

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
CITY COUNCIL
June 10, 2013**

The regular meeting of the Holtville City Council was held on Monday, June 10, 2013 at 5:30 p.m. in the Civic Center. Council Members present were Mike Goodsell, Richard Layton, David Bradshaw, Jim Predmore and Ginger Ward. Staff members present were Alex Meyerhoff, Nick Wells and Glyn Snyder. City Treasurer Pete Mellinger, City Engineer Jack Holt, City Planner Justina Arce and City Attorney Steve Walker were also present.

CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:

Mr. Goodsell called the meeting to order at 5:30 p.m.

CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:

Mr. Goodsell called the meeting to order at 6:00 p.m.

INVOCATION:

The invocation was led by Pastor Michael Foss of First Assembly of God.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by David Bradshaw.

Mr. Goodsell requested a moment of silence for Mrs. Mabel Meek. Mrs. Meek and her husband, Milton Meek donated property on Sixth Street for the City to build a Public Safety Building on.

CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:

The City Clerk verified that the agenda was duly posted on June 7, 2013.

EXECUTIVE SESSION ANNOUNCEMENTS:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Government Code Section 54956.9(a))

Willowbend LLC vs. City Of Holtville
Imperial Palms Resort vs. City of Holtville
Efrain Martinez vs. City of Holtville
City of Holtville vs. Rombaut
City of Holtville vs. Black Dog Farms
No reportable action taken.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

(Government Code Section 54956.9(c))

Claim of Dick Otto
Claim of Federico Garcia
No reportable action taken.

PUBLIC EMPLOYMENT

(Government Code Section 54957.6)

City Manager Evaluation
No reportable action taken.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Government Code Section 54956.9)

Property: 1499 State Hwy 98, Management & Training Corporation, Alliance Subsidiary

Agency Negotiators: City Manager and City Attorney

Under Negotiation: Terms of Operations, Management and Maintenance Agreement

No reportable action taken.

Property: APN 045-631-010-000 (SEC Fern Avenue and Fourth Street)

Agency Negotiators: City Manager and City Attorney

Under Negotiation: Terms and Lease of Operation

No reportable action taken.

Property: APN 045-330-034-000 (640 E. 3rd Street, Space 5)

Agency Negotiators: City Manager and City Attorney

Under Negotiation: Price and Terms of Payment

No reportable action taken.

PUBLIC COMMENTS:

Tomas Oliva, Regional Representative of SCAG introduced himself and handed out a City of Holtville Profile Report to Council members, City Manager and City Clerk. SCAG provides local government with services including planning data and information, technical and planning assistance, and analyzing the impacts of infill development.

Robert Menvielle introduced himself and said he has filed paperwork to run for Imperial County Assessor. He currently works in the Assessor's office. Mr. Mellinger said Mr. Menvielle was one of his former students at Imperial Valley College.

CONSENT AGENDA:

1. Approval of Minutes Of The Regular Meeting Of May 28, 2013

2. Current Demands #31949 To #31961

A motion was made by Mr. Layton and seconded by Ms. Ward to approve Consent Agenda items 1 and 2. The motion carried 5/0.

REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUES:

Mrs. Snyder provided an update on the Ice Cream Social and Farmer's Market/Street Fair. This event will be held on Thursday, June 13th in Holt Park. Fifty-three vendors will be participating. All of the Council members and Mr. Mellinger said they will be attending the Ice Cream Social.

Mr. Goodsell attended an ICTC meeting. He said the State of the City Address is scheduled for June 24th prior to the regular City Council meeting.

Mr. Predmore said the Football Camp that was held this past weekend was a success.

UNFINISHED BUSINESS:

3. PUBLIC HEARING - Discussion/Related Action To Adopt RESOLUTION 13-20 Revising Charges Of The Wastewater (Sewer) Rates Required To Fund The Operations,

Maintenance, Repair and Replacement Of The Municipal Collection System And Treatment Plant – Nick Wells, Finance Manager

Mr. Goodsell opened the public hearing at 6:10 p.m. Receiving no comments from the audience the public hearing was closed at 6:11 p.m. Mr. Walker said the following language should be added to this resolution before adoption:

WHEREAS, upon conclusion of the hearing, the City Council determined that (i) revenues to be derived from the proposed Charges will not exceed the funds required to provide wastewater service, (ii) revenues to be derived from the proposed Charges will not be used for any purpose other than that for which the proposed Charges will be imposed, (iii) the amount of proposed Charges imposed upon any parcel will not exceed the proportional cost of the wastewater service attributable to the parcel, (iv) no proposed Charges will be imposed unless wastewater service is actually used by, or immediately available to, the owner of the property in question, and (v) the proposed Charges will not be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services where the service is available to the public at large in substantially the same manner as it is to property owners.

Mr. Walker said Ordinance 466 will be brought to the next meeting for repeal.

A motion was made by Mr. Predmore and seconded by Mrs. Ward to adopt Resolution 13-20 revising charges of the wastewater (sewer) rates required to fund the operations, maintenance, repair and replacement of the municipal collection system and treatment plant. The motion carried 5/0 in the form of a roll call vote.

4. Discussion/Related Action To Adopt RESOLUTION 13-30 Authorizing And Approving Mayor And City Attorney To Execute A Purchase Agreement With The County Of Imperial For APN # 045-631-010 For The Purchase Of Tax-Defaulted Property By Agreement Sale Under Applicable Provisions Of The California Revenue And Taxation Code – Alex Meyerhoff, City Manager

This item was tabled.

5. Discussion/Related Action Regarding Proposals Received For A Mobile Home Impact Study – Alex Meyerhoff, City Manager

Direction was given to staff to negotiate contract with the lowest bidder, who was Overland, Pacific and Cutler.

NEW BUSINESS:

6. Discussion/Related Action To Adopt RESOLUTION 13-29 Adopting An Appropriations Limit For Fiscal Year Ending June 30, 2014 - Nick Wells, Finance Manager

A motion was made by Mr. Layton and seconded by Mr. Bradshaw to adopt Resolution 13-29 adopting an Appropriations Limit for Fiscal Year ending June 30, 2014. The motion carried 5/0 in the form of a roll call vote.

7. Discussion/Related Action To Adopt RESOLUTION 13-21 Adopting A Budget For Fiscal Year 2013-14 And Rescinding All Prior Resolution Related To The Appropriation Of Funds - Nick Wells, Finance Manager

A motion was made by Mr. Layton and seconded by Ms. Ward to adopt Resolution 13-21

adopting a budget for Fiscal Year 2013-14 and rescinding all prior resolutions related to the appropriation of funds. The motion carried 5/0 in the form of a roll call vote.

Mr. Goodsell thanked Mr. Wells for the good job he is doing.

8. Discussion/Related Action To Adopt RESOLUTION 13-22 To Award The Grape Avenue Phase I (Article 8A) And Phase II (SLPP) Improvements Project Construction Services Contract – Justina Arce, City Planner

A motion was made by Mr. Bradshaw and seconded by Mr. Layton to adopt Resolution 13-22 to award the Grape Avenue Phase I (Article 8A) and Phase II (SLLP) Improvements Project Construction Services Contract to Hazard Construction in the amount of \$385,373.80. The motion carried 5/0 in the form of a roll call vote.

9. Discussion/Related Action To Award Contracts Associated With The SAFETEA-LU Demonstration Bridge 58-007 Project As Follows:

a. Adopt RESOLUTION 13-25 Awarding The Quality Assurance Program (QAP) Contracts For The SAFETEA-LU Demonstration Bridge 58-007 Project – Justina Arce

A motion was made by Mr. Bradshaw and seconded by Mr. Layton to adopt Resolution 13-25 awarding the Quality Assurance Program contracts for the SAFETEA-LU Demonstration Bridge 58-007 Project to Landmark Consultants and Sierra Material Testing and Inspection for the amount of \$14,298 and \$9,941 respectively. The motion carried 4/1 in the form of a roll call vote. Mr. Goodsell opposed.

b. Adopt RESOLUTION 13-26 To Award The Construction Management Contract For The SAFETEA-LU Demonstration Bridge 58-007 Project – Justina Arce, City Planner

A motion was made by Mr. Predmore and seconded by Mr. Bradshaw to adopt Resolution 13-26 to award the Construction Management contract for the SAFETEA-LU Demonstration Bridge 58-007 Project to Dynamic Consulting Engineers in the amount of \$75,315. The motion carried 4/1 in the form of a roll call vote. Mr. Goodsell opposed.

c. Adopt RESOLUTION 13-27 To Award The Construction Contract For The SAFETEA-LU Demonstration Bridge 58-007 Project – Justina Arce, City Planner

A motion was made by Mr. Layton and seconded by Mr. Predmore to adopt Resolution 13-27 to award the Construction contract for the SAFETEA-LU Demonstration Bridge 58-007 Project to Hazard Construction Company in the amount of \$727,944.50 contingent upon a negative Change Order No. 1 (\$54,448.49). The motion carried 4/1 in the form of a roll call vote. Mr. Goodsell opposed.

10. Discussion/Related Action To Adopt RESOLUTION 13-28 To Authorize The City Engineer To Proceed With The Design Services For The Congestion Management And Air Quality Program For The Fourth Street Pedestrian Improvements Project – Justina Arce, City Planner

A motion was made by Ms. Ward and seconded by Mr. Predmore to adopt Resolution 13-28 to authorize the City Engineer to proceed with the design services for the Congestion Management and Air Quality Program for the Fourth Street Pedestrian Improvements Project. The motion

carried 5/0 in the form of a roll call vote.

11. Discussion/Related Action Regarding Draft Fiscal Impact Agreement With Imperial County For Annexation HV 01-13 (Bornt Annexation) – Justina Arce, City Planner

Direction was given to staff to accept the Draft Fiscal Impact Agreement with modifications to negotiate the share that goes to the County to a lower amount. All members present were in favor and the motion carried unanimously.

INFORMATION ONLY:

12. City Manager Report – Alex Meyerhoff

- a. Finance Manager – Nick Wells**
- b. Public Works Supervisor – Alex Chavez**
- c. Water Works Supervisor – Frank Cornejo**
- d. Police Chief – Manuel DeLeon**

Staff Reports

Written reports were provided by the following: City Manager, Public Works Supervisor, Water Works Supervisor and Police Chief.

Mr. Wells reported that Manuel Zamora has taken a leave of absence from his regular duties. He is currently doing an internship in the Water Department at no cost to the City. Manuel is a student at San Diego State University and is majoring in Public Administration. Mr. Wells reported that in the last six weeks the City's audit, the single audit, the budget, the sewer rate increase and the bond closing for the detention facility have been completed.

Mr. Walker asked for clarification regarding hours of discharge for fireworks. The hours that will be allowed are noon to 10:30 p.m. on June 28, 10:00 a.m. until 10:30 p.m. from June 29 – July 5 and 10:00 a.m. until noon on July 6.

Mr. Predmore wrote an article regarding the new housing development and posted it to the Tribune website. He said 500 hits were received the first day.

Elizabeth Enriquez Phillips complimented Glyn Snyder for the work she has done on the Farmer's Market and Street Fair. She thanked Council for allowing Mrs. Snyder to dedicate time to this event. She also said she has enjoyed working with Jessica Yocupicio from the Neighborhood House.

ADJOURNMENT:

There being no further business to come before Council, Mr. Goodsell adjourned the meeting at 7:37 p.m.

Mike Goodsell, Mayor

Glyn Snyder, City Clerk