

**MINUTES  
CITY COUNCIL  
And  
SUCCESSOR AGENCY TO THE FORMER  
REDEVELOPMENT AGENCY  
CITY OF IMPERIAL  
JANUARY 20, 2021**

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

**TELECONFERENCE NOTICE**

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

**COUNCIL MEMBERS PRESENT:        BURNWORTH, DALE, TUCKER, AND EUGENIO**

**COUNCIL MEMBERS ABSENT:        AMPARANO**

**A. CITY COUNCIL CONVENED TO CLOSED SESSION AT 5:30 PM**

**A-1.    SUBJECT:    CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Case Number 18-2

**A-2.    SUBJECT:    CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION.**  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9  
One potential case

**A-3.    SUBJECT:    CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**  
(Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9)  
One potential case

*CITY COUNCIL ADJOURNED CLOSED SESSION*

**B. CITY COUNCIL RE-CONVE ED TO OPEN SESSION.**

**COUNCIL MEMBERS PRESENT:        BURNWORTH, DALE, TUCKER, AND EUGENIO**

**COUNCIL MEMBERS ABSENT:        AMPARANO**

**OTHERS PRESENT:        CITY MANAGER MORITA, ASSISTANT CITY MANAGER  
BROWN, CITY CLERK JACKSON, CITY ATTORNEY HOLBROOK, PUBLIC WORKS  
DIRECTOR LOPER\*, CHIEF BARRA\*, ADMINISTRATIVE SERVICES DIRECTOR**

**GUTIERREZ\*, COMMUNITY SERVICES DIRECTOR HALLER\*, COMMUNITY DEVELOPMENT DIRECTOR MORA, PARKS SUPERINTENDENT LOPEZ\*, AND IT DIRECTOR ESTRADA,**

**MAYOR EUGENIO** called the meeting to order at 7:00 pm and the Pledge of Allegiance was led by Councilmember Burnworth.

**ADJUSTMENTS TO THIS AGENDA:**

**CITY MANAGER MORITA** informed council of an item that needs to be added to the agenda as the need to take action arose subsequent to the posting of the agenda.

Motion by DALE, second by BURNWORTH to add to the agenda the item of a joint letter to be submitted to Governor Newsom regarding vaccine allocation to Imperial County.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

City Attorney HOLBROOK announced there was no reportable action taken in Closed Session.

**C. PUBLIC APPEARANCES:**

**C-1.** Matters not appearing on the agenda.

None

**C-2.** Matters appearing on the agenda.

Item F-2: Five of the six applicants for appointment to the Planning Commission were present either virtually and in person. Each one introduced themselves and expressed their desire to be appointed. They are: Cory Van Driessche, Ruben Rivera, Belen Donato, Luis Garcia, and Stacy Mendoza. Andrea Ruiz was not present.

**D. CONSENT AGENDA:**

**D-1.** Approval of claims/warrants report.

**D-2.** Approval of expenditure – purchase of maintenance equipment/parts from DC Frost Associates in the amount of \$31,995.49 for maintenance of WWTP UV system.

**D-3.** Authorization to send claim rejection letter to H & M Fuel, Inc.as requested by Carl Warren and Company

Motion by BURNWORTH, second by DALE to approve the Consent Agenda.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

## **E. PUBLIC HEARINGS:**

### **E-1. SUBJECT: ORDINANCE MANDATING GREEN WASTE/ORGANIC RECYCLING FOR COMMERCIAL ENTITIES AND SELECT MULTI-FAMILY RESIDENTIAL UNITS PURSUANT TO AB 1826.**

#### **1. CONDUCT PUBLIC HEARING**

The Public Hearing was opened at 7:15 pm

Staff report provided by City Planner Tylanda. The State of California has made organic recycling mandatory for certain commercial and multi-family operations. The ordinance will bring the city in compliance with AB 1826.

No comments were received from members of the public and the Public Hearing was closed at 7:19 pm.

#### **2. INTRODUCTION/FIRST READING BY TITLE ONLY OF ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL ADDING CHAPTER 10B TO THE CITY OF IMPERIAL MUNICIPAL CODE REGARDING THE MANDATORY COMMERCIAL AND MULTI-FAMILY RESIDENTIAL RECYCLING.**

Motion by BURNWORTH, second by TUCKER to hold the first reading by title only.

AYES: BURNWORTH, TUCKER, AND EUGENIO

NOES: DALE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 3-1

#### **3. DIRECT STAFF TO PREPARE A SUMMARY OF ORDINANCE FOR PUBLICATION PURPOSES.**

Motion by BURNWORTH, second by DALE to have staff prepare the summary.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

## **F. ACTION ITEMS:**

### **F-1. SUBJECT: TOWN SITE PARK PROJECT CONCEPTUAL DESIGN.**

#### **1. ACCEPTANCE OF THE CONCEPTUAL DESIGN FOR THE TOWNSITE PARK PROJECT.**

Motion by BURNWORTH, second by TUCKER approve design option number 3.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

### **F-2. SUBJECT: APPOINTMENT OF MEMBER TO THE CITY OF IMPERIAL PLANNING COMMISSION.**

Mayor Eugenio announced she would like to appoint Stacy Mendoza to the Planning Commission to complete the term of former commissioner Katie Burnworth.

1. APPROVE APPOINTMENT RECOMMENDED BY MAYOR EUGENIO OF A MEMBER TO THE PLANNING COMMISSION TO COMPLETE THE UNEXPIRED TERM OF FORMER COMMISSIONER KATIE BURNWORTH.

Motion by TUCKER, second by BURNWORTH to ratify the Mayors appointment of Stacy Mendoza to the Planning Commission.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-3. SUBJECT: CLASS I AND CLASS II BIKE FACILITY ALONG THE NORTH SIDE OF ATEN BLVD. FROM DOGWOOD ROAD TO PUERTO VALLARTA AVENUE. (BID NO. 2020-08).**

MAYOR EUGENIO stated for the record that her husband's cousin is affiliated with Rove Engineering and she has no financial interest with this company. Announced she will not be voting on the matter .

1. AWARD CONSTRUCTION CONTRACT TO *ROVE ENGINEERING, INC.* IN THE AMOUNT OF \$584,596.50

Motion by TUCKER, second by DALE to award contract to Rove engineering.

AYES: BURNWORTH, DALE, AND TUCKER  
NOES: NONE  
ABSTAIN: EUGENIO  
ABSENT: AMPARANO MOTION CARRIED 3-0-1

2. AUTHORIZE 15% CONTINGENCY.

Motion by TUCKER, second by BURNWORTH to approve the 15% contingency.

AYES: BURNWORTH, DALE, AND TUCKER  
NOES: NONE  
ABSTAIN: EUGENIO  
ABSENT: AMPARANO MOTION CARRIED 3-0-1

**F-4. SUBJECT: LABOR COMPLIANCE SERVICES FOR THE CLASS I AND CLASS II BIKE FACILITY ALONG THE NORTH SIDE OF ATEN BLVD. FROM DOGWOOD ROAD TO PUERTO VALLARTA AVE (RFP P12-2020).**

1. AWARD CONTRACT FOR LABOR COMPLIANCE SERVICES TO *LABOR COMPLIANCE CONSULTANTS OF SOUTHERN CALIFORNIA* IN THE AMOUNT OF \$6,000.00.

Motion by TUCKER, second by DALE to award contract to Labor Compliance Consultants of Southern California.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-5. SUBJECT: FURNISHINGS FOR LIBRARY TEEN SPACE.**

1. AUTHORIZATION TO PURCHASE FURNISHINGS FOR THE CREATION AF A TEEN SPACE IN THE IMPERIAL PUBLIC LIBRARY.

Motion by TUCKER, second by DALE to approve the purchase of furnishings.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-6. SUBJECT: FURNISHINGS FOR LIBRARY MAKERSPACE.**

1. AUTHORIZATION TO PURCHASE FURNISHINGS FOR THE CREATION OF A MAKERSPACE IN THE IMPERIAL PUBLIC LIBRARY.

Motion by BURNWORTH, second by DALE to approve the purchase of furnishings.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-7. SUBJECT: CONTRACT EXTENSION EXECUTIVE LANDSCAPE SERVICES, INC.**

1. APPROVAL TO EXTEND PARK AND LANDSCAPE MAINTENANCE AGREEMENT WITH EXECUTIVE LANDSCAPE, INC. ON A MONTH-TO-MONTH BASIS FOR SERVICES RENDERED.

Motion by DALE, second by TUCKER to approve the extension of contract with Executive Landscape.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-8. SUBJECT: SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY: REVIEW AND APPROVE THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR FISCAL YEAR 21/22.**

1. REVIEW AND APPROVE THE ROPS FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022 FOR SUBMITTAL TO THE STATE DEPARTMENT OF FINANCE.

Motion by TUCKER, second by BURNWORTH to approve the ROPS for submission to the state department of finance.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO  
NIOES: NONE  
ABSTAIN: NONE  
ABSENT: AMPARANO MOTION CARRIED 4-0

**F-9. SUBJECT: ADDED ITEM: JOINT LETTER TO GOVERNOR NEWSOM REGARDING THE REQUEST FOR INCREASE OF VACCINE ALLOCATION TO IMPERIAL COUNTY.**

1. APPROVE SIGNING OF JOINT LETTER.

Motion by BURNWORTH, second by TUCKER to approve the signing of the joint letter.

AYES: BURNWORTH, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: AMPARANO

MOTION CARRIED 4-0

**G. REPORTS:**

**G-1. SUBJECT: DEPARTMENT REPORTS.**

Community Development Director MORA updated Council on the La Brucherie Road widening project. La Brucherie Road will be closed to traffic from February 8<sup>th</sup> through March 5<sup>th</sup>, 2021.

**G-2. SUBJECT: CITY MANAGER REPORT.**

City Manager MORITA informed Council that all applicants for the Planning Commission seat are good candidates and that there will be the opportunity for Councilmembers Amparano and Burnworth to make their respective Planning Commissioner member appointments in June.

Assistance City Manager BROWN reported that the 4-way stop on Worthington and "P" Streets will be installed soon.

**G-3. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.**

MAYOR EUGENIO spoke about the Presidential inauguration today.

**CITY COUNCIL MEETING ADJOURNED AT 7:58 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, FEBRUARY 3, 2021 AT 7:00 P.M.**