



Imperial City Council

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

AGENDA

Regular Meeting of the Imperial City Council

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

November 1, 2023

Closed Session at 06:00 pm

Open Session at 07:00 pm

The Imperial City Council meetings, including public comments, are being livestreamed on the city's social media pages. By remaining in the room, you are giving your permission to be recorded.

1. You are encouraged to observe the City Council meetings via Livestream at the City of Imperial Facebook page.
2. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, www.cityofimperial.org seventy-two (72) hours prior to the posted meeting time. Government Code section 54957.5(b)(2)(B)

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact (760) 355-4373. A notification of 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting [28CFR 35.102-35.104 ADA title II].

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: The City Council welcomes public input. Members of the public may address the City Council on Closed Session items by contacting the City Clerk's Office at 760-355-3334. 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.

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.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – GC 54956.9(d)(1)

Name of Case: Gutierrez v. City of Imperial, Imperial County Superior Court ECU 003168

Name of Case: Haller v. City of Imperial Claim No. 3046317

Name of Case: Mehdi pour v. City of Imperial Claim No. 3044388

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – GC 54956.7 (b) (1)

Title of Position: City Manager

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – G.C § 54956.8

Property Address: 420 S. Imperial Avenue APN# 064-143-002

Agency Negotiator: Dennis H. Morita, City Manager

Negotiating Parties: N/A

Under Negotiation: Instructions to Negotiator Regarding Price & Terms

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – G.C § 54956.8

Property Address: Regional Park Site APN# 06-010-083; 06-010-084;
06-010-085; 06-010-086; 06-010-087; 06-010-088

Agency Negotiator: Dennis H. Morita, City Manager

Negotiating Parties: N/A

Under Negotiation: Instructions to Negotiator Regarding Price & Terms

E. CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

Significant Exposure to litigation pursuant to § 54956.9(d)(4.):One (1) Potential Case

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

ADJUSTMENTS TO THE AGENDA: The City Council will discuss the order of the agenda, 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 prior to that portion of the agenda. For purposes of the official city record, the City Council may take care of these issues by entertaining a formal motion.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

PUBLIC COMMENT: There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

Matters not appearing on the agenda: 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. It is requested that longer presentations be submitted to the City Clerk's Office in writing 48 hours before the meeting.

A. CONSENT AGENDA:

All items appearing under "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.

- A-1. Approve Claims and Warrants Reports
- A-2. Approve Regular City Council Meeting Minutes of October 18, 2023
- A-3. Authorize Rejection of Claim No. 3049914 WRV as Recommended by Carl Warren & Company
- A-4. Continue Emergency Actions at Aten Road and Highway 86 Intersection
- A-5. Approve Purchase of UV System Equipment Parts for the Wastewater Treatment Plant
- A-6. Approve Declaration of Vehicles as Surplus
- A-7. Approve Purchase of Budgeted Sewer Trailer Jetter

B. PUBLIC HEARING ITEMS (DISCUSSION/ACTION – APPROVE-DISAPPROVE):

- B-1. Public Hearing to consider the recommendation of the Planning Commission regarding the Victoria Ranch Specific Plan Amendment.

Staff Report: Othon Mora, Community Development Director

- 1. Open public hearing
- 2. Staff report
- 3. Public comment
- 4. Close public hearing
- 5. Council discussion
- 6. Recommended action(s)

Recommended Action: Adopt Resolution No. 2023-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, APPROVING THE VICTORIA RANCH SUBDIVISION SPECIFIC PLAN AMENDMENT, WHICH UPDATES THE VICTORIA RANCH SPECIFIC PLAN TO REFLECT LAND USE CHANGES, CURRENT INFORMATION AND CONDITIONS

C. ACTION ITEMS (DISCUSSION/ACTION- APPROVE-DISAPPROVE):

- C-1.** Discussion and authorization to sign the Imperial Irrigation District (IID) Encroachment Permit Application No. A-2023-0059 regarding the Morning Star Apartments.

Staff Report: Othon Mora, Community Development Director

Recommended Action: Authorize the City to sign the IID Encroachment Permit Application No. A-2023-0059 as future owner of public utilities, for two (2) waterline crossings over the Dahlia Canal pipeline at 12th Street and 15th Street and to connect “C” Street storm drain pipe outlet from the apartment complex top IID tile drain No. 1.

- C-2.** Discussion and related action regarding the acceptance of two (2) Public Utilities Easements over APN# 063-010-023, 063-010-065 and 063-010-066.

Staff Report: Othon Mora, Community Development Director

Recommendation: Acceptance of two (2) 10’ wide by 1271’ long Public Utilities Easements over APN# 063-010-023, 063-010-065 and 063-010-066.

- C-3.** Discussion and any necessary action to appoint a City of Imperial Representative to the Initial Board of Directors of the Imperial Valley Healthcare District.

Staff Report: Dennis Morita, City Manager

Recommended Action: Provide direction for appointment of a City of Imperial representative.

- C-4.** Discussion and any necessary action regarding the approval of a two (2) year Service Agreement with FirstNet for Regular Voice and Data Wireless Service for Public Safety.

Staff Report: R. Alejandro Estrada, IT Director

Recommended Action: Approve the two (2) year Service Agreement with FirstNet

- C-5.** Accept the State FY21-22 Citizen’s Option for Public Safety (COPS) Growth Supplemental Grant Funding and authorize the use of funds to purchase (45) equipment lockers and (5) new 800Mhz police handheld radios and support accessories.

Staff Report: Michael Crankshaw, Interim Chief of Police

Recommended Action: Adopt Resolution No. 2023-55, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING THE ACCEPTANCE OF STATE CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) PROGRAM FUNDING FOR FISCAL YEAR 2021-2022.

D. REPORTS:

- D-1.** Department Reports
- D-2.** City Manager Report
- D-3.** Mayor and Councilmember Reports

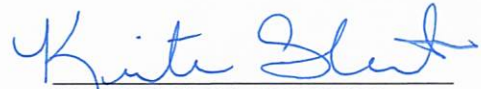
ADJOURNMENT:

Adjournment of this regular meeting of the City Council until the next regularly scheduled meeting to be held on Wednesday, November 15, 2023, at 7:00 p.m.

AFFIDAVIT OF POSTING

I, KRISTINA M. SHIELDS, City Clerk for the City of Imperial, California, DO HEREBY CERTIFY under penalty of perjury under the laws of the State of California, that the foregoing revised notice was posted at the City of Imperial City Hall bulletin board at 420 S. Imperial Avenue, Imperial, CA and on the City of Imperial's website not less than 72 hours prior to the meeting, per Government Code 54954.2.

Dated: October 27, 2023



KRISTINA M. SHIELDS
City Clerk

Check Register Report

Agenda Item : A-1

Date: 10/23/2023

Time: 11:50 am

Page: 1

CITY OF IMPERIAL

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks								
113845	10/20/23	Printed			7065	2K TOWER SERVICES LLC	573 76021	4,900.00
113846	10/20/23	Printed			735	ACADEMI AWARDS & TROPHIES	7597 `75826	566.15
113847	10/20/23	Printed			5201	AIR MED CARE NETWORK	5882-10162023 75831	223.00
113848	10/20/23	Printed			4626	ALBERTO HERNANDEZ	10/22/23 - 10/26/23	310.50
113849	10/20/23	Printed			2357	ALL VALLEY FENCE AND MATERIALS	23-5580 76031	5,435.69
113851	10/20/23	Printed			5956	AMAZON CAPITAL SERVICES	1VRJ-D7RJ-1JW7 76013	6,513.53
113852	10/20/23	Printed			6306	AMERICAN FIDELITY ASSURANCE	D645690 OCTOBER 2023 76152	5,462.94
113853	10/20/23	Printed			656	AQUA METRIC	INV0097190 76003	6,868.82
113854	10/20/23	Printed			1066	AT & T	20637715	822.66
113855	10/20/23	Printed			1851	AT&T LONG DISTANCE	338-371-6557 10/16/23	113.19
113859	10/20/23	Printed			4400	BABCOCK LABORATORIES, INC.	CI31721-8203 76056	8,858.52
113860	10/20/23	Printed			7158	BLUETARP FINANCIAL, INC.	G21648/5 76019	107.28
113861	10/20/23	Printed			674	BRENNTAG	BPI376056 76059	9,846.22
113862	10/20/23	Printed			455	CALIFORNIA STATE DISBURSEMENT	10/20/23	851.99
113863	10/20/23	Printed			5340	CHRISTIAN TORRES	10/29/23 - 11/3/23	354.75
113864	10/20/23	Printed			5527	CHRISTINA HERNANDEZ	9998-4128/480 TRESHILL#273	144.71
113865	10/20/23	Printed			4338	CODY COLE	10/22/23 - 10/26/23	333.00
113866	10/20/23	Printed			2676	CONSTANCIO S. TORRES	CLASSES SEPT. 2023 75870	164.50
113867	10/20/23	Printed			1744	CONVEYOR GROUP	10842 74693	1,575.00
113868	10/20/23	Printed			3315	CRAIG'S CRANE & SERVICE, INC.	7658 76023	740.00
113869	10/20/23	Printed			1056	DELL MARKETING L.P.	10702475194 76009	390.98
113870	10/20/23	Printed			1287	DEMCO, INC.	7345986 75539	40,735.78
113871	10/20/23	Printed			1573	DEPARTMENT OF JUSTICE	687793 75832	96.00
113872	10/20/23	Printed			6812	DIANA QUINTANA	10/23/23 - 10/26/23	115.50
113873	10/20/23	Printed			8299	DIANNA MORENO	9998-4115/480 TRESHILL#176	164.37
113874	10/20/23	Printed			1084	DISPLAY SALES	INV0582 75880	2,435.15
113875	10/20/23	Printed			8297	EDWARD LECHUGA	9920-0428/2328 MARLENE	127.60
113876	10/20/23	Printed			8300	ESTEPHANIA NIEBLA	9916-0952/618 N IMPERIAL#C	153.23
113877	10/20/23	Printed			019	FERGUSON ENTERPRISES, LLC	2939742 75877	28.71
113878	10/20/23	Printed			5134	FORENSIC DRUG TESTING SERVICES	2023-3132 75818	158.95
113879	10/20/23	Printed			314	FRANCHISE TAX BOARD	10/20/23	646.06
113880	10/20/23	Printed			710	GRAINGER	9840013818 76054	199.24
113881	10/20/23	Printed			3039	HOLTVILLE TRIBUNE	0101319 75731	420.00
113882	10/20/23	Printed			2096	HOME DEPOT CREDIT SERVICES	1059 00002 49383 76020	1,205.22
113883	10/20/23	Printed			2041	ICMA	RENEWAL JAN-DEC 2024 74696	1,200.00
113884	10/20/23	Printed			4637	IMPERIAL COUNTY PUBLIC HEALTH	23660 76061	650.00
113885	10/20/23	Printed			1403	IMPERIAL COUNTY SHERIFF'S OFFI	10077- E. LEAL 75825	22.00
113886	10/20/23	Printed			1403	IMPERIAL COUNTY SHERIFF'S OFFI	10076-A. SEVERT 75825	22.00
113887	10/20/23	Printed			4264	IMPERIAL IRRIGATION DISTRICT	3139598 10/11/23	5,152.00
113888	10/20/23	Printed			102	IMPERIAL POLICE OFFICERS ASSN.	10/20/23	1,000.00
113889	10/20/23	Printed			3187	IMPERIAL TRUSS & LUMBER CO.	B63180 76025	1,391.86
113890	10/20/23	Printed			2099	IMPERIAL VALLEY OCCUPATIONAL M	1520 75817	420.00
113891	10/20/23	Printed			1315	IMPERIAL VALLEY RESOURCE	2324-0022 74698	72,077.36
113892	10/20/23	Printed			7302	IMPERIAL VALLEY VOLKSWAGEN	JULY-SEPTEMBER 2023 75795	6,503.25
113893	10/20/23	Printed			5033	INFO SEND INC.	248096 75796	1,801.93

Check Register Report

Date: 10/23/2023

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Page: 2

CITY OF IMPERIAL

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Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks								
113894	10/20/23	Printed			1195	IVROP	SEP. 2023- FINGERPRINTS 75819	84.00
113895	10/20/23	Printed			1587	JADE SECURITY SYSTEMS, INC.	0205209 NOV. 2023 75549	59.99
113896	10/20/23	Printed			008	JIM REITER'S LOCKSMITH & SAFE	274496 76015	86.06
113897	10/20/23	Printed			868	K-C WELDING & RENTALS, INC.	185673 76026	1,055.11
113898	10/20/23	Printed			8245	KATHRYN WOLFE	REIMBURSEMENT-WALMART 75548	6.18
113899	10/20/23	Printed			7983	KRISTEN SMITH	10/23/23 - 10/26/23	115.50
113900	10/20/23	Printed			1647	LA BRUCHERIE IRRIGATION SUPPLY	271286C 75883	464.70
113901	10/20/23	Printed			7687	LAW OFFICE OF KATHERINE TURNER	#9 SEPTEMBER 2023 74697	24,000.00
113902	10/20/23	Printed			101	LINCOLN LIFE	10/20/23	767.00
113903	10/20/23	Printed			5476	LORENA GALINDO	10/22/23 - 10/26/23	333.00
113904	10/20/23	Printed			1888	MARK COON	LEASE OCT. 2023 & EXT FEE 75799	2,303.26
113905	10/20/23	Printed			7607	MARK JANOSZ	10/30/23 - 11/3/23	310.50
113906	10/20/23	Printed			8298	MICHAEL SHREVE	9823-0421/2618 SANDSTONE	7.94
113907	10/20/23	Printed			776	MOSS, LEVY & HARTZHEIM LLP	14442 75792	5,000.00
113908	10/20/23	Printed			8302	MOZZARELLI ARTISAN BISTRO	50 75887	402.50
113909	10/20/23	Printed			8071	NANCY AMPARANO	MEALS REIMBURSEMENT 75879	27.17
113910	10/20/23	Printed			2510	NTU TECHNOLOGIES, INC.	12546 76052	11,925.00
113911	10/20/23	Printed			1518	PROFORCE LAW ENFORCEMENT	523762 75406	1,466.26
113912	10/20/23	Printed			8235	RAY ROBEN	9942-0140/516 S F	173.49
113913	10/20/23	Printed			5637	ROBERT AMPARANO	10/26/23 ICSC CONFERENCE	153.27
113914	10/20/23	Printed			1239	SHERWIN-WILLIAMS	3606-7 75794	569.37
113915	10/20/23	Printed			3262	SIMNSA HEALTH PLAN	122623 NOVEMBER 2023 76151	11,659.75
113916	10/20/23	Printed			091	STAPLES CREDIT PLAN	17589 76033	70.35
113917	10/20/23	Printed			8301	STEPHANIE SANCHEZ	10/22/23 - 10/25/23	163.50
113918	10/20/23	Printed			7623	STERICYCLE, INC.	8004916318 75793	149.43
113919	10/20/23	Printed			6193	STRADLING YOCCA CARLSON&RAUTH,	395130 74692	4,509.56
113920	10/20/23	Printed			1265	SUPERIOR READY MIX CONCRETE LP	377562 76027	5,600.78
113921	10/20/23	Printed			3570	SWANK MOTION PICTURES, INC	3474816 76102	473.00
113922	10/20/23	Printed			7539	TOM'S HAY FARM, INC.	96289 75891	950.00
113929	10/20/23	Printed			5837	U.S. BANK	GOKEYLESS 9/19/23 75989	17,161.94
113930	10/20/23	Printed			6883	ULINE	165067899 (2) 76029	53.53
113931	10/20/23	Printed			2008	UNITED PARCEL SERVICE	Y00924403 10/16/23	85.48
113932	10/20/23	Printed			944	UNITED WAY OF IMPERIAL COUNTY	10/20/23	6.00
113933	10/20/23	Printed			611	VERIZON WIRELESS	9946162142	974.18
113934	10/20/23	Printed			5639	WAGEWORKS, INC	0923-OR39530 SEP. 2023 75822	100.00
113935	10/20/23	Printed			1968	WESTAIR GASES & EQUIPMENT	011682889 75420	361.11
113936	10/20/23	Printed			1827	WILKINSON REAL ESTATE	9896-0950/618 N IMPERIAL #A	169.07
					Total Checks: 82		Checks Total (excluding void checks):	283,107.62
					Total Payments: 82		Bank Total (excluding void checks):	283,107.62
					Total Payments: 82		Grand Total (excluding void checks):	283,107.62



Agenda Item: A2

Imperial City Council

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

MINUTES

Regular Meeting of the Imperial City Council

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

October 18, 2023

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

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A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – G.C § 54956.8

Property Address:	Old Post Office (APN# 064-055-005)
Agency Negotiator:	Dennis H. Morita, City Manager
Negotiating Parties:	AT & T
Under Negotiation:	Instructions to Negotiator Regarding Price & Terms

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Burnworth Called the Meeting to Order at 7:07 p.m.

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Mayor Burnworth.

ADJUSTMENTS TO THE AGENDA: The City Council will discuss the order of the agenda, 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 prior to that portion of the agenda. For purposes of the official city record, the City Council may take care of these issues by entertaining a formal motion.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

City Attorney, Katherine Turner reported that the City Council had a conference regarding real property negotiations on the old Post Office. Ms. Turner indicated that direction was given to the negotiator regarding price and terms. This would conclude her report.

PUBLIC COMMENT: There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

Matters not appearing on the agenda: 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. It is requested that longer presentations be submitted to the City Clerk’s Office in writing 48 hours before the meeting.

A. SPECIAL PRESENTATIONS:

A-1. Proclamation Declaring the Month of October as Breast Cancer Awareness Month.

Helen Palomino the CEO of the Cancer Resource Center of the Desert was present to receive the Proclamation and give a presentation on Breast Cancer Awareness.

A-2. Proclamation Declaring the Month of October as National Domestic Violence Awareness Month.

Gina Vargas Executive Director for Woman Haven was present to receive the Proclamation and Give a presentation on National Domestic Violence.

A-3. Presentation of Findings of Current Facilities and Aging Infrastructure Assessment by Schneider Electric.

Jordan Learner from Schneider Electric was present to present the Council with a presentation in regards to transitioning or outdated facilities to solar LED and other energy efficient methods.

B. CONSENT AGENDA:

All items appearing under “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 Claims and Warrants Report.

B-2. Approval of Special City Council Meeting Minutes of January 18, 2023; Special City Council Meeting Minutes of January 19, 2023; Special City Council Meeting Minutes of September 6, 2023; Regular City Council Meeting Minutes of September 6, 2023, Regular City Council Meeting Minutes of September 20, 2023; and Regular City Council Meeting Minutes of October 4, 2023.

B-3. Continue Emergency Action as Declared by Resolution No. 2023-21 for Repairs to Aten Road & Highway 86 intersection.

B-4. Cease Emergency Action as Declared by Resolution No. 2023-53 at Aten & Cross Lift Station.

Council Member Mendoza Moved to Approve Consent Agenda. **Motion Seconded by Council Member Tucker.**

AYES: Mendoza, Obeso-Martinez, Tucker and Mayor Burnworth

NOES: NONE

ABSTAIN: Mayor Pro Tem Amparano

ABSENT: NONE

MOTION CARRIES: 4-0-1

C. ACTION ITEMS (DISCUSSION/ACTION- APPROVE-DISAPPROVE):

C-1. Approval of New Temporary Animal Housing Agreement Between Imperial County Humane Society of Imperial County and City of Imperial.

Staff Report: Michael Crankshaw, Interim Police Chief

Recommended Action: Approve as presented

Interim Police Chief, Michael Cranksaw presented the staff report and answered Council’s questions.

Council Member Obeso-Martinez Moved to Approve New Temporary Animal Housing Agreement Between Imperial County Humane Society and the City of Imperial. **Motion Seconded by Council Member Tucker.**

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIES: 5-0

C-2. Quarterly Budget Report Quarter Ending June 30, 2023.

Staff Report: John Herrera, Interim Finance Director

Recommended Action: Staff Recommends that the City Council Receive and File the FY 2023 Q4 Quarterly Budget Report.

Interim Finance Director, John Herrera presented the staff report and answered Council's questions.

Council Member Obeso-Martinez Moved to Approve Quarterly Budget Report Quarter Ending June 30, 2023. Motion Seconded by Mayor Pro Tem Amparano.

AYES: Mendoza, Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIES: 5-0

C-3. Approval of a Three (3) Year Lease Agreement Between the City of Imperial and Dell Financial Services for Implementation of a Modular APC Battery Backup System.

Staff Report: Alejandro Estrada, Director of Information Technology

Recommendation: Approve the Lease Agreement with Dell Financial Services for Implementation of a Modular APC Battery Backup System.

Director of Information Technology, Alejandro Estrada presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve a Three (3) Year Lease Agreement Between the City of Imperial and Dell Financial Services. Motion Seconded by Mayor Pro Tem Amparano.

AYES: Mendoza, Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIES: 5-0

C-4. Approve and Adopt of the Job Description for Geographic Information Systems (GIS) Project Manager; and Authorization to Re-classify the Full-Time Allocation of GIS Coordinator, Salary Range 75 to GIS Project Manager, Salary Range 92.

Staff Report: Kristen Smith, Human Resources Manager

Recommended Action: Approve Staff Recommendation.

Human Resources Manager, Kristen Smith presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve Adoption of the Job Description for Geographic Information Systems (GIS) Project Manager; and Authorization to Re-classify the Full-Time Allocation of GIS Coordinator, Salary Range 75 to GIS Project Manager, Salary Range 92. **Motion Seconded by Council Member Mendoza.**

AYES: Mendoza, Obeso-Martinez, Tucker, Amparano and Mayor Burnworth
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIES: 5-0

D. REPORTS:

D-1. Department Reports

Director of Parks & Recreation, Tony Lopez reminded the Council on upcoming events.

Human Resources Manager, Kristen Smith briefed the Council on recent new hires.

Interim Police Chief, Michael Cranksaw briefed the Council on issues that are going on in the Middle East, and an update on the security fencing and lighting project going on at the Police Department.

Community Development Director, Othon Mora gave an updated to Council on work being done on Belford and Pearl avenue.

D-2. City Manager Report

NONE

D-3. Mayor and Councilmember Reports

Council Member Obeso-Martinez reported on having attended the Imperial County Office of Education Autumn of Arts.

Council Member Tucker reported that he attended the groundbreaking for the new Quick Quack Car Wash.

Council Member Mendoza reported she also attended the groundbreaking for the new Quick Quack Car Wash.

Mayor Pro Tem Amparano reported he did a ride along with the Imperial Police Department. He also got to tour the new hotel being built in the City of Imperial.

Mayor Burnworth welcomes everyone to come out and enjoy Fiesta Del Muertos downtown Imperial.

Seeing no further business before the Council, Mayor Burnworth Adjourned the Meeting to the next Regular Scheduled City Council Meeting to be held on Wednesday, November 1, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at 8:55 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this _____ day of November, 2023.

KRISTINA M. SHIELDS
City Clerk

Agenda Item No. A-3

DATE SUBMITTED 10/16/2023
 SUBMITTED BY Kristen Smith
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION: 1. Authorization to reject claim CW File Number 3049914 WRV as recommended by Carl Warren & Company.	
DEPARTMENT INVOLVED: <u>Human Resources Department</u>	
BACKGROUND/SUMMARY: Recommendation from Carl Warren & Company to reject the claim CW File Number 3049914 WRV submitted by Patricia Ramos on October 10, 2023.	
FISCAL IMPACT: NOT TO EXCEED There is no fiscal impact associated with this action.	FINANCE INITIALS <u>DP</u>
STAFF RECOMMENDATION: Staff recommends approval of authorization for claim rejection.	DEPT. INITIALS <u>KWS</u>
MANAGER'S RECOMMENDATION: <u>Approve Staff Recommendation</u>	CITY MANAGER'S INITIALS <u>DM</u>
MOTION: SECONDED: AYES: NAYES: ABSENT: APPROVED () DISAPPROVED () REFERRED TO: REJECTED () DEFERRED ()	

October 13, 2023

TO: City of Imperial

ATTENTION: Kristen Smith

RE: Claim	:	Ramos vs. Imperial
Claimant	:	Patricia Ramos
Member	:	City of Imperial
Date Rec'd by Mbr	:	10/10/23
Date of Event	:	4/12/23
CW File Number	:	3049914 WRV

Please allow this correspondence to acknowledge receipt of the captioned claim. Please take the following action:

- **CLAIM REJECTION:** Send a standard rejection letter to the claimant.

Please include a Proof of Mailing with your rejection notice to the claimant. An exemplar copy of a Proof of Mailing is attached. Please provide us with a copy of the Notice of Rejection and copy of the Proof of Mailing. If you have any questions feel free to contact the assigned adjuster or the undersigned claims specialist.

Very Truly Yours,

CARL WARREN & CO.

Timothy M. Varon

Timothy M. Varon
Claims Supervisor

RECEIVED
OCT 10 2023

CLAIM FOR DAMAGE OR INJURY
AGAINST THE CITY OF IMPERIAL, CALIFORNIA

BY:

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

Patricia Ramos 1560 Canon Dr. Imperial, CA 92251
Name of Claimant Address Zip Phone Age
1560 Canon Dr. Imperial, CA 92251
Address to which Claimant wishes notices sent

WHEN did damage or injury occur? 04/12/2023

WHERE did damage or injury occur? 1560 Canon Drive Imperial, CA 92251

HOW and under what circumstances did damage or injury occur? City sewer line plugged up causing back up of sewage in my home. Sewage also spilled into driveway.

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

City sewage line not cleaned out.

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)

\$ 133.00 Plumber
\$ 300.00 Pressure wash
\$ 0 Driveway
Total Amount Claimed \$ 433.00

NAMES and addresses of witnesses, Doctors and Hospitals:

N/A

Patricia Ramos 10/10/2023
Signature of Claimant Date



Plumbing & Drain Service

Serving the entire Imperial Valley
CA State Contractors #774527

(760) 332-9789
(760) 344-2533

No 206000

P.O. Box 479
El Centro, CA 92244

PO # _____ Date 4-12-23

Name Luis A. AREOLA

Mail Address EMP Job Address 1500 CANAL Rd

Cause of Stoppage

Roots _____

Grease ☒

Scale ☒

Unknown _____

Description of materials used	Price	Amount
<u>AML</u>		<u>133.00</u>
<u>OPEN LINE APPROX 30' T= 75'</u>		

Paid Cash _____ Check _____ Visa ☒ Charge _____

Senior Discount 7 Maintenance Discount _____ Service Charge _____

Diameter of pipe 4" Video camera _____

Size of cable 1/2" Plumbing repair _____

Cleanout AML Sepsic tank _____

ft. cleaned 35 Hydro jet _____

Knives used 4" Leech lines _____

Location 2 Way C.O

GUARANTEE

For the period of 30 days from the above date we agree to re-clean the above described line at no additional cost in the event the sewer or pipe fails to function. This guarantee does not include stoppage caused by roots, cement, or other debris or broken or settled sections of tile or pipe.

*GUARANTEE VALID MONDAY-SATURDAY 8AM-5PM ONLY

Total Materials: _____

Total Labor: _____

Tax: _____

Total: 133.00

Customer: [Signature] Operator: 11612

Signature

Signature

DeRuiz® 1-800-888-6327

Ref: 1010000002

The cost to pressure wash a driveway typically ranges from **\$100 to \$500**, but most homeowners will pay around **\$300**. Factors like your driveway's size and type can impact how much you'll pay. Plus, if you hire a pro to tackle it, you'll need to budget for labor costs. Learn all about how much it costs to pressure wash a driveway so you can budget accordingly and boost your curb appeal.

Low Cost	Average Cost	High Cost
\$100	\$300	\$500

DATE SUBMITTED 10/25/23
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 11/01/23

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT:	DISCUSSION/ACTION:
Continue	
Emergency at	1. DISCUSS, APPROVE/DISAPPROVE CONTINUATION OF EMERGENCY
Aten Rd & HWY	AT ATEN RD & HWY 86 INTERSECTION
86 Intersection	

DEPARTMENT INVOLVED: Public Services - Streets

BACKGROUND/SUMMARY:

On June 1st, 2023 around 6:40 A.M., a Signal Pole on the Northwest corner of Aten Rd & Hwy 86 was knocked down by a Commercial Truck. The pole and supporting equipment were damaged beyond repair causing the intersection to be placed on red-flash, causing traffic back up and potential safety hazards to life & property. City manager has authorized purchase of a mobile signal that is hoped to provide temporary service by the end of the week.

The City is working diligently to repair and restore control of intersection. Expected shipment date & new equipment is 4-6 months from June.

FISCAL IMPACT: \$32K to date. TBD

FINANCE
INITIALS



STAFF RECOMMENDATION: Approve Continuance

DEPT. INITIALS



MANAGER'S RECOMMENDATION: Approve

CITY
MANAGER'S
INITIALS



MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

DATE SUBMITTED June 9, 2023
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED June 12, 2023

COUNCIL ACTION ☒
 PUBLIC HEARING REQUIRED ☐
 RESOLUTION ☐
 ORDINANCE 1ST READING ☐
 ORDINANCE 2ND READING ☐
 CITY CLERK'S INITIALS ☐

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: Declare Emergency at Aten Rd & HWY 86 Intersection	DISCUSSION/ACTION: I. Discuss, Approve/Disapprove declaration of Emergency at Aten Rd & HWY 86 Intersection
DEPARTMENT INVOLVED: <u>Public Services</u>	
BACKGROUND/SUMMARY: On June 1st, 2023 around 6:40 A.M., a Signal Pole on the Northwest corner of Aten Rd & Hwy 86 was knocked down by a Commercial Truck. The pole and supporting equipment were damaged beyond repair causing the intersection to be placed on red-flash, causing traffic back up and potential safety hazards to life & property. City manager has authorized purchase of a mobile signal that is hoped to provide temporary service by the end of the week. The City is working diligently to repair and restore control of intersection.	
FISCAL IMPACT: \$32K to date. Expected shipment date & new equipment is 4-6 months	FINANCE INITIALS 
STAFF RECOMMENDATION: Approve	DEPT. INITIALS 
MANAGER'S RECOMMENDATION: Approve	CITY MANAGER'S INITIALS 
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED ☐ REJECTED ☐ DISAPPROVED ☐ DEFERRED ☐ REFERRED TO:

RESOLUTION NO. 2023-

**RESOLUTION DECLARING AN EMERGENCY,
AUTHORIZING THE CITY MANAGER TO TAKE SUCH
ACTION AS MAY BE NECESSARY IN RESPONSE
THERE TO AND RATIFYING ACTION TAKEN TO DATE**

WHEREAS, the City operates and maintains a Traffic Signal Control System and associated lighting and traffic control operations and various intersections ("System"); and

WHEREAS, the System and associated lighting, provide safe and effective traffic flow;
and

WHEREAS, the System includes poles, concrete bases and foundations, signal lighting, pedestrian crossing features, wiring and conduit, pull/junction boxes, controller cabinet housing electronics and power backups ("Infrastructures"); and

WHEREAS, the Signal and supporting infrastructures located at the NW corner of Aten Rd and HWY 86 ("Signal") was struck by a Commercial Truck and was severely damaged beyond repair; and

WHEREAS, in order to safeguard vehicle traffic, pedestrians and to protect the public, life and property, it is necessary to take immediate action to repair the Signal and Infrastructures;
and

WHEREAS, the above described conditions constitute an emergency under applicable law and such emergency would not reasonably permit delays associated with a competitive solicitation for bids and the actions authorized herein are necessary to respond to the emergency;
and

WHEREAS, the City Council wishes to delegate authority to the City Manager to take such action as may be necessary to repair the Signal Pole in the Traffic Signal Control System, ratify action already taken and otherwise address the emergency as described herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above-referenced recitals are true and correct and are incorporated herein.

2. The City Council declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and hereby delegates to the City Manager the authority to take such immediate action as may be necessary to safeguard life, health or property in connection with repair to the Signal in the Traffic System in

accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

3. The City Council authorizes action set forth herein and further ratifies action authorized by the City Manager taken to date; including but not limited to purchase of a mobile signal, to address the Signal in the Traffic System and potential public and traffic hazard on the basis that the emergency described herein will not permit a delay resulting from a competitive solicitation of bids and the action is necessary to respond to the emergency.

APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council this 12th day of June.

Katherine Burnworth, Mayor

ATTEST:

City Clerk

DATE SUBMITTED 10/25/2023
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: WW UV System DISCUSSION/ACTION:
 1. DISCUSS, APPROVE/DISAPPROVE PURCHASE OF MAINTENANCE EQUIPMENT PARTS FOR UV SYSTEM AT WASTE WATER PLANT.

DEPARTMENT INVOLVED: Public Services - Waste Water

BACKGROUND/SUMMARY:

Requesting to purchase budgeted parts & items for semi-annual maintenance on UV system for Wastewater Plant.

FISCAL IMPACT: Not to Exceed \$50K – Trojan Technologies Group

GL: 55-520-5241 - Budgeted \$75K

FINANCE
INITIALS



STAFF RECOMMENDATION: Approval

DEPT. INITIALS



MANAGER'S RECOMMENDATION:

approve

CITY
MANAGER'S
INITIALS



MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REJECTED ()

DEFERRED ()

REFERRED TO:



TROJAN TECHNOLOGIES
3020 GORE ROAD
LONDON, ON N5V 4T7
CANADA
T. 519-457-3400
www.trojantechnologies.com

QUOTATION
QO0008448

Sold to
CITY OF IMPERIAL
420 S. IMPERIAL AVENUE
Imperial CA 92251-1637
UNITED STATES

Ship to
CITY OF IMPERIAL
420 S. IMPERIAL AVENUE
Imperial CA 92251-1637
UNITED STATES

Customer Service Contact: tuvcustomerservice@trojantechnologies.com

Payment Terms : 0% / 00 / 30 net
Delivery Terms : DELIVERED DUTY PAID
Carrier/LSP :

Internal Sales Rep : Heather Conine
Customer No. : 100003310
Reference : PO 7704
Quote Date : 10-17-2023
Quote Expiry Date : 11-16-2023

Freight ID 7774

Line	Project Item Description	Quantity	Price Discount %	Unit Net Price Net Amount	Tax Rate Tax Amount	Amount	
10	794447-ORD LAMP P, GA64T6HE ANGLE BASE	50.00	434.50/ EA	434.50 21,725.00	7.75% 1683.69	23,408.69	
20	794447-0YW LAMP P, GA64T6HE FLAT BASE	25.00	434.50/ EA	434.50 10,862.50	7.75% 841.84	11,704.34	
30	316136-004 SLEEVE, QTZ UV3+ 28x25x1958	2.00	601.50/ EA	601.50 1,203.00	7.75% 93.23	1,296.23	
40	327021 SEAL, WIPER UV3+	72.00	13.00/ EA	13.00 936.00	7.75% 72.54	1,008.54	
50	316144P O-RING, SLEEVE SEAL UV3+	4.00	3.00/ EA	3.00 12.00	7.75% 0.93	12.93	
60	917341-100 LAMP DRIVER KIT,SMD W/PLS EC	6.00	1,150.50/ EA	1,150.50 6,903.00	7.75% 534.98	7,437.98	
70	FREIGHT FREIGHT & HANDLING	1.00	421.74/ EA	421.74 421.74	7.75% 32.68	454.42	
		Goods Costs	41,641.50	Discount	0.00	Tax Amount	Total USD
			421.74	Subtotal	42,063.24	3,259.89	45,323.13



TROJAN TECHNOLOGIES
3020 GORE ROAD
LONDON, ON N5V 4T7
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QUOTATION
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QUOTATION
QO0008448

Terms and Conditions

All purchases of Trojan products and/or services are expressly and without limitation subject to Trojan's Terms and Conditions of Sale ("Trojan" or "SELLER"), incorporated herein by reference and published on Trojan's website <https://www.trojantechnologies.com/sales-terms-conditions/>

Trojan TCS are incorporated by reference into each of Trojan's offers or quotations, order acknowledgments, and invoice and shipping documents. The first of the following acts shall constitute an acceptance of Trojan's offer and not a counteroffer and shall create a contract of sale ("Contract") in accordance with the Trojan TCS, subject to Trojan's final credit approval: (i) Buyer's issuance of a purchase order document against Trojan's offer or quotation; (ii) Trojan's acknowledgement of Buyer's order; or (iii) commencement of any performance by Trojan in response to Buyer's order. Provisions contained in Buyer's purchase documents that materially alter, add to or subtract from the provisions of the Trojan's TCS shall be null and void and not considered part of the Contract.

www.trojantechnologies.com/sales-terms-conditions



DATE SUBMITTED 10/25/2023
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:
 Surplus Vehicles 1. DISCUSS, APPROVE/DISAPPROVE DECLARATION OF VEHICLES AS SURPLUS.

DEPARTMENT INVOLVED:
 Public Services

BACKGROUND/SUMMARY:

After completing department inventory of fleet, the following vehicles are inoperable and no longer of use to the City and would like to declare them as surplus:

- 2003 Ford F150 XLT - VIN: 1FTRW07L53KA84072
- 2014 Dodge Ram 3500 - VIN: 3C7WR2AJXEG162002
- 2006 Pontiac G6 – VIN: 1G2ZG558764128031

FISCAL IMPACT: N/A

Approved

FINANCE
INITIALS

[Signature]

STAFF RECOMMENDATION: Approval

DEPT. INITIALS

[Signature]

MANAGER'S RECOMMENDATION:

*approve -
sale on gov deals*

CITY
MANAGER'S
INITIALS

OK

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

DATE SUBMITTED 10/25/2023
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT:	DISCUSSION/ACTION:
Purchase of Budgeted Sewer Jetter	DISCUSS, APPROVE/DISAPPROVE THE PURCHASE OF BUDGETED EQUIPMENT: SEWER TRAILER JETTER

DEPARTMENT INVOLVED:
Public Services – Waste Water

BACKGROUND/SUMMARY:

Public Services Staff is requesting to purchase a Sewer Trailer Jetter for our Waste Water Collections that was a budgeted item for this fiscal year. This will allow of further maintenance our Sewer Collections system.

FISCAL IMPACT:

Not to exceed \$95K - Haaker

*Sole Source
Health & Safety*

FINANCE
INITIALS

[Signature]

Waste Water Collections GL 55-555-5241 – Budgeted \$200K

STAFF RECOMMENDATION: Approve

DEPT. INITIALS

[Signature]

MANAGER'S RECOMMENDATION:

approve

CITY
MANAGER'S
INITIALS

[Signature]

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

HAAKER

EQUIPMENT COMPANY

9465 Mission Park Place, Santee, CA 92071

(619) 569-1946 ~ haaker.com

QUOTE

September 28, 2023

TO: CITY OF IMPERIAL
400 SOUTH IMPERIAL AVE.
IMPERIAL, CA 92251

ATTN: JACKIE LOPER
(760) 355-3336
Email: jloper@cityofimperial.org

In accordance with your request, we are pleased to submit the following proposal for your consideration and approval.

ONE (1) NEW HARBEN E180 DTK 375g TRAILER JETTER (83325-1)

10 Gallon Antifreeze System With 3 Way Valve, Jump Jet Pulsation System, 12 Volt Aux Outlet And Kubota Tier 4 Diesel Engine, Trailer Mounted.

STANDARD & OPTIONS INCLUDE:

- HOSE 1/2" x 500FT Black TS
- JET DRAIN H.E. 3R1F 2 x 1.3MM 1 x 1.4MM 0.9F (4018)
- JET DRAIN H.E. 6R 6 x 1.0MM (4018)
- SINGLE AXLE ALUMINUM FENDER TOOL BOX (12"D x 24"W x 14"H)
- 1/4" I.D. 150' MINI JET KIT
- MINI HOSE REEL WITH ANGLE SWIVEL JOINT
- MINI HOSE REEL MOUNTING TRAY (BLACK)
- MANHOLE LIGHT PACKAGE KIT
- GARDEN HOSE & MINI HOSE REEL RACK
- GARDEN HOSE REEL PLUMBED FOR FILL KIT
- GUN MK2 SAFETY
- JET SPRAYING SYSTEMS 1/4 MEG HARDEN S/S 1515 (FAN TIP FOR DUMP GUN)
- JET 1/4 MEG HARDEN S/S 0015 SPRAYING SYSTEMS (HIGH VELOCITY TIP FOR DUMP GUN)
- MK2 GUN HOLDER
- PRESSURE DISC WHITE 4000

UNIT PRICE \$ 81,301.00
SALES TAX (7.75%) \$ 6,300.83
TOTAL PRICE F.O.B, IMPERIAL, CA.: \$ 87,601.83

THE PROPERTY HEREIN IS GUARANTEED BY MANUFACTURER'S WARRANTY ONLY AND SELLER MAKES NO WARRANTY EXPRESSED OR IMPLIED, OF MERCHANTABILITY OR OTHERWISE, OR OF FITNESS FOR ANY PARTICULAR PURPOSE, THAT EXTENDS BEYOND THE ABOVE DESCRIPTION OF THE EQUIPMENT.

NOTE: Price is good for 30 Days. Cost increases due to the addition of Government mandated safety or environmental devices incurred after the date of this proposal, will be charged to you at our cost. Proof of such costs, if any, will be documented.

TAXES: SALES TAX applicable at time of delivery will be shown on our invoice. FEDERAL EXCISE TAXES, if applicable, will require payment unless a properly executed Exemption Certificate is submitted.

DELIVERY: 7-14 Days

TERMS: Net 30

Add-On/Cooperative Purchase Authorization: Haaker Equipment Company offers the above proposed price, terms and conditions to any governmental agency or subdivision in the State of California or Nevada for a period not to exceed a full calendar year from the date of original purchaser's purchase order or contract.

We appreciate the opportunity to present this proposal and look forward to being of further and continued service.

HAAKER EQUIPMENT COMPANY

ACCEPTED BY: _____

BY: Frank Carbajal

DATE: _____

FRANK CARBAJAL
SALES REPRESENTATIVE

DATE SUBMITTED 10/25/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 11/1/2023

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED (X)
 RESOLUTION (X)
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: PUBLIC HEARING/DISCUSSION/ACTION: VICTORIA RANCH SPECIFIC PLAN AMENDMENT

1. Conduct a Public Hearing for Adoption of Resolution No. 2023-56, Approving the Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions

DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT DEPARTMENT

BACKGROUND/SUMMARY:

See Attached Staff Report.

FISCAL IMPACT: N/A

ADMIN SERVICES SIGN INITIALS DP

STAFF RECOMMENDATION: Staff recommends approval of the Victoria Ranch Specific Plan Amendment

DEPT. INITIALS OW

CITY MANAGER'S RECOMMENDATION: approve

CITY MANAGER'S INITIALS DTM

MOTION:

SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REFERRED TO:	REJECTED () DEFERRED ()
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staff report

To: City of Imperial City Council

From: Community Development Director

Date: October 25, 2023

Subject: **Victoria Ranch Specific Plan Amendment, to reflect land use changes, current information and conditions.**

Summary:

Applicant:	Tory Lessley 179 Sylvia Ct. Imperial Ca, 92251
Location:	Victoria Ranch
Request	Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions.
Zoning:	Victoria Ranch-Specific Plan
General Plan:	Specific Plan
Environmental:	Mitigated Negative Declaration (certified December 17, 2003)
Staff Recommendation:	Approve, Subject to Conditions

Background

The Developer submitted a Specific Plan and Annexation Application in 2003 for a proposed 320-acre mixed use development project to include residential, commercial, and community facility land uses. The Specific Plan was adopted by the City of Imperial on December 17, 2003 with a subsequent conditional approval of a Subdivision Map for the project site on June 2, 2004. Final annexation was approved by LAFCo on July 22, 2004. The original Specific Plan and Subdivision proposal included 894 single family units, 405 multi-family units, 20± acres of commercial development and 42± acres of community facilities including the dedication of 12.84 acres for school facilities and 21± acres for recreational parks and open space areas.

In 2008 the Victoria Ranch Specific Plan was amended primarily as it related to a change in zoning designation for the original Unit 4A development. This 2023 update is based on the proposed amendments to the originally adopted and the previous amendments, as it relates to a change in zoning designation for Unit 4B from VR-10 to VR-3 as well as re-zone of Multi-family housing to VR-3 creating Unit 5A and Unit 6A. The multifamily which was lost to create Unit 5A and Unit 6A housing was swapped out for land in Unit 1E to compensate for the reduction in multi-family housing so that the land diversity would remain. Minor Zone Open Space Changes are included in the 2023 update to Units 1B, 1C, 4A which have been created to increase park space around the Victoria Ranch Specific Plan to provide the consumer with more recreational space. This Specific Plan amendment updates the Victoria Ranch Specific Plan to reflect land use changes and current information and conditions.

The overall footprint of the project site remains the same (Aten Road to the north, Cross Road to the west, Dogwood Road to the east, and the Central Drain Canal to the south). There are no material changes as it relates to the project site's overall land use assignment and land use densities, which are the primary determining factors in assessing environmental impacts (see table below).

On Wednesday October 11, 2023 the Planning Commission reviewed and recommended approval to City Council.

Land Use	Adopted 2003 Victoria Specific Plan*	2005 Minor Revision	2008 Modifications	2023 Modifications	Net Change
Residential Land Use	1,299 DU	1,233 DU	1,298 DU	1,358 DU	60 SF
Single Family	894 SF	877 SF	942 SF	1,118 SF	+176 SF
Multi-Family	405 MF	356 MF	356 MF	240 MF	-116 MF
Neighborhood Commercial	19.58 acres	19.58 acres	19.58 acres	19.58	No Change
School Facilities	13.89 acres	13.89 acres	13.89 acres	30.45	+16.56 acres
Total Park/Open Space Areas	28.39 acres	28.39 acres	28.39 acres	11.83	-16.56 acres
Joint Use Parkland	9.1 acres	9.1 acres	9.1 acres	9.1 acres	No Change
Neighborhood Parkland	8.48 acres	8.48 acres	5.23 acres	5.23 acres	No Change
Park/Retention Basin	19.91 acres	19.91 acres	14.08 acres	14.08 acres	No Change
Electrical Power Substation	0 acres	2.06 acres	2.06 acres	2.06 acres	No Change

Project Location



General Plan Consistency and Compatibility with Surrounding Land Uses.

The current Land Use designation for the entire Victoria Ranch Subdivision is regulated by the adopted Victoria Ranch Specific Plan of 2003 and 2008. The specific plan provides for unique projects that require special development standards, involve development of uses in a comprehensive matter, and/or necessitate development regulations that are not currently allowed under the City's current policies and regulations. The project site is located in an active agricultural field, and is surrounded by agricultural uses to the north, south and to the east. The area to the west of the Victoria Ranch Subdivision is the Border Patrol Headquarters and currently zoned R-1 Residential Single Family.

The specific plan Land use patterns and development densities are consistent with the capabilities of existing and planned public services and facilities, maintains a high standard of appearance of land and buildings consistent with the community character and offsets by high quality design, amenities, and mix of land uses. The Specific Plan accommodates the Housing Element goals and objectives for an adequate housing balance that meets the regional housing needs assessments.

Environmental Discussion/Analysis

The Environmental Evaluation Committee (EEC) reviewed the Victoria Ranch Specific Plan and Subdivision Map in 2003 and found that the project, as proposed, would create potentially significant impacts to agricultural resources, air quality, biological resources, geology and soils, noise, public services, parks and recreation, transportation and traffic, utility and service systems. Mitigation measures were incorporated and the EEC determined that adoption of a Mitigated Negative Declaration (MND) would be appropriate. The environmental documents were circulated through the State Clearinghouse (SCH#2003111004) and a final Notice of Determination was officially filed with the County Clerk in December 2003.

Public Notification

The public hearing scheduled for November 1, 2023 was duly noticed in the Holtville Tribune and Calexico Chronicle newspaper of general circulation on October 19, 2023 and a Notice of Public Hearing was sent to all property owners within 300-feet of the property.

Recommendation

Staff recommends the City Council conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, staff recommends that the City Council approves the Victoria Ranch Specific Plan Amendment.

Attachments

- Victoria Ranch Specific Plan 2023 Update
- Resolution 2023-56
- Resolution PC2023-09
- Conditions of Approval

RESOLUTION NO. 2023-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL,
CALIFORNIA, APPROVING THE VICTORIA RANCH SUBDIVISION
SPECIFIC PLAN AMENDMENT, WHICH UPDATES THE VICTORIA RANCH
SPECIFIC PLAN TO REFLECT LAND USE CHANGES, CURRENT
INFORMATION AND CONDITIONS**

WHEREAS, Tory Lessley, has submitted an application for approval Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on October 11, 2023; and

WHEREAS, a duly notified public hearing was held by the City Council on November 1, 2023; and

WHEREAS, upon hearing and considering all testimony and arguments, examining and analyzing the information submitted by staff and considering any written and oral comments received, the City Council considered all facts relating to the proposed Victoria Ranch Specific Plan Amendment

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the City Council hereby recommends APPROVAL of the Victoria Ranch Specific Plan Amendment subject to Conditions of Approval outlined in Exhibit A; and
- C) All recommendations made by the City Council are based on the following findings:
 - 1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act.
 - 2. The project is in compliance with the California Environmental Quality Act, Section 2100 through 21176 of the Public Resources Code.
 - 3. The initial environmental assessment shows that there is no substantial evidence that the proposed Victoria Ranch Specific Plan Amendment, may have a significant impact on the environment.

4. That any sensitive resources located within the area of the project or adjacent to the area of the project will be protected and not be significantly impacted by the project.
 5. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the intent of the City of Imperial's General Plan to maintain land use designation consistency within the incorporated area of the City and its sphere of influence.
 6. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the policies and the land uses of the existing City of Imperial General Plan.
 7. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the objective of the City of Imperial's Zoning Ordinance.
- D) The City Attorney is authorized to make minor typographical changes to this Resolution that does not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 1st day of November, 2023.

Mayor City Council

ATTEST:

City Clerk

EXHIBIT A

**CONDITIONS OF APPROVAL
FOR
VICTORIA RANCH SPECIFIC PLAN AMENDMENTS**

1. The project shall be subject to the use standards outlined in the updated Victoria Ranch Specific Plan 2023 and the City of Imperial development standards.
2. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
3. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
4. The Developer/Applicant shall pay all impact and capacity fees.
5. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Final Tract Map shall record until such costs have been paid to the City.
6. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Services and Department of Community Development prior to submittal for approval to record the Final Tract Map.
7. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Final Tract Map.
8. The Developer shall provide adequate financial assistance to offset the impacts to local law enforcement, fire and school services to ensure the level of service of these departments are not adversely affected by the estimated population increase as a result of the development of this project, including, but not limited to, the established Development Impact Fees.
9. The Developer/Applicant shall set aside two (2) public school sites for the El Centro Elementary School District. The subject school sites shall be of adequate size, configuration and location and shall be approved by the El Centro Elementary School District prior to recordation of any Final Maps. In the event that adequate school sites are not available within the project site due to conflicts with State Department

of Education requirements, the Developer shall pay the appropriate school fees as determined by the El Centro Elementary School District.

10. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. A hydraulic study must be submitted to the City to demonstrate that all water pipelines are adequately sized to serve domestic and fire protection demands. The Developer shall construct new water mains and storage facilities in the project area as necessary and build according to City development standards.
11. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards.
12. Developer acknowledges that the potential pace of growth in the City and resulting demand on City services such as water and wastewater may result in such services not being available. Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until the recordation of a Final Map. In order to address a shortage in wastewater capacity, the parties may agree upon the payment of the project's pro rata share for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.
13. The Developer/Applicant shall submit a lighting plan prior to any construction activity. All lighting installed shall be shielded and directed so as to minimize significant off-site glare or adverse light intrusion into neighboring properties. Lighting improvements shall include street lights on all improved roadways, all interior streets, at all intersections, at bus stops, pedestrian linkages, and at mail kiosks. The lighting plan shall be reviewed and approved by the City of Imperial Planning and Building Departments.
14. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the recordation of a Final Tract Map. Landscaping shall be provided in all parks and pedestrian linkages. Where perimeter walls are installed, landscaping shall also be provided. All landscaped areas shall be irrigated with automatic sprinkler systems.
15. All residential lots and common areas shall be landscaped as follows:
 - a. Each front yard shall have a minimum of one (1) tree and five (5) shrubs planted by the Developer.
 - b. All trees used in landscaping, shall be a minimum of fifteen (15) gallons in size and all shrubs shall be a minimum of five (5) gallons.
 - c. In compliance with SB 1383 State of California regulation and the City of Imperial's procurement requirement, compost and mulch from a CalRecycle Certified Composter shall be integrated in all landscaped areas. Proof of eligible

compost supplier must be submitted to the City prior to the issuance of Certificate of Occupancy.

16. All mechanical equipment and air conditioning equipment shall be installed a minimum of three (3') from any property line.
17. The applicant shall effectively screen from view all ducts, vents, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Director. All required screening shall be provided prior to occupancy.
18. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.
19. Storm drainage shall be designed to utilize catch basins at street intersections. Storm drain pipe lines, retention ponds with flow through systems shall be utilized if possible and the system shall pump out to the public drains. Temporary drainage systems shall utilize the same criteria. Facilities must be capable of primary treatment such as desiltation prior to discharge to public drain. For each phase, storm water basins(s) must be constructed to retain 110 percent of the required volume for that particular phase. The full build out of all retention basins must be completed prior to issuance of any building permit for the last phase for the project, unless required earlier by the City Engineer.
20. Construction sites shall control dust (PM-10) generation through implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program. The Development Impact Fees for Air Quality shall be paid prior to issuance of any building permit. The City and the Imperial County Air Pollution Control District will jointly confirm that the fees have been fulfilled.
21. The Developer shall install a minimum six (6) foot decorative solid masonry wall along the perimeter boundaries. The material and color of all walls shall be decorative masonry units. The Planning Director may approve other decorative materials provided that decorative pilasters are installed and that no wood materials are used. Landscaping shall be provided along perimeter walls and along fences adjacent to any private or public streets.

22. All residential development within the project site shall be constructed using building materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.
23. All on-site utilities including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determines that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
24. The conditional approval of the Tentative Tract Map shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Victoria Ranch Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
25. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
26. All Final Tract Maps shall provide for public utility easements adjacent to all street rights of way for underground power, communications and cable television systems. The actual width of all public utility easements shall be subject to the approval of affected utility agencies. All public utility easements shall be landscaped in a manner consistent with adjacent front yards and easements shall be maintained by the Home Owner's Association.
27. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
28. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access. All residential water pipelines shall be adequately sized to sustain 1,500 gallons per minute (gpm) for two hours plus peak demand in accordance with the latest edition of the National Fire Protection Association (NFPA) Codes and Standards. Pipeline sizes shall be the next largest standard size with readily available replacement parts (i.e., 12" pipelines for those identified as 10").
29. The Tentative Subdivision Map shall be valid for a period of two years following the City Council approval and the appeal period. The Developer may request time extensions in accordance with the Subdivision Map Act, but the granting of such time extensions is not automatic and is at the discretion of the City Council.

30. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.
31. The Final Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager.
32. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Victoria Ranch Specific Plan and associated Subdivision Map. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Victoria Ranch Specific Plan and associated Subdivision Map, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.
33. All conditions of approval for this Tentative Map shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
34. The city reserves the right to require additional traffic mitigation measures for any future traffic concerns within the development such as stop signs, sight distance enhancements, pedestrian crossing, roadway design and/or additional traffic impact analysis.

Affidavit of Publication

State of California
County of Imperial
City of El Centro

Rosa E Noguera

being first duly sworn, deposes and says:

That he/she is a citizen of the United States, over twenty-one years of age; that he/she is and was, at all times herein mentioned, the business manager of the Holtville Tribune, Imperial Valley Weekly/Calexico Chronicle, a newspaper of general circulation published in the City of El Centro and circulated at least once a week in Imperial County, State of California,

*And That The
Notice of Public Hearing*

City of Imperial City Council

Victoria Ranch Specific Plan Amendment

Of which the annexed is a true printed copy, was published in said newspaper according to Gov't Code publication section 6062

*_____ 1 _____
issues, and on the following days, to wit:*

October 19, 2023

and in the regular and entire issue of said newspaper, and not in any supplement.

Rosa E. Noguera
OFFICE MANAGER

**HOLTVILLE TRIBUNE
IMPERIAL VALLEY WEEKLY/
CALEXICO CHRONICLE
1122 W. State St. Ste E
EL CENTRO, CALIFORNIA 92243**

PUBLIC NOTICE



Notice of Public Hearing
City of Imperial City Council

Notice is hereby given that a public hearing will be conducted by the City of Imperial City Council on Wednesday, November 1, 2023 at 7:00 P.M at the City of Imperial Council Chambers located at 200 W. 9th Street, Imperial, CA 92251. The purpose of the public hearing is to hear comments from the public regarding the Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect current information and conditions. The request is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).

Copies of the applications and other pertinent information are available for review at the Community Development Department at Imperial City Hall during regular business hours. If you would like to know more about the proposed project prior to the public hearing, please contact Othon Mora at the Community Development Department (760) 355-1152 or via email at omora@cityofimperial.org.

Any person desiring to comment on the above project may do so in writing or may appear in person at the public hearing. Written comments should be directed to Kristina Shields, City Clerk, City of Imperial, 420 South Imperial Avenue; Imperial, CA 92251. Please reference the project name in all written correspondence.

Kristina Shields
City Clerk

Legal 9050

Publish: Oct. 19, 2023

DATE SUBMITTED 10/25/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:

AUTHORIZATION TO SIGN MORNING STAR APARTMENTS' ENCROACHMENT PERMIT APPLICATION NO. A-2023-0059 TO IID FOR:

- TWO (2) WATERLINE CROSSINGS OVER THE DAHLIA CANAL PIPE LINE AT 12TH STREET & 15TH STREET
- TO CONNECT "C" STREET STORM DRAIN PIPE OUTLET FROM THE APARTMENT COMPLEX TOP IID TILE DRAIN NO. 1

DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT DEPARTMENT

BACKGROUND/SUMMARY:

The developer, Duggins Construction, is submitting an encroachment permit application with the Imperial Irrigation District (IID) for the Morning Star Apartments currently under construction along LaBrucherie Road. The purpose of the encroachment permit is to cross the IID easement located along LaBrucherie Road to install two (2) waterlines crossing over the Dahlia Canal pipeline at two locations, 12th Street & 15th Street. The scope of work also includes the connection of "C" Street storm water pipeline outlet from the apartments complex to the IID Tile Drain No.1, as stated on the project description of said application.

It has been requested by IID that the City of Imperial need to sign the Encroachment Permit Application No. A-2023-0059 as future owner of the utilities in order to commence the application review process.

In support of this request, attached herewith is the IID Encroachment Permit Application (Exhibit A), and Morningstar Apartments Utility Plan (Exhibit B).

FISCAL IMPACT: NONE

The developer (Duggins Construction) will be financially responsible to pay in full for all the costs associated with the construction and permit fees regarding IID's Encroachment Permit Application No. A-2023-0059.

ADMIN
SERVICES
SIGN
INITIALS

DP

STAFF RECOMMENDATION: Authorize to sign IID Encroachment Permit Application No. A-2023-0059 as future owner of the utilities in order to commence the application review process.

DEPT.
INITIALS

DM

MANAGER'S RECOMMENDATION:

approve

CITY
MANAGER's
INITIALS

DM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REJECTED ()

DEFERRED ()

REFERRED TO:

ENCROACHMENT PERMIT APPLICATION**APPLICANT INFORMATION – Please Print Clearly**

1. Applicant Name or Agency (City/County/Governmental (if applicable): ☐ Exempt: Duggins Construction, Inc.		E-Mail: rubenl@dugginsconstruction.com
Address: 341 W. Crown Court, Imperial, CA. 92251	Phone No: (760) 355-5600	Fax No:
2. Owner or Operator Name (If Different From Applicant): City of Imperial		E-Mail: omora@cityofimperial.org
Address: 420 South Imperial Avenue, Imperial, CA 92251	Phone No: (760) 355-1064	Fax No:

TYPE OF ENCROACHMENT

3. Type of Encroachment (Check all that apply)					
☐ Parallel	☐ Waste Discharge	☐ Private Crossing /Crossing	☐ NPDES Permit # _____	☐ Other (specify): _____	
☐ Drainage Outlet	☐ Tile Line Outlet	☐ Tailwater Discharge	☐ Temporary/Term #days _____		
☐ Power Facility	☐ Farm Entrance	☐ Water Supply	☐ Compliance/Violation _____		
☐ Service Pipe:	Pipe Size:	Use:	☐ Ag ☒ Residential	☐ Commercial	☐ Industrial ☒ City Water Available
4. Encroachment Affecting Other Agency? ☐ Caltrans ☐ Railroad ☒ County ☐ Municipal ☐ Other _____					

PROJECT INFORMATION

5. Project Description (Describe work or activity within Right of Way – Use backside of sheet if more room is needed): 12th St. and 15th St. water line crossing over Dahlia canal pipe line. Connect "C" St. Drainage pipe outlet to new site tile drain No.1			
6. Estimated Construction Start Date: 10-15-2023		Completion Date: 12-29-2023	
7. Address: 2760, 2762, 2764, 2766, 2768 & 2770 La Brucherie Road.			City: Imperial
8. Assessor Parcel Number(s): 063-192-011, 063-192-012, 063-201-012 & 063-201-013			
9. Legal Description (may be attached): POR PAR 1 COC LM 23-01 ALSO BEIGN W40FT LOTS 1-6, POR PAR 1 COC LM 23-01 ALSO BEIGN E110FT LOTS 1-6, POR PAR 1 COC 23-01 ALSO BEIGN W40FT LOTS 1-6 & POR PAR 1 COC 23-01 ALSO BEIGN E110FT LOTS 1-6			
Section:	Tract:	Township:	Range:
Subdivision Name:		Block:	Lot:
10. Canal: Dahlia	Delivery Gate: IID Drawing No.:	Drain: IID Drawing No.:	
11. Distance to Closest Canal delivery gate (feet):		12. Distance to Closest County Road/City Street (feet): La Brucherie Rd.	

FEE SCHEDULE:

- ☐ **Non-refundable \$250 Application Fee (Exempt agencies excluded)**
- ☐ **Estimated Fees.** Includes review, inspection and as-built/record drawing fees. Review, inspection and as-built fees will be determined after review of the application. *Additional fees may be due after resolution of costs.*
- ☐ **Penalty Fees:** A fee will be assessed when encroaching facilities are installed without prior permit authorization. The fee shall be double the total normal fees noted above and would increase by a factor of 1 for each offense thereafter. Fee exempt agencies and facilities may be subject to this fee. If the fee is applied to such an agency or facility, the fee would be applied at the same rate as if the fee exemption were not in place.

PROJECT SUBMITTALS

- ☐ **Eight (8) drawing sets** (each set must include plan and profile views) Note: Plan sheets that pertain to District facilities
- All drawings must include: a) Project location b) Elevation with benchmark used and tied to the District's datum c) Distance from District facilities both vertically and horizontally.
 - Large project submittals:** In addition to the above, all plan pages containing information regarding encroachment(s) shall be tabbed. Encroachments shall be clearly highlighted in fluorescent marker for further clarification. District standard facility drawings must be submitted when applicable including Utility Crossing (L-3086), Tail water or Storm water Discharge into Drains (12F-6855), and Service Pipe (20F-1394), and must meet the minimum requirements specified in those drawing details. The appropriate data must be filled in where indicated on the standard drawing detail. Provide copies of the following: a) Right of way documents (either existing or required for the country roads b) County road access permits c) California Regional Water Quality Control Board (CRWQCB) permits for point source discharge into IID's system d) California Environmental Quality Act (CEQA) documents e) National Environmental Protection Act (NEPA) documents and f) other relevant documents as necessary.
 - Provide copies of construction survey field notes relevant to encroachment, including a) benchmark and stationing used and tied to the District's datum b) as-built plans. Please note that after construction of any encroachment, the applicant is required to submit as-built plans.

The undersigned applicant and owner/operator hereby applies for permission to encroach on Imperial Irrigation District (District) right of way or District owned property in the County of Imperial or County of Riverside and agrees to do the work in accordance with District permitting requirements, Rules and Regulations. The undersigned owner/operator acknowledges that the issuance of the permit will not occur until all conditions and requirements have been met. If approved, the applicant will comply with the "General Provisions" attached hereto and "Special Provisions" to be determined from the processing of the permit application.

13. Applicant Signature:	14. Print or Type Name: Ruben Partida	15. Title: Project Manager	16. Dated: 09-27-2023
17. Owner or Operator Signature:	18. Print or Type Name: Othon Mora	19. Title:	20. Dated:

DATE SUBMITTED 10/25/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:
 ACCEPTANCE OF EASEMENTS ALONG N IMPERIAL AVENUE FOR PUBLIC UTILITIES AT NORTHPOINT-CAMBRIA HOTEL PROJECT SITE.
 1. **ACCEPTANCE OF TWO (2) 10-FT WIDE, 1271-FT LONG GRANT OF PUBLIC UTILITIES EASEMENTS OVER APNS 063-010-023, 063-010-065 & 063-010-066**

DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT

BACKGROUND/SUMMARY:

An easement over the following parcels is needed for public utilities such as, but not limited to Gas, Electricity, Telephone and Cable TV:

- APN 063-010-066 as described on Exhibits C1 & C2
- APN 063-010-023 & 063-010-065 as described on Exhibits D1 & D2

See attachments for details

The owners of the parcels related to these easements, Imperial Hotel Acquisitions LLC and Imperial JV Holdings LLC are prepared to grant, convey, and offer to dedicate, to the City of Imperial the land as described and illustrated on the above-referenced Exhibits.

FISCAL IMPACT:
 NO FISCAL IMPACT

ADMIN SERVICES SIGN INITIALS DP

STAFF RECOMMENDATION:
 STAFF RECOMMENDS ACCEPTANCE OF TWO (2) 10-FT WIDE, 1271-FT LONG GRANT OF PUBLIC UTILITIES EASEMENTS OVER APNS 063-010-023, 063-010-065 & 063-010-066 AS DESCRIBED AND ILLUSTRATED ON THE ABOVE-REFERENCED EXHIBITS.

DEPT. INITIALS DM

MANAGER'S RECOMMENDATION: approve

CITY MANAGER'S INITIALS DM

MOTION:

SECONDED: APPROVED () REJECTED ()
 AYES: DISAPPROVED () DEFERRED ()
 NAYES:
 ABSENT: REFERRED TO:

Exhibits C1 & C2

RECORDING REQUESTED BY:

City of Imperial
Public Works Department
420 South Imperial Avenue
Imperial, CA. 92251

WHEN RECORDED MAIL TO:

City of Imperial
Public Works Department
420 South Imperial Avenue
Imperial, CA. 92251

GRANT OF PUBLIC UTILITIES EASEMENT

APN: 063-010-066

DOCUMENTARY TRANSFER TAX: Exempt (R&T Code Section 1192)
RECORDING FEE: Exempt (Government Code 11922)

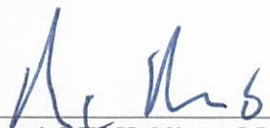
Imperial JV Holdings, LLC (**GRANTOR**), does(do) hereby grant, convey, and offers to dedicate to the City of Imperial (**GRANTEE**), an easement and incidents thereto for Public Utilities upon, over and across that certain real property in the City of Imperial, County of Imperial, State of California, described as:

See Attached Exhibit "C1" – Legal Description
See Attached Exhibit "C2"- Plat

The Grantor(s), for himself (herself)(themselves), his(her)(their) successors and assign hereby waive(s) any claim for any or all damages to grantors remaining property contiguous to the easement hereby conveyed by reason of the location, construction, landscaping, or maintenance of said Public Utilities.

IN WITNESS WHEREOF, said Grantor has caused Bryan Benso's name to be hereunto subscribed this 27th day of March, 2023.

BY: Bryan Benso

SIGNATURE: 

For: Imperial JV Holdings, LLC, a Delaware limited liability company.

(Attach appropriate Notary Acknowledgement)

See Attached Certificate

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE §1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On **March 27, 2023**, before me, Casey Pamela Sanfilippo, a notary public, personally appeared **Bryan Michael Benso**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in **his** authorized capacity, and that by **his** signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Casey Pamela Sanfilippo, Notary Public



Exhibit "C1"

LEGAL DESCRIPTION

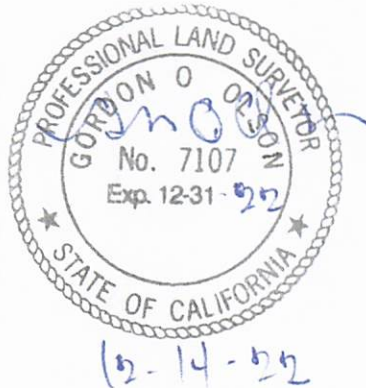
PUBLIC UTILITIES EASEMENTS TO CITY OF IMPERIAL:

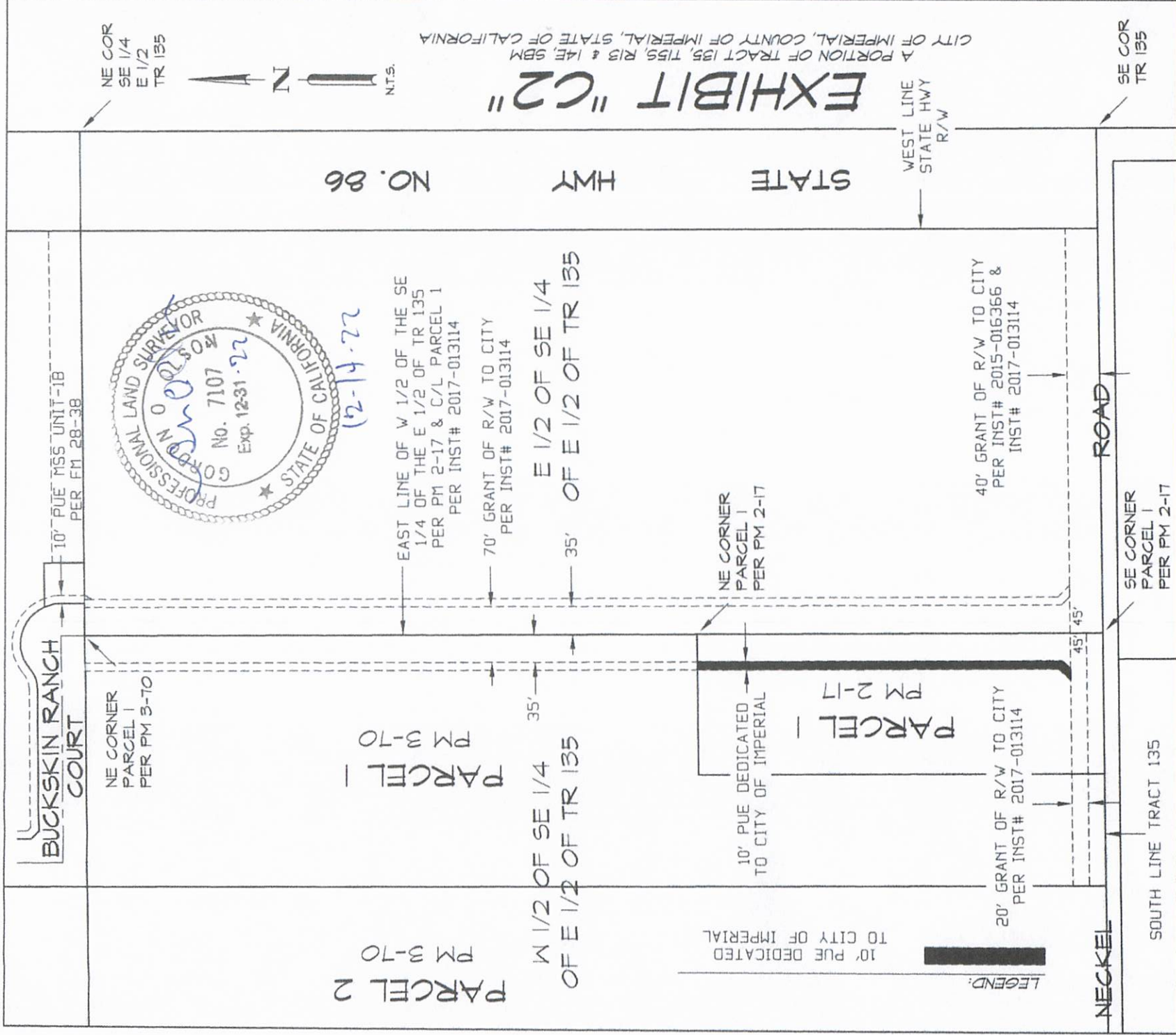
THAT 10' WIDE STRIP OF LAND, LYING WITHIN THE EAST HALF OF TRACT 135, TOWNSHIP 15 SOUTH, RANGES 13 AND 14 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SHOWN AS PARCEL 1 ON PARCEL MAP M-661 ON FILE IN BOOK 2, PAGE 17 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY., LYING WEST OF AND ADJOINING THE WEST LINE THAT RIGHT OF WAY GRANTED TO THE CITY OF IMPERIAL BY INSTRUMENT NO. 2017-013114 AS RECORDED ON 06-12-2017 IN THE OFFICE OF THE COUNTY RECORDER.

SUBJECT TO ALL COVENANTS, EASEMENTS AND AGREEMENTS OF RECORD.

SAID AREA CONTAINING 0.107 ACRES MORE OR LESS.

AS SHOWN ON EXHIBIT "C2", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.





PARCEL 2
PM 3-70

W 1/2 OF SE 1/4
OF E 1/2 OF TR 135

10' PUE DEDICATED
TO CITY OF IMPERIAL

PARCEL 1
PM 2-17

NE CORNER
PARCEL 1
PER PM 2-17

E 1/2 OF SE 1/4
OF E 1/2 OF TR 135

EAST LINE OF W 1/2 OF THE SE
1/4 OF THE E 1/2 OF TR 135
PER PM 2-17 & C/L PARCEL 1
PER INST# 2017-013114

70' GRANT OF R/W TO CITY
PER INST# 2017-013114

35'

40' GRANT OF R/W TO CITY
PER INST# 2015-016366 &
INST# 2017-013114

45'

NECKEL

SOUTH LINE TRACT 135

SE CORNER
PARCEL 1
PER PM 2-17

ROAD

WEST LINE
STATE HWY
R/W

NO. 86

HWY

STATE

EXHIBIT "C2"

A PORTION OF TRACT 135, T15S, R13 & 14E, SBM
CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA



EXHIBIT "C2"		PAGE 1
A PORTION OF TRACT 135 T15S, R13 & 14E, SBM IN THE CITY OF IMPERIAL		
LOCATION, IMPERIAL, CALIFORNIA	DATE, 12-14-22	BY, G.O.
CLIENT, CITY OF IMPERIAL	FILE NAME, 10' PUE EXH C2.DWG	JOB NUMBER, 22083.01
Arizona, California and New Mexico Land Surveyors and Civil Engineers		
670 East 32nd Street - Suite #2 - Yuma, AZ 85408 Email: DLS@caldesertsurveying.com Yuma Phone: 928-518-2244		

Exhibits D1 & D2

RECORDING REQUESTED BY:

City of Imperial
Public Works Department
420 South Imperial Avenue
Imperial, CA. 92251

WHEN RECORDED MAIL TO:

City of Imperial
Public Works Department
420 South Imperial Avenue
Imperial, CA. 92251

GRANT OF PUBLIC UTILITIES EASEMENT

APN: 063-010-023 & 063-010-065

DOCUMENTARY TRANSFER TAX: Exempt (R&T Code Section 11922)

RECORDING FEE: Exempt (Government Code 11922)

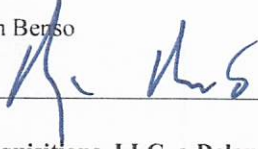
Imperial Hotel Acquisitions LLC, a Delaware Limited Liability Company (**GRANTOR**), does(do) hereby grant, convey, and offers to dedicate to the City of Imperial (**GRANTEE**), an easement and incidents thereto for Public Utilities upon, over and across that certain real property in the City of Imperial, County of Imperial, Ste of California, described as:

**See Attached Exhibit "D1" – Legal Description
See Attached Exhibit "D2"- Plat**

The Grantor(s), for himself (herself)(themselves), his(her)(their) successors and assign hereby waive(s) any claim for any or all damages to grantors remaining property contiguous to the easement hereby conveyed by reason of the location, construction, landscaping, or maintenance of said Public Utilities.

IN WITNESS WHEREOF, said Grantor has caused Bryan Benso's name to be hereunto subscribed this 17th day of January, 2023.

BY: (Print Name) Bryan Benso

SIGNATURE: 

For: **Imperial Hotel Acquisitions, LLC, a Delaware Limited Liability Company**

(Attach appropriate Notary Acknowledgement)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**Civil Code §1189**

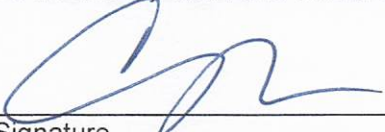
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

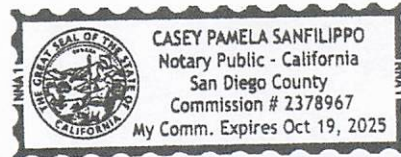
State of California)
) ss.
County of San Diego)

On January 17, 2023 before me, Casey Pamela Sanfilippo, Notary Public, personally appeared Bryan Benso, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person, or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT****Civil Code §1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of _____)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person, or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

()

Exhibit "D1"

LEGAL DESCRIPTION

PUBLIC UTILITIES EASEMENTS TO CITY OF IMPERIAL:

EASEMENT NO.1:

THAT 10' WIDE STRIP OF LAND, LYING WITHIN THE EAST HALF OF THE SOUTHEAST QUARTER OF THE EAST HALF OF TRACT 135, TOWNSHIP 15 SOUTH, RANGE 13 AND 14 EAST, S.B.M., COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING EAST OF AND ADJOINING THE EAST LINE OF THAT RIGHT OF WAY GRANTED TO THE CITY OF IMPERIAL BY INSTRUMENT NO. 2017-013114 AS RECORDED ON 06-12-2017 IN THE OFFICE OF THE COUNTY RECORDER.

SAID AREA CONTAINING 0.292 ACRES MORE OR LESS.

EASEMENT NO.2:

THAT 10' WIDE STRIP OF LAND, LYING WITHIN PARCEL 1 ON PARCEL MAP M-920, IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ON FILE IN BOOK 3, PAGE 70 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, LYING WEST OF AND ADJOINING THE WEST LINE THAT RIGHT OF WAY GRANTED TO THE CITY OF IMPERIAL BY INSTRUMENT NO. 2017-013114 AS RECORDED ON 06-12-2017 IN THE OFFICE OF THE COUNTY RECORDER.

SAID AREA CONTAINING 0.185 ACRES MORE OR LESS.

EASEMENT NO.3:

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE EAST HALF OF TRACT 135, TOWNSHIP 15 SOUTH, RANGE 13 AND 14 EAST, S.B.M., COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF TERMINATION OF THE WEST LINE OF THE 10' PUE DEDICATED TO THE CITY OF IMPERIAL FOR BUCKSKIN RANCH COURT, ACCORDING TO MAP OF MORNING STAR SUBDIVISION NO. 1, AS PER FM 28-38; THENCE SOUTHWESTERLY TO A POINT ON A LINE LYING 10' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF EAST 1/2 OF THE SE 1/4 OF THE E 1/2 OF TRACT 135, AND WHICH POINT ALSO LIES ON A LINE LYING 10' EAST OF THE EAST LINE OF THAT RIGHT OF WAY GRANTED TO THE CITY OF IMPERIAL BY INSTRUMENT NO. 2017-013114 AS RECORDED ON 06-12-2017 IN THE OFFICE OF THE COUNTY RECORDER; THENCE NORTHERLY ALONG LAST SAID EAST LINE TO A POINT ON THE SOUTH LINE OF SAID BUCKSKIN RANCH COURT; THENCE EASTERLY TO **THE POINT OF BEGINNING.**

SAID AREA CONTAINING 62.50 S.F. MORE OR LESS.

SUBJECT TO ALL COVENANTS, EASEMENTS AND AGREEMENTS OF RECORD.

AS SHOWN ON EXHIBIT "D2", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF



DATE SUBMITTED October 25, 2023

SUBMITTED BY City Manager

DATE ACTION REQUIRED November 1, 2023

COUNCIL ACTION ()

PUBLIC HEARING REQUIRED ()

RESOLUTION ()

ORDINANCE 1ST READING ()

ORDINANCE 2ND READING ()

CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION/DIRECTION

Provide direction to staff for appointment of a City of Imperial member to the Imperial Valley Healthcare District.

BACKGROUND/SUMMARY:

Assembly Bill 918 was approved by the Governor on October 8, 2023. It forms a new entity designated as the Imperial Valley Healthcare District. Among other things, the bill calls for creation of an initial board of directors and provides for one appointment to be "...from the City of Imperial and appointed by the City of Imperial." The deadline for the council appointment is December 7, 2023. The person appointed "...cannot be current or former employees of the El Centro Regional Medical Center, the Pioneers Memorial Hospital, or Pioneers Memorial Healthcare District." City appointments to its boards/commissions typically require that the appointee be a qualified voter of the City of Imperial.

Should the council wish to engage an application process, a suggested form of application is attached. A schedule could include the following dates: Submittal of applications: November 27, 2023. Council appointment: December 6, 2023.

FISCAL IMPACT:

FINANCE
INITIALS



STAFF RECOMMENDATION:

DEPT. INITIALS

MANAGER'S RECOMMENDATION:

*provide direction
for appointment*

CITY
MANAGER'S
INITIALS



MOTION:

SECONDED:

APPROVED ()

REJECTED ()

AYES:
NAYES:
ABSENT:

DISAPPROVED ()

DEFERRED ()

REFERRED TO:



CITY OF IMPERIAL

420 South Imperial Avenue
City Hall · Imperial, California 92251 · (760) 355-4373

Application for the City of Imperial's Representative to the Imperial Valley Health Care District Initial Board of Directors Created by Assembly Bill 918

Deadline to submit application: November 27, 2023

The City of Imperial is seeking to make one appointment to the newly formed Imperial Valley Healthcare District under Assembly Bill 918. Pursuant to the Bill, an appointee cannot be a current or former employee of the El Centro Regional Medical Center, the Pioneers Memorial Hospital or Pioneers Memorial Healthcare District. The City requires that its appointee be a qualified voter of the City of Imperial.

You may attach a resume or any additional information which you feel will assist the Council in their selection. This application should be typed or clearly printed and filed with the City Clerk.

Name: _____ Telephone: _____

Residence Address: _____

Present Occupation & Place of Employment: _____

Education Background: _____

Membership in Community Organizations or Professional Groups: _____

Please list City Boards and/or Commissions on which you have previously served:

Please list any relevant knowledge and/or experience that qualify you for this position:

Please state the reasons for which you wish to be considered for this appointment:

Appointee may be required to file a Statement of Economic Interest form as required by the State of California Fair Political Practices Commission. The statement could require disclosures of your economic interests in Imperial County.

Completed applications should be returned to the City Clerk's office, 420 South Imperial Avenue, Imperial, CA 92251, Email: cityclerk@cityofimperial.org Fax: 760.355.4314

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

SIGNATURE OF APPLICANT: _____

PRINTED NAME: _____ DATE: _____

*****FOR OFFICE USE ONLY*****

Received by: _____ Date: _____

Fax _____ Mail _____ Email _____ Counter _____

Board/Commission Appointed to _____

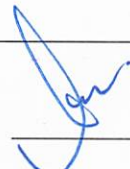
Date of Appointment: _____

Agenda Item No. C-4

DATE SUBMITTED 10/24/2023
 SUBMITTED BY R. Alejandro Estrada
 DATE ACTION REQUIRED 11/06/2023

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION: 1. APPROVAL OF THE TWO YEARS SERVICE AGREEMENT BETWEEN THE CITY OF IMPERIAL AND FIRST-NET FOR REGULAR VOICE AND DATA WIRELESS SERVICES. DEPARTMENT INVOLVED: DEPARTMENT OF INFORMATION TECHNOLOGY	
BACKGROUND/SUMMARY: FirstNet is a nationwide communications network created with and for public safety. It is the only network built with and for first responders and those who support them. It provides transformation mission-critical solutions to modernize public safety, unlocking innovation and an ecosystem to support next-generation tools.	
FISCAL IMPACT: NO FISCAL YEAR IMPACT The monthly cost per device will be the same as the current service provider 39.99.	FINANCE INITIALS 
STAFF RECOMMENDATION: Its is staffs recommendation to approve the disbursement of funds.	DEPT. INITIALS 
MANAGER'S RECOMMENDATION: The City Manager agrees with staffs recomendation.	CITY MANAGER'S INITIALS 
MOTION: SECONDED: AYES: NAYES: ABSENT: APPROVED () DISAPPROVED () REFERRED TO: REJECTED () DEFERRED ()	



City of Imperial

FirstNet

Date: Thursday, October 5, 2023

Proposed Solution for new lines of service

Estimated Monthly Recurring Charges	Qty	Cost per Unit	Total Cost
WIRELESS SERVICES			
FirstNet Unlimited Smartphone Plan	120	\$39.99	\$4,798.80

Monthly Service Charges with discount **\$4,798.80**

Recurring Charges for NEXT Installment Devices	Qty	Cost per Unit	Total Cost
EQUIPMENT INSTALLMENT & FEATURES			

Total Device Recurring Charges **\$0.00**

Total Monthly Recurring Charge **\$4,798.80**

One Time Charge 2 yr price (need to qualify) & taxes	Qty	Cost per Unit	Total Cost
ONE TIME EQUIPMENT COST AND TAXES			
Apple Iphone 13 128GB	1	\$0.99	\$53.49
Apple Iphone 14 128GB	1	\$29.99	\$99.98
Apple Iphone 15 128GB	1	\$299.99	\$371.99

Total Upfront Cost **\$525.46**

Promotional Credits	Qty	Cost per Unit	Total Cost
ACT CREDIT PROMOTIONAL CREDIT (after 120 days Tablets and HotSpots)	120	\$200.00	\$24,000.00
			\$0.00

Total Credits and Rebates * credits will be amortized over 24 month period **\$24,000.00**

Total Credits after upfront cost **\$23,474.54**

Taxes and Govt fees not incl in quote - one time charge for taxes on equipment need to be paid up front

Unlimited Talk, Text, data, No DATA THROTTLING

Promotional credits start the fourth month of billing , please be advised first bill will show pro-ration

FIRSTNET IN CALIFORNIA



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FIRSTNET HISTORY

FirstNet is the only wireless public safety network mandated by Congress and dedicated to first responders & support responders. Unlike any network in the market today, FirstNet is uniquely built to public safety specifications and the network evolves along with the needs of public safety.





FIRSTNET
Built with AT&T

BY THE NUMBERS

The **only** dedicated communications platform in the country that brings public safety:



Always-on, 24x7 priority and preemption across voice and data communications



A physically separate network core **fully dedicated** to public safety



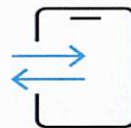
Government oversight and accountability from the **FirstNet Authority**

Updated: 7/26/2023

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5M+

FirstNet connections



26K+

Public safety agencies and organizations subscribed



210+

apps in the FirstNet App Catalog



660

FirstNet Ready® devices

AMERICA'S PUBLIC SAFETY NETWORK

2.91M+

Square miles of coverage



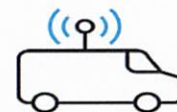
250K+

Square miles more than commercial networks



150+

Dedicated assets, including Flying COWs® and CRDs™



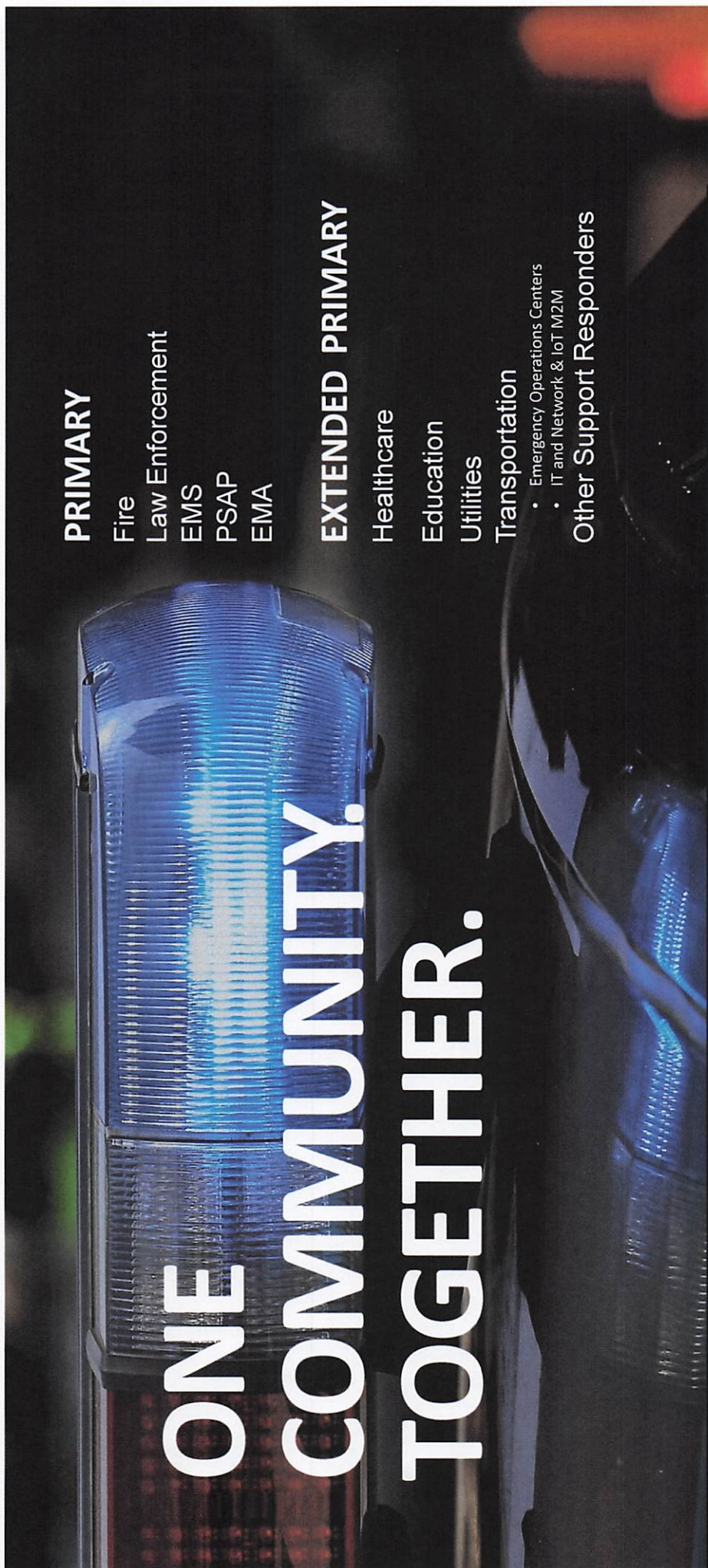
30+

ROG the Dog therapy animals

750+

solutions triaged and deployed in 2023





ONE COMMUNITY. TOGETHER.

PRIMARY

Fire
Law Enforcement
EMS
PSAP
EMA

EXTENDED PRIMARY

Healthcare
Education
Utilities
Transportation

- Emergency Operations Centers
- IT and Network & IoT M2M

Other Support Responders



Airline Emergency Operations Director or other authorized Airline representative may designate *necessary personnel and equipment as Extended Primary eligible* to operationalize the required Federal contingency plan as defined under Title 49 CFR 1544.301. Title 49 CFR 1544.301 requires aircraft operators to have a current contingency plan in place and participate in airport sponsored exercises for incident response.

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WHY FIRSTNET?



Built for you. Inspired by you.

- FirstNet provides 24x7x365 priority and preemption for first responders
- The only physically separate network core dedicated just to you.
- FirstNet Band 14 spectrum – now live in over 700 markets*
- Prioritized access on *all* AT&T LTE bands
- **No throttling** for FirstNet subscribers anywhere in the country
- Premium Device offers only available for FirstNet users
- Better still, FirstNet subscribers enjoy the fastest network experience — faster than any commercial network.**
- Tower to Core Encryption for Data Transmission

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FIRSTNET ADVANTAGES

EMERGENCY RESPONSE

75 Dedicated FirstNet Deployable

network assets; including 3 flying COWs

- Provide voice, data, location, messaging, and First Priority®
- Capability of up to 25Mbps downlink and 8 Mbps uplink
- Planned and Unplanned events
- Helps ensure business continuity and disaster recovery

Assets Exclusive to FirstNet Customers

- Restore network during times of crisis
- Deployables can be requested locally 24/7

Access to 180+ AT&T Commercial Cell on Wheels, Cell on Light Truck and Cell on Wings.



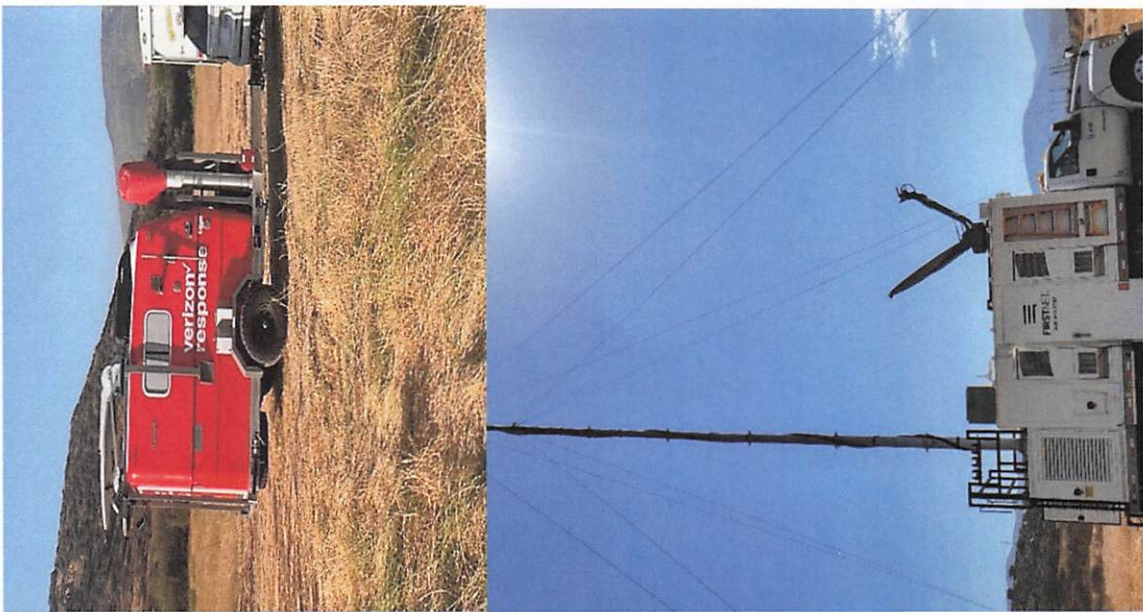
Network Restoral/ Availability

- Drop Kits
 - Use Case – provide temporary satellite coverage anywhere in the US
- Full Scale Deployable
 - PSE owned first on scene vehicles



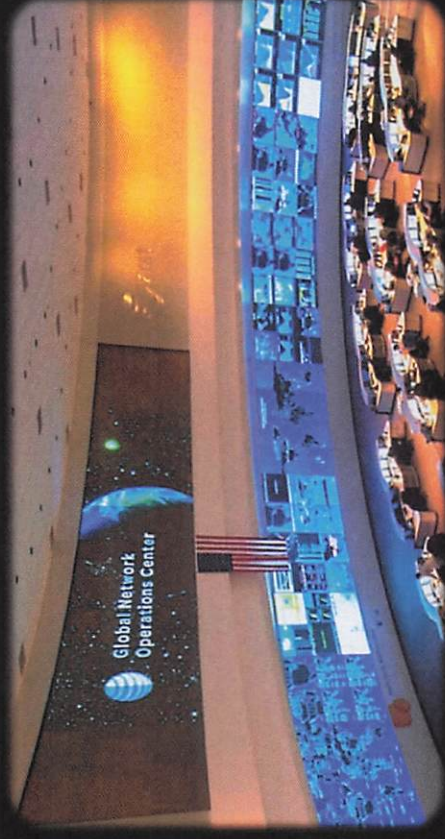
FIRSTNET™
Built with AT&T

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FIRSTNET ADVANTAGES

DEDICATED SUPPORT	FirstNet Central
Dedicated 24/7 x 365 customer care desk based in the U.S. • Advanced Technical Support with an internal help desk • Network Support • Uplift • Advanced Solutions • IoT	Administrative Hub • View network status and maintenance • Manage users & group access • Manage Uplift, PTT Admin and Control Center • Check service & billing



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FIRSTNET DIFFERENCE



Commitment

- Unique, purpose-made solutions, **exclusively for public safety** community. **BAND 14**
- **25-year** contract
- **\$40B investment** into FirstNet network by AT&T
- **A single nationwide, interoperable, broadband network with priority and preemption 24/7**



Accountability

- **AT&T is bound by contract** to deliver unique services for public safety's dedicated use
- **Stiff penalties** if AT&T fails to meet its commitment
- **Unprecedented transparency into the network** performance at the local level



Security

- **Dedicated core** with end-to-end LTE network encryption
- **U.S. based FirstNet security operations center** and dedicated 24x7x365 support
- **A dedicated team of experts** who monitor the network and keep your vital apps, devices and connections secure



Innovation

- **Open, inclusive ecosystem** to serve as the backbone of public safety communications
- Contractually mandated roadmap includes:
 - **App Store for Public Safety**
 - **Innovation at FirstNet Lab**
 - Broadcast technology and **z-Axis** location based services



Agility

- **72 FirstNet dedicated deployables**
- Only company to receive the **Private Sector Preparedness Program Certification** from DHS



DATE SUBMITTED 10/25/2023

SUBMITTED BY Imperial Police Dept.

DATE ACTION REQUIRED 11/01/2023

COUNCIL ACTION (X)

PUBLIC HEARING REQUIRED ()

RESOLUTION ()

ORDINANCE 1ST READING ()

ORDINANCE 2ND READING ()

CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ ACTION;

Expenditure Plan and Resolution accepting the 2021/2022 State Citizen's Option for Public Safety (COPS) Growth - Supplemental Grant Funding.

APPROVAL OF RESOLUTION 2023-055 - APPROVING THE ACCEPTANCE OF STATE COPS PROGRAM FUNDING FOR FISCAL YEAR 2021/ 2022

DEPARTMENT INVOLVED: POLICE DEPARTMENT

BACKGROUND/SUMMARY:

The County of Imperial Administration Office had already approved and disperse \$100,000.00 to the City of Imperial in July 2022. An additional \$73,756.19 of Growth / Supplemental (COPS) funding for FY 21/22 has become available for the City of Imperial Police Department. The below Expenditure Plan was developed in connection the grant requirements. To accept this grant funding, the City is required to adopt a resolution accepting the funds and an expenditure plan outlining the use for those funds. (See Resolution 2023-055)

Expenditure plan outlines the following Public Safety expenditures.

1. \$37,710.00: (45) New Dasco Tactical Lockers 18"W x 24"D x 72"H
2. \$36,046.19: (6) New Motorola 600BN Handheld radios (Accessories & RCS Programmed)

FISCAL IMPACT: NONE

Approve

FINANCE
INITIALS

[Signature]

STAFF RECOMMENDATION:

The Department is requesting approval to use COPS Growth funds as outlined in the supporting documents.

DEPT.
INITIALS

[Signature]

CITY MANAGER'S RECOMMENDATION:

approve

CM
INITIALS

[Signature]

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

RESOLUTION NO. 2023-55

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL
APPROVING THE ACCEPTANCE OF STATE CITIZENS OPTIONS FOR
PUBLIC SAFETY (COPS) PROGRAM FUNDING FOR FISCAL YEAR
2021-2022**

WHEREAS, the City of Imperial received funding from the State of California Citizens Options for Public Safety (COPS) Program, and is approved for additional (Growth) funding for the program in FY 2021-2022 in the amount of \$73,756.19;

WHEREAS, the Imperial Police Department will utilize the aforementioned funds for (45) Police equipment lockers, (5) New 800Mhz police handheld radios & support accessories.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL,
CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

1. To authorize the request for funding from the State of California COPS Program for Fiscal Year 2021-2022 in the amount of \$73,756.19;
2. To authorize the Imperial Police Department to utilize the funds as outlined, upon receipt of funds from the County Auditor.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial on the 1st day of November, 2023.

KATHERINE BURNWORTH,
Mayor

ATTEST:

KRISTINA M. SHIELDS,
City Clerk

CERTIFICATION

I, Kristina M. Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing resolution was duly adopted at a meeting of the City Council of said City at its meeting held on the 1st day of November, 2023, 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 _____ day of November, 2023.

KRISTINA M. SHIELDS,
City Clerk