



Imperial City Council

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

AGENDA

Regular Meeting of the Imperial City Council

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

January 3, 2024

Closed Session at 06:00 pm

Open Session at 07:00 pm

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

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

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

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: The City Council welcomes public input. Members of the public may address the City Council on Closed Session items by contacting the City Clerk's Office at 760-355-3334. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). If you are compensated to communicate with City officials, you may be required to register and/or make certain disclosures as a lobbyist. Please see the City Clerk for additional information. There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – G.C § 54956.7 (b)(1)

Title of Position: City Manager

B. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.)

Agency Designated Representatives: Dennis H. Morita, City Manager
Kristen Smith, Human Resources Manager
Employee Organizations: Teamsters Local Union No. 542
Imperial Police Officers Association

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

ADJUSTMENTS TO THE AGENDA: The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or “no” votes on consent calendar items and request consent calendar items be removed from the consent calendar for discussion. The City Council may also remove items from the consent calendar prior to that portion of the agenda. For purposes of the official city record, the City Council may take care of these issues by entertaining a formal motion.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

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

Matters not appearing on the agenda: If you wish to address the City Council concerning any item within the City Council’s jurisdiction, please raise your hand and be acknowledged by the Mayor. At that time, state your name and address for the record. The Mayor reserves the right to place a time limit of three (3) minutes on each person’s presentation. It is requested that longer presentations be submitted to the City Clerk’s Office in writing 48 hours before the meeting.

A. CONSENT AGENDA:

All items appearing under “Consent Agenda” will be acted upon by the City Council with one motion without discussion. Should any Council member or other person request that any item be considered separately, that item will then be taken up at the time as determined by the Mayor.

A-1. Approval of Claims and Warrants Report

A-2. Continuation of Emergency at Aten Road and Highway 86 Intersection

A-3. Approval of Regular City Council Meeting Minutes November 1, 2023 and Regular City Council Meeting Minutes December 6, 2023

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

- B-1.** Approval to Submit Grant Applications to the Imperial County Community Benefit Program

Staff Report: Dennis H. Morita, City Manager

Recommended Action: Approval to submit grant applications to the Imperial County Community Benefit Program

- B-2.** Approval of Community Facilities District (CFD) Partial Disbursement of Funds for Request No. 1-2018 from Monterrey CFD 2006-1

Staff Report: Victor Manriquez, Administrative Services Director

Recommended Action: Approve 8th payment in the amount of \$70,000 to Jupiter Ventures, LP.

- B-3.** Approval of Community Facilities District (CFD) Partial Disbursement of Funds for Request No. 1-2018 from Bratton CFD 2004-3

Staff Report: Victor Manriquez, Administrative Services Director

Recommended Action: Approve 4th payment in the amount of \$40,000 to Imperial Bratton, LP.

- B-4.** Declaration of Emergency of Variable Frequency Drive at the Water Treatment Plant

Staff Report: Robert Emmett, Water Plant Chief Operator

Recommended Action: Approve Resolution No. 2024-01, A RESOLUTION DECLARING AN EMERGENCY, AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTION AS MAY BE NECESSARY IN RESPONSE THERETO AND RATIFYING ACTION TAKEN TO DATE

- B-5.** Authorization to Purchase Decorative Gravel for Sunset Park Improvements

Staff Report: Tony Lopez, Parks and Recreation Director

Recommended Action: Authorize American Rescue Plan Act ARPA funding to purchase decorative gravel for Sunset Park improvements in the amount not to exceed \$120,000.00

- B-6.** Authorization to Remove Crosswalk on North Imperial Avenue

Staff Report: Othon Mora, Community Development Director

Recommended Action: Authorize removal of the crosswalk on N. Imperial Avenue between Barioni Boulevard and 9th Street

- B-7.** Rejection of Bids for the Highway 86 Fence Replacement Project and Adopt Resolution No. 2024-02 Authorizing the City Manager to Proceed with Day Labor

Staff Report: Othon Mora, Community Development Director

Recommended Action: Reject all bids for the Highway 86 Fence Replacement Project and adopt Resolution No. 2024-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, AUTHORIZING CITY MANAGER TO PROCEED BY DAY LABOR WITH CONSIDERATION IN REDUCTION IN SCOPE FOR HWY 86 FENCE REPLACEMENT PROJECT FROM 2ND STREET TO MARSHALL AVENUE BID NO. P2023-04

- B-8.** Approval to Purchase In-Field Narcotics Analyzer for the Police Department

Staff Report: Michael Crankshaw, Interim Police Chief

Recommended Action: Approve the purchase of one (1) TruNarc Handheld Narcotic Analyzer T-12 with a five-year warranty and one (1) 100pk Solution Kit in the amount not to exceed \$38,400.00

C. REPORTS:

- C-1.** Department Reports
- C-2.** City Manager Report
- C-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 17, 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 29, 2023



KRISTINA M. SHIELDS
City Clerk

Check Register Report

A-1

Date: 12/28/2023
Time: 8:23 am
Page: 1

CITY OF IMPERIAL

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks								
114817	12/20/23	Printed			7065	2K TOWER SERVICES LLC	576 76654	1,800.00
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114819	12/20/23	Printed			735	ACADEMI AWARDS & TROPHIES	1008 76223	41.14
114820	12/20/23	Printed			735	ACADEMI AWARDS & TROPHIES	7676 76485	194.31
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114823	12/20/23	Printed			2357	ALL VALLEY FENCE AND MATERIALS	23-5584 76756	23.71
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114829	12/20/23	Printed			8345	ANA GABRIELA DUARTE	9926-0023/516 QUAIL	56.33
114830	12/20/23	Printed			8353	ANGEL MANUEL PLATA MENCHACA	9958-3061/498 TRESHILL#113	178.77
114831	12/20/23	Printed			8341	ANTHONY QUIROZ	8920-0041/187 JENNIFER	152.23
114832	12/20/23	Printed			656	AQUA METRIC	INV0098418 76655	25,913.68
114833	12/20/23	Printed			1066	AT & T	20932519	1,095.09
114834	12/20/23	Printed			1851	AT&T LONG DISTANCE	338-371-6557 12/15/23	113.19
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114841	12/20/23	Printed			8176	BPR CONSULTING GROUP LLC	1024 76505	2,781.25
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114850	12/20/23	Printed			6857	COUNTY MOTOR PARTS CO, INC	556805 76751	375.33
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114852	12/20/23	Printed			6105	DELL FINANCIAL SERVICES	3013256 76670	10,926.40
114853	12/20/23	Printed			1056	DELL MARKETING L.P.	10718880787 76651	8,434.28
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114855	12/20/23	Printed			8342	DENISSE GRACIANO	9998-4152/480 TRESHILL#189	80.70
114856	12/20/23	Printed			7257	DENNIS MORITA	12/7/23 PARKING REIMB.	24.00
114857	12/20/23	Printed			1573	DEPARTMENT OF JUSTICE	698488 76769	32.00
114858	12/20/23	Printed			793	DERMA'S FLOOR COVERING	14370 76434	3,112.61
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114860	12/20/23	Printed			8075	DEXTER THOMAS	POSTAGE 76573	11.98
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114862	12/20/23	Printed			7094	DOOLEY ENTERPRISES, INC	66640 76446	2,165.67
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114864	12/20/23	Printed			7472	ELADIO REYES	12/3/23 - 12/8/23	431.25
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114866	12/20/23	Printed			8355	EMMA LEAL	TEEN MAKER 9/13-12/13/23 76604	750.00
114867	12/20/23	Printed			8064	ENTERPRISE FLEET MANAGEMENT,	575205A-120623 76194	13,544.66

Check Register Report

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Time: 8:23 am
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114872	12/20/23	Printed			7720	GREEN RUBBER-KENNEDY AG	I-102875 76429	73.11
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114878	12/20/23	Printed			7460	HOME GROWN APPAREL	45964 75988	246.75
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114882	12/20/23	Printed			028	IMPERIAL IRRIGATION DISTRICT	DECEMBER 18, 2023	36,768.36
114883	12/20/23	Printed			4264	IMPERIAL IRRIGATION DISTRICT	3139598 12/11/23	3,944.00
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114892	12/20/23	Printed			8358	IVAN GASTELUM & KLARISSA	998-4151/480 TRESHILL#188	67.94
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114900	12/20/23	Printed			500	JONES BROTHERS GLASS CO.	34375 76419	388.08
114901	12/20/23	Printed			5658	KAZ-BROS DESIGN SHOP	8971 76572	161.63
114902	12/20/23	Printed			2901	KIMBALL MIDWEST	101509090 76281	2,105.22
114903	12/20/23	Printed			7983	KRISTEN SMITH	TUITION-SHRM-SCP CERT 76492	1,293.90
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114907	12/20/23	Printed			8359	LEOVARDO RAMIREZ	9968-3042/498 TRESHILL#144	156.52
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114912	12/20/23	Printed			776	MOSS, LEVY & HARTZHEIM LLP	14661 76198	15,000.00
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114915	12/20/23	Printed			2295	NEW BORDER TACTICAL, INC	A202038 76440	67.01

Check Register Report

Date: 12/28/2023
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Page: 3

CITY OF IMPERIAL

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114930	12/20/23	Printed			3897	QT SANITATION	2850 76575	2,988.00
114931	12/20/23	Printed			5117	RECDESK LLC	INV-14089 76677	3,900.00
114932	12/20/23	Printed			694	REXEL OF AMERICA, LLC	S138177576.001 76571	808.85
114933	12/20/23	Printed			1637	ROMEO'S CAR WASH	NOVEMBER 2023 76426	176.00
114934	12/20/23	Printed			6580	ROSARIO MONTERO	9514-1183/264 COZUMEL	159.32
114935	12/20/23	Printed			2983	RUSH STEEL SUPPLY	44800 76435	76.08
114936	12/20/23	Printed			6488	SAN BERNARDINO COUNTY	EVOC23-12-011 76763	150.00
114937	12/20/23	Printed			8362	SANDY'S COMMUNICATIONS	31868 76427	1,400.75
114938	12/20/23	Printed			1239	SHERWIN-WILLIAMS	5209-8 76574	57.71
114939	12/20/23	Printed			5706	SHI INTERNATIONAL CORP	B17719235 76659	1,122.76
114940	12/20/23	Printed			8087	SOULESS INDUSTRIES	INV161 76569	3,643.75
114941	12/20/23	Printed			091	STAPLES CREDIT PLAN	9913410903 75725	339.24
114942	12/20/23	Printed			7623	STERICYCLE, INC.	8005521395 76195	149.43
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114954	12/20/23	Printed			5837	U.S. BANK	LIEBERT 11/20/23 76459	15,673.63
114955	12/20/23	Printed			275	UNDERGROUND SERVICE ALERT OF	720230338 76189	118.21
114956	12/20/23	Printed			944	UNITED WAY OF IMPERIAL COUNTY	12/15/23	6.00
114957	12/20/23	Printed			8347	VALERIE CARDENAS	9220-0276/184 SAMPSON	138.55
114958	12/20/23	Printed			7567	VERITONE, INC.	596230 76765	700.00
114959	12/20/23	Printed			611	VERIZON WIRELESS	9951049445	974.18
114960	12/20/23	Printed			5639	WAGeworks, INC	112-OR39530 NOV. 2023 76483	100.00
114961	12/20/23	Printed			8350	WALTER MARQUEZ	9727-0001/485 CORRAL	170.52
114962	12/20/23	Printed			1968	WESTAIR GASES & EQUIPMENT	0011714903 76757	138.00
114963	12/20/23	Printed			1827	WILKINSON REAL ESTATE	9896-0952/618 N IMPERIAL#C	93.21
114964	12/20/23	Printed			8348	ZACHARIAH ROLLINS	9213-0296/241 BUCKSKIN RANCH	171.66

Total Checks: 135

Checks Total (excluding void checks):

373,345.46

Total Payments: 135

Bank Total (excluding void checks):

373,345.46

Total Payments: 135

Grand Total (excluding void checks):

373,345.46

DATE SUBMITTED 12/21/23
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 01/03/24

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

IMPERIAL CITY COUNCIL AGENDA ITEM

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

DEPARTMENT INVOLVED: Public Services - Streets

BACKGROUND/SUMMARY:

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

The City is working diligently with Bear Electric. All replacement and integration have been completed and are awaiting final invoicing and final documentation.

FISCAL IMPACT: \$32K to date TBD

FINANCE
INITIALS

VLM

STAFF RECOMMENDATION: Approve Continuance

DEPT. INITIALS

[Signature]

MANAGER'S RECOMMENDATION: Approve

CITY
MANAGER'S
INITIALS

[Signature]

MOTION:

SECONDED:
 AYES:
 NAYES:
 ABSENT:

APPROVED ()	REJECTED ()
DISAPPROVED ()	DEFERRED ()
REFERRED TO:	



Imperial City Council

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

MINUTES

Regular Meeting of the Imperial City Council

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

November 1, 2023

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: The City Council welcomes public input. Members of the public may address the City Council on Closed Session items by contacting the City Clerk's Office at 760-355-3334. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). If you are compensated to communicate with City officials, you may be required to register and/or make certain disclosures as a lobbyist. Please see the City Clerk for additional information. There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

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

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

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

Name of Case: Mehdipour v. City of Imperial Claim No. 3044388

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

Title of Position: City Manager

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

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

Agency Negotiator: Dennis H. Morita, City Manager

Negotiating Parties: N/A

Under Negotiation: Instructions to Negotiator Regarding Price & Terms

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

Property Address:	Regional Park Site APN# 06-010-083; 06-010-084; 06-010-085; 06-010-086; 06-010-087; 06-010-088
Agency Negotiator:	Dennis H. Morita, City Manager
Negotiating Parties:	N/A
Under Negotiation:	Instructions to Negotiator Regarding Price & Terms

E. CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

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

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Othon Mora.

ADJUSTMENTS TO THE AGENDA: The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or “no” votes on consent calendar items and request consent calendar items be removed from the consent calendar for discussion. The City Council may also remove items from the consent calendar prior to that portion of the agenda. For purposes of the official city record, the City Council may take care of these issues by entertaining a formal motion.

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

City Attorney, Katherine Turner reported that the City Council had a conference regarding real property negotiations. Direction was given to the negotiator regarding price and terms.

City Attorney, Katherine Turner reported that the City Council had a conference regarding three cases of existing litigation. Direction was given to Council on all three cases.

City Attorney, Katherine Turner reported that the City Council had a conference regarding Initiating Litigation. Direction was given to Council.

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

Matters not appearing on the agenda: If you wish to address the City Council concerning any item within the City Council’s jurisdiction, please raise your hand and be acknowledged by the Mayor. At that time, state your name and address for the record. The Mayor reserves the right to place a time limit of

three (3) minutes on each person's presentation. It is requested that longer presentations be submitted to the City Clerk's Office in writing 48 hours before the meeting.

A. CONSENT AGENDA:

All items appearing under "Consent Agenda" will be acted upon by the City Council with one motion without discussion. Should any Council member or other person request that any item be considered separately, that item will then be taken up at the time as determined by the Mayor.

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

Council Member Obeso-Martinez Moved to Approve Consent Agenda. Motion Seconded by Council Member Tucker.

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

MOTION CARRIES: 4-0-1

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

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

Staff Report: Othon Mora, Community Development Director

- 1. Open public hearing @ 7:17 p.m.
- 2. Staff report presented by Othon Mora
- 3. Public comment
- 4. Close public hearing @ 7:19 p.m.
- 5. Council discussion

6. Recommended action(s)

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

Mayor Pro Tem Amparano Moved to Approve the Public Hearing Item Resolution No. 2023-56.
Motion Seconded by Council Member Tucker.

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

MOTION CARRIES: 5-0

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

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

Staff Report: Othon Mora, Community Development Director

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

Community Director, Othon Mora presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve authorization to sign the Imperial Irrigation District (IID) Encroachment Permit Application No. A-2023-0059 regarding the Morning Star Apartments. **Motion Seconded by Council Member Tucker.**

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

MOTION CARRIES: 4-0-1

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

Staff Report: Othon Mora, Community Development Director

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

Community Director, Othon Mora presented the staff report and answered Council's questions.

Council Member Mendoza Moved to Approve Discussion and related action regarding the acceptance of two (2) Public Utilities Easements over APN# 063-010-023, 063-010-066. **Motion Seconded by Council Member Obeso-Martinez.**

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

MOTION CARRIES: 5-0

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

Staff Report: Dennis Morita, City Manager

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

City Manager, Dennis Morita presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve Applications for the Imperial Valley Healthcare District. **Motion Seconded by Mayor Pro Tem Amparano.**

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

MOTION CARRIES: 5-0

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

Staff Report: R. Alejandro Estrada, IT Director

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

Alejandro Estrada, IT Director presented the staff report and answered Council's questions.

Council Member Obeso-Martinez Moved to Approve the approval of a two (2) year Service Agreement with FirstNet. Motion Seconded by Mayor Pro Tem Amparano.

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

MOTION CARRIES: 5-0

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

Staff Report: Michael Crankshaw, Interim Chief of Police

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

Michael Crankshaw, Interim Chief of Police presented the staff report and answered Council's questions.

Mayor Pro Tem Amparano Motioned to Approve Resolution No. 2023-55. **Motion Seconded by Council Member Tucker.**

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

MOTION CARRIES: 5-0

D. REPORTS:

D-1. Department Reports

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

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

Interim Police Chief, Michael Crankshaw briefed the Council on State and Federal funding.

Fire Chief, David Lantzer reminded the community to check their smoke alarms.

D-2. City Manager Report

NONE

D-3. Mayor and Councilmember Reports

Council Member Mendoza reported on special events that she attended.

Council Member Obeso-Martinez reported on having attended the ribbon cutting at First Imperial Credit Union, The Trunk or Treat event and Ben Hulse Carnival.

Mayor Pro Tem Amparano reported that soon good things will be coming to Imperial and also attended a few of our local events.

Mayor Burnworth reported on the Halloween dress-up & office decorating contest.

Seeing no further business before the Council, Mayor Burnworth Adjourned the Meeting to the next Regular Scheduled City Council Meeting to be held on Wednesday, November 15, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at 7:52 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this _____ day of January, 2024.

KRISTINA M. SHIELDS
City Clerk



Imperial City Council

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

MINUTES

Regular Meeting of the Imperial City Council

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

December 6, 2023

Closed Session at 06:00 pm

Open Session at 07:00 pm

6:00 P.M. CLOSED SESSION

CALL TO ORDER:

PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY: The City Council welcomes public input. Members of the public may address the City Council on Closed Session items by contacting the City Clerk's Office at 760-355-3334. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). If you are compensated to communicate with City officials, you may be required to register and/or make certain disclosures as a lobbyist. Please see the City Clerk for additional information. There is a time limit of three (3) minutes for anyone wishing to address the City Council on these matters.

CONFERENCE WITH LEGAL COUNSEL: The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

A. CONFERENCE WITH 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 Attorney

CITY COUNCIL CONVENES TO REGULAR MEETING

7:00 P.M. REGULAR MEETING

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

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Jackie Loper.

ADJUSTMENTS TO THE AGENDA: NONE

CITY ATTORNEY REPORT ON CLOSED SESSION ACTIONS:

City Attorney, Katherine Turner reported that the City Council had a conference regarding real property negotiations on the old Post Office. Ms. Turner indicated that direction was given to City Manager.

City Attorney, Katherine Turner reported that the City Council had discussed an Employee Performance evaluation of the City Attorney. Direction was given to Council.

PUBLIC COMMENT:

Public Comment was received by Shannon Walters regarding FFA and 4H animals.

Matters not appearing on the agenda: NONE

A. SPECIAL PRESENTATIONS:

- A-1. PowerPoint Presentation by Miguel Hernandez, Public Information Officer, regarding the Salton Sea Management Program.
- A-2. PowerPoint Presentation by Yvonne Cordero, Planner, regarding SB 1383 Statewide Mandatory Organic Waste Collection.
- A-3. Retirement Recognition Presentation for Jackie Loper, Public Services Director. Mayor Burnworth recognized Jackie Loper for his time served with the City of Imperial.

B. CONSENT AGENDA:

- B-1. Approval of Claims and Warrants Report
- B-2. Authorize Sunrunners Car Club to Host 38th Annual Carne Asada Run Car Show at Eager Park and Approve Partial Road Closures
- B-3. Continuation of Emergency at Aten Road and Highway 86 Intersection
- B-4. Authorize Purchase of Budgeted Forklift for the Water Treatment Department
- B-5. Authorize Rejection of Claim No. 3050008 as Recommended by Carl Warren & Company

Mayor Pro Tem Amparano Pulled Item B-4 to be added under Action Item C-6.

Council Member Tucker Moved to approve Consent Agenda without Item B-4. **Motion Seconded by Council Member Obeso-Martinez.**

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

MOTION CARRIES: 4-0-1

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

C-1. Acceptance of Deed and Approval of Water Distribution Line Agreement

Staff Report: Katherine Turner, City Attorney

Recommended Action: Accept the transfer of deed for water distribution pipeline at Ironwood Acres Estates and authorize staff to record the water distribution line agreement with the County of Imperial

City Attorney, Katherine Turner presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve the Deed of the Water Distribution Line Agreement. **Motion Seconded by Council Member Mendoza.**

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

MOTION CARRIES: 5-0

C-2. Introduction of first reading by title only Ordinance No. 828 Restricting Outdoor Smoking in Designated Areas

Staff Report: Katherine Turner, City Attorney

Recommended Action: Introduce Ordinance No. 828, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ADDING RESTRICTIONS TO OUTDOOR SMOKING IN DESIGNATED AREAS, approve as a first reading and authorize the City Clerk to place on the next agenda for second reading and adoption

City Attorney, Katherine Turner presented the staff report and answered Council's questions.

Council Member Obeso-Martinez Moved to Approve Ordinance No. 828 Restricting Outdoor Smoking in Designated Areas. **Motion Seconded by Mayor Pro Tem Amparano.**

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

MOTION CARRIES: 5-0

C-3. Approval of Republic Services Cost Price Index (CPI) Adjustment

Staff Report: Diana Quintana, Finance Manager

Recommended Action: Approve Republic Services Cost Price Index (CPI) Adjustment of Four Percent (4%) for Waste and Recycling Services in the City of Imperial

Finance Manager, Diana Quintana presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve Republic Services Cost Price Index (CPI) Adjustment. Motion Seconded by Mayor Burnworth.

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

MOTION CARRIES: 5-0

C-4. Approval of Resolution Clarifying Terms of At-Will Employment for Executive Management Positions

Staff Report: Kristen Smith, Human Resources Manager

Recommended Action: Adopt Resolution No. 2023-58, RESOLUTION OF THE IMPERIAL CITY COUNCIL PROVIDING DETAIL REGARDING AT-WILL PERSONNEL POSITIONS AS ADOPTED BY THE CITY COUNCIL ON MARCH 1, 2023

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

Council Member Tucker Moved to Approve Resolution No. 2023-58. Motion Seconded by Council Member Mendoza.

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

MOTION CARRIES: 5-0

C-5. Appointment to the Imperial Valley Healthcare District Initial Board of Directors

Staff Report: Dennis Morita, City Manager

Recommended Action: Appoint a City of Imperial member to the initial board of the Imperial Valley Healthcare District

City Manager, Dennis Morita presented the staff report and answered Council's questions.

Council Member Tucker Moved to Approve Burnworth as the Appointment for the IVHDB. **Motion Seconded by Mayor Pro Tem Amparano.**

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIES: 5-0

C-6. (B-4 pulled from Consent) Authorize Purchase of Budgeted Forklift for the Water Treatment Department

Council Member Mendoza Moved to approve Purchase of Budgeted Forklift for the Water Treatment Department. **Motion Seconded by Council Member Obeso-Martinez.**

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIES: 5-0

D. REPORTS:

D-1. Department Reports

All department thanked Jackie Loper for his hard work with the City of Imperial and congratulated him on his retirement.

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

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

D-2. City Manager Report

NONE

D-3. Mayor and Councilmember Reports

Council Member Obeso-Martinez reported on having attended the Mayor to Mayor cook off.

Council Member Tucker reported on the 3 million dollars the City of Imperial received.

Council Member Mendoza reported she also attended the Mayor to Mayor cook off.

Mayor Pro Tem Amparano reported he was looking forward to the event this Saturday.

Mayor Burnworth reported on the 3 million dollars the City received to fix our streets.

Seeing no further business before the Council, Mayor Burnworth Adjourned the Meeting to the next Regular Scheduled City Council Meeting to be held on Wednesday, December 20, 2023, at 7:00 p.m.

Mayor Burnworth Adjourned the Regular Meeting of the City Council at 8:59 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 3rd day of January, 2024.

KRISTINA M. SHIELDS
City Clerk

Agenda Item No. B-1

DATE SUBMITTED 12/27/23
 SUBMITTED BY City Managers Office
 DATE ACTION REQUIRED 1/3/24

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

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION: Approval to submit grant applications to the Imperial County Community Benefit Program													
DEPARTMENT INVOLVED: City Manager													
BACKGROUND/SUMMARY: The Imperial County Community Benefit Program is part of the Public Benefit Program for use with Solar Power Plants in Imperial County which was established by the Board of Supervisors on January 24, 2012. All utility-scale solar projects built in Imperial County since that time have entered into Public Benefit Agreements with the County and have been contributing funds into the Program, which includes the Community Benefit Program. On February 28, 2023, under this program, the Board of Supervisors allocated \$200,000 to each of the five (5) Districts. The City of Imperial falls within County District 3. To date, there are approximately \$56,000 remaining in District 3 for potential grant projects. Grants are available for up to \$25,000 each. Currently, two (2) projects have been identified as potential submissions. We seek Council approval to submit one application for Police Department for the purchase of live scan machines inclusive of software and one application for Parks and Recreation for new rules and regulation signage to include the recently passed "No Smoking" regulation.													
FISCAL IMPACT: There is no fiscal impact associated with this item. Item is for approval to submit applications only. If awarded, grant funds will be disbursed on a reimbursement basis.	FINANCE INITIALS <u>VHM</u>												
STAFF RECOMMENDATION: Approve	DEPT. INITIALS _____												
MANAGER'S RECOMMENDATION: <u>approve</u>	CITY MANAGER'S INITIALS <u>DTM</u>												
MOTION:													
<table style="width: 100%;"> <tr> <td style="width: 33%;">SECONDED:</td> <td style="width: 33%;">APPROVED ☐</td> <td style="width: 33%;">REJECTED ☐</td> </tr> <tr> <td>AYES:</td> <td>DISAPPROVED ☐</td> <td>DEFERRED ☐</td> </tr> <tr> <td>NAYES:</td> <td></td> <td></td> </tr> <tr> <td>ABSENT:</td> <td>REFERRED TO:</td> <td></td> </tr> </table>		SECONDED:	APPROVED ☐	REJECTED ☐	AYES:	DISAPPROVED ☐	DEFERRED ☐	NAYES:			ABSENT:	REFERRED TO:	
SECONDED:	APPROVED ☐	REJECTED ☐											
AYES:	DISAPPROVED ☐	DEFERRED ☐											
NAYES:													
ABSENT:	REFERRED TO:												



IMPERIAL COUNTY COMMUNITY BENEFIT PROGRAM GUIDELINES

The following are general rules for the Community Benefit Program. The Board of Supervisors reserves the right to reject any or all Applications, waive any irregularities or informalities in any qualifications or in the selection process. The Board of Supervisors reserves the right to make awards at any time and in any amount so long as such award is consistent with the Community Benefit Program purpose. The Board of Supervisors reserves the right to request clarification of services submitted, to request additional information, to edit any rules or regulations or processes in any way. All proposed funding categories and funding amounts are general guidelines and estimates that can be changed at any time by the Board of Supervisors.

I. PURPOSE, GOALS AND OBJECTIVES

The County of Imperial, through its Community Benefit Advisory Committee, is soliciting applications from the community that meet the goals and objectives of the Community Benefit Program. On February 28, 2023, the Board of Supervisors allocated \$200,000 for the individual Districts, totaling \$1,000,000 for the entire County. Individual grant requests of up to \$25,000 will be allowed. Please visit <https://board.imperialcounty.org/wp-content/uploads/2023/01/Supervisory-District-Map-2023.pdf> to identify respective Supervisorial District.

The Community Benefit Program is part of the Public Benefit Program for use with Solar Power Plants in Imperial County which was established by the Board of Supervisors on January 24, 2012. All utility-scale solar projects built in Imperial County since that time have entered into Public Benefit Agreements with the County and have been contributing funds into the Program, which includes the Community Benefit Program.

Imperial County receives funds from solar projects located in the unincorporated areas of the county. The Board of Supervisors has identified Goals and Objectives in order to maximize the benefits of these funds. Such benefits might include, but are not limited to, infrastructure improvement, job creation, economic development and enhancement to the quality of life in neighboring communities.

Applicants for funding under this Program should review those categories however, all applications received will be reviewed and considered. Projects which fulfill the Goals and Objectives will include, but not be limited to those Recommended Categories for Funding.

II. RECOMMENDED CATEGORIES FOR FUNDING (but not limited to):

COMMUNITY SERVICES

- Animal Shelters
- Arts & Cultural
- Library
- Nutrition Programs
- Transportation & Support Services
- Science & Technology Educational Programs
- Homeless Programs
- Youth Programs
- Scholarship Program

COMM. & ECONOMIC DEVELOPMENT

- Technical Training
- Infrastructure in Support of Business Development
- Entrepreneurial Training
- Small Business / Micro Loans
- Infrastructure Support on Housing
- Parks and Recreation
- Housing Projects
- Community Center

WILDLIFE HABITAT/CONSERVATION

- Fishing Related Activities
- Hunting Related Activities
- Habitat
- Imperial County Fish and Game Commission
- Waterways within the County

III. EVALUATION CRITERIA FOCUS AREAS

Depending upon the funding category applied for, the application will be evaluated and scored based on the following criteria.

COMMUNITY SERVICES

1.	Number of County Residents and Areas within the County Receiving Services or Benefits from the Project	35 points
2.	Project Addresses a Demonstrated Need in Imperial County	30 points
3.	Qualifications and Experience of Organization Providing Services	15 points
5.	Consistency with Goals and Objectives of the Community Benefit Program	10 points
6.	Job creation or other economic development benefits to the county and its residents	10 points
TOTAL		100 Points

COMMUNITY & ECONOMIC DEVELOPMENT

1.	Job Creation or other economic benefits to the County and its residents	35 points
2.	Areas of the County to be Served by the Project	15 points
3.	Project Addresses a Demonstrated Need in Imperial County	25 points
4.	Consistency with Goals and Objectives of the Community Benefit Program	15 points
5.	Qualifications and Experience of Organization Providing Services	10 points
TOTAL		100 Points

WILDLIFE AND HABITAT CONSERVATION

1.	Number of County Residents and Areas within the County Receiving Services or Benefits from the Project	30 points
2.	Project Addresses a Demonstrated Need in Imperial County	20 points
3.	Increases Public Access to Recreational Resources	10 points
4.	Qualifications and Experience of Organization Providing Services	10 points
5.	Benefit to Habitat and Conservation Resources in Imperial County	10 points
7.	Consistency with Goals and Objectives of the Community Benefit Program	10 points
8.	Job creation or other economic development benefits to the county and its residents	10 points
TOTAL		100 Points

IV. PROCESS AND TIMELINE

1. Requests for Proposals (RFP) will be issued by the County.
2. Applications of up to \$25,000 will be accepted on an ongoing basis, until funding is exhausted within the individual Districts. Supervisorial Districts have been individually allocated \$200,000.
3. Applications submitted will be evaluated by the Community Benefit Advisory Committee within two weeks. The Agreements will then be submitted to the recommendation to the Board of Supervisors for discussion and final decision.
4. After approval by the Board of Supervisors, Applicants will be required to meet with County staff in order to review the requirements they must meet in order for their applications to be processed.

V. GRANT PROVISIONS

Upon selection for an award under this Program, the County and the Grantee agree to enter into a Grant Agreement which will be in accordance with the purposes of the application and also subject all provisions of the applicable statutes, and further are subject to the County laws and requirements governing County contracts.

1. All documents submitted to the County shall become public records and will be given to the public upon request pursuant to the California Public Records Act. Do not include any information that cannot be reviewed by the general public.
2. The following conditions may apply to grant recipients.
 - a. Funding shall only be used for an approved use, authorized by the Board of Supervisors.
 - b. Grant will expire one year from Board project approval.
 - c. The Grantee is responsible for maintaining records which fully disclose the activities funded by the Grant. Community Benefit Funds are subject to audit and inspection at any time after award. Recipients will be required to retain records for a period up to five years.
 - d. Funding for work completed or money spent before award will not be paid or reimbursed.
 - e. Funding award may be a loan rather than a grant and shall be paid back to the County.
 - f. Loan recipients will be required to provide financial assurances such as collateral, bonding or letters of credit to ensure the funds are used as agreed upon.
 - g. Construction projects will be subject to California prevailing wage laws (California Labor Code 1720 et seq.). Note that use of public funding for construction may subject an entire project to prevailing wage requirements. Applicant shall seek advice from counsel regarding this requirement.
 - h. The Grantee is responsible for maintaining records which fully disclose the activities funded by the Grant. Adequate documentation of each transaction shall be maintained to permit the determination, through an audit if requested by the County, of the accuracy of the records and the allowability of expenditures charged to Grant funds.
 - i. Grantee shall submit written reports of all funding expenditures.

SUBMITTING YOUR APPLICATION

Complete applications and submitted in **one file** with **Agency Name as the file name** may only be submitted electronically at ICCBP@co.imperial.ca.us. The application period opens Wednesday, March 22, 2023 and closes when funding is exhausted.

Applicants must submit in electronic the following required documentation in the following order in one PDF file.

REQUIRED

- ☐ Completed Application
- ☐ Completed Attachment(s)
- ☐ Copy of TIN
- ☐ Copy of Active Business License
- ☐ Copy of Valid and Current Business Fictitious Name Filing (if applicable);
- ☐ Copy of Valid 501C3
- ☐ Copy of Entity Documentation (Partnership Agreement, Articles of Organization and Bylaws or Articles of Incorporation and Bylaws
- ☐ Copy of Federal IRS Form W-9
- ☐ Copy of Partnership Agreement (Partnerships) / Articles of Organization (LLC) / Articles of Incorporation (Corporation) (if applicable)
- ☐ Resume (s) of the key personnel who would be assigned to perform the services as described. Indicate status of each person's relationship to your agency, whether an employee, partner, subcontractor, or other contractual agreement.
- ☐ Acknowledge Organization Serves Local Community
- ☐ Acknowledge Physical establishment within the County of Imperial
- ☐ Submittal of Non-Discrimination Form
- ☐ Submittal of Agency Board Contact Information
- ☐ Certify Not related to County Elected Officer.

OPTIONAL

- ☐ Copies of Additional Program/Project Documentation

Failure to provide any of the requirements may disqualify application from being considered.

DATE SUBMITTED 12/27/2023
 SUBMITTED BY Administrative Services Department
 DATE ACTION REQUIRED 01/03/2024

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 COMMUNITY FACILITIES DISTRICT (CFD) PARTIAL DISBURSEMENT OF FUNDS FOR REQUEST NO. 1-2018 FROM MONTERREY CFD 2006-1.

- APPROVE 8TH PAYMENT IN THE AMOUNT OF \$70,000 TO JUPITER VENTURES, LP.

DEPARTMENT INVOLVED: ADMINISTRATIVE SERVICES.

BACKGROUND/SUMMARY:

On June 6, 2018 the City approved CFD Disbursement Payment request 1-2018 from Monterrey CFD 2006-1 to Jupiter Ventures, LP, or Successor, totaling \$4,206,490.88 for construction, engineering and related costs incurred by the developer. Seven payments totaling \$1,776,490.88 have already been disbursed leaving a remaining balance of \$2,430,000.

FISCAL IMPACT:

\$70,000 from Monterrey CFD.

FINANCE
INITIALS

VHM

STAFF RECOMMENDATION: Council approval of the payment to Jupiter Ventures, LP as presented.

DEPT.
INITIALS

DP

CITY MANAGER'S RECOMMENDATION:

approve

CM
INITIALS

JHM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REJECTED ()

DEFERRED ()

REFERRED TO:



CITY COUNCIL
James Tucker - Mayor
Geoff Dale - Mayor Pro Tem
Robert Amparano - Councilmember
Darrell Pechtl - Councilmember
Betty Sampson - Councilmember

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

CITY ATTORNEY
Dennis Morita

CITY MANAGER
Stefan T. Chatwin

CFD Disbursement Approval Procedure

CFD 2006-1 (Monterrey Park)

Payment Request No. 1-2018

Date Requested: February 21, 2018

Request Information: Payment Request No. 2-2017 is for construction, engineering and related costs incurred for an Acquisition Agreement Exhibit "A" facilities/fees as shown in Attachment 1. The request is to reimburse the advanced amount as follows: \$4,206,490.88

Actions required and steps taken in approving this request:

1. **Special Tax Consultant:** Confirms that the facilities/fees are per the Acquisition Agreement dated November 1, 2005, includes confirmation of three (3) bids, contracts to perform the work, invoices or cancelled checks, and lien releases.

Special Tax Consultant Recommendations: To submit to the City Manager the request to pay as requested from Surplus Funds. The Request lists the facilities/fees and meets the requirements for reimbursement that include the submittal of support documents in the form of contracts, invoices, cancelled checks, and lien releases, so that it can be processed for submission to the City Finance Director for payment under the Acquisition Agreement. This request should be paid from **Surplus Funds** (less retention if applicable) as drawdowns as funds become available to not exceed the following:

\$4,206,490.88 representing infrastructure items.

City Special Tax Consultant Approval

2. **Community Development Director:** Confirm that the improvements have been completed, inspected, and meet the conditions set out in the Acquisition Agreement. Sign the original copy of the request and below.

City Community Development Director Approval



CITY COUNCIL
James Tucker - Mayor
Geoff Dule - Mayor Pro Tem
Robert Amparano - Councilmember
Darrell Perchi - Councilmember
Betty Sampson - Councilmember

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

CITY ATTORNEY
Dennis Morita

CITY MANAGER
Stefan T. Chatwin

3. **City Manager:** Review, submit to Council if appropriate, and approve the request for disbursement.

City Manager Approval

4. **City Administrative Service Department:** Please prepare and send these payments (wire instructions on file):

Wells Fargo Bank
32881 Temecula PKWY
Temecula, CA 92592

Juniper Ventures I, LP
Routing No. 1329431561
Account No. 121000248

5. Funds will be disbursed to the Developer as surplus funds become available.

From: Surplus Funds in drawdowns as funds become available (with 0% retention of 0.00 to be held)
\$4,206,490.88

Monterrey Park CFD Reimbursement

6/6/2018	Consent - E-2. Approval of the 1-2018	4,206,490.88	
6/20/2018	Request 1st payment of reimbursement 1-2018	<u>500,000.00</u>	ck# 82467
		3,706,490.88	Remaining Balance
9/5/2018	Request 2nd payment of reimbursement 1-2018	<u>270,000.00</u>	ck# 83644
		3,436,490.88	Remaining Balance
2/20/2019	Request 3rd payment of reimbursement 1-2018 (payment 2019-01)	<u>336,490.88</u>	CK# 86307
		3,100,000.00	Remaining balance
9/4/2019	Request 4th payment of reimbursement 1-2018 (payment 2019-02)	<u>250,000.00</u>	CK# 87656
		2,850,000.00	Remaining balance
	Reduce Payment by this amount transferred to park impact fees for Horizonte Park Cost:	<u>-102,164.00</u>	1/21/2020
		2,747,836.00	
2/19/2020	Request 5th payment of reimbursement 1-2018 (payment 2020-02)	<u>147,836.00</u>	ck# 92523
		2,600,000.00	Remaining balance
5/27/2021	Request 6th payment of reimbursement 1-2018 (payment 2021-01)	<u>70,000.00</u>	ck# 98799
		2,530,000.00	Remaining balance
7/6/2022	Request 7th payment of reimbursement 1-2018 (payment 2022-01)	<u>100,000.00</u>	CK#105743
		2,430,000.00	Remaining balance
1/3/2024	Request 8th payment of reimbursement 1-2018 (payment 2024-01)	<u>70,000.00</u>	
		2,360,000.00	Remaining balance

DATE SUBMITTED 12/27/2023
 SUBMITTED BY Administrative Services Department
 DATE ACTION REQUIRED 01/03/2024

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 COMMUNITY FACILITIES DISTRICT (CFD) PARTIAL DISBURSEMENT OF FUNDS FOR REQUEST NO. 1-2018 FROM BRATTON CFD 2004-3.

- APPROVE 4TH PAYMENT IN THE AMOUNT OF \$40,000 TO IMPERIAL BRATTON, LP.

DEPARTMENT INVOLVED: ADMINISTRATIVE SERVICES.

BACKGROUND/SUMMARY:

On July 18, 2018 the City approved CFD Disbursement Payment request 1-2018 from Bratton CFD 2004-3 to Imperial Bratton, LP, or Successor, totaling \$1,652,338.69 for construction, engineering and related costs incurred by the developer. Three payments totaling \$652,338.69 have already been disbursed leaving a remaining balance of \$1,000,000.

FISCAL IMPACT:

\$40,000 from Bratton CFD.

FINANCE
INITIALS

VHM

STAFF RECOMMENDATION: Council approval of the payment to Imperial Bratton, LP as presented.

DEPT.
INITIALS

DP

CITY MANAGER'S RECOMMENDATION:

approve

CM
INITIALS

HTM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()



CITY COUNCIL
James Tucker - Mayor
Geoff Dale - Mayor Pro Tem
Robert Amparano - Councilmember
Darrell Pechtl - Councilmember
Betty Sampson - Councilmember

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

CITY ATTORNEY
Dennis Morita

CITY MANAGER
Stefan T. Chatwin

CFD Disbursement Approval Procedure

CFD 2004-3 (Bratton)

Payment Request No. 1-2018

Date Requested: May, 11 2018

Request Information: Payment Request No. 2-2017 is for construction, engineering and related costs incurred for an Acquisition Agreement Exhibit "A" facilities/fees as shown in Attachment 1. The request is to reimburse the advanced amount as follows: \$1,652,338.69

Actions required and steps taken in approving this request:

1. **Special Tax Consultant:** Confirms that the facilities/fees are per the Acquisition Agreement dated April 18, 2005, includes confirmation of three (3) bids, contracts to perform the work, invoices or cancelled checks, and lien releases.

Special Tax Consultant Recommendations: To submit to the City Manager the request to pay as requested from Surplus Funds. The Request lists the facilities/fees and meets the requirements for reimbursement that include the submittal of support documents in the form of contracts, invoices, cancelled checks, and lien releases, so that it can be processed for submission to the City Finance Director for payment under the Acquisition Agreement. This request should be paid from **Surplus Funds** (less retention if applicable) as drawdowns as funds become available to not exceed the following:

\$1,652,338.69 representing fee reimbursements.

City Special Tax Consultant Approval

2. **Community Development Director:** Confirm that the improvements have been completed, inspected, and meet the conditions set out in the Acquisition Agreement. Sign the original copy of the request and below.

Community Development Director Approval



CITY COUNCIL
James Tucker – Mayor
Geoff Dale – Mayor Pro Tem
Robert Amparano – Councilmember
Darrell Pechti – Councilmember
Betty Sampson – Councilmember

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

CITY ATTORNEY
Dennis Morita

CITY MANAGER
Stefan T. Chatwin

3. *City Manager: Review, submit to Council if appropriate, and approve the request for disbursement.*

City Manager Approval

4. *City Finance Department: Please prepare and send payments.*

From: Surplus Funds in drawdowns as funds become available (with 0% retention of 0.00 to be held)
\$1,652,338.69.

Bratton 2004 - 3 CFD Reimbursement

7/18/2018	Consent - . Approval of the 1-2018	1,652,338.69	
7/18/2018	Request 1st payment of reimbursement 1-2018	<u>450,000.00</u>	CK# 82907
		1,202,338.69	Remaining balance
4/9/2020	REQUEST 2ND PAYMENT OF REIMBURSEMENT 1-2020	<u>102,338.69</u>	CK# 92857
		1,100,000.00	Remaining balance
7/6/2022	REQUEST 3rd PAYMENT OF REIMBURSEMENT 1-2022	<u>100,000.00</u>	CK#105740
		1,000,000.00	Remaining balance
1/3/2024	REQUEST 4th PAYMENT OF REIMBURSEMENT 1-2024	<u>40,000.00</u>	
		960,000.00	Remaining balance

DATE SUBMITTED 12/21/2023
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 01/03/24

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

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT:	DISCUSSION/ACTION:
Declare Emergency of VFD at WTP	1. DISCUSS, APPROVE/DISAPPROVE: DECLARATION OF EMERGENCY OF VFD AT THE WATER TREATMENT PLANT

DEPARTMENT INVOLVED: Public Services – WTP

BACKGROUND/SUMMARY:

On Thursday, December 21, 2023, it was determined a Variable Frequency Drive (VFD) has failed at the WTP that provide function to one of the three finished water pumps. This pump is critical to the treatment process that allows sufficient pressure to deliver water through our GAC filtration system in our treatment process.

An emergency was declared by the City Manager that same day.

FISCAL IMPACT: Unknown

FINANCE
INITIALS

UHM

STAFF RECOMMENDATION: Declare Emergency

DEPT. INITIALS

JS

MANAGER'S RECOMMENDATION:

approve

CITY
MANAGER'S
INITIALS

OTM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REJECTED ()

DEFERRED ()

REFERRED TO:

RESOLUTION NO. 2024-01

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

WHEREAS, the City operates and maintains a water treatment plant (“WTP”); and

WHEREAS, within the WTP, there are several pumps and variable frequency drives (“VFD”), that are critical to the treatment process; and

WHEREAS, this includes a VFD at one of the three Finished Water Pumps that provide treated water to our Granulated Activated Carbon Filters (“GAC”); and

WHEREAS, this VFD has failed and is needing replacement for the pump to function alongside the other two, to provide sufficient pressure to deliver water to the GACs; and

WHEREAS, such failure would potentially expose persons and property to injury and damage and potentially cause regulatory and compliance health and safety issues; and

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

WHEREAS, in order to safeguard the public health and safety and to protect property, it is necessary to take immediate action to repair the VFD at the WTP; and

WHEREAS, the City Council wishes to delegate authority to the City Manager to take such action as may be necessary to replace the VFD at the WTP, ratify action already taken and otherwise address the emergency as described herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL DOES
RESOLVE, DETERMINE, ORDER AND PROCLAIM AS FOLLOWS:**

SECTION 1. The preceding recitals are true and correct.

SECTION 2. The City Council declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and hereby delegates to the City Manager the authority to take such immediate action as may be necessary to safeguard life, health or property in connection with repair to the VFD at the WTP in accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

SECTION 3. The City Council authorizes action set forth herein and further ratifies action authorized by the City Manager taken to date to address the failure of the VFD on the basis that

the emergency described herein will not permit a delay resulting from a competitive solicitation of bids and the action is necessary to respond to the emergency.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial on the 3rd day of January, 2024

ROBERT AMPARANO,
Mayor

ATTEST:

KRISTINA M. SHIELDS,
City Clerk

CERTIFICATION

I, Kristina M. Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing resolution was duly adopted at a meeting of the City Council of said City at its meeting held on the 3rd day of January, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 3rd day of January, 2024.

KRISTINA M. SHIELDS,
City Clerk

imperialwtp

From: Eric A. Blom <eric@controlsystemseng.com>
Sent: Thursday, December 21, 2023 12:54 PM
To: imperialwtp
Subject: Quote for 2 new 30HP Toshiba Drives
Attachments: 0234619-30HP VFD.pdf

CAUTION: This email originated from outside the City of Imperial. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Robert Emmet

I attached the quote from my supplier in Phoenix. Our purchase, with taxes, delivery, and installation of one, with second unit left as a spare on your shelf is \$7469

Eric Blom, Pres.
Control Systems Engineering, Inc
Mobile (951)551-6347



KELLER ELECTRICAL INDUSTRIES, INC.
1881 E. UNIVERSITY DRIVE
PHOENIX, AZ 85034
(602) 437-3015

QUOTE: 0234619
ORDER DATE: 12/21/2023
CUSTOMER NUMBER: 0001209
SALESPERSON: IS
ORDER TAKER: DIANE DICOCHEA
DEPARTMENT: COUNTER SALES

SOLD TO:
CONTROL SYSTEMS ENGINEERING, INC. *COD*
14104 PAMELA DE FORTUNA DR
YUMA, AZ 85367-5539

SHIP TO:
CONTROL SYSTEMS ENGINEERING, INC.
COD
14104 PAMELA DE FORTUNA DR
YUMA, AZ 85367-5539

CONFIRM TO:
ERIC BLOM

Customer P.O.	Ship VIA	F.O.B.	Terms
QUOTE	PRE-PAID & ADD	DESTINATION	C.O.D.

Item Number	Unit	Ordered	Shipped	Back Order	Price	Amount
900039811	EACH	2.00	0.00	0.00	2,375.00	4,750.00
VFAS3-4220PC, 30HP/40HP 460V 3						
VFAS3-4220PC, 30HP/40HP 460V 3PH AS3 ASD						
3PH, 60HZ, NEMA1, FRAME A4, AS3, ADJUSTABLE SPEED DRIVE, TOSHIBA.						

3- STOCK AT KELLER

Thank you for the opportunity to quote this project!
If you have any questions, PLEASE contact us at your convenience.

Pricing does not include freight, taxes, or special handling costs

This quotation is valid for ninety (90) days, unless otherwise noted above. Further, if a purchase order or other legal notice to proceed is not received for the quoted services within ninety (90) days - any apparatus, ancillary equipment and/or parts remaining in our possession is deemed to be abandoned property and may be disposed of with no reimbursement or compensation for those items

All new products are subject to original manufacturer's Warranty terms and conditions

****Remanufactured and Reconditioned electrical equipment, including motors, are subject to EASA's Warranty terms and conditions****

Net Order:	4,750.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	408.50
Order Total:	5,158.50
Less Deposit:	0.00
Order Balance:	5,158.50

Warranty - Standard Terms and Conditions

1) **Agreement and Limitations.** Keller Electrical Industries, Inc. ("Keller" or the "Company") is an Electrical Apparatus Service Association (EASA) member and a Distributor/Value Added Reseller for many reputable manufacturers. Keller adheres to EASA Standards with regard to Electrical Apparatus and Manufacturers' Warranty for products sold and components used in the performance of our manufacturing and service. These terms and conditions ("Terms") are made part of the "Sales Agreement" between Keller and the Customer, with respect to the purchase of new or used Electrical Apparatus, components, parts and supplies, or the servicing of the Customer's Electrical Apparatus (NEMA Motors, Generators, Pumps, Transformers, etc.), delivered to Keller for service or repair. Keller shall not be bound by any additional or different Terms, whether printed or otherwise, whether in Customer's purchase order, or in any other communication from Customer to Keller, unless specifically agreed to by Keller in writing. The Agreement shall be for the benefit of Keller and the Customer and not for the benefit of or enforceable by any third party or other person. Prior course of dealing, trade usage and verbal agreements not reduced to writing and signed by the President of Keller, to the extent they modify the Agreement, shall not be binding on Keller.

2) **Termination.** The Terms may be terminated by the Customer only upon Keller's written consent. Keller may terminate this Agreement by written notice to the Customer, provided Keller shall then promptly place any Customer Property with an appropriate carrier for return to Customer. Freight terms will be F.O.B. Origin.

3) **Price & Payment.** Customer shall be responsible for all costs of shipment, except as expressly assumed by Keller in this Agreement. Terms of payment shall be due Net 30 Days from date of invoice (On Approved Credit). Keller may require partial progress or third party payment guarantee in advance of rendering services or shipment whenever, in Keller's sole discretion, it is prudent to do so. Prior to any services being rendered, a current and valid exemption certificate must be on file with the Company. In the event that a resale certificate has not been provided to Keller, the Customer shall also pay to Keller all applicable sales taxes and or other governmental charges which the Company is obligated by law to remit to any government entity by reason of services rendered to the Customer. If the Customer pays Keller by check and such check is returned as unpaid, or if Customer pays by credit card and later instructs the credit card issuer to withhold payment, in addition to original charges the Customer shall be liable to pay Keller for all returned check charges and, if Customer's account is placed with an attorney for Collection, shall be liable to pay all of Keller's attorney or expert fees, whether or not a lawsuit is commenced. The limited warranty clause for service and repairs will be considered null and void under nonpayment or late payment circumstances.

4) **Limited Warranty.** In lieu of all other warranties, express or implied, including without limitation warranties of merchantability and/or fitness for a particular purpose, Keller issues only to the Customer (and not to any subsequent owner or other person or entity) this limited warranty for any Products or Electrical Apparatus sold by, repaired, or services performed by Keller pursuant to a purchase order accepted by the Company:

Products and/or Apparatus Sold by Keller

- New - Keller warrants that the apparatus and products sold is new and subject to the manufacturer's warranty.
- New Apparatus Not Warranted By Manufacturer - Keller warrants that the apparatus has never been in service. Such warranty will extend for a period of one (1) year from date of shipment, during which time the apparatus will operate satisfactorily, with competent supervision, under rated load, original nameplate data, usage and conditions.
- Remanufactured - Keller warrants that the apparatus has been completely reworked and rebuilt to EASA Recommended Practice and tolerances. Warranty will extend for a period of one (1) year from date of shipment, during which time the apparatus will operate satisfactorily, with competent supervision, under rated load, original nameplate data, usage and conditions.
- Reconditioned - Keller warrants that the apparatus is complete, has been dismantled, inspected, parts cleaned, lubricated, windings dried and treated, assembled, tested and painted. Warranty will extend for a period of ninety (90) days from date of shipment, during which time the apparatus will operate satisfactorily, with competent supervision, under rated load, original nameplate data, usage and conditions.
- Used, Not Reconditioned Or Disassembled - Electrical - Keller warrants that the apparatus operates and complies with the stamped nameplate ratings as specified in EASA Recommended Practice.
- Used, Not Reconditioned Or Disassembled - Mechanical - This apparatus shall contain all necessary parts to ensure its operation and has no visible broken parts.
- As Is - Keller offers no warranty of condition, whatsoever, as agreed by the buyer and Seller.

Apparatus Serviced By Keller (except for transformers)

- Complete Apparatus - Mechanically Rebuilt, Electrically Tested** - Keller warrants that the apparatus has been dismantled, inspected, parts cleaned, lubricated, windings dried, varnished and baked as required, all mechanical tolerances (including sleeve bearings if a component of the equipment) brought to Manufacturer's tolerances or EASA Recommended Practice, including the replacing of all anti-friction bearings with new bearings (if such bearings are a component of the equipment), dynamically balanced, assembled, tested, and painted. Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty, but not to exceed ninety (90) days from date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of Keller's Warranty. In the event that Keller and the Customer mutually agree that a bearing(s) should not be replaced or rebabbited, the bearing(s) is (are) not warranted.

Complete Apparatus - Electrically Rebuilt, Mechanically Inspected

- a) Totally Electrically Rebuilt** - Keller warrants that the apparatus has been dismantled, inspected, parts cleaned, lubricated, all windings replaced with new winding(s) composed of new insulation and wire in accordance with EASA Recommended Practice, assembled, tested, and painted. Keller's Warranty shall extend for a period of ninety (90) days from the date of shipment on all items except the new electrical winding(s) which Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty, but not to exceed one (1) year from date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of Keller's Warranty.

- b) Partially Electrically Rebuilt** - Keller warrants the apparatus as stated in paragraph a) above, except for apparatus where multiple windings are involved (e.g.: slip ring motors, direct current motors, synchronous motors);

Complete Apparatus - Mechanically And Electrically Rebuilt

- a) Totally Mechanically and Electrically Rebuilt** - Keller warrants that the apparatus has been dismantled, inspected, parts cleaned, lubricated, all mechanical tolerances (including sleeve bearings if a component of the equipment) brought to Manufacturer's tolerances or EASA Recommended Practice, all windings replaced with new windings composed of new insulation and wire in accordance with EASA Recommended Practice, including the replacing of all anti-friction bearings with new bearings (if such bearings are a component of the equipment), dynamically balanced, assembled, tested, and painted. Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty, but not to exceed one (1) year from date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of Keller's Warranty. In the event that Keller and the Customer mutually agree that a bearing(s) should not be replaced or rebabbited, the bearing(s) is not warranted.

- b) Partially Electrically Rebuilt and Totally Mechanically Rebuilt** - Keller warrants the apparatus as stated above in paragraph a), except for apparatus where multiple windings are involved (e.g.: slip ring motors, direct current motors, synchronous motors), and Keller's Warranty for multiple winding apparatus applies only to the new winding(s) installed by Keller.

- Complete Apparatus - Reconditioned** - Keller warrants that the apparatus has been dismantled, inspected, parts cleaned, lubricated, windings dried and varnish treated as required, dynamically balanced, assembled (replacing anti-friction bearings with new bearings, if applicable), tested, and painted. Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty, but not to exceed ninety (90) days after date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of Keller's Warranty.

- Components Of Apparatus - Mechanically And Electrically Rebuilt** - Keller warrants that the component of apparatus has been inspected, all mechanical tolerances brought to Manufacturer's tolerances or EASA Recommended Practice, windings replaced with new windings and insulation in accordance with EASA Recommended Practice, varnish treated as required, dynamically balanced (if applicable), and painted (if applicable). Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty, but not to exceed ninety (90) days after date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of Keller's Warranty.

- Components Of Apparatus - Reconditioned** - Keller warrants that the component of apparatus has been inspected, windings dried and varnish treated as required, dynamically balanced (if applicable), tested, and painted (if applicable). Keller's Warranty shall extend for a period equal to the Manufacturer's Warranty but not to exceed thirty (30) days from date of shipment. Keller's Warranty shall be limited to the liability provided in the general provisions which are a part of the Keller Warranty.

The foregoing warranties will not apply to defects, occurring within the warranty period, resulting from misuse by customer or by reason of improper installation, application, circuit protection, assembly or repair of the apparatus by others subsequent to the sale or service by Keller.

If the apparatus does not operate in accordance with the foregoing warranties, Keller will refund the price of the goods or service or will provide for the reworking or replacing of the apparatus or parts, at Keller's option, to cause it to so operate for no additional charge to the customer, at Keller's facility, and during Keller's regular working hours. Transportation of the apparatus, if required, will be paid for by the customer. Keller's liability for any breach of the foregoing warranty shall be limited to such refund, reworking or replacement and, in the case of claims arising out of the Keller's inspection of apparatus, to the charge made for such inspection.

Keller, shall not, under any circumstances be liable for any expenses incurred or otherwise for inconvenience or loss of use of the goods and services, or any machinery, equipment, application or process of which the goods or services are a component. Keller shall not under any circumstances be liable for any indirect, special or incidental or consequential damages, costs and/or expenses arising out of the use of the goods or services, or the failure of the goods and services to conform to this limited warranty, regardless of the theory of liability under which any such claim may be pursued. Keller's liability shall not, in any event exceed the amounts charged by the Company for the service(s) rendered. Keller shall not be liable to the Customer or any other person, and this limited warranty shall be void if the Customer, or any other person (a) modifies, tampers with or attempts to repair the apparatus after Keller's sale or service, or (b) uses the goods or apparatus in a manner other than as recommended by the manufacturer, or (c) uses the goods or apparatus in any machinery, equipment, application or process for which the item is not intended, or rated by the manufacturer, or (d) if the claimed failure of the goods or apparatus is the result of misuse, neglect, abuse, accident or failure of any other machinery or equipment, or component thereof.

Transformers Serviced By Keller

Transformers accepted by Keller from a Customer for repair or servicing will be warranted to operate satisfactorily for the time period as defined herein. Transformers accepted by Keller from a Customer for specific repairs, or for the repair and replacement of specific parts only, are warranted only as to the extent that such specific repairs are performed or parts furnished by Keller. All warranties are provided with the condition that Customer operates the transformer with competent supervision, does not exceed rated load or capacity of transformer, and has normal usage and operating conditions.

Any warranty repair done by contract and/or customer must first be authorized by Keller. The correction of such defects by repair or replacement shall constitute fulfillment of all Keller's obligations with respect to the product sold hereunder.

Types of Limited Warranties are as follows:

- Class A (Category I) Repairs - Category I Repairs** are those that do not require removal of the core and coils from the case but require cleaning, servicing, testing and painting.

Keller warrants it has checked the transformer for mechanical and electrical damages and made necessary repairs, refinished the case if needed, checked the oil level and replaced the gaskets if applicable. The Service Center has performed all applicable tests according to ANSI, IEEE, or EASA Recommended Practice. All work is warranted for ninety (90) days. Should the unit fail within the warranty period, the amount charged will be credited toward additional repairs performed on the same unit.

- Class B (Category II) Repairs - Category II Repairs** are those requiring removal of the core and coils, oven drying, completely repairing or replacing any parts, refinishing case, reassembly and testing.

Keller warrants it has dismantled the transformer, cleaned, tested and repaired or replaced all defective equipment, dried and revarnished the coils if applicable, refinished the case, refilled with non-PCB oil, furnished and installed new gaskets if applicable, performed all applicable tests according to ANSI, IEEE, or EASA Recommended Practice. All work is warranted for ninety (90) days. Should the unit fail within the warranty period, the amount charged will be credited toward additional repairs performed on the same unit.

- Class C (Category III) Repairs - Category III Repairs** are those requiring removal of the core and coils, installing new windings and insulation, completely repairing or replacing any defective parts, refinishing case, reassembling and testing.

Keller warrants it has dismantled the transformer, cleaned, tested and repaired or replaced all defective equipment, insulated new windings on the core, refinished the case, refilled with non-PCB oil, furnished and installed gaskets if applicable, performed all applicable tests according to ANSI, IEEE, or EASA Recommended Practice. All work is warranted for one year.

General Provisions

The foregoing Warranties will not apply to defects, occurring within the warranty period, resulting from misuse by Customer or by reason of improper installation, application, circuit protection, assembly or repair of the transformer by others subsequent to service by the Service Center.

If the transformer does not operate in accordance with the foregoing Warranties, Keller will refund the price of the goods or service as stated in each category or will provide for the reworking or replacing of the apparatus or parts, at Keller's option, to cause it to so operate for no additional charge to the Customer, at Keller's place of business, and during Keller's regular working hours. Transportation of the transformer, if required, will be paid for by the Customer. Keller's liability for any breach of the foregoing Warranty shall be limited to such refund, reworking or replacement and, in the case of claims arising out of Keller's inspection of the transformer, to the charge made for such inspection. Keller shall not be liable to Customer, or to any other person, for any indirect, consequential, or other kinds of damages arising out of this transaction.

- Warranty Procedure.** If an item sold or repaired by Keller is claimed not to perform as specified under the original manufacturer's specifications when it is received by the customer, or is claimed to be defective within the limited warranty period as defined by Section 4 above, the Customer shall give prompt written notice to Keller, in no event later than the expiration of the limited warranty period. Customer shall be responsible for any shipping or handling, or associated costs for shipping and handling of the repaired item back to Keller. Upon receipt of the item, Keller's technicians will inspect the item and determine whether the claimed non-conformity or defect, as the case may be, is related to a manufacturing defect in materials or workmanship, or the subject of a previous repair.

If Keller determines that the non-conformity or defect is not a manufacturer's covered warranty issue or not related to the Keller repair, or that one or more of the conditions described in Section 4, above, is a cause of the Customer's claim, Keller will give notice to the Customer promptly thereafter, and will request an authorization to perform additional repair services at Keller's applicable repair rates for such services. Keller will not engage in any additional repair services without the Customer's prior written authorization. If within ten (10) days of Keller's request for authorization to repair, the Customer requests the return of the unrepaired item, Keller will return the item at the Customer's expense. If the Customer neither authorizes the additional repairs, nor requests the return of the item within the ten (10) day period, the Customer will be liable to Keller for storage of the item at a rate per day that Keller establishes from time to time, which rates will be made available by Keller upon Customer's request. If the item remains in storage with Keller for a period of sixty (60) days or more after Keller's request for authorization to repair, Customer shall be deemed to have abandoned the item and Keller may dispose of it in its sole discretion, without incurring any liability whatsoever to the Customer.

If Keller determines that the non-conformity or defect comes within the terms and conditions of the limited warranty and if the Company elects under the limited warranty provision to repair the item in question, Keller will rework or provide replacement without charge to the customer and will return the item to the customer at Keller's expense.

EASA Standards and EASA Recommended Practices referenced in the aforementioned may be found at: <http://www.KellerElectrical.com/services/repairdivision.shtml>

**Agenda Item
No.**

B-5

DATE SUBMITTED 12/12/23

SUBMITTED BY Parks/Rec

DATE ACTION REQUIRED 12/20/23

COUNCIL ACTION ()

PUBLIC HEARING ()

REQUIRED RESOLUTION ()

ORDINANCE 1ST READING ()

ORDINANCE 2ND READING ()

CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: SUNSET PARK IMPROVEMENTS

1. AUTHORIZATION TO PURCHASE DECORATIVE GRAVEL FOR BASEBALL FIELDS NOT TO EXCEED \$120,000.00

DEPARTMENT INVOLVED: Parks and Recreation

BACKGROUND/SUMMARY:

In December of 2022 City Council approved the proposed Sunset Park improvements. The improvements included regrading, lighting, and field improvements. Staff is asking City Council's authorization to proceed with the purchase of the decorative gravel needed as part of the field improvements.

Please see attached decorative gravel cost breakdown and project status update.

FISCAL IMPACT: Not to exceed \$120,000.00

Funding source: American Rescue Plan Act monies

FINANCE
INITIALS

DP

STAFF RECOMMENDATION: For City Council to authorize the purchase of the decorative gravel for Sunset Park improvements in the amount not to exceed \$120,000.00

DEPT. INITIALS

[Signature]

MANAGER'S RECOMMENDATION:

Approve

CITY
MANAGER'S
INITIALS

JH

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

Project Status Report

Overall Status: **In Progress**

Project Name: Sunset Park Improvements - ARPA FUNDED

12/4/2023

The Project History	● In December of 2022 staff recommended park improvements to City Council for Sunset Park. The improvements were to be the addition of 2 new park lights on the west side of the park, hauling and spreading of several tons of red DG to cover the fields completely up to 2-3". Before the installation of the new material City Staff would survey and record adequate elevation for grading, make any necessary power grid upgrades and install new concrete drainage boxes both inside and out of the fields that would enable the pumping/removal of any excess water into the storm water lift station. Work on this project was not scheduled to start until the end of the summer 2023 due to the high volume of use by our local little league clubs as outlined in the Department memos.
Current progress up to date on the project	- Staff has completed all survey work that will be included for the grading to return the basin to its original design for efficient drainage and reduce standing water - Staff completed the electrical panel upgrades that would allow for the addition of the new lighting which included- Community development internal evaluation, Public Services and IID evaluations. The findings determined that the existing panel needed upgrades to tie in new lighting but did not require any power supply to the site. - Drain boxes have been purchased. - Light fixtures and poles have been ordered - Staff has also relocated lines, capped and or removed over 80 sprinklers in preparation for grading. - Republic Services has offered to do the grading for this project (in kind)
Milestones expected to be completed in quarter 1 of 2024	● Tie in and install all wiring, conduit and pedestals for 2 new light poles with the assistance of Public Services Electrician ● Grading in phases to minimize the impact to youth sports leagues- Phase 1- Center section outside of the fields. Phase 2- South and T ball fields closed. Phase 3- North Field closure ● Install Drainage boxes upon completion of grading ● Haul in DG and spread. This process will also be phased in similar to Grading. North Field will be last to be closed
Potential delays anticipated	● Repairs caused by site work examples being trenching, grading and excavation. ● Inclement weather rain or flooding ● Scheduling with outside agencies for (in kind) work to be done

Contact Information

Parks and Recreation Director

Anthony Lopez

tlopez@cityofimperial.org

Project Summary

In summary, I expect to have this project at least 80 percent complete by end of first quarter 2024. The project will be 100% **(In House)** which means it will be a combination of efforts by Parks and Recreation, Public Services, Republic Services, etc. This makes the project a bit more challenging but not impossible. The other departments or agencies involved prioritize the day to day requirements of their jobs as well as emergencies or duties assigned by their department management.

We will continue to work as efficiently as possible to ensure that the project reaches completion. The Department memo outlines progress made for the City Managers Office as well as City Council.

Approximate Field Terrain costs

- Re-grading Terrain
- Installing additional drainage
- Install 3" of Red Base Material (DG)
- Total yards of materials
1,462 yards
- City equipment will be used to haul in and spread materials



Field	Cost Estimate
Northwest Field	\$60,000
Southwest Field	\$50,000
T-Ball Field	\$10,000

Agenda Item No. B-6

DATE SUBMITTED

12/27/2023

SUBMITTED BY

COMMUNITY
DEVELOPMENT
DIRECTOR

DATE ACTION REQUIRED

01/03/2024

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: CROSSWALK ON NORTH IMPERIAL AVENUE
BETWEEN BARIONI BOULEVARD AND 9TH STREET.

1. AUTHORIZE THE REMOVAL OF THE CROSSWALK ON NORTH
IMPERIAL AVENUE BETWEEN BARIONI BOULEVARD AND 9TH
STREET.

DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT

BACKGROUND/SUMMARY:

See attached staff report.

FISCAL IMPACT:

SEE ATTACHED REPORT

ADMIN
SERVICES
SIGN INITIALS

JLM

STAFF RECOMMENDATION:

Staff recommends removal of the crosswalk on North Imperial
Avenue between Barioni Boulevard and 9th Street.

DEPT. INITIALS

OM

MANAGER'S RECOMMENDATION:

approve staff recommendation

CITY
MANAGER'S
INITIALS

OTM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()



Staff Report

Agenda Item No.

B-6

To: City Council

From: Othon Mora, Community Development Director

Date: December 27, 2023

Subject: Removal of Pedestrian Crosswalk on North Imperial Avenue Between Barioni Boulevard and 9th Street

Background:

An evaluation of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street has been requested to formulate possible mitigation measures regarding the rising safety concerns for pedestrians using the designated crosswalk. The ideal mitigation, is the removal of the existing crosswalk in its entirety.

The existing pedestrian crosswalk presents many safety apprehensions. The placement of the pedestrian crosswalk presents visibility concerns. There is a major blind spot when vehicles are in the parking spots directly in front of Key's Bargain, on the West side of Imperial Ave. For drivers moving Southbound, the pedestrian is not visible in the crosswalk until they are in close proximity of the pedestrian (approximately twenty feet).

Commissioners agreed with the recommended removal of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street at the Traffic Commission meeting held on October 25, 2023.

Analysis:

The Development Review Committee has assessed the area in regards to the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street. Based on the concerns expressed, the removal of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street may provide and fulfill the sought-after traffic safety mitigation. Please refer to **Exhibit A** for additional feedback from the surrounding businesses. The Development Review Committee (DRC) has based the recommendation on the following guidelines from the Manual on Uniform Traffic Control Devices (MUTCD) as follows:

Section 3B.18, Crosswalk Markings, of the MUTCD states the following:

3B.18.01: Crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops.

3B.18.02: In conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.

3B.18.03: At non-intersection locations, crosswalk markings legally establish the crosswalk.

3B.18.11: Because non-intersection pedestrian crossings are generally unexpected by the road user, warning signs (see Section 2C.50) should be installed for all marked crosswalks at non-intersection locations and adequate visibility should be provided by parking prohibitions.

Staff's findings are as follows:

- The MUTCD defines crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops.
- Based on field observations, there are definite safety and visibility concerns at the pedestrian crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street.

Mitigation Measures Options and Cost:

Option 1: Removal of existing stripping: \$1,000.00

Option 2: Area Improvements:

- No Parking Signs /50' Red Curb and removal of three (3) parking spaces: \$2,141.00
- RRPf (Rectangular Rapid Flashing Beacons) Pedestrian Crosswalk Systems: \$17,732
- Two ADA Ramps: \$13,000

Staff Recommendation:

Based on these findings, staff recommends removal of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street.

Exhibit A

Feedback from Surrounding Businesses

The Sushi Spot

115 N Imperial Ave

Fabiola Granados, Property Owner

Feedback: No comments at this time.

Rocket

115 E Barioni Blvd

Patricia Ramirez, Store Personnel

Feedback: No comments at this time.

Faith & Wellness Fit Camp

115 N Imperial Ave, Ste A

Nicole Elmore, Gym Owner

Feedback: No comments at this time.

Johnny's Burritos of Imperial

105 S Imperial Ave

Lupita Sera, Shift Manager

Feedback: No comments at this time.

The Beauty Mark

125 N Imperial Ave

Stephanie Manuel, Salon Owner

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk, but was more troubled about possible removal of parking spots.

Keys Bargain

115 N Imperial Ave

Heesook Kwon, Store Owner

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk, but was more troubled about possible removal of parking spots.

3:16 Café

123 N Imperial Ave

Tony Camacho

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk. He did mention that possible removal of parking spots would be inconvenient, but overall the safety and visibility held more weight.

Controlled Thermal Resources

105 N Imperial Ave

Sergio Cabanas, Director EHS Laboratories

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk. He even mentioned several potential accidents he personally experienced himself. Recommends the crosswalk remain, but with added safety features. Suggested signage be placed maybe a block before to get the attention of drivers moving South bound and crosswalk beacons. His reason for the need of the crosswalk is because of lack of parking. Staff from his offices park across the street to accommodate for other vehicles. Eliminating the crosswalk would be an major inconvenience.

DATE SUBMITTED 12/28/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 01/03/2024

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: HWY 86 FENCE REPLACEMENT FROM 2 ND STREET TO MARSHALL AVENUE BID			
1. REJECT ALL BIDS 2. ADOPT RESOLUTION TO AUTHORIZE THE CITY MANAGER TO PROCEED WITH DAY LABOR CONSIDERING REDUCTION IN SCOPE			
DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT			
BACKGROUND/SUMMARY: Community Development staff has reviewed all bids received on December 18, 2023 for the Hwy 86 fence replacement from 2 nd Street to Marshall Avenue and determined that it is in the City's best interest to reject all bids. Staff recommends rejecting all bids. Staff also recommends adopting resolution to authorize the City Manager to proceed with day labor with consideration of reduction in scope. See attached bid opening sheet.			
FISCAL IMPACT: \$160,000 Local Transportation authority funds	ADMIN SERVICES SIGN INITIALS <u>UHM</u>		
STAFF RECOMMENDATION: Staff recommends rejecting all bids. Staff also recommends adopting resolution to authorize the City Manager to proceed with day labor with consideration of reduction in scope.	DEPT. INITIALS <u>OM</u>		
MANAGER'S RECOMMENDATION: <i>approve staff recommendation</i>	CITY MANAGER'S INITIALS <u>OHM</u>		
MOTION:			
<table style="width: 100%;"> <tr> <td style="width: 50%;"> SECONDED: AYES: NAYES: ABSENT: </td> <td style="width: 50%;"> APPROVED () DISAPPROVED () REJECTED () DEFERRED () REFERRED TO: </td> </tr> </table>		SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REJECTED () DEFERRED () REFERRED TO:
SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REJECTED () DEFERRED () REFERRED TO:		

RESOLUTION NO. 2024-02

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IMPERIAL, CALIFORNIA, AUTHORIZING CITY
MANAGER TO PROCEED BY DAY LABOR WITH
CONSIDERATION IN REDUCTION IN SCOPE FOR HWY
86 FENCE REPLACEMENT PROJECT FROM 2ND
STREET TO MARSHALL AVENUE BID NO. P2023-04**

WHEREAS, on November 23, 2023, the City of Imperial (“City”) advertised a bid to remove and replace a fence on Highway 86 from 2nd Street to Marshall Avenue at the Imperial County Fairgrounds, referred to as “HWY 86 fence Replacement Project from 2nd street to Marshall Avenue-BID NO. P2023-04” (“Project”); and

WHEREAS, two primary concerns for this Project are keeping the total staff cost and contractor expenses within the allocated grant of \$160,000 obtained by the Local Transportation Authority and completing the entire Project before the opening of the Imperial County Fair; and

WHEREAS, a total of four (4) bids were received and opened by City staff on December 18, 2023 and one bid protest was received related to the Project; and

WHEREAS, the California Public Contract Code (“Code”) authorizes the City Council to reject all bids and pursuant to section 20167 of the Code, after rejecting bids, the legislative body may pass a resolution by a four-fifths vote of its members declaring that the Project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market; and

WHEREAS, staff recommends the Council adopt by a four-fifths vote of its members declaring the Project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Imperial declares by a four-fifths vote of its members declaring that the Project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the City authorizes the City Manager to cause the Project to be performed by day labor, or the materials or supplies furnished at a lower price in the open market.

APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council this 3rd day of January 2024.

ROBERT AMPARANO
Mayor

ATTEST:

KRISTINA M. SHIELDS,
City Clerk

CERTIFICATION

I, Kristina M. Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing resolution was duly adopted at a meeting of the City Council of said City at its meeting held on the 3rd day of January, 2024 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 3rd day of January, 2024.

KRISTINA M. SHIELDS,
City Clerk



BID Opening Act

BID No. P2023-04

HWY 86 FENCE REPLACEMENT PROJECT
FROM 2ND ST TO MARSHALL AVENUE

Bids received by: Aimee Osuna

Were opened at 400 S. Imperial Ave on 12/18/23

By: Aimee Osuna (EOC)

Witnessed by:

Signature

Othon Mora

[Signature]

Jesus VUEGAS

[Signature]

Ismael Gonzalez

[Signature]

Company

Bid Amount

Bid Bond

Quality Fence Co

\$281,900.00

yes

Red Hawk Services

\$198,869.05

yes

Pyramind Construction

~~\$140,000.00~~
373,531.00

yes

Big J Fencing

\$156,600.00

check

Bids were given to Othon Mora for study and
recommendation for City Council.

[Signature]

12/18/23
Date



**PYRAMID
CONSTRUCTION
AND AGGREGATES, INC.**

General Engineering Contractor

State Contractor Lic. No. 866533

839 Dogwood Road Heber CA, 92249
Ph 760-337-5839 Fax 760-337-5993
DIR # 1000004930

City of Imperial
420 S Imperial Avenue
Imperial CA 92251

Re: Hwy 86 Fence Replacement Project from 2nd Street to Marshall Avenue

Mr. Dennis Morita,

Pyramid Construction and Aggregates, Inc. is formally protesting the City of Imperial's bid Hwy 86 Fence Replacement Project from 2nd Street to Marshall Avenue. We are protesting on numerous grounds:

Big J Fence Inc.

1. Did not include pages 37 and 38 of bid proposal.
2. Did not include page 41, list of subcontractors.
3. Did not include page 45, non-collusion affidavit.
4. Did not include page 46, EEO Certification Exhibit 12-E.
5. Did not include page 47, Debarment and Suspension Certification Exhibit 12-E.
6. Did not include page 48 - 51, Non-Lobbying Certification For Federal Aid Contracts 12-E.
7. Did not list a cost for item's 3 and 5 on page 52 Proposal Bid Sheet 1 of 2
8. Did not include page 53 Proposal Bid Sheet 2 of 2
9. Did not include page 54, Certificate of Compliance with Economic Sanctions in Response to Russia's Actions in Ukraine
10. Did not include Good Faith Effort as described on page 12 of Contract Documents and Specifications.

Red Hawk Services Inc.

1. Did not include subcontractor for Geotechnical testing.
2. The amount of Item # 8 on Proposal Bid Sheet Page 1 of 2 is incorrect, amount should be 114,860.00.
3. The amount of Item # 9 on Proposal Bid Sheet Page 1 of 2 is incorrect, amount should be 34,038.40
4. The two items mentioned above make the Total Bid Proposal amount incorrect.
5. Did not include Good Faith Effort as described on page 12 of Contract Documents and Specifications.



**PYRAMID
CONSTRUCTION
AND AGGREGATES, INC.**

General Engineering Contractor

State Contractor Lic. No. 866533

839 Dogwood Road Heber CA, 92249

Ph 760-337-5839 Fax 760-337-5993

DIR # 1000004930

Quality Fence Co., Inc.

1. Did not list a subcontractor for Line Item #4 Construction Staking and Line Item #5 Geotechnical testing on page 41, list of subcontractors.
2. Did not include Good Faith Effort as described on page 12 of Contract Documents and Specifications.

We ask that all three bidder's bid proposals be rejected for missing documents, incorrect bid totals, and missing Good Faith Effort documents.

Sincerely,

Ryan Dickerson

Pyramid Construction and Aggregates, Inc.

Project Manager

DATE SUBMITTED

12/27/2023

SUBMITTED BY

Imperial Police Dept.

DATE ACTION REQUIRED

01/03/2024

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;

- ADDRESS A DEPARTMENT NEED AND CREATE BETTER OFFICER SAFETY BY REPLACING OUR OUTDATED FIELD NARCOTIC PRESUMPTIVE TESTING.
- APPROVAL OF PURCHASE OF IN-FIELD NARCOTICS ANALYZER

DEPARTMENT INVOLVED: POLICE DEPARTMENT

BACKGROUND/SUMMARY:

As our officers are conducting their daily job functions, the threat to their safety is at an all-time high with the potential for exposure to Fentanyl and other drugs. Due to the risk associated with ambient exposure, a directive was given to staff to cease all, "In-field" presumptive testing prior to booking the substances into Evidence.

Unfortunately, California Department of Justice typically has a back log for the scientific testing of substances and most of the time, we do not receive the lab results back, prior to the court proceedings. This allows for the defense to question the validity of the arrest and could cause the Magistrate to rule against the crime charged.

Upon conducting research to mitigate the issue, the department reached out to the Imperial County Sheriff's Office and found an updated solution. ICSO currently uses the TruNarc Handheld Narcotics Analyzer to conduct and obtain their presumptive test results for illegal substances. This reduces up to 95% + of the threat of exposure to Police Officers and allows for officers to gather the information needed to successfully prosecute criminals in possession of such deadly substances.

The TruNarc Handheld Narcotics Analyzer has a library of over 500 different substances and provides almost immediate results without direct contact to the substance itself. The company that offers this device, Thermo Scientific, is a trusted company that has been manufacturing, maintaining, and training on this product since 2012. Additionally, Thermo Scientific offers Law Enforcement agencies GSA Cooperative Program pricing, allowing us to purchase direct from the vendor. (Attached) quote for the product, warranty information, and several documents explaining the product in great detail.

The Police Department recommends the purchase of (1) one TruNarc Handheld Narcotic Analyzer T-12 with a 5-year warranty and (1) one (100pk solution kit). Not only will this tool create a safer environment for our employees, it also in lines itself with FY 23/24 council recommended City projects (New technology for the police department).

GSA Contract # GS-07F-6099R

Total cost - Not to Exceed \$38,400.00

FISCAL IMPACT: NONE	FINANCE INITIALS <u>VHM</u>
STAFF RECOMMENDATION: FUNDING SOURCES • \$8,396.56 from opiate settlement funding • \$30,003.44 from March & Ash - Public Safety funding.	DEPT. INITIALS <u>ml</u>
CITY MANAGER'S RECOMMENDATION: <u>approve</u>	CM INITIALS <u>Stm</u>
MOTION: SECONDED: AYES: NAYES: ABSENT: APPROVED () DISAPPROVED () REFERRED TO: REJECTED () DEFERRED ()	

Jeremy Schaffer

From: Ferrera, Geno <geno.ferrera@thermofisher.com>
Sent: Tuesday, September 26, 2023 1:01 PM
To: Jeremy Schaffer
Subject: TruNarc
Attachments: TruNarc 1.10 Product Brochure.pdf; TruNarc 1.10 Library.pdf; TN Scan Reports.pdf; TruNarc Type H_19.pdf; TruNarc Benefits Sheet.pdf

CAUTION: This email originated from outside the City of Imperial. **Do not click links or open attachments** unless you recognize the sender and know the content is safe.

Officer Schaffer,

Good Afternoon, I have received your request for information on the TruNarc and I have included some pricing and PDF's in the information below and once you have decided on which warranty option you would like I will put together a quote for you. Please feel free to contact me at any time to discuss this further.

Thank you for your interest in narcotics Identification TruNarc (www.thermoscientific.com/trunarc) here is the current pricing with and without training and HKit info. "This is NOT a Quote" Some PDF's that should be helpful with the 1.10 library of the substances it can find. TruNarc can identify controlled substances, precursors and cutting agents. It also can identify emerging threats such as fentanyl (50 variants, including Carfentanil, in the 1.10 version) and bath salts. TruNarc utilizes non-contact, non-destructive sampling for most samples. The user can scan directly through plastic bags or glass containers to minimize contamination, reduce exposure and preserve evidence. This increases officer safety in the field and reduces potential contamination of the evidence. I have also included our updated chemical library 1.10 that has included testing for Xylazine (Tranq) and additional Fentanyl analogs as well as 8 Nitazene analogs.

Please give me a call we can discuss all the options available and what model works best for your budget and if you need the H-Kit extraction for Heroin and other low dose substance testing then I can prepare a quote. Here are the pricing options for TruNarc. The Type H Kit is used to identify Heroin, Heroin/Fentanyl mixtures, low concentration fentanyl, **Synthetic Marijuana (K2/Spice) in finished form** and some low dose pills (see library and Type H tech note to follow). Onsite training is strongly recommended for a successful implementation. The admin software is included with the TruNarc purchase and there are no license fee so it can be downloaded on multiple devices. Also click on our GSA link for contract pricing that offers our best discounted pricing. Any questions on GSA let me now.

Also, State & Local agencies now have the option to purchase using the GSA Cooperative Program so I have also included the GSA pricing if you would like to purchase using this contract vehicle.

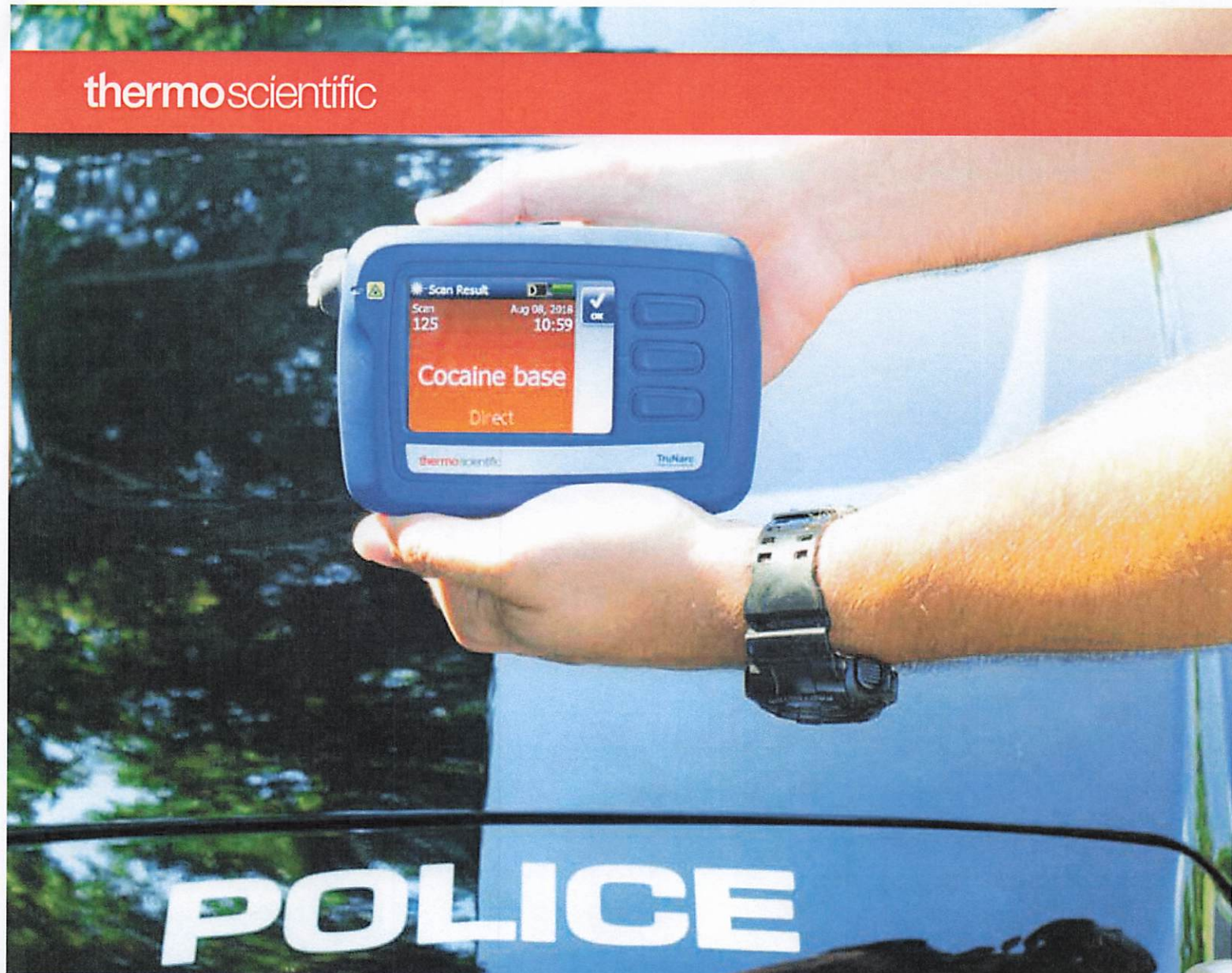
GSA Contract No. GS-07F-6099R
Contract period: March 26, 2010 - September 28, 2025
SIN 334519
SIN 339999E

When placing a purchase order against this quote, please use the Mandatory PO language for state/local orders using the Cooperative Purchasing Program as follows: "This order is placed under GSA contract number GS-07F-6099R under the authority of the GSA Cooperative Purchasing Program. In the event of a conflict between the terms of this order and those of the GSA Schedule, GSA's terms shall govern."

https://www.gsaadvantage.gov/ref_text/GS07F6099R/OXYKN7.3TOXHY_GS-07F-6099R_THERMOPS125.PDF

TruNarc Unlimited				
Part #	Product	Description	2023 Pricing (as of 9/1/22)	2023 GSA Pricing (as of 2/14/23)
800-01041-01	TruNarc, Unlimited, Warranty - 1 Yr, Train-12	TruNarc Unlimited Model with 1 year of warranty. Includes factory repair, loaner units when available and 24/7 technical support. Companion PC TruNarc admin software, unlimited access to TruNarc eLearning course and free basic software updates to core narcotics library are provided for the life of the instrument. Includes TruNarc on-site instructor led training for up to 12 students within the Continental United States (CONUS) - expires 9 months after date of purchase.	\$31,000.00	\$29,047.86
800-01042-01	TruNarc, Unlimited, Warranty - 2 Yrs, Train-12	As above with 2 years of warranty.	\$32,200.00	\$30,172.29
800-01043-01	TruNarc, Unlimited, Warranty - 3 Yrs, Train-12	As above with 3 years of warranty.	\$34,900.00	\$32,702.27
800-01044-01	TruNarc, Unlimited, Warranty - 4 Yrs, Train-12	As above with 4 years of warranty.	\$36,200.00	\$33,920.40
800-01045-01	TruNarc, Unlimited, Warranty - 5 Yrs, Train-12	As above with 5 years of warranty.	\$38,500.00	\$36,075.57
810-01462-01	TruNarc Solution Kit (Type H) - 100, English	TruNarc Solution Kit (Type H) for identification of Heroin and other special narcotics. Kit includes 100 Test Sticks and 100 Solution Vials with Ethanol. Note that because of the Ethanol, this product ships as a Hazardous Goods shipment.	\$704.00	\$704.00
810-01461-01	TruNarc Solution Kit (Type H) - 20, English	TruNarc Solution Kit (Type H) for identification of Heroin and other special narcotics. Kit includes 20 Test Sticks and 20 Solution Vials with Ethanol. Note that because of the Ethanol, this product ships as a Hazardous Goods shipment.	\$146.00	\$146.00
800-01011-01	TruNarc, Unlimited, Warranty - 1 Yr	TruNarc Unlimited Model with 1 year of warranty. Includes factory repair, loaner units when available and 24/7 technical support. Companion PC TruNarc admin software, unlimited access to TruNarc eLearning course and free basic software updates to core narcotics library are provided for the life of the instrument.	\$27,500.00 \$25,768.26 GSA	
800-01012-01	TruNarc, Unlimited, Warranty - 2 Yrs	As above with 2 years of warranty.	\$29,900.00 \$28,017.13 GSA	
800-01013-01	TruNarc, Unlimited, Warranty - 3 Yrs	As above with 3 years of warranty.	\$32,100.00 \$30,078.59 GSA	
800-01014-01	TruNarc, Unlimited, Warranty - 4 Yrs	As above with 4 years of warranty.	\$33,200.00 \$31,109.32 GSA	
800-01015-01	TruNarc, Unlimited, Warranty - 5 Yrs	As above with 5 years of warranty.	\$35,300.00	

thermo scientific



Thermo Scientific TruNarc Handheld Narcotics Analyzer

Field-based presumptive narcotics, precursor and cutting agent testing

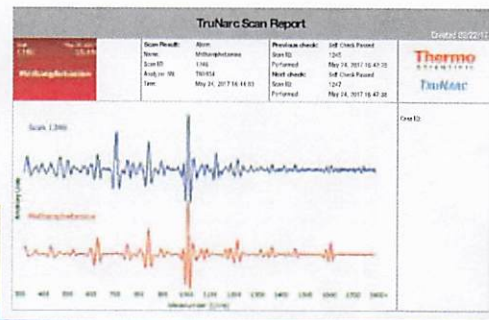


ThermoFisher
SCIENTIFIC

The TruNarc Handheld Narcotics Analyzer

- Tests for almost 500 substances, including narcotics, stimulants, depressants, hallucinogens and analgesics
- Library regularly updated to include emerging drug threats
- Requires no direct contact with most substances
- Delivers clear, real-time results for presumptive evidence
- Provides automated, tamper-proof records with scan results, including time-and-date stamps to help expedite prosecution

limits direct contact



Helping law enforcement

10
REASONS

Handheld Raman for Narcotics ID Strengthens Law Enforcement

A well-established technique for identifying chemicals, Raman spectroscopy has been used in forensic laboratory analysis for decades. It is widely accepted by the scientific community and has a proven track record in the United States court system.

1



Point and Shoot Simplicity

A handheld Raman analyzer can ID hundreds of narcotics, precursors or cutting agents in seconds-right at the scene. With high specificity, the analyzer is non-destructive, non-contact and easy to use.

2



Court-admissible Results

Handheld Raman analysis is allowed in early court proceedings. Law enforcement gains probable cause and the ability to charge suspects while rapidly moving cases through the system.

3



Faster Turnaround

With backlogs at the crime lab, the time between arrest and early court proceedings can reach one year in some cases. With admission of handheld Raman analysis, cases can be prepared for court in a matter of weeks.

4



Complete Police Reports

A handheld analyzer automatically generates a tamper-proof report, with test location, time, result and operator, for inclusion in the investigative file delivered to the prosecuting attorney's office.

5



Reduced Backlogs at the Crime Lab

In jurisdictions that permit handheld Raman analysis, crime labs may enjoy more efficient operation because each field test becomes a screening test, preventing backlogs.

6



Lower Costs

Given the cost per sample at the crime lab, drug testing can run tens of thousands of dollars per month. By deploying a handheld Raman analyzer, law enforcement can realize substantial savings over the life of the instrument.

7



Early Warning Sign

Handheld Raman analysis helps discover novel synthetic compounds. When these new substances are understood at the lab level, the information is quickly passed back to the analyzer for positive field ID.

8



Fast Library Updates

As new drug threats emerge, new substances can be added to an analyzer's "fingerprint" library quickly. These updates are made available frequently and are typically free of charge.

9



Beyond Wet Chemistry Kits

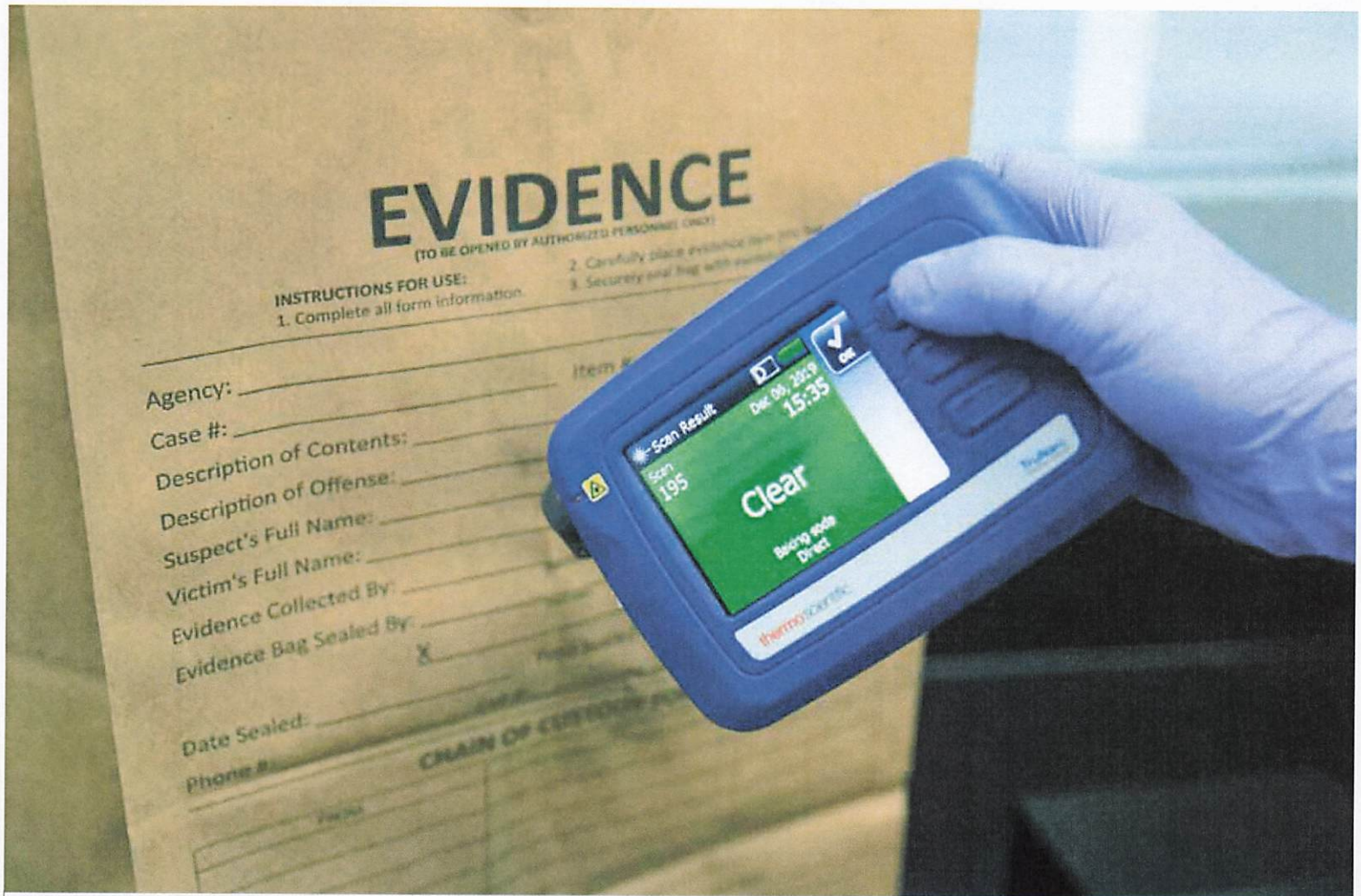
Wet chemistry kits require multiple steps with user interpretation. Some drugs require multiple chem kits to make the correct call. Handheld Raman provides a more accurate and reliable test, and is a total solution.

10



Leadership and Innovation

Handheld Raman technology helps law enforcement respond to the rising demands on police services. The analyzer improves testing accuracy, speeds prosecution and protects the community—all while reducing costs.



TruNarc: Efficient, Economical, Safe

Agencies across the United States who deploy TruNarc are seeing immediate benefits:

- Even little known substances can be identified almost instantly in the field
- The need for Law Enforcement Officers to handle potentially lethal narcotics is greatly reduced
- Valuable lab time is freed up for higher priority cases
- Reduced demand for lab testing delivers significant cost savings

benefits

stay ahead of the curve: safe, precise

TruNarc Success Stories

Quincy PD, Massachusetts: Little-known Drugs Identified Quickly

- TruNarc immediately identified an unknown sample as Alpha-PVP ("Flakka") a synthetic cathinone
- Official state-wide alert about new drug issued next day

Etowah County, Alabama: Reduced Court Wait Times

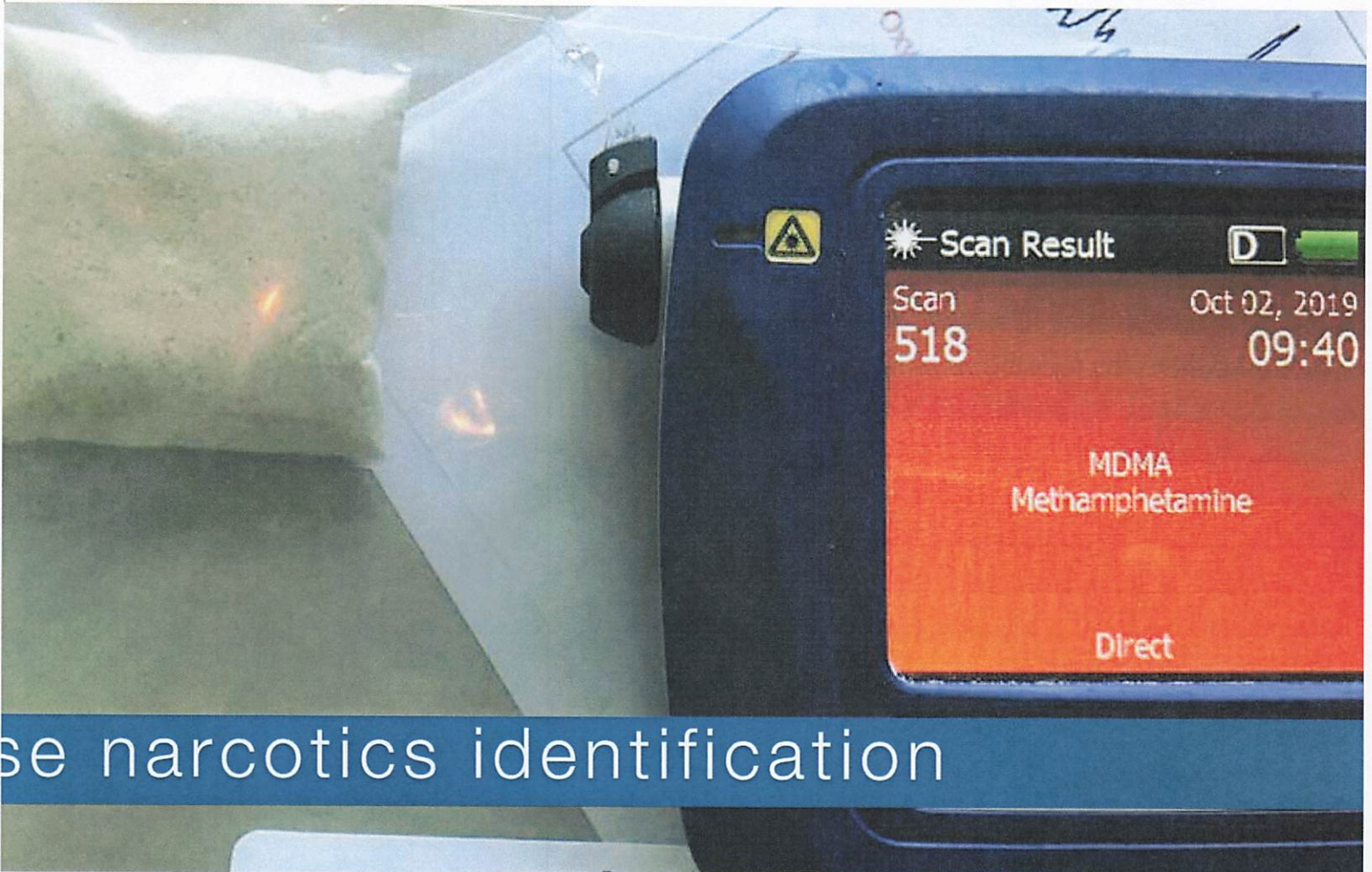
- *"We're definitely seeing a benefit because of TruNarc. We're able to take cases to the grand jury where before we didn't have a toxicology report. Now, a defendant doesn't have to wait for his day in court. It's been a godsend."*

– Etowah County

Charles County, Maryland: Improved Protection for Law Enforcement Officers

- Using TruNarc, officers quickly identified fentanyl (a potent opioid absorbed by touch, potentially causing overdose or death) in heroin seizure.
- *"The safety of our officers is one of our top priorities, and this technology will allow us to safely identify controlled dangerous substances quickly and accurately without having to wait on lab results."*

– Charles County



se narcotics identification



TruNarc Helps Keep Officers Safe

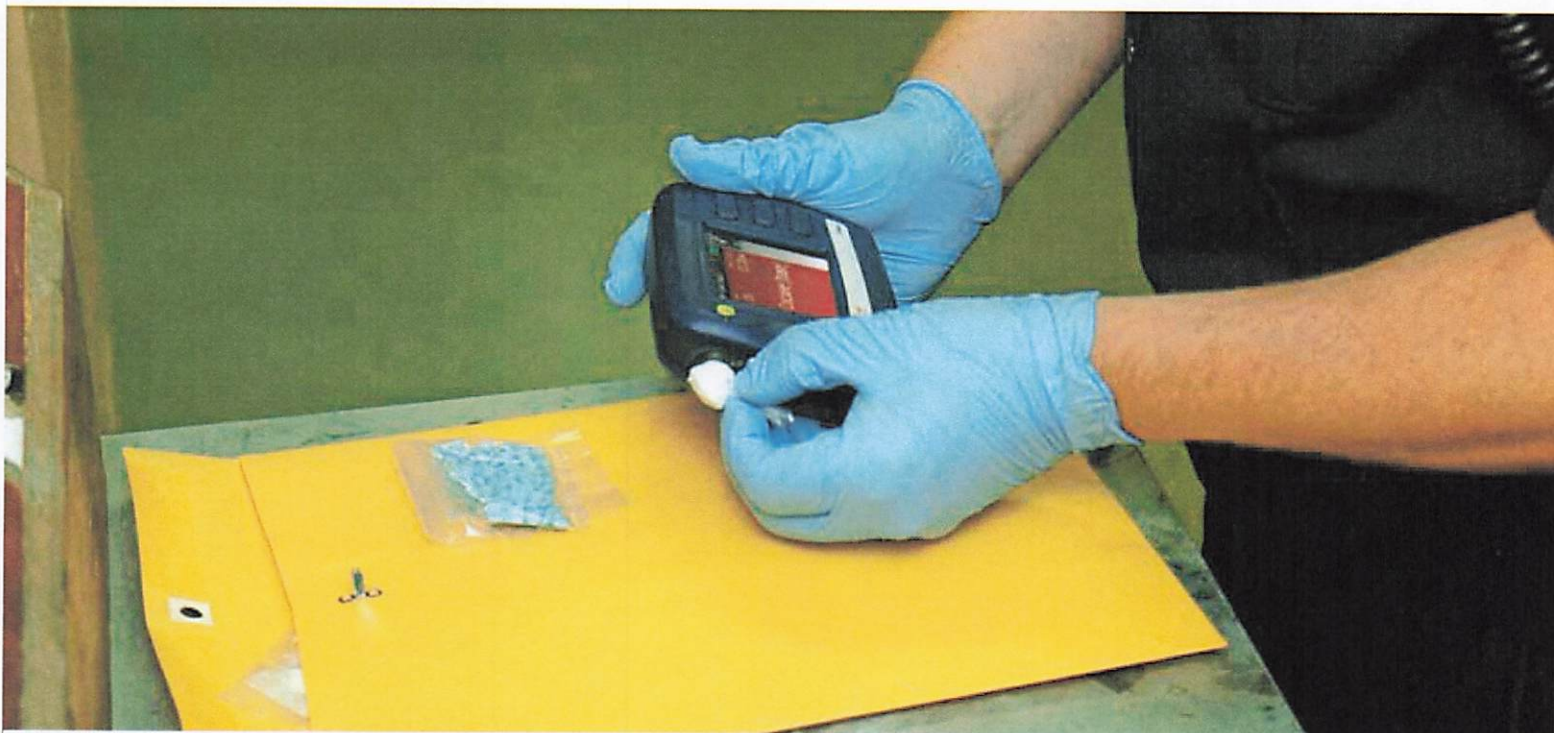
The use of illicit narcotics and opioids continues to skyrocket. Emerging lethal drugs like fentanyl and carfentanil threaten public safety.

To save lives and protect law enforcement officers, banned substances need to be identified quickly, safely and accurately.

The Thermo Scientific™ TruNarc™ Analyzer rapidly identifies drugs and can reduce the backlog of cases at crime labs while decreasing costs. This leads to quicker case resolution and helps drug offenders access treatment faster.

saves time and money





TruNarc: A more accurate and reliable presumptive test

Specifications	Description
Weight	1.25 lb (.570 kg)
Size	6.4 x 4.1 x 2.0 in. (16.26 x 10.41 x 5.10 cm)
Library	Controlled substances, cutting agents and precursors
Configurations	Unlimited or Pay-Per-Scan
Data export formats	CSV, SPC, PDF, SCZ, SCN
Battery	Rechargeable internal 3.7V battery pack (10 hrs.); DC wall adapter, 5V DC, 1.5A; optional car charger
Operating temperature	14° F to 122° F (-10° C to +50° C)
Language configurations	English, Arabic, Chinese, Czech, Dutch, French, Japanese, Polish, Russian, Spanish
Computer administration	TruNarc Admin software connected via microUSB to USB
Reachback support	Spectral analysis by staff chemists available
Validation	Third party test results available on request

To learn more about the TruNarc or schedule a demo, please visit us on line at: thermofisher.com/trunarc

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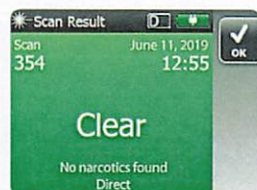
TruNarc v1.10 substance library: Display names

Alarm



64	4-MeO-DMT
65	4-MeO-PCP
66	4-Methoxy PVP
67	4-Methyl acetylferantyl
68	4-Methylamphetrex
69	4-Methylbuphedrone (cathinone)
70	4-Methylbuphedrone (4-MEC)
71	4-Methylpentadone (cathinone)
72	5-APB
73	5-APB
74	5-Chloro AB-PINACA (cannabinoid)
75	5-Chloro AKB48 (cannabinoid)
76	5-Chloro URB-144 (cannabinoid)
77	5-Diethyl
78	5-EAPB
79	5-Fluoro ABICA (cannabinoid)
80	5-Fluoro AB-PINACA (cannabinoid)
81	5-Fluoro ADB (cannabinoid)
82	5-Fluoro ADICA (cannabinoid)
83	5-Fluoro AEB (cannabinoid)
84	5-Fluoro AKB48 (cannabinoid)
85	5-Fluoro AMB (cannabinoid)
86	5-Fluoro CUMYL-P7ACA (cannabinoid)
87	5-Fluoro EDMB-PINACA (cannabinoid)
88	5-Fluoro MDMA-PICA (cannabinoid)
89	5-Fluoro MN-18 (cannabinoid)
90	5-Fluoro NMEI (cannabinoid)
91	5-Fluoro NPE-22 (cannabinoid)
92	5-Fluoro PB-22 (cannabinoid)
93	5-Fluoro SDB-006 (cannabinoid)
94	5-IAI
95	5-IT
96	5-MAPB
97	5-MeO-DALT
98	5-MeO-DPT
99	5-MeO-MPT
100	6-APB
101	6-Bromo-MDMA
102	6-Chloro-MDMA
103	6-FAVB
104	7-APB
105	8-B34735 (cannabinoid)
106	AB-001 (cannabinoid)
107	AB-CHMINACA (cannabinoid)
108	AB-FUBINACA (cannabinoid)
109	AB-PINACA (cannabinoid)
110	Acetyl ferantyl
111	Acetylferantyl
112	ADB-FUBINACA (cannabinoid)
113	ADB-PINACA (cannabinoid)
114	AD-7921
115	AKB48 (APINACA) (cannabinoid)
116	Alfenone
117	Allyl-Methyl acetylferantyl
118	Allyl-Methyl ferantyl
119	Allyl-Methylpiperidine (AMT)
120	Allyl-PHP (cathinone)
121	Allyl-PVP (cathinone)
122	Alprazolam
123	AM1220 (cannabinoid)
124	AM1230 (cannabinoid)
125	AM1241 (cannabinoid)
126	AM1248 (cannabinoid)
127	AM2201 (cannabinoid)
128	AM2233 (cannabinoid)
129	AM630 (cannabinoid)
130	AM694 (cannabinoid)
131	Amphetamine
132	AP-237
133	APICA (cannabinoid)
134	APP-CHMINACA (cannabinoid)
135	APP-FUBINACA (cannabinoid)
136	APP-PICA (cannabinoid)
137	BB-22 (cannabinoid)
138	Benzphetamine (cathinone)
139	Benzodioxole ferantyl
140	Benzyl ferantyl
141	BK-2C-B
142	Bromadrol
143	Bromo-dragonFLY (phenethylamine)
144	Brophine
145	Buphedrone (cathinone)
146	Buprenorphine
147	Butylal
148	Butylazene
149	Butylone (cathinone)
150	BZP
151	BZP
152	Carfentanil
153	Carisoprodol
154	Cathinone
155	CB-13
156	Canazepam
157	Canazepam
158	Cocaine
159	Cocaine base
160	Cocaine HCl
161	Codine
162	CP-497 497 (cannabinoid)
163	Crotonyl ferantyl
164	CUMYL-THPINACA (cannabinoid)
165	Cyclobenzazepine
166	Cyclobutyl ferantyl
167	Cyclohexyl ferantyl
168	Cyclopentyl ferantyl
169	Cyclopropyl ferantyl
170	Desmethoxyketamine
171	Desomorphine
172	Desomorphine (DXM)
173	Diazepam
174	Dibutylone (Bk-DMDDB) (cathinone)
175	Diazepam
176	Diethylcathinone
177	Dimethylamphetrex (DMAB)
178	Dimethylamphetrex
179	Dimethylcathinone
180	Dimethylone (Bk-MDMA)
181	Dimethylpiperidine (DMT)
182	Diphenidine
183	Diphenylprolinol (D2PM)
184	EADB-FUBINACA (cannabinoid)
185	EAM-2201 (cannabinoid)
186	EMB-FUBINACA (cannabinoid)
187	Ethylone (cathinone)
188	Ethylone (cathinone)
189	Ethylphenol
190	Etizone
191	Eutylone (cathinone)
192	Fenethylone (cathinone)
193	Fenethylone
194	Ferantyl
195	Fluorazepam
196	Fluorazepam
197	Fluorazepam
198	Flurazepam
199	Flurazepam
200	Fluvone
201	FUB-144 (cannabinoid)
202	FUB-AMB (cannabinoid)
203	FUB-JWH-018 (cannabinoid)
204	FUB-PB-22 (cannabinoid)
205	FURAMYL ferantyl
206	Gabapentin
207	GBL
208	GHB
209	Heroin
210	Hexamyl ferantyl
211	HU-210 (cannabinoid)
212	HU-211 (cannabinoid)
213	Hydnorone
214	Isobutyl ferantyl
215	Isopropyl U-47700
216	Isodesmetazene
217	Isodesmetazene
218	JWH-015 (cannabinoid)
219	JWH-018 (cannabinoid)
220	JWH-019 (cannabinoid)
221	JWH-020 (cannabinoid)
222	JWH-073 (cannabinoid)
223	JWH-081 (cannabinoid)
224	JWH-122 (cannabinoid)
225	JWH-182 (cannabinoid)
226	JWH-200 (cannabinoid)
227	JWH-203 (cannabinoid)
228	JWH-210 (cannabinoid)
229	JWH-250 (cannabinoid)
230	JWH-412 (cannabinoid)
231	Ketamine
232	Levorphanol
233	Lisdexamfetamine
234	MAB-CHMINACA (cannabinoid)
235	MAM-2201 (cannabinoid)
236	mCPP
237	MDA
238	MDAI
239	MDCA
240	MDMA
241	MDMB-CHMICA (cannabinoid)
242	MDMB-FUBINACA (cannabinoid)
243	MDPBP (cathinone)
244	MDPP (cathinone)
245	MDPP (cathinone)
246	MDPV (cathinone)
247	Mephedrone (cathinone)
248	Mephedrone (MTA)
249	Mescaline-NBOMe
250	meta-Fluoro methoxyacetyl ferantyl
251	meta-Fluorofentanyl
252	Methadone
253	Methamphetamine
254	Methaqualone
255	Methcathinone
256	Methedrone (cathinone)
257	Methoxycarbonyl (MXE)
258	Methoxyphenylferantyl
259	Methoxyphenylferantyl
260	Methyone (cathinone)
261	Methylphenol
262	Methoxyphenol
263	Methoxyphenol
264	Mexedrone (cathinone)
265	MMB2201 (cannabinoid)
266	MMB-CHMICA (cannabinoid)
267	MM-18 (cannabinoid)
268	MM-24 (NNI) (cannabinoid)
269	MM-25 (cannabinoid)
270	MO-CHMINACA (cannabinoid)
271	Morphine
272	MPPH (cathinone)
273	N,N-Diethylpentylone (cathinone)
274	N,N-Dimethylpentylone (cathinone)
275	Naphthylone (cathinone)
276	N-Ethylbuphedrone (cathinone)
277	N-Ethylhexedrone (cathinone)
278	N-Ethylmethamphetamine
279	N-Ethylpentadone (cathinone)
280	N-Ethylpentylone (cathinone)
281	Nineazepam
282	Nitrazene
283	NPB-22 (cannabinoid)
284	N-Piperidyl elonitazene
285	N-Pyrrolidone elonitazene
286	NPB-3 (cathinone)
287	Octenol
288	Ortho-Fluorofentanyl
289	Ortho-Methyl acetyl ferantyl
290	Ortho-Methyl ferantyl
291	Oxycodone
292	Oxycodone
293	Oxycodone
294	Oxycodone
295	para-Chlorofentanyl
296	para-Chlorobutyl ferantyl
297	para-Fluoro cyclopropyl ferantyl
298	para-Fluoro ferantyl
299	para-Fluoro methoxyacetyl ferantyl
300	para-Fluorobutyl ferantyl
301	para-Fluorofentanyl
302	para-Fluorobutyl ferantyl (FIBF)
303	para-Methoxybutyl ferantyl
304	para-Methoxyacetyl ferantyl
305	para-Methoxyfentanyl
306	para-methyl AP-237
307	para-methyl ferantyl
308	PB-22 (cannabinoid)
309	PCP
310	Pentadone (cathinone)
311	Pentylone (cathinone)
312	Phenazepam
313	Phenethylamine
314	Phenyl ferantyl
315	PMA
316	PMCA
317	PMMA
318	Paraldehyde
319	Protonitazene
320	PX-1 (cathinone)
321	PX-2 (cathinone)
322	RCS-4 (cannabinoid)
323	RCS-8 (cannabinoid)
324	Rentilamine
325	SDB-005 (cannabinoid)
326	S-Phenyl ferantyl
327	S-Phenyl ferantyl
328	Sulfenol
329	T-BOC MDMA
330	T-BOC Methamphetamine
331	Tamazepam
332	Tetrahydrofuran ferantyl
333	THMP
334	Thiophene ferantyl
335	THU-2201 (cannabinoid)
336	THU-018 (cannabinoid)
337	THU-2201 (cannabinoid)
338	THU-2201 (cannabinoid)
339	THU-2201 (cannabinoid)
340	THU-2201 (cannabinoid)
341	U-49900
342	U-50488
343	U-51754
344	UR-144 (cannabinoid)
345	UR-144 N-heptyl (cannabinoid)
346	Valeryl ferantyl
347	W-18
348	XLRL-11 (cannabinoid)
349	XLRL-11 N-(4-pentyl)
350	Xylazine
351	Zolpidem
352	β-Hydroxyethylferantyl

Clear



- | | | | |
|--------------------------------|-------------------------------|-----------------------------|-------------------------------|
| 1 2-Ethylamino- 1-phenylbutane | 21 Diltiazem | 41 Lidocaine | 62 Piracetam |
| 2 Antipyrine | 22 Dimethyl aminocantipyrine | 42 Loratidine | 63 Plaster of Paris |
| 3 Atropine | 23 Dimethyl sulfone | 43 Low density polyethylene | 64 Poly(propylene glycol) |
| 4 Baby powder | 24 Diphenhydramine (Benadryl) | 44 Magnesium citrate | 65 Polyethylene glycol |
| 5 Baking soda | 25 Dipyrone | 45 Magnesium stearate | 66 Polyethylene terephthalate |
| 6 Benzocaine | 26 Epsom salt | 46 Magnesium sulfate | 67 Polypropylene |
| 7 Boric acid | 27 Ethanol | 47 Maltose | 68 Polyvinyl chloride |
| 8 Brucine | 28 Ethyl benzoate | 48 Mannitol | 69 Procaine* |
| 9 Caffeine* | 29 Fructose | 49 Methyl salicylate | 70 Propylphenazone |
| 10 Calcium carbonate | 30 Glucose | 50 Methylhexanamine (DMAA) | 71 Quinine* |
| 11 Calcium stearate | 31 Glutamine | 51 Minoxidil | 72 Saccharin |
| 12 Calcium sulfate | 32 Griseofulvin | 52 Naloxone* | 73 Silicon dioxide |
| 13 Cellulose | 33 Guaifenesin | 54 Naproxen | 74 Sodium sulfate |
| 14 Chloroquine | 34 Gypsum | 55 Nicotinamide* | 75 Sorbitol |
| 15 Citric acid | 35 High density polyethylene | 56 Nicotine | 76 Sucrose |
| 16 Confectioner's sugar | 36 Hydroxyzine | 57 Nicotinic acid | 77 Sugar |
| 17 Copper phthalocyanine | 37 Inositol | 58 N-Methyl- phenethylamine | 78 Tetracaine |
| 18 Corn starch | 38 Isopropyl benzylamine | 59 Noscapine | 79 Theophylline |
| 19 Creatine | 39 Lactose | 60 Papaverine* | 80 Titanium oxide |
| 20 Dextrose | 40 Levamisole (Tetramisole) | 61 Phenacetin | 81 Vitamin C |

* These substances may also be displayed after a TypeH scan.

Precursor/Chemical



- | | | | |
|------------------------------------|-------------------------------------|-------------------------------------|------------------------------------|
| 1 1,4-Butanediol | 22 Bromobenzene | 42 Isopropanol | 63 Phenylnitropropene |
| 2 1-Phenethyl-4-piperidone (NPP) | 23 Chlorophedrine/ | 43 Isosafrole | 64 Phosphoric acid |
| 3 Acetic acid | Chloropseudoephedrine | 44 Lead acetate | 65 Piperidine |
| 4 Acetic anhydride | 24 Chloroform | 45 MAPA | 66 Piperonal |
| 5 Acetone | 25 Chlorophenyl cyclopentyl ketone | 46 Methanol | 67 Piperonyl methyl ketone |
| 6 Acetyl bromide | 26 Chloropseudoephedrine | 47 Methyl ethyl ketone (MEK) | (PMK, MDP2P) |
| 7 Acetyl chloride | 27 Cyclohexane | 48 Methylamine HCl | 68 PMK (MDP2P) methyl glycidate |
| 8 Acetyl norfentanyl | 28 Cyclohexanone | 49 MYCP | 69 PMK Glycidic acid (sodium salt) |
| 9 AIBN | 29 Despropionyl fentanyl (ANPP) | 50 N-Benzyl para-fluoro norfentanyl | 70 Potassium permanganate |
| 10 Ammonium chloride | 30 Despropionyl para-fluorofentanyl | 51 N-Benzyl phenyl norfentanyl | 71 Propyl acetate |
| 11 Ammonium nitrate | 31 Dichloromethane | 52 N-Isopropylbenzylamine | 72 Pseudoephedrine |
| 12 Ammonium sulfate | 32 Diethyl ether | 53 Nitric acid | 73 Red phosphorus |
| 13 Anthranilic acid | 33 Dihydrosafrole | 54 N-Methyl cyclopropyl norfentanyl | 74 Safrole |
| 14 APAA | 34 Dimethylacetamide | 55 N-Methyl norfentanyl | 75 Sodium acetate |
| 15 APAAN | 35 Ephedrine | 56 N-Methylephedrine | 76 Sodium carbonate |
| 16 Barium sulfate | 36 Ethyl acetate | 57 Norephedrine | 77 Sulfuric acid |
| 17 Benzoic acid | 37 H-Phe- Cyclohexylamide | 58 Norfentanyl | 78 t-BOC Pseudoephedrine |
| 18 BMK ethyl glycidate | 38 Hydrogen Peroxide | 59 Palladium chloride | 79 Toluene |
| 19 BMK Glycidic acid | 39 Hydroxylamine | 60 Phenethylamine | 80 White Fuel (camping) |
| 20 BMK Glycidic acid (sodium salt) | 40 Hydroxylamine | 61 Phenyl-2-propanone (P2P, BMK) | 81 Xylene |
| 21 BMK methyl glycidate | 41 Hypophosphorous acid | 62 Phenylacetic acid | |

Type H Alarm



- | | | | |
|-------------------------|--------------------|----------------------------------|---------------------------|
| 1 25B-NBOMe | 7 Alprazolam | 12 Fentanyl Compound or | 16 Hydromorphone* |
| 2 25C-NBOMe | 8 Buprenorphine* # | Methamphetamine ^ † | 17 Lorazepam |
| 3 25I-NBOMe | 9 Clonazepam | 13 Flubromazolam | 18 MDMA |
| 4 2C-B (phenethylamine) | 10 Cocaine HCl | 14 Heroin | 19 Oxycodone* |
| 5 2C-E (phenethylamine) | 11 Diazepam | 15 Heroin w/Fentanyl Compound or | 20 Oxymorphone* |
| 6 2C-I (phenethylamine) | | Methamphetamine † | 21 Synthetic Cannabinoid+ |

* Some low dose pills require a Type H Kit for identification.

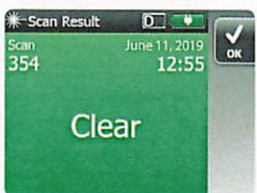
Buprenorphine both tablet and strip.

+ A "Synthetic Cannabinoid" screen result encompasses the individual cannabinoids listed above.

^ Fentanyl Compound includes fentanyl and fentanyl analogs.

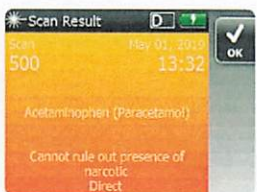
† Combined result

Type H Clear



- | |
|----------------|
| 1 Caffeine |
| 2 Naloxone |
| 3 Nicotinamide |
| 4 Noscapine |
| 5 Papaverine |
| 6 Procaine |
| 7 Quinine |

Warning



- | |
|--------------------------------|
| 1 Acetaminophen (Paracetamol)* |
| 2 Aspirin |
| 3 Ibuprofen* |

These substances have a strong Raman signal which can mask certain narcotics. Additional testing via an alternate method is recommended.

* These substances may also be displayed after a TypeH scan.

Learn more at thermofisher.com.trunarc

thermo scientific

TruNarc Scan Report

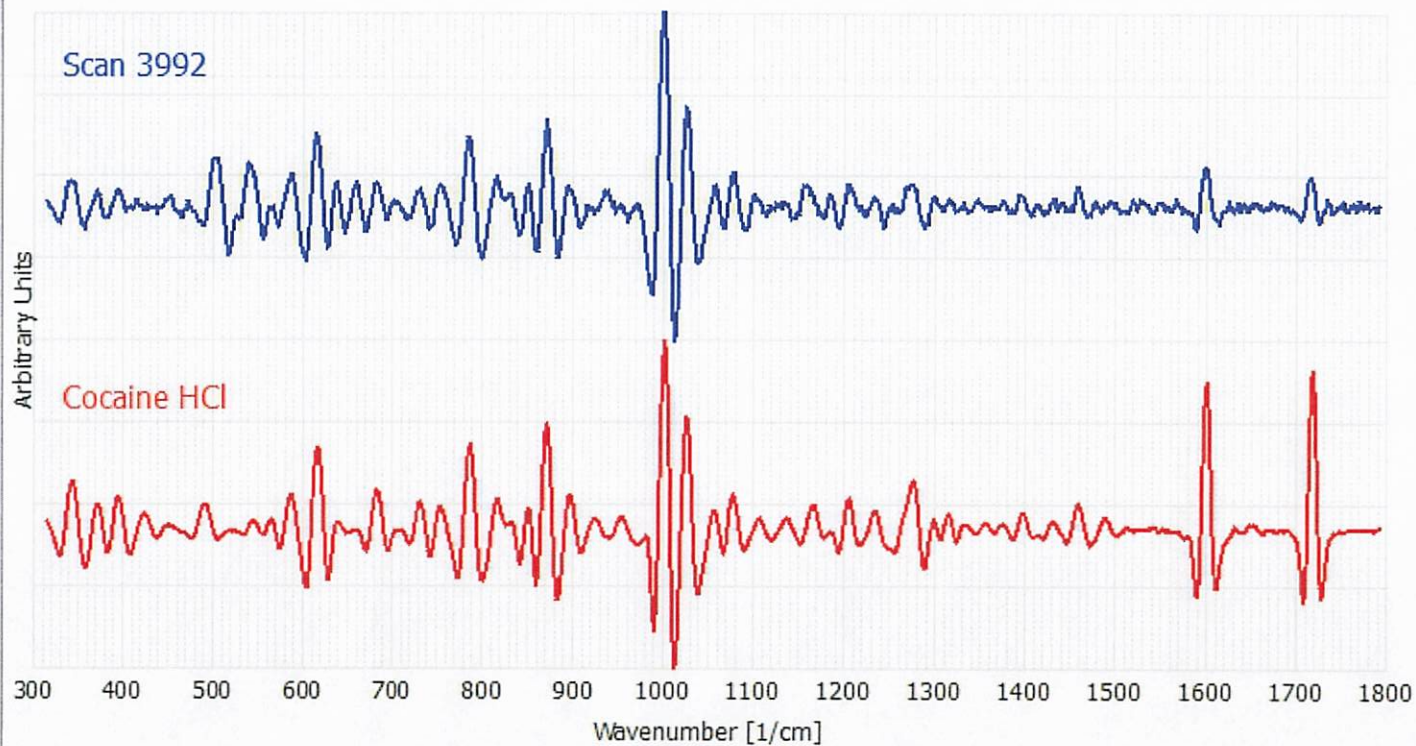
Created 09/11/18

Scan
3992 Sep 10, 2018
17:59

Cocaine HCl

Scan Result: Alarm
Name: Cocaine HCl
Scan ID: 3992
Analyzer SN: TN1077
Time: Sep 10, 2018 17:59:18

Previous check: Self Check Passed
Scan ID: 3991
Performed: Sep 10, 2018 17:57:44
Next check: Self Check Passed
Scan ID: 3993
Performed: Sep 10, 2018 18:00:38



Comments: 1 of 4 p/b's containing white powder that were inside a white napkin/paper towel that was found hidden behind driver's seat of Costesoto's vehicle.

Case ID: 18044532
Defendant(s): Miguel Guellys COSTESOTO
Testing Officer: Det. B. Coen
Arrest/Case Officer: Det. J. Cassidy
Charges: Distribution Class B-Cocaine (COSTESOTO) and PWID Class B-Cocaine (COSTESOTO)

TruNarc Scan Report

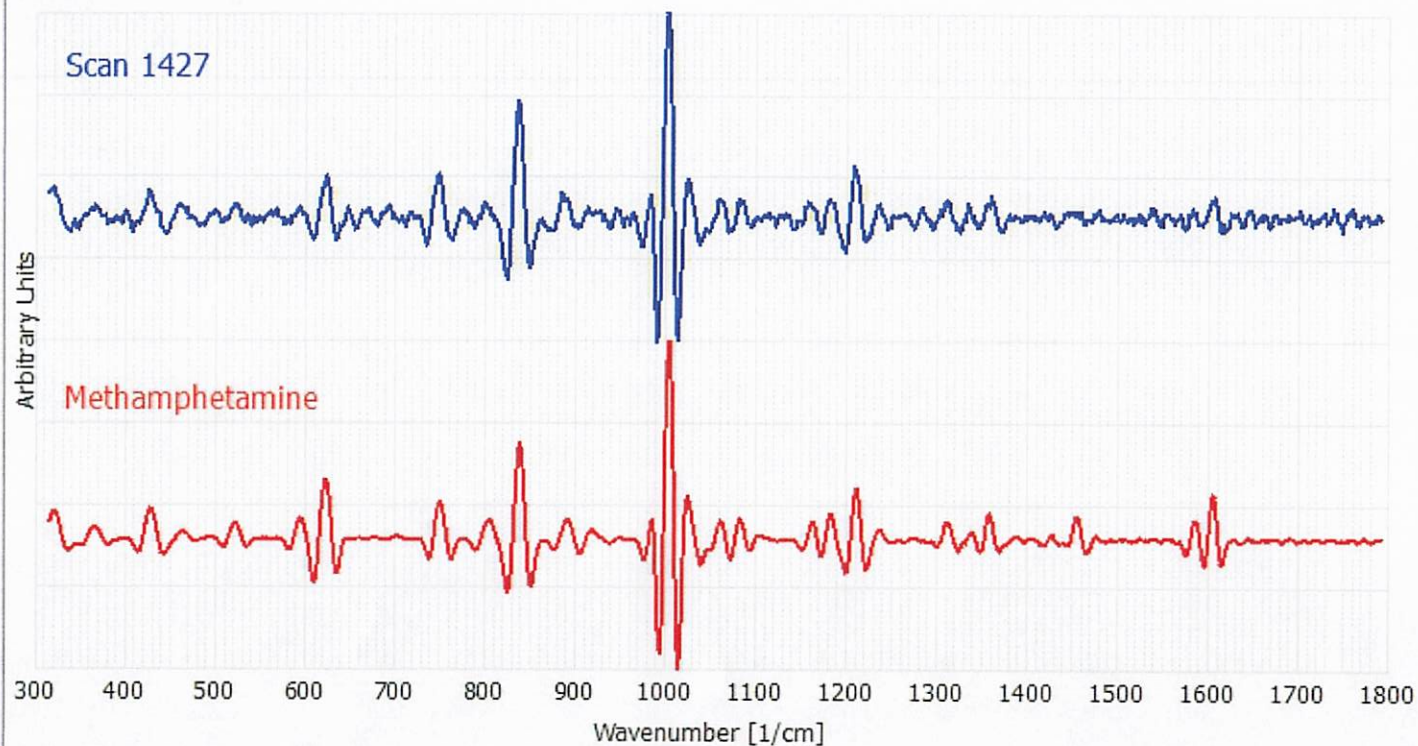
Created 09/11/18

Scan
1427 Aug 23, 2018
10:03

Methamphetamine

Scan Result: Alarm
Name: Methamphetamine
Scan ID: 1427
Analyzer SN: TN1213
Time: Aug 23, 2018 10:03:31

Previous check: Self Check Passed
Scan ID: 1426
Performed: Aug 23, 2018 10:03:00
Next check: Self Check Passed
Scan ID: 1428
Performed: Aug 23, 2018 10:06:32



Comments: p/b containing a clear crystal substance
Case ID: 18042438
Defendant(s): Claude FERNANDES
Testing Officer: Det. J. Cassidy
Arrest/Case Officer: Det. J. Bossart
Charges: PWID Class B (Methamphetamine)

TruNarc Scan Report

Created 09/11/18

Scan
1398 Aug 06, 2018
21:55

**Heroin w/Fentanyl
Compound or
Methamphetamine**

Fentanyl Compound includes
Fentanyl and analogs

Scan Result: Alarm

Name: Heroin w/Fentanyl Compound or
Methamphetamine

Scan ID: 1398

Analyzer SN: TN1213

Time: Aug 06, 2018 21:55:09

Previous check: Self Check Passed

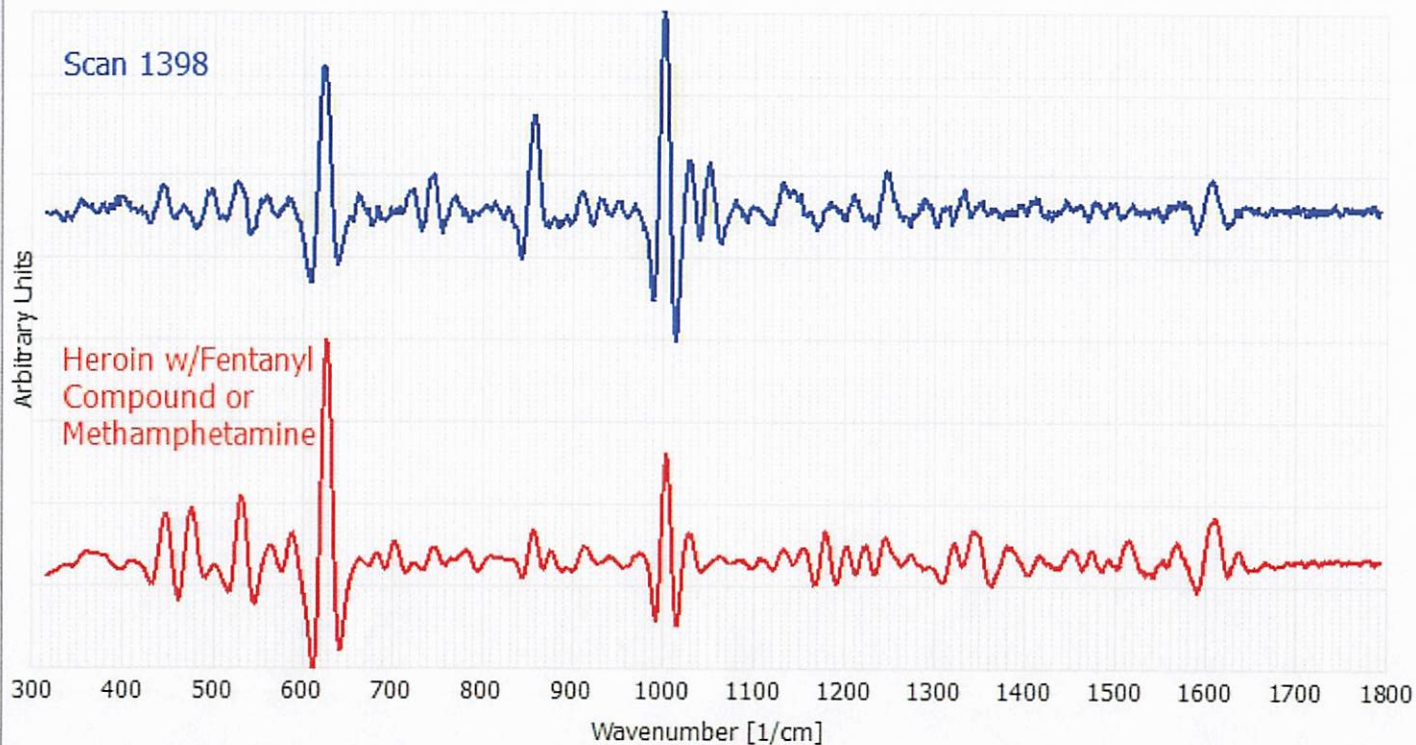
Scan ID: 1397

Performed: Aug 06, 2018 21:39:57

Next check: Self Check Passed

Scan ID: 1399

Performed: Aug 06, 2018 21:58:48



Comments: 1 of 8 p/b's
brown
powder
seized from
Lightfoot (H
kit scan)

Case ID: 18039445

Defendant(s): Gregory
Lightfoot,
Larry
Jefferson and
Daniel
Mercado

Testing Officer: Det. B. Coen

Arrest/Case
Officer: Det. W.
O'Brien

Charges: Drug
Violations

TruNarc Scan Report

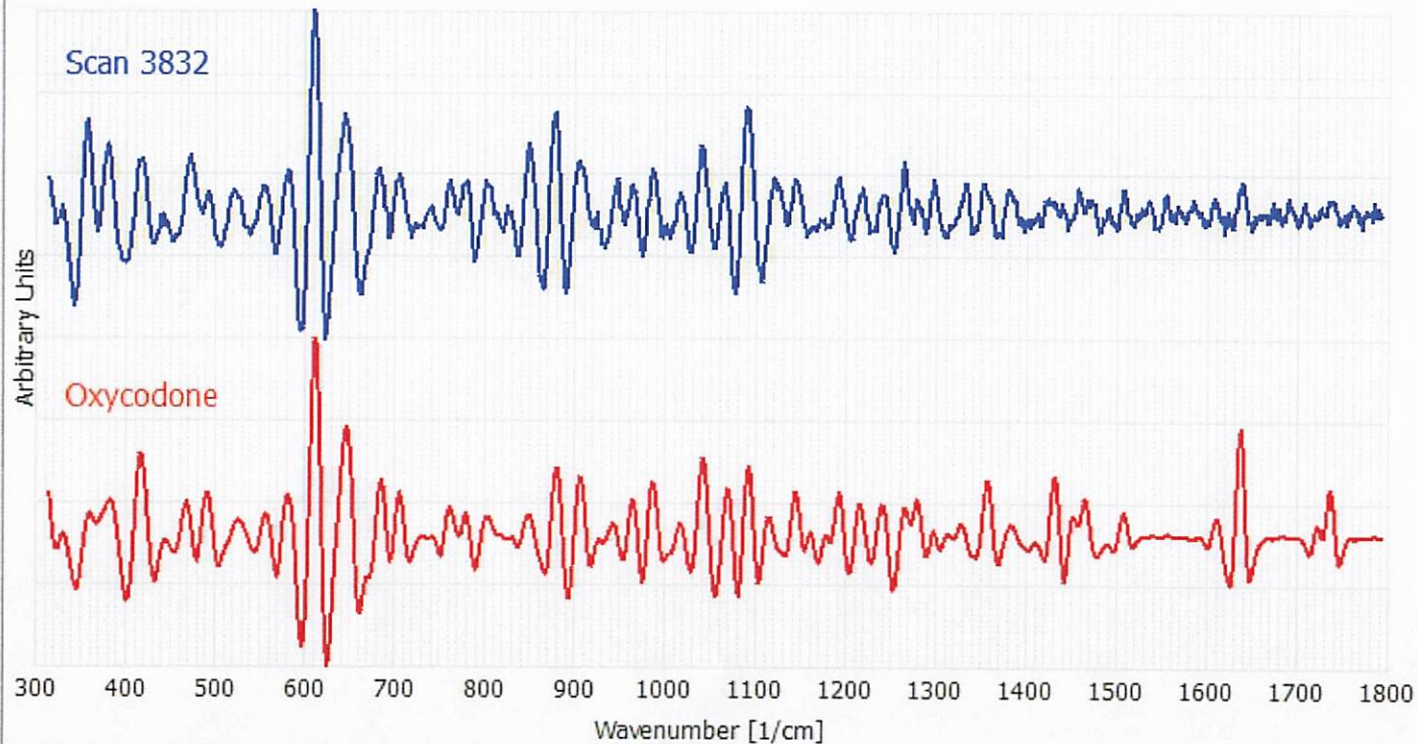
Created 09/11/18

Scan
3832 Jul 30, 2018
23:03

Oxycodone

Scan Result: Alarm
Name: Oxycodone
Scan ID: 3832
Analyzer SN: TN1215
Time: Jul 30, 2018 23:03:36

Previous check: Self Check Passed
Scan ID: 3831
Performed: Jul 30, 2018 23:03:12
Next check: Self Check Passed
Scan ID: 3833
Performed: Jul 30, 2018 23:06:32



Comments: round blue tablet marked "K9"

Case ID: 18038041

Defendant(s): Sean King

Testing Officer: Det. B. Coen

Arrest/Case Officer: Det. S. Glennon

Charges: Drug Violations

TruNarc Scan Report

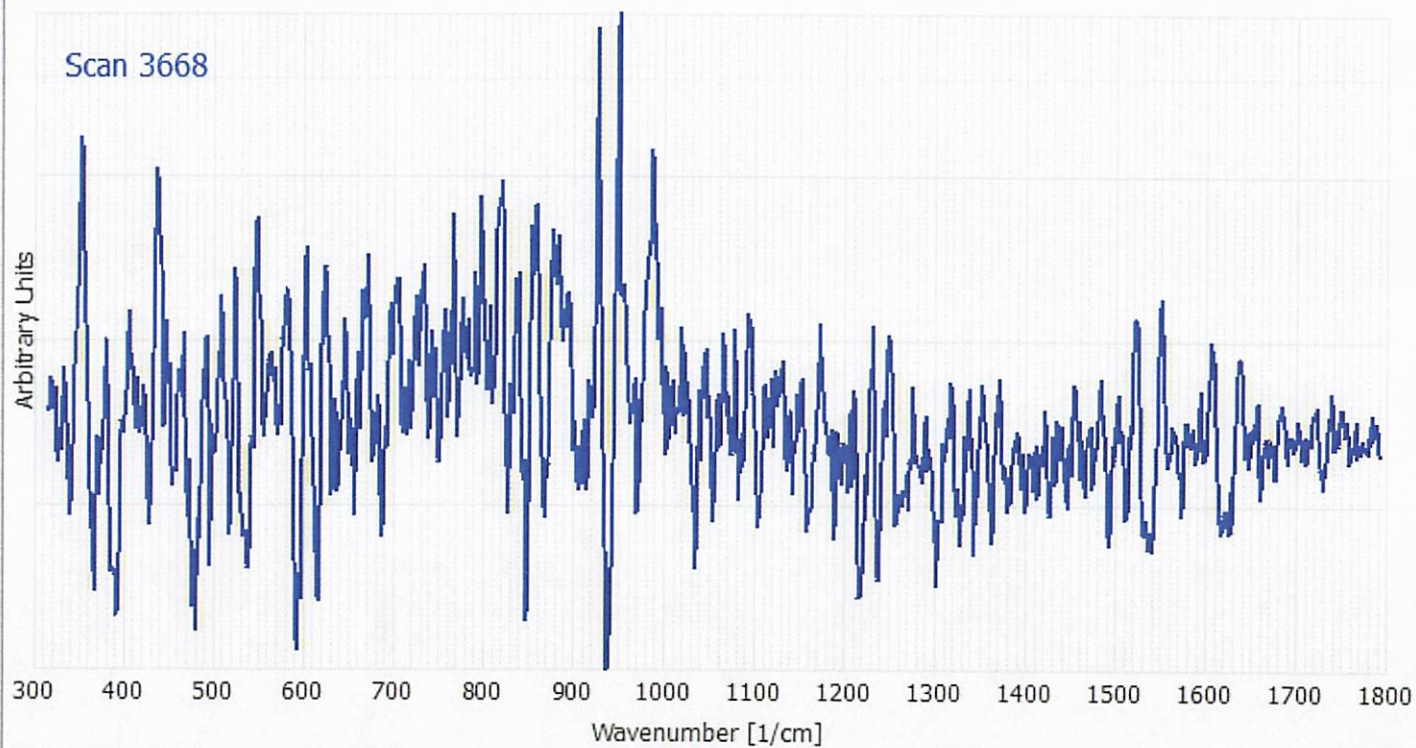
Created 09/11/18

Scan
3668 Apr 11, 2018
14:56

Inconclusive

Scan Result: Inconclusive
Name: Inconclusive
Scan ID: 3668
Analyzer SN: TN1215
Time: Apr 11, 2018 14:56:40

Previous check: Self Check Passed
Scan ID: 3667
Performed: Apr 11, 2018 14:56:05
Next check: Self Check Passed
Scan ID: 3669
Performed: Apr 11, 2018 15:02:31



Comments: P/B containing tan powder substance (Direct Scan)
Case ID: MSP UC Case
Defendant(s): Under Investigation
Testing Officer: Det. B. Coen
Arrest/Case Officer: MSP NCDTF

Type H kit for TruNarc

Solution kit enhances real-world ability of field-based analyzer

Key Words

Narcotics, fentanyl, heroin, Raman spectroscopy, fluorescence, field testing

Introduction

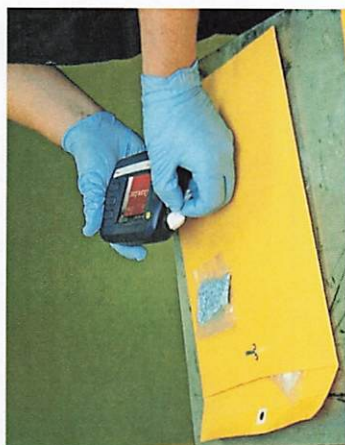
Many common controlled substances are easily identified with the Thermo Scientific® TruNarc® analyzer, using point-and-shoot analysis. Some substances, however, exhibit fluorescence or are present in very low concentrations. These target samples can present a challenge for Raman spectroscopy, requiring an additional step to ensure successful analysis.

Many of the most common controlled substances, such as cocaine and methamphetamine, are highly amenable to Raman spectroscopy and present few analysis challenges. The TruNarc analyzer has been successfully deployed for presumptive analysis of these and other suspected narcotics worldwide.

However, a phenomenon known as fluorescence can mask the Raman spectrometry signal of some narcotics, much like glare from sunlight can mask the subject in a photo from a camera. Fluorescence can hinder data collection of some narcotics, such as street heroin.

In addition, the target chemical in suspected narcotics may not be present in high enough concentration for conventional Raman spectroscopy to identify it. For instance, the active components in some prescription drugs are in a very low concentration, making identification a challenge.

To overcome these challenges – yet maximize the benefits of a handheld Raman analyzer – we have developed a Solution Kit (Type H) that enhances the Raman signal of the target substance while decreasing any nuisance fluorescence.



Science behind the Type H kit

The roughened metal surface on the Type H test stick has two primary attributes. First, the surface quenches the fluorescence, the phenomenon that may prevent analysis of the bulk material. Second, the surface enhances the Raman signal of the molecules adsorbed onto the surface of the roughened metal, which allows analysis of very small amounts of material.

When the TruNarc analyzer is used to measure the Type H stick, the laser light is focused onto the metal surface. As with point-and-shoot analysis, the spectrometer measures the unique spectral fingerprint of the molecules, and then compares the data collected with the on-board TruNarc library.

It should be noted that the spectra obtained on the test stick are different from those of a conventional Raman spectrum. To enable these new applications using the Type H Kit, Thermo Fisher Scientific scientists create a library item for each unique chemical using certified laboratory standards.

Summary

The Type H test kit further enhances the real-world utility of the TruNarc analyzer, enabling users to screen for specific narcotics that are fluorescent and/or at low concentration. A key enhancement is the ability to use the TruNarc analyzer to screen for such emerging synthetic opioids as fentanyl, fentanyl analogs, heroin and methamphetamine. Several low dose tablets are also identifiable using the Type H test kit in conjunction with the TruNarc analyzer for presumptive narcotics identification.



In the Americas 1-878-670-7460 **In Europe, Middle East, Africa** 49-89-3381-380 **In Asia Pacific** 852-2869-5669

Find out more at thermofisher.com/trunarc

Email sales.chemid@thermofisher.com

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TruNarc Scan Report

Created 09/11/18

Scan
3670 Apr 11, 2018
15:17

**Fentanyl Compound or
Methamphetamine**

Fentanyl Compound includes
Fentanyl and analogs

Scan Result: Alarm

Name: Fentanyl Compound or
Methamphetamine

Scan ID: 3670

Analyzer SN: TN1215

Time: Apr 11, 2018 15:17:58

Previous check: Self Check Passed

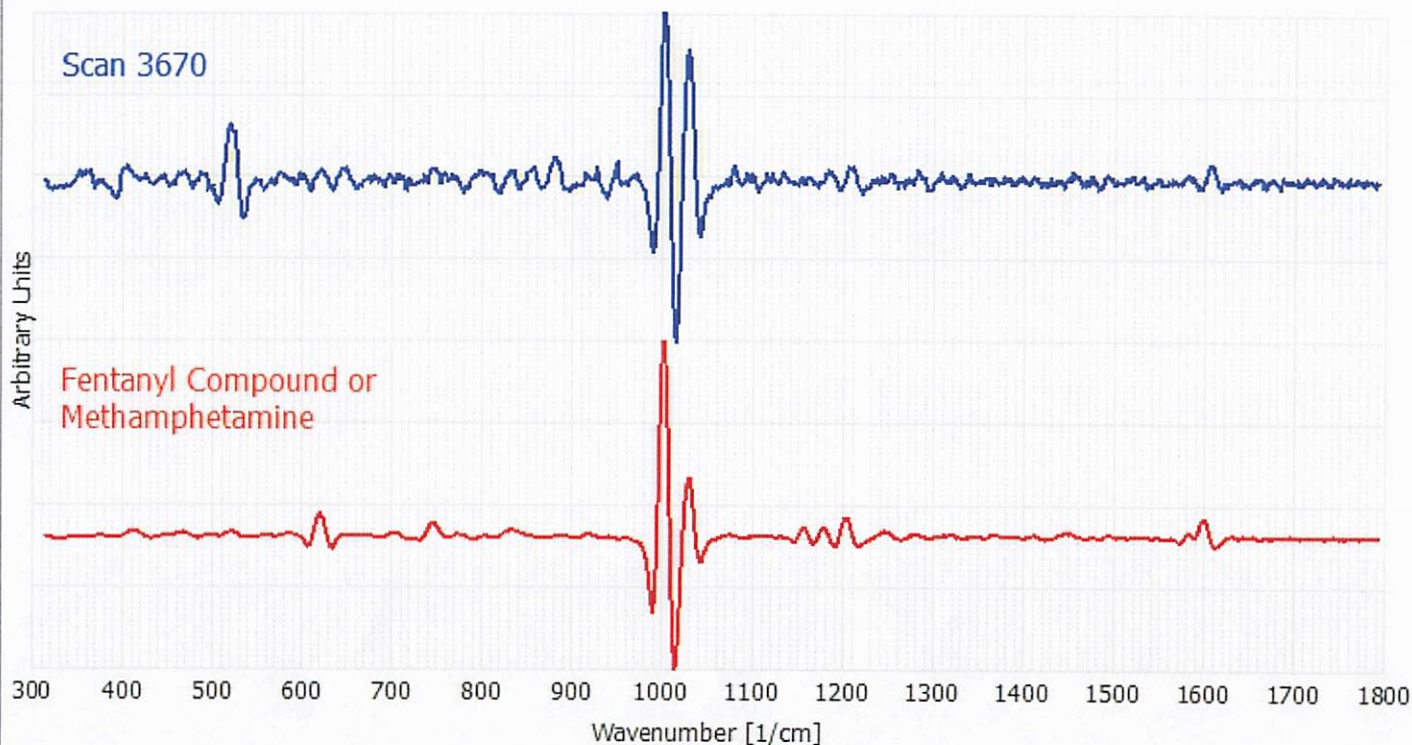
Scan ID: 3669

Performed: Apr 11, 2018 15:02:31

Next check: Self Check Passed

Scan ID: 3671

Performed: Apr 11, 2018 15:19:08



Comments: P/B containing
tan powder
substance (H kit
scan)

Case ID: MSP UC Case

Defendant(s): Under
Investigation

Testing Officer: Det. B. Coen

Arrest/Case
Officer: MSP NCDTF

Charges: Under
Investigation