

MINUTES

CITY COUNCIL CITY OF IMPERIAL APRIL 1, 2020

**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 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 was not accessible to the public and was not subject to special posting requirements.

COUNCIL MEETING CALLED TO ORDER AT 5:00 PM.

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

A. CITY COUNCIL CONVENED TO CLOSED SESSION

**A-1. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision of Section 54956.9
One potential case.

A-2. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT.

Title: City Manager

CITY COUNCIL ADJOURNED CLOSED SESSION

B. CITY COUNCIL CONVENED TO OPEN SESSION

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

OTHERS PRESENT: CITY ATTORNEY MORITA, ASSISTANT CITY MANAGER
BROWN, COMMUNITY DEVELOPMENT DIRECTOR LOPER,
FIRE CHIEF ESTRADA, PARKS SUPERVISOR LOPEZ, HR
ANALYST ZAMUDIO, COMMUNITY DEVELOPMENT
DIRECTOR MORA, AND CITY CLERK JACKSON

PLEDGE OF ALLEGIANCE was held.

ADJUSTMENTS TO THIS AGENDA:

Staff requested that item F-2 and item F-6 be pulled from the agenda at this time.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:

CITY ATTORNEY MORITA announced that no action was taken in Closed Session.

C. PUBLIC APPEARANCES:

C-1. Matters not appearing on the agenda. None.

C-2. Matters appearing on the agenda. None.

D. CONSENT AGENDA:

D-1. Approval of claims/warrants report.

D-2. Approval of Treasurers' Report for the month of February 2020.

D-3. Approval of Community Facilities District (CFD) Disbursement Request as requested by Victoria Ranch (CFD 2004-1).

D-4. Approval of Community Facilities District (CFD) Disbursement Request as requested by Bratton (CFD 2004-1).

Motion by AMPARANO, second by DALE to approve the Consent Agenda as presented.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

E. PUBLIC HEARINGS:

E-1. **SUBJECT: AMENDMENT TO THE VICTORIA RANCH SPECIFIC PLAN.**

1. PUBLIC HEARING was opened at 7:04 pm.

There was no Public testimony received and the hearing was closed at 7:05 pm with the following action taken:

2. ADOPT RESOLUTION 2020-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING AN AMENDMENT TO THE VICTORIA RANCH SPECIFIC PLAN – REPLACEMENT OF “THEME TREE” FROM MEXICAN FAN PALM TO MEDITERRANEAN FAN PALM ALONG ATEN BOULEVARD.

Motion by DALE, second by AMPARANO to adopt Resolution No. 2020-10.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

MOTION CARRIED 5-0

F. ACTION ITEMS:

F-1. **SUBJECT: PROJECT LIST FOR FISCAL YEAR 2020-2021 FUNDED BY SB-1; THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.**

1. ADOPT RESOLUTION NO. 2020-11, RESOLUTION OF THE CITY COUNCIL ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-2021 FUNDED BY SB 1; THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.

Motion by EUGENIO, seconded by TUCKER to adopt Resolution No. 2020-11.

AYES: AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-2. SUBJECT: SURFACE TRANSPORTATION BLOCK GRANT (STBG) FUNDS.

1. ADOPT RESOLUTION NO. 2020-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING AN APPLICATION SUBMISSION TO OBTAIN FUNDING THROUGH THE FY 2020-2021 SURFACE TRANSPORTATION BLOCK GRANT (STBG).

Item pulled from the agenda.

F-3. SUBJECT: WASTE WATER TREATMENT PLANT UPGRADE PROJECT.

1. REQUEST BY W.M. LYLES CO. TO CHANGE THEIR WORKING HOURS FROM 7:00 AM TO 5:00 PM MONDAY THROUGH FRIDAY TO START AT 1:30 AM ON CONCRETE POUR DAYS AND 3:30 AM ON DAYS WITH NO SCHEDULED POURS.

Motion by TUCKER, second by DALE to approve the change to working hours as requested.

AYES: AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-4. SUBJECT: OUTSTANDING COMMUNITY FACILITIES DISTRICT TAXES FOR MAYFIELD CFD 2004-2 AND BRATTON CFD 2004-3.

1. APPROVAL TO PROCEED WITH STRIPPING OF DELINQUENT SPECIAL TAX INSTALLMENTS FROM THE COUNTY TAX ROLL FOR COMMUNITY FACILITIES DISTRICT NO. 2004-2 (MAYFIELD) AND 2004-3 (BRATTON) FOR 2017-2018, 2018-2019, AND 2019-2020.

Motion by TUCKER, second by AMPARANO to proceed with stripping of delinquent special taxes.

AYES: AMPARANO, DALE, EUGENIO, TUCKER, AND PECHTL
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0

F-5. SUBJECT: SKY RANCH BLOCK WALL PROJECT- LABOR COMPLIANCE SERVICES.

1. AWARD CONTRACT TO LABOR COMPLIANCE CONSULTANTS OF SOUTHERN CALIFORNIA, LLC IN THE AMOUNT OF \$5,000.00

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

AYES: EUGENIO, TUCKER, AND PECHTL
NOES: AMPARANO AND DALE
ABSTAIN: NONE
ABSENT: NONE MOTION CARRIED 3-2

F-6. SUBJECT: DISCUSSION/ACTION: RATE INCREASE TO WASTE SERVICES PROVIDED BY REPUBLIC SERVICES.

1. APPROVAL OF RATE INCREASE TO WASTE SERVICES DUE TO MANDATORY ORGANICS RECYCLING.

Item pulled from the agenda.

G. REPORTS:

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

EUGNEIO stated that it has been an interesting few weeks with being at home and homeschooling her daughter during the stay at home orders.

TUCKER requested that the city's sign ordinance regarding "feather signs/flags" be brought to Council for discussion/review in the near future.

AMPARANO commented on the life changing events taking place right now and encouraged everyone to keep a positive attitude with moving forward during this time.

PECHTL gave a historical perspective of life changing events experienced by each generation in our country. Mayor Pechtl shared a poem he wrote "Undefeated We Rise", a moving tribute for front line heroes serving during this pandemic.

G-2. SUBJECT: CITY MANAGER REPORT

None.

G-3. SUBJECT: DEPARTMENT REPORTS.

Parks Superintendent Lopez informed Council that all city playgrounds were closed to the public as of today, due to COVID-19.

Fire Chief Estrada reported the department has been very busy. Encouraged by how everyone is working together during this time.

Kris Haugh, NAF PAO, introduced Captain Perkins to the Council. Captain Perkins is the new commander at NAF El Centro.

Captain Perkins stated that he is excited to be a part of Imperial County.

Public Services Director Loper presented a slideshow of the WWTP expansion project currently underway.

CITY COUNCIL MEETING ADJOURNED AT 7:34 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, APRIL 15, 2020, AT 7:00 P.M.

MINUTES
CITY COUNCIL
CITY OF IMPERIAL
APRIL 15, 2020

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

TELECONFERENCE NOTICE

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A. CITY COUNCIL CONVENED TO OPEN SESSION

MAYOR PECHTL called the meeting to order at 7:00 PM.

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

OTHERS PRESENT: **CITY ATTORNEY MORITA, ASSISTANT CITY
MANAGER BROWN, PUBLIC SERVICES
DIRECTOR LOPER*, FIRE CHIEF ESTRADA*,
POLICE CHIEF BARRA*, COMMUNITY SERVICES
DIRECTOR HALLER*, IT DIRECTOR ESTRADA,
ADMINISTRATIVE SERVICES DIRECTOR
GUTIERREZ*, COMMUNITY DEVELOPMENT
DIRECTOR MORA*, CITY CLERK JACKSON AND
PARKS SUPERINTENDENT LOPEZ. (*denotes
remote participants)**

PLEDGE OF ALLEGIANCE was led by **COUNCIL MEMBER AMPARANO**.

ADJUSTMENTS TO THIS AGENDA: None

B. PUBLIC APPEARANCES:

B-1. Matters not appearing on the agenda. None.

B-2. Matters appearing on the agenda. None.

C. SPECIAL PRESENTATION:

C-1. **PROCLAMATION DECLARING THE MONTH OF APRIL AS "AUTISM AWARENESS
MONTH."**

Gloria Brambila Autism Support Group Imperial County, speaking on behalf of all valley families who have members on the autism spectrum thanked the Council and city for their support. Also speaking and thanking council is James Gonzales, Rosanne Silva, Luis Chapa, and Luz Genel.

MAYRO PECHTL read the proclamation aloud.

D. CONSENT AGENDA:

- D-1.** Approval of claims/warrants report.
- D-2.** Approval of minutes for regular meetings of February 19, 2020, March 18, 2020 and special meetings of March 18, 2020 and March 24, 2020 and emergency meeting of March 21, 2020.
- D-3.** Approval of Resolution 2020-13 approving the application for bicycle/pedestrian funds and approval of Resolution 2020-14 approving the application for bus benches/shelters to be submitted to Imperial County Transportation Commission (ICTC).
- D-4.** Approval of Resolution 2020-15, designating agents for OES purposes.

Motion by AMPARANO, second by EUGENIO to approve the consent agenda withholding warrant 92723 payable to JT Towing for separate action.

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

Motion by AMPARANO, second by DALE to approve warrant 92723 payable to JT Towing.

AYES: AMPARANO, DALE, EUGENIO, AND PECHTL
NOES: NONE
ABSTAIN: TUCKER
ABSENT: NONE MOTION CARRIED 4-0-1

E. PUBLIC HEARINGS:

MAYOR PECHTL announced that he will step down and hand the gavel to Mayor Pro-tem Eugenio for this item. Mayor Pechtl reported that he spoke as a witness and provided testimony at the Planning Commission hearing.

Councilmember AMPARANO informed the council that he had a conversation with Mr. Felix on March 18, 2020. Councilman Amparano stated that he informed Mr. Felix that he was not able to have a conversation with him regarding the project as it was scheduled for an appeal.

E-1. SUBJECT: APPEAL OF PLANNING COMMISSION DECISION DENYING A TIME EXTENSION, AMENDMENTS TO CONDITIONS OF APPROVAL AND REVOCATION OF CUP 19-06 LOCATED AT 2475 CLARK ROAD, IMPERIAL, CA AS REQUESTED BY JUSTO FELIX.

- 1. OPEN PUBLIC HEARING at 7:20 PM.
 - 1a. Appellant presentation regarding basis for appeal.

Mr. Ralph Cordova, attorney for Justo Felix requested the hearing be continued to May 6, 2020 as he was just retained by Mr. Felix within the past few days and would like additional time to prepare.

Mr. Cory Van Driessche, a resident in the vicinity of the business addressed the council stating he would like to move forward with the hearing and not continue it. He stated that Mr. Felix continues to operate outside of the approved hours as set by the CUP. Mr. Van Driessche feels that the matter should not be continued as there have been ongoing issues for three years.

- 1b. Staff presentation
- 1c. Public presentation

- 2. RENDER DECISION ON APPELLANT'S REQUEST TO OVERTURN PLANNING COMMISSION DECISION AND ADOPT RESOLUTION GRANTING OR DENYING APPEAL.

Motion by EUGENIO, second by AMPARANO to continue the hearing to May 6, 2020 at 7:00 pm

AYES: AMPARANO, DALE, TUCKER, AND EUGENIO

NOES: NONE

ABSTAIN: NONE

ABSENT: PECHTL MOTION CARRIED 4-0

The gavel was returned to MAYOR PECHTL who presided for the remainder of the meeting.

There was a brief discussion between City Attorney Morita and Mr. Cordova as to the interpretation of the city ordinance on Mr. Felix being able to operate his business during the appeal period.

F. ACTION ITEMS:

F-1. SUBJECT: ENGINEERING SERVICES FOR WATER MASTER PLAN

- 1. APPROVE PROPOSAL FOR ENGINEERING SERVICES FOR WATER MASTER PLAN AS SUBMITTED BY ALBERT A. WEBB ASSOCIATES IN THE AMOUNT OF \$196,195.00

Motion by AMPARANO, second by EUGENIO to approve the proposal submitted by Albert A. Webb Associates for engineering services.

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE MOTION CARRIED 5-0

F-2. SUBJECT: ENGINEERING SERVICES FOR WATER PROJECTS.

- 1. APPROVE PROPOSAL FOR ENGINEERING SERVICES AS SUBMITTED BY ALBERT A. WEBB ASSOCIATES FOR VARIOUS WATER PROJECTS IN THE AMOUNT OF \$633,630.00
 - a. Airport Pipeline Loop
 - b. GAC Expansion
 - c. WTP Clearwell Pump Station Replacement
 - d. Annual Water Pipeline Replacement
 - e. WTP Lining Raw Water Pond #4

Motion by AMPARANO, second by DALE to accept the proposal from Albert A. Webb Associates as submitted.

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

F-3. SUBJECT: CLARK LIFT STATION PROJECT – BID 2020-02.

1. AWARD BID TO SANCON TECHNOLOGIES IN THE AMOUNT OF \$40,000.00

Motion by AMPARANO, second by DALE to award bid to Sancon Technologies.

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

F-4. SUBJECT: WATER TREATMENT PLANT – WTP FILTER TO WASTE PROJECT – BID 2020-03

1. AWARD BID TO CORA CONSTRUCTORS, INC IN THE AMOUNT OF \$356,772.00.

Motion by AMPARANO, second by EUGENIO to award the bid to Cora Constructors, Inc.

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

F-5. SUBJECT: SURFACE TRANSPORTATION BLOCK GRANT (STBG) FUNDS.

1. ADOPT RESOLUTION NO. 2020-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING AN APPLICATION SUBMISSION TO OBTAIN FUNDING THROUGH THE FY 2020-2021 SURFACE TRANSPORTATION BLOCK GRANT (STBG).

Motion by AMPARANO, second by EUGENIO to adopt Resolution No. 2020-12.

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

G. REPORTS:

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

AMPARANO stated that he is glad to see the 11th Street project nearing completion.

PECHTL thanked staff for the work that went into setting up for tonight's meeting to allow participation remotely and the ability to provide access to the public to be present and participate outside of council chambers. Mayor Pechtl encouraged all to stay safe.

G-2. SUBJECT: CITY MANAGER REPORT

None.

G-3. SUBJECT: DEPARTMENT REPORTS.

COMMUNITY SERVICES DIRECTOR HALLER reported that marketing has been released for the virtual fest to be held on April 25, 2020. She presented the line-up of entertainment, vendors, and the 5k virtual run.

COMMUNITY DEVELOPMENT DIRECTOR MORA updated council on the water line break located at the 11th & G Street intersection.

ASSISTANT CITY MANAGER BROWN announced that a PSA featuring city employees will be posted online.

CITY COUNCIL MEETING ADJOURNED AT 8:09 P.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY, MAY 6, 2020, AT 7:00 P.M.

**MINUTES FOR A
SPECIAL MEETING OF THE CITY COUNCIL
CITY OF IMPERIAL
MARCH 24, 2020**

A. CITY COUNCIL CONVENES TO OPEN SESSION:

COUNCIL MEMBERS PRESENT: AMPARANO, DALE (IN AT 5:30 PM), EUGENIO, TUCKER, AND PECHTL

OTHER OFFICIALS PRESENT: CITY ATTORNEY MORITA, ASSISTANT CITY MANAGER BROWN, CITY CLERK JACKSON, POLICE CHIEF BARRA, AND POLICE SGT. SHEFFIELD

MAYOR PECHTL called the meeting to order at 5:00 PM.

B. PUBLIC APPEARANCES:

None.

C. CITY COUNCIL CONVENE TO CLOSED SESSION

C-4. SUBJECT: THREAT TO PUBLIC SERVICES OR FACILITIES (54957)

Consultation with City Attorney and Imperial Police Department, Chief of Police and staff.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION.

No action was taken.

Special City Council meeting adjourned at 5:40 pm.