



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