

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
CITY COUNCIL November 23, 2009**

The regular meeting of the Holtville City Council was held on Monday, November 23, 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, Rosa Ramirez, Gerry Peacher, Clint Erro and Glyn Snyder. Alex Silva, Frank Cornejo and Matt Hughes were absent. City Planner Justina Arce and City Treasurer Pete Mellinger were present. City Attorney Steve Walker was also present.

CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:

Mayor Padilla called the meeting to order at 5:30 p.m.

CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:

Mayor Padilla called the meeting to order at 6:09 p.m.

PLEDGE OF ALLEGIANCE:

Council Member Layton led the pledge of allegiance.

CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:

The City Clerk verified that the agenda was duly posted on November 20, 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 LABOR NEGOTIATORS:

(Government Code Section 54957.6)

Agency Negotiator: City Manager/City Attorney

Holtville Police Officer Association

No reportable action taken.

PUBLICEMPLOYEE/APPOINTMENT/EVALUATION/DISCIPLINE/DISMISSAL:

(Government Code Section 54957)

Title: Police Sergeant

No reportable action taken.

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval of Minutes of the Regular Meeting of November 9, 2009

Council Minutes 11/23/09

2. Current Demands # 26386 To #26411

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 attended the IVAG Subcommittee Meeting. She reported there was a fire at 860 Elm Avenue and arson is suspected. This property has been abandoned and it is in foreclosure. APG Kandle Shop & Boutique has opened on Fifth Avenue. Mrs. Fischer also reported BECC awarded the contract for the residential sewer project and the north end water extension project to AMEC. The outfall main project was awarded to the Holt Group.

Council Member Brittsan said the city crew did an exemplary job of cleaning up the property and removing the fence at 664 Palm Avenue.

UNFINISHED BUSINESS:

Discussion/Related Action To Adopt RESOLUTION 09-55 Amending The ED Commercial Façade Improvement Program Guidelines To Incorporate HUD Underwriting Requirements – Justina Arce, City Planner

A motion was made by Council Member Bradshaw and seconded by Council Member Layton to adopt Resolution 09-55 amending the ED Commercial Façade Improvement Program Guidelines to incorporate HUD Underwriting Requirements. The motion carried 5/0 in the form of a roll call vote.

Discussion/Related Action To Approve Agreement For County To Perform Certain Law Enforcement Services And Functions For The City Of Holtville Via RESOLUTION 09-61– Laura Fischer, City Manager

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to approve agreement for County to perform certain Law Enforcement Services and functions for the City of Holtville. All members present were in favor and the motion carried unanimously. Resolution 09-61 will be brought back to Council to ratify the contract after it has been approved by the County. There was no body in attendance from the Holtville Police Officer's Association although they have been given the opportunity to comment on the contract.

NEW BUSINESS:

Discussion/Related Action To Adopt RESOLUTION 09-62 To Modify Memorandum Of Understanding Between City Of Holtville And Holtville Peace Officer's Association – Laura Fischer, City Manager

This item was pulled from the agenda.

Discussion/Related Action To Approve Deducting The Over Budget Amount For The Chamber Marquee Project From Next Fiscal Year Chamber Dues – Rosa Ramirez, Finance Manager

A motion was made by Council Member Brittsan and seconded by Council Member Layton to approve deducting the over budget amount for the Chamber Marquee Project from next fiscal year Chamber dues. The motion carried with Council Member Bradshaw abstaining.

PUBLIC HEARING - Discussion/Related Action To Adopt RESOLUTION 09-58 To De-Obligate CDBG Program Income From Grant 08-EDEF-5785 – Justina Arce, City Planner

Mayor Padilla opened the Public Hearing at 6:37 p.m. Receiving no comments from the audience the Public Hearing was closed at 6:37 p.m. A motion was made by Council Member Bradshaw and seconded by Council Member Layton to adopt Resolution 09-58 to de-obligate CDBG Program Income from Grant 08-EDEF-5785. The motion carried 5/0 in the form of a roll call vote.

Discussion/Related Action Adopt RESOLUTION 09-59 To Approve Submittal Of Application Of The Bicycle Transportation Account State Funds FY 2010/2011 For City Projects That Improve Safety And Convenience For Bicycle Commuters – Justina Arce, City Planner

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to adopt Resolution 09-59 to approve submittal of application of the Bicycle Transportation Account State Funds FY 2010/2011 for city projects that improve safety and convenience for bicycle commuters. The motion carried 5/0 in the form of a roll call vote.

Discussion/Related Action To Accept 2007-08 Audit – Rosa Ramirez, Finance Manager

A motion was made by Council Member Layton and seconded by Council Member Brittsan to accept 2007-08 Audit and Single Audit Report FY ended June 30, 2008. All members present were in favor and the motion carried unanimously.

Discussion/Related Action To Approve Going Dark For The December 28th Meeting – Laura Fischer, City Manager

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to approve going dark for the December 28th meeting. All members present were in favor and the motion carried unanimously.

INFORMATION ONLY:

Information Only Regarding 1st Quarter Budget Review Report – Rosa Ramirez, Finance Manager

Information only; no action taken.

Information Only Regarding Energy Commission Grant – Gerry Peacher, Public Works Manager

Information only; no action taken.

Information Only Regarding Manhole Project – Gerry Peacher, Public Works Manager

Information only; no action taken.

Information Only Regarding Old Dump – Gerry Peacher, Public Works Manager

Information only; no action taken.

Staff Reports

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

The Finance Manager reported she will be attending the Municipal Finance Institute Conference next week and the City Clerk will be attending the New Law and Leadership Conference.

The City Attorney invited everyone to his office Christmas party on December 11th.

ADJOURNMENT:

There being no further business to come before council, Mayor Padilla adjourned the Regular City Council Meeting at 7:14 p.m.

Bianca Padilla, Mayor

Glyn Snyder, City Clerk

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
REDEVELOPMENT AGENCY
November 23, 2009**

The regular meeting of the Holtville Redevelopment Agency was on Monday, November 9, 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, Rosa Ramirez, Gerry Peacher, Clint Erro, Daniel Ibarra and Glyn Snyder. Alex Silva, Frank Cornejo and Matt Hughes were absent. City Planner Justina Arce and City Treasurer Pete Mellinger were present. City Attorney Steve Walker was also present.

REDEVELOPMENT AGENCY CALLED TO ORDER:

Chairman Padilla called the Redevelopment meeting to order at 7:14 p.m.

EXECUTIVE SESSION ANNOUNCEMENTS:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR: *(Government Code Section 54956.8)*

Property: APN #'s 045-292-016, 045-293-006, 045-293-007

Agency Negotiator: City Manager

No reportable action taken.

PUBLIC COMMENTS:

None

CONSENT AGENDA:

- 1. Approval Of Minutes Of The Regular Meeting Of November 9, 2009**
- 2. Current Demand #1545**

A motion was made by Board Member Layton and seconded by Board 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, &
COMMUNIQUE:**

None

INFORMATION ONLY:

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

Information only; no action taken.

Information Only Regarding Skate Park – Daniel Ibarra, Recreation Supervisor

Council Member Brittsan presented information on legal requirements for skate board parks. He stated the Government Code 831.7 requirement using Health and Safety Code 115800 requires any skateboarder under 18 years of age to have helmet, knee pads and elbow pads while riding in a public park. He stated Vehicle Code 21212 requires helmets to be worn by anyone under 18 or face a \$25 fine along with parent or guardian being

fined. He says there will be parking issues and he believes Mack Park would be a better location. He was also concerned with legalities and insurance issues.

Council Member Ludwig expressed concern for the residents and feels other locations would be more appropriate. She said the City needs a sports complex because this facility is already impacted.

Council Member Layton said this location is the most economical and Mayor Padilla agreed.

Council Member Bradshaw said if direction is going to be given to staff it should be from the majority of the Council

At the last Council meeting a location was selected by a majority vote and Council authorized staff to prepare and submit an RFP for the design and construction of the skate park. The City Manager said all of the issues presented this evening will be addressed during the RFP process, however the RFP would not be brought back before Council until January giving Council time to review the status of the Capital Improvement Budget.

ADJOURNMENT:

There being no further business to come before the Board, Chairman Padilla adjourned the meeting at 7:53 p.m.

Bianca Padilla, Chairman

Glyn Snyder, Secretary