

**MINUTES FOR A JOINT
REGULAR MEETING OF THE CITY COUNCIL
AND
SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY
AND
SUCCESSOR HOUSING AGENCY
CITY OF IMPERIAL
APRIL 1, 2015**

A. COUNCIL CONVENED TO CLOSED SESSION AT 6:00 PM

A-1. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Section: 54956.8)

Property: 063-130-004
Agency Negotiator: CITY MANAGER MARLENE BEST
Negotiating Parties: CARLY BOGUE
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

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

Property: APN No. 064-352-008 and 044-220-049
Agency Negotiator: CITY MANAGER MARLENE BEST, PLANNING DIRECTOR JEORGE GALVAN
Negotiating Parties: TOM TOPUZES
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

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

Case Number: City of Imperial vs. Continental Insurance Company, et al

CITY COUNCIL RE-CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: COX, DALE, SAMPSON, TUCKER, AND GRAN

OTHER OFFICIALS PRESENT: CITY MANAGER BEST, POLICE CHIEF COLÓN, FINANCE DIRECTOR GUTIERREZ, PLANNING DIRECTOR GALVAN, PARKS & RECREATION DIRECTOR ARMSTRONG, PUBLIC SERVICES DIRECTOR LOPER, LIBRARY ADMINISTRATOR CARTER, HUMAN RESOURCES MANAGER GADDIS, CITY ATTORNEY, MORITA, CITY CLERK JACKSON, AND FIRE CHIEF ROUHOTAS

Open Session was called to order at 7:00 PM by MAYOR GRAN and the Pledge of Allegiance was led by Council member DALE.

City Attorney Morita announced that no action was taken in Closed Session.

B. SPECIAL PRESENTATION

B-1. PROCLAMATION – NATIONAL LIBRARY WEEK: APRIL 12-18, 2015

MAYOR GRAN read the proclamation and presented it to Library Administrator Chris Carter.

B-2. PRESENTATION/HIGHLIGHTS OF THE CALIFORNIA PARKS AND RECREATION SOCIETY AWARD CEREMONY – “WOOF TOWN DOG PARK”

PARKS & RECREATION DIRECTOR Stan Armstrong shared with the Council the award that the city received from the California Parks & Recreation Society for the new “Woof Town” Dog Park.

C. PUBLIC APPEARANCES:

ROBERT AMPARANO, invited the Council to the Imperial Cub Scouts Pinewood Derby on April 2, 2015.

D CONSENT AGENDA:

- D-1. Approval of claims/warrants report
- D-2. Approval of the following Resolutions for the *Imperial Lighting Maintenance District No. 1 (Paseo del Sol and Wildflower)* for FY 2015/2016: (1) Res. No. 2015-08, Initiating Proceedings for the Levying and Collection; (2) Res. No. 2015-09, Preliminary Approval of the Engineer’s Report; and (3) Res. No. 2015-10, Levy and Collect Assessments.
- D-3. Approval of the following Resolutions for the *Imperial Landscape Maintenance District No. 1 (Paseo del Sol and Wildflower)* for FY 2015/2016: (1) Res. No. 2015-11, Initiating Proceedings for the Levying and Collection; (2) Res. No. 2015-12, Preliminary Approval of the Engineer’s Report; and (3) Res. No. 2015-13, Levy and Collect Assessments.
- D-4. Approval of the following Resolutions for the *Imperial Landscape Maintenance District No. 2 (Sky Ranch)* for FY 2015/2016: (1) Res. No. 2015-14, Initiating Proceedings for the Levying and Collection; (2) Res. No. 2015-15, Preliminary Approval of the Engineer’s Report; and (3) Res. No. 2015-16, Levy and Collect Assessments.
- D-5. Acceptance of Right-of-Way Deed for intersection improvements at Neckel Road and SR-86 from Oasis Growth Partners, LLC. (40 feet along the northerly side of Neckel Road)
- D-6. Acceptance of Right-of-Way Deed for intersection improvements at Neckel Road and SR-86 from Oasis Growth Partners, LLC. (12 feet along the westerly side of SR-86)
- D-7 Approval of minutes for Special Meetings of January 29, 2015 and February 26, 2015 and Regular meetings of February 4, 2015 and February 18, 2015.

Motion by COX, seconded by SAMPSON to approve the Consent Agenda as presented.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

E. PUBLIC HEARINGS:

- E-1. **SUBJECT: CONTINUED PUBLIC HEARING-DISCUSSION/ACTION: ABANDONMENT AND VACATION OF H STREET BETWEEN BARIONI BOULEVARD AND NINTH STREET.**

This is a continued Public Hearing from March 18, 2015.

Planning Director GALVAN presented the staff report. Mr. Galvan highlighted the original plans which included podium parking with residential units on upper levels. The developer has submitted new plans that call for fewer apartment units and no podium parking. The developer is requesting closure of a portion of “H” Street in order to provide private gated parking for tenants. Mr. Galvan informed Council that a finding made by the Planning Commission was that the closure of the street is consistent with the City’s General Plan.

Members of the audience speaking against the street vacation were: Kathy Seeger; Karol McNeer, Debra Jackson, Rick Breland, Robert Amparano, and Blake Seeger. All are Imperial residents. Concerns cited are with setting precedence for future projects; lack of benefit to citizens of the community with vacating this street,

closure will not provide adequate parking for number of units proposed and a lack of parking for surrounding business and future businesses in the area; and the removal of parking spaces due to the library expansion.

Members of the audience speaking in favor of the vacation were Lorena Romero, owner of the apartment complex at 105 North "H" Street. Ms. Romero feels that this will benefit her complex and looking forward to improvements that this will bring to area.

Discussion was held on ways to bring in additional parking by changing from parallel to angle parking around Eager Park and other downtown streets in project vicinity.

The Public Hearing was closed at 7:55 PM.

1. APPROVE RESOLUTION ABANDONING AND VACATING THAT PORTION OF H STREET BETWEEN BARIONI BOULEVARD AND NINTH STREET.

Motion by COX, seconded by DALE to approve Resolution No. 2015-20, A Resolution of the City Council of the City of Imperial, California Vacating that Portion of "H" Street Between Barioni Boulevard and Ninth Street.

AYES: COX, DALE, AND GRAN

NOES: SAMPSON AND TUCKER

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 3-2

E-2. SUBJECT: PUBLIC HEARING – DISCUSSION/ACTION: COMMUNITY BLOCK GRANT PROGRAM (CDBG) GRANT APPLICATION – COMMUNITY DEVELOPMENT – PUBLIC IMPROVEMENTS AND ECONOMIC DEVELOPMENT-BUSINESS ASSISTANCE.

Public Hearing was opened at 7:58 PM, there being no comments from members of the audience, the Hearing was closed at 7:59 PM

1. APPROVAL OF RESOLUTION NO. 2015-17, APPROVING AN APPLICATION SUBMITTAL FOR FUNDING FOR FROM THE COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE CDBG PROGRAM FOR \$1,800,000.00 AND APPROVAL TO EXPEND APPROXIMATELY \$34,000.00 IN EXISTING OR ANTICIPATED PROGRAM INCOME UNDER THE NOFA AND TO IDENTIFY THE RESPONSIBLE PARTY FOR GRANT ADMINISTRATION.

Motion by COX, second by SAMPSON to approve Resolution No. 2015-17.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

F. NEW BUSINESS:

F-1. SUBJECT: DISCUSSION/ACTION: LEASE OF CITY-OWNED PROPERTY AT 401 EAST BARIONI BOULEVARD.

1. APPROVE LEASE AGREEMENT WITH CHEVAL FEED AND TACK.

Motion by COX, seconded by TUCKER to approve a lease agreement with Cheval Feed and Tack in the amount of \$750.00 per month.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

F-2. SUBJECT: DISCUSSION/ACTION: BUSINESS LOAN FOR MARANATHA STEAKHOUSE.

1. APPROVE SHORT TERM BUSINESS LOAN TO ANDREW SALAZAR IN THE AMOUNT OF \$27,960.08 FOR PURCHASE OF RESTAURANT EQUIPMENT.

Item tabled until a future meeting.

F-3. SUBJECT: DISCUSSION/ACTION: AUTHORIZATION TO SUBMIT APPLICATIONS TO IMPERIAL COUNTY TRANSPORTATION COMMISSION (ICTC) FOR TRANSIT PROGRAM FUNDS.

1. APPROVAL OF RES. NO. 2015-18, APPROVING THE APPLICATION FOR BUS BENCHES/SHELTERS PURPOSES.

Motion by COX, second by DALE, to approve Resolution No. 2015-18.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

2. APPROVAL OF RES. NO. 2015-19, APPROVING THE APPLICATION FOR DIAL-A-RIDE FUNDS.

Motion by COX, second by SAMPSON to approve Resolution No. 2015-19.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

F-4. SUBJECT: DISCUSSION/ACTION: CONSIDERATION OF NEW FORMAT FOR CUSTOMER UTILITY BILLS.

1. APPROVE/PROVIDE DIRECTION: NEW FORMAT OF UTILITY BILLS

No action taken. Item will be brought back.

F-5. SUBJECT: DISCUSSION/ACTION: CITY REPRESENTATION AT THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL CONFERENCE & GENERAL ASSEMBLY TO BE HELD MAY 7 – 8, 2015 IN PALM DESERT, CALIFORNIA.

1. APPOINTMENT OF DELEGATE AND ALTERNATE FOR CITY REPRESENTATION AT THE REGIONAL CONFERENCE & ASSEMBLY.

Motion by COX, second by SAMPSON, to appoint Mayor Gran as delegate and Council member Tucker as alternate.

MOTION CARRIED 5-0 (AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

G. SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY:

G-1. SUBJECT: DISCUSSION/ACTION: ACCEPTANCE OF PROPERTY TRANSFER FROM FORMER REDEVELOPMENT AGENCY TO HOUSING SUCCESSOR AGENCY.

1. AUTHORIZE AGENCY CLERK TO EXECUTE ACCEPTANCE OF PROPERTY TRANSFER FROM CITY OF IMPERIAL REDEVELOPMENT AGENCY TO CITY OF IMPERIAL HOUSING SUCCESSOR AGENCY FOR THE FOLLOWING PROPERTIES:

- a) 101 W. 6th, 103 W. 6th, 105 W. 6th, 107 W. 6th, 201 ½ S. H, 212 ½ S. H, 206 S. H, 208 S. H, 210 S. H, 212 S. H (10-unit apartments)

Motion by COX, second by DALE to authorize transfer of property from RDA to Imperial Housing Successor Agency.

MOTION CARRIED 5-0

(AYES: COX, DALE, SAMPSON, TUCKER, GRAN)

G-2. SUBJECT: DISCUSSION/ACTION: ACCEPTANCE OF PROPERTY TRANSFER FROM FORMER REDEVELOPMENT AGENCY TO SUCCESSOR AGENCY.

1. AUTHORIZE AGENCY CLERK TO EXECUTE ACCEPTANCE OF PROPERTY TRANSFER FROM CITY OF IMPERIAL REDEVELOPMENT AGENCY TO CITY OF IMPERIAL SUCCESSOR AGENCY FOR THE FOLLOWING PROPERTIES:

- a) 208 N.J St. (Martial Arts and Dance Studio)
- b) La Brucherie/Larson (Vacant land for regional park)
- c) Victoria Water Tank (North of Aten/East of Clark)

Motion by COX, second by SAMPSON to authorize transfer of property from former RDA to successor agency.

MOTION CARRIED 5-0

(AYES: COX, DALE, SAMPSON, TUCKER, AND GRAN)

H. REPORTS:

H-1. SUBJECT: MAYOR AND COUNCIL MEMBER REPORTS.

COX informed staff of graffiti on fences backing Hwy 86.

GRAN offered congratulations to SeaPort Airlines for obtaining the Essential Air Service (EAS) subsidy for a two-year period and commented on attending the California Parks and Recreation award ceremony with staff.

H-2. SUBJECT: CITY MANAGER REPORT.

Reported that she attended PIO meeting at NAF earlier in the day and updated Council on the Governors' latest mandates for water restrictions during the current drought.

H-3. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS.

CHIEF COLÓN reported that officers are attending various trainings this week

FINANCE DIRECTOR GUTIERREZ informed council that budget meetings with departments are taking place.

PLANNING DIRECTOR GALVAN gave progress report on the Aten/Dogwood signalization project and the ARAM street project will start in 2 weeks.

LIBRARY ADMINISTRATOR CARTER announced a food drive will be held during library week

H-4. SUBJECT: IMPERIAL CHAMBER OF COMMERCE REPORT.

Julissa Ayala, Chamber Administrative Assistant, gave an update of various Chamber activities coming up and reported the Chamber will be participating in the Sweet Onion Festival.

CITY COUNCIL MEETING ADJOURNED AT 8:40 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, APRIL 15, 2015 AT 7:00 P.M.

**MINUTES FOR A REGULAR MEETING
CITY COUNCIL
AND
SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY
CITY OF IMPERIAL
APRIL 15, 2015**

A. CITY COUNCIL CONVENED TO CLOSED SESSION AT 6:00 PM

A-1. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Section: 54956.8)

Property: PORTION OF TRACT 62, T. 15 S., R.14 E. S.B.M.
Agency Negotiator: CITY MANAGER MARLENE BEST
Negotiating Parties: IMPERIAL RANCH PARTNERS, LLC, (VICTORIA RANCH)
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

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

Property: 064-374-029 – 064-374-063 and 064-375-004 – 064-375-022
Agency Negotiator: CITY MANAGER MARLENE BEST
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

A-3. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Section: 54956.8)

Property: 040-350-004
Agency Negotiator: CITY MANAGER MARLENE BEST
Negotiating Parties: CBM GINNING COMPANY
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

A-4. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Section: 54956.8)

Property: APN No. 064-352-008 and 044-220-049
Agency Negotiator: CITY MANAGER MARLENE BEST, PLANNING DIRECTOR GEORGE GALVAN
Negotiating Parties: TOM TOPUZES
Under Negotiation: INSTRUCTIONS TO NEGOTIATOR CONCERNING PRICE AND TERMS

CITY COUNCIL RE-CONVENED TO OPEN SESSION

COUNCIL MEMBERS PRESENT: COX, SAMPSON, TUCKER, AND GRAN

COUNCIL MEMBERS ABSENT: DALE

OTHER OFFICIALS PRESENT: CITY MANAGER BEST, FINANCE DIRECTOR GUTIERREZ, PLANNING DIRECTOR GALVAN, PUBLIC SERVICES DIRECTOR LOPER, LIBRARY ADMINISTRATOR CARTER, PARKS & RECREATION DIRECTOR ARMSTRONG, HUMAN RESOURCES MANAGER GADDIS, CITY ATTORNEY MORITA, CITY CLERK JACKSON, AND ADM. SGT BARRA

Open Session was called to order at 7:00 by MAYOR GRAN and the Pledge of Allegiance was led by FINANCE DIRECTOR GUTIERREZ.

ADJUSTMENTS TO THE AGENDA:

Motion by COX, second by SAMPSON to remove items C-2, C-5, and D-2 from the agenda.
MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:
City Attorney MORITA reported that no action was taken.

B. PUBLIC APPEARANCES:

1. Antenela Barron, Imperial resident addressed Council on restrictions with installing a swimming pool in light of the current drought and state mandates on water use reductions.
2. Glenna Barrett addressed Council about the upcoming 5K Pets for Vets event.

C CONSENT AGENDA:

- C-1. Approval of claims/warrants report.
- C-2. Approval of Treasurers' Report for March 2015.
- C-3. Approval of Extension of Settlement Agreement Related to the City's Bond Claim for Monterrey Park
- C-4. Approval of Agreement with Carly Bogue (Cheval Feed & Tack) for Lease of City-Owned Property at 401 East Barioni Boulevard.
- C-5. Approval of minutes for Regular Meeting of March 4, 2015 and March 18, 2015 and Special Meeting and Workshop of March 18, 2015.

Motion by COX, second by SAMPSON to approve items C-1, C-3, and C-4.
MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

D. OLD BUSINESS:

D-1. SUBJECT: DISCUSSION/ACTION: ABANDONMENT AND VACATION OF H STREET BETWEEN BARIONI BOULEVARD AND NINTH STREET.

PLANNING DIRECTOR GALVAN informed Council of changes to the Resolution that the Title Company is requesting to ensure property disposition of the "H" Street Right-of-Way as it relates to the legal description.

1. APPROVE RESOLUTION ABANDONING AND VACATING THAT PORTION OF H STREET BETWEEN BARIONI BOULEVARD AND NINTH STREET.

Motion by COX, second by TUCKER to approve Resolution No. 2015-21.
AYES: COX, TUCKER, AND GRAN
NOES: SAMPSON
ABSTAIN: NONE
ABSENT: DALE MOTION CARRIED 3-1

D-2. SUBJECT: DISCUSSION/ACTION: FORMAT FOR CUSTOMER UTILITY BILL.

1. APPROVE NEW FORMAT OF UTILITY BILLS TO BE SENT TO CITY OF IMPERIAL UTILITY CUSTOMERS.

Item tabled.

E. NEW BUSINESS:

E-1. SUBJECT: DISCUSSION/ACTION: REFUNDING OF COMMUNITY FACILITIES

DISTRICTS (CFD).

1. AUTHORIZATION TO MOVE FORWARD WITH THE REFUNDING OF THE FOLLOWING CFD'S: BRATTON, MONTERREY PARK, SAVANNAH RANCH, SPRINGFIELD, AND VICTORIA RANCH.

Motion by COX, second by SAMPSON to move forward with the refunding of the Community Facilities Districts.

MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

E-2. SUBJECT: DISCUSSION/ACTION: VICTORIA RANCH UNIT 4-A FINAL MAP.

1. APPROVAL OF SUBDIVISION AGREEMENT

Motion by COX, second by TUCKER to approve the Subdivision Agreement.

MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

2. ACCEPTANCE OF FORM OF SECURITY FOR THE OFF-SITE IMPROVEMENTS

Motion by COX, second by TUCKER to approve the form of security for off-site improvements.

MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

3. APPROVAL OF FINAL MAP

Motion by COX, second by TUCKER to approve the Final Map.

MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

4. AUTHORIZE CITY CLERK TO RECORD FINAL MAP & RELATED DOCUMENTS

Motion by COX, second by TUCKER to direct City Clerk to record Final Map and related documents.

MOTION CARRIED 4-0 (AYES: COX, SAMPSON, TUCKER, AND GRAN)

E-3. SUBJECT: DISCUSSION/ACTION: AWARD OF CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE IMPERIAL TRANSIT CENTER.

1. APPROVE AWARD OF CONTRACT

Motion by COX, second by SAMPSON to award contract to Psomas in the amount of \$201,241.00.

AYES: COX, SAMPSON, TUCKER, AND GRAN

NOES: NONE

ABSTAIN: NONE

ABSENT: DALE MOTION CARRIED 4-0

E-4. SUBJECT: DISCUSSION/ACTION: AGREEMENT FOR GRANT WRITING SERVICES.

1. APPROVE AGREEMENT WITH CALIFORNIA CONSULTING FOR GRANT WRITING SERVICES.

Motion by COX, second by SAMPSON to approve the agreement with California Consulting for \$4,750.00 per month.

AYES: COX, SAMPSON, TUCKER, AND GRAN

NOES: NONE

ABSTAIN: NONE

ABSENT: DALE MOTION CARRIED 4-0

F. SUCCESSOR AGENCY TO THE FORMER CITY OF IMPERIAL REDEVELOPMENT AGENCY.

F-1. SUBJECT: DISCUSSION/ACTION: REFUNDING OF EXISTING OUTSTANDING TAX ALLOCATION BOND DEBT OF THE FORMER REDEVELOPMENT AGENCY.

1. APPROVE RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE CITY OF IMPERIAL REDEVELOPMENT AGENCY AUTHORIZING THE ISSUANCE AND SALE OF TAX ALLOCATION REFUNDING BONDS, AND APPROVING THE FORM OF AN INDENTURE OF TRUST AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

Motion by SAMPSON, second by COX to approve Resolution No. SA 2015-01.

MOTION CARRIED 4-0

(AYES: COX, SAMPSON, TUCKER, AND GRAN)

G. REPORTS:

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

TUCKER reported on attending the Air Pollution Control Board Meeting earlier in the day.

GRAN reported on the Centinela Citizens Advisory Board meeting that he attended.

G-2. SUBJECT: CITY MANAGER REPORT.

Reported on meeting regarding the Austin/Brewer Road issues and reported on the upcoming ICTC Summit that will be held on April 30 and May 1.

G-3. SUBJECT: DEPARTMENT HEAD AND STAFF REPORTS.

FINANCE DIRECTOR GUTIERREZ gave an update on the Department of Finance review of the Successor Agency ROPS. Staff has requested a Meet and Confer on the ROPS.

PARKS & RECREATION DIRECTOR ARMSTRONG reported the Aviation Park is scheduled to open on May 1st.

G-4. SUBJECT: IMPERIAL CHAMBER OF COMMERCE REPORT.

CHAMBER CEO SIOTA that five new members have joined the Chamber and gave updates on various activities.

CITY COUNCIL MEETING ADJOURNED AT 8:00 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, MAY 6, 2015 AT 7:00 P.M.