

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
CITY COUNCIL May 11, 2009**

The regular meeting of the Holtville City Council was held on Monday, May 11, 2009 at 5:30 p.m. in the Civic Center. Council Members present were Bianca Padilla, Colleen Ludwig, Richard Layton, David Bradshaw and Jerry Brittsan. Staff members present were Laura Fischer, Gerry Peacher, Rosa Ramirez, Alex Silva, Daniel Ibarra and Glyn Snyder. Rick Watson was absent. City Attorney Steve Walker, City Planner Justina Arce and City Treasurer Pete Mellinger were present.

CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:

Mayor Padilla called the meeting to order at 5:35 p.m.

CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:

Mayor Padilla called the meeting to order at 6:12 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Padilla led the pledge of allegiance.

INVOCATION: Tom Storey gave the invocation.

CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:

The City Clerk verified that the agenda was duly posted on May 7, 2009.

EXECUTIVE SESSION ANNOUNCEMENTS:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: *(Government*

Code Section 54956.9(b)

Willowbend LLC vs. City of Holtville

Claim of Willowbend LLC

No reportable action taken.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: *(Government*

Code Section 54956.9(b)

Milan vs. City of Holtville

No reportable action taken.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

((Government Code Section 54956.9(c)

Mobile Home Financing Authority

No reportable action was taken.

PUBLIC EMPLOYEE EVALUATION: *(Government Code Section 54957.6)*

Title: City Manager

No reportable action was taken.

PUBLIC COMMENTS:

None

PROCLAMATION: A proclamation was presented for Juror Appreciation Week.

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PRESENTATION FROM FIRE DEPARTMENT: A plaque of appreciation was presented to City Attorney, Steve Walker.

CONSENT AGENDA:

- 1. Approval Of Minutes Of The Regular Meeting Of April 27, 2009**
- 2. Current Demands #25277 to #25406**

A motion was made by Council Member Layton and seconded by Council Member Bradshaw to approve Consent Agenda items 1 and 2. All members present were in favor and the motion carried unanimously.

REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUES:

City Manager

The City Manager reviewed the written report provided for Council. She said League of Cities is requesting Council to adopt a resolution asking to balance the state's budget. She reported a man has been arrested for alleged child molestation. Mr. Hester, President of the Chamber of Commerce has been given direction to meet with the City Manager and the City Planner regarding the marquee. They will be discussing the monument and the location. The water line project on Melon Rd. has been completed and the storm drains are still being worked on. The vertical turbine will be installed at the wastewater treatment plant next week.

City Planner

A written planning report was provided and reviewed by the City Planner. The draft environmental checklist for the Public Safety has been completed and sent to the Environmental Evaluation Committee for review. Council Member Brittsan visited with Mr. James Brock and asked why the pictures didn't reflect the property. These pictures were not sent with the letter, they were obtained from the fire department.

A written grant report was provided and reviewed.

Council Member Brittsan inquired about the golf cart issue and the City Attorney said information being gathered will be brought back to Council in June.

Finance Manager Rosa Ramirez has been working on the budget.

Fire Chief Alex Silva reported a check in the amount of \$16,432 has been received for the strike team. The Fire Department has been called to stand by for the Santa Barbara fires. He reported three firefighters responded to an emergency call and a gentleman's life was saved. He is in the Intensive Care Unit in stable condition.

POLICIES AND PROCEDURES:

None

CONTACTS BY DEVELOPERS/BUSINESS LOANS:

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None

UNFINISHED BUSINESS:

Discussion/Related Action To Waive The Second Reading And Adopt ORDINANCE 469 Establishing And Adopting The Downtown Code As Chapter 17.41 And 17.63 Of The Holtville Municipal Code, Rezoning Property To The D-A And D-B Zoning Districts And Amending The Official Zoning Map Of The City Of Holtville Regarding The Same – Laura Fischer, City Manager

A motion was made by Council Member Ludwig and seconded by Council Member Layton to waive the second reading and adopt Ordinance 469 establishing and adopting the Downtown Code as Chapter 17.41 and 17.63 of the Holtville Municipal Code, rezoning property to the D-A and D-B Zoning Districts and amending the Official Zoning Map of the City of Holtville regarding the same. The motion carried 4/1 in the form of a roll call vote with Council Member Brittsan opposing.

NEW BUSINESS:

PUBLIC HEARING- Discussion/Related Action Regarding CDBG Funded Form Base Code And Design Review Guidelines Project And To Accept Final Product As Complete And Proceed With Closeout Of Grant 06-EDBG-2567 Via RESOLUTION 09-20 – Justina Arce, City Planner

Mayor Padilla opened the public hearing at 6:46 p.m. Receiving no public comments from the audience the public hearing was closed at 6:46 p.m. A motion was made by Council Member Bradshaw and seconded by Council Member Layton regarding CDBG funded Form Base Code and Design Review Guidelines Project and to accept final product as complete and proceed with closeout of Grant 06-EDBG-2567 via Resolution 09-20. The motion carried 4/1 in the form of a roll call vote with Council Member Brittsan opposing.

PUBLIC HEARING – Discussion/Related Action To Adopt RESOLUTION 09-22 Approving Transfer Of Funds Between CDBG RLA Funds And Awarding CDBG Construction Contract To Raul Garcia Construction – Justina Arce, City Planner

Mayor Padilla opened the public hearing at 6:48 p.m. Council Member Ludwig asked who will be administrating this project. The Finance Manager will be the administrator. Council Members Ludwig and Bradshaw both expressed concerns regarding the owner/investor not occupying the property. This is typical of what the state allows and the objective of the program is to eliminate health and safety issues for the residents. Mrs. Ludwig feels that Code Enforcement should require property owners to be responsible for having their property in livable conditions. Member Brittsan expressed concerns regarding the owner's ability to pay the taxes and insurance on the property. Council Member Bradshaw asked for the number of condemnable properties in the City. The City Manager estimated the number to be less than ten. City Treasurer Pete Mellinger recommends moving forward with this loan. The public hearing was closed at 7:18 p.m. A motion was made by Council Member Layton and seconded by Council Member Brittsan to adopt Resolution 09-22 approving transfer of funds between CDBG RLA Fund and awarding CDBG construction contract to Raul Garcia Construction. The

motion carried 3/2 in the form of a roll call vote with Council Member Ludwig and Council Member Bradshaw opposing.

Discussion/Related Action To Adopt RESOLUTION 09-17 Regarding Disadvantage Business Enterprise Agreement – Laura Fischer, City Manager

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to adopt Resolution 09-17 regarding Disadvantage Business Enterprise Agreement. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

Discussion/Related Action To Adopt RESOLUTION 09-21 Authorizing The City Manager To Act On The City's Behalf On All Matters Pertaining To The SAFETEA-LU Demo Project No. 910 And Committing A 20% Local Matching Fund – Laura Fischer, City Manager

A motion was made by Council Member Bradshaw and seconded by Council Member Ludwig to adopt Resolution 09-21 authorizing the City Manager to act on the City's behalf on all matters pertaining to the SAFETEA-LU Dem Project No. 910 and committing a 20% local matching fund. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

Discussion/Related Action To Schedule Budget Workshops – Rosa Ramirez, Finance Manager

A motion was made by Council Member Bradshaw and seconded by Council Member Brittsan to schedule Budget Workshops for Wednesday, May 20th, Tuesday, June 2nd and Wednesday, June 10th. All meetings will be at 5:30 p.m. All members present were in favor and the motion carried unanimously.

Discussion/Related Action Regarding City Owned Mobile Home Repairs – Laura Fischer, City Manager

A motion was made by Council Member Layton and seconded by Council Member Brittsan to authorize repairs to City owned mobile home and authorize City Manager to award contract to low bidder not to exceed \$5,400. The motion passed with Council Members Bradshaw and Ludwig opposing.

INFORMATION ONLY:

Information Only Regarding Freeze Grant Report – Daniel Ibarra, Recreation Supervisor

A slide show was provided along with a review of the written report. Betty Predmore, 840 Chestnut commended Mr. Ibarra, the Recreation Department and Council for the Recreation Program. Information only; no action taken.

Information Only Regarding Third Quarter Budget Review – Rosa Ramirez, Finance Manager

The written report was reviewed. Information only; no action taken.

Information Only Regarding Negotiations With Sheriff – Laura Fischer, City Manager

The City Manager reviewed the written report. Information only; no action taken.

ADJOURNMENT:

There being no further business to come before council, Mayor Padilla adjourned the Regular City Council Meeting at 8:36 p.m.

Bianca Padilla, Mayor

Glyn Snyder, City Clerk

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
REDEVELOPMENT AGENCY
May 11, 2009**

The regular meeting of the Holtville Redevelopment Agency was on Monday, May 11, 2009 in the Civic Center. Board Members present were Bianca Padilla, Colleen Ludwig, Richard Layton, David Bradshaw and Jerry Brittsan. Staff members present were Laura Fischer, Gerry Peacher, Rosa Ramirez, Alex Silva and Glyn Snyder. Rick Watson was absent. City Attorney Steve Walker, City Planner Justina Arce and City Treasurer Pete Mellinger were present.

REDEVELOPMENT AGENCY CALLED TO ORDER:

Chairman Padilla called the Redevelopment meeting to order at 8:36 p.m.

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval Of Minutes Of The Regular Meeting Of April 27, 2009
2. Current Demands #1494 To #1503

A motion was made by Board Member Layton and seconded by Board Member Brittsan to approve consent agenda items 1 and 2. All members present were in favor and the motion carried unanimously.

**REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES, &
COMMUNIQUES:**

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

INFORMATION ONLY:

Information Only Regarding Public Works Yard Demo – Gerry Peacher, Public Works Manager

Information only; no action taken.

Information Only Regarding Public Safety Building – Gerry Peacher, Public Works Manager

Information only; no action taken.

Board Member Brittsan said he would like to have the Brock property surveyed by the Holt Group. The City Manager said this can be done without a formal survey, but she will bring back a cost estimate to the next Council meeting.

ADJOURNMENT:

There being no further business to come before the Board, Chairman Padilla adjourned the meeting at 9:13 p.m.

Bianca Padilla, Chairman

Glyn Snyder, Secretary