

MINUTES

CITY COUNCIL CITY OF IMPERIAL DECEMBER 20, 2017

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

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

OTHER OFFICIALS PRESENT: CITY MANAGER CHATWIN AND CITY ATTORNEY MORITA

A-1. SUBJECT: PUBLIC EMPLOYMENT (Government Code Section 54957)

Title: Chief of Police

A-2. SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS (GC 54957.6)

Agency Negotiator: City Manager and Administrative Services Director

Employee Organization: Teamsters Local #542

A-3. SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS (GC 54957.6)

Agency Negotiator: City Manager and Administrative Services Director

Employee Organization: Management, Supervisory, Professional, Confidential
and Police Sergeants

A-4. SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS (GC 54957.6)

Agency Negotiator: City Manager and Administrative Services Director

Employee Organization: Imperial Police Officers Association

B. CITY COUNCIL RE-CONVENED IN OPEN SESSION

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

OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, CITY MANAGER
CHATWIN, DEPUTY POLICE CHIEF BARRA, DEPUTY
POLICE CHIEF LUNA, PUBLIC SERVICES DIRECTOR
LOPER, FIRE CHIEF ROUHOTAS, FINANCE
DIRECTOR GUTIERREZ, ADMINISTRATIVE
SERVICES DIRECTOR GADDIS, COMMUNITY
DEVELOPMENT DIRECTOR MORA, AND CITY CLERK
JACKSON

MAYOR TUCKER called Open Session to order at 7:02 PM and led the Pledge of Allegiance.

CITY ATTORNEY MORITA announced that no reportable action was taken in Closed Session.

C. PUBLIC APPEARANCES:

None.

D. SPECIAL PRESENTATION:

D-1 RECOGNITION OF IMPERIAL COUNTY FIRE PERSONNEL

MAYOR TUCKER presented a Certificate of Recognition to Imperial Council fire personnel Charlie Finnell and Esteban Hernandez in recognition of their efforts in saving the life of an Imperial High School student. Not able to attend the meeting for recognition was Daniel Simon and Kurt Martin.

E. CONSENT AGENDA:

- E-1.** Approval of Treasurers' Report for the month of November 2017.
- E-2.** Approval of Claims/Warrants Report.
- E-3.** Approval of Community Facilities District (CFD) Disbursement Request No. 4-2017 as requested by Victoria Ranch.
- E-4.** Approval of Community Facilities District (CFD) Disbursement Request No. 2-2017 as requested by Monterrey Park.

Motion by AMPARANO, seconded by PECHTL to approve the Consent Agenda as presented.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

F. NEW BUSINESS:

F-1. SUBJECT: CHIEF OF POLICE SERVICES FOR THE CITY OF IMPERIAL.

1. APPROVAL OF AGREEMENT BETWEEN CITY OF IMPERIAL AND LEONARD J. BARRA FOR CHIEF OF POLICE SERVICES.

Motion by DALE, seconded by SAMPSON to approve the employment agreement.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

2. APPOINTMENT OF ACTING DEPUTY CHIEF LEONARD J. BARRA TO CHIEF OF POLICE FOR THE CITY OF IMPERIAL.

Motion by PECHTL, seconded by SAMPSON to appoint Leonard J. Barra as Chief of Police for the City of Imperial.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

3. ADMINISTRATION OF OATH OF OFFICE AND PINNING OF CHIEF OF POLICE.

CITY CLERK JACKSON administered the Oath of Office to Leonard Barra. The pinning of badge was accomplished by Chief Barra's wife and brother.

F-2. SUBJECT: RECLASSIFICATION OF ADMINISTRATIVE SERGEANT POSITION TO POLICE CAPTAIN POSITION.

1. ACTIVATE THE POSITION OF POLICE CAPTAIN AT THE CURRENT SALARY RANGE OF 90.

Motion by DALE, seconded by AMPARANO to activate the position of Police Captain at the current salary range of 90.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

2. APPROVAL OF JOB DESCRIPTION FOR POLICE CAPTAIN.

Motion by AMPARANO, seconded by DALE to approve the job description for Police Captain.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

3. APPROVAL OF RECLASSIFICATION OF THE ADMINISTRATIVE SERGEANT TO THE POSITION OF CAPTAIN.

Motion by PECHTL, seconded by AMPARANO to approve the reclassification of Administrative Sergeant to position of Captain.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

CITY MANAGER CHATWIN announced that based on these actions, Mario Luna will be promoted to Captain effective December 21, 2017.

F-3 SUBJECT: LEASE AGREEMENT BETWEEN THE CITY OF IMPERIAL AND DELL POWEREDGE R530 SERVER.

1. APPROVAL OF THREE (3) YEAR LEASE AGREEMENT BETWEEN THE CITY OF IMPERIAL AND DELL POWEREDGE R530 SERVIE TO PURCHASE/FINANCE ONE SERVER SYSTEM(S) IN THE AMOUNT OF \$13,369.42.

Motion by AMPARANO, seconded by DALE to approve the three year lease agreement.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

F-4. SUBJECT: MUNICIPAL FINANCIAL AUDIT FOR FISCAL YEAR 2015-2016.

GARY GLUD, HUTCHINSON AND BLOODGOOD, CPA was introduced. He presented the audits and was available to provide answers to the Council if there were any questions.

1. ACCEPTANCE OF MUNICIPAL FINANCIAL AUDIT FOR FISCAL YEAR 2015-2016.

Motion by PECHTL, seconded by DALE to accept the Municipal Financial Audit for FY 2015-2016.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

F-5. SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) AUDIT FOR FISCAL YEAR 2015-2016.

- 1. ACCEPTANCE OF TRANSPORTATION DEVELOPMENT ACT FUND AUDIT FOR FISCAL YEAR 2015-2016.**

Motion by PECHTL, seconded by SAMPSON to accept the TDA Audit for FY 2015-2016.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

F-6. SUBJECT: MAINTENANCE OF EQUIPMENT AND REPAIRS TO WASTEWATER PUMP STATIONS.

- 1. AUTHORIZE PURCHASE OF CHECK VALVES NEEDED FOR MAINTENANCE OF EQUIPMENT AT WASTEWATER PUMP STATIONS.**

Motion by PECHTL, seconded by DALE to authorize the purchase of check valves in the amount of \$19,966.00 from California Environmental Controls.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

F-7. SUBJECT: CALIFORNIA STATE WATER RESOURCES CONTROL BOARD DIVISION OF DRINKING WATER COMPLIANCE ORDER NO. 05-14-17R-002 ISSUED ON NOVEMBER 30, 2017.

- 1. ACCEPT AND AGREE TO THE TERMS & CONDITIONS SET FORTH BY CALIFORNIA STATE RESOURCES CONTROL BOARD IN COMPLIANCE ORDER NO. 05-14-71R-002 ISSUED ON NOVEMBER 30, 2017.**

Motion by DALE, seconded by SAMPSON to accept and agree to the terms and conditions.

AYES: AMPARANO, PECHTL, SAMPSON, AND TUCKER

NOES: DALE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 4-1

- 2. AUTHORIZE THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO IMPLEMENT COMPLIANCE TIMELINE.**

Motion by AMPARANO, seconded by PECHTL to authorize the City Manager to execute documents.

AYES: AMPARANO, PECHTL, AND TUCKER

NOES: DALE AND SAMPSON

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 3-2

- 3. AUTHORIZE STAFF TO MOVE FORWARD WITH COMPLIANCE PROCESS IDENTIFIED IN ORDER NO. 05-14-71R-002.**

Motion by AMPARANO, seconded by PECHTL to authorize staff to move forward with compliance process.

AYES: AMPARANO, PECHTL, AND TUCKER

NOES: DALE AND SAMPSON

ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 3-2

E-8. SUBJECT: ALBERT WEBB & ASSOCIATES TTHM REMOVAL SYSTEM CONSULTING AND DESIGN SERVICES.

1. APPROVE SCOPE OF WORK AND FEES SET FORTH IN PROPOSAL RECEIVED ON DECEMBER 13, 2017.

Motion by DALE, seconded by AMPARANO, to approve the Scope of Work and fees as proposed by Albert Webb & Associates in the amount of \$65,200.

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

MOTION CARRIED 5-0

2. APPROVE PROPOSAL LETTER AS AN ADDENDUM TO THE FEBRUARY 22, 2017 AGREEEMNT AND AUGUST 28, 2017 LETTER.

Motion by AMPARANO, seconded by PECHTL to approve proposal letter as an addendum.

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

MOTION CARRIED 4-1

F-9. SUBJECT: MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TEAMSTERS LOCAL UNION 542 AND CITY OF IMPERIAL FOR FISCAL YEAR 2017-2018.

1. APPROVAL OF RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN TEAMSTERS LOCAL UNION 542 AND CITY OF IMPERIAL FOR FY 2017-2018.

Motion by PECHTL, seconded by DALE to approve Resolution No. 2017-49.

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

MOTION CARRIED 5-0

F-10 SUBJECT: MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE IMPERIAL POLICE OFFICERS ASSOCIATION AND THE CITY OF IMPERIAL FOR FISCAL YEAR 2017-2018.

1. APPROVAL OF RESOLUTION TO AMEND MEMORANDUM OF UNDERSTANDING BETWEEN IMPERIAL POLICE OFFICERS ASSOCIATION (IPOA) AND CITY OF IMPERIAL FOR FISCAL YEAR 2017-2018.

Motion by AMPARANO, seconded by SAMPSON to approve Resolution No. 2017-50.

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

MOTION CARRIED 5-0

F-11. SUBJECT: MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE

UNREPRESENTED EMPLOYEES (MANAGEMENT, SUPERVISORY, PROFESSIONAL, CONFIDENTIAL AND POLICE SERGEANTS) AND THE CITY OF IMPERIAL FOR FISCAL YEAR 2017-2018.

1. APPROVAL OF RESOLUTION TO AMEND MEMORANDUM OF UNDERSTANDING BETWEEN UNREPRESENTED EMPLOYEES (MSPC) AND CITY OF IMPERIAL FOR FISCAL YEAR 2017-2018.

Motion by SAMPSON, seconded by AMPARANO to approve Resolution No. 2017-51.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

F-12. SUBJECT: CITY MANAGER CONTRACT AMENDMENT.

1. APPROVAL OF SECOND (2ND) AMENDMENT TO CITY MANAGER CONTRACT BETWEEN STEFAN CHATWIN AND CITY OF IMPERIAL.

Motion by DALE, seconded by SAMPSON to approve the 2nd amendment to City Manager contract.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

MAYOR TUCKER called for a break in session at 7:51 PM. Council meeting re-convened at 8:00 P.M.

F-13. SUBJECT: PUBLIC HEARING: INTRODUCTION AND FIRST READING BY TITLE ONLY OF ORDINANCE OF THE CITY OF IMPERIAL AMENDING THE CODIFIED ORDINANCES TO PROVIDE FOR MEDICAL CANNABIS DISPENSARIES.

PUBLIC HEARING OPENED AT 8: 08 PM

Leilani Ruiz, Natalie Silva, Leticia Iten, Helen Palomino, and Tammy Thomas all spoke in support of allowing medical cannabis dispensaries in the city and requested Council adopt the ordinance. Each one spoke of instances in which medical use has benefited them personally or others they know who have medical needs. Additional speakers in favor of allowing dispensaries for business and tax benefits to the city were Bob Gran Jr. and Ray Roben. Gary Metelski addressed the council with several questions and concerns such as the requirement that a licensed pharmacists be on premises, the manufacturing of medications and by whom, and protections to the public, feels that clinical testing etc. should be under a licensed professional. Mr. Reseda spoke in regards to a doctor who is looking to set up a practice locally for such research as referred to.

Speaking against allowance of dispensaries in the city was Pam Butcher.

HEARING CLOSED AT 9:19

1. INTRODUCTION AND FIRST READING BY TITLE ONLY OF ORDINANCE REPEALING AND REENACTING CHAPTER FIFTEEN (15) ARTICLE XII REGARDING MEDICAL CANNABIS DISPENSARIES.

Motion by PECHTL, seconded by DALE to hold the first reading of Ordinance No. 795 by title only; An Ordinance of the City of Imperial, Amending the Codified Ordinances to Provide for Medicinal Cannabis Dispensaries.

AYES: DALE, PECHTL, AND TUCKER
NOES: AMPARANO AND SAMPSON
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 3-2

2. PROVIDE DIRECTION TO CITY ATTORNEY TO PREPARE A SUMMARY FOR PUBLICATION.

Motion by PECHTL, seconded by DALE to direct the City Attorney to prepare a summary of Ordinance No. 795 for publication purposes.

AYES: DALE, PECHTL, AND TUCKER
NOES: AMPARANO AND SAMPSON
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 3-0

F-14. SUBJECT: CONTINUED PUBLIC HEARING: COMMUNITY DEVELOPMENT DEPARTMENT LAND USE FEE SCHEDULE

The Public Hearing was opened at the meeting of 12-6-17.

There were no comments from members of the audience and the Public Hearing was closed at 9:26 P.M.

1. ADOPT RESOLUTION REPEALING RESOLUTION 2004-05 AND APPROVE ESTABLISHING/UPDATING FEES FOR PLANNING AND LAND USE ACTIVITY.

Motion by PECHTL, seconded by AMPARANO to adopt Resolution No. 2017-52.

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

F-15. SUBJECT: RE-ORGANIZATION OF THE CITY COUNCIL FOR CALENDAR YEAR 2018.

1. SELECTION OF MAYOR

Council member PECHTL nominated Council member DALE as Mayor.

There being no other nominations, Council member DALE was voted in as Mayor.

2. SELECTION OF MAYOR PRO-TEM.

Council member AMPARANO nominated Council member SAMPSON as Mayor Pro-tem.

There being no other nominations, a unanimous vote was cast for Council member SAMPSON as Mayor Pro-tem.

F-16. SUBJECT: RE-ORGANIZATION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD FOR CALENDAR YEAR 2018.

1. SELECTION OF CHAIRPERSON

Board member PECHTL nominated Council member DALE as Chairman.

There being no other nominations, Board member DALE was voted in a Chairman.

2. SELECTION OF VICE-CHAIRPERSON

Board member PECHTL, nominated Board member SAMPSON as vice-chairperson

There being no other nominations, a unanimous vote was cast for Board member SAMPSON as Vice-Chairman.

F-17. SUBJECT: PRESENTATION/COMMENTS IN TRIBUTE TO AND BY OUTGOING MAYOR JAMES TUCKER

MAYOR DALE presented Outgoing **MAYOR TUCKER** a plaque of appreciation for his service to the city. **MR. TUCKER** thanked everyone for their support over the past year.

F-18. SUBJECT: CITY COUNCIL MEMBERS APPOINTMENT OF MEMBER TO THE CITY OF IMPERIAL PLANNING COMMISSION.

1. APPROVAL OF APPOINTMENT RECOMMENDED BY COUNCIL MEMBER AMPARANO TO THE PLANNING COMMISSION TO COMPLETE ONE OF TWO VACANT SEATS.

Motion by AMPARANO, seconded by PECHTL to appoint KRISTOPHER HAUGH to the Planning Commission.

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

2. APPROVAL OF APPOINTMENT RECOMMENDED BY COUNCIL MEMBER PECHTL TO THE PLANNING COMMISSION TO COMPLETE TWO OF TWO VACANT SEATS.

Motion by PECHTL, second by AMPARANO to appoint ANDREA GUILLEN to the Planning Commission

AYES: AMPARANO, PECHTL, SAMPSON, TUCKER, AND DALE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 5-0

G. REPORTS:

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

AMPARANO reported on attending the Jingle & Mingle event put on by the Imperial Chamber of Commerce and the city employee appreciation dinner. Both of these were nice events. In addition, he wished all a Merry Christmas.

PECHTL requested the City Council reconsider the city's fireworks ordinance; thanked Council man Tucker for his service as Mayor this past year; and offered best wishes to Mayor Dale for the upcoming year.

TUCKER thanked City Council and staff for all their help this past year.

SAMPSON thanked staff for all their hard work and congratulated Tony Rouhotas on his new position as County Chief Executive Officer.

DALE also congratulated Rouhotas on his new position wishing him good luck and thanked him for service as our Fire Chief.

G-2. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS

ROUHOTAS reported that it was great to work with the city as Fire Chief and announced that Alfredo Estrada has been appointed as Interim Fire Chief.

G-3. SUBJECT: CITY MANAGER REPORT.

Welcomed new police officer John Pierce to the city's police department.

G-4. SUBJECT: CHAMBER OF COMMERCE REPORT.

Chamber CEO Susan Paradis thanked the city for all of the help with the various chamber activities.

CITY COUNCIL MEETING ADJOURNED AT 9:50 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, JANUARY 3, 2018 AT 7:00 P.M.