

MINUTES
CITY COUNCIL
CITY OF IMPERIAL
JULY 17, 2019

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

COUNCIL MEMBERS PRESENT: DALE, PECHTL, TUCKER AND AMPARANO

COUNCIL MEMBERS ABSENT: EUGENIO

OTHER STAFF PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, POLICE CHIEF BARRA, MANAGEMENT ANALYST/PIO CHALUPNIK

A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Section 54956.9 (d))

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of G.C. Section 54956.9 (3 potential cases)

A-2. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9)

Case No. 37-2014-00015675-CU-BC-CTL

A-3. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9)

Case No. WCAB No. ADJ11585013

CITY COUNCIL ADJOURNED CLOSED SESSION

B. CITY COUNCIL CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: DALE, PECHTL, TUCKER AND AMPARANO

COUNCIL MEMBERS ABSENT: EUGENIO

OTHER STAFF PRESENT: CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, PUBLIC SERVICES DIRECTOR LOPER, FIRE CHIEF ESTRADA, POLICE CHIEF BARRA, COMMUNITY SERVICES DIRECTOR HALLER, IT DIRECTOR ESTRADA, FINANCE MANAGER GUTIERREZ, COMMUNITY DEVELOPMENT DIRECTOR MORA, AND DEPUTY CITY CLERK/PIO CHALUPNIK

MAYOR AMPARANO called the meeting to order at 7:04 PM and those present were led in the Pledge of Allegiance.

C. PUBLIC APPEARANCES:

NONE

D. CONSENT AGENDA:

- D-1.** Approval of claims/warrants report.
- D-2.** Approval of Treasurers' Reports for the months of April 2019 and May 2019.
- D-3.** Approval of minutes for meetings of May 1, 2019, May 15, 2019 and May 29, 2019.
- D-4.** Acceptance of additional Right-of-Way affecting APNS: 064-351-003, 064-351-004, 064-351-019, 064-351-022, 064-351-023, 064-351-026, 064-351-028, 064-351-030, & 064-351-032, all between Myrtle Road and La Brucherie Road for the Aten Sidewalk Project Phase 2.
- D-5.** Approval of Resolution No. 2019-32, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-1 (Victoria Ranch)
- D-6.** Approval of Resolution No. 2019-33, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-2 (Mayfield)
- D-7.** Approval of Resolution No. 2019-34, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2004-3 (Bratton Development)
- D-8.** Approval of Resolution No. 2019-35, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2005-1 (Springfield)
- D-9.** Approval of Resolution No. 2019-36, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2006-1 (Monterrey Park)
- D-10.** Approval of Resolution No. 2019-37, Determining and Levying the Special Taxes for City of Imperial Community Facilities District No. 2006-2 (Savanna Ranch)
- D-11.** Approval of Agreement between City of Imperial and County of Imperial for Data Services for Fiscal Year 2019-2020.
- D-12.** Approval to participate in the California Statewide Local Streets and Roads Needs Assessment Funding as requested by the League of California Cities.

Motion by TUCKER, seconded by PECHTL to approve Consent Agenda holding Item D-4 for a separate vote.

AYES: DALE, PECHTL, TUCKER AND AMPARANO

NOES: NONE

ABSTAIN: NONE

ABSENT: EUGENIO

MOTION CARRIED: 4-0

CONSENT AGENDA, ITEM D-4: Acceptance of additional Right-of-Way affecting APNS: 064-351-003, 064-351-004, 064-351-019, 064-351-022, 064-351-023, 064-351-026, 064-351-028, 064-351-030, & 064-351-032, all between Myrtle Road and La Brucherie Road for the Aten Sidewalk Project Phase 2.

Motion by DALE, seconded by PECHTL to approve Item D-4 of the Consent Agenda

AYES: DALE, PECHTL AND AMPARANO

NOES: NONE

ABSTAIN: TUCKER

ABSENT: EUGENIO

MOTION CARRIED: 3-0-1

E. PUBLIC HEARINGS:

**E-1. SUBJECT: IMPERIAL LIGHTING MAINTENANCE DISTRICT NO. 1
(WILDFLOWER NO. 8/PASEO DEL SOL SUBDIVISION).**

HEARING OPENED AT: 7:08 P.M.

There were no comments from members of the audience.

HEARING CLOSED AT: 7:10 P.M.

1. APPROVAL OF RESOLUTION NO. 2019-38, APPROVING THE ENGINEER'S REPORT.

Motion by PECHTL, seconded by DALE to approve Resolution No 2019-38, Approving the Engineer's Report.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

2. APPROVAL OF RESOLUTION NO. 2019-39, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by PECHTL, seconded by DALE to approve Resolution No. 2019-39, ordering the Levy and Collection of Annual Assessments.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

**E-2. SUBJECT: IMPERIAL LANDSCAPE MAINTENANCE DISTRICT NO. 1
(WILDFLOWER NO. 8/PASEO DEL SOL SUBDIVISION).**

HEARING OPENED AT 7:11 P.M.

There were no comments from members of the audience.

HEARING CLOSED AT 7:12 P.M.

1. APPROVAL OF RESOLUTION NO. 2019-40, APPROVING THE ENGINEER'S REPORT.

Motion by PECHTL, seconded by DALE to approve Resolution No 2019-40, Approving the Engineer's Report.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE

ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

2. APPROVAL OF RESOLUTION NO. 2019-41, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by PECHTL, seconded by DALE to approve Resolution No. 2019-41, ordering the Levy and Collection of Annual Assessments.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

E-3. SUBJECT: IMPERIAL LANDSCAPE MAINTENANCE DISTRICT NO. 2 (SKY RANCH SUBDIVISION, ZONE 2005-03).

HEARING OPENED AT 7:13 P.M.

There were no comments from members of the audience.

HEARING CLOSED AT 7:14 P.M.

1. APPROVAL OF RESOLUTION NO. 2019-42, APPROVING THE ENGINEER'S REPORT.

Motion by PECHTL, seconded by DALE to approve Resolution No 2019-42, Approving the Engineer's Report.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

2. APPROVAL OF RESOLUTION NO. 2019-43, ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS.

Motion by DALE, seconded by PECHTL to approve Resolution No. 2019-43, ordering the Levy and Collection of Annual Assessments.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F. ACTION ITEMS:

F-1. SUBJECT: SECOND AMENDMENT TO PARKS AND LANDSCAPE MAINTENANCE AGREEMENT WITH EXECUTIVE LANDSCAPE, INC.

1. AUTHORIZE THE REMOVAL OF DOWNTOWN, CITY HALL, AND PUBLIC LIBRARY SITES FROM PARK AND LANDSCAPE MAINTENANCE AGREEMENT

Motion by DALE, seconded by TUCKER to authorize the removal of downtown, City Hall and the Imperial Public Library sites from the current Park and Landscape maintenance agreement with Executive Landscape, Inc.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

2. AUTHORIZE THE ADDITION OF THE TRANSIT PARK AND CAMBRIA PARK TO THE PARK AND LANDSCAPE MAINTENANCE AGREEMENT.

Motion by PECHTL, seconded DALE to authorize the addition of the Transit Park and Cambria Park to the Park and Landscape Maintenance Agreement with Executive Landscape, Inc.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-2. SUBJECT: LABOR COMPLIANCE FOR ATEN BOULEVARD & CROSS ROAD INTERSECTION IMPROVEMENTS.

1. AWARD CONTRACT TO LEGION CONSULTING FOR LABOR COMPLIANCE SERVICES RELATED TO THE ATEN BOULEVARD & CROSS ROAD INTERSECTION IMPROVEMENTS.

Motion by DALE, seconded by TUCKER to award the contract for Labor Compliance Services to Legion Consulting for the Aten Blvd and Cross Road Intersection Improvements.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-3. SUBJECT: ABANDONMENT AGREEMENT BETWEEN IMPERIAL IRRIGATION DISTRICT AND THE CITY OF IMPERIAL REGARDING A PORTION OF DOLSON DRAIN NO. 2 FROM BARIONI BLVD. TO EAST 15TH STREET.

1. APPROVAL TO MOVE FORWARD WITH NEGOTIATIONS WITH IID TO ACCEPT A PORTION OF DOLSON DRAIN NO. 2 FROM BARIONI BLVD. TO EAST 15TH STREET.

City Council directed staff to put together several options for review prior to bringing this item back for action.

Motion by PECHTL, seconded by DALE to table Item F-3 of the Agenda until further notice.

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-4. SUBJECT: CPS HR CONSULTING TEST RENTAL AND USE AGREEMENT.

1. APPROVAL OF AGREEMENT BETWEEN CITY OF IMPERIAL AND CPS HR CONSULTING FOR TEST RENTAL AND USE AGREEMENT TO FACILITATE BILINGUAL PROFICIENCY EXAM.

Motion by PECHTL, seconded by DALE to approve the agreement with CPS HR Consulting for Bilingual Proficiency Exam Services

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-5. SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IMPERIAL AND UNREPRESENTED EMPLOYEES FOR FISCAL YEAR 2019-2020.

1. APPROVAL OF RESOLUTION NO. 2019-44, ESTABLISHING SALARIES AND EMPLOYEE BENEFITS FOR THE UNREPRESENTED EMPLOYEES (MANAGEMENT, SUPERVISORY, PROFESSIONAL, CONFIDENTIAL, AND POLICE CAPTAIN FOR FISCAL YEAR 2019-2020.

Motion by PECHTL, seconded by TUCKER to approve Resolution 2019-44 between the City of Imperial and MSPC Bargaining Unit for Fiscal Year 2019-2020

AYES: DALE, PECHTL, TUCKER AND AMPARANO
NOES: NONE
ABSTAIN: NONE
ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-6. SUBJECT: IMPERIAL CHAMBER OF COMMERCE SERVICE AND LEASE AGREEMENT.

1. AGREEMENT BETWEEN CITY OF IMPERIAL AND IMPERIAL CHAMBER OF COMMERCE FOR FISCAL YEAR(S) 2017-2020.

Motion by DALE, seconded by PECHTL to direct staff to bring back a Notice of Termination for the contract and lease agreement between the City of Imperial and Imperial Chamber of Commerce at the next Regular City Council Meeting

AYES: DALE, PECHTL, AND TUCKER
NOES: NONE
ABSTAIN: AMPARANO

ABSENT: EUGENIO

MOTION CARRIED: 3-0

F-7. SUBJECT: CITY HALL SEWER LINE.

1. CONTINUE OR SUSPEND EMERGENCY AS NECESSARY FOR THE REPAIRS/REPLACEMENT TO THE SEWER LINES.

Motion by PECHTL, seconded by DALE to continue the emergency as necessary for repairs to the City Hall Sewer Lines

AYES: DALE, PECHTL, TUCKER AND AMPARANO

NOES: NONE

ABSTAIN: NONE

ABSENT: EUGENIO

MOTION CARRIED: 4-0

F-8. SUBJECT: DESIGNATION OF VOTING DELEGATE AND ALTERNATE(S) FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE.

1. APPOINTMENT OF VOTING DELEGATE AND ALTERNATE(S) FOR THE 2019 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, OCTOBER 16-18, 2019 IN LONG BEACH, CA.

Motion by PECHTL, seconded by TUCKER to appoint Councilmember EUGENIO as the Voting Delegate and Councilmember PECHTL as the Alternate Voting Delegate for the 2019 League of California Cities Annual Conference

AYES: DALE, PECHTL, TUCKER AND AMPARANO

NOES: NONE

ABSTAIN: NONE

ABSENT: EUGENIO

MOTION CARRIED: 4-0

G. REPORTS:

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

AMPARANO presented the campaign video for the 2019 9/11 Memorial Stair Climb.

G-2. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS.

COMMUNITY DEVELOPMENT DIRECTOR MORA gave an update on cross walk projects located at Cross Road and Aten Boulevard, La Brucherie and Aten, and Aten and the Lisa Tucker Plaza.

AMPARANO requested the consideration of placing a stop sign at Neckel and Cannon due to traffic concerns.

COMMUNITY SERVICES DIRECTOR HALLER reported on the successful hydro seeding of Sunset Park.

POLICE CHIEF Barra reported that the Imperial Police Department had their first winner of the IPD Trading Card Challenge.

G-3. SUBJECT: CITY MANAGER REPORT.

CITY MANAGER CHATWIN reported and thanked the list of agencies that supported the City of Imperial during the Andy Ruiz Jr. Parade and Rally event.

CITY COUNCIL MEETING ADJOURNED AT 8:01 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, AUGUST 7, 2019 AT 7:00 P.M.