

**MINUTES
CITY COUNCIL
CITY OF IMPERIAL
SEPTEMBER 2, 2020**

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

TELECONFERENCE NOTICE

Pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020 and to the extent applicable Government Code Section 54953(b), this City Council Meeting included teleconference participation by the City Council Members and City staff. Consistent with Executive Order N-29-20 teleconference locations utilized by City Council Members are not accessible to the public and are not subject to special posting requirements.

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

- A-1. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of G.C. 54956.9 (1 potential case)
- A-2. **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54954.5 (e)
TITLE: City Manager

CITY COUNCIL ADJOURNED CLOSED SESSION

B. CITY COUNCIL RE-CONVENED TO OPEN SESSION

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

COUNCIL MEMBERS ABSENT: AMPARANO

OTHER OFFICIALS PRESENT: CITY MANAGER MORITA, CITY CLERK JACKSON, ASSISTANT CITY MANAGER BROWN, FIRE CHIEF ESTRADA ESTRADA*, POLICE CHIEF BARRA*, COMMUNITY SERVICES DIRECTOR HALLER*, IT DIRECTOR ESTRADA, ADMINISTRATIVE SERVICES DIRECTOR GITIERREZ, COMMUNITY DEVELOPMENT DIRECTOR MORA*, PARKS SUPERINTENDENT LOPEZ*, PUBLIC SERVICES MANAGER SELF*, AND SGT. SHEFFIELD*

*remote participation.

MAYOR PECHTL called the meeting to order at 7:05 pm and the Pledge of Allegiance was led by Councilmember Tucker.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda.

Four e-mails were received and read into the record. They are from the following: Susie Martinez, Angelica Flores, Erin Rodriguez, and Jerry Espinoza. All are essential workers (grocery stores) and stressed the need for enforcement of health and safety rules under COVID -19 and the need for additional work place protections for employees.

C-2. Matters appearing on the agenda.

None.

D. CONSENT AGENDA:

D-1. Approval of claims/warrants report.

D-2. Approval of Treasurers' Report for month of July 2020.

D-3. Approval and Acceptance of off-site street improvements and partial reconveyance to Imperial Ranch Partners, LLC – Victoria Ranch Subdivision Unit 3B(2)-Phase 11B (lots 6 to 14 per FM 27/3)

D-4. Continue emergency action for repairs to manhole located near the intersection of Hwy 86 and Aten (southeast corner).

D-5. Continue emergency action for repairs to traffic signal light located at intersection of Hwy 86 and Neckel Road.

Motion by DALE, second by EUGENIO to approve the Consent Agenda withholding warrant 94681 for separate action.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

Motion by DALE, second by EUGENIO to approve warrant 94681 payable to JT Towing.

AYES: DALE, EUGENIO, AND PECHTL

NOES: NONE

ABSTAIN: TUCKER

ABSENT: AMPARANO MOTION CARRIED 3-0-1

E. ACTION ITEMS:

E-1. SUBJECT: SERVICE AREA PLAN AND DEVELOPMENT IMPACT FEE PREPARATION SERVICES.

1. AWARD CONTRACT TO HOWES, WEILER, LANDY PLANNING AND ENGINEERING CONSULTING SERVICES FOR PREPARATION OF THE SERVICE AREA PLAN AND DEVELOPMENT IMPACT FEE UPDATES IN THE AMOUNT OF \$48,120.00.

Motion by EUGENIO, second by DALE to award the contract to Howes, Weiler, Landy Planning and Engineering Consulting Services.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

E-2. SUBJECT: 2020 OVERLAY IMPROVEMENTS PROJECT AT THE INTERSECTION OF ATEN BOULEVARD AND CLARK ROAD (BID 2020-09).

1. REVOKE PREVIOUS ACTION WHICH AWARDED A CONSTRUCTION CONTRACT TO LC PAVING & SEALING, INC.

Motion by DALE, second by EUGENIO to revoke the previous action to award contract to LC Paving.

AYES: DALE, EUGENIO, AND PECHTL

NOES: TUCKER

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 3-1

2. WAIVE MINOR BID IRREGULARITY.

Motion by DALE, second by EUGENIO to waive the bid irregularity.

AYES: DALE, EUGENIO, AND PECHTL

NOES: TUCKER

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 3-1

3. AWARD CONSTRUCTION CONTRACT TO PYRAMID CONSTRUCTION AND AGGREGATES, INC, IN THE AMOUNT OF \$456,678.88

Motion by DALE, second by EUGENIO to award the contract to Pyramid Construction and Aggregates, Inc.

AYES: DALE, EUGENIO, AND PECHTL

NOES: TUCKER

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 3-1

4. AUTHORIZE 15% CONTINGENCY.

Motion by DALE, second by EUGENIO, to authorize the 15% contingency.

AYES: DALE, EUGENIO, AND PECHTL

NOES: TUCKER

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 3-1

E-3. SUBJECT: CITY OF IMPERIAL STANDARD DETAIL DRAWINGS.

1. APPROVAL OF STANDARD DETAIL GUIDELINE MANUAL.

Motion by TUCKER, second by DALE to approve the manual.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

E-4. SUBJECT: BARIONI AVENUE WATERLINE PROJECT (BID 2020-05)

1. REQUIRE HYLAN WEST TO SUBMIT THE COMPLETED NON-COLLUSION AFFIDAVIT SO THAT THE CITY HAS IT IN THE PROJECT RECORD.

Motion by TUCKER, second by EUGENIO to require the none-collusion affidavit by Hylan West.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

2. WAIVE MINOR IRREGULARITIES IN HYLAN WEST'S BID AND AWARD THE CONTRACT TO THE LOW BIDDER HYLAN WEST IN THE AMOUNT OF \$408,500.72.

Motion by TUCKER, second by DALE to approve the waiver and award contract to Hylan West.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-5. SUBJECT: AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR THE TOWNSITE PARK PROJECT.

1. AWARD CONTRACT TO RINCON CONSULTANTS, INC. IN THE AMOUNT OF \$76,432.00 FOR PREPARATION OF INITIAL STUDY-MITIGATED NEGATIVE DECLARATION.

Motion by EUGENIO, second by TUCKER to award contract to Rincon Consultants, Inc.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-6. SUBJECT: PURCHASE OF EQUIPMENT - IT DEPARTMENT - CYBERSECURITY HARDWARE

1. APPROVAL OF DISBURSEMENT OF FUNDS FOR CYBERSECURITY ITEMS IN THE AMOUNT OF \$24,500.58.

Motion by DALE, second by TUCKER to approve the disbursement of funds.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-7. SUBJECT: INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF HOLTVILLE FOR CYBERSECURITY SERVICES.

1. APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF IMPERIAL AND CITY OF HOLTVILLE.

Motion by DALE, second by TUCKER to approve the intergovernmental agreement,

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-8. SUBJECT: PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT.

1. APPROVAL TO PURCHASE BODY WORN CAMERAS AND TASER 7 PACKAGE THROUGH AXON ENTERPRISES.

Motion by DALE, second by TUCKER to approve the purchase of equipment as requested.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-9. SUBJECT: CORONAVIRUS RELIEF FUND – BUSINESS ASSISTANCE MICRO-GRANT PROGRAM.

1. AWARD OF CORONAVIRUS RELIEF FUND MICRO-GRANTS IN THE AMOUNT OF \$5,000.00 EACH.

Motion by DALE. Second by TUCKER to award funds as presented.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-10. SUBJECT: ENTERPRISE BUDGET FUNDS FOR FISCAL YEAR 2020-2021.

1. ADOPT ENTERPRISE BUDGET FOR FISCAL YEAR 2020-2021.

Motion by TUCKER, second by EUGENIO to adopt the enterprise budget.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO MOTION CARRIED 4-0

E-11. SUBJECT: APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-2021.

1. ADOPT RESOLUTION NO. 2020-55, RESOLUTION OF THE CITY COUNCIL ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-2021 IN ACCORDANCE WITH ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF CALIFORNIA.

Motion by DALE, second by EUGENIO to adopt Resolution No. 2020-55.

AYES: DALE, EUGENIO, TUCKER, AND PECHTL

NOES: NONE

ABSTAIN: NONE

E-12. SUBJECT: DISCUSSION/ACTION: UPDATE OF COVID-19 PANDEMIC.

ASSISTANT CITY MANAGER BROWN reported the governor issued a new tiered system for re-opening businesses and other activities which is now in place. She also reported the Secretary of State has issued frequently asked questions regarding the vote-by-mail ballots. This information will be placed on the city's website.

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

DALE, EUGENIO, AND PECHTL addressed concerns with our downtown and loss or potential loss of businesses due to the pandemic. They encouraged business owners and property owners to contact the city if faced with potential closure of businesses and/or loss of tenants. Our community depends on tenants and landlords.

F-2. SUBJECT: CITY MANAGER REPORT.

ASSISTANT CITY MANAGER BROWN reported that a heat advisory has been issued for our region for the upcoming weekend. She also reported that the response rate for the 2020 census in Imperial is at 72.1%. September 30th will be the last day to respond.

F-3. SUBJECT: DEPARTMENT REPORTS.

PUBLIC SERVICES MANAGER SELF reported that the Barioni waterline project will take 90 days to complete.

CITY CLERK JACKSON announced that September 4, 2020 will be the first day that campaign signs will be allowed to be placed in the city as per our sign ordinance.

CITY COUNCIL MEETING ADJOURNED AT 8:27 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, SEPTEMBER 16, 2020 AT 7:00 P.M.