursuant to the terms and conditions of this Agreement.

AGREEMENT

NOW, THEREFORE, it is agreed by and between the parties as follows:

1. APPOINTMENT

The City Council of City hereby hires and retains A&W to provide City Attorney services, as further specified in Exhibit B, *infra*, and designates Paul Early as the City Attorney.

Notwithstanding the foregoing appointment, the designated City Attorney may be established from time to time or modified by resolution of the City Council. A&W represents that it employs, or will employ at its own expense, all personnel required for the satisfactory performance of any and all tasks and services set forth herein. A&W shall not replace the designated City Attorney without the City Council’s prior approval, except from time to time as necessary due to illness or vacation scheduling. A&W shall obtain approval of any such temporary substitute, or of any Assistant City Attorney, from the City Manager. City Attorney may appoint various deputy city attorneys as deemed appropriate, without the need for amendment hereof. The parties agree A&W will immediately remove any deputy or other A&W

employee upon the City's request in its sole discretion and for any or no reason, and will promptly replace that individual as necessary.

2. SCOPE OF WORK AND DUTIES

A. A&W shall perform any and all work necessary for the provision of City Attorney services to City, including, but not limited to, the following:

(i) Attendance at City Council and Planning Commission meetings, unless excused by the City Manager or his/her designee, and other board and commission meetings on request of the City Manager or his/her designee; and

(ii) Upon the specific request by the City Council, City Manager, or his/her designee, provide legal advice, written legal opinions, and consultation on matters affecting the City to the City Council, City Manager, boards, commissions, committees, officers, and employees of City in accordance with such policies and procedures as may be established by City from time to time; and

(iii) Be available for telephone/teleconference consultation with City staff as needed on legal matters which are within their area of operation; and

(iv) Upon the specific request by the City Council, City Manager, or his/her designee, prepare or review necessary legal documents such as: ordinances and resolutions; agreements of any nature; real property instruments of any nature including purchase agreements and escrows, leases, covenants, deeds, easements and licenses; bond size, amount, and offering terms and conditions; public works construction documents including bid specifications, contracts, bonds, insurance, liens and related documents; memoranda of understanding; franchise agreements; and similar documents; and

(v) Upon the specific request by the City Council, City Manager, or his/her designee, represent and advise City on pending and potential litigation; notwithstanding the foregoing, it is expressly understood that A&W shall not be responsible for any pending litigation matter(s) handled by attorneys previously or otherwise employed by the City until all files have been transferred to A&W and A&W has specifically appeared in the matter(s) as attorneys of record on behalf of City; and

(vi) Advise the City Council and City Manager with regard to labor relations and employment matters; and

(vii) Upon the specific request by the City Council, City Manager, or his or her designee, provide legal advice and assistance regarding interactions with state and federal agencies, county departments, and special districts.

(viii) Monitor pending and current legislation and case law as appropriate and keep the City Council and City staff informed of significant developments; and

(ix) Prosecute violations of the City's Municipal Code as may be requested by the City Manager; and

B. A&W, as a full-service law firm, is prepared to provide representation to City in all of its legal affairs, including, but not limited to, municipal law, land use, environmental, toxics, mining, water, tort defense, personnel, labor representation, code enforcement, criminal prosecution, successor agency, housing, telecommunications, finance, franchising, contracts, enterprise and other matters, except where conflicts exist or where the City Manager or City Council may otherwise direct. The City Attorney may represent City in the foregoing legal matters if specifically requested to do so by the City Manager or his/her designee or by the City Council.

C. The City Attorney will keep City informed as to the progress and status of all pending matters in accordance with such procedures as the City may establish from time to time. The City Attorney is expected to manage, control and oversee the delivery of legal services in a competent, professional, and cost-effective manner. Legal services shall be properly supervised and all personnel shall be qualified to handle the work assigned. If outside special counsel is retained, such special counsel shall be supervised by the City Attorney if specifically requested by the City Council, City Manager or his/her designee. Within fifteen (15) days after the end of each calendar quarter, and additionally upon request, the City Attorney shall provide to the City Council and City Manager an updated status report of all pending litigation and significant transactional matters showing any updates from previous reports.

D. All legal services shall be coordinated under the direction of the City Manager. Notwithstanding any other provision contained herein, legal services can only be authorized by the City Council or City Manager. Nothing in this Agreement shall be construed in any manner as limiting the ultimate and absolute discretion of the City Council, at any time, to assign or reassign legal matters of City from or to A&W.

3. CITY DUTIES

City agrees to provide such reasonable information, assistance, cooperation, and access to books, records, and other information, as is necessary for A&W to effectively render its professional services under this Agreement. To the extent City desires services to be rendered on site, City, at City's expense, will make available sufficient office space, furniture, telephones, and secretarial support, as approved by the City Manager, as may be necessary therefor. City further agrees to abide by this Agreement, and to timely pay A&W's undisputed bills for fees, costs, and expenses.

4. COMPENSATION

A&W's fees will be charged on an hourly basis for all time actually expended. The compensation schedules are set forth in Exhibit A and Exhibit B attached hereto and incorporated herein by this reference. Rates are computed based upon the hours of service and the complexity of the work. A higher rate is charged for services and work reimbursed by third parties, which would otherwise be likely to be contracted out as special services at higher rates. Public finance matters are charged as set forth below in Section 5 and in the Exhibits.

5. BOND OR FINANCIAL SERVICES

Bond or Financial Services shall mean those situations where A&W acts as Bond Counsel for City with regard to the issuance of securities by City. A&W shall be compensated for Bond or Financial Services at the Public Finance rates shown in Exhibit A.

6. COSTS AND OTHER CHARGES

A&W may incur various costs and expenses in rendering the legal services required by this Agreement which, if customary and necessary for the performance of legal services hereunder, shall be reimbursable by City. These costs and expenses are described in more detail in Exhibit B. City agrees to reimburse A&W for these costs and expenses in addition to the hourly fees for legal services. Reimbursable costs shall not include any overhead or administrative charge by A&W or A&W's cost of equipment or supplies, except as provided herein.

If A&W determines that retention of an outside investigator, consultant, or expert is necessary to render the legal services required (particularly if a matter goes into litigation), A&W shall request approval from the City to retain the outside investigator, consultant or expert. The City shall not be liable for any fees or costs associated with the outside investigator, consultant or expert until the City consents in writing to the retention.

The cost and expenses referred to herein include certain travel expenses; transportation, meals, and lodging; when incurred on behalf of the City. However, no travel expenses shall be imposed for attendance at Regular meetings of the City Council or Planning Commission.

7. STATEMENTS AND PAYMENT

A&W shall render to the City Manager, a statement for fees, costs, and expenses incurred on a monthly basis. Such statement(s) shall indicate the basis of the fees, including the hours worked, the hourly rate(s), and a brief description of the work performed. Reimbursable costs shall be separately itemized.

Payments shall be made by City within thirty (30) days of receipt of the statement; except for those specific items on an invoice which are contested or questioned and are returned by City with a written explanation of the question or contest, such payment for the specific items shall be made by City within thirty (30) days of receipt of a corrected invoice.

8. PROHIBITION AGAINST SUBCONTRACTING OR ASSIGNMENT

The experience, knowledge, capability and reputation of A&W, its partners, associates, and employees, was a substantial inducement for City to enter into this Agreement. Therefore, A&W shall not contract with any other person or entity to perform, in whole or in part, the legal services required under this Agreement without the prior written approval of City. In addition, neither this Agreement, nor any interest herein, may be transferred, assigned, conveyed, hypothecated, or encumbered voluntarily, or by operation of law, whether for the benefit of creditors, or otherwise, without the prior written approval of City. Adding attorneys to A&W, changes in the partnership, name changes and similar changes shall not be deemed a transfer or assignment requiring approval of City or amendment hereof.

9. INDEPENDENT CONTRACTOR

A&W shall perform all legal services required under this Agreement as an independent contractor of City, and shall remain, at all times as to City, a wholly independent contractor with only such obligations as are required under this Agreement. Neither City, nor any of its employees, shall have any control over the manner, mode, or means by which A&W, its agents or employees, render the legal services required under this Agreement, except as otherwise set forth. City shall have no voice in the selection, discharge, supervision or control of A&W employees, servants, representatives, or agents, or in fixing their number, compensation, or hours of service, except as otherwise set forth in this Agreement.

A&W shall be responsible for all salaries, payments, insurance and benefits for all of its officers, agents, representatives and employees in performing services pursuant to this Agreement. It is expressly understood and agreed that A&W and its employees, agents, and representatives shall in no event be entitled to any City benefits to which City employees are entitled, including, but not limited to, overtime, retirement benefits, insurance, vacation, worker's compensation, sick or injury leave, or other benefits.

10. INSURANCE

A&W shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement, including any extension thereof, the following policies of insurance. A&W shall provide City, not later than the effective date of this Agreement, certificates of insurance and an underwriter's endorsement for each coverage mentioned below. A&W shall also provide City with new certificates of insurance if any changes in coverage or carriers is made, within 30 days of any such change:

(a) Comprehensive General Liability Insurance. Insurance written on a per occurrence basis to protect A&W and the City against liability or claims of liability which may arise out of this order in the amount of two million (\$2,000,000) per occurrence and subject to an annual aggregate of four million (\$4,000,000). There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. All defense costs shall be outside the limits of the policy.

(b) Workers' Compensation Insurance. For all of A&W's employees who will provide services under this Agreement and to the extent required by applicable State or federal law, A&W shall keep in full force and affect a Workers' Compensation policy. That policy shall provide a minimum of one million (\$1,000,000) of employers' liability coverage, and A&W shall provide an endorsement that the insurer waives the right of subrogation against the City and its respective elected officials, City Council, council members, officers, employees, agents and representatives. In the event a claim under the provisions of the California Workers' Compensation Act is filed against the City by a bona fide employee of A&W participating under this Agreement, A&W agrees to defend and indemnify the City from such claim.

(c) Automobile Insurance. A&W shall also procure and shall maintain during the term of this Agreement vehicle liability insurance in an amount not less than \$1,000,000 for injuries, including accidental death, to any one person, and subject to the same minimum for each person, in an amount not less than \$1,000,000 for each accident, and property damage insurance in an amount of not less than \$1,000,000. Said policy shall include coverage for owner, non-owner, leased and hired cars.

(d) Professional Liability and Errors and Omissions Insurance. For all of A&W's employees who will provide services under this Agreement, A&W shall keep in full force and effect Professional Liability coverage for professional liability with a limit of two Million (\$2,000,000) per claim and five Million (\$5,000,000) annual aggregate. A&W shall ensure both that: (1) the policy effective date is on or before the date of commencement of the services under the Agreement; and (2) the policy will be maintained in force for a period of time defined above, there will be no changes or endorsements to the policy that increase the City's exposure to loss.

Except for the policy of professional liability insurance, all of the above policies of insurance shall be primary insurance and shall name City, its City Council, council members, officers, employers and agents as additionally insured. For all policies, the insurer shall waive all rights of subrogation and contribution it may have against the City, its City Council, council members, officers, employees and agents and their respective insurers. Except for the policy of professional liability insurance, all of said policies of insurance shall provide that said insurance may not be amended or canceled without providing thirty (30) days prior written notice by registered mail to the City. In the event any of said policies of insurance are cancelled, the attorney shall, prior to the cancellation date, submit new evidence of insurance in conformance with this Section to the City. A&W is solely responsible for the payment of or costs associated with any premiums, deductibles or self-insurance retentions. A&W's insurance coverage shall not limit A&W's potential liabilities for obligations arising under or related to this Agreement. A&W will ensure insurance is placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.

11. INDEMNIFICATION

To the fullest extent permitted by law, A&W agrees to indemnify City, its City Council, Council members, Commissioners, officers, employees and agents and their successors and assigns ("**indemnified parties**") against, and will hold and save each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities (herein "**claims or liabilities**") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the work, operations, activities, or omissions of A&W, its officers, agents, representatives, employees, sub-consultants, contractors, invitees, or anyone for whom A&W is liable, provided for herein or arising from the acts or omissions of A&W hereunder, or arising from A&W's performance of or failure to perform any term, provision, covenant or condition of this Agreement, except to the extent such claims or liabilities arise from the sole negligence or willful misconduct of City, its officers, or employees. This indemnity is in addition to any other rights or remedies which City may have under the law or this Agreement. In the event of any claim or demand made against any indemnified parties, City may, at its sole discretion, reserve, retain or apply any monies due to A&W under this

Agreement for the purpose of resolving such claims; provided however, that City may release such funds if A&W provides City with reasonable assurances of protection of the City's interest. The City shall, in its sole discretion determine whether such assurances are reasonable. A&W agrees that its duty to defend the indemnified parties arises upon an allegation of liability based upon the acts, omissions, or performance of services under this Agreement by A&W, its officers, agents, representatives, employees, sub-consultants, contractors, invitees, or anyone for whom A&W is liable and that an adjudication of A&W's liability is not a condition precedent to A&W's duty to defend. The provisions of this section will survive the termination or expiration of this Agreement.

12. NOTICES

Notices required pursuant to this Agreement shall be given by personal service upon the party to be notified, or by delivery of same into the custody of the United States Postal Service, or its lawful successor, postage prepaid and addressed as follows:

CITY: CITY OF IMPERIAL
420 South Imperial Avenue
Imperial, CA 92251
Attention: City Manager

A&W: ALESHIRE & WYNDER, LLP
1 Park Plaza, Suite 1000
Irvine, California 92614
Attention: Paul Early

Service of a notice by personal service shall be deemed to have been given as of the date of such personal service. Notice given by deposit with the United States Postal Service shall be deemed to have been given two (2) consecutive business days following the deposit of the same in the custody of said Postal Service. Either party hereto may, from time to time, by written notice to the other, designate a different address or person which shall be substituted for that specified above.

13. NON-DISCRIMINATION

In connection with the execution of this Agreement, A&W agrees that it will not engage in unlawful discrimination in employment and shall comply with all applicable laws and regulations of City and/or all other relevant government agencies, including, but not limited to, the California Civil Rights Department and the Federal Equal Employment Opportunity Commission. Also, A&W certifies and agrees that all persons employed by A&W, its affiliates, subsidiaries and related entities, if any, will be treated equally by A&W, without unlawful discrimination based upon creed, sex, race, national origin, or any other classification prohibited by state or federal law. If City finds that any of the provisions of this Section have been violated, such violation may result in the cancellation, termination, or suspension of this Agreement. While City reserves the right to determine independently that the anti-discrimination provisions of the Agreement have been violated, in addition, a determination by the California Civil Rights Department, or successor agency, or the Federal Equal Employment Opportunity Commission,

or successor agency, that A&W has violated state or federal anti-discrimination laws relative to this Agreement may constitute a finding by City that A&W has violated the anti-discrimination provisions of this Agreement.

14. TERM, DISCHARGE AND WITHDRAWAL

This Agreement shall be effective on the Effective Date written above. The term of this Agreement will be for five (5) years, with renewals in one (1) year increments thereafter based on satisfactory annual performance reviews of A&W by the City Council. City may discharge A&W at any time. A&W shall have no right to hearing or notice, and may be discharged with or without cause or notice. A&W may withdraw from City's representation at any time, to the extent permitted by law, and the Rules of Professional Conduct, upon at least sixty (60) days' notice to City.

In the event of such discharge or withdrawal, City will pay A&W undisputed professional fees and costs, in accordance with this Agreement, for all work done (and costs incurred) through the date of cessation of legal representation. City agrees to execute, upon request, a stipulation in such form as to permit A&W to withdraw as City's attorneys of record in any legal action then pending. A&W shall deliver all documents and records of City to City, or to counsel designated by City, and assist to the fullest extent possible in the orderly transition of all pending matters to City's new counsel.

15. CONFLICTS

A&W has no present employment which is adverse to the City. A&W agrees that it shall not represent clients in either litigation or non-litigation matters against the City. However, A&W may have past and present clients or may have future clients, which, from time to time, may have interests adverse to City, and A&W reserves the right to represent such clients in matters not connected with its representation of the City. A&W shall promptly disclose to the City Council and City Manager any such actual or potential conflict immediately wherever the same shall arise or come to the attention of A&W.

If a potential conflict of interest arises in A&W's representation of two clients, if such conflict is only speculative or minor, A&W shall seek waivers from each client with regards to such representation. However, if real conflicts exist, A&W would withdraw from representing either client in the matter, and assist them in obtaining outside special counsel.

A&W maintains a strict policy forbidding political contributions in city council races in the cities we represent or propose to represent and will adhere to this policy as to the City. This policy is in conformity with the *Ethics Policy* adopted by the City Attorneys Department of the League of California Cities.

16. INTERPRETATION OF AGREEMENT AND FORUM

This Agreement shall be construed and interpreted both as to validity and performance of the parties in accordance with the laws of the State of California. Venue for any dispute lies in San Diego County, California.

17. AUDIT AND INSPECTION OF RECORDS

At any time during A&W's normal business hours and as often as City may deem necessary, and upon reasonable notice, A&W shall make available to City, or any of its duly authorized representatives, for examination, audit, excerpt, copying or transcribing, all data, records, investigation reports and all other materials respecting matters covered by this Agreement. A&W will permit City to audit and to make audits of all invoices, materials, payrolls, records of personnel and other data related to all matters covered by this Agreement. All material referenced in this Section, including all pertinent cost accounting, financial records, and proprietary data, must be kept and maintained by A&W for a period of at least four (4) years, or for the period required by law, whichever is greater, after completion of A&W's performance hereunder, unless City's written permission is given to dispose of same prior to that time.

18. CONFIDENTIALITY AND USE OF INFORMATION

A. Except as otherwise provided by law, all reports, communications, documents and information obtained or prepared by A&W respecting matters covered by this Agreement shall not be published without prior written consent of City Manager or his/her designee, nor shall A&W issue any news releases or publish information relating to its services hereunder without the prior written consent of the City Manager. A&W shall hold in trust for City, and shall not disclose to any person, any confidential information. Confidential information is information which is related to the City's research, development, trade secrets and business affairs, but does not include information which is generally known or easily ascertainable by nonparties through available public documentation.

B. Ownership of Records. All records created by A&W for City under this Agreement shall become the property of the City and shall be subject to state law and City policies governing privacy and access to files, including any laws governing attorney-client privilege and attorney work product. The City shall have access to and the right to examine all books, documents, papers and records of A&W involving transactions and work related to this Agreement. A&W shall retain all copies of records for a period of at least four (4) years, or for the period required by law, whichever is greater, from the date of final payment.

19. NON-WAIVER

The failure of City or A&W to seek redress for violation of, or to insist upon, the strict performance of any term or condition of this Agreement shall not be deemed a waiver by that party of such term or condition, or prevent a subsequent similar act from again constituting a violation of such term or condition. Payment to A&W of compensation under this Agreement shall not be deemed to waive City's rights or A&W's rights contained in this Agreement.

20. SEVERABILITY

If any term, condition or provision of this Agreement is held by a court of competent jurisdiction to be unenforceable, invalid, or void, the remaining provisions will nevertheless continue in full force and effect and shall not be affected, impaired or invalidated in any way.

21. DISPUTES

City and A&W agree to have disputes (except where City may request arbitration of a fee dispute by the State Bar) that arise out of, or relate to this Agreement, including but not limited to claims of negligence or malpractice arising out of or relating to the legal services provided by A&W to City, decided by binding arbitration in accordance with the provisions of the Code of Civil Procedure section 1280 *et seq.* and administered by JAMS pursuant to its comprehensive arbitration rules and procedures. This clause shall not preclude parties from seeking provisional remedies in aid of arbitration from a court of appropriate jurisdiction. A&W and City shall each have the right of discovery in connection with any arbitration proceeding in accordance with, and to the full extent allowed by, the California Rules of Civil Procedure § 1283.05. City, however, may request arbitration of a fee dispute by the State Bar as provided by Business and Professions Code § 6200, *et seq.* Alternatively, any legal action or proceeding by the City against A&W related to this Agreement may be brought in the courts of Imperial County, State of California.

22. REMEDIES

The rights and remedies of the City provided in this Agreement are not intended to be exclusive, and are in addition to any other rights and remedies permitted by law.

23. BINDING AGREEMENT

This Agreement is intended to be binding on the parties and their respective successors and assigns.

24. COUNTERPARTS

This Agreement may be executed in counterparts, all of which taken together will be considered one original document.

25. INTEGRATED AGREEMENT; AMENDMENT

This Agreement, including all exhibits, contains all of the agreement of the parties and cannot be amended or modified except by written agreement. This Agreement supersedes the existing limited scope legal services agreement between the Firm and the City. No prior oral or written understanding shall be of any force or effect with respect to those matters covered in this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

26. CORPORATE AUTHORITY

The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that in so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date of execution by the City.

“CITY”

CITY OF IMPERIAL, a municipal corporation

Dated: _____, 2026

Ida Obeso-Martinez, Mayor

ATTEST:

Kristina Shields, City Clerk

“A&W”

ALESHIRE & WYNDER, LLP, a California limited liability partnership

Dated: _____, 2026

Sunny K. Soltani, Esq., Managing Partner

EXHIBIT A

FEE ARRANGEMENT

1. Monthly Retainer Fee \$18,000

Includes 60 hours per month of any legal services provided by the firm, except Public Financing and Reimbursable services, at \$300.00 per hour. A&W bills in increments of one-tenth (0.1) of an hour, which is 6 minutes.

General Services include, but are not limited to:

- (a) Attending all City Council, Planning and other Commission meetings.
- (b) Providing City Council and other bodies with guidance relative to Roberts Rules of Order, open meetings, Brown Act, and other related procedural matters.
- (c) Providing conflict of interest assistance to elected and appointed officials and staff, and assisting officials and staff in seeking advice from the Fair Political Practices Commission.
- (d) Attending departmental meetings, staff meetings, or committee meetings as deemed necessary and appropriate or as requested by the City Manager or City Council.
- (e) Providing legal advice, counsel, services, consultation and opinions to City Council, City Manager and City staff on routine municipal assignments.
- (f) Performing general research and interpreting routine laws, and other legal matters in order to prepare legal opinions and to advise the City Council, and management staff on routine legal matters pertaining to City operations.
- (g) Reviewing and/or preparing general staff reports, ordinances, resolutions, and other documents required by the City.
- (h) Informing City Council and staff of routine recommended changes to City ordinances and practices, as needed.
- (i) Providing assistance to the City regarding election laws and assisting in review of election forms, filings, and coordination with county, state and federal election officials.
- (j) General Litigation services.

2. Hourly Services

All Public Financing, Reimbursable and General Service or Special Service hours worked in excess of 60 hours per month are billed at the following rates:

CLASSIFICATION	RATE
General	\$285 Associate \$305 Senior Associate \$325 Partner
Special Services/Litigation	\$305 Associate \$335 Senior Associate \$345 Partner
Reimbursable for Developers	\$400 Associate \$450 Partner
Public Finance	\$525 Attorneys \$295 Paralegals/Law Clerks
Paralegals and Law Clerks	\$180
Document Clerks	\$130

3. Special Services/Litigation; Third Party Reimbursable

Special Services include, but are not limited to, real estate, rent control, housing, complex land use and zoning, eminent domain/regulatory takings, labor and employment, investigations, enterprise funds, franchise negotiations, major contract negotiations, municipal finance matters other than bonds and similar financial services, environmental and toxics, water, energy, franchises, utilities and telecommunications, solid waste, rent control/mobile home matters, police and fire matters, litigation services, and similar matters requiring special expertise that are above and beyond routine municipal assignments and/or routine legal matters.

For legal services performed on matters where the City is reimbursed by a third party, such as development agreements, A&W will charge at higher rates as described on the table above. Though A&W's rates are higher for special services than for general services, they are less than those generally charged by specialty firms, such as those specializing in development, employment, water and so forth.

4. Rate Adjustments

Starting July 1, 2027, and each July 1st thereafter, there will be an annual cost of living adjustment, rounded to the nearest dollar. The cost-of-living adjustment shall be set by the most recent 12-month Consumer Price Index for all urban consumers ("CPI-U") for the West Region, as published by the United States Government Bureau of Labor Statistics or \$10 per hour, whichever is higher.

5. Reimbursable Expenses

In addition to the hourly rates, A&W shall be reimbursed for out-of-pocket expenses, without any markup, such as photocopies (\$0.25 per page) and other reproducing costs, facsimile charges, messengers and couriers, court reporters, travel expenses, and other costs and expenses incurred on the City's behalf. Notwithstanding the foregoing, we do not charge for word processing, routine computer-assisted legal research, or electronic or other charges for

calls/teleconferences. Specialized legal research or tools, such as technical artificial intelligence aided research or specialized e-discovery software, may be charged to the client as expenses, upon prior written notification from A&W and written approval from the City.

Travel costs including mileage (current IRS rate), parking, airfare, lodging, meals, and incidentals are charged in connection with administrative or judicial proceedings and when traveling on behalf of the City to other locations. In addition, the City will be responsible for paying the fees of consultants and other outside experts who are retained after consultation with the City.

EXHIBIT B

STATEMENT OF BILLING PRACTICES

A&W's fees are charged on an hourly basis (or increments thereof) for all time actually expended and are generally billed monthly with payment due within thirty (30) days after the date of the bill.

A&W will incur various costs and expenses in performing legal services. These costs and expenses are separately billed to the City and include fees fixed by law or assessed by public agencies, litigation costs including deposition, reporter fees, and transcript fees, messenger and other delivery fees, postage, photocopying (charge of twenty-five cents (\$.25) per page) and other reproduction costs, staff overtime when necessitated and authorized by the client, and computer-assisted research fees when authorized by the client, all based on the actual and reasonable cost (mileage, reproduction and other costs are periodically adjusted in accordance with A&W's actual costs).

Travel costs including mileage (current IRS rate), parking, airfare, lodging, meals, and incidentals are charged in connection with administrative or judicial proceedings and when traveling on behalf of the City to other locations. No lodging expenses will be charged for attendance at Regular City Council meetings or Planning Commission meetings at City Hall, but travel time may be charged at the General Services billing rate if in excess of retainer allowance. In addition, the City will be responsible for paying the fees of consultants and other outside experts who are retained after consultation with the City and receipt of the City's prior written approval.

The monthly billing statements for fees and costs shall indicate the basis of the fees, including a detailed and auditable breakdown of the hours worked, the billable rates charged and description of the work performed. All time is billed in increments of one-tenth (0.1) of an hour. All undisputed bills are expected to be paid within thirty (30) days of the date of the billing statement.



City Council **STAFF REPORT**

Document ID: 2026-400

Category: Action Item

Department: City Manager's Office
Department Head: Dennis H. Morita, City Manager
Meeting Date: July 15, 2026

SUBJECT:

APPOINTMENTS TO THE LIBRARY BOARD OF TRUSTEES.

BACKGROUND:

There are two vacancies on the board: one unscheduled vacancy resulting from the resignation of Alejandra Banda, and one scheduled vacancy due to the expiration of Magdalena Altamirano's term on July 1, 2026. The application period was open from June 25, 2026, through July 8, 2026. Mrs. Altamirano submitted a formal request for reappointment, and two additional applications were received and are attached.

Pursuant to California Education Code Section 18910 and 18911, the appointments to the board are made by the Mayor with the consent of the City Council.

FISCAL IMPACT:

None

REQUESTED ACTION:

Reappoint Magdalena Altamirano to a three-year term and appoint one of the two applicants to fill an unscheduled vacancy with a term ending on June 30, 2027.

CITY MANAGER RECOMMENDATION:

Approve as requested.

Attachments:

1. Valentina Estes_Redacted
2. Jennifer Rodriguez-Godoy_Redacted

Submitted on Wed, 06/25/2025 - 10:41

Submitted by: Anonymous

Submitted values are:

Name

Valentina Estes Valentina Estes

Telephone

Address

Email

Valentina.estes@benchmark.us

Appointment Type

Reappointment

How many years have you lived in Imperial?

5

Are you a registered City of Imperial voter?

Yes

Are you presently employed?

Yes

Employer/Position

Manager/owner

Have you served on a city commission or committee before?

Yes

If yes, which city and when

Imperial

Position

Library Trustee

Summarize why you wish to serve on the Imperial Public Library Board of Trustees, include any special qualifications or education which are particularly appropriate to the position of Trustee.

I'm proud of what we've accomplished so far, but there's more to do. I want to keep contributing my experience, energy, and ideas to help the library adapt and grow especially as we face new challenges and opportunities in the years ahead.

What do you see as the objectives and goals of the Library Board?

To explore arts, culture, and global perspectives through books, films, music, and events.

How would you help to achieve these objectives and goals?

Align my personal goals with those of the institution.

To ensure my efforts support the library's long-term direction.

Advocate for the library at community

meetings, local government events, or with stakeholders.

Promote the library's services through word-of-mouth, social media, or local networks.

Do you or immediate family members have any relationship (professional, financial, other) that may present a potential conflict of interest? (Please explain)

No

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Imperial Public Library Board Trustee Application

Step 1

The following form may request personally identifiable or protected health information. Please see our [Privacy Policy](#)

First Name	Jennifer
Last Name	Rodriguez-Godoy
Address	
City	Imperial
State	CA
Zip Code	92251
Phone Number	
Fax Number	<i>Field not completed.</i>
Email Address	jennifer.rodriguez0079@gmail.com
Appointment Type	New Appointment
How many years have you lived in Imperial?	5
Are you a registered City of Imperial voter?	Yes
Are you presently employed?	Yes
Employer/Position	Tax Professional/ Bookkeeper

If you are retired, what was your previous occupation?	<i>Field not completed.</i>
Have you served on a city commission or committee before?	No
If yes, which city and when	<i>Field not completed.</i>
Position	<i>Field not completed.</i>
Step 2	
Summarize why you wish to serve on the Imperial Public Library Board of Trustees, include any special qualifications or education which are particularly appropriate to the position of Trustee.	I am interested in serving on the Imperial Public Library Board because I believe it is an essential resource for education and learning. I have lived in the valley all my life and value opportunities that encourage literacy, provide access to information and offer support to our community. I have 25+ years of experience as a tax professional and business owner, where I have developed strong skills in financial management, organization and problem solving. I also serve local nonprofit organizations in leadership roles that have given me experience in governance, budgeting and community outreach.
What do you see as the objectives and goals of the Library Board?	I would love our library to grow and serve the needs of our community. I am looking forward to seeing the library board work collaboratively with the public.
How would you help to achieve these objectives and goals?	I would help achieve the objectives by listening to the needs of our community, making informed decisions, and working collaboratively with fellow board members and library staff. I believe in being accessible, transparent, and committed to ensuring we meet our objectives and goals.
Do you or immediate family members have any relationship (professional, financial, other) that may present a potential conflict of interest? (Please explain)	None