

**MINUTES**  
**CITY COUNCIL**  
And  
**IMPERIAL REDEVELOPMENT SUCCESSOR AGENCY**  
**CITY OF IMPERIAL**  
**NOVEMBER 6, 2019**

**COUNCIL MEMBERS PRESENT:**                            **DALE, PECHTL, TUCKER, AND AMPARANO**  
**EUGENIO ARRIVED AT 6:05 PM.**

City Attorney Morita announced that subsequent to the posting of the agenda an item arose that needs action and requested that it be added to the agenda.

Motion by PECHTL, second by DALE to add the item for discussion in Closed Session as the need for action arose subsequent to the posting of the agenda.

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

Item to appear as item A-3 on the Special Meeting agenda. Conference with Legal Counsel – Existing Litigation.

**A. CITY COUNCIL CONVENED TO CLOSED SESSION**

A-1. **SUBJECT: PUBLIC EMPLOYEE APPOINTMENT  
54957 (b) (1)**

TITLE:            City Manager

(See minutes for the Special meeting agenda for remaining items)

***CITY COUNCIL ADJOURNED CLOSED SESSION***

**B. CITY COUNCIL CONVENES TO OPEN SESSION AT 7:00 P.M.**

**COUNCIL MEMBERS PRESENT:**                            **DALE, EUGENIO, PECHTL, TUCKER, AND AMPARANO**

**OTHER OFFICIALS PRESENT:**                            **CITY ATTORNEY MORITA, CITY MANAGER CHATWIN, PUBLIC SERVICES DIRECTOR LOPER, FIRE CHIEF ESTRADA, POLICE CHIEF BARRA, COMMUNITY SERVICES DIRECTOR HALLER, IT DIRECTOR ESTRADA, FINANCE DIRECTOR GUTIERREZ, COMMUNITY**

**DEVELOPMENT DIRECTOR MORA, CITY CLERK JACKSON, AND PIO CHALUPNIK**

**MAYOR AMPARANO** called the meeting to order at 7:05 PM and the Pledge of Allegiance was led by Kris Haugh, NAF PAO

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:**

City Attorney Morita announced that action was taken to extend the terms of the purchase agreement with Halferty to January 18, 2020.

**C. PUBLIC APPEARANCES:**

None.

**D. CONSENT AGENDA:**

- D-1.** Approval of claims/warrants report.
- D-2.** Approval of Treasurers' Report for August 2019.
- D-3.** Approval of minutes for Regular meetings of August 7, 2019 and September 4, 2019 and Special workshop of September 4, 2019.
- D-4.** Acceptance of Additional Right-of-Way located at the southwest corner of Aten Boulevard & La Brucherie Road intersection, Specifically at APN 064-360-058.
- D-5.** Approval of Community Facilities District (CFD) Disbursement Request as requested by Victoria Ranch (CFD 2004-1) Payment Request No. 13-2019 and Payment Request No. 14-2019.

Motion by PECHTL, second by TUCKER to withhold warrants 89712, 89724, 89744, 89766, 89742 and 90077 for separate action.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

Motion by PECHTL, second by TUCKER to approve the Consent Agenda excluding the warrants specified.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

Motion by TUCKER second by EUGENIO to approve warrant 89712 payable to Darrell Pechtl.

AYES: DALE, EUGENIO, TUCKER, AND AMPARANO

NOES: NONE

ABSTAIN: PECHTL

ABSENT: NONE

MOTION CARRIED 4-0

Motion by PECHTL, second by TUCKER to approve warrant 89724 payable to Geoff Dale.

AYES: EUGENIO, PECHTL, TUCKER, AND AMPARANO

NOES: NONE

ABSTAIN: DALE

ABSENT: NONE MOTION CARRIED 4-0

Motion by PECHTL, second by TUCKER to approve warrant 89744 payable to Karin Eugenio.

AYES: DALE, PACHTL, TUCKER, AND AMPARANO

NOES: NONE

ABSTAIN: EUGENIO

ABSENT: NONE MOTION CARRIED 4-0

Motion by PECHTL, second by TUCKER to approve warrant 89766 payable to Robert Amparano.

AYES: DALE, EUGENIO, PECHTL, AND TUCKER

NOES: NONE

ABSTAIN: AMPARANO

ABSENT: NONE MOTION CARRIED 4-0

Motion by PECHTL second by DALE to approve warrants 899742 and 90077 payable to JT Towing.

AYES: DALE, EUGENIO, PECHTL, AND AMPARANO

NOES: NONE

ABSTAIN: TUCKER

ABSENT: NONE MOTION CARRIED 4-0

#### **E. PUBLIC HEARINGS:**

##### **E-1. SUBJECT: PUBLIC HEARING: TENTATIVE TRACT MAP FOR MORNING GLORY TRAIL AIRPORT HANGER LOTS.**

Public Hearing was opened at 7:13 PM

PLANNER TYLENDIA presented the staff report. The proposed tentative map is historically part of the Chen-Worthington Subdivision map. The Chen-Worthington map was approved in October 2004 to allow for the creation of 479 residential lots, 7 industrial lots, and a park site and retention basin. The project was developed by McMillin Homes as the Sky Ranch Subdivision. The proposed project would allow for the subdivision of acreage that would create 13 lots to allow for use of airport hangers in a zoning designation of I-1 (General Industrial).

Council members questioned of staff and developer as to repair/replacement of the block wall directly south of the project; aircraft noise and impact to homeowners and clarification of original plans to include residential use along with the hangers.

Gary Arnold, owner informed Council that he is willing to make repairs to a portion of the damaged block wall, but not in favor of replacing the entire wall and will work with staff to determine the type of material. Aircraft noise will be addressed in the Conditions of Approval. Mr. Arnold informed Council that the project will be hangers only as residential use is no longer allowed.

There were no objections received by members of the audience and the Hearing was closed at 7:24 PM.

1. ADOPTION OF RESOLUTION NO. 2019-50, APPROVING THE TENTATIVE TRACT MAP FOR MORNING GLORY TRAIL FOR 13 AIRPORT HANGER LOTS WITHIN THE SKY RANCH AVIONES SUBDIVISION: APN: 064-315-012 AND ADOPTION OF A NEGATIVE DECLARATION.

Motion by PECHTL, second by DALE to adopt Resolution No. 2019-30.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

**E-2. SUBJECT: PUBLIC HEARING: ZONE CHANGE AND GENERAL PLAN AMENDMENT FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-A (RESIDENTIAL APARTMENT) FOR THE DEVELOPMENT OF 80 MULTIFAMILY RESIDENTIAL APARTMENTS UNITS KNOWN AS THE 12<sup>TH</sup> THROUGH 15<sup>TH</sup> STREET APARTMENT PROJECT ON THE FOLLOWING ASSESSOR PARCEL NUMBERS: 063-201-008, 036-201-009, 063-192-008, 063-192-007, 063-191-011, 063-191-013, 063-191-010, 063-191,012, AND ADOPTION OF NEGATIVE DECLARATION.**

The Public Hearing was opened at 7:25 PM

PLANNER TYLEND A presented the staff report to Council. The applicant, Ray Roben is requesting a Zone Change, General Plan Amendment and Adoption of a Negative Declaration for a proposed multi-family residential apartment project. This would rezone the eight parcels from R-1 (Single-family Residential) to R-A (Residential Apartment) to allow for the development and use of an 80 unit multi-family apartment complex. Tylenda reported the proposed use and zone change is consistent with the current and proposed (future) surrounding land uses envisioned for the area and will help the city move closer to compliance with the State of California's Regional Housing Needs Allocation numbers as outlined within the city's adopted Housing Element. The Planning Commission held a public hearing on August 14, 2019. Several individuals attended the meeting and participated in the public comment portion and spoke in opposition to the proposed project. The Planning Commission recommended the approval of the Zone Change and General Plan Amendment to City Council.

Comments were received from members of the audience, including Stacy Cox, Tony Smith, Maria Nero, David Ram, and Hector Flores. They all spoke in opposition to the project. Issues cited are the loss of a quiet single family neighborhood, increased issues with water pressure, lack of storm drains, increased traffic, students walking to school in an area that lacks sidewalks, curbs & gutters, noise, lack of street maintenance, and decreased property values. Several speakers felt that there are other areas within the city that would be better suited for such a project.

Applicant Ray Roben, addressed some of the concerns raised. He is looking at options for ingress/egress to the project. At this time there are no formal designs prepared as he is looking for zone change and general plan amendment to allow the project. He informed Council that there is a lack of suitable vacant property to build multi-family projects in the city. Mr. Roben feels that this project will increase property values along with improvements to be made in the area to include curb/gutter, sidewalks, water and sewer improvements and the opening of 15<sup>th</sup> Street to connect to La Brucherie.

The Public Hearing was closed at 8:22 PM

1. INTRODUCTION/1<sup>ST</sup> READING BY TITLE ONLY OF ORDINANCE NO. 803 APPROVING THE ZONE CHANGE AND GENERAL PLAN AMENDMENT FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-A (RESIDENTIAL APARTMENT).

Motion by DALE, second by TUCKER to hold the first reading by title only.  
AYES: DALE, EUGENIO, PECHTL, TUCKER, AND AMPARANO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE MOTION CARRIED 5-0

2. ADOPTION OF RESOLUTION NO. 2019-51, ADOPTING A NEGATIVE DECLARATION.

Motion by PECHTL, second by TUCKER to adopt Resolution No. 2019-51.  
AYES: DALE, EUGENIO, PECHTL, TUCKER, AND AMPARANO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE MOTION CARRIED 5-0

**F. ACTION ITEMS:**

**F-1. SUBJECT: RESOLUTION TO SUPPORT LOCAL EMERGENCY DECLARATION AT THE SALTON SEA.**

1. ADOPT RESOLUTION NO. 2019-52, A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF THE DECLARATION OF LOCAL EMERGENCY AT THE SALTON SEA.

Motion by DALE, second by TUCKER to adopt Resolution No. 2019-52.  
AYES: DALE, EUGENIO, PECHTL, TUCKER, AND AMPARANO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE MOTION CARRIED 5-0

**F-2. SUBJECT: CONSTRUCTION MANAGEMENT OF THE WASTEWATER TREATMENT PLANT UPGRADE PROJECT.**

1. APPROVE CONTRACT WITH WEBB ASSOCIATES FOR CONSTRUCTION MANAGEMENT, ENGINEERING SERVICES DURING CONSTRUCTION, AND INSPECTION SERVICES FOR THE WWTP PROJECT IN AN AMOUNT NOT TO EXCEED \$1,539,440.00

Motion by PECHTL, second by TUCKER to approve the contract with Webb Associates.  
AYES: DALE, EUGENIO, PECHTL, TUCKER, AND AMPARANO  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE MOTION CARRIED 5-0

**F-3. SUBJECT: BENCHMARK MORTGAGE 4<sup>TH</sup> ANNUAL JINGLE AND MINGLE EVENT.**

1. AUTHORIZATION OF BENCHMARK MORTGAGE TO HOST THE 4<sup>TH</sup> ANNUAL JINGLE AND MINGLE ON DECEMBER 12, 2019 AT VICTORIA PARK FROM 5:30 PM TO 8:30 PM.

Motion by PECHTL, second by TUCKER to approve the hosting of the event by Benchmark Mortgage.

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

2. APPROVAL OF THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT VICTORIA PARK DURING THE EVENT.

Motion by PECHTL, second by TUCKER to approve the sale and consumption alcohol at the event.

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

**F-4. SUBJECT: WATER TREATMENT PLANT – FILTER MEDIA REPLACEMENT PROJECT. BID NO. 2019-09**

1. AWARD BID TO ERS INDUSTRIAL SERVICES INC. IN THE AMOUNT OF \$168,910.00.

Motion by PECHTL, second by TUCKER to award bid to ERS Industrial Services Inc.

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

**F-5. SUBJECT: CITY HALL SEWER LINE**

1. CONTINUE OR SUSPEND EMERGENCY AS NECESSARY FOR THE REPAIRS/REPLACEMENT TO THE SEWER LINES AT CITY HALL.

Motion by PECHTL, second by TUCKER to suspend the emergency.

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

**F-6. SUBJECT: CONSTRUCTION OF STORM DRAIN SYSTEM AND ASPHALT RUBBER COMPOSITE LAYER OVERLAY ALONG 11<sup>TH</sup> STREET FROM NORTH “D” STREET TO OLD SR-86 (BID NO. 2019-10).**

1. AWARD BID TO GRANITE CONSTRUCTION IN THE AMOUNT OF \$1,354,531.00.

Motion by TUCKER, second by PECHTL to award bid to Granite Construction.

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

**2. AUTHORIZE 15% CONTINGENCY.**

Motion by TUCKER, second by PECHTL to authorize 15% contingency.

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

**F-7. SUBJECT: SAVANNA RANCH RETENTION BASIN FENCE CONSTRUCTION.  
(BID 2019-08).**

**1. AWARD BID TO AB FENCE COMPANY IN THE AMOUNT OF \$17,652.50.**

Motion by DALE, second by PECHTL to award bid to AB Fence Company.

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

**F-8. SUBJECT: MAINTENANCE OF EQUIPMENT – WASTEWATER TREATMENT  
PLANT UV SYSTEM.**

**1. APPROVE PURCHASE OF UV PARTS AND EQUIPMENT FROM DC FROST  
ASSOCIATES IN THE AMOUNT OF \$35,072.10.**

Motion by DALE, second by PECHTL to approve the purchase of parts and equipment.

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

**F-9. SUBJECT: DISCUSSION/ACTION: VICTORIA RANCH WATER TANK  
REIMBURSEMENT AGREEMENT. (SECOND AMENDMENT).**

**1. APPROVE CORRECTION OF TYPOGRAPHICAL ERROR IN THE TERM OF  
THE AGREEMENT.**

Motion by PECHTL, second by TUCKER to approve the correction to the agreement.

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

**F-10. SUBJECT: EAGER PARK PLAYGROUND SURFACING MPROVEMENT.**

1. ACCEPTANCE OF PROJECT AS COMPLETED BY ZASUETA CONTRACTING, INC. AND AUTHORIZE FILING OF NOTICE OF COMPLETION.

Motion by TUCKER, second by EUGENIO to accept the project.

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

2. APPROVAL FOR PAYMENT TO ZASUETA CONTRACTING, INC,

Motion by TUCKER, second by EUGENIO to approve the payment to Zasueta Contracting.

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

**F-11. SUBJECT: CITY COUNCIL MEMBER APPOINTMENTS  
TO THE CITY OF IMPERIAL PLANNING COMMISSION.**

1. APPROVE APPOINTMENT OF COMMISSION MEMBER RECOMMENDED BY COUNCIL MEMBER DALE.

Motion by DALE, second by PECHTL to appoint Mark Hammerness to the Planning Commission.

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

2. APPROVE APPOINTMENT OF COMMISSION MEMBER RECOMMENDED BY COUNCIL MEMBER EUGENIO.

Motion by EUGENIO, second by DALE to appoint Katherine Burnworth to the Planning Commission.

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

3. APPROVE APPOINTMENT OF COMMISSION MEMBER RECOMMENDED BY COUNCIL MEMBER TUCKER.

Motion by TUCKER, second by PECHTL to appoint Veronica Harvey to the Planning Commission.

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

**F-12 SUBJECT: SUCCESSOR AGENCY: PRE-DEVELOPMENT EXPENSES FOR SENIOR HOUSING PROJECT.**



Council members expressed their desire to have Mr. Ric Brown present in order to address council with any questions they may have.

1. APPROVAL OF DRAW #6, REIMBURSEMENT FOR COSTS INCURRED BY EAH, INC. FOR PRE-DEVELOPMENT EXPENSES.

Motion by PECHTL, second by DALE to table the item.

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

**F-13. SUBJECT: SKY RANCH BLOCK WALL STRUCTURAL ISSUES.**

1. PROVIDE DIRECTION WITH REPAIR / REBUILD OF DAMAGED SECTION OF SKY RANCH BLOCK WALL (NORTH END).

Staff to bring back options for repairs or re-building of the wall.

**F-14. SUBJECT: CITY MANAGER CONTRACT.**

1. APPROVAL OF 4<sup>TH</sup> AMENDMENT TO THE CITY MANAGER'S CONTRACT BETWEEN THE CITY OF IMPERIAL AND STEFAN T. CHATWIN TO EXTEND CONTRACT THROUGH DECEMBER 27, 2019 ON SAME TERMS AND CONDITIONS.

Motion by PECHTL, second by TUCKER to approve the 4<sup>th</sup> amendment to the City Manager's contract.

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

**G. REPORTS:**

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

EUGENIO expressed appreciation for the Market Day event that was very well done. Reported she attended the Movie in the Park and the League of California Cities Annual Conference.

TUCKER reported he attended the grand opening of the new food bank facilities.

PECHTL stated he enjoyed the Market Day event. Reported on attending the League of California Cities Annual Conference. Pechtl congratulated Stefan on his recent hiring as City Manager for the City of Fairfield, CA,

AMPARANO reported on attending the Market Day event and the League of California Cities Annual Conference.

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

None.

**G-3. SUBJECT: DEPARTMENT REPORTS.**

COMMUNITY SERVICES DIRECTOR informed Council that 150 trees the city received under the Urban Forest Grant have been planted in various city parks. There will be a community outreach and stewardship training on November 16, 2019 with the planting of the remaining 25 trees at Eager Park. She announced that the vendor applications are now available for the upcoming Parade of Lights and December Market Day.

FIRE CHIEF ESTRADA thanked Mr. Chatwin for his service and leadership as City Manager.

**CITY COUNCIL MEETING ADJOURNED AT 9:32 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, NOVEMBER 20, 2019 AT 7:00 P.M.**

**MINUTES FOR A  
SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF IMPERIAL  
NOVEMBER 6, 2019  
6:00 P.M.  
CLOSED SESSION**

**\*\*THIS MEETING RAN CONCURRENT WITH THE REGULAR MEETING\*\***

**A. CITY COUNCIL CONVENED TO CLOSED SESSION AT 6:00 P.M**

**A-2. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Section 54956.8)**

Property: Northwest Corner of 15<sup>th</sup> Street and SR-86  
Agency Negotiator: City Manager  
Negotiating Parties: Halferty Development Company LLC  
Under Negotiation: Pricing and Terms

**A-3. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Section 54956.9)**

Case No. WCAB No. ADJ11585013

**ADJOURNED SPECIAL MEETING AND CONVENED IN REGULAR MEETING.**