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

December 20, 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 act 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 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

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – G.C § 54956.7 (b)(1)
Title of Position: City Manager

CITY COUNCIL CONVENES TO REGULAR MEETING

<u>7:00 P.M. REGULAR MEETING</u>

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.

<u>A. REORGANIZATION OF THE CITY COUNCIL FOR 2024</u>

A-1. Recognition of outgoing Mayor Burnworth

a. Presentation of Mayor's Plaque by Mayor Pro-Tem Amparano to outgoing Mayor Burnworth

b. Presentations to outgoing Mayor Burnworth

c. Remarks by outgoing Mayor Burnworth and Council Members

A-2. Selection of the new Mayor

a. City Clerk opens nominations for Mayor

b. Newly selected Mayor assumes Chair and opens nominations for Mayor Pro-Tem.

c. Remarks by incoming Mayor

A-3. Reorganization of Successor Agency to the Redevelopment Agency Board for 2024

a. City Clerk opens nominations for Chairman

b. City Clerk opens nominations for Vice-Chairman

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. Filing of SB 165 Annual Reports for all City issued CFD's for FY 2022-2023

B-3. 2nd Reading and Adoption of Ordinance No. 828, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ADDING RESTRICTIONS TO OUTDOOR SMOKING IN DESIGNATED AREAS, waive reading and adopt by title only

B-4. Approve Purchase of one (1) New T350 Transit Van for Community Youth Outreach Cadet Program

B-5. Approval of Agreement with the Imperial Unified School District for a Part Time School Resource Police Officer

B-6. Continuation of Emergency at Aten Road and Highway 86 Intersection

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

C-1. Approval of California Governor's Office of Emergency Services (Cal OES) Form 130

Staff Report: Dennis H. Morita, City Manager

Recommended Action: Staff recommends approval of Cal OES Form 130 designating the City Manager and Finance Manager as authorized agents for the City of Imperial to be eligible to obtain financial assistance via Federal and State means following a disaster.

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, January 3, 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: December 15, 2023

for KRISTINA M. SHIELDS
City Clerk

B-1

Check Register Report

CITY OF IMPERIAL

BANK: UNION BANK

Date: 12/12/2023
Time: 2:01 pm

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114580	12/07/23	Printed			1599	ACE UNIFORMS & ACCESSORIES	SD0147031 76405	1,196.75
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114597	12/07/23	Printed			8332	BRYAN GELWICKS	9978-0914/2300 MYRTLE#17	132.67
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Check Register Report

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Page:	2

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114627	12/07/23	Printed			3205	IMPERIAL COUNTY SHERIFFS DEPT.	10071 F. TERAN 76408	60,511.31
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114646	12/07/23	Printed			101	LINCOLN LIFE	12/1/23	767.00
114647	12/07/23	Printed			260	MALLORY SAFETY AND SUPPLY LLC	5755231 75736	403.03
114648	12/07/23	Printed			2689	MAX SHEFFIELD	POSTAGE REIMBURSEMENT 76423	6.65
114649	12/07/23	Printed			1190	MISSIONSQUARE - 304257	12/1/23	416.40
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114655	12/07/23	Printed			084	PITNEY BOWES BANK INS	21257183 NOV. 2023 76179	403.00
114656	12/07/23	Printed			3179	PITNEY BOWES GLOBAL FINANCIAL	3106403699 76183	491.91
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114662	12/07/23	Printed			8333	RODNEY ANDERSON	9520-0162/190 MADRONE	79.47
114663	12/07/23	Printed			1637	ROMEO'S CAR WASH	OCTOBER 2023 76414	473.00
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114665	12/07/23	Printed			135	SOCALGAS	420 S IMPERIAL 10/10-11/9/23	65.96
114666	12/07/23	Printed			2365	SPARKLETTS	9437092 NOV23	341.92
114667	12/07/23	Printed			7991	STORWISE-IMPERIAL	4493 76341	200.00
114668	12/07/23	Printed			068	SUNBELT RENTALS, INC.	146969248-0001 76556	833.82
114669	12/07/23	Printed			7708	TUCKER MINI STORAGE	DECEMBER 2023 76342	125.00
114670	12/07/23	Printed			275	UNDERGROUND SERVICE ALERT OF	23-241803 76184	260.92

Check Register Report

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114674	12/07/23	Printed			615	VALLEY PEST SERVICES, INC	14332842	1,322.00
114675	12/07/23	Printed			8150	VENCER PUBLIC AFFAIRS &	179 76221	2,000.00
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114677	12/07/23	Printed			611	VERIZON WIRELESS	9949951169	6,183.57
114678	12/07/23	Printed			5674	WAGEWORKS, INC	INV5890926 NOV 2023 76461	114.00

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Total Payments:	**101**	**Bank Total (excluding void checks):**	**641,408.62**
Total Payments:	**101**	**Grand Total (excluding void checks):**	**641,408.62**

Agenda Item No. B-2

DATE SUBMITTED	12/12/2023	COUNCIL ACTION	(x)
SUBMITTED BY	D. Quintana	PUBLIC HEARING REQUIRED	( )
DATE ACTION REQUIRED	12/20/2023	RESOLUTION	( )
		ORDINANCE 1ST READING	( )
		ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: SB 165 Annual Report (s) Bratton 2004-3, Mayfield 2004-2, Monterrey Park 2006-1, Savanna Ranch 2006-2, Springfield 2005-1, and Victoria 2004-1.

1. Approval of Filing SB165 Annual Reports.

DEPARTMENT INVOLVED: Administrative Services

BACKGROUND/SUMMARY:

The Local Agency Special Tax and Bond Accountability Act ("Accountability Act") was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to requirements of the Accountability Act (Sections 50075.1 and 53410 of the Government Code of the State of California), an annual report must be filed by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

1) The amount of funds collected and expended to fund authorized facilities.

2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The attached are SB 165 Annual Reports for all City issued CFD's for the Fiscal Year 2022/2023.

The SB165 Reports were prepared in compliance with the Local Special Tax & Bond Accountability Act, which requires annual reporting of the CFD collections/expenditures for any CFD established after 2001. This report summarizes the special taxes collected and expenditures for fiscal year ended June 30, 2023 and provides a summary of the bond proceed expenditures.

FISCAL IMPACT: N/A	ADMIN SERVICES SIGN INITIALS ______
STAFF RECOMMENDATION: Approval for filing.	DEPT. INITIALS DQ
MANAGER'S RECOMMENDATION: approve staff recommendation	CITY MANAGER's INITIALS DTM

MOTION:

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

City of Imperial

Community Facilities District No. 2004-3 (Bratton Development)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

KOPPEL & GRUBER
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760-510-0290
info@kgpf.net

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Stradling Yocca Carlson & Rauth, a Professional Corporation
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Fiscal Agent

Tracy Mason, Account Manager
Computershare Trust Company, National Association
MAC: E2064-05A
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T. 213.253.7536

Special Tax Administrator

Scott Koppel/Kara Meverden
Koppel & Gruber Public Finance
334 Via Vera Cruz, Suite 256
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T. 760.510.0290

TABLE OF CONTENTS

SECTION I. INTRODUCTION AND BACKGROUND

The Local Agency Special Tax and Bond Accountability Act ("Accountability Act") was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (*Sections 50075.1 and 53410 of the Government Code of the State of California*), the Local Agency Special Tax and Bond Accountability Act Compliance (the "Report") must be filed annually by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2004-3 OVERVIEW

A. Community Facilities District Background

On August 4, 2004, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2004-3 (Bratton Development) ("CFD No. 2004-3"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2004-3, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On November 17, 2004, an election was held within CFD No. 2004-3 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $10,000,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2004-3 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Infrastructure including development impact fees
- Street Improvements
- Drainage
- Sewer and Water Facility Fees & Infrastructure
- School Facilities/Fees
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2004-3 is to pay for the costs of maintaining the public safety services (police and fire); and maintenance of parks, parkways, and open space within or in the vicinity of CFD No. 2004-3 ("Services").

D. Bond Issuance Summary

The City issued Special Tax Refunding Bonds, Series 2015A ("Refunding Bonds") on July 15, 2015 in the aggregate principal amount of $5,675,000, which are authorized to be paid off with the collection of Facilities Special Taxes. A portion of the proceeds of the Refunding Bonds, together with certain existing funds on hand, were used to defease and refund (i) the City's 2005 Special Tax Bonds, Series A ("2005 Bonds") and (ii) the City's 2006 Special Tax Bonds, Series B ("2006 Bonds"). Approximately $749,128.17 remaining in the funds and accounts established in connection with the 2005 Bonds and the 2006 Bonds was transferred to the Escrow Fund for the Refunding Bonds to redeem the 2005 Bonds and the 2006 Bonds. The table below summarizes the application of the Refunding Bond proceeds:

Fund/Account/SubAccount	Bond Proceeds
Escrow Fund to Redeem 2005 Bonds[1]	$4,033,050.63
Escrow Fund to Redeem 2006 Bonds[1]	1,799,792.50
Reserve Account of the Special Tax Fund	422,943.76
Costs of Issuance Fund[2]	183,219.78
Total[3]	**$6,439,006.67**

1 Monies deposited into the Escrow Fund were used to redeem the 2005 Bonds and the 2006 Bonds on September 1, 2015.

2 Includes legal fees, trustee fees, printing costs, underwriter's discount, and other miscellaneous expenses.

3 Total Bond proceeds deposited include the Original Issue Premium and exclude the Original Issue Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2004-3 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2004-3 Bond Indenture ("Indenture") established in connection with the issuance of the Refunding Bonds may be used to fund authorized facilities of CFD No. 2004-3. The following table provides a summary of the sources and uses of the CFD No. 2004-3 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$269,306.88**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$497,540.12
Special Tax Receipts – Services[2]	88,431.40
Miscellaneous Transfers In	0.00
Subtotal: Sources	*$585,971.52*
Uses of Funds	
Transfers to Special Tax Fund[3]	$(411,048.78)
Administrative Expenses	(12,677.68)
Services Costs	(3,573.45)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(427,299.91)*
ENDING BALANCE AS OF JUNE 30, 2023	**$427,978.49**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 Represents the collection of funds needed to pay debt service on the Refunding Bonds.

B. Special Tax Fund

In accordance with the FAA, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.18**
Sources of Funds	
Special Tax Receipts	$411,048.78
Interest Accrued	0.00
Miscellaneous Transfers (in)	0.00
Subtotal: Sources	*$411,048.78*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(411,048.76)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(411,048.76)*
ENDING BALANCE AS OF JUNE 30, 2023	**$0.20**

C. Status of Authorized Facilities Projects

The improvement funds established to pay for authorized facilities through the issuance of the 2005 Bonds and the 2006 Bonds (the "Prior Bonds Improvement Funds") had a combined balance remaining of approximately $749,128.17 at June 30, 2015. The remaining total balances in the Prior Bonds Improvement Funds were combined with other sources of funding and used to defease and fully refund the 2005 Bonds and the 2006 Bonds on September 1, 2015 and the funds were subsequently closed.

City of Imperial

Community Facilities District No. 2004-2 (Mayfield)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

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SECTION I. INTRODUCTION AND BACKGROUND

The Local Agency Special Tax and Bond Accountability Act ("Accountability Act") was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (*Sections 50075.1 and 53410 of the Government Code of the State of California*), the Local Agency Special Tax and Bond Accountability Act Compliance (the "Report") must be filed annually by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2004-2 OVERVIEW

A. Community Facilities District Background

On March 16, 2005, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2004-2 (Mayfield) ("CFD No. 2004-2"), along with two separate improvement areas ("Improvement Area No. 1" or "IA-1", and "Improvement Area No. 2" or "IA-2"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2004-2, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On August 17, 2005, an election was held within CFD No. 2004-2 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $10,000,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2004-2 IA-1 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Facilities
- Street Improvements
- Drainage
- Sewer and Water Facilities
- Facilities/Fees of the Imperial Irrigation District
- School Facilities/Fees of the Imperial Unified School District
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2004-2 IA-1 and IA-2 is to pay for the costs of maintaining the public safety services (police and fire); maintenance of parks, parkways, and open space; and storm drain and flood control facilities within or in the vicinity of CFD No. 2004-2 ("Services").

D. Bond Issuance Summary

The City issued 2007 Special Tax Bonds ("Bonds") on September 6, 2007 in the aggregate principal amount of $5,075,000, which are authorized to be paid off with the collection of Facilities Special Taxes. Proceeds of the Bonds were used to finance the construction of certain public facilities within CFD No. 2004-2 IA-1. A portion of the proceeds of the Bonds were deposited into an escrow fund ("Escrowed Term Bonds") and were planned to be released to finance certain public facilities within CFD No. 2004-2 IA-1 and to increase the balance in the Reserve Fund when and if certain release tests set forth in the Fiscal Agent Agreement ("FAA") were satisfied. The table below summarizes the application of the Bond proceeds:

Fund/Account/Sub-Account	Bond Proceeds
Improvement Fund	$1,735,446.59
Capitalized Interest Account of the Bond Fund[1]	141,442.78
Escrowed Bonds Fund	2,380,000.00
Redemption Fund[2]	278,063.33
Reserve Fund	194,390.00
Costs of Issuance Fund[3]	320,662.50
Total[2]	**$5,050,005.20**

[1] Consists of monies sufficient to pay interest on the non-escrowed portion of the Bonds through September 1, 2008.

[2] Consists of monies sufficient to pay interest on the Escrowed Term Bonds through September 1, 2009.

[3] Includes legal fees, trustee fees, printing costs, underwriter's discount, and other miscellaneous expenses.

[4] Total Bond proceeds deposited exclude the Original Issue Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2004-2 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2004-2 FAA may be used to fund authorized facilities of CFD No. 2004-2. The following table provides a summary of the sources and uses of the CFD No. 2004-2 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$77,260.75**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$241,605.97
Special Tax Receipts – Services[2,3]	54,960.80
Miscellaneous Transfers In	0.00
Subtotal: Sources	*$296,566.77*
Uses of Funds	
Transfers to Special Tax Fund[4]	$(134,199.69)
Administrative Expenses	(27,839.52)
Services Costs	0.00
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(162,039.21)*
ENDING BALANCE AS OF JUNE 30, 2023	**$211,788.31**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 The City currently comingles funds for IA-1 and IA-2. Special tax receipts for Services shown in the table above include both IA-1 and IA-2.

4 Represents the collection of funds needed to pay debt service on the Bonds.

B. Special Tax Fund

In accordance with the FAA, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.31**
Sources of Funds	
Special Tax Receipts	$182,764.56
Interest Accrued	55.44
Miscellaneous Transfers (in)[1]	51,984.57
Subtotal: Sources	*$234,804.57*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(186,240.00)
Miscellaneous Transfers (out)[2]	(48,564.87)
Subtotal: Uses	*$234,804.87*
ENDING BALANCE AS OF JUNE 30, 2023	**$0.01**

1 Represents a transfer from the Reserve Fund to make the March 1, 2023 interest payment.

2 Represents a transfer to the Reserve Fund to replenish the fund to the minimum requirement.

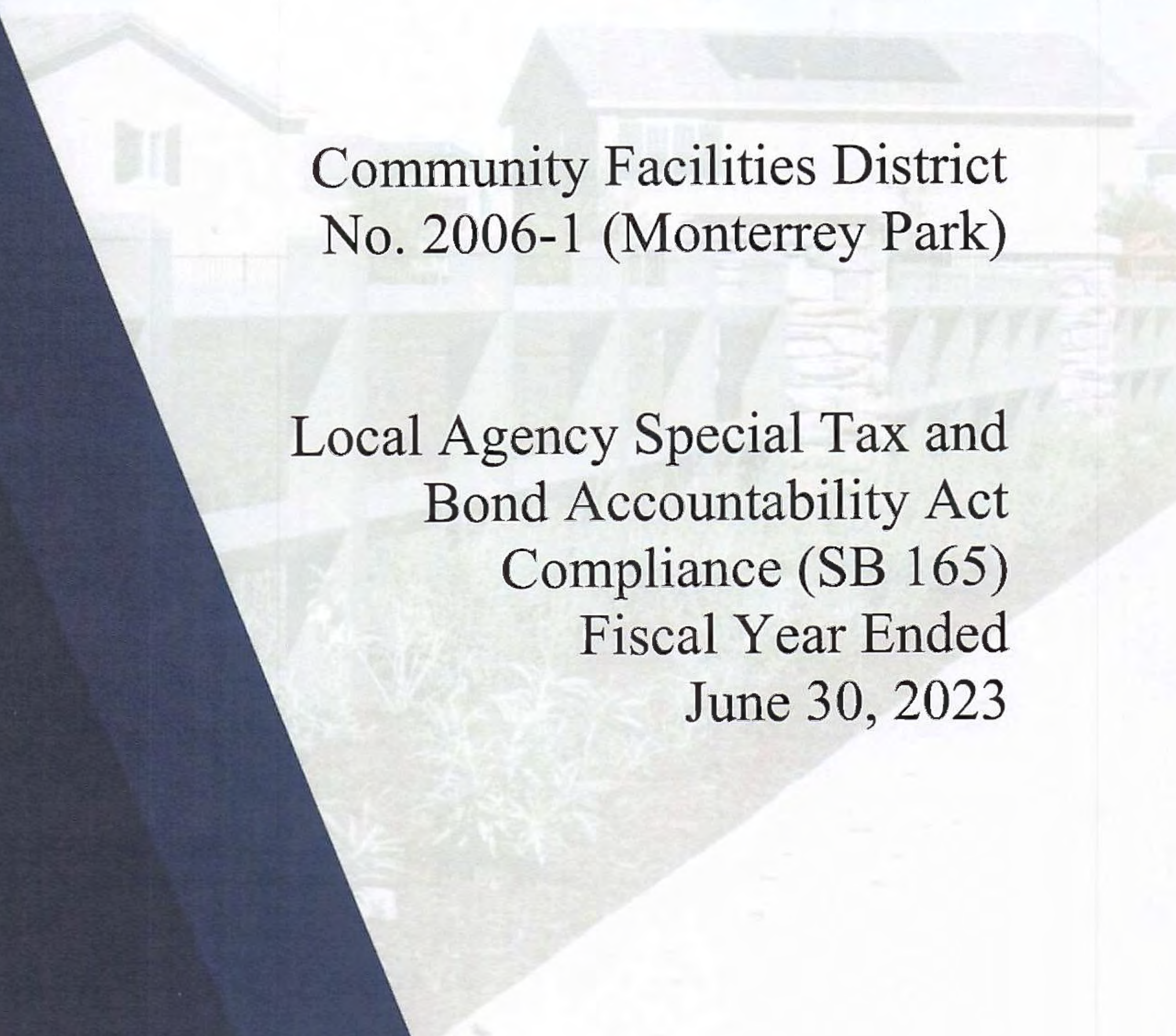
C. Status of Authorized Facilities Projects

The FAA established an Improvement Fund of which proceeds from the Bonds shall be deposited and disbursed for the costs of the authorized facilities. The following table shows the initial Bond proceeds deposited, interest accrued, transfers and expenditures made to fund the Facilities within the Improvement Fund from bond inception through March 1, 2010 when the Improvement Fund was closed.

ITEM	BALANCE
Sources of Funds	
Initial Bond Proceeds Deposited	$1,735,446.59
Interest Accrued	51.76
Miscellaneous Transfers In[1]	7,872.99
Total Sources	*$1,743,371.34*
Expenditures	
Facilities	($1,735,446.59)
Miscellaneous Transfers Out[2]	(7,924.75)
Total Expenditures	*($1,743,371.34)*
Ending Balance as of March 1, 2010	**$0.00**

1 Represents excess costs of issuance and reserve funds transferred into the Improvement as instructed within the Fiscal Agent Agreement for the Bonds.

2 The remaining funds within the Improvement Fund were transferred to the Bond Fund on March 1, 2010 and the Improvement Fund was closed.



City of Imperial
California

City of Imperial

Community Facilities District No. 2006-1 (Monterrey Park)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

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(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2006-1 OVERVIEW

A. Community Facilities District Background

On February 1, 2006, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2006-1 (Monterrey Park) ("CFD No. 2006-1"), along with two separate improvement areas ("Improvement Area No. 1" or "IA-1", and "Improvement Area No. 2" or "IA-2"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2006-1, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On April 5, 2006, an election was held within CFD No. 2006-1 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $23,000,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2006-1 IA-1 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Infrastructure
- Street Improvements
- Drainage
- Sewer and Water Facility Fees & Infrastructure
- Facilities/Fees of the Imperial Irrigation District
- School Facilities/Fees of the Imperial Unified School District
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2006-1 IA-1 and IA-2 is to pay for the costs of maintaining the public safety services (police and fire), the maintenance of parks, parkways, and open space; and storm drain and flood control facilities within or in the vicinity of CFD No. 2006-1 ("Services").

D. Bond Issuance Summary

The City issued Special Tax Refunding Bonds, Series 2016A ("Refunding Bonds") on September 15, 2016 in the aggregate principal amount of $7,370,000, which are authorized to be paid off with the collection of Facilities Special Taxes. A portion of the proceeds of the Refunding Bonds, together with certain existing funds on hand, were used to defease and refund the City's 2007 Special Tax Bonds, Series A ("2007 Bonds"). Approximately $611,890.76 remaining in the funds and accounts established in connection with the 2007 Bonds was transferred to the Escrow Fund for the Refunding Bonds to redeem the 2007 Bonds. The table below summarizes the application of the Refunding Bond proceeds:

FUND/ACCOUNT/SUB-ACCOUNT	REFUNDING BOND PROCEEDS
Escrow Fund to Redeem 2007 Bonds[1]	$7,079,652.36
Reserve Account of the Special Tax Fund	618,948.64
Costs of Issuance Fund[2]	189,517.21
TOTAL[3]	**$7,888,118.21**

[1] Monies deposited into the Escrow Fund were used to redeem the 2007 Bonds on March 1, 2017.

[2] Includes legal fees, trustee fees, printing costs, underwriter's discount, and other miscellaneous expenses.

[2] Total Refunding Bond proceeds deposited include the Original Issue Premium and exclude the Original Issue Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2006-1 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2006-1 Bond Indenture ("Indenture") established in connection with the issuance of the Refunding Bonds may be used to fund authorized facilities of the CFD. The following table provides a summary of the sources and uses of the CFD No. 2006-1 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$257,299.91**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$547,540.81
Special Tax Receipts – Services[2,3]	74,605.04
Miscellaneous Transfers (in)[4]	24,547.00
Subtotal: Sources	*$646,692.85*
Uses of Funds	
Transfers to Special Tax Fund[5]	$(420,993.76)
Administrative Expenses	(12,039.53)
Services Costs	(19,408.21)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(452,441.50)*
ENDING BALANCE AS OF JUNE 30, 2023	**$451,551.26**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 The City currently comingles funds for IA-1 and IA-2. Special tax receipts for Services shown in the table above included both IA-1 and IA-2.

4 Consists of special tax prepayments received from property owners to be transferred to the Fiscal Agent to conduct a bond call on September 1, 2023.

5 Represents the collection of funds needed to pay debt service on the Refunding Bonds.

B. Special Tax Fund

In accordance with the Indenture, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.19**
Sources of Funds	
Special Tax Receipts	$420,993.76
Interest Accrued	9.71
Miscellaneous Transfers (in)[1]	24,547.00
Subtotal: Sources	*$445,550.47*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(420,067.56)
Miscellaneous Transfers (out)[2]	(36.84)
Subtotal: Uses	*$420,104.40*
ENDING BALANCE AS OF JUNE 30, 2023	**$25,446.26**

[1] Consists of special tax prepayments received to be used to conduct a bond call on September 1, 2023.

[2] Consists of excess funds transferred to the Surplus Fund.

C. Status of Authorized Facilities Projects

The improvement fund established to pay for authorized facilities through the issuance of the 2007 Bonds (the "2007 Improvement Fund") had a balance remaining of approximately $611,890.76 at June 30, 2016. The remaining total balance in the 2007 Improvement Fund was combined with other sources of funding and used to defease and fully refund the 2007 Bonds on March 1, 2017 and the fund was subsequently closed.

City of Imperial

Community Facilities District No. 2006-2 (Savanna Ranch)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

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(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2006-2 OVERVIEW

A. Community Facilities District Background

On February 1, 2006, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2006-2 (Savanna Ranch) ("CFD No. 2006-2"), along with two separate improvement areas ("Improvement Area No. 1" or "IA-1", and "Improvement Area No. 2" or "IA-2"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2006-2, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On March 15, 2006, an election was held within CFD No. 2006-2 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $6,000,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2006-2 IA-1 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Infrastructure
- Street Improvements
- Drainage
- Sewer and Water Facility Fees & Infrastructure
- Facilities/Fees of the Imperial Irrigation District
- School Facilities/Fees of the Imperial Unified School District
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2006-2 IA-1 and IA-2 is to pay for the costs of maintaining the public safety services (police and fire), the maintenance of parks, parkways, and open space; and storm drain and flood control facilities within or in the vicinity of CFD No. 2006-2 ("Services").

D. Bond Issuance Summary

The City issued Special Tax Refunding Bonds, Series 2016A ("Refunding Bonds") on July 21, 2016 in the aggregate principal amount of $4,915,000, which are authorized to be paid off with the collection of Facilities Special Taxes. A portion of the proceeds of the Refunding Bonds, together with certain existing funds on hand, were used to defease and refund the City's 2006 Special Tax Bonds ("2006 Bonds"). Approximately $590,451.51remaining in the funds and accounts established in connection with the 2006 Bonds was transferred to the Escrow Fund for the Refunding Bonds to redeem the 2006 Bonds. The table below summarizes the application of the Refunding Bond proceeds:

FUND/ACCOUNT/SUB-ACCOUNT	REFUNDING BOND PROCEEDS
Escrow Fund to Redeem 2006 Bonds[1]	$4,769,384.45
Reserve Account of the Special Tax Fund	402,647.72
Costs of Issuance Fund[2]	201,109.49
TOTAL[3]	**$5,373,141.66**

[1] Monies deposited into the Escrow Fund were used to redeem the 2006 Bonds on September 1, 2016.

[2] Includes legal fees, trustee fees, printing costs, underwriter's discount, and other miscellaneous expenses.

[2] Total Refunding Bond proceeds deposited include the Original Issue Premium and exclude the Original Issue Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2006-2 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2006-2 Bond Indenture ("Indenture") established in connection with the issuance of the Refunding Bonds may be used to fund authorized facilities of the CFD. The following table provides a summary of the sources and uses of the CFD No. 2006-2 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$210,099.59**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$323,276.56
Special Tax Receipts – Services[2,3]	79,206.92
Miscellaneous Transfers (in)	0.00
Subtotal: Sources	*$402,483.48*
Uses of Funds	
Transfers to Special Tax Fund[4]	$(283,075.02)
Administrative Expenses	(12,039.53)
Services Costs	(25,325.88)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(320,440.43)*
ENDING BALANCE AS OF JUNE 30, 2023	**$292,142.64**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 The City currently comingles funds for IA-1 and IA-2. Special tax receipts for Services shown in the table above included both IA-1 and IA-2.

4 Represents the collection of funds needed to pay debt service on the Refunding Bonds.

B. Special Tax Fund

In accordance with the Indenture, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.11**
Sources of Funds	
Special Tax Receipts	$283,075.02
Interest Accrued	8.52
Miscellaneous Transfers (in)	0.00
Subtotal: Sources	*$283,083.54*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(282,345.90)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(282,345.90)*
ENDING BALANCE AS OF JUNE 30, 2023	**$737.75**

C. Status of Authorized Facilities Projects

The improvement fund established to pay for authorized facilities through the issuance of the 2006 Bonds (the "2006 Improvement Fund") had a balance remaining of approximately $590,451.51 at June 30, 2016. The remaining total balance in the 2006 Improvement Fund was combined with other sources of funding and used to defease and fully refund the 2006 Bonds on September 1, 2016 and the fund was subsequently closed.

City of Imperial

Community Facilities District No. 2005-1 (Springfield)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

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SECTION I. INTRODUCTION AND BACKGROUND

The Local Agency Special Tax and Bond Accountability Act ("Accountability Act") was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (*Sections 50075.1 and 53410 of the Government Code of the State of California*), the Local Agency Special Tax and Bond Accountability Act Compliance (the "Report") must be filed annually by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2005-1 OVERVIEW

A. Community Facilities District Background

On March 16, 2005, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2005-1 (Springfield) ("CFD No. 2005-1"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2005-1, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On April 20, 2005, an election was held within CFD No. 2005-1 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $7,500,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2005-1 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Infrastructure
- Street Improvements
- Drainage
- Sewer and Water Facility Fees & Infrastructure
- Facilities/Fees of the Imperial Irrigation District
- School Facilities/Fees of the Imperial Unified School District
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2005-1 is to pay for the costs of maintaining the public safety services (police and fire), the maintenance of parks, parkways, and open space; and storm drain and flood control facilities within or in the vicinity of CFD No. 2005-1 ("Services").

D. Bond Issuance Summary

The City issued Special Tax Refunding Bonds, Series 2015A ("Refunding Bonds") on July 9, 2015 in the aggregate principal amount of $5,480,000, which are authorized to be paid off with the collection of Facilities Special Taxes. A portion of the proceeds of the Refunding Bonds, together with certain existing funds on hand, were used to defease and refund the City's 2005 Special Tax Bonds, Series A ("2005 Bonds"). Approximately $592,567.57 remaining in the funds and accounts established in connection with the 2005 Bonds was transferred to the Escrow Fund for the Refunding Bonds to redeem the 2005 Bonds. The table below summarizes the application of the Refunding Bond proceeds:

FUND/ACCOUNT/SUB-ACCOUNT	REFUNDING BOND PROCEEDS
Escrow Fund to Redeem 2005 Bonds[1]	$5,556,407.50
Reserve Account of the Special Tax Fund	410,300.00
Costs of Issuance Fund[2]	183,976.12
TOTAL[3]	**$6,150,683.62**

[1] Monies deposited into the Escrow Fund were used to redeem the 2005 Bonds on September 1, 2015.

[2] Includes legal fees, trustee fees, printing costs, underwriter's discount, and other miscellaneous expenses.

[2] Total Refunding Bond proceeds deposited include the Original Issue Premium and exclude the Original Issue Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2005-1 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2005-1 Bond Indenture ("Indenture") established in connection with the issuance of the Refunding Bonds may be used to fund authorized facilities of the CFD. The following table provides a summary of the sources and uses of the CFD No. 2005-1 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$296,940.76**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$452,313.05
Special Tax Receipts – Services[2]	45,242.05
Special Tax Prepayments	0.00
Subtotal: Sources	*$497,555.10*
Uses of Funds	
Transfers to Special Tax Fund[3]	$(399,060.60)
Administrative Expenses	(11,133.23)
Services Costs	(4,106.44)
Miscellaneous Transfers (out)[4]	(21,516.00)
Subtotal: Uses	*$(435,816.27)*
ENDING BALANCE AS OF JUNE 30, 2023	**$358,679.59**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 Represents the collection of funds needed to pay debt service on the Refunding Bonds.

4 Consists of special tax prepayments received from property owners and transferred to the Fiscal Agent to conduct a bond call on September 1, 2022.

B. Special Tax Fund

In accordance with the Indenture, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.18**
Sources of Funds	
Special Tax Receipts	$399,060.60
Interest Accrued	190.20
Miscellaneous Transfers (in)[1]	21,516.00
Subtotal: Sources	*$420,766.80*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(399,060.58)
Miscellaneous Transfers (out)[1]	(15,450.00)
Subtotal: Uses	*$(414,510.58)*
ENDING BALANCE AS OF JUNE 30, 2023	**$6,256.40**

[1] Consists of special tax prepayments received and used to conduct a bond call on September 1, 2022.

C. Status of Authorized Facilities Projects

The improvement fund established to pay for authorized facilities through the issuance of the 2005 Bonds (the "2005 Improvement Fund") had a balance remaining of approximately $592,567.57 at June 30, 2015. The remaining total balance in the 2005 Improvement Fund was combined with other sources of funding and used to defease and fully refund the 2005 Bonds on September 1, 2015 and the fund was subsequently closed.

City of Imperial

Community Facilities District No. 2004-1 (Victoria Ranch)

Local Agency Special Tax and Bond Accountability Act Compliance (SB 165) Fiscal Year Ended June 30, 2023

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The Local Agency Special Tax and Bond Accountability Act ("Accountability Act") was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (*Sections 50075.1 and 53410 of the Government Code of the State of California*), the Local Agency Special Tax and Bond Accountability Act Compliance (the "Report") must be filed annually by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

(1) The amount of funds collected and expended to fund authorized facilities.
(2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Report has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2022/2023.

SECTION II. COMMUNITY FACILITIES DISTRICT NO. 2004-1 OVERVIEW

A. Community Facilities District Background

On August 4, 2004, the City Council ("Council") of the City of Imperial ("City") adopted a resolution of intention to form Community Facilities District No. 2004-1 (Victoria Ranch) ("CFD No. 2004-1"), to levy special taxes, and to incur bonded indebtedness for the purpose of financing public improvements to meet the needs of new development. After conducting a noticed public hearing, the Council adopted an ordinance establishing CFD No. 2004-1, providing for the levy of special taxes, approving the proposed rate and method of apportionment of special taxes, and approving the issuance of bonded indebtedness to finance the authorized facilities.

On October 6, 2004, an election was held within CFD No. 2004-1 in which the landowner(s) eligible to vote approved the levy of special taxes and the issuance of bonds in an amount not to exceed $20,000,000.

B. Authorized Facilities

A portion of the Special Taxes collected within CFD No. 2004-1 is to provide for the cost of financing the acquisition and construction of certain public facilities within the City ("Facilities"). Descriptions of the authorized Facilities are as follows:

- City of Imperial Infrastructure including Development Impact Fees
- Drainage
- Sewer and Water Facility Fees & Infrastructure
- Public Park, Recreation or Open Space Facilities
- Landscaping of Public Streets, Right-of-Ways, Storm Drain Facilities, Slopes, Mitigation Monitoring and Appurtenant Facilities

C. Authorized Services

The remaining portion of Special Taxes collected within CFD No. 2004-1 is to pay for the costs of maintaining the public safety services (police and fire), and the maintenance of parks, parkways, and open space ("Services").

D. Bond Issuance Summary

The City issued Special Tax Refunding Bonds, Series 2015A ("Refunding Bonds") on July 15, 2015 in the aggregate principal amount of $5,465,000, which are authorized to be paid off with the collection of Facilities Special Taxes. A portion of the proceeds of the Refunding Bonds, together with certain existing funds on hand, were used to defease and refund the City's 2005 Special Tax Bonds, Series A ("2005 Bonds"). Approximately $1,195,310.62 remaining in the funds and accounts established in connection with the 2005 Bonds was transferred to the Escrow Fund to redeem the 2005 Bonds. The table below summarizes the application of the Refunding Bond proceeds:

Fund/Account/Sub-Account	Refunding Bond Proceeds
Escrow Fund to Redeem 2005 Bonds[1]	$4,888,273.13
Reserve Fund	402,281.26
Costs of Issuance Fund	180,034.71
Total[2]	**$5,470,589.10**

[1] Monies deposited into the Escrow Fund were used to redeem the 2005 Bonds on September 1, 2015.

[2] Total Refunding Bond proceeds deposited include the Original Issue Premium and exclude the Underwriter's Discount.

SECTION III. COLLECTION OF SPECIAL TAXES & EXPENDITURES

A. City-Held Funds

Special Taxes collected are held by the City. Facilities Special Taxes are transferred to the Special Tax Fund held by the Fiscal Agent. The balance of the CFD No. 2004-1 City-held funds that are not required to fund items pursuant to and as further described in the CFD No. 2004-1 Bond Indenture ("Indenture") established in connection with the issuance of the Refunding Bonds may be used to fund authorized facilities of the CFD. The following table provides a summary of the sources and uses of the CFD No. 2004-1 special tax funds held at the City for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022[1]	**$328,804.97**
Sources of Funds	
Special Tax Receipts – Facilities[2]	$434,633.50
Special Tax Receipts – Services[2]	112,285.36
Special Tax Prepayments	13,851.00
Subtotal: Sources	*$560,769.86*
Uses of Funds	
Transfers to Special Tax Fund[3]	$(419,263.04)
Administrative Expenses	(12,895.90)
Services Costs	(28,026.22)
Miscellaneous Transfers (out)[4]	(29,326.00)
Subtotal: Uses	*$(489,511.16)*
ENDING BALANCE AS OF JUNE 30, 2023	**$400,063.67**

1 The beginning balance as of July 1, 2022 does not match the ending balance as of June 30, 2022 due to adjustments made after the end of the previous fiscal year.

2 Includes Special Taxes and any delinquent amounts collected by the County and transferred to the City.

3 Represents the collection of funds needed to pay debt service on the Refunding Bonds.

4 Consists of special tax prepayments received from property owners and transferred to the Fiscal Agent to conduct a bond call on September 1, 2022.

B. Special Tax Fund

In accordance with the Indenture, all Facilities Special Taxes collected by the City shall be deposited in the Special Tax Fund held by the Fiscal Agent. The table below provides a summary of the Facilities Special Taxes deposited, interest accrued, transfers, and other transactions within the Special Tax Fund for fiscal year ended June 30, 2023.

ITEM	BALANCE
BEGINNING BALANCE AS OF JULY 1, 2022	**$0.17**
Sources of Funds	
Special Tax Receipts	$419,263.04
Interest Accrued	682.16
Miscellaneous Transfers (in)	0.00
Subtotal: Sources	*$419,945.20*
Uses of Funds	
Transfers to Bond Fund (Debt Service)	$(393,674.69)
Miscellaneous Transfers (out)	0.00
Subtotal: Uses	*$(393,674.69)*
ENDING BALANCE AS OF JUNE 30, 2023	**$26,270.68**

C. Status of Authorized Facilities Projects

The improvement fund established for the 2005 Bonds to pay for the authorized Facilities (the "2005 Improvement Fund") had a balance remaining of approximately $1,195,310.62 on June 30, 2015. The remaining total balance in the 2005 Improvement Fund was combined with other sources of funding and used to defease and fully refund the 2005 Bonds on September 1, 2015 and the fund was subsequently closed.

Agenda Item No. B-3

DATE SUBMITTED	11/30/2023	COUNCIL ACTION	( )
		PUBLIC HEARING REQUIRED	( )
SUBMITTED BY	City Attorney	RESOLUTION	( )
		ORDINANCE 1ST READING	(X)
DATE ACTION REQUIRED	12/20/2023	ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: DISSCUSION/ACTION:

Adoption of ordinance prohibiting outdoor smoking at City parks and at City signature events.

BACKGROUND/SUMMARY:
After presentations from a local advocacy group, the City attorney has drafted rules prohibiting outdoor smoking at City owned recreational areas and public event areas.

FISCAL IMPACT: The Parks & Recreation Department will post signage at the parks for enforcement. This will cost approximately $19,000, which includes staff time and materials.

FINANCE INITIALS DP

STAFF RECOMMENDATION: Adopt the first reading of the ordinance prohibiting smoking at City recreational areas and City public event areas.

DEPT. INITIALS ________

MANAGER'S RECOMMENDATION: approve staff recommendation

CITY MANAGER's INITIALS DH

MOTION:

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

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ADDING RESTRICTIONS TO OUTDOOR SMOKING IN DESIGNATED AREAS

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

<u>**Section 1:**</u> Adding the following Chapter to the City Ordinances:

"CHAPTER 27. OUTDOOR SMOKING RESTRICTIONS.

Section 1. DEFINITIONS.

For the purposes of this chapter the following definitions shall govern unless the context clearly requires otherwise:

(A) "Cannabis" has the meaning set forth in California Business and Professions Code Section 26001, as that section may be amended from time to time.

(B) "Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.

(C) "Employee" means any person who is employed or retained as an independent contractor by any employer in consideration for direct or indirect monetary wages or profit, or any person who volunteers his or her services for an employer.

(D) "Employer" means any person or nonprofit entity that retains the service of one or more employees.

(E) "Enclosed area" means all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

(F) "Person" means any natural person, business, corporation, partnership, cooperative association, personal representative, receiver, trustee, assignee, or any other legal entity.

(G) "Place of employment" means an area under the control of an employer that an employee or the general public may enter in the normal course of operations, regardless of the hours of operation, including work areas and construction sites.

(H) "Public event areas" means any publicly or privately-owned place used for an event open to the general public, regardless of any fee or age requirement, of events hosted by the City of Imperial, including, but not limited to the City of Imperial Signature events.

(I) "Recreational area" means any area owned by the City of Imperial that is open to the general public for recreational purposes, regardless of any fee or age requirement. The term "Recreational Area" includes, but is not limited to, facilities, parks, playgrounds, athletic fields, restrooms, beaches, picnic areas, spectator and concession areas, walking paths, gardens, hiking trails, bike paths, skateboard parks, and aquatic areas.

(J) "Smoke" or "Smoking" means:

(1) inhaling, exhaling, or burning, any tobacco, nicotine, cannabis, or plant product, whether natural or synthetic;

(2) carrying any lighted, heated, or activated tobacco, nicotine, cannabis, or plant

product, whether natural or synthetic, intended for inhalation; or

(3) using an electronic smoking device or hookah.

(K) "Tobacco product" means:

(1) any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;

(2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or

(3) any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, mouthpieces, and pipes.

"Tobacco product" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

(L) "Tobacco product waste" means any component, part, or remnant of any tobacco product. Tobacco product waste includes any waste that is produced from the use of a tobacco product, including all tobacco product packaging and incidental waste such as lighters or matches, whether or not it contains tobacco or nicotine.

(M) "Tobacco use" means the act of smoking or the consumption of any other tobacco product in any form.

(N) "Unenclosed area" means any area that is not an enclosed area.

Section 2. PROHIBITION OF SMOKING IN UNENCLOSED AREAS.

(A) Smoking is prohibited in the unenclosed areas of the following places within the City of Imperial:

(1) Recreational areas, including but not limited to City of Imperial parks; or

(2) Public event areas.

(B) Nothing in this chapter prohibits any person or employer with control over any property from prohibiting smoking on any part of such property, even if smoking is not otherwise prohibited in that area.

Section 3. ENFORCEMENT

(A) No person or employer shall permit smoking in an area that is under the control of that person or employer and in which smoking is prohibited by this article or any other law.

(B) It is recommended that a person or employer that has control of an area in which smoking is prohibited by this chapter shall post a clear, conspicuous, and unambiguous "No Smoking" or "Smoke-Free" sign at each entrance to the area, and in at least one other conspicuous point within the area. The presence or absence of signs shall not be a defense to a charge of smoking in violation of any other provision of this chapter.

(C) City staff and volunteers will be notified about the requirements of this chapter as deemed appropriate by the City Manager.

(D) City staff will communicate the requirements of this chapter to public event organizers. City staff may also make periodic observations of recreational areas and other city property covered by this chapter to monitor for compliance. Anyone found by city staff to be violating this chapter will be reminded of its requirements and asked to comply before being subject to ejection from the property.
(E) A person or employer that has control of an area in which smoking is prohibited by this chapter shall direct anyone who is smoking in violation of this chapter to extinguish the product being smoked. If they do not stop smoking, the person or employer shall refuse any service and shall immediately ask them to leave the property. If the ejection is from a public event, it shall be for the duration of the public event.
(F) No person or employer shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this chapter.

Section 4. VIOLATIONS AND PENALTIES
(A) Each refusal to comply with a request from a city employee in violation of this Chapter may be subject to a fifty dollar ($50) administrative fine.
(B) A person or employer that has control of an area in which smoking is prohibited by this chapter and that fails to comply with this chapter shall be guilty of an administrative fine punishable by:

(1) A fine not exceeding one hundred dollars ($100) for a first violation.

(2) A fine not exceeding one hundred and fifty dollars ($150) for a second violation within one year.

(3) A fine not exceeding two hundred and fifty dollars ($250) for each additional violation within one year.

(C) Multiple violations of this chapter by a person or employer that has control of an area in which smoking is prohibited by this chapter may result in the suspension or revocation of any permit or license issued to the person for the property on which the violations occurred.
(D) Any violation of this chapter is hereby declared to be a public nuisance.
(E) Any violation of this chapter may be remedied by a civil action brought by the city attorney including, but not limited to, administrative or judicial nuisance abatement proceedings, civil code enforcement proceedings, and suits for injunctive relief.
(F) Each instance of smoking in violation of this chapter shall constitute a separate violation. For violations other than for smoking, each day of a continuing violation of this chapter shall constitute a separate violation.
(G) The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity."

Section 5. Severability. If Any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

Section 6. Effective Date Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to California Government Code section 36933.

CERTIFICATION

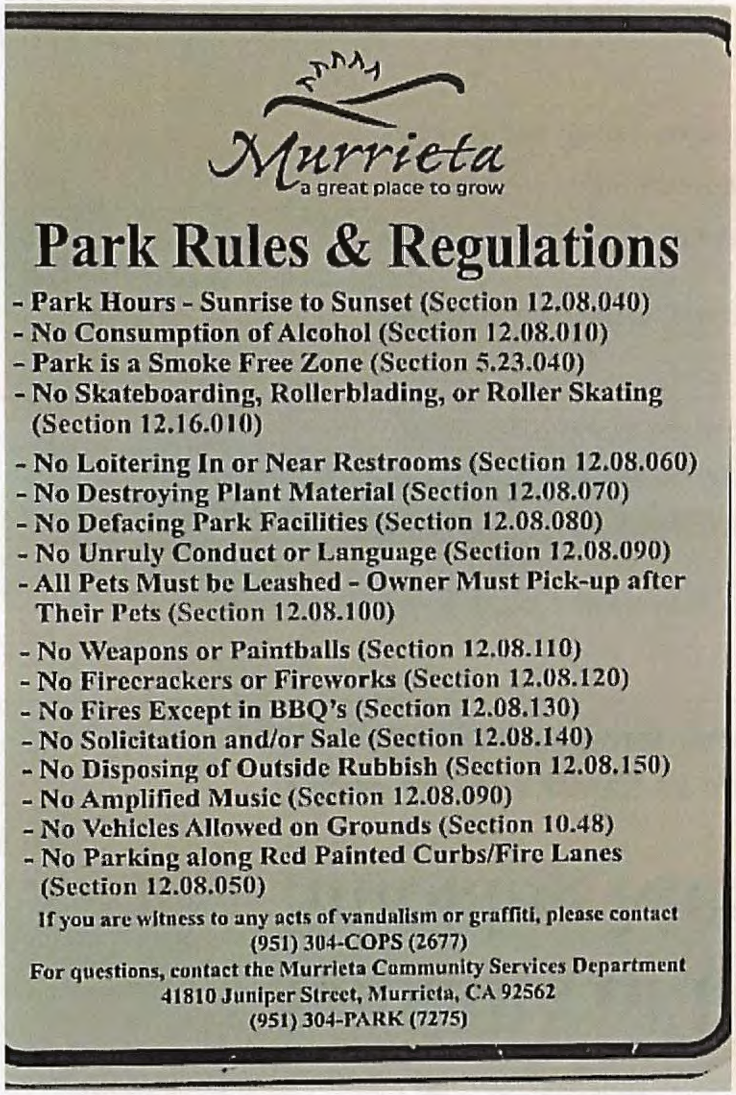
I, Kristina M. Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 6th day of December, 2023, and had its second reading on the 20th day of December, 2023 and was passed by the following vote, to wit:

AYES: Burnworth, Mendoza, Obeso-Martinez, Tucker, Amparano
NOES: None
ABSENT: None
ABSTAIN: None

AYES: Burnworth, Mendoza, Obeso-Martinez, Tucker, Amparano
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 20th day of December, 2023.

KRISTINA M. SHIELDS,
City Clerk



Cost Breakdown for Park Rules and Regulation Signage

This presentation is for City Council to see the cost associated with adding park signage to all 17 locations that will incorporate park hours and rules, which will also include no smoking.

Benefits of Park Rules with No Smoking Messaging

These are examples of park rules and regulations that can be enforced and how they can benefit the community.

1 Park Rules and Regulations 📜

No littering, No feeding wildlife, No alcohol allowed, No loud music, No camping without permission, No off-leash pets

2 Health & Safety 🚭

No smoking signs protect park visitors from second-hand smoke exposure, promoting a healthier environment.

3 Nature Conservation 🌿

By having these signs in place, it will help preserve the natural surroundings, reducing fire risks and preventing litter.

4 Community Engagement 🤝

Installing rules and regulation signs with no smoking included demonstrates social responsibility, promoting a sense of unity and respect among park-goers.

Cost Analysis

1 — Sign Materials & Designs 💡

The park signs will incorporate hours, rules and regulations with a no smoking component. The design will be a square with a two pole in ground support, high heat tolerant coating, and anti-graffiti protection.

2 — Installation 💪

Installation will be handled in house by the Parks and Recreation Department with no additional labor or installation cost to the city budget.

3 — Impact to the Budget 💰

Cost associated with the purchase and installation for all the City park locations will be a direct impact on the general fund. These signs were not budgeted for the 2023-2024 fiscal year.

Project cost estimate: $19,000.00

Signage

- 17 4×6 signs with high heat and anti-graffiti coating
- Approximately $1,000.00 per sign

Staff Time

- 6 hours per sign
- 17 signs total

Installation Cost

- City staff time

Material Cost

- 34 4×4×10 pressure treated posts
- Nuts, bolts, and hardware
- 51 bags of concrete (3 pages per sign)

Agenda Item No. B-4

DATE SUBMITTED		COUNCIL ACTION	( )
SUBMITTED BY	Imperial Police Dept.	PUBLIC HEARING REQUIRED	( )
DATE ACTION REQUIRED	12/20/23	RESOLUTION	( )
		ORDINANCE 1ST READING	( )
		ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:

Discussion: approve/disapprove purchase of one (1) new T350 mid-roof transit van for Community Youth Outreach Program

DEPARTMENT INVOLVED: Police Department

BACKGROUND/SUMMARY:

At the beginning of FY 23-24 ,the Police Department ("Department") re-instituted it's Police Cadet Program as a Community Youth Outreach Program ("Program"). The Program was authorized for 20-25 Police Cadet ("Cadet") positions. As of current the Program consists of three (3) Cadets with an additional three (3) to be added for total of six (6) Cadets. As the Program will continue to grow, the need for a transport vehicle has become essential. The vehicle will be used to transport the Cadets to and from City events, out of County Competitions and other trips as identified in a safe manner.

The Department mad inquiries with our enterprise partners both for leasing options and potential purchase of certified used vehicles. However, both options were deemed unfeasible due to length of lease, five (5) years or more, and current condition of used vehicles (excess of 60-70K miles with a starting price point of $48,000).

The Department then checked with our local Ford dealer (El Centro Motors) and were able to locate a new 2023 Ford T350 Mid-Roof Transit Van. With a $1,000 deduction for Youth Program Sponsorship by the dealership, the out the door cost of the vehicle is $60,257.84 (invoice attached). Purchase of said vehicle will not have a fiscal impact on the general budget. Special funding will be utilized.

FISCAL IMPACT: NOT TO EXCEED

There will be no fiscal impact to the general budget.

Price not to exceed $61K

01-214-533 - Community Youth Outreach Program

FINANCE INITIALS: DP

STAFF RECOMMENDATION:

Approve

DEPT. INITIALS: MO

MANAGER'S RECOMMENDATION: approve

CITY MANAGER's INITIALS: DHM

MOTION:

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

FORD LINCOLN

EL CENTRO MOTORS

1520 West Ford Drive
EL CENTRO, CA 92243
760-336-2100

FORD LINCOLN

MOTOR VEHICLE PURCHASE ORDER

Date 12/07/2023

Salesperson PAUL AVILA

Purchaser CITY OF IMPERIAL Soc. Sec. # ______ Res. Phone ______ Bus. Phone ______

Address ______ City IMPERIAL State CA ZIP 92251

I hereby agree to purchase from you under the terms and conditions specified, the following: Delivery is to be made ______, 20____, or as soon thereafter as possible. It is agreed, however, that neither you nor the Manufacturer will be liable for failure to effect delivery.

VEHICLE

NEW / USED	Quantity	Year	Make	Series Name	Body Style	Engine	Stock No.
NEW ✓	1	23	FORD	T-350	PASSANGER XL	3.5 L	

Color	Trim	VIN
OXFORD WHITE	XL RWD	1FBAX2C84PKC01531

License No.	Tab No.	Key No's.	Mileage at Delivery
		2	

ACCESSORIES

1 T350 MR PASSANGER XL RWD	Cash Price of Vehicle	$55,800	00

DESCRIPTION OF TRADE-IN	CREDITS			
Year Make Cyl.	Payoff to		Documentary Preparation Charge (not a government Fee)	85.00
Series Name Body Style	Used Trade-In Allowance		Cash Price of Vehicle and Accessories	
License No. Tab No.	Less Balance Owed On Trade-In		Sales Tax	4331.09
Serial or Engine No.	Net Trade-In Allowance		Lic., Trans., Reg. & Other Fees	41.75
Extra Equipment	Cash Down Payment		Total Cash Price	60,257.84
			❶ Less Total Credits	
Mileage	❶ Total Credits		Unpaid Cash Balance Due	

WARNING - Unless a charge is included in this agreement for Public Liability or Property Damage Insurance, payment for such coverage is not provided by this agreement.

Notice to the buyer: (1) Do not sign this agreement before you read it or if it contains any blank spaces to be filled in. (2) You are entitled to a completely filled-in copy of this agreement. (3) If you default in the performance of your obligations under this agreement, the vehicle may be repossessed and you may be subject to suit and liability for the unpaid indebtedness evidence by this agreement.

The front and back of this order comprise the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding or promise whatsoever, will be recognized. I have read the matter printed on the back hereof and agree to it as a part of this order the same as if it were printed above my signature.

RECEIPT OF A FILLED-IN COPY OF THIS AGREEMENT IS HEREBY ACKNOWLEDGED BY PURCHASER

I have read, and I understand and accept all provisions of the Manufacturer's Warranty Statement covering this new vehicle that I am ordering.

Dealer's Name EL CENTRO MOTORS BY LUIS SOTELO Purchaser's Signature ______

Accepted ______ Purchaser's Signature ______

This order not valid until accepted by DEALER OR SALES MANAGER

Preview Order Z600 - X2C 350 Med Roof Pass RWD: Order Summary Time of Preview: 12/01/2023 08:43:48 Receipt: 9/25/2023

Dealership Name: El Centro Motors **Sales Code :** F71423

Dealer Rep.	Michael Morris	**Type**	Stock	**Vehicle Line**	Transit	**Order Code**	Z600
Customer Name		**Priority Code**	20	**Model Year**	2023	**Price Level**	365

DESCRIPTION	MSRP	DESCRIPTION	MSRP
X2C0 T350 MR PASS XL RWD	$52010	9250# GVWR PACKAGE	$0
148" WHEELBASE	$0	2WAY DRV/PASS PALAZZO VINYL	$0
OXFORD WHITE	$0	50 STATE EMISSIONS	$0
VINYL	$0	REVERSE SENSING SYSTEM	$295
DARK PALAZZO GRAY	$0	SHORT-ARM PWR HEAT MIRRORS	$160
PREFERRED EQUIPMENT PKG.301A	$0	ELEC AIR TEMP CONTROL	$0
.XL TRIM	$0	SYNC 4 AM/FM BLUETOOTH	$930
3.5L PFDI V6 (GAS)	$0	CRUISE CONTROL	$325
.10-SPEED TRANSMISSION	$0	HIGH RES REAR VIEW CAMERA	$0
.235/65R16C BSW ALL-SEASON	$0	BLACK ALUM ALLOY WHEEL	$525
3.73 LIMITED SLIP AXLE	$325	RUNNING BOARD	$310
JOB #1 ORDER	$0	2 ADDITIONAL KEYS	$75
CV LOT MANAGEMENT	$0	E-85 FLEX FUEL CAPABLE	$0
CA NEW MTR VEHICLE BOARD FEES	$0	FUEL CHARGE	$0
FRONT LICENSE PLATE BRACKET	$0	PRICED DORA	$0
AUTO START STOP REMOVAL	$-50	DESTINATION & DELIVERY	$1895

	MSRP
TOTAL BASE AND OPTIONS	$56800
DISCOUNTS	NA
TOTAL	$56800

1FBAX2C84PKC01531

Customer Name:
Customer Address:

Customer Email:

Customer Phone:

Customer Signature Date

This is not an invoice.

Agenda Item No. B-5

DATE SUBMITTED	12/12/23
SUBMITTED BY	Imperial Police Dept.
DATE ACTION REQUIRED	12/20/23

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:
Approval of agreement between the City of Imperial and Imperial Unified School District for Part time School Resource Officer for the remainder of 2023-2024 school year.

DEPARTMENT INVOLVED: Police Department

BACKGROUND/SUMMARY:

The City of Imperial Police Department has agreed to provide a Part Time School Resource Officer ("SRO") for the remainder of the 2023-2024 Imperial Unified School District ("IUSD") school year, which for the purpose of this agreement will commence February 5, 2024.

SRO services include investigation of reported or self-initiated criminal law violations and response to police-related safety incidents, teacher / Faculty training, classroom presentations, participation in parent workshops / conferences and to provide students with law enforcement related counseling, guidance and referrals to other agencies as needed.

IUSD will pay the City $17,812.83 (50%) of the fully burdened cost of placing the SRO at IUSD facilities during the remaining 2023-2024 school year .

FISCAL IMPACT:

City: $17,812.83 (COPS Funding - 31-210-5330)

IUSD: $17,812.83 (reimbursement basis)

FINANCE INITIALS DP

STAFF RECOMMENDATION:

Approve

DEPT. INITIALS

MANAGER'S RECOMMENDATION: approve

CITY MANAGER's INITIALS

MOTION:

SECONDED:
AYES:
NAYES:
ABSENT:

APPROVED	( )	REJECTED	( )
DISAPPROVED	( )	DEFERRED	( )

REFERRED TO:

PART – TIME SCHOOL RESOURCE OFFICER MEMORANDUM OF UNDERSTANDING

Imperial Unified School District

THIS MOUMEMORANDUM OF UNDERSTANDING ("MOU") FOR PART-TIME SCHOOL RESOURCE OFFICER, is made and entered into effective this ___day of ____________, 2023, by and between the **CITY OF IMPERIAL** a municipal corporation of the State of California, ("City") and the **IMPERIAL UNIFIED SCHOOL DISTRICT** ("IUSD" or "District") (individually, "Party", collectively "Parties"):

RECITALS

WHEREAS, the City and the District are committed to providing safe schools where students can learn and teachers can teach and agree that effective schooling requires a safe and orderly environment in which learning can occur; and

WHEREAS, the City, the IUSD and the City of Imperial Police Department ("IPD" or "Police Department") recognize that children are our community's most valuable asset, and the safety of students and staff in our school district is a shared priority of the City, the IUSD, the IUSD Governing Body, students, staff, parents, and guardians; and

WHEREAS, the City and IPD, in collaboration with the IUSD, has implemented the School Resource Officer Program ("SRO Program"); and

WHEREAS, the parties to this MOU agree that at all times School Resource Officers ("SROs") are sworn law enforcement officers employed by the IPD who have a duty and obligation to enforce the laws of the State of California and, at all times, are governed by the Rules and Regulations of the IPD; and

WHEREAS, the parties to this MOU further agree and understand that the responsibility for school discipline rests with school administration and all decisions related to school discipline must be consistent with the District's Code of Conduct; and

WHEREAS, the parties wish to enter into an MOU that complies with applicable California Department of Education Laws and Codes and defines roles and responsibilities of school personnel, security personnel, and law enforcement who are deployed in schools.

NOW, THEREFORE, for good and valuable consideration, it is agreed as follows:

1. PURPOSE

The purpose of this MOU is to provide for the health, safety, and welfare of IUSD students by providing for community partnership programs involving SRO assigned by the City, through IPD to IUSD Schools.

This MOU is intended to facilitate a clear understanding of the roles, duties, and responsibilities of SROs, IUSD, City and IPD in this collaboration. This MOU formalizes the partnership between the IUSD, the City, and IPD related to the assignment of SROs within the District.

This MOU reinforces the commitment of the parties that schools are meant to be safe places where students can learn from their mistakes in order to grow into healthy, productive adults. The purpose of this MOU is to set forth guidelines to ensure that the City, IPD, and IUSD have a shared understanding of the roles and responsibilities of each in maintaining safe schools, improving school climate, and supporting educational opportunities for all students.

2. SRO DUTIES AND SCHEDULE

2.1. Duties: The SRO's scope of duties when assigned in said capacity, will include:

a) investigate reported or self-initiated criminal law violations and response to police-related safety incidents,
b) provide teacher / Faculty training when requested,
c) conduct classroom presentations when requested,
d) participate in parent workshops / conferences, and/or
e) offer students law enforcement related counseling, guidance and referrals to other agencies, as needed.

2.2. Schedule

2.2.1 The Parties shall agree upon a schedule for the SRO's duties and at which school sites. The parties anticipate the Resource Officer time to be distributed between all sites, District locations and District-sponsored events, depending on the needs of the District.

2.2.2 The SRO will be assigned to work Tuesday through Friday (1100hrs. through 1600hrs.) which corresponds with the days and hours the majority of students are on campus. The standard expectation will be the SRO will generally not request discretionary time off during the regular school calendar. In the event that there is an absence or replacement, section 3 of this MOU shall apply.

3. ABSCENSES AND REPLACEMENTS

3.1 Absences: In the event an assigned SRO is to be absent from work, the SRO shall notify his/her City supervisor. The City shall promptly notify the Superintendent of Schools that the SRO will be absent and shall assign a replacement and shall notify the Superintendent or designee of the replacement.

3.2 Replacements and Removals: In the event that the Superintendent of Schools and/or the City determine that the work of an SRO is unsatisfactory to either or both, the Superintendent and the City shall meet to seek agreement on corrective action to be taken to address the issue. The City shall have discretion to appropriately address any personnel matters and shall comply with City MOUs, rules and regulations regarding the same.

4. PARTIES UNDERSTANDING AND RESPONSIBLITIES

4.1 Understanding: It is understood by IUSD that the City is a public agency providing service to IUSD. Additionally, it is understood by the parties that the SRO shall be an employee of the City entitled to all rights and benefits accorded to similarly situated City employees and that the SRO is not an employee of IUSD nor is the SRO entitled to any rights and benefits of an IUSD employee. Accordingly, the City will be responsible for all local, state and federal employment withholding taxes, workers compensation for its employees, and all other applicable employment costs and benefits for the SRO.

4.2 City responsibilities

4.2.1 City agrees to provide a SRO Officer to act as a uniformed officer with high visibility presence on and around the various school sites of IUSD, located in the City during the agreed upon times and/or days.

4.2.2 City agrees to furnish all normal equipment associated with the position of police officer, to include the use of an IPD vehicle. City will provide the administrative support services for all personnel assigned under this MOU. City agrees to send the assigned SRO to the basic (CA - POST) School Resource Officer Course within the first 120 days of the assignment, if POST has not yet been completed or is not current.

4.2.3 City shall bear the cost of any overtime accrued by the SRO when assigned to duties unrelated to IUSD.

4.2.4 City agrees not to invoice IUSD for any sick days or schedule days off associated to the SRO specific to his / her regular assigned work period. In the event the SRO will be out in excess of 7 or more days, IPD will make every effort to find a replacement officer, temporarily, until the SRO returns.

4.2.5 The service of the SRO under this MOU shall be subject to the supervision by and direction from the City's Authorized Representative (the Police Chief) or an authorized designee of the Police Chief.

4.2.6 The services performed by the City under this MOU shall be subject to the provisions of the Joint Exercise of Powers Act (Government Code sections 6500, et seq.); in particular, the immunity protections of Government Code section 6513, and the provisions of Government Code sections 895 through 895.8.

4.3 IUSD Responsibilities

4.3.1 IUSD will include the SRO in appropriate IUSD meetings, trainings and updates, as needed. An IUSD representative will act as liaison between IUSD and City. The IUSD representative will work with the SRO to maintain records of data including, (for example, arrests, offenses, dispositions.)

4.3.2 IUSD will provide a secure workspace/office space for the assigned SRO. IUSD shall reimburse City for cost of cell phone issued for the Resource Officer's use in carrying out the City's duties as set forth in this MOU.

4.3.3 Except as specifically set forth herein, IUSD shall pay 50% of the fully burdened base pay of placing the SRO at IUSD in effect as of the date of this MOU and as may be amended from time to time.

4.3.4 In the event the SRO is entitled to receive overtime pay during any period wherein the SRO has performed SRO duties assigned by IUSD, IUSD shall reimburse the City for the additional cost of overtime earned by the SRO on a pro rata basis.

5. COMPLAINTS

If a concern arises pertaining to the quality of services performed by any SRO under this MOU, the IUSD Authorized Representative, the Superintendent or authorized designee, shall promptly notify the City's Authorized Representative, the Chief of Police or authorized designee, regarding the nature of the concern and any requested corrective action to be taken by the City.

6. TERM OF MOU

The term of this MOU shall be for the remainder of the FY 2023-2024 school year. This shall include **85 days**, which, for purposes of this MOU, **starts on February 5, 2024**. The Parties agree to enter into negotiations for subsequent fiscal years not later than May of 2024

7. COMPENSATION

IUSD shall pay the City 50% of the fully burdened base pay for services provided under this MOU during the term of the MOU as outlined in Section 6 "Term of MOU" for a total of **seventeen thousand eight hundred twelve dollars and eighty-three cents ($17,812.83).**

8. PAYMENT

IUSD shall make payment to the City no later than thirty (30) days after IUSD's receipt of an invoice from the City. City shall bill monthly.

All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail. Notice, bills and payments sent by mail should be addressed to the parties' Authorized Representatives as follows:

TO CITY: City of Imperial
420 South Imperial Avenue
Imperial, California 92251
Attn: Dennis H. Morita, City Manager

TO IUSD: Imperial Unified School District
219 North "E" Street
Imperial, California 92251
Attn: Bryan Thomason, Superintendent

And when so addressed, shall be deemed given upon deposit in the United States mail, postage prepaid. Changes may be made in names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

9. INDEMNIFICATION

9.1 City of Imperial

The City agrees to indemnify and save IUSD, its agents and employees, harmless from any and all claims, damages, costs and expenses in law or equity, including cost of suits and expenses for legal services caused by the independent acts of the City, its agents or employees, in connection with the performance of this MOU.

9.2 Imperial Unified School District

IUSD agrees to indemnify and save the City, its agents and Employees, harmless from any and all claims, damages, costs or expenses in law or equity, including costs of suits and expenses for legal services, caused by the independent act of IUSD, its agents or employees, in connection with the performance of this MOU.

These provisions shall survive any expiration, termination, or non-renewal of this MOU.

10. INDEPENDENT CONTRACTOR

10.1 The City shall be providing services to IUSD as an independent contractor, and any and all services performed by the SRO under this MOU shall be performed consistent with this relationship.

10.2 The SRO shall not hold himself/herself out as, nor claim to be, an officer or employee of the School District, nor make any claim, demand, or application to or for any right or privilege applicable to an officer or employee of the School District, including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage, disability benefits, or retirement membership or credit.

10.3 The SRO shall not have, or hold himself/herself out as having the authority or power to bind or create liability for the School District by the SRO's acts or omissions.

10.4 As the SRO's employer, the City shall comply with all Federal, State, and local laws rules and regulations.

10.5 The City shall pay any applicable taxes, including income taxes, workers' compensation insurance, unemployment insurance payment, disability insurance payment, and/or any other payments that may be required under the laws, rules, or regulations of any government agency having jurisdiction over the City or its relationship with the School District.

11. INSURANCE

Each party accepts the others' self-insurance in lieu of requiring specific commercial coverage.

12. TERMINATION OF MOU

12.1 IUSD or City may terminate this MOU without cause any time after the Effective Date, by giving a thirty (30) days written notice to the other party.

12.2 In the event that City fails to perform a material term of this MOU, then District shall have the right to terminate the MOU with seven (7) days' written notice. Prior to giving such notice, IUSD shall notify the City's Authorized Representative of the material failure and City shall have seven (7) days to cure the failure (if possible).

12.3 In the event of termination, IUSD shall compensate City as set forth herein through the date of termination for the services of the Resource Officer and shall continue to receive said services from City through the date of termination (if desired by IUSD).

13. GENERAL PROVISIONS

13.1 Headings. The heading titles for each paragraph of this MOU are included only as a guide to the contents and are not to be considered as controlling, enlarging, or restricting the interpretation of the MOU.

13.2 Severability. If any term of this MOU (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the MOU shall be construed as not containing that term, and the paragraph shall not be applied to the extent that it would result in a frustration of the parties' intent under this MOU.

13.3 Governing Law, Jurisdiction, and Venue. The interpretation, validity, and enforcement of this MOU shall be governed and interpreted in accordance with the laws of the State of California. Any suit, claim or legal proceeding of any kind related to this MOU shall be filed and heard in a court of competent jurisdiction in the County of Imperial.

13.4 Attorney's Fees. In the event any legal action is commenced to enforce or interpret this MOU, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred, whether or not such action proceeds to judgment.

13.5 Assignment and Delegation. This MOU, and any portion thereof, shall not be assigned or transferred, nor shall any of the parties' duties be delegated without the written consent of the other. Any attempt to assign or delegate this MOU without written consent shall be void and of no force or effect. A consent by a party to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.6 Modifications. This MOU may not be modified orally or in any manner other than by an MOU in writing signed by both parties.

13.7 Waivers. Waiver of a breach or default under this MOU shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this MOU.

13.8 Time. Time is of the essence in carrying out the duties hereunder.

13.9 Entire MOU. This MOU, including all documents incorporated herein by reference, comprises the entire integrated understanding between the parties concerning the services described herein. This MOU supersedes all prior negotiations, MOUs, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this MOU are complementary; what is called for in one is binding as if called for in all.

13.10 Each Party's Role in Drafting the MOU. Each party to this MOU has had an opportunity to review the MOU, confer with legal counsel regarding the meaning of the MOU, and negotiable revisions to the MOU. Accordingly, neither party shall rely upon Civil Code Section 1654 in order to interpret any uncertainty in the meaning of the MOU.

13.11 Signatures. The individuals executing this MOU represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this MOU on behalf of the respective legal entities of the IUSD and the City.

13.12 Ratification. This MOU is subject to ratification by the Governing Board of the IUSD.

IN WITNESS WHEREOF, the Parties have executed this MOU on the day and yea first above written.

CITY OF IMPERIAL: **A Municipal Corporation**	**IMPERIAL UNIFIED SCHOOL DISTRICT:**
By: ___________________________ Dennis H. Morita, City Manager	By: ___________________________ Bryan Thomason, Superintendent

ATTEST:

____
City Clerk

Date Ratified by the IUSD Governing Board: __________________

To: Kristen Smith, H.R. Manager

From: Chief M. Crankshaw

Date: October 18, 2023

Subject: Justification Memorandum – School Resource Officer / Traffic Officer Position

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Purpose:

This memorandum serves as an informative breakdown for a newly multi-purpose sworn police officer position. This position would satisfy the request / needs of the Imperial Unified School District (IUSD) for a second School Resource Officer (SRO), while accomplishing an identified need from the police department for a traffic enforcement officer.

Background:

In June - 2023, I was contacted by City Manager – Dennis Morita in reference to a request from (IUSD) for a possible second (SRO). Mr. Morita advised that an Ad hoc committee, comprised of (2) school board members and (2) city council members, have met to discuss either a grant funded full-time SRO position or the possibility of a (SRO) partially funded by the school to work part-time.

On August 23, 2023, I met with (IUSD) Superintendent – Bryan Thomason with City Manager Morita. During the meeting, we discussed the previous issues the department encountered connected to a grant position for the (SRO), specifically the stat numbers did not support our request. We are currently tracking the upcoming COPS Grants, which become available for submissions in February - 2024.

After completing a full assessment on our department needs and resource assignments, the position - traffic enforcement officer was identified. This position would focus on enforcement of both moving and parking violations, as well as, handle the majority of traffic related collision investigations / reports during high volume times.

Proposal:

Based on the (2) two above areas of need, an opportunity to partner with (IUSD) and create a hybrid position that would potentially provide unique coverage for both outlined issues would be achievable. The Position would be titled (SRO) with traffic duties and would be a 50/50 funded position between the two agencies.

The assigned officer would work a 4-10 schedule (Tuesday through Friday) from 0600hrs.–1600hrs. The daily breakdown would be as follows:

- Citywide Traffic enforcement duties 0600hrs. – 1100hrs.
- School (SRO) duties 1100hrs. – 1600hrs.

Respectfully submitted,

Michael Crankshaw, Interim Chief of Police

Agenda Item No. B-6

DATE SUBMITTED	12/13/23	COUNCIL ACTION	( )
		PUBLIC HEARING REQUIRED	( )
SUBMITTED BY	Public Services	RESOLUTION	( )
		ORDINANCE 1ST READING	( )
DATE ACTION REQUIRED	12/27/23	ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: Continue Emergency at Aten Rd & HWY 86 Intersection

DISCUSSION/ACTION:

1. DISCUSS, APPROVE/DISAPPROVE CONTINUATION OF EMERGENCY AT ATEN RD & HWY 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 with Bear Electric. All replacement and integration has been completed and are awaiting final invoicing and final documentation.

FISCAL IMPACT: $32K to date TBD

FINANCE INITIALS

STAFF RECOMMENDATION: Approve Continuance

DEPT. INITIALS

MANAGER'S RECOMMENDATION: Approve

CITY MANAGER's INITIALS DHM

MOTION:

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

Agenda Item No. C-1

DATE SUBMITTED		COUNCIL ACTION	(X)
SUBMITTED BY	Jenell Guerrero	PUBLIC HEARING REQUIRED	( )
DATE ACTION REQUIRED	12/20/23	RESOLUTION	( )
		ORDINANCE 1ST READING	( )
		ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:

1. Approve Cal OES form 130 designating City Manager and Finance Manager as authorized agents for City of Imperial to be eligible to obtain financial assistance via Federal/State means following a disaster.

DEPARTMENT INVOLVED: City Manager

BACKGROUND/SUMMARY:

A Designation of Applicant"s Agent Resolution for Non-State Agencies (Cal OES form 130) is required of all applicants to be eligible to receive funding through Federal/State means as a result of natural disasters, pandemics, etc. A resolution must be passed by the applicable governing body and submitted to California Governor's Office of Emergency Services and remain active for three (3) years.

It is, therefore, requested that Council approve Cal OES form 130 designating the City Manager and Finance Manager as authorized agents for the City of Imperial. The designation will be effective for all open and future disasters/grants declared up to three (3) years following the date of approval.

FISCAL IMPACT: NOT TO EXCEED There is no fiscal impact.	FINANCE INITIALS DG
STAFF RECOMMENDATION: Staff recommends approval of Cal OES form 130 designating the City Manager and Finance Manager as authorized agents for the City of Imperial.	DEPT. INITIALS JMG
MANAGER'S RECOMMENDATION: Approve staff recommendation.	CITY MANAGER's INITIALS DHM

MOTION:

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

Cal OES ID No: 025-36280

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE City Council OF THE City of Imperial
(Governing Body) (Name of Applicant)

THAT City Manager, OR
(Title of Authorized Agent)

Finance Manager, OR
(Title of Authorized Agent)

____
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Imperial,
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the City of Imperial, a public entity established under the
(Name of Applicant)
laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

DESIGNATION OF APPLICANT'S AGENT RESOLUTION NON-STATE AGENCIES

Please check the appropriate box below

☑ This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.

☐ This is a disaster/grant specific resolution and is effective for only disaster/grant number(s):________________

Passed and approved this___day of____________, 20____

____
(Name and Title of Governing Body Representative)

____
(Name and Title of Governing Body Representative)

____
(Name and Title of Governing Body Representative)

CERTIFICATION

I, Kristina Shields, duly appointed and City Clerk of
(Name) (Title)

City of Imperial, do hereby certify that the above is a true and
(Name of Applicant)

correct copy of a resolution passed and approved by the City Council
(Governing Body)

of the City of Imperial on the_____ day of______________, 20___.
(Name of Applicant)

______________________________ City Clerk

(Signature) (Title)